



Department of
Resources Recycling and Recovery

Yana Garcia
Secretary for Environmental Protection
Rachel Machi Wagoner
CalRecycle Director

February 15, 2023

Ms. Lorena Warner-Lara, Environmental Scientist
California Department of Parks and Recreation
Tijuana River National Estuarine Research Reserve
301 Caspian Way
Imperial Beach, CA 91932



Subject: SCH No. 2019049100 - Recirculated Draft Environmental Impact Report for Nelson Sloan Quarry Restoration and Beneficial Reuse of Sediment Project

Dear Ms. Warner-Lara:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The California Department of Parks and Recreation (CDPR), acting as Lead Agency, has prepared and recirculated a Draft Environmental Impact Report (EIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The Nelson Sloan Quarry Restoration and Beneficial Reuse of Sediment Project (project) proposes the beneficial reuse of excess sediment excavated from managed sources (e.g., sediment basins, flood control facilities and conveyances) from a range of ongoing, approved, and/or permitted sediment management activities (and proposed habitat restoration and enhancement projects) in the Tijuana River Valley towards landform and habitat restoration in the abandoned Quarry.

The proposed project property is located on County of San Diego (County) jurisdictional lands within the City of San Diego's Multi-Habitat Planning Area (MHPA), in the southwestern portion of the County in the Tijuana River Valley Regional Park. The approximately 20-acre project site/area of impact is located on Assessor's Parcel Numbers 664-011-05-00 and 664-011-04-00 and is situated approximately 400 feet south of the intersection of Monument Road and Old Dairy Mart Road. The Project site is designated for Park, Open Space, and Recreation uses.

The proposed project design parameters would include:

- (1) a quarry boundary project of 70 acres with a project impact area of 20 acres;
- (2) approximately 1,000,000 cubic yards of total fill over a 10-year time frame;
- (3) project operating hours of 7:00 am to 5:00 pm Monday-Friday; and

(4) approximately 132,062 total truck haul trips to transfer sediment to the quarry.

COMMENTS

Excluded Activities

The following disposal activities do not constitute Construction and Demolition (C&D) waste or inert debris operations or facilities if it meets the requirements of Title 14, California Code of Regulations (14 CCR), Section 17388.2 – Excluded Activities.

In summary, an activity that meets at least one of the following criteria is considered excluded:

(1) Any use (e.g., grading) of gravel, rock, soil, sand and similar, whether processed or not, that has never been used in connection with any structure, road, parking lot, or similar use.

(2) Engineered fill activities which have local permits as required, and are carried out in conjunction with a construction project (e.g., building and other construction, bridge and roadway work, development of pathways or riding trails, etc.), and which use uncontaminated concrete and/or fully cured asphalt which has been reduced in particle size to 2" or less as part of a recycling activity and concludes within two years from commencement.

(3) Inert debris engineered fill activities which conclude within one year of commencement and that meet all requirements of [14 CCR] Section 17388.3 of this Article, except subsections (b) inspections, (c) Plan, (d) State Minimum Standards, (g) final cover, (h) scales and submittal of EA Notification.

(4) Removal and disposal of landslide debris containing no C&D waste by Federal, State and local government public works agencies and their contractors, provided that the material removed from such sites is disposed in accordance with applicable law.

(5) Removal and disposal of sediment which has accumulated within irrigation or flood control facilities and which contains no solid waste, by Federal, State and local government public works agencies and their contractors, provided that the material removed from such sites is disposed or otherwise handled in accordance with applicable law.

(6) The use of fully cured asphalt, uncontaminated concrete (including steel reinforcing rods embedded in the concrete), crushed glass, brick, ceramics, clay and clay products, which may be mixed with rock and soil, in connection with road building, road repair, airport runway construction, bridge and roadway work, levee work, flood control work, and all associated activities by Federal, State and local government public works agencies and their contractors.

(7) Existing C&D waste or inert debris disposal sites from which all waste and debris have been removed (clean closure) within one year after February 24, 2004, provided that the material removed from such sites is disposed in accordance with applicable law. The board [CalRecycle] may extend the time for clean closure by up to one year upon the applicant's showing of good cause for such extension.

Will the proposed project be designed and operated to meet at least one of the criteria above? If not, the activity may be subject to 14 CCR regulatory requirements.

Daily Throughput

The EIR describes six phases of total sediment deposits, that increase in each phase. What is the expected maximum amount (in tons) of sediment to be brought onto the site in one operating day?

Daily Truck Trips

The EIR describes the estimated total truck haul trips that will be required in each phase of the project, increasing in each phase. What is the maximum amount of truck haul trips anticipated in one operating day?

Project Operating Hours

The EIR describes the operating hours of 7:00 am to 5:00 pm, Monday-Friday. Will any ancillary (e.g., cleaning or maintenance) hours be required outside of 7:00 am to 5:00 pm, Monday-Friday?

Elevation

The EIR states that, "Final restoration would be completed when final elevation contours are established in each phase." What will the final maximum elevation be?

Solid Waste Regulatory Oversight

The City of San Diego Development Services Department is the Local Enforcement Agency (LEA) and is responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. Please contact the LEA, Brian Panther at (619) 533-3675 or HPanther@sandiego.gov, to discuss the regulatory requirements, if any, for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the recirculated environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the Final EIR and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

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If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.341.6719 or by e-mail at Cody.Oquendo@calrecycle.ca.gov.

Sincerely,



Cody Oquendo, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Benjamin Escotto, Supervisor
Permitting & Assistance Branch – South Unit

Brian Panther
City of San Diego LEA