



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 29, 2023

Robert Hingtgen
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Robert.Hingtgen@sdcounty.ca.gov

Subject: Proposed Cottonwood Sand Mine Project (PROJECT), Recirculated Draft Environmental Impact Report (RDEIR), SCH #2019100513

Dear Robert Hingtgen:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Recirculated DEIR from the County of San Diego (County) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code. The Project details referenced here are based on information provided in the RDEIR and its associated documents, as well as through prior meetings and correspondence between the CDFW and Project proponents.

CDFW provided comments on the Draft EIR (DEIR) in a letter dated February 28, 2022. In that letter, CDFW's comments focused on hydrology, the County's obligations under Fish and Game Code section 1600 *et seq.*, and species-specific Project impacts. While we understand that changes to the Biological Resources section of the EIR have not been recirculated, CDFW has additional comments pertaining to the natural resources for which we are a Trustee Agency [Fish & G. Code, §§711.7, subdivision (a) & 1802; Pub. Resources Code, §21070; California Environmental Quality Act (CEQA) Guidelines, §15386, subdivision (a)].

Regarding the analysis of habitat types within the Project area, CDFW agrees with the analysis provided by the Sierra Club, Hamilton Biological, and other concerned citizens, that habitat types described in the DEIR as "disturbed" have reverted to a more natural state since the surveys were conducted in 2020. CDFW acknowledges that the former classification follows the environmental baseline as defined under CEQA (§15063(d)(1)).

¹ CEQA is codified in the California Public Resources Code in section 21000 *et seq.* The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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However, in implementing the approved Multiple Species Conservation Program Subarea Plan, the County should further consider the loss of non-native grassland that has taken the place of disturbed habitat, as the emerging natural habitat provides potential suitable habitat for sensitive species and connectivity for wildlife movement between preserved areas up- and down-stream of the Project site. We therefore recommend that the functional loss of this habitat should be offset and accounted for in the Reclamation Plan associated with the Project.

Additionally, CDFW appreciates that our species-specific comments regarding herpetofauna and bats were included in the RDEIR; however, several of our comments, including those regarding hydrological design, were not incorporated. We look forward to reviewing the Final EIR and working with the County on the hydrological aspects of the Project design and other unaddressed comments from our letter on the DEIR.

CDFW appreciates the opportunity to comment on the RDEIR to assist the County in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Heather Schmalbach, Senior Environmental Scientist Specialist, at Heather.Schmalbach@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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David A. Mayer
Environmental Program Manager
South Coast Region

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