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# Jamul Dulzura

## Community Planning Group

### Unincorporated County of San Diego

#### “ Final ” MINUTES

#### August 15, 2023

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1. CALL TO ORDER 7:42pm
2. ROLL CALL  
**Present:** Preston Brown, Kevin May, Dan Neirinckx, Janet Mulder, Ed Mollon, Paul Dombkoski, Rachel Vedder, Lisa Hodgson, Eve Nasby, Thomas Gray  
**Guests:**  
**Excused:** Paul Romero, Steve Wragg, Michael Casinelli  
**Vacant Seats:** 2,9
3. APPROVAL: Minutes for August 1, 2023. Delayed till next meeting.
4. OPEN FORUM: In the interest of time, we moved straight to the presentations.
5. CLIMATE ACTION PLAN (CAP): **Meghan Kelly**, representative of the *Sustainability Planning Division of San Diego County Planning and Development Services*, presented an update on the Climate Action Plan of the County of San Diego.  
Greenhouse gas emissions (GHGE) inventory  
Measures to reduce GHGE from County operations/activities in the unincorporated areas.  
Next steps before the release of a draft CAP for public view this fall.

The purpose of the CAP is to reduce Green House Gasses (GHG) in the Unincorporated County of San Diego. The CAP actions or measures are designed to meet State Targets and achieve a goal of “Net Zero Carbon Emissions” by 2035 -2045.

*“CAP measures will also provide important benefits to the environment and our residents. Benefits may include preserving the environment, reducing health disparities, increasing access to green careers, improving quality of life, and advancing environmental and social justice.”*

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The County seeks public community input.

**Information:** [www.sandiegocounty.gov/cap](http://www.sandiegocounty.gov/cap)

Email: [cap@sandiegocounty.ca.gov](mailto:cap@sandiegocounty.ca.gov)

Questions: [PDS.PlanningCommission@sdcountry.ca.gov](mailto:PDS.PlanningCommission@sdcountry.ca.gov)

The current CAP update is still out for public review. It will go before the BOS for approval this fall. The CAP plan will integrate with the SANDAG transportation modelling for Vehicle Miles Travelled (VMT) and should be ready to present to the BOS in the fall of 2024. The CAP plan is different from the Decarbonization strategies but both strive for the same benefits and complement each other.

- The vision is to have the lands capture carbon for storage and preserve their natural state. There are 70 different actions to protect native and endangered species.
  - There is an outline for actions to preserve 111 acres in perpetuity.
  - The County seeks “Equity Based Solutions” that are tailored to the individual character of the specific communities throughout the County. In the more rural areas the goal is to ensure trail access especially with rural preserves.
  - Goals include: energy resiliency, electrification of more items, agriculture and conservation, carbon farming, climate friendly water and waste water use, reduce potable water retention and reuse, water purification projects with electric power, waste management and incentives for electric vehicles.
  - **Ed Mollen** stated that there has been a massive increase in traffic on SR-94 and a lot of idling cars in commuting hours. Other than electric vehicles, how can the CAP plan to reduce emissions from transportation actually work. VMT won’t apply for cross border traffic along SR-94 as an alternate route. **Meghan Kelley** said they will be looking into this issue in the SANDAG transportation modelling.
  - **Dan Neirinckx** asked if this were not a “self-blinding” point of view. Why not consider nuclear. **Meghan** replied that they are partnering with SD Community Power and they will consider this option. **Dan** asked if they had considered “hydrogen stations” in their 2045 plan. Meghan said currently there are only 2 hydrogen stations in the County.
  - **Lisa Hodgson** said there is not an ample supply of renewable energy. **Meghan** replied that we are working on how to measure and show the increase in renewable supply.
  - **Ed Mollen** asked of solar farms injured birds and if they heated up the area and did not service power to local community? **Meghan** replied that we get that a lot in Jacumba and others. We are looking at “community grid” options and trying to establish backup systems especially during weather related events. How to make the system resilient.
  - **Janet Mulder** said that the problem with electric cars in the County is that EV’s cannot handle the distance and it may never work to get completely off of gas engines.
  - **Dan** asked where they were expecting to get 11,000 acres to capture GHG. How do you get this space? **Meghan** This is based on the based on the current acquisition of open space separate from mitigation from development. We count MSCP areas and others not covered by MSCP.
  - **Tomas Gray** We could eventually us up the mineral supplies for batteries. Are we thinking beyond that point? **Meghan** replied that they are looking at hydrogen as a source. We see resources for new materials from recycling and hydrogen. **Ed Mollen** asked if there are considering any other alternative sources for power. **Meghan** said they are considering projects that use water for power. How much power is not in the CAP at this point.
6. ONSITE WASTEWATER TREATMENT SYSTEMS (OWTS) **Linda Turkatte** presented the changes to OWTS California Codes submitted by the LOCAL AGENCY MANAGEMENT PROGRAM (LAMP). LAMP is run under the Department of Environmental Health and Quality Land and Water Quality Division

For Questions: contact Linda Turkatte at [Linda.Turkatte@sdcounty.ca.gov](mailto:Linda.Turkatte@sdcounty.ca.gov)

[Click here for the LAMP Draft Version 2 Update](#)

[Click here for the Summary:](#)

[Click here To submit comments use this Form:](#)

Questions about the Feed Back Form contact: [Joann.Lee@sdcounty.ca.gov](mailto:Joann.Lee@sdcounty.ca.gov)

**Linda** stated that an overriding purpose of the version 2 update is to make the codes and regulations consistent across the entire state. In 2000, State Legislation (AB 885) directed the State Water Resources Control Board to develop regulations or standards for onsite waste water treatment systems (OTWS) to be implemented by qualified local agencies. LAMP will submit their Tier 2 proposal to the San Diego Regional Water Quality Control Board, (RWQCB). Tier 1 of the LAMP standards were accepted in 2015 by the BOS and the (RWQCB) and codified in 2017. The purpose of LAMP is to implement minimum standards for OWTS to protect water quality and public health and to address the diverse range of geological and climate conditions in the region allowing each region to develop their own standard based on their local conditions.

- The local agency has to review these standards every 5 years including setbacks, depth of ground water, changes in stream flows, foreign bodies of water, dispersal fields and percolation testing from 4-6 primary and reserve.
  - Changes have been made to the following: ground water separation tables, septic types and sizes, requirements on affluent filters, and changes to enforcement. In affecting ephemeral streams and drainage water coverage the slope requirements have changed from 25% to 30% to address soil stability.
- **Kevin May** asked about the issue of subdivision nitrogen reduction and whether the new tables to reduce nitrogen levels. ADU's may not meet the new density requirements. **Linda Turkatte** said that a new unit would be treated like an additional one bedroom. And hopefully any problems on-site will be addressed early. **Kevin** asked about the regulations on pumping and how are they enforced. **Linda** said this will be handled on the basis of educating the homeowner to keep pumping records, which would normally happen every 2-3 years.
  - **Dan Neirinckx** asked what is the County preferred system? Linda said leech lines and seep beds and vertical seepage pits near the coast. **Linda** mentioned the research on a new pre-engineered supplemental system. **Dan** said that the subdivision of Simpson Farms was allowed to use dispersion type drip lines. **Linda** said that evaporative systems are promoted by the Regulatory Board. **Dan** mentioned that these systems required constant power and days without it you would get surface seepage and start to smell pretty bad. **Linda** said their goal is to keep nitrates and bacteria out of waterways.
  - **Ed Mollen** asked how to upgrade a system for an ADU. **Linda** said you could expand on the existing one or add a new system. **Ed** asked if there were a tipping point, for instance of 6 bedrooms. **Dan** added that ADU's are ministerial and the rules are in place for septic requirements.

7. COTTONWOOD SANDMINE PROJECT: JDCPG Letter of Response to the **Recirculated Draft EIR** for Cottonwood Sand Mine Project, PDS2018-MUP-18-003, PDS2018-RP-18-001, PDS2018-ER-18-19-007. Update Link for more information: <https://www.sandiegocounty.gov/pds/ceqa/MUP-18-023.html>

**Kevin May** read out loud the entirety of the Final Letter submitted to the County PDS on August 21, 2023. As Chair, the group asked him to make a few revisions and the group would accept his judgement for the changes that we suggested. For the Final and Complete Letter from the JDCPG, SEE ATTACHMENT 1.

The group commented and voted to approve this letter unanimously.

8. JAMUL CASINO, HOTEL AND ENTERTAINMENT CENTER EXPANSION PROJECT: Updates  
**Kevin May** said that he spoke to someone at Caltrans and advised them that they would need flag people to control truck movement crossing over SR-94 from the cement batch plant to the Casino site.
9. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS:

**Dan Neirinckx** reported that he is communicating with residents of the Barrett Lake area to get the word out and to arrange a public meeting with the applicant for the proposed 80-foot AT&T cell tower in Barrett Junction.

10. ADJOURNMENT 10:04pm

**NOTICE OF NEXT REGULAR MEETING**

**Tuesday, September 5, 2023**

**Jamul-Dulzura Union School District - Jamul Education Center**

**14581 Lyons Valley Road**

**Jamul, CA 91935**

**Hybrid Meeting: Both In-Person and Zoom Attendance**

<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>

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**JAMUL DULZURA  
COMMUNITY PLANNING GROUP**

**MISSION STATEMENT**

*"The mission of the Jamul-Dulzura Community Planning Group is to represent the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1."*

**PURPOSE STATEMENT**

*The purpose of the Jamul-Dulzura Community Planning Group is:*

- *To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.*
- *To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.*

**ATTACHMENT I: JDCPG Letter of Response to the Recirculated Draft EIR for Cottonwood Sand Mine Project**

August 21, 2023

Christopher Jacobs, [Christopher.Jacobs@sdcounty.ca.gov](mailto:Christopher.Jacobs@sdcounty.ca.gov)

County of San Diego

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

**RE: Recirculated Draft EIR for Cottonwood Sand Mine Project, PDS2018-MUP-18-003, PDS2018-RP-18-001, PDS2018-ER-18-19-007.**

Dear Mr. Jacobs,

Thank you for giving us the opportunity to comment on the RDEIR for the Cottonwood Sand Mine Project. We have carefully reviewed the Recirculated Draft and we have found many flaws and shortcomings. The following is a list of issues that we believe need to be corrected, reevaluated and more realistically studied.

- I. **List of Current and Proposed Projects** This list needs to be updated as several projects in the area of influence have been withdrawn or canceled and others, especially a significant commercial project, are excluded. Also, newly established conservation areas, like Village 14 in Proctor Valley, that border the USFW reserves that connect to the Cottonwood Sweetwater river basin need to be included. It is another treasure of biodiversity of endangered species in our area and it bolsters the links and connectivity between existing preserves. It must be evaluated in the larger context of the total perspective of cumulative impacts.
- II. **Hauling Truck Trips and Usage**
  - A. The applicant needs to identify the correct number of all truck usages, on-site and off-site, and accurately estimate GHG, and the impacts on off-site traffic for hauling of all materials to and from the site. In its current state, this information is scattered throughout the document. It needs to be assembled for a precise and clear total to judge the cumulative impact.
  - B. Restrictions on routes for truck travel into the backcountry of Jamul need to be enforced. Roads like Jamul Drive and Steele Canyon Road, which both serve as alternate routes to and from SR-94 in daily travel and for emergency evacuation in wildland fires, need to be permanently and officially off limits to the trucks hauling sand. The Traffic Guidelines prepared by the Traffic Engineering Section, Department of Public Works, County of San Diego, states that:

*“The regular use of large commercial vehicles on a residential or subdivision street should be discouraged when a reasonable route is available. Pursuant to Section 35712 of the California Vehicle Code, commercial vehicles exceeding a gross weight of 14,000 pounds may be prohibited on a County-maintained Road located in a residential or subdivision area. Commercial vehicle weight restrictions may be considered when an alternate route is identified and a condition exist such that prohibition of these vehicles will substantially reduce conflicts with pedestrians, bicyclists, or parked vehicles and improve the quality of life (less noise, pollution, etc.)”*

**In Section(I-9)**, the DEIR declares that:

*“The weight capacity of a standard heavy vehicle for outgoing loads is approximately 25 tons (50,000 LBS) of material transported per truck.”*

A fully loaded sand dump truck will exceed this limit by more than 3 times. There are suitable alternate routes and the recent dramatic increase in the number of truck trips only exacerbates the negative effects on local traffic congestion and quality-of-life issues of health, noise, and pollution.

### III. **Reclamation Plan**

- A. This needs much greater specificity and justification for the types of materials listed for use for “backfill”. The 2.5 million Cubic Yards (CY) of “suitable materials” described seem vague and arbitrary with no consideration given to the dangers of importing foreign or contaminated materials from a variety of unknown sites into this very sensitive and biologically diverse river watershed. Using the waste or demolished debris from other construction sites, “thus profiting from a dump operation,” cannot be an option for backfill material. The plan must appropriately articulate how the “suitable materials” will ensure proper “native” habitat restoration. It has been reported that a previous open pit sand mine up the road on Willow Glen Drive, the owners turned it into a dump for anything including cars and other polluting objects and then compacted and built housing.
- B. The RDEIR proposes to expand the “floodplain” and the “river basin”. The benefits are vague and not convincing. What is the “peer review evidence” that confirms this is actually more beneficial than the “original” condition of the basin. However, what is clear is that the Applicant will benefit greatly by not having to import more soil, demolition debris and other objects to backfill the pit. The advantages for repopulating plant and animal species to the new layout are not stated. This is largely speculative and wishful thinking. It needs to be substantiated before approval of this project.

### IV. **Biological Resources** The applicant discloses that there are 3 additional “status plant species” and 5 additional “status animal species” that were missed in the first study of the area. They are added to the previous long list of identified species with “*potential significant*” impacts.

- A. The strategy for preserving species of frogs, toads, and other amphibians and reptiles really needs to be scrutinized beforehand by “peer review” scientists. Ideas like checking the area 2 weeks in advance of commencing digging as adequate time to find and then “...consult with CDFW” or “*qualified biologists*” and prepare “*species specific protocol for proper handling and relocation procedures*” may be very unrealistic. Where has this been successful in the past? Relocation has many inherent pitfalls. Such protocols, if any exist, should be spelled out in the RDEIR and not 2 weeks prior to the search for them, and previous successful efforts using these protocols should be given as confirmation.
- B. To be clear, the habitat and the environment itself will be completely demolished for an open pit mining operation. It will be a “dead zone”, a desert with degrees of toxicity that the applicant speculates can be restored as the operation moves through its phases. Are the species that have been relocated now to be returned?
- C. Declaring that “*Implementation of the Project would result in significant impacts to USACE wetland and non-wetland waters of the U.S., and the Project would also result in significant*

*impacts to RWQCB wetland and non-wetland waters of the State and CDFW-jurisdictional riparian habitat and streambed*” is an accurate statement. To offer mitigation measures M-BIO-16 through M-BIO-18, and M-BIO-20 to reduce potential impacts to a “less-than-significant” level is possibly without any evidence or precedent.

- V. **Traffic Impact Study (TIS)** An updated Traffic Impact Study must be completed as the previous one was done during the “COVID” shutdown resulting in a study that does not accurately reflect current traffic loads. Since the COVID lock down and the nearly 2 years since the release of the first DEIR Draft, there has been a dramatic increase in traffic along SR-94. We see slow moving bumper to bumper traffic consistently during commuting hours, Monday through Friday, along this ageing 2 lane highway which is the lifeline for residents in the Jamul backcountry for an emergency evacuation. Other factors to consider include:
- A. Substantial increase in traffic along the SR-94 corridor from commuting traffic from Tecate border crossings.
  - B. VDT to the Jamul Casino has increased over the last few years adding more congestion to SR-94 at daytime and evening hours. 100% of the casino traffic uses SR-94. The current casino expansion project will add an additional potential “*maximum occupancy*” of 4,480 people to the already 5,500 maximum capacity allowance for the existing gaming floor for a total of **9,980 people** assembled in one location on 2 acres. This will bring another dramatic increase in traffic and must be included in this traffic study.
  - C. Jamul Casino construction trips from workers and truck hauling deliveries and machinery must be considered.
  - D. For onsite “SALES” of sand, how can traffic be regulated when it is served on an “on-demand” basis? Is there a maximum number of trucks they can serve in one morning? Was this ever estimated and limits placed on it.?
  - E. The use of smaller trucks along the conveyor belt corridor totaling 5,600 feet are not accounted for in the activity of daily circulation routes, noise, pollution or GHG. The route under the Steele Canyon Bridge is the connection point of the 2 main site areas. The dust and noise at this bottle neck below this bridge will have an impact on the traffic passing over it.

VI. **Contradictory Claims**

- A. False Gift: Vacant promises (in M-BIO-14 of the Biological Mitigation list) that state ‘will set aside 150.7 acres for open space after reclamation’ as if it is a generous offering. Previously, to bolster the claim of a “non-growth inducing”, the Applicant states that they are precluded from any further development of the 30 parcels because of the number of restrictions in a flood plain except for 8 residential dwellings and by law must leave 150 acres as open space.
- B. Slopes Also there exists contradictory information on the slopes of the flood plain and the river basin restoration areas. In one section the slope ratio of rise to run is reversed by stating 3:1 and then in English explaining (horizontal/vertical) from which the drawing depicts the correct slope. In another section, it labels the ratio as 3:1 but follows the normal rule of rise/run and that drawing accurately depicts that with a 71.57-degree slope dropping down 20 feet in some locations. This is steep compared to the other, which is 18.43 degrees, more realistic. Which one is true?

VII. **Growth Inducing** The claims of not being growth inducing are suspect. If one invasive, disruptive project to the natural setting and in conflict with the currently practiced land use has dramatically degraded the landscape, the next phase project will have far fewer environmental obstacles. It will be easier to apply for a change in zoning and land use under a General Plan exception. One avenue forward for the Applicant lies with the Ivanhoe Ranch Project. Sooner or later these 2 developers have to join or make a deal for a new hybrid planned community. The Ivanhoe Ranch property borders the Cottonwood site to the east and south and needs a secondary access for ingress and egress (New Calfire codes for Subdivisions) which only the Cottonwood site has. There could be other unforeseen potential deals.

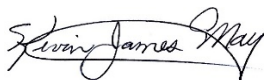
#### THE LARGER PERSPECTIVE and GENERAL COMMENTS

- I. **Cumulative Impacts** As in the first DEIR, this RDEIR again fails to address the “cumulative” effects of totality of the numerous adverse and disruptive elements, even as it is forced to acknowledge new and challenging data points. This mining operation is all about cumulative effects. Considered in isolation the mitigation measures seem reasonable and doable, but compounded together the challenges become insurmountable. For the human species, the effects from silica dust (silicosis) and the spores of a soil-dwelling fungus, *Coccidioides* sp., (*Coccidiomycosis/Valley Fever*) can cause irreparable damage, resulting in debilitation, suffering, and eventually death. There is no recovery. The near doubling of truck trips and the added transporting gravel in the mining pit by smaller trucks to conveyor belts extending a thousand feet or more adds substantially to the constant churning up of the soil that will disperse the harmful particulate matter into the atmosphere. Recent reports have shown a correlation between the increased number of cases of Valley Fever and an increase in the frequency of dust storms, thus the concern we have regarding all the dust that will certainly be coming from this mine over the next decade. The residents in Jamul that live in the vicinity, visit and/or pass through the Cottonwood basin on a daily basis will be as vulnerable as are our neighbors in Valle de Oro.
  
- II. **Precedent** To approve this project would set a horrible precedent for similar future projects. The zoning use for this east county region has progressed naturally over the past 6 decades filling up with rural residential planned communities with schools and recreation. Also growing with much vigor and harmony with the residential communities has been the unique expansion of large swaths of rare, biodiverse lands to form a collective of mutually supporting ecosystems. It is the expressed goal of the Jamul Dulzura Sub Area Plan that we “remain rural ” and “protect and preserve resources for future generations”.

#### OUR FINAL RECOMMENDATION

This is still a NO BUILD Project

Respectfully,



Kevin James May

*Chair, Jamul Dulzura Community Planning Group*

cc: Supervisor Joel Anderson, District 2, joel.anderson@sdcountry.ca.gov



Nora Vargas, Vice Chairperson, District 1, [District1community@sdcounty.ca.gov](mailto:District1community@sdcounty.ca.gov)  
Terra Lawson-Remer, District 3, [terra.lawsonremer@sdcounty.ca.gov](mailto:terra.lawsonremer@sdcounty.ca.gov)  
Jim Desmond, District 5, [jim.desmond@sdcounty.ca.gov](mailto:jim.desmond@sdcounty.ca.gov)  
Oday Yousif Jr., *Chair*, VDOCPG [odayyousif@gmail.com](mailto:odayyousif@gmail.com)

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