Our ref: DOC20/171627-6
Your ref: SSD-9490

Mr Colin Phillips

Team Leader
Minerals Quarry Assessments
Department of Planning Industry and Environment
colin.phillips@planning.nsw.gov.au

Dear Colin

Re - Stockton Sand Quarry Dredging Project, Fullerton Cove (SSD-9490) – Review of Environmental Impact Statement

I refer to your email dated 28 February 2020 in which Planning and Assessments Group (P&A) of the Department of Planning, Industry and Environment (the Department) invited Biodiversity and Conservation Division (BCD) of the Department for advice in relation to the Stockton Sand Quarry Dredging Project, via Coxs Lane (Lots 1 and 2 in Deposited Plan (DP) 1006399 and Lot 3 DP 664552) at Fullerton Cove (SSD-490).

BCD has reviewed the '*Stockton Sand Quarry Dredging State Significant Development – Environmental Impact Statement*' (EIS; prepared by Element Environment Pty Ltd and dated February 2020), including relevant appendices, annexures and attachments in relation to impacts on biodiversity, Aboriginal cultural heritage, flooding and coastal processes. NSW National Parks and Wildlife Service (NPWS), who are also part of the Environment, Energy and Science Group, have reviewed the above document in relation impacts on National Parks conservation estate.

Recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steven Cox, Senior Team Leader Planning, on 4927 3140 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

LUCAS GRENADIER
Acting Director Hunter Central Coast Branch
Biodiversity and Conservation Division

Date: 17 April 2020

Enclosure: Attachments A and B

BCD's & NPWS recommendations

Stockton Sand Quarry Dredging Project, Fullerton Cove (SSD-9490) – Review of Environmental Impact Statement

Biodiversity

1. Targeted surveys should be undertaken for candidate flora species in accordance with OEH 'NSW Guide to Surveying Threatened Plants' (OEH 2016) and the Threatened Biodiversity Data Collection across all suitable habitat and at their appropriate seasonal survey times. If surveys are not undertaken, an expert report should be prepared in accordance with Section 6.5.2 of the BAM guidelines (OEH 2017) or the species should be assumed to be present.

2. BCD recommends the BAM accredited assessor includes the plot field data sheets in the submitted BDAR.

3. BCD recommends that further information is provided on the how the fauna surveys were undertaken and if they are in accordance with the requirements of the BAM.

4. BCD recommends the BAM accredited assessor provide adequate justification as to why some fauna candidate species credit species were not assessed.

5. BCD recommends the BAM accredited assessor provide further information on why the remnant areas of PCT 1646, which contains hollows, does not represent suitable breeding habitat for hollow-dependant candidate species credit species, such as brush-tailed phascogale and some of the owls.

6. BCD recommends a targeted survey be undertaken for Mahony's Toadlet (*Uperoleia mahonyi*), during its breeding season (October to November), following rain, and over two consecutive nights, for three hours duration (in accordance with DECC 2009 guidelines '*Threatened* Species *Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibian*' and Clulow *et al*. (2016). Or the species should be assumed to be present.

7. BCD recommends the BAM accredited assessor corrects the area of the remnant component of PCT1646 - Smooth-barked Apple / Blackbutt / Old Man Banksia woodland on coastal sands of the Central and Lower North Coast (identified as Vegetation Zone 4) in Appendix 2 PCT descriptions of the BDAR.

8. BCD recommends that the Accredited Assessor correct the inconsistencies between the credit calculator and the BDAR, and where necessary, rerun the credit calculator.

Aboriginal Cultural Heritage

9. BCD recommends that an ACHMP be prepared in consultation with the registered Aboriginal parties (RAPs). The ACHMP is to include protocols for managing any Aboriginal objects or human remains encountered during quarry development and operation works for the life of the project.

Water and coast

10. The proponent should develop a final landform map, showing the expected footprint of the dredge pond, including different depths within the pond (such as the limit of the -15m AHD extraction).

11. The proposed strategy to rehabilitate the dredge pond to a freshwater wetland should be reconsidered. If the proponent decides to pursue this strategy, it should detail how wetland conditions can be established in such a deep environment and any rehabilitation activities required to achieve this. The proponent should also detail any long-term management measures that will be implemented to ensure the pond is not degraded by pests, degrading water quality or other issues.

12. The proponent should develop rehabilitation success criteria and objectives that are relevant to the dredge pond. This should cover the establishment of appropriate biological functions in the pond and the long-term management of issues such as aquatic pests and water quality.

13. The proponent should develop and implement a long-term water quality monitoring program for the dredge pond that includes a trigger action response plan if long-term or immediate declining water quality is detected.

National Parks and Wildlife Service

14. The potential impact on beach wetlands in the Worimi Conservation Lands (which have been assessed as broadly consistent with endangered ecological community *Sydney Freshwater Wetlands in the Sydney Basin Bioregion*) due to possible changes to groundwater levels from the project need to be assessed.

15. In Section 3.3 the description of the approved scope of works and method for Boral's current windblown sand extraction operation should be amended to include the maintenance of the 15-metre buffer as it is an existing condition of approval.

16. Section 2.8 of the EIS be corrected to note the environmental conservation areas near the site comprise lands gazetted under the NSW National Parks and Wildlife Act 1974 as the Worimi Regional Park, State Conservation Area and National Park. Collectively these reserves are known as the Worimi Conservation Lands and are Aboriginal owned and jointly managed with NPWS by the Worimi Conservation Lands Board of Management.

17. The existing windblown sand operation conditions of approval be preserved as distinct from any conditions of approval that may result for the proposed project.

BCD's & NPWS detailed comments

Stockton Sand Quarry Dredging Project, Fullerton Cove (SSD-9490) – Review of Environmental Impact Statement

Biodiversity

1. Threatened flora surveys should be conducted in accordance with BCD guidelines

Section 3.3 (Threatened Flora) of the BDAR states '*walking meanders and targeted threatened orchid survey, were used to survey for threatened flora across the Study Area*'. This is not in accordance with the Biodiversity Assessment Method (BAM), as random meanders are not considered targeted searches.

BCD requires (as per the '*NSW Guide to Surveying Threatened Plants*' (OEH 2016)) spaced parallel transects for all threatened flora species across all suitable habitat based on a species growth habit to determine suitable spacing widths for detectability. Additionally, Figure 4 (Survey Effort) clearly shows that the 'Orchid Survey' (i.e. targeted threatened orchid survey) comprised of limited meanders that did not cover all the suitable habitat.

The BAM requires targeted surveys (not opportunistic searches) to be undertaken for all candidate flora species across all suitable habitat, unless the species is assumed present or an expert report is provided. These surveys are to be conducted when a species is detectable, such as flowering or fruiting, given that flowering material or fruits are often required for positive identification. Any variation in the survey methodology or timing from that identified by the Threatened Biodiversity Data Collection (TBDC) or the '*NSW Guide to Surveying Threatened Plants*' (OEH 2016) should be justified in the BDAR. The TBDC should also be consulted to see if there are any species-specific requirements, such as use flowers for identification, use a reference population, or apply geographic constraints etc… The BDAR must detail how each candidate threatened flora species was surveyed, including details on (but not limited to):

- which species are being targeted
- what specific habitats / niches were searched (if any)
- the location of linear transects (e.g. GPS tracked logs)
- transect widths and orientation
- survey effort per species.

Recommendation 1

Targeted surveys should be undertaken for candidate flora species in accordance with OEH '*NSW Guide to Surveying Threatened Plants*' (OEH 2016) and the Threatened Biodiversity Data Collection across all suitable habitat and at their appropriate seasonal survey times. If surveys are not undertaken, an expert report should be prepared in accordance with Section 6.5.2 of the BAM guidelines (OEH 2017) or the species should be assumed to be present.

2. Copies of plot field data sheets should be provided

The plot field data sheets have not been included in the BDAR. Providing field data sheets is a requirement under the BAM (OEH 2017, see Appendix 10). BCD reviews the plot field data sheets to ensure consistency between the data sheets, the BDAR and the credit calculator.

Recommendation 2

BCD recommends the BAM accredited assessor includes the plot field data sheets in the submitted BDAR.

3. Fauna surveys require further clarification

BCD is unable to determine if suitable fauna surveys have been undertaken, particularly in relation to survey effort and the methodologies used. Table 6 (Fauna survey details and effort within the Study Area) in the BDAR provides some details, but it lacks several key details. Further information is required and should comprise the following information:

- specific vegetation types or habitats targeted,
- species or guilds (e.g. forest owls / micro-bats where appropriate) targeted,
- size of sampling / stratification unit,
- timing of surveys and prevailing climatic conditions at time of survey,
- recommended methodologies verse methods used,
- survey effort, and
- how the survey effort meets the minimum standards outlined in '*Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities*' (DEC 2004), '*Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibian*' (DECC 2009), and '*Species credit threatened bats and their habitats: NSW survey guide for the Biodiversity Assessment Method*' (OEH 2018) or other recognised best practice methods (e.g. infra-red cameras).

In instances where current surveys do not meet minimum effort required or do not utilise the appropriate technique for detection, further surveys may be required or the species should be assumed present.

Recommendation 3

BCD recommends that further information is provided on the how the fauna surveys were undertaken and if they are in accordance with the requirements of the BAM.

4. Appropriate justification as to why certain threatened fauna were not assessed is required

Some predicted threatened fauna species have not been appropriately assessed under the BAM as some predicted threatened fauna species were excluded from further assessment without adequate justification. In these instances, justification for such species to not be considered a candidate species credit species was often limited to simple statements as '*habitat not present*' and '*breeding habitat not present*' (as per Tables 6 and 7 in the BDAR), with no further details as to why habitat was lacking or unsuitable. Under the BAM such brief statements are not considered suitable for removing a species from assessment.

If the assessor proposes to remove a species from the list of candidate species credit species (i.e. decides that suitable habitat is not present) justification must be provided in the BDAR. The justification must include, as a minimum, the specific habitat constraint(s) missing and/or degraded microhabitat on the subject land, a description of the field technique used to assess the presence of the constraint or microhabitat (e.g. the survey effort and technique used to assess hollow-bearing trees) and any other data or information used to make the decision. In instances where appropriate justification is not provided BCD will recommend that the species or its habitat be included in the assessment.

Recommendation 4

BCD recommends the BAM accredited assessor provide adequate justification as to why some fauna candidate species credit species were not assessed.

5. Hollow bearing trees in the remnant PCT may provide suitable breeding habitat for some threatened fauna species

The BDAR indicates that there is 2.91 hectares of remnant PCT1646 - *Smooth-barked Apple / Blackbutt / Old Man Banksia woodland on coastal sands of the Central and Lower North Coast* (identified as Vegetation Zone 4) will be cleared on the subject site. Appendix 4 (Plot BAM Attribute Scores) notes that 4 to 5 hollow bearing stems (trees) per hectare. The BDAR does not provide an indication of the size range of these hollows. A justification has not been provided for why this Plant Community Type (PCT) does not provide suitable breeding habitat for hollow-dependant candidate species credit species, such as brush-tailed phascogale and some of the owls.

Table 7 of the BDAR suggest suitable hollow-bearing habitat is not present for these species, but there is no qualitative field data to support these claims.

Recommendation 5

BCD recommends the BAM accredited assessor provide further information on why the remnant areas of PCT 1646, which contains hollows, does not represent suitable breeding habitat for hollow-dependant candidate species credit species, such as brush-tailed phascogale and some of the owls.

6. Survey is required for Mahony's toadlet

The BDAR dismisses the potential of Mahoney's toadlet (*Uperoleia mahonyi*) as a candidate species credit species in Table 7 (Recommended threatened fauna survey time matrix as specified in BAM), based on an indication that no habitat is present. However potential habitat is present, and this statement fails to meet the minimum information requirements to justify not surveying for a species.

Mahoney's Toadlet inhabits coastal sandplains of the mid-north NSW coast, from the Port Stephens area to the Central Coast. The species is known to from several locations in Port Stephens: Fingal Bay, Grahamstown, Oyster Cove (type location), Medowie, Nelson Bay (golf club) Tomago, Williamtown and the Stockton dune complex; including nearby sand mine developments. It is closely related to *U*. *laevigata*, which was widely recorded in the Port Stephens area and to which it is easily confused.

Clulow *et al*. (2016) describe this species as "*a habitat specialist, inhabiting coastal ephemeral and semi-permanent swamps and swales, and occasionally man-made dams, in heath or wallum habitats almost exclusively on a substrate of white/leached sand*" (Clulow, S., Anstis, M., Scott Keogh, J. and Catullo, R.A. 2016 A new species of Australian frog (Myobatrachidae: Uperoleia) from the New South Wales mid-north coast sandplains. *Zootaxa*, **4184 (2):** 285-315). The species is well known to occur in patches of dry forest well away from any water sources (it has been found at several sites > 0.5 kilometres from any known water body), and it breeds in ephemeral water bodies that spring up after heavy rains and can often be very short-lived.

BCD considers the subject site represents suitable habitat for Mahony's Toadlet, including small depressions that may offer ephemeral breeding sites, and therefore appropriate targeted surveys should be undertaken or the species should be assumed to be present.

Recommendation 6

BCD recommends a targeted survey be undertaken for Mahony's Toadlet (*Uperoleia mahonyi*), during its breeding season (October to November), following rain, and over two consecutive nights, for three hours duration (in accordance with DECC 2009 guidelines '*Threatened* Species *Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibian*' and Clulow *et al*. (2016). Or the species should be assumed to be present.

7. The Accredited Assessor should correct Appendix 2 of the BDAR

Appendix 2 (Plant Community Type Descriptions) incorrectly states that the remnant component of PCT1646 - *Smooth-barked Apple / Blackbutt / Old Man Banksia woodland on coastal sands of the Central and Lower North Coast* (identified as Vegetation Zone 4) is 3.91 hectares, whilst the rest of the BDAR indicates it is 2.91 hectares.

Recommendation 7

BCD recommends the BAM accredited assessor corrects the area of the remnant component of PCT1646 - *Smooth-barked Apple / Blackbutt / Old Man Banksia woodland on coastal sands of the Central and Lower North Coast* (identified as Vegetation Zone 4) in Appendix 2 PCT descriptions of the BDAR.

8. There are inconsistencies between the BDAR and the credit calculator

There are inconsistencies or data entry errors between the credit calculator and the BDAR (as per Tables in Appendix 4), which impact the site value score and candidate species list. These inconsistencies are:

- Plot 3706LB330 – all the composition value scores are different; BDAR has: 1-tree, 3-shrub, 0-grass, 1-forb, 0-fern and 1-other, whilst credit calculator has: 2-tree, 5-shrub, 0-grass, 0-forb, 0-fern and 2-other.

- Plot 3706LB349 – under the structure score, the scores are different for 'other'; BDAR has 'other' as 0.0, whilst credit calculator has 'other' as 0.2.

- Plot 3706LB314 – under structure score, the last three cover scores are inconsistent; BDAR has: 0.0-forb, 0.0-fern and 0.0-other, whilst credit calculator has: 0.6-forb, 0.1-fern and 0.3-other.

- Plot 3706LB339 – under structure score, the scores are different for 'tree'; BDAR has 'tree' as 42.2, whilst credit calculator has 'tree' as 44.2; under function score regeneration is present in BDAR and absent in credit calculator,

- Plot 3706LB344 – under structure score, the scores are different for 'fern', BDAR has 'fern' as 70.0, whilst credit calculator has 'fern' as 55.0; under function score: regeneration is present in BDAR and absent in credit calculator, and coarse woody debris in BDAR is 10.0, whilst 12.5 in credit calculator.

- Plot 3706LB341 – under function score, the scores are different for 'coarse woody debris' and 'high threat weed'; BDAR has 1.0-coarse woody debris and 1.0- high threat weed, whilst in the credit calculator the values are both 0.0.

- Plot 3706LB343 – under function score, the scores are different for 'coarse woody debris'; BDAR has 0.0-coarse woody debris, whilst in the credit calculator the value is 1.0.

- Habitat appears to be present or there are nearby known observations of the following threatened species, which have not been adequately discounted in the BDAR and

therefore should be candidate species in the credit calculator: *Diuris arenaria*, *Diuris praecox*, bush-stone curlew, brush-tailed phascogale and Mahony's toadlet.

Recommendation 8

BCD recommends that the Accredited Assessor correct the inconsistencies between the credit calculator and the BDAR, and where necessary, rerun the credit calculator.

Aboriginal cultural heritage

9. An Aboriginal Cultural Heritage Management Plan should be prepared

An Aboriginal cultural heritage management plan (ACHMP) has not been prepared by the proponent to appropriately manage any new Aboriginal objects (unexpected finds) or human remains encountered during quarry development and operation works.

Although no Aboriginal objects were identified during the Archaeological survey of the site an unexpected finds protocols for Aboriginal objects and human remains should be included in the ACHMP, as outlined in Section 9.3 and 9.4 of the ACHAR prepared by Kelleher Nightingale Pty Ltd (November 2019).

Recommendation 9

BCD recommends that an ACHMP be prepared in consultation with the registered Aboriginal parties (RAPs). The ACHMP is to include protocols for managing any Aboriginal objects or human remains encountered during quarry development and operation works for the life of the project.

Water and Coast

10. The footprint of the final dredge pond is not clear

This EIS does not show the expected final boundary of the dredge pond. The project will extract sand to a depth of -15m Australian Height Datum (AHD), resulting in a pond depth of at least 16m. Section 4.3 of the surface water assessment (Appendix L) states that during dry conditions, groundwater occurs at the site at 1m to 1.5m AHD and up to 4m AHD during wet conditions, meaning the pond could be up to 20m deep. Assuming sand extraction to -15m AHD occurs to the edge of the boundaries outlined in the EIS and that the existing ground level is 1m AHD, the pond will extend a further 38 metres beyond the EIS disturbance boundary based on a typical 25-degree angle of repose for wet sand.

Recommendation 10

The proponent should develop a final landform map, showing the expected footprint of the dredge pond, including different depths within the pond (such as the limit of the -15m AHD extraction).

11. The proposed goal of rehabilitating the pond to a freshwater wetland is not achievable

Section 2.1.2 of the rehabilitation strategy states that 'the open water body created from the dredge pond associated with the project will in time form a freshwater wetland'. The rehabilitation strategy and EIS does not provide any methodology or detail about how this will occur, or over what timeframe. The EIS does not provide any basis that shows that a deep freshwater lake will form a wetland environment. No methodology is provided to show how this will be achieved.

Freshwater wetlands are characterised shallow depths of 2-3m in which aquatic vegetation grows and anaerobic, hydric soils form. These conditions are not likely to be formed in a pond that is between 16 and 20m deep.

Aquatic vegetation could establish around the edges of the pond, however; it would cover a negligible proportion of the overall 37-hectare pond as the vast majority of the pond be too deep for aquatic vegetation to establish. The likely biophysical processes that would establish in an environment such as the proposed dredge pond are not clear and the proponent does not propose to manage such processes in any way.

It is likely that without ongoing management, aquatic flora and fauna pest species would establish and spread to other local environments. The long-term water quality of the lake has not been considered. Additionally, the creation of a large, deep lake adjacent to a popular four-wheel driving area and residential area poses a significant public safety hazard that will require ongoing management.

Recommendation 11

The proposed strategy to rehabilitate the dredge pond to a freshwater wetland should be reconsidered. If the proponent decides to pursue this strategy, it should detail how wetland conditions can be established in such a deep environment and any rehabilitation activities required to achieve this. The proponent should also detail any long-term management measures that will be implemented to ensure the pond is not degraded by pests, degrading water quality or other issues.

12. The proposed rehabilitation strategy does not include any success factors or measures relevant to the dredge pond

Section 4.2 of the rehabilitation strategy (Appendix O) includes two success factors for rehabilitation of the project, both of which relate to establishment of terrestrial vegetation and ecosystem only. Section 5.1 of the strategy provides two rehabilitation objectives for the project, which relate to control of erosion and establishment of terrestrial vegetation.

The rehabilitation strategy does not provide any relevant success factors, objectives or detail relevant to rehabilitation of the dredge pond or how a freshwater wetland will be established.

Recommendation 12

The proponent should develop rehabilitation success criteria and objectives that are relevant to the dredge pond. This should cover the establishment of appropriate biological functions in the pond and the long-term management of issues such as aquatic pests and water quality.

13. A potential deterioration of chemical composition of the groundwater exists in the absence of a functioning wetland.

The site is a groundwater recharge zone, and groundwater in the area is fresh. There is an expectation that the dredge pond associated with the project will in time form a freshwater wetland. Section 8.4.3 of the EIS suggests that following closure of the site, the wetland will play a biofiltration function and facilitate direct water table recharge, without a deterioration to the chemical composition of surrounding groundwater aquifers. This assumes that a functioning freshwater wetland can be established in the dredge pond after completion of the project. As outlined in the comments above, this is unlikely to be achievable. The proponent should implement a long-term water quality monitoring program in the pond following completion of the project to ensure the project does not result in long-term water quality impacts to surrounding water resources.

Recommendation 13

The proponent should develop and implement a long-term water quality monitoring program for the dredge pond that includes a trigger action response plan if long-term or immediate declining water quality is detected.

National Parks and Wildlife Service

14. Ground water ecosystems may be adversely impacted

The EIS notes that groundwater flows from the project site to the Pacific Ocean. The EIS appears to be silent on possible impacts to any groundwater dependent ecosystems due to changes in groundwater levels caused by the project, other than to note that any impacts would be localised.

The Worimi Conservation Lands (WCL) are gazetted under the *NSW National Parks and Wildlife Act 1974* (NPW Act). The WCL contain beach wetland communities throughout the swale area between the mobile sand dunes and frontal dunes. These beach wetlands have been assessed as broadly consistent with endangered ecological community *Sydney Freshwater Wetlands in the Sydney Basin Bioregion* under the *Biodiversity Conservation Act 2016* based on their location on coastal sand dunes and the dominance of sedge species present (Bell, S. & Driscoll, C. 2010 *Vegetation of the Worimi Conservation Lands Port Stephens, New South Wales: Worimi NP, Worimi SCA & Worimi RP*. Report to Dept. of Environment, Climate Change & Water Hunter Region Parks & Wildlife Group). The extent of beach wetlands in the WCL appears to be linked to groundwater levels, which change over time. The EIS acknowledges the presence of groundwater dependent communities in Section 2.5.7 without reference to the Worimi Conservation Lands.

Recommendation 14

The potential impact on beach wetlands in the Worimi Conservation Lands (which have been assessed as broadly consistent with endangered ecological community Sydney Freshwater Wetlands in the Sydney Basin Bioregion) due to possible changes to groundwater levels from the project need to be assessed.

15. The 15 metre buffer should be maintained

The EIS describes the approved scope of works and method for Boral's current windblown sand quarry operations in Section 3.3. This description omits the current requirement for a 15-metre buffer to be maintained between the quarry operation and the boundary with the Worimi Conservation Lands. This buffer zone is subject to a modification application by Boral, as noted in Table 3.1 in the EIS, but to date has not been approved. The NPWS and the Worimi Conservation Lands Board of Management have previously expressed serious concerns with the modification proposal to extend the quarry operations into the buffer zone given the impact this will have on the Worimi Conservation Lands.

Recommendation 15

In Section 3.3 the description of the approved scope of works and method for Boral's current windblown sand extraction operation should be amended to include the maintenance of the 15-metre buffer as it is an existing condition of approval.

16. Some areas are incorrectly identified as Crown land

The EIS incorrectly refers to the environmental conservation areas near the site as 'Crown land' in Section 2.8. The areas referred to comprise lands gazetted under the NPW Act as the

Worimi Regional Park, State Conservation Area and National Park. Collectively these reserves are known as the Worimi Conservation Lands and are Aboriginal owned and jointly managed with NPWS by the Worimi Conservation Lands Board of Management.

Recommendation 16

Section 2.8 of the EIS be corrected to note the environmental conservation areas near the site comprise lands gazetted under the *NSW National Parks and Wildlife Act 1874* as the Worimi Regional Park, State Conservation Area and National Park. Collectively these reserves are known as the Worimi Conservation Lands and are Aboriginal owned and jointly managed with NPWS by the Worimi Conservation Lands Board of Management.

17. The total output of the existing and proposed project should not be combined

The EIS appears to seek to combine the total output of the existing windblown sand quarry operation with the proposed project. The existing operation has its own conditions and approval, and a current modification application. Whilst there are some issues where cumulative issues require attention, for example total truck movements, it is important to ensure the existing windblown sand operation conditions of approval are distinct from the proposed project.

Recommendation 17

The existing windblown sand operation conditions of approval be preserved as distinct from any conditions of approval that may result for the proposed project.