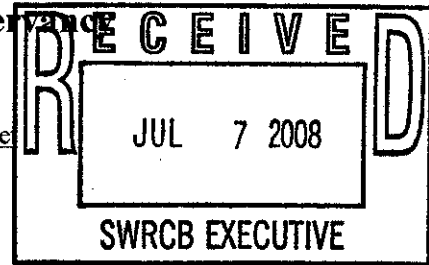


Chollas Restoration, Enhancement, And Conservancy

4133 Poplar
City Heights, California 92105
Telephone: 619.281.7394 Chollas-CREAC@cox.net



Sunday, July 06, 2008

Jeanine Townsend, Clerk to the Board State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Comment on Chollas Creek and Presentation to State Water Control Board

Dear Ms. Townsend and Honorable Water Board,

Thank you for providing our community and organization with the opportunity to comment on the Chollas Creek, the proposed amendments, and to present these comments to the Board. My e-mailed comments have a word document file attached.

The Chollas Restoration, Enhancement, And Conservancy Community Development Corporation (CREAC), is a California community based public benefit corporation. Our focus is to return the full benefits of the Chollas Creek to the residents of the Chollas Creek. Our inner city urban community is park and open space poor. Although, we are not economically rich our neighborhoods are rich in cultural diversity, with a great love of life, nature, and our children. Your Board's actions to recognize the WARM and WILD habitats, of the first 1.2 miles, of the Chollas Creek is very appreciated.

For far too long the approach has been to use and abuse the urban environment and then deny responsibility for environmental restoration because there was no "beneficial use". At Chollas Creek, there has been an over use of the creek and ground water. Your actions have begun the recovery of the creek and we look forward to future efforts on behalf of our traditional ground water resource. We have previously, submitted documentation and comments concerning the extensive recreational uses of the Chollas Creek up to the Chollas Reservoir Lake Park and the beneficial uses of the water wells at Greenwood Cemetery and pond. We request that the Board consider extension of the finding of beneficial uses that extend further up the creek and to its ground water.

Persons and governments that actively or negligently abused the Chollas Creek watershed should no longer be able to destroy a habitat and then prevent its restoration because they had destroyed the beneficial uses to the community. Recent CEQA Environmental Impact Reports and studies, for major governmental projects, have clearly established the continuing habitat value of San Diego's Chollas Creek. The community and City leaders have established that Chollas Creek is the open space and active recessional spine for the Barrio, City Heights, and Southeastern communities. There are more than ten (10)-dedicated parks, a Lake and at least two environmental reserves along Chollas Creek. The

majority of these active recreational and habitat areas are East of the current 1.2 mile plan. ***We ask that the Board direct further study of the beneficial uses and coverage to the east.***

The historical beneficial uses of Chollas Creek have become more apparent the greater the area is studied. Pre history use of the Chollas Creek environment has been the finding of nearly every recent CEQA study of the creek basin. Significant Native American habitation sites have been identified in the Chollas Canyon (Sunshine Beradini Park and Chollas Police Campus & along the Auburn Creek). Federal Blvd, the former Chollas Coach trail, was an early transportation route to San Diego. Some unfortunate historical uses are buried along the creek.

Much of Chollas Creek was unincorporated San Diego County during the first quarter of the last century. The city and individuals operated ad hoc dumps along the creek and regularly burned trash on these sites. New burn ash sites are frequently uncovered and the documented sites raise concerns about transportation of waste to the Bay, via the creek. The City of San Diego has a closed very major landfill above the Chollas Creek and concerns have been identified about landfill leachate entering the Chollas basin and bay. The Water Board has recently requested the monitoring of Chollas Creek Webster Elementary school site built upon an ash burn site adjacent to Chollas. ***We ask that the Board direct further study and monitoring of landfill and burn ash sites that foreseeably could contribute to the TDML loads in Chollas and the Bay.***

Nearly 500,000 persons live in the Chollas portion of the San Diego Basin. Recent history has subjected the Chollas watershed to massive over and unregulated building. The area had been politically disenfranchised by a system of at-large citywide elections, which continues for schools to this day. Only recently has the area begun to redevelop and revitalize. San Diego City District elections has increased the demands for change. Two major economic development schemes are being considered for the Chollas Creek watershed -Regional Enterprise Zone and San Diego Bay Marine Terminal redevelopment. Both of these major development proposals potential could impact the efforts for water quality improvement. For example, the draft CEQA EIR on the Enterprise Zone appears to have failed to consider the impacts of increased work trips on the storm water quality of Chollas Creek. ***We ask that the Board direct staff to actively participate and comment during the CEQA review of these proposals.***

The staff's recommendations to increase the monitoring and TDML metal load reductions schedule is commendable. We have serious concerns about the City of San Diego's progress and approach to copper, zinc, and lead reduction. The City approach appears; as exhibited by budgeted funding, to a lengthy demonstration project to sweep nasty little bits off the local streets. The City's project is yet to begin and the biggest progress indicator has been the installation of hundreds of galvanized poles and sign in the clean up areas. Recently, the City installed nearly a mile of galvanized pipe to carry off storm water from the Chollas landfill to the Chollas Creek. The City's actual progress must be monitored more closely.

The City, County, School and Community College districts, and CALTRANS are the largest property owners and operators in the Chollas Creek area of the Basin. All of these permittees have significant facilities with low infiltration roofs and parking lots surround by miles and miles of very old galvanized chain link fences and metal features. In the high metal area of Chollas Creek special rules need to correct the metal uses by the largest users. Increased monitoring and the establishment of stepped benchmarks towards metal reductions should help. ***We urge the Board to increase monitoring and metal reduction stepping.***

The City, Schools districts, and CALTRANS appear to have not fully adopted reduction initiatives that are available and present themselves. The Schools and Colleges are winding down major Bond building programs that missed taking advantage LID buildings, surface infiltration treatments, and reductions in the use of copper, zinc, and lead. Caltrans and the City are actively building drains and facilities that miss the opportunity to incorporate holding ponds, biological swails or infiltration –Wightman and Home Parks and I-805 Freeway road wash drain to Chollas Creek at Federal overpass. ***We urge the Board to communicate to the metal reduction expectations to these jurisdictions. Staff should express these expectations during CEQA reviews and building bond initiatives.***

Increased monitoring and metal reduction stepping should soon identify if actual progress is being made. If the promised metal reduction progress is not realized then the Board should consider some additional steps. The City sweeping program could include alleys and its parking lots. Source point metals should be prohibited in the Chollas Creek watershed.

There are reasonable alternatives to the uses of copper, zinc, and lead in building and fencing materials, outdoor sprinkler pipes, stormwater piping and drains, and guttering. The city continues to permit business uses, in the Chollas watershed that are inconsistent with water quality and redevelopment expectations. The city still permits the washing and draining of its equipment, facilities and pools to the street gutters. Automobile parts stores and gasoline stations continue to be permitted without on site containment of petroleum products or apron infiltration. The City could use its redevelop powers to change uses in the Chollas area.

The City and County have several sites that are ideal stormwater re-use sites including several cemeteries, a large lake that is now replenished with drinking water, and several 30 plus acre parks. The City operates a dog kennel on the creek that could be relocated. The City is exploring a Chollas ground water well to water Balboa Park –this effort like the San Pascal well project could lead to recovery of the mis-used Chollas ground water. The City is currently planning development of sewer access routes in the I-805/sr-94 areas that could be coupled with Chollas cleanup. The City has controlling interests in the public transportation system and it could increase service in the Chollas watershed –an already high ridership area. ***The Board is urged to establish some Chollas restrictions to reduce metals and other water quality loading. Staff should ask the City and districts to early propose additional steps sooner rather than wait for the results of the sweeping project***

experiment. City development permits, in the Chollas watershed, must foster the Chollas clean up.

In conclusion, CREAC requests that the Board adopt the staff recommendations for the amendments. We ask that we are notified of the decision of the Board in this matter and that we receive future notices and be included in the stakeholders groups for Chollas Creek.

The Board and staff are to be commended for their accomplishments to date. Thank You.

All the best
Chollas Restoration, Enhancement, and Conservancy CDC, Inc.

John Stump

Copy: Councilwoman Donna Frye, Councilwoman Toni Atkins, Councilman Anthony Young, Councilman Ben Hueso, Mayor Jerry Sanders, and City Attorney Michael Aguirre