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Via email to DSDEAS@sandiego.gov
Martha Blake, Environmental Planner
City of San Diego Development Services Center
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101

RE: San Diego Coastkeeper Comments on Project No. 10046, SCH No. 2004061029, "Castlerock" at East Elliot

Dear Ms. Blake:

San Diego Coastkeeper is a watchdog environmental organization dedicated to protecting and restoring fishable, swimmable, and drinkable waters in San Diego County. San Diego Coastkeeper has reviewed the Draft Environmental Impact Report ("Draft EIR") for the proposed Castlerock project and respectfully submits the following comments. San Diego Coastkeeper reserves the right to rely on all comments so submitted.

I. THE CASTLEROCK PROJECT SHOULD NOT MOVE FORWARD BECAUSE SAN DIEGO'S CURRENT WATER SUPPLY CANNOT SUPPORT THE ADDITION OF THIS PROJECT.

A. The Cumulative Impact Analysis Regarding Water Supply is Inadequate.

The Draft EIR fails to adequately assess the project's impact on water supply. *See* Draft EIR at Section 7.2.14.1. The Draft EIR acknowledges that state law, commonly referred to as SB 610, requires projects of 500 units or more to submit a Water Supply Assessment and/or Water Supply Verification. But the Draft EIR summarily concludes that merely because Castlerock falls under the cutoff for required formal water supply analysis under SB 610, the project does not create a cumulatively considerable impact on water supplies.

This conclusion, without an actual analysis of the water supply impacts, fails to satisfy the California Environmental Quality Act's requirement that project proponents fully examine the proposed project's direct, indirect and cumulative environmental impacts. Regardless of whether the Annexation or No Annexation scenario is chosen, this project will consist of more than 400 units, a number that comes very close to the state threshold, which is a de facto assumption that a project so big will impact water supply. The Draft EIR must detail how much water this project is expected to consume, how much water other local projects are expected to consume, and whether the proposed area can accommodate this loss. Failure to do so violates CEQA.

B. This Project Should Not be Built in San Diego because Water is Not Available for the Project.

San Diego imports between 85-90% of its water. There is currently too much strain on an already limited water supply. Building Castlerock in San Diego unreasonably adds to this burden.

In order to compensate for recent water shortages, the City of San Diego's 2010 Urban Water Management Plan identifies important steps to reduce the City's water burden, like voluntary water conservation, reduced agricultural water delivery, and even reduced municipal and industrial water use. Additionally, scientists have identified the possible negative effects climate change will have on California's water supply. Given these threats to our current water supply and concerted efforts to reduce water usage, another large, water-sucking development is not justified.

II. THE PROJECT MUST IMPLEMENT LOW IMPACT DEVELOPMENT BEST MANAGEMENT PRACTICES.

A. The Project Should Comply with Pollutant Removal and Hydromodification Requirements for Priority Development Projects That the New Regional Stormwater Permit Will Require.

The Draft EIR does not adequately address the importance of Low Impact Development best management practices. Low Impact Development practices not only reduce pollutants and contaminants from local waterways, but also provide for groundwater recharge and reduce our region's reliance on imported water. Further, the regional municipal stormwater permit is stepping up Low Impact Development requirements. The Castlerock project should comply with these more stringent requirements.

These requirements include:

- Implementing Low Impact Development best management practices that are sized and designed to retain the volume equivalent to runoff produced from a 24-hour 85th percentile storm event ("design capture volume");

- If onsite retention is technically infeasible, flow-thru Low Impact Development and/or conventional treatment control best management practices must be implemented to treat the portion of the design capture volume that is not retained onsite.

- Implement hydromodification management best management practices so that post-project runoff flow rates and durations do not exceed pre-development (naturally occurring) runoff flow rates and durations by more than 10 percent;

- Post-project runoff flow rates and durations must compensate for the loss of sediment supply due to the project, should loss of sediment supply occur as a result of the project.

B. The Draft EIR Fails to Demonstrate that Onsite Retention is Technically Infeasible.

The Draft EIR lists four possible hydromodification management options, one of which will be implemented, and the draft emphasizes a preference for the fourth option, titled Mitigation Opportunities at a Lot and Local Street Level. *See* Draft EIR at Section 3.2.1.4c. Option four

lists different areas where biofiltration will be used, such as in front-yard biofiltration areas that collect runoff from swales, and street biofiltration areas to treat runoff.

Biofiltration is a flow-through practice that may have discharge of storm water following pollutant reduction. This type of practice should be de-emphasized because other LID practices, such as those listed in the previous comment, are preferable due to their ability to prevent discharges completely. Biofiltration should only be used as a last resort. Since the Draft EIR fails to demonstrate that infiltration is infeasible, biofiltration is inappropriate.

C. The Draft EIR Should Incorporate More Specific and Stringent Low Impact Development Best Management Practices.

The Draft EIR states that "Impervious areas would be minimized and the use of pervious pavements within residential lots would be considered." Draft EIR at Section 3.2.1.4c. This language is far too vague and inadequate. Instead, the following Low Impact Development best management practice requirements should be incorporated into the EIR:

- Stenciled storm drains;
- Maintenance or restoration of natural storage reservoirs and drainage corridors (including topographic depressions, areas of permeable soils, natural swales, and ephemeral and intermittent streams);
- Buffer zones for natural water bodies (where buffer zones are technically infeasible, require other buffers such as trees, access restrictions, etc. to be included);
- Conservation of natural areas within the project footprint including existing trees, other vegetation and soils;
- Construction of streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided public safety is not compromised;
- Minimization of the impervious footprint of the project;
- Minimization of soil compaction to landscaped areas;
- Disconnect of impervious surfaces through distributed pervious areas;
- Landscaped or other pervious areas designed and constructed to effectively receive and infiltrate, retain and/or treat runoff from impervious areas, prior to discharge;
- Small collection strategies located at, or as close as possible to, the source (i.e. the point where storm water initially meets the ground) to minimize the transport of runoff and pollutants to receiving waters;
- Use of permeable materials for projects with low traffic areas and appropriate soil conditions;

- Landscaping with native or drought tolerant species; and
- Harvesting and using precipitation.

III. THIS PROJECT IS NOT SUITABLE FOR CONSTRUCTION IN EITHER SANTEE OR SAN DIEGO BECAUSE OF THE EFFECT ON THE ENDANGERED SAN DIEGO FAIRY SHRIMP.

The Annexation Scenario, as well as the No Annexation Scenario, would significantly adversely impact the San Diego fairy shrimp. Under the Endangered Species Act, no person may "take" or adversely impact an endangered species without a permit. The Castlerock project, as proposed, would unlawfully take San Diego fairy shrimp. Therefore, this project should not be built.

IV. THE EIR ANALYSIS MUST INCLUDE CUMULATIVE IMPACTS OF RECENTLY COMPLETED PROJECTS, AS WELL AS PROPOSED PROJECTS.

CEQA requires that an environmental impact report assess the cumulative impacts of a proposed project. While the Draft EIR lists other development projects to be considered in the cumulative impacts analysis, the analysis only includes ongoing or proposed projects. *See* Draft EIR at Section 7.1.2. The EIR must list and assess the cumulative impacts of any and all projects that have been recently completed in order to gain a better understanding of the impacts Castlerock will have on the surrounding environment.

V. SAN DIEGO COASTKEEPER REQUESTS NOTICE

San Diego Coastkeeper requests notice of any further documentation, decisions, findings or actions taken in regards to this matter.

Respectfully Submitted,

Jill M. Witkowski
Waterkeeper

Substantially Prepared by:

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Student Attorney