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August 16, 2021

City of San Diego Independent Redistricting Commission

c/o: Ms. Laura J. Fleming, Executive Director [Redistricting2020@sandiego.gov](mailto:Redistricting2020@sandiego.gov); [LJFleming@sandiego.gov](mailto:LJFleming@sandiego.gov);

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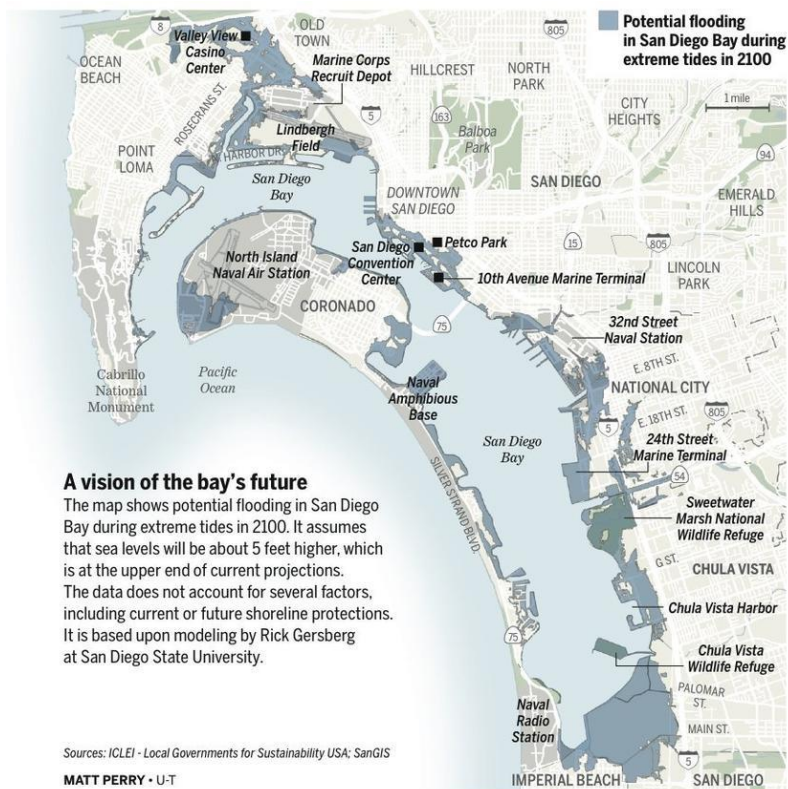
San Diego, California 92101

RE: Special Meeting Written Testimony Politically Neutral Natural Boundaries Chollas Creek District

Dear Honorable Chairman Hebrank, Honorable Vicechair Malbrough, and Honorable Commissioners,

Congratulations on your appointment to this most important Commission. Thank you for your service to our City. I have some specific recommendations concerning a politically neutral Chollas Creek Council District. The watershed Council District proposed restores indigenous and traditional social and economic communities and attempts to focus on the existential challenges of Climate Change and the cleanup of our environment. A Chollas Creek watershed Council district will meet or exceed all of the criteria for redistricting.

We need natural boundaries water shed based districting to assist in making the tough political decisions that must begun now as we face a future San Diego that will have significant Climate Change impacts, in the near and long-term. In 2031, your successors will think favorably of you for your foresight.



First let me begin with the City Attorney's guidance on getting started before the 2020 Census data became available. The San Diego City Attorney, through her Deputy Ms. Jennifer L. Berry, ESQ., has provided guidance concerning beginning the Decennial Redistricting processes in her Memorandum of Law, dated August 2, 2021 ([Memo Template \(sandiego.gov\)](#)). The August 17<sup>th</sup> Special meeting in the old Council District gives us the opportunity to get started; so let us start.

## OVERVIEW

For the purposes of a general law overview, California Common Cause and the ACLU has published [REDISTRICTING FOR COMMUNITY EMPOWERMENT: A Legal How-To Guide](#) . It gives a good overview of the governing principals and laws. This publication even uses the City of San Diego as an example in the principal area of **Contiguity** . As Commissioners, your understanding will be deeper and more insightful; but it helps me to quote some of the publication for development of my presentation. Quotes follow:

“State and federal law recognize a set of general criteria that guide redistricting, often referred to as “traditional redistricting principles.”<sup>1</sup> In California, state law requires that counties and cities adopt districts using the following criteria in this order of priority:

1. Contiguity;
2. Maintaining neighborhoods and communities of interest;
3. Minimizing the division of a city or census designated place (for counties);
4. Following natural and artificial boundaries; and
5. Geographical compactness (only where it does not conflict with preceding criteria).” ([REDISTRICTING FOR COMMUNITY EMPOWERMENT: A Legal How-To Guide](#), ACLU NoCal, ACLU SoCal, CA Common Cause, 2021 page 6, <https://tinyurl.com/237ne5r5> )

**Contiguity.** The Supreme Court has identified contiguity as a redistricting principle.<sup>7,8</sup> Contiguity is simple to ensure. A district is contiguous if its perimeter can be traced in one, unbroken line.

**Communities of Interest.** The Supreme Court recognizes keeping communities of interest whole as a key part of the map-drawing process.<sup>9,10</sup> A jurisdiction's communities of interest are its overlapping sets of neighborhoods, networks, and groups that share interests, priorities, views, cultures, histories, languages, and values. The following is a non-exhaustive list of elements that help define communities of interest:

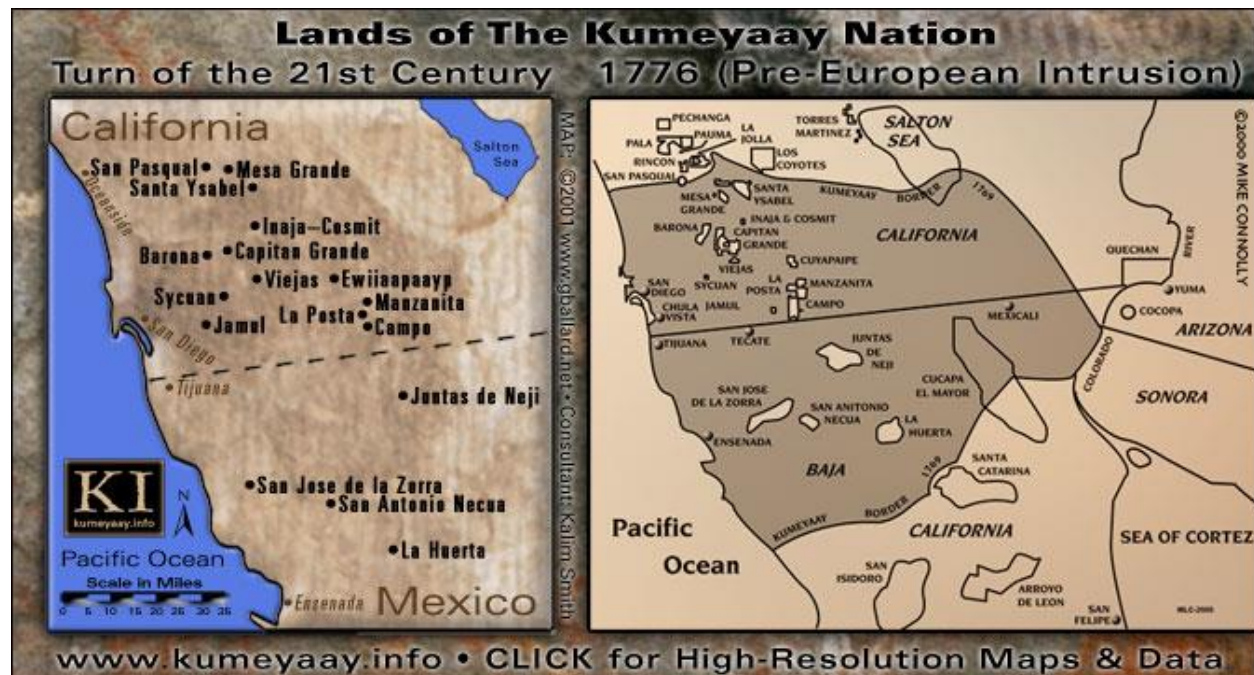
- Shared interests in issues such as schools, housing, transit, health, and environmental conditions;
  - Common social and civic networks, including churches, temples, mosques, homeowner associations, and community centers, and shared use of community spaces, like parks and shopping centers;
  - **Racial** and **ethnic** compositions, cultural identities, and language;
  - Similar socio-economic factors such as income and education levels;
  - Other shared political boundary lines, such as shared school districts;
- Natural and man-made features, including streets, highways, canals, hills, etc.” (IBID, Page 8).

I am proposing, for your consideration a Council District based on the criteria. It does not follow any artificial political or incumbents' interests. This proposal is criteria based and otherwise outcome neutral. {This proposal does not create any “Filner Fingers” or other devices to favor any one or any developer interests.} Redistricting, based on the Chollas Creek watershed should have no foreseeable impacts on businesses already permitted in that water shed as all of the currently permitted cannabis

outlets are adjacent to Chollas Creek , with three of them being along the Chollas Creek's Auburn Creek tributary (SEE: [Memo Template \(sandiego.gov\)](#))

### PREHISTORIC & EUROPEAN SETTLEMENT PATTERN

From time out of mind the Chollas Creek water shed has been used by indigenous Kumeyaay peoples [ <https://en.wikipedia.org/wiki/Kumeyaay> ]. The Kumeyaay people used the Chollas Creek as the hunting and gathering route from inland to the Bay. Many Kumeyaay settlements, grinding stones, and burial sites have been identified along the Chollas Creek and its several tributaries.



The Kumeyaay Nation's webpage, notes "For thousands and thousands of years Kumeyaay people lived all over this coastal area ie. Florida canyon, Indian point, and Chollas Creek. We might ask ourselves, where are they today? The answer is, Right Here! That is correct! There are hundreds of tribal people still living near to their original locations. Many more have been scattered by events: historical, political or military. Too often sickness and the pressures of modern life have taken the greater toll on the local Kumeyaay populations." ([Kumeyaay - Honoring Our Elders](#), Roy Cook, AmericanIndianSource.com, <https://tinyurl.com/4mzpn3f>)

**New Town's Indigenous people are noted by the Hillcrest History Organization in their Balboa Park Timeline 1800s** ~ Kumeyaay Indians inhabit numerous villages scattered throughout the San Diego region including Florida/Switzer Canyon and Mission Valley. ...**1875** ~ Death of Jose Manual Hatam, the Chief/Captain of the Kumeyaay village of Milejo (present-day Switzer Canyon)." ([Balboa Park Timeline](#), HillQuest, <https://tinyurl.com/444283w4> )

Author Jeffery Smith, discusses the movement of San Diego's European settlement from the San Diego Bay landing to the better watered San Diego River. ([Indians attack San Diego Mission in 1775 Used smoke signals](#), SD READER, Jeff Smith, July 16, 1998, <https://tinyurl.com/4mj6stnr> )

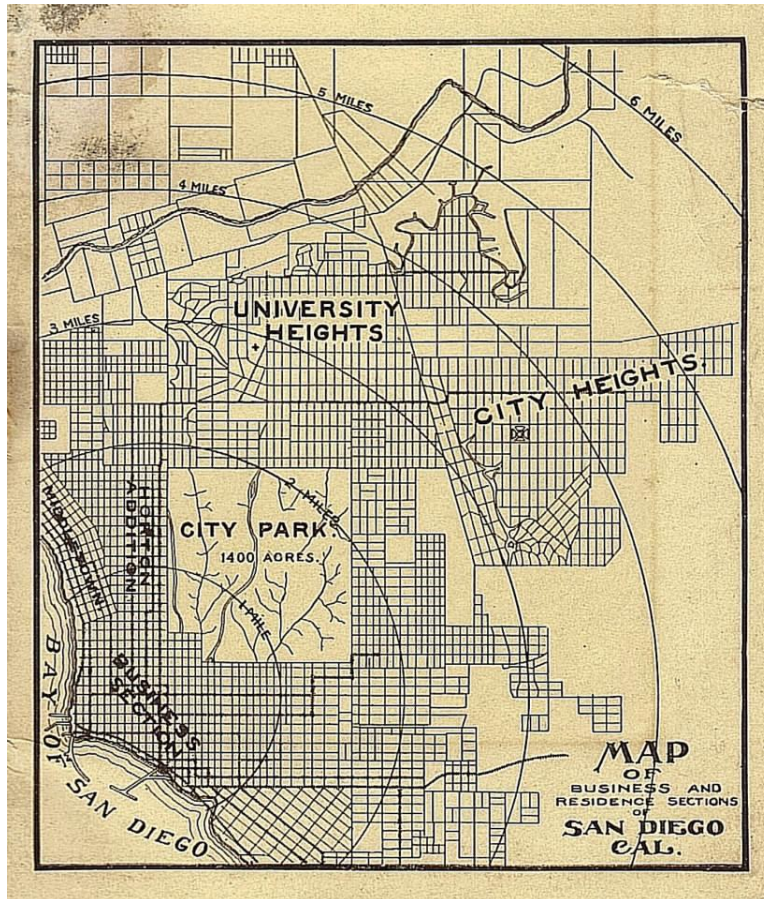
Recently, in the Monday August 16, 2021 San Diego Union Tribune , there was an article on a historical exhibit about their local band of Kumeyaay. ( [Kumeyaay exhibit to be showcased at Historical Society's open house](#), San Diego Union Tribune August 16, 2021. Page B1, <https://tinyurl.com/th494py9>

When the first Spanish exploration party first landed, in 1769, they were greeted by a band of Kumeyaay. The Kumeyaay band challenged the Pedro Fages party [ [https://en.wikipedia.org/wiki/Pedro\\_Fages](https://en.wikipedia.org/wiki/Pedro_Fages) ] Pedro Fages moved his camp away from the Bay to another water shed - the San Diego River and established the Presidio of San Diego there.



If you study the initial map you will observe that the San Diego River exited to the San Diego Bay, at that time. Pedro Fages journal and letters specifically mentions the Kumeyaay and their use of what later is named Chollas Creek. San Diego is a very dry Mediterranean climate and good water determines the development of major settlements. New Town was not significantly settled because the

water was sour and in low supply. Our City Park. later Balboa Park, was placed , in part, to protect the one New Town watershed for drinking water – Florida Canyon.



### THE CHOLLAS CREEK

Our Chollas Creek water shed is an impaired water that feeds into San Diego Bay and is the home of primarily Latino peoples, other people of color, and is economically challenged. Several community / watershed groups serve this watershed - <https://groundworksandiego.org/about/#watersheds> ; <https://www.cityheightscdc.org/> ; <https://www.panasd.org/> ; and others

Please carefully review the maps at the GroundWorks site [ <https://tinyurl.com/2tca3sd> ] as it identifies the communities of Chollas Creek. Please review were the Environmental Health Coalition works along Chollas Creek - <https://www.environmentalhealth.org/index.php/en/where-we-work/local> Finally, please review the maps of the Kumeyaay Nations which clearly demonstrate that these indigenous peoples have been displaced from the mid city urban areas of Chollas Creek and forced out into east San Diego county - <https://tinyurl.com/5cazcc7y>

The new 2020 Census Data will reveal that the census tracts along the Chollas Creek have common dominant ethnic and economic characteristics. The Chollas Creek water shed has transportation, housing, and employment centers based on its settlement pattern. The dominant language in the Chollas Creek watershed is Spanish and the businesses reflect the residents background and culture. We are is a single San Diego Unified School District; but the majority area, Zip Code 92105 , has no public High School and most student commute out of the area or attend Charter Schools.



The portion of the Chollas Creek watershed nearest the Bay is very challenged by industrial pollution and is largely in National City. The entire watershed is under the approach flight path for the San Diego Airport and its soils have been impacted by earlier use of leaded aviation fuels. Almost all of the Chollas Creek water shed is eligible for federal Community Development Block Grant funding because of poverty and most of the watershed has been included in past redevelopment areas because of findings of blight.



Areas that are in different watershed should not be included in any districts drawn by the Commission. Notably, the neighborhoods North of El Cajon Boulevard should not be included as they are in the San Diego River watershed AND they have distinctly racial and economic characteristics, which would dilute this community of interest. Specifically the neighborhoods of Kensington, Talmadge, Normal Heights, North Park, Golden Hill, and University Heights should be excluded. The listed communities are primarily richer and white and would violate the Voting Rights Act principal of dilution and cracking.

#### HOW TO PROCEED

I suggest that the Commission direct staff to review the use of the Natural Boundaries criteria as an outcome neutral jumping off place. I recognize that the other criteria, like essentially equal population sizes, may mean that two or more Council Districts may need to share parts of a watershed.

In the Case of the Chollas Creek Council district, I suggest that the northern boundary of the new District be the Southern side of El Cajon Boulevard, consistent with the City Heights Area Planning Committee's boundaries. The Western Boundary should follow the Wabash Canyon / I 805 and proceed South towards the Bay. The eastern Boundary would be shared with the new Council District that serves the population directly adjacent and limited by the Cities of National and La Mesa.

Care must be taken in following features that are actually part of the Chollas Creek watershed. Although Chollas Lake and Chollas Heights Military Housing bear the Chollas name they are not actually on the Chollas Creek but above it. Of course, any Council District would be honored to include them.

The County of San Diego, Department of Public Works, establishes eleven (11) broad categories of watersheds, draining westward, for the entire region. SEE: <https://tinyurl.com/id76efrf>. Our City's nine (9) natural watersheds - Tijuana, Chollas, SD Bay Florida/Switzer, San Diego River, Famosa Slough, Los Peñasquitos, Mission Bay, La Jolla, and San Dieguito. should be at the center core of all new Council Districts. The Bay and Coastal water quality is largely determined by the quality of water that flows into them from the water shed above them. Improving watershed conditions uphill determines the Bay and Beach qualities downhill.

I believe that clean up and renovation of the City's water sheds would be advanced if each Council District had, at its core, a significant watershed to steward. The Coast, Beaches, and Bays are resources we all share in common; so organization based solely on a Beach or Bay approach favors some and excludes others.

Thank you for considering this testimony calling for an initial politically neutral starting off re districting method based on natural features, historic residential and economic patterns. This testimony is consistent with my earlier general letter concerning principles, of August 12, 2021, herein incorporated by reference.

I look forward to presenting oral testimony on the matters presented in these two (2) letters, at the Commission's Special meeting of August 17, 2021 and its regular meeting of August 19, 2021.

All the best,

/s/

John Stump, resident, property owner, and taxpayer in current Districts Four and Nine

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