

**TABLE OF CONTENTS**  
**SECTION 7.0 - SIGNIFICANT IRREVERSIBLE CHANGES,**  
**GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

Page

---

**LIST OF SECTIONS**

7.1	Introduction .....	7.0-1
7.2	Growth Inducing Impacts .....	7.0-1
7.3	Short-Term Uses Versus Long-Term Productivity .....	7.0-8
7.4	Significant Irreversible Environmental Changes or Irreversible or Irretrievable Commitment of Resources.....	7.0-8
7.5	Floodplain Executive Order .....	7.0-10
7.6	Environmental Impacts Related to Terrorism .....	7.0-10

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

### **7.1 INTRODUCTION**

This section includes discussions of several other topics required by NEPA and CEQA. **Subsection 7.2** discusses potential growth-inducing effects of the proposed Project and alternatives. **Subsection 7.3** discusses the balance between short-term uses of environmental resources and long-term benefits. **Subsection 7.4** discusses irreversible commitments of resources. **Subsection 7.5** discusses Executive Order No. 11988 related to development in a floodplain. **Subsection 7.6** discusses potential environmental effects related to terrorism. Each subsection includes a discussion of the regulatory setting, and as applicable, discussions of significance criteria, potential impacts, and mitigation.

### **7.2 GROWTH INDUCING IMPACTS**

This subsection discusses the potential for the proposed Project and alternatives to result in growth-inducing impacts. The proposed Project includes two components: the RMDP and SCP. As stated above, the RMDP component is a conservation, mitigation, and permitting strategy for sensitive biological and other natural resources that will be relied upon in implementing various infrastructure improvements required by the approved Newhall Ranch Specific Plan, consistent with the federal and state permits and agreements requested from the Corps and CDFG. The SCP component is a conservation, mitigation, and permitting strategy for the spineflower that encompasses the Specific Plan area, the VCC planning area, and a portion of the Entrada planning area.

#### **7.2.1 Regulatory Setting**

NEPA (40 C.F.R. § 1508.8, subd. (b)) requires that an EIS address the indirect effects of a proposed project, and the indirect effects may include "growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems." In addition, the State CEQA Guidelines, section 15126.2, subdivision (d), require that an EIR "[d]iscuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." A project may result in a growth-inducing impact if it individually or cumulatively removes an obstacle to population growth; results in increased population that requires the expansion of existing public facilities, the expansion of which has the potential to result in significant environmental effects; or generally encourages or facilitates activities that could adversely affect the environment. The State CEQA Guidelines, section 15126.2, subdivision (d), also states that "[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

#### **7.2.2 Significance Criteria**

In general terms, a project may foster spatial, economic, or population growth in a geographic area if it meets any one of the following criteria:

- The project removes an impediment to growth (*e.g.*, the establishment of an essential public service, the provision of new access to an area, or a change in zoning or general plan designation);

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

- The project results in the urbanization of land in a remote location ("leap frog" development); or
- Economic expansion or growth occurs in an area in response to the project (*e.g.*, changes in revenue base, employment expansion, *etc.*).

### **7.2.3 Background**

#### **7.2.3.1 Newhall Ranch Specific Plan EIR**

The Specific Plan sets forth the approved plans, development regulations, design guidelines, and implementation programs for development of a new community that is consistent with the goals, objectives, and policies of the Los Angeles County General Plan and Santa Clarita Valley Area Plan, as amended by General Plan Amendment No. 94-087-(5). The Los Angeles County Board of Supervisors approved the Specific Plan on May 27, 2003.

The Newhall Ranch Specific Plan Program EIR evaluated the potential for the Specific Plan and WRP to result in growth-inducing impacts. The analysis of growth-inducing impacts in that EIR concluded that the construction of infrastructure needed to accommodate build-out of the Specific Plan and WRP would have the potential to result in growth-inducing impacts in Ventura County, the Santa Clara River Valley, and the Santa Clarita Valley. Specifically, the Specific Plan and WRP would have the potential to remove obstacles to growth resulting from:

- Widening a portion of SR-126 to six lanes;
- Extending Valencia Boulevard through the Phase V portion of the Stevenson Ranch project;
- Possibly extending commuter rail service through the Specific Plan site;
- Extending water delivery infrastructure to the Specific Plan site;
- Developing a WRP on the Specific Plan site; and
- Inducing economic growth from commercial development that may occur beyond the boundaries of the Specific Plan site, and establishing a local employment workforce consisting of the residents of the Specific Plan site.

While the Newhall Ranch Specific Plan Program EIR determined that the Specific Plan and WRP, in certain respects, would be growth-inducing, it also found that it would be speculative to determine the environmental impacts created by such potential growth. In Section 11.0, Growth-Inducing Impacts, on page 11-6, the Newhall Ranch Specific Plan Program EIR stated:

Attempting to determine the environmental impacts created by growth is speculative in that the size, type, and location of specific, future projects, which may be induced by the Newhall Ranch Specific Plan, are unknown at the present time. Furthermore, it is presumptuous to state conclusively that implementation of the Newhall Ranch Specific Plan would induce growth in the surrounding area, as there are many variables that must be considered when examining the mechanics of urban growth (*e.g.*, market forces, demographic trends, *etc.*). Impacts associated with any future development project that

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

could be influenced by development of the Newhall Ranch Specific Plan would be examined in depth during the environmental review conducted for the project as part of its review and approval process.

The above determination is consistent with the State CEQA Guidelines, section 15145, which provides that "[i]f after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

In addition, the Newhall Ranch Specific Plan Program EIR (Section 11.0, Growth Inducing Impacts, p. 11-6) refers the reader to the discussion of the build-out of the Santa Clarita Valley. This reference was made because impacts due to growth associated with build-out of the Santa Clarita Valley were addressed in the cumulative analysis for each environmental topic covered by the Newhall Ranch Specific Plan Program EIR. This analysis identified all known planned, approved, and active pending projects (including General Plan Amendments), and assumed Santa Clarita Valley build-out according to the County General Plan and the County Santa Clarita Valley Area Plan, as well as the City of Santa Clarita General Plan. Impacts identified in that analysis included, and were not limited to, increased vehicle traffic and vehicle exhaust emissions, increased noise levels, loss of natural habitat, and growth in the demand for County services and utilities. That discussion applies equally to the proposed Project and alternatives.

### **7.2.3.2 RMDP**

The RMDP component of the proposed Project describes a variety of infrastructure and other related projects that are required to implement the previously approved Specific Plan. Infrastructure projects included in the RMDP include flood control and drainage facilities, road and circulation improvements, temporary haul roads, utility extensions, construction of a water outfall for the WRP, and the development of recreation trails. The RMDP also identifies proposed drainage course alterations, and long-term infrastructure maintenance activities that would be implemented on the Specific Plan site. For a complete description of the projects comprising the RMDP component, please refer to **Section 2.0**, Project Description, of this EIS/EIR.

### **7.2.3.3 SCP**

The SCP component of the proposed Project consists of a comprehensive conservation and management strategy to permanently protect and manage spineflower located in designated areas on the applicant's landholdings in Los Angeles County. The SCP is intended to ensure the long-term existence of the spineflower in the Project area. VCC and Entrada. For a complete description of the SCP component of the proposed Project, please refer to **Section 2.0**, Project Description, of this EIS/EIR.

## **7.2.4 Potential Growth-Inducing Impacts**

Project-related growth-inducing impacts would have the potential to occur when the construction, implementation, operation, or maintenance of activities referenced in the RMDP and SCP result in

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

unplanned or unanticipated urban development or otherwise induce changes in land use patterns, density, or growth rate, where such changes have the potential to result in significant environmental effects.

### **7.2.4.1 RMDP**

#### **7.2.4.1.1 *Drainage Improvements***

Implementation of the proposed RMDP would result in the development of flood control and drainage improvements, including various types of bank protection along the Santa Clara River, buried and partially lined drainage channels along tributaries of the Santa Clara River, storm drain outlets, grade control structures within tributaries to the Santa Clara River, and water quality control facilities (*e.g.*, debris and detention basins). The proposed drainage activities would provide flood protection for development on the Specific Plan site, and would minimize the amount of sediment, debris, and other pollutants in the drainage system in accordance with the requirements of the CWA.

As indicated above, the Newhall Ranch Specific Plan Program EIR previously determined that build-out of the Specific Plan would have the potential to result in growth-inducing impacts, including impacts resulting from population and economic growth on and adjacent to the Specific Plan area. These improvements would remove an obstacle to development of the Specific Plan, but would not result in or contribute to growth-inducing impacts on the Specific Plan site beyond those previously identified in the certified Newhall Ranch Specific Plan Program EIR. The proposed drainage improvements would be located on the Specific Plan site and would not provide flood protection for properties located upstream or downstream of the Santa Clara River or its tributaries. Therefore, the proposed drainage improvements would not remove an obstacle to growth that would facilitate new urban development or economic growth in areas beyond the boundaries of the Specific Plan.

#### **7.2.4.1.2 *Road and Circulation Improvements***

The RMDP proposes to construct 15 new culverted crossings and three widened bridges over tributary drainages within the RMDP boundary. In addition, as to the Santa Clara River, two new bridges and one previously approved bridge (Commerce Center Drive Bridge) would be constructed across the River. The RMDP also identifies the extension of Magic Mountain Parkway to the west onto the Specific Plan site, which would cross several tributaries of the Santa Clara River. The purpose of the Magic Mountain Parkway extension is to accommodate future traffic associated with the Specific Plan and the surrounding region.

Most of the proposed roadway/circulation improvements would be implemented on the Specific Plan site to provide a circulation network with sufficient capacity to accommodate traffic generated by build-out of the Specific Plan. These roadway/circulation improvements would remove obstacles to development of the Specific Plan and would contribute to the previously identified growth-inducing impact of the Specific Plan. However, the proposed RMDP roadway/circulation improvements would not result in or contribute to growth-inducing impacts not previously identified in the certified Newhall Ranch Specific Plan Program EIR.

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

Some of the roadway projects facilitated by the RMDP, such as widening portions of SR-126, would result in a growth-inducing impact by removing a circulation-related obstacle to future growth in areas beyond the boundaries of the Specific Plan (*e.g.*, in Ventura County). The proposed improvements to SR-126 facilitated by the RMDP are also included in the adopted Specific Plan, and the Newhall Ranch Specific Plan Program EIR determined that the proposed improvements to SR-126 would have the potential to result in a growth-inducing impact by removing a physical impediment to growth in Ventura County and the Santa Clarita Valley.

### **7.2.4.1.3 Utility Extensions**

Various electrical, sewer, water, gas, and communication utility lines would be installed across the Santa Clara River and tributaries to the River. The new utility lines would be installed in right-of-ways adjacent to bridges. Another proposed utility extension would be the construction of a treated effluent outfall pipe from the previously approved Newhall Ranch WRP to the Santa Clara River.

The Newhall Ranch Specific Plan Program EIR determined that build-out of the Specific Plan and WRP would have the potential to result in growth-inducing impacts, including impacts resulting from population and economic growth on and adjacent to the Specific Plan area. The utility extensions referenced in the RMDP are necessary to implement the Specific Plan and WRP, and would contribute to the previously identified growth-inducing impact of the Specific Plan. However, the proposed RMDP utility extension improvements would not result in or contribute to growth-inducing impacts not previously identified in the certified Newhall Ranch Specific Plan Program EIR.

Extensions of electrical, sewer, water, gas, and communication utility lines as proposed by the RMDP would extend those services to urban uses located on the Specific Plan site. The proposed extensions could be further extended in the future, and this would result in a growth-inducing impact.

The proposed outfall would convey treated wastewater from the Newhall Ranch WRP to the Santa Clara River. Without the outfall, operation of the previously approved WRP would not be feasible.

The Newhall Ranch Specific Plan Program EIR stated that the WRP was sized to serve only build-out of the Specific Plan and that no capacity would be available to reclaim wastewater generated by other sources. Nonetheless, the Newhall Ranch Specific Plan Program EIR determined that the WRP and associated facilities would reduce an impediment to growth, because the presence of collection and conveyance wastewater infrastructure extending to the boundary of the Specific Plan site would allow for the expansion of this infrastructure at a later date should it be requested by others outside the Specific Plan area.<sup>1</sup> Therefore, construction of the proposed outfall would contribute to this previously identified growth-inducing impact. However, the proposed outfall would not result in growth-inducing impacts not previously identified in the certified Newhall Ranch Specific Plan Program EIR. In addition, the Newhall

---

<sup>1</sup> Since the Newhall Ranch Specific Plan Program EIR was certified by the County Board of Supervisors in May 2003, a new sanitation district has been formed, and its boundary is generally co-terminus with the boundary of the approved Specific Plan.

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

Ranch Specific Plan Program EIR's finding that it would be speculative to attempt to identify the timing and form of any future infrastructure development remains valid.

### **7.2.4.1.4 Other RMDP Components**

Additional activities of the proposed RMDP include facilitating the development of recreation facilities, building pad areas, and long-term maintenance activities. The Newhall Ranch Specific Plan Program EIR previously determined that build-out of the Specific Plan would have the potential to result in growth-inducing impacts, including impacts resulting from population and economic growth on and adjacent to the Specific Plan area. The recreation, building pad, and maintenance activities facilitated by the RMDP are needed to implement the Specific Plan and, in that way, would contribute to the growth-inducing impacts identified in the Newhall Ranch Specific Plan Program EIR. However, such activities would not result in or contribute to growth-inducing impacts not previously identified in the certified Newhall Ranch Specific Plan Program EIR.

The Specific Plan recreation features facilitated by the proposed RMDP include a system of bicycle and pedestrian paths and trails that would facilitate movement throughout the Specific Plan area. These recreation facilities could be connected to a regional trail system within the Santa Clarita Valley. Such trail extensions are not expected to remove an existing obstacle to growth, nor have the potential to result in a growth-inducing impact. Recreation facilities would also include the River Corridor SMA/SEA 23 and related nature viewing platforms as well as the High Country SMA/SEA 20 and related trails.

New building pad areas would be facilitated by the RMDP through the conversion of 23 small drainages located on the Specific Plan site to buried storm drains. The new building pad areas would be used for the development of new residential and commercial buildings within the Specific Plan site.

The RMDP includes provisions for DPW and other appropriate agencies to conduct regular maintenance activities, such as the removal of vegetation from stream bank protection, bridge repair, and removal of debris from storm water detention basins.

Proposed recreation, building pad, and maintenance activities facilitated by the RMDP would provide those services and facilities on the Specific Plan site and, therefore, are not considered growth-inducing by themselves.

### **7.2.4.2 SCP**

The applicant's proposed SCP would establish four spineflower preserve areas on the Specific Plan site and one preserve area within a portion of the Entrada planning area. Establishment of the spineflower preserves proposed by the SCP would create a series of open space areas on the Specific Plan and the Entrada planning area, and no urban development would be allowed on the preserves or within preserve buffer areas. Therefore, implementation of the proposed SCP would not result in direct effects that would remove an obstacle to growth, nor result in a growth-inducing impact.

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

The SCP has been proposed, in part, to provide a comprehensive and regional planning approach to the conservation of the spineflower on the applicant's land holdings in Los Angeles County. Implementation of the proposed SCP would facilitate the development of new urban land uses on the Specific Plan site consistent with the land use plan approved by Los Angeles County. Without the proposed SCP, urban development could still occur on the Specific Plan site, but no "take" of spineflower would be allowed. Since development could still occur on the Specific Plan site in a manner that is generally similar to that shown in the previously approved Specific Plan, the proposed SCP would not remove a significant obstacle to growth or result in a substantial increase in urban development. Thus, by facilitating development on the Specific Plan site, the VCC planning area, and portions of the Entrada planning area, the SCP would be growth-inducing, but at a lesser level as compared to the entire Specific Plan area, because the SCP itself provides for the conservation of spineflower and associated areas surrounding spineflower populations.

Implementation of the proposed SCP would allow for the "take" of spineflower located within the VCC planning area, which is required to complete the build-out of the previously-approved industrial/business park center. Build-out of the VCC planning area would be in accordance with previously approved land use plans and existing zoning designations for that area, and infrastructure to serve build-out of the industrial/business park center already has been established. Therefore, build-out of the VCC planning area that would be facilitated by the proposed SCP would not result in a growth-inducing impact.

Implementation of the proposed SCP and the establishment of a spineflower preserve on a portion of the Entrada planning area would facilitate the development of new urban land uses on Entrada. Without the proposed SCP, however, urban development could still occur on the Entrada site, but no "take" of spineflower would be allowed. Without the proposed SCP's comprehensive "preserve" design, the scale of development for Entrada would likely be reduced as compared to development of Entrada with an approved SCP. Since development could still occur on Entrada without an approved conservation plan, albeit at a reduced scale, the presence of spineflower does not represent a complete obstacle to growth. For this reason, the proposed SCP would not result in a substantial increase in urban development. Therefore, the proposed SCP would not result in a growth-inducing impact related to the Entrada planning area.

Lastly, growth-inducing impacts could occur as a result of precedent-setting actions taken by public agencies. In this case, approval of the SCP may be considered by some to be such an action. However, the spineflower is known to occur only in two general locations, the first of which is the former Ahmanson Ranch site in Ventura County, and the second of which is the applicant's landholdings in Los Angeles County. Given that the population of spineflower on the former Ahmanson Ranch site is now permanently conserved, and that spineflower is not known to occur at any locations other than on the applicant's landholdings in Los Angeles County, approval of the SCP would not establish a precedent for another land owner to make a similar request for "take" of spineflower. Consequently, approval of the SCP would not be growth-inducing from this perspective.



## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

### **7.3 SHORT-TERM USES VERSUS LONG-TERM PRODUCTIVITY**

NEPA requires that an EIS discuss "the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity." (42 U.S.C. § 4332, subd. (2)(C)(iv); 40 C.F.R. § 1502.10, subd. (g).) Construction of various components of the RMDP, including bridges, drainage control structures, buried drainage facilities, and bank protection measures, would cause short-term impacts to the environment related to alteration of topography and hydrologic conditions, water quality, biological resources, air quality, land use, recreation, visual resources, and the human environment (noise and traffic conditions). The proposed flood control and erosion control measures discussed in **Sections 4.1** and **4.2** of this EIS/EIR are designed to avoid any long-term degradation of resources within the Santa Clara River and its tributaries by controlling runoff and soil erosion, minimizing encroachment, and prohibiting routine clearing of the riverbed.

The RMDP and SCP would facilitate development of structures and facilities included in the approved Specific Plan that are located in upland areas. This development would contribute to the continued long-term economic development of the region, and also provide housing, jobs, and amenities in response to a growing population. As such, the proposed facilities would contribute to future human productivity in the region.

The SCP would set aside permanent preserves for spineflower habitat and thereby permanently preclude urban land uses on the spineflower preserves.

### **7.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES OR IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES**

NEPA requires discussion of "any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented." (42 U.S.C. § 4332, subd. (2)(C)(v); 40 C.F.R. § 1502.10, subd. (g)). Similarly, CEQA requires discussion of "significant irreversible environmental changes" that would result from implementation of the proposed project. (State CEQA Guidelines, § 15126.2, subd. (c)). The State CEQA Guidelines explain that "[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely." (*Ibid.*) CEQA requires acknowledgement that both primary and secondary impacts of a proposed project may commit future generations to similar uses, and environmental accidents may cause irreversible damage. (*Ibid.*)

Development of the RMDP component of the proposed Project would facilitate build-out of the Specific Plan site. The Newhall Ranch Specific Plan Program EIR identified several areas in which development of the Specific Plan would result in significant irreversible environmental changes or irreversible or irretrievable commitment of resources. (Newhall Ranch Specific Plan Program EIR, Section 10.) That EIR concluded that development of the Specific Plan would result in the permanent conversion of approximately 6,000 acres of currently vacant land to urbanized uses. Development of the Specific Plan site also would require consumption of non-renewable and slowly-renewable resources, such as fossil fuels, asphalt, steel, copper and other metals, and sand and gravel. The Newhall Ranch Specific Plan Program EIR found that, based on population projections for Southern California, if not consumed for

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

development of the Specific Plan, those resources would likely be consumed by other projects in the region to meet the projected demand for housing, jobs, and services in the region. In addition, development of the Specific Plan site would result in irreversible changes to the visual and biological character of the site, due to the conversion of undeveloped land to a master-planned community, as well as increases in local and regional traffic, with corresponding increases in air pollutants and noise emissions generated by traffic. The Newhall Ranch Specific Plan Program EIR concluded, however, that features of the Specific Plan and mitigation measures would minimize or avoid such effects to the maximum degree feasible. In addition, the Newhall Ranch Specific Plan Program EIR discussed potential sources of environmental damage from accidents, including seismic activity, dam inundation, use of chemicals, former oil field operations, and proximity to high pressure natural gas pipelines, but did not identify any significant impacts from these potential hazards or land uses.

Similarly, land development under the Specific Plan in the non-jurisdictional upland area and in the VCC and Entrada planning areas covered by the SCP would result in a permanent commitment of land to urban uses totaling approximately 4,194 acres. (See Table 3.0-10 of the Newhall Ranch Specific Plan Program EIR.)

The proposed RMDP flood control, transportation, and drainage facilities would be constructed as permanent structures to accommodate build-out of the Specific Plan. Hence, these RMDP components would result in a long-term commitment to specified land uses, and would have long-term visual and biological impacts.

Construction of the proposed facilities over a 20-year period would require consumption of non-renewable resources, such as fossil fuels, aggregate, cement, copper, steel, aluminum, *etc.* However, construction would not result in a substantial depletion of non-renewable resources or represent a significant increase in the overall rate of resource consumption. Such consumption is currently justified because local governmental projections indicate that long-term growth in the region includes the need for housing and jobs at the level provided by the development that would be facilitated by the RMDP and that would occur at the Specific Plan site.

A construction-related accident on the Project site that results in the release of a substantial amount of hazardous materials or waste would have the potential to result in a significant long-term impact to the Project site and its inhabitants. **Section 4.17** of this EIS/EIR discusses the possibility of, as well as prevention of and mitigation for, any potential environmental accidents associated with implementation of the proposed Project.

The WRP and the use of reclaimed water would help conserve the use of potable water and thereby minimize use of this valuable resource. The Specific Plan development projects facilitated by the RMDP and SCP would provide a variety of transit, pedestrian, and bicycle facilities, thereby helping to minimize vehicle trips and to minimize transportation-related impacts. In addition, the construction of homes near job centers, such as the VCC and other commercial centers included in the Specific Plan and Entrada areas, would reduce commute distances and thereby help conserve fossil fuels in the operational phase of the proposed developments.

## 7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS

---

Finally, the proposed Project would result in permanent establishment of open space areas totaling approximately 10,473 acres, including the spineflower preserves, the Santa Clara River, the Salt Creek Corridor, and the High Country. These land areas would be irreversibly committed to open space uses. The same areas would also conserve important natural resource values related to numerous riparian and upland habitat types conserving numerous wildlife species, as further discussed in **Section 4.5**, Biological Resources, of this EIS/EIR.

### 7.5 FLOODPLAIN EXECUTIVE ORDER

Executive Order No. 11988 (42 Fed. Reg. 26951; May 24, 1977) requires a federal agency to "evaluate the potential effects of any actions it may take in a floodplain," and to "consider alternatives to avoid adverse effects and incompatible development in the floodplains." (Executive Order No. 11988, § 2, subd. (a)(2).) This analysis is designed to allow the agency to "take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains in carrying out its responsibilities." (*Id.* at § 1.) Thus, the Corps will consider Executive Order No. 11988 when evaluating the relative impacts and environmental benefits of the different alternatives set forth in **Section 5.0** of this EIS/EIR and when making its final decision.

As discussed in **Section 4.1** of this EIS/EIR, the RMDP includes flood-protective components to protect future land development from flooding and erosion. The RMDP also includes bridges to support future traffic associated with development of the region. (See **Section 2.0**, Project Description, of this EIS/EIR.) Thus, the proposed RMDP would facilitate land development in the floodplain adjacent to the Santa Clara River and other watercourses in the Project area. This EIS/EIR has identified alternatives that would place land development farther from the Santa Clara River, but still within the floodplain. (See **Section 5.0**, Comparison of Alternatives, of this EIS/EIR.) Most of the land development in the floodplain could be constructed without Corps permits; thus, there is no alternative within the jurisdiction of the Corps that would fully preclude land development in the floodplain. Alternative 1 (the "No Action/No Project" alternative) would avoid Project-related floodplain impacts and Alternative 7 is the alternative (other than Alternative 1) that most avoids floodplain impacts. Nonetheless, as discussed in **Sections 4.1** and **4.2**, the proposed Project utilizes innovative techniques to meet flood control objectives while considering hydromodification concerns and maintaining the natural resources of the Santa Clara River and other watercourses to the extent practicable. Included in this approach are significant conservation areas over the Santa Clara River, covering 977 acres and encompassing over five miles of the Santa Clara River in the Project area.

### 7.6 ENVIRONMENTAL IMPACTS RELATED TO TERRORISM

A recent decision by the U.S. Court of Appeals for the Ninth Circuit indicates that the risk of terrorist attack and foreseeable environmental impacts of such an event can be appropriate topics for consideration in environmental documents under NEPA. (*San Luis Obispo Mothers for Peace v. Nuclear Regulatory Commission*, 449 F.3d 1016 (9th Cir. 2006).) In that case, the court rejected the Nuclear Regulatory Commission's reasons for refusing to consider the potential for terrorist attacks in the environmental review document prepared for an interim spent nuclear fuel storage facility. The court, however, did not

## **7.0 SIGNIFICANT IRREVERSIBLE CHANGES, GROWTH INDUCING IMPACTS, AND FEDERAL IMPACT CONSIDERATIONS**

---

dictate the extent or manner of any additional analysis to be performed. The potential for terrorism-related environmental effects related to a nuclear fuel storage facility could be greater than the potential impacts of a terrorist act directed at the proposed Project and alternatives. This EIS/EIR provides the following discussion of potential environmental effects that could result from terrorist acts directed at the proposed Project.

Infrastructure facilities that would be provided by the proposed RMDP would include items such as bank stabilization, vehicle bridges, utility corridors, drainage and stormwater treatment facilities, roadway improvements, and the construction of an effluent outfall pipeline for the previously approved Newhall Ranch Water Reclamation Plant. These types of facilities are public works facilities that are commonly constructed to serve urban development, such as the residential, commercial, and other uses that have been approved as part of the Specific Plan. The other major component of the proposed Project is the adoption and implementation of the SCP, which identifies conservation areas and describes management strategies to ensure the continued existence of the spineflower plant on the Project site. This open space preservation and maintenance plan would not result in the establishment of any land uses that would have the potential to cause significant environmental effects as a result of a terrorist act.

A terrorist act directed at the infrastructure systems provided by the proposed Project would most likely consist of disabling a specific facility, such a bridge, power line, water pipeline, *etc.* Such an act would generally affect a limited geographic area, and could possibly result in injuries to project occupants, temporary disruptions to vehicle circulation, the distribution of water and/or power, or the management and treatment of stormwater runoff and wastewater. It is anticipated that such temporary disruptions could be repaired in a limited period of time, that alternative forms of service could be provided (*i.e.*, temporary service lines installed), or that alternative circulation routes would be identified to avoid damaged bridges or roadways. Due to the remote potential for a terrorist attack on infrastructure systems that serve a largely residential population, and the limited effects that would likely result, the effects of potential terrorist acts on proposed infrastructure facilities are not considered significant.