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**United States Department of Defense, et al., "Notice of Intent, Notice of Preparation, Scoping Meeting Sign-In Sheet, Scoping Meeting Request to Speak/Written Comment Forms, Scoping Meeting Transcript, and Related Comment Letters" (August 2005)**

including suggestions for reducing this burden to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Jeremy Olson, Contract Policy Division, GSA (202) 501-3221.

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

Advance payments may be authorized under Federal contracts and subcontracts. Advance payments are the least preferred method of contract financing and require special determinations by the agency head or designee. Specific financial information about the contractor is required before determinations by the agency head or designee. Specific financial information about the contractor is required before such payments can be authorized (see FAR Subpart 32.4 and 52.232-12). The information is used to determine if advance payments should be provided to the contractor.

**B. Annual Reporting Burden**

*Respondents:* 500.

*Responses Per Respondent:* 1.

*Annual Responses:* 500.

*Hours Per Response:* 1.

*Total Burden Hours:* 500.

**Obtaining Copies of Proposals:**

Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VIR), Room 4035, 1800 F Street, NW, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0073, Advance Payments, in all correspondence.

Dated: June 27, 2005

Julia B. Wise,

Director, Contract Policy Division,

[FR Doc. 05-13258 Filed 7-18-05; 8:45 am]

BILLING CODE 6820-EP-S

**DEPARTMENT OF DEFENSE**

**Department of the Army; Corps of Engineers**

**Intent To Prepare a Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/ DEIR) for Proposed Future Permit Actions Under Section 404 of the Clean Water Act for the Newhall Ranch Specific Plan and Associated Facilities Along Portions of the Santa Clara River and Its Side Drainages, and Development of a Candidate Conservation Agreement with Assurances (CCAA) for the San Fernando Valley Spineflower, in Los Angeles County, California, With the U.S. Fish and Wildlife Service**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Revised Notice of Intent.

**SUMMARY:** The project proponent and landowner, The Newhall Land and Farming Company (Newhall Land), has requested a long-term Clean Water Act Section 404 permit from the Corps of Engineers for facilities associated with the Newhall Ranch Specific Plan. The action is necessary to facilitate buildout of the Specific Plan. The effect will be to authorize the construction of bridges, flood control structures, and to grade and fill certain side drainages for roads and buildings. The reason for this revised notice of intent (NOI) is because the project proponent's proposed action has been expanded to include development of a voluntary CCAA between Newhall Land and the U.S. Fish and Wildlife Service (USFWS) to specify spineflower preserve locations, manage spineflower habitat, and to authorize future take of spineflower, in the event it becomes federally listed under the federal Endangered Species Act as threatened or endangered, involving three properties: Newhall Ranch, Valencia Commerce Center, and Entrada. The Corps of Engineers intends to prepare a Draft Environmental Impact Statement (DEIS) to evaluate the potential effects of the proposed action on the environment. To eliminate duplication of paperwork, the Corps of Engineers intends to coordinate the DEIS with the Draft Environmental Impact Report (DEIR) being prepared by the California Department of Fish and Game. The joint document will meet the requirements of the National Environmental Policy Act (NEPA) as well as enable the Corps to analyze the project pursuant to the 404(b)(1) Guidelines and assess potential impacts on various public interest factors.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and Draft EIS/EIR can be answered by Dr. Aaron O. Allen, Corps Project Manager, at (805) 585-2148. Comments shall be addressed to: U.S. Army Corps of Engineers, Los Angeles District, Ventura Field Office, ATTN: File Number 2003-01264-AOA, 2151 Alessandro Drive, Suite 110, Ventura, CA 93001. Alternatively, comments can be e-mailed to: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

1. *Project Site and Background Information.* The Newhall Ranch site is located in northern Los Angeles County and encompasses approximately 12,000 acres. The Santa Clara River and State Route 126 traverse the northern portion of the Specific Plan area.

The river extends approximately 5.5 miles east to west across the site. On March 27, 2003, the Los Angeles County Board of Supervisors approved the Specific Plan, which establishes the general plan and zoning designations necessary to develop the site with residential, commercial, and mixed uses over the next 20 to 30 years. The Newhall Ranch Specific Plan also includes a Water Reclamation Plant at the western edge of the project area. Individual projects, such as residential, commercial, and industrial developments, roadways, and other public facilities would be developed over time in accordance with the development boundaries and guidelines in the approved Specific Plan. Many of these developments would require work in and adjacent to the Santa Clara River and its side drainages ("waters of the United States").

Newhall Land would develop most of the above facilities. However, other entities could construct some of these facilities using the approvals or set of approvals issued to Newhall Land. The proposed Section 404 permit would also include routine maintenance activities to be carried out by Los Angeles County Department of Public Works using the Section 404 permit issued to Newhall Land. Any party utilizing a Section 404 permit issued to Newhall Land would be bound by the same conditions in the Section 404 permit.

The CCAA area includes Newhall Ranch and two other areas adjacent to Newhall Ranch, the Valencia Commerce Center and Entrada areas. The Valencia Commerce Center is a partially built out commercial/industrial center located east of Newhall Ranch and north of State Route 126. Entrada is a proposed residential development located east of

Newhall Ranch and south of Magic Mountain Parkway.

Under the Specific Plan, Newhall Land and Farming has applied to Los Angeles County for tentative tract (subdivision) maps for portions of the Specific Plan area, Valencia Commerce Center, and Entrada. Los Angeles County is currently processing those applications, including the preparation of project-level Environmental Impact Reports for these areas.

2. *Proposed Action.* Newhall Land has identified various activities associated with the Newhall Ranch Project that would require Corps permitting. Many of the proposed activities would require a 404 permit because the activities would affect the riverbed or banks within the jurisdictional limits of the Corps in San Martinez Grande, Chiquito, Potrero, and Long canyons, and smaller drainages with peak flows of less than 2,000 cubic feet per second, as well as the Santa Clara River. These activities are listed and described in further detail below:

- Bank protection to protect land development projects along watercourses (including buried soil cement, ungrouted riprap, and gunite lining);
- Drainage facilities such as storm drains or outlets and partially lined open channels;
- Grade control structures;
- Bridges and drainage crossings;
- Utility crossings;
- Trails;
- Building pads;
- Activities associated with construction of a Water Reclamation Plant (WRP) adjacent to the Santa Clara River and required bank protection;
- Water quality control facilities (sedimentation control, flood debris, and water quality basins);
- Ongoing maintenance activities by the LACDPW; and
- Temporary haul routes for grading equipment.

In addition to construction of the permitted facilities identified above, the proposed action includes development of a CCAA between Newhall Land and the USFWS. The CCAA would serve to protect populations of San Fernando Valley spineflower, a species identified as a candidate for listing under the federal Endangered Species Act, which occur on the Newhall Ranch, Valencia Commerce Center, and Entrada sites. The CCAA would involve spineflower preserves and management and also authorize the take of certain spineflower plants at all three locations.

3. *Scope of Analysis.* The DEIS will be a project-level document which addresses a number of interrelated

actions over a specific geographic area that (1) would occur as logical parts in the chain of contemplated actions, and (2) would be implemented under the same authorizing statutory or regulatory authorities. The information in the EIS will be sufficient for the Corps to make a decision regarding the issuance of a long-term Section 404 permit for the Newhall Ranch Specific Plan. The EIS will also allow the USFWS to make a decision on the CCAA.

The document will be a joint Federal and state document. The California Department of Fish and Game (CDFG) will prepare an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act for the same project regarding a state streambed alteration agreement, state endangered species permit for Newhall Ranch, and a Spineflower Conservation Plan and state endangered species permit for the Newhall Ranch, Valencia Commerce Center and Entrada areas. The Corps and CDFG will work cooperatively to prepare a joint DEIS/DEIR document, and to coordinate the public noticing and hearing processes under Federal and state laws.

The impact analysis will follow the directives in 33 CFR Part 325 Appendix B, which requires that it be limited to the impacts of the specific activities requiring a 404 permit and only those portions of the project outside of "waters of the United States" over which the Corps has sufficient control and responsibility to warrant Federal review. However, due to the varied location and extent of waters of the United States, threatened and endangered species and critical habitat, and historic and prehistoric cultural sites within the project area, there exists sufficient cumulative Federal responsibility and control to expand the geographic scope of analysis to include the entire Newhall Ranch Specific Plan site. This extension of the scope of environmental analysis will address indirect and cumulative impacts of the regulated activities, as well as connected actions pursuant to NEPA guidelines (40 CFR part 1508(a)(1)). In upland areas, the Corps will evaluate impacts to the environment and identify feasible and reasonable mitigation measures and the appropriate state or local agencies with authority to implement these measures if they are outside the authority of the Corps. In evaluating impacts to areas and resources outside the Corps' jurisdiction, the Corps will consider the information and conclusions from the Final Program EIR for the Specific Plan prepared by Los Angeles County Department of Regional Planning.

However, the Corps will exercise its independent expertise and judgment in addressing indirect and cumulative impacts to upland areas due to issuance of the proposed Section 404 permit.

4. *Significant Issues.* There are several potential environmental issues that will be addressed in the DEIS/DEIR. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

- (a) Surface Water Hydrology, Erosion and Sedimentation;
- (b) Groundwater;
- (c) Water Quality;
- (d) Biological Resources;
- (e) Jurisdictional Streams and Wetlands;
- (f) Air Quality;
- (g) Traffic;
- (h) Noise;
- (i) Cultural Resources;
- (j) Paleontological Resources;
- (k) Agriculture and Soils;
- (l) Geology and Geologic Hazards;
- (m) Land Use;
- (n) Visual Resources;
- (o) Parks, Recreation, and Trails;
- (p) Public Safety;
- (q) Public Services;
- (r) Hazards and Hazardous Materials;
- (s) Socioeconomics/Environmental Justice;
- (t) Significant, Irreversible Environmental Changes.

5. *Alternatives.* Alternatives initially being considered for the proposed improvement project include the following:

- (a) Numerous alternate locations and configurations of various proposed facilities such as buried bank stabilization, bridges, and grade control structures, along each of the major side drainages including Chiquito Canyon, Potrero Canyon, San Martinez Grande, and Long Canyon, as well as the Santa Clara River, ranging from no impact to the proposed action and configurations of various proposed San Fernando Valley Spineflower Preserve areas;
- (b) Under the No Federal Action alternative, the proposed Section 404 permit would not be issued, so no discharges of fill material within Corps jurisdictional waters would be authorized. This alternative will be analyzed in the DEIS/DEIR to satisfy NEPA requirements to evaluate the impacts of "No Federal Action" alternative.

6. *Scoping Process.* A previous NOI was published in the *Federal Register* on January 29, 2004 (69 FR 4295-4296). Public scoping meetings to receive input on the scope of the DEIS/EIR were previously conducted on February 4, 2000 in Santa Clarita and February 19,

2004 in Castaic, California. An additional public scoping meeting will be held on August 24, 2005, at 6:30 pm, at the Castaic Middle School Multipurpose Room located at 28900 West Hillcrest Parkway, Castaic, CA.

Participation in the scoping is encouraged by Federal, state, and local agencies, and other interested private citizens and organizations. The Corps will be the federal lead agency and the USFWS will be a cooperating agency for this DEIS/EIR. Other environmental review and consultation requirements, not discussed above, include a USFWS Section 7 Biological Opinion, State Historic Preservation Office consultation, and a 401 certification and National Pollutant Discharge Elimination System (NPDES) permit from the Los Angeles Regional Water Quality Control Board.

**7. Availability of the Draft EIS/EIR.** The joint lead agencies expect the Draft EIS/EIR to be made available to the public in late 2005. Written comments on the DEIS/DEIR will be received once that document is released. A public hearing will be held during the public comment period for the Draft EIS/EIR.

Dated: July 11, 2005.

**Brian M. Moore,**

*Deputy District Engineer for Project Management.*

[FR Doc. 05-14181 Filed 7-18-05; 8:45 am]

BILLING CODE 3710-92-P

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before August 18, 2005.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Carolyn Lovett, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires

that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: July 12, 2005.

**Angela C. Arrington,**

*Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer.*

### Institute of Education Sciences

**Type of Review:** Revision.

**Title:** FRSS on Public School Principal's Perceptions of Their School Facilities: Fall 2005.

**Frequency:** On occasion.

**Affected Public:** State, Local, or Tribal Gov't, SEAs or LEAs.

**Reporting and Recordkeeping Hour Burden:**

Responses: 1,200.

Burden Hours: 300.

**Abstract:** The Quick Response Information System consists of two survey system components—Fast Response Survey System (FRSS) for schools, districts, libraries and the Postsecondary Education Quick Information System (PEQIS) for postsecondary institutions. This survey will go to 1200 public elementary and secondary school principals. It will provide current information about principals' satisfaction with various environmental factors in their schools, the extent to which they perceive those factors as interfering with the ability of the school to deliver instruction, the use of portable buildings and whether the school is overcrowded.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2816. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Kathy Axt at her e-mail address [Kathy.Axt@ed.gov](mailto:Kathy.Axt@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

### Institute of Education Sciences

**Type of Review:** Revision.

**Title:** National Assessment of Educational Progress 2006 Wave 3 U.S. History, Civics, Economics and Math Background, and School Questionnaires.

**Frequency:** On occasion.

**Affected Public:** Individuals or household; State, Local, or Tribal Gov't, SEAs or LEAs.

**Reporting and Recordkeeping Hour Burden:** Responses—66,450. Burden Hours—16,831.

**Abstract:** This submittal applies to the questionnaires for students on U.S. History, Civics, and Economics; for Teachers on U.S. History, Civics, Economics and Mathematics; and School Questionnaires including U.S. History, Civics, Economics, and Charter School Questions.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2813. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

**DRAFT**

*California Department of Fish and Game  
Region 5--South Coast Region*

*4665 Lampson Ave.  
Los Alamitos, CA 90720  
Attention: Padmini Elyath*

**NOTICE OF PREPARATION  
OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

TO: Distribution List

FROM: California Department of Fish and Game, Region 5

DATE: July 25, 2005

RE: Notice of Preparation of a Draft Environmental Impact Report

PROJECT: Newhall Ranch Long-term Streambed Alteration Agreement and Incidental Take Permit and Newhall Ranch, Valencia Commerce Center and Entrada Spineflower Conservation Plan and Related Incidental Take Permits

LOCATIONS: Portions of the Santa Clara River, Selected Side Drainages and some Upland Areas for the Establishment of Spineflower Preserves, Northern Los Angeles County 14 [CCR Section 15082(a)(1)(B)]

APPLICANT: The Newhall Land and Farming Company

The California Department of Fish and Game (CDFG), acting as Lead Agency, has determined that the above referenced project may have a significant impact on the environment, and that CDFG should prepare an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) and the state CEQA Guidelines (CEQA Guidelines). A summary of the proposed project and its probable environmental effects is attached. The proposed State action is the issuance of a long-term Streambed Alteration Agreement issued pursuant to Fish and Game Code section 1605 and an Incidental Take Permit issued pursuant to Fish and Game Code section 2081 for the construction of various facilities associated with the Newhall Ranch Specific Plan approved by the Los Angeles County Board of Supervisors in May 2003. This NOP is being reissued because the project description has been modified since the time the previous NOP was circulated. The project description now includes a Spineflower Conservation Plan for three areas: Newhall Ranch, and two areas located outside the Newhall Ranch Specific Plan (NRSP) boundary: Valencia Commerce Center (VCC) and Entrada

## DRAFT

(formerly known as the Magic Mountain Entertainment area located east of the NRSP boundary, south of Six Flags Magic Mountain amusement park and north of the Westridge Golf Course). The proposed state action for this portion of the project is issuance of a separate Incidental Take Permit issued pursuant to Fish and Game Code section 2081. A joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) will be prepared with the U.S. Army Corps of Engineers. The joint EIS/EIR will be prepared in accordance with the National Environmental Policy Act (NEPA), CEQA and the CEQA Guidelines.

As stated above, this NOP incorporates changes to the project description from that previously posted in the NOP dated January 27, 2004. Comments received as a result of the previous NOP will be considered along with comments received in response to this NOP, to assure that all comments are considered. We request public agency and general public views as to the scope and content of the environmental information that is germane either to an agency's statutory responsibilities in connection with the proposed project, or to address the general public's concerns with the proposed project. Agencies may need to use the EIR prepared by CDFG when considering their permits or other approvals for the project. An Initial Study is not attached to the NOP because CDFG has determined that an EIR is required based on applicable portions of Los Angeles County's Final EIR for the Specific Plan, as allowed by the CEQA Guidelines (14 CCR Section 15063).

Pursuant to time limits under CEQA (Public Resources Code 21080.4(a)), your written response must be sent at the earliest possible date, but no later than September 5, 2005. Please send your response to Ms. Morgan Wehtje at the address shown above or by e-mail at [mwehtje@dfg.ca.gov](mailto:mwehtje@dfg.ca.gov). We will need the name of a contact person at your agency.

Two public scoping meetings to receive input on the scope of the EIR/EIS were previously conducted on February 4, 2000 in Santa Clarita, and February 19, 2004 in Castaic, California. An additional public scoping meeting will be held on August 24, 2005, at 6:30 pm, at the Castaic Middle School Multipurpose Room located at 28900 West Hillcrest Parkway, Castaic, CA.

Information related to the proposed project being addressed in the EIR is available at the Corps of Engineers office at 2151 Alessandro Drive, Suite 255, Ventura, California, and at the Valencia Public Library, 23743 Valencia Boulevard, Santa Clarita, California. This information includes the Newhall Ranch Specific Plan, Final EIR and the Final Additional Analysis for the Specific Plan.

Sincerely,

*Morgan Wehtje*

Attachment: Overview of the Project and Environmental Issues

**OVERVIEW OF PROJECT AND EIR SCOPE  
NEWHALL RANCH  
LONG-TERM STREAMBED ALTERATION AGREEMENT,  
INCIDENTAL TAKE PERMIT; SPINEFLOWER CONSERVATION PLAN  
FOR NEWHALL RANCH, VALENCIA COMMERCE CENTER AND  
ENTRADA AREAS**

**June 2005**

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**1.0 PROPOSED PROJECT**

The Newhall Ranch Specific Plan (NRSP) site is located in northern Los Angeles County and encompasses about 12,000 acres (Figure 1). The Santa Clara River and State Route 126 ("SR-126") traverse the northern third of the site. The river extends about 5.5 miles across the site (Figure 2). In May 2003, the Los Angeles County Board of Supervisors approved the Specific Plan, which establishes the general plan and zoning designations necessary to develop the site with residential, commercial, mixed use, and open space (Figure 2) over the next 20 to 30 years. The Newhall Ranch Specific Plan also includes a Water Reclamation Plant.

Individual projects, such as residential, commercial, and industrial developments, bridges, roadways, and other public facilities will be developed over time in accordance with the development regulations and guidelines in the approved Specific Plan. Many of these project-level developments will require work in and near the Santa Clara River, its side drainages, and some upland areas. The project proponent and landowner, The Newhall Land and Farming Company (Newhall Land), has requested a long-term Streambed Alteration Agreement issued pursuant to Fish and Game Code section 1605 (1605 Agreement) and an Incidental Take Permit issued pursuant to Fish and Game Code section 2081 (2081 Permit) from the California Department of Fish and Game (CDFG) for this work.

Prior to issuing these approvals, CDFG must complete an Environmental Impact Report (EIR) pursuant to CEQA. CDFG has decided to prepare a joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) with the Corps of Engineers for the proposed project. The project to be addressed in the EIS/EIR consists of those facilities associated with the approved Newhall Ranch Specific Plan that will require a 1605 Agreement and 2081 Permit, including the following:

- Bank stabilization to protect land development projects along water courses (including buried soil cement, buried gunite, grouted riprap, ungrouted riprap, and gunite lining)
- Drainage facilities such as storm drains or outlets and partially lined open channels

- Grade control structures
- Bridges and drainage crossings
- Utility crossings
- Trails
- Building pads
- Activities associated with construction of a Water Reclamation Plant (WRP) adjacent to the Santa Clara River and required bank protection
- Water quality control facilities (sedimentation control, flood debris, and water quality basins)
- Ongoing maintenance activities by the Los Angeles County Department of Public Works (LACDPW)
- Temporary haul routes for grading equipment

Newhall Land or its designee will develop most of the above facilities. However, others, using the approvals issued to Newhall Land, may construct some of these facilities. The proposed 1605 Agreement would also include routine maintenance activities to be carried out by LACDPW using the 1605 Agreement issued to Newhall Land. Any party utilizing a 1605 Agreement issued to Newhall Land would be bound by the same conditions in the 1605 Agreement.

The project now also involves consideration of a Spineflower Conservation Plan (SCP) and related 2081 Permits for three areas: Newhall Ranch, Valencia Commerce Center (VCC) and Entrada. The latter two areas are located outside of the NRSP area. The VCC is located north of State Route 126 at Commerce Center Drive, and Entrada (formerly known as the Magic Mountain Entertainment area) is located east of the NRSP area between Six Flags Magic Mountain amusement park and the Westridge Golf Course, bounded on the east by the Old Road. The SCP involves establishing permanent preserves for the state-listed endangered San Fernando Valley spineflower on the Newhall Ranch and Entrada sites.

## **2.0 PROBABLE ENVIRONMENTAL EFFECTS**

The EIR will be a “project level” CEQA document that addresses a number of inter-related actions over a specific geographic area that: (1) will occur as logical parts in the chain of contemplated actions; and, (2) will be implemented under the same authorizing statutory or regulatory authorities. The information in the EIR will be sufficient for the CDFG to make a decision on the issuance of a long-term 1605 Agreement and 2081 Permits for the project.

The project area for the EIR consists of the mainstem of the Santa Clara River from its confluence with Castaic Creek to the Los Angeles County line, all side drainages in the Specific Plan area and some upland areas (Figure 3), including upland areas in VCC and Entrada, which

contain populations of spineflower. The key environmental effects to be addressed in the EIS/EIR are listed below:

- Hydrology, Flooding, and Sedimentation – A project-level description of the potential impacts of bridges, bank protection and related uses and facilities, described above, including an analysis of the change in river hydrology and hydraulics, particularly related to flood frequency and location, peak discharge, bank and channel bed erosion, water velocity, water depth, scouring potential at bridges, and alteration of sediment deposition patterns.
- Water Quality – Potential effects on quality of surface and ground water due to construction activities in the riverbed, and due to urban stormwater runoff associated with adjacent upland development. The Regional Water Quality Control Board will address these impacts through the Waste Discharge Requirements they will issue for the project.
- Wetlands and Riparian Vegetation – Potential effect on the nature and amount of wetland and riparian vegetation within the river channel; potential changes in successional patterns in the riverbed due to altered river hydrology and sedimentation patterns.
- Threatened and Endangered Species – Potential adverse impacts on listed and other sensitive species and their habitats including, but not limited to, the unarmored three-spine stickleback, arroyo chub, Santa Ana sucker, least Bell's vireo, arroyo toad, and the San Fernando Valley spineflower due to potential habitat loss, location of preserves, changes in hydrology, and/or human encroachment.
- Fish and Wildlife, in general – Potential changes in populations of the native fauna due to reduction or alteration of the wetland and adjacent upland habitats along the Santa Clara River, its side drainages and some upland areas.
- Air Quality – Potential impact of construction emissions on local and regional air quality associated with the facilities to be permitted. Conformity with South Coast Air Quality Management Plan.
- Cultural Resources – Potential impacts on archeological, ethnographic, paleontologic, and historic resources.
- Visual Resources – Potential changes in the natural and man-made visual settings due to new bridges, bank protection, and urban development.
- Cumulative Impacts – Combined impacts of the proposed project and other ongoing and future projects within both Los Angeles and Ventura counties, in relation to Newhall Ranch.

### 3.0 ALTERNATIVES

Various alternatives will be addressed in the EIR that would avoid or lessen the identified significant impacts associated with the proposed facilities, and/or that would reduce impacts to the environment, while still meeting most of the project objectives (14 CCR 15126.6) and purpose (14 CCR 15124[b]). Alternatives to be considered include modifications (e.g., size, location, etc) to the proposed facilities, or alternative designs for these facilities. Alternatives will focus on alternative methods to achieve the required flood control, river crossings, building pads, and drainage within the context of the Specific Plan. The alternatives will also consider alternative spineflower preserve designs. Specific alternatives will be developed after public scoping is completed, but will include the following types of alternatives:

- (a) Alternate locations and configurations of various proposed facilities such as buried bank stabilization, bridges, and grade control structures, along each of the major side drainages including Chiquito Canyon, Potrero Canyon, San Martinez Grande, and Long Canyon, as well as the Santa Clara River. Alternate spineflower preserve designs.
- (b) Under the No Federal Action/No Project alternative, proposed permits would not be issued, so no construction of facilities within jurisdictional waters, nor within spineflower areas, would be allowed. This alternative will be analyzed in the DEIS/DEIR to satisfy NEPA and CEQA requirements to evaluate the impacts of "No Federal Action" and "No Project" alternatives, respectively

### 4.0 RELATIONSHIP TO THE NEWHALL RANCH SPECIFIC PLAN EIR

A program EIR was prepared and certified by Los Angeles County for the Newhall Ranch Specific Plan. It addressed the environmental impacts of the NRSP, including the Water Reclamation Plant (as to the Water Reclamation Plant only the EIR was a project-level EIR). In the previously certified program EIR, the impacts of bank protection, bridges, and drainage facilities on the Santa Clara River and its side drainages were addressed at a programmatic level. The EIR to be prepared by CDFG will be a project-level EIR with a focus on the impacts of facilities within CDFG's authority under Fish and Game Code sections 1600 et seq., and 2081. This project-level EIR will represent a new and separate environmental review based on CDFG's independent analyses. It will provide a detailed analysis of the direct, indirect, and cumulative impacts of the proposed project. Resource information and certain analyses from the previously certified program EIR may be incorporated directly or by reference in the new EIR. Analyses and conclusions related to indirect and cumulative impacts on resources outside the regulatory jurisdiction of the CDFG (e.g., upland areas outside watercourses and not involving threatened or endangered species) may be incorporated from the program EIR. These analyses will be

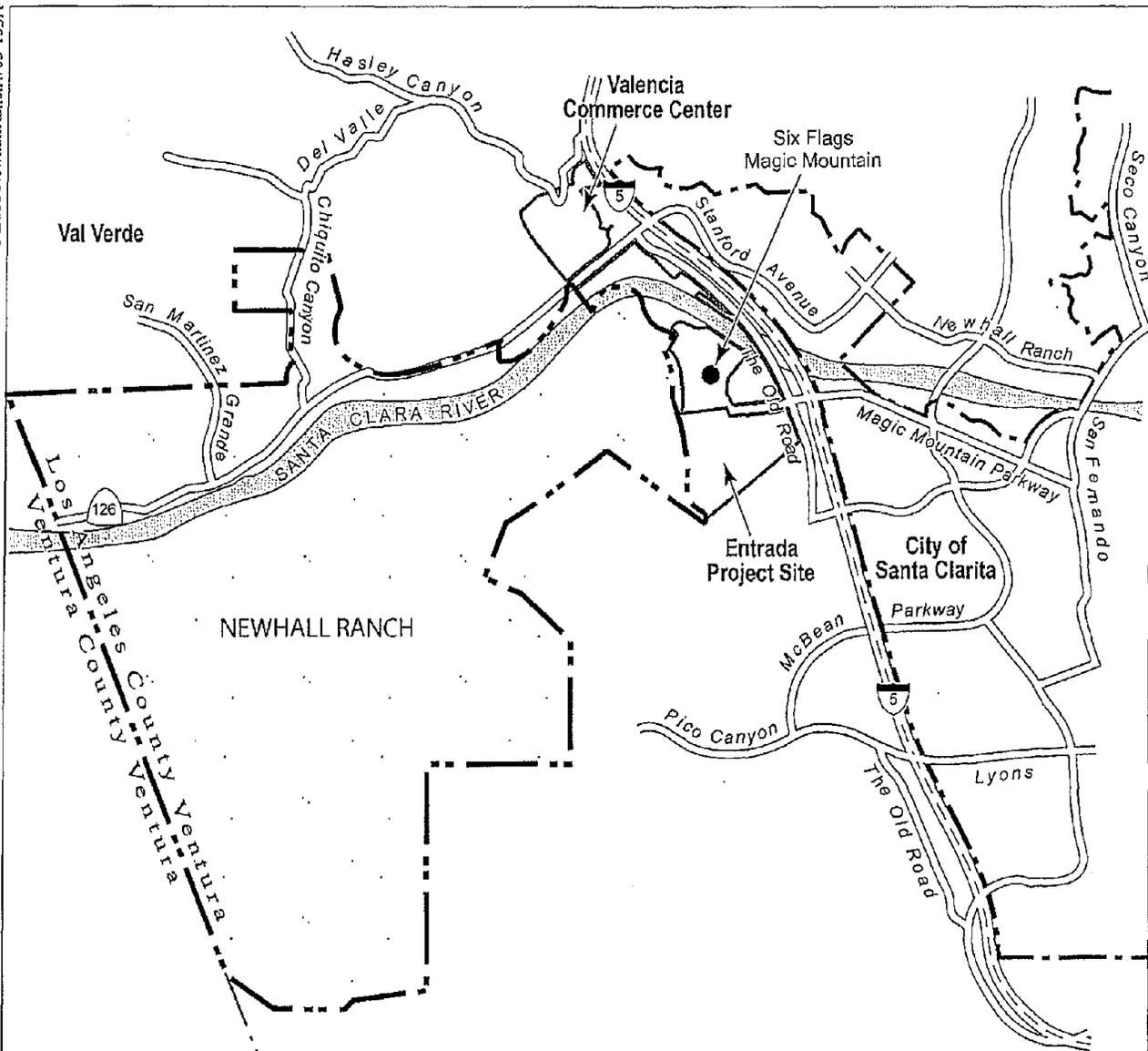
supplemented and refined to the extent that there is new information on the proposed regulated activities and/or on the affected resources that were not available during the preparation of the County's program EIR.

Under the Specific Plan, Newhall Land and Farming has applied to Los Angeles County for tentative tract (subdivision) maps for portions of the Specific Plan area, Valencia Commerce Center, and Entrada. Los Angeles County is currently processing those applications, including the preparation of project-level Environmental Impact Reports for these areas.

## **5.0 PUBLIC SCOPING AND EIR SCHEDULE**

Two public scoping meetings to receive input on the scope of the EIR/EIS were previously conducted on February 4, 2000 in Santa Clarita, and February 19, 2004 in Castaic, California. An additional public scoping meeting will be held on August 24, 2005, at 6:30 pm, at the Castaic Middle School Multipurpose Room located at 28900 West Hillcrest Parkway, Castaic, CA. Comments received as a result of the 2004 NOP and public scoping meeting will be considered along with comments received in response to this NOP and meeting, to assure that all comments are considered.

A Draft EIR is expected to be issued for public review and comment in late 2005. A Final EIR is planned to be issued in 2006. Final decisions about the requested 1605 Agreement and 2081 Permits are anticipated to be made in 2006 after certification of the Final EIR.

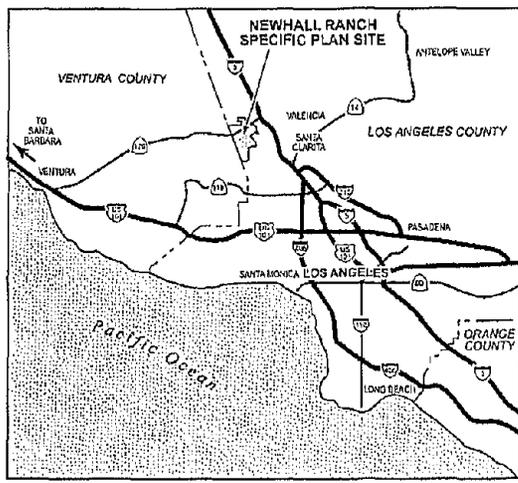


**Legend**

- Newhall Ranch Boundary
- - - City of Santa Clarita Boundary



0 3500 7000  
1 Inch = ~7000 feet



Newhall Ranch  
Habitat Management Plan

**URS Corporation**

Figure 1. VICINITY MAP

July  
2005

August 24, 2005

**PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
2003-01264-AOA**

**SIGN-IN SHEET**

NAME	ADDRESS	E-MAIL	Do you want to be on the mailing list for any future public notices about the Newhall Ranch project?	
			YES	NO
Katherine Squires	26800 Espuma Dr. Saugus, CA 91350		✓	
Adam Clark	2400 CREEKSIDE DR VALENCIA, CA, 91355			✓
CHRIS REGAN	24464 VALLE DEL ORO #202 NEWHALL CA 91321		✓	
BOB GMEER	1204 VALLEY HEART DR. STUDIO CITY, CA 91604	robert.gmeer @sbcgglobal.net	✓	
BRUCE BAILLY	2025 SUPERIOR ST CHATSWORTH CAL 91313	BRUCE @ BAILEYMOORE PROPERTIES.COM	✓	
Heene Anderson	2733 Cardwell Place Los Angeles, CA 90046	ieandersn@chps.org	✓	
ZON BOTTORFF	660 Randy Drive Newbury Park CA 91320	bottorffm @ verizon.net	✓	

August 24, 2005

**PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
2003-01264-AOA**

**SIGN-IN SHEET**

NAME	ADDRESS	E-MAIL	Do you want to be on the mailing list for any future public notices about the Newhall Ranch project?	
			YES	NO
Ted Moore	428 Bryant Circle # 225 Ojai, CA. 93023	ted @ tedmoore.com	X	
Kris Dwan Kamp	<del>25000</del> 26082 Siles Dr Topanga CA 90290 Topanga		X	
Lynne Plambeck Santa Clarita Org for Planning & the Environment	PO Box 1182 Canyon Country CA 91386		X	
Roni Meensner	26439 Shakespeare Lane Stevenson Ranch CA 91381	RMECHNER@HOTMAIL.COM		
Fred Trueblood	5128 Via Cupertino Camarillo, CA. 93012		X	
Robert Kelly	29873 Arroyo Oaks Lane Castaño CA	ROkelly58@ Yahoo.com	X	
Winnie Lee	Spc 61 30000 Hasley Cyn Rd.		X	

August 24, 2005

**PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
2003-01264-AOA**

**SIGN-IN SHEET**

NAME	ADDRESS	E-MAIL	Do you want to be on the mailing list for any future public notices about the Newhall Ranch project?	
			YES	NO
TERESA Savaikia	26724 Mocha Dr	Bigbadmean@aol.com <del>Bigbadmean@aol.com</del>	Yes!	
E. TONG	24800 Ave. Rockefeller, Valencia 91355	Eugene.Tong@earthlink.net	yes.	
Barbara Wampole	28006 San Mattheis Grande Rd. Castaic 91384	barbaw@wampole.com	yes!	
Patti Walker	630 Eagle Ct Fillmore 93015	walker@theapril.net	yes	
Lynnehead	25625 Salceda Rd. Valencia 91355	lynnehead@aol.com	yes.	
STEVEN WALKER	620 EAGLE CT FILLMORE CA. 93015	STEVEN.D.WALKER@EARTHLINK.NET	YES	
LISAFTMIANI	4068 TILDEN AVE CULVER CITY CA 90232	PEEEEEEP26@YAHOO.COM	YES	

August 24, 2005

**PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
2003-01264-AOA**

**SIGN-IN SHEET**

NAME	ADDRESS	E-MAIL	Do you want to be on the mailing list for any future public notices about the Newhall Ranch project?	
			YES	NO
RAY GRAEBER	31507 HIPSHOT DR CASTAIC CA 91304	CASTAICRVPRK@ EARTHLINK.NET	X	
Ray Lorme	28125 Caraway Ln Santa Clarita, Ca 91350	lciray@pacbell.net	X	
Nick Brestoff	25658 Birchleaf Ct Valencia CA 91381	NickBrestoff @yahoo.com	X	
MARK HERSHEY	23011 La Granja Dr Valencia CA 91354	markhershey@ sbcglobal.net	X	

**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/WRITTEN COMMENT FORM**

NAME (Please print): WINNIE LEE

DO YOU WISH TO SPEAK AT THIS MEETING?     YES     NO  
ADDRESS (Street and Number): 30000 Hasley Cyn Rd, Spc 61  
CITY: Castaic    STATE: CA    ZIP CODE: 91384  
TELEPHONE NO.: 661-257-9519    EMAIL ADDRESS: \_\_\_\_\_

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

?  
The Tapia Cyn road to the Pantano Animal Shelter has been closed for around 8 months. Because of this - animals die unnecessarily. I understand the steelback fish are the problem. Unless it rains - the washed-out road (which is usually dry unless it rains) can't possibly contain fish. But that is what the Corps of Engineers told me. - Animals (people's pets) are surely as important as fish & flowers. <sup>Improvement of</sup> Animals are not books that can be left sitting on a shelf. Their time is limited. Only when a person loses a beloved pet do they realize what I am complaining about.

DATA REQUIRED BY THE PRIVACY ACT

*Winnie Lee*

**AUTHORITY:** 33 CFR 327

**PRINCIPAL PURPOSE:** Distributed at Public Meetings and Workshops to provide a record of attendees, and to develop a mailing list for future public meetings in keeping with the policy of OCE to conduct Civil Works Program in an atmosphere of public understanding, trust and mutual cooperation. All interested individuals and agencies are to be informed and afforded an opportunity to be heard and their views considered in arriving at conclusions, decisions, and recommendations in the formulation of civil works proposals, plans, projects, and on the proposed uses of navigable waters.

**ROUTINE USES:** Utilized for determining attendance at Public Meetings; determining who desires to speak at Corps Public Meetings and developing mailing lists for various Corps studies.

**DISCLOSURE:** Voluntary. Failure to provide information may result in not being contacted for future public meetings, etc.

**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/WRITTEN COMMENT FORM**

NAME (Please print): Barbara Wampole

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO

ADDRESS (Street and Number): 2806 San Martinez Grande Road

CITY: CASTAIC STATE: CA ZIP CODE: 91384

TELEPHONE NO.: 661-257-3036 EMAIL ADDRESS: \_\_\_\_\_

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH – VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

Would like to see greater protection of the  
ecosystems of the Santa Clara River &  
tributaries than the NPMP — which  
should not be a model for this permit

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**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/Written COMMENT FORM**

NAME (Please print): Lynne Plambeck

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO

ADDRESS (Street and Number): PO Box 1182

CITY: Canyon County STATE: CA ZIP CODE: 91386

TELEPHONE NO.: 661 255-6899 EMAIL ADDRESS: \_\_\_\_\_

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

1. Should be 3-year public review, 20 years is too long.
2. Please be aware of RWQCB's Resolution 2005-002 as this may affect your approvals
3. We do not support hydromodifications of the river. The <sup>500 year</sup> flood plain should be preserved.

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**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/WRITTEN COMMENT FORM**

NAME (Please print): Ted Moore

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO #225  
ADDRESS (Street and Number): E. F. Moore + Co., 428 Bryant Circle  
CITY: Ojai STATE: CA ZIP CODE: 93023  
TELEPHONE NO.: 805-640-3438 EMAIL ADDRESS: Ted@tedmoore.com

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

A. Request: Expand the scope of the EIR to include the COMMENTS following impacts:

1. Physical impacts and impacts on uses (commercial, residential, recreational vehicle), both current + future, on Travel Village, 27946 Henry Mayo Dr. (Hwy. 126), Castaic, CA. 91384

2. Physical Impacts would include, but not be limited, loss of current access to property, affect on owner's ability to expand the current recreational Village Park to full build out (± 500 spaces).

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3.

**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/Written COMMENT FORM**

NAME (Please print): Patti Walker

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO

ADDRESS (Street and Number): 600 Eagle Ct

CITY: Fillmore STATE: CA ZIP CODE: 93015

TELEPHONE NO.: 8055242731 EMAIL ADDRESS: walker@theapid.net

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

Why is the ACOE doing an EIS on

this project but allowing an EA

on Fillmore's Heritage Valley PK

project.

Save our Santa Clara River

**DATA REQUIRED BY THE PRIVACY ACT**

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**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/WRITTEN COMMENT FORM**

NAME (Please print): Katherine Squires

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO  
ADDRESS (Street and Number): 210800 Espuma Dr.  
CITY: Saugus STATE: CA ZIP CODE: 91350  
TELEPHONE NO.: (ddd) 2916-1212 EMAIL ADDRESS: \_\_\_\_\_

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

I am here tonight to voice my concerns about the proposed Newhall Ranch project. This project is being suggested for ~~an~~ an area that is absolutely unsuitable for homes/businesses. The proposed project will destroy unique habitat & species which can't be replaced. It also interferes with the endangered Santa Clara River. In addition, the proposed site is located on a tectonically active area consisting of numerous active faults including the San Cayetano & Oak Ridge faults. Also, the area is prone to landslides due to the porous unconsolidated rocks (mudstones). In fact,

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(over) →











**U.S. ARMY CORPS OF ENGINEERS  
PUBLIC SCOPING MEETING  
FOR THE NEWHALL RANCH SPECIFIC PLAN (DEIS/EIR)  
REQUEST TO SPEAK/WRITTEN COMMENT FORM**

NAME (Please print): LISA FIMIANI

DO YOU WISH TO SPEAK AT THIS MEETING?  YES  NO

ADDRESS (Street and Number): 4068 TILDEN AVE

CITY: CULVER CITY STATE: CA ZIP CODE: 90232

TELEPHONE NO.: (310) 838-4548 EMAIL ADDRESS: PEEEEEP26@YAHOO.COM

REGARDLESS OF WHETHER YOU PROVIDE VERBAL COMMENTS TODAY, IF YOU WOULD LIKE TO PROVIDE WRITTEN COMMENTS ON THIS PROJECT, YOU MAY RESPOND BELOW AND SUBMIT THIS SHEET TO A CORPS REPRESENTATIVE OR WRITE TO THE CORPS BY September 5, 2005 AT: U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT; REGULATORY BRANCH - VENTURA FIELD OFFICE; ATTN: CESPL-CO-RN-2003-01264-AOA; 2151 ALESSANDRO DRIVE, SUITE 110; VENTURA, CA 93001. ALTERNATIVELY, YOU MAY EMAIL COMMENTS TO THE FOLLOWING ADDRESS: [Aaron.O.Allen@usace.army.mil](mailto:Aaron.O.Allen@usace.army.mil) by September 5, 2005.

**COMMENTS**

AS AN AUDUBON CALIFORNIA

BOARD MEMBER,

I WANT TO SPEAK

ON BEHALF OF THE

SANTA CLARA RIVER

VALLEY AS AN IBA,

IMPORTANT BIRD AREA.

**DATA REQUIRED BY THE PRIVACY ACT**

**AUTHORITY:** 33 CFR 327

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NEWHALL RANCH SCOPING MEETING

NEWHALL MIDDLE SCHOOL  
28900 HILLCREST PARKWAY  
NEWHALL, CALIFORNIA

WEDNESDAY, AUGUST 24, 2005

**CERTIFIED COPY**

**Reported By:**

**KARYN ABBOTT & ASSOCIATES**  
**BY: KATHLEEN KENDALL**

*Karyn Abbott & Associates, Inc.*

*Certified Shorthand Reporters*

*Transamerica Center*

*1150 S. Olive Street, Suite GL-29*

*Los Angeles, California 90015*

*(213) 749-1234*

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APPEARANCES :

AARON ALLEN  
PROJECT MANAGER  
U.S. ARMY CORPS OF ENGINEERS

JOHN DAVIDSON  
DEPARTMENT OF FISH AND GAME

CONNIE FARMER  
U.R.S. CORPORATION

MATT CARPENTER  
NEWHALL LAND

COMMUNITY MEMBERS/SPEAKERS :

- LYNNE SNEAD
- KRIS OHLENKAMP
- ILEENE ANDERSON
- RON BOTTORFF
- KATHRINE SQUIRES
- TED MOORE
- PATTI WALKER
- BARBARA WAMPOLE
- LYNNE FLAMBECK
- TERESA SAVAIKIE
- LISA FIMIANI

1 NEWHALL, CALIFORNIA, WEDNESDAY, AUGUST 24, 2005

2 6:30 P.M.

3 -000-

4  
5 MR. ALLEN: ON BEHALF OF THE CALIFORNIA  
6 DEPARTMENT OF FISH AND GAME, AND THE ARMY CORPS OF  
7 ENGINEERS, I WOULD LIKE TO WELCOME YOU TO THE NEWHALL  
8 RANCH SCOPING MEETING.

9 MY NAME IS AARON ALLEN. I'M THE PROJECT  
10 MANAGER FOR THE U.S. ARMY CORPS OF ENGINEERS.

11 MR. JOHN DAVIDSON WILL BE REPRESENTING  
12 THE DEPARTMENT OF FISH AND GAME TONIGHT. WE ARE THE  
13 TWO LEAD AGENCIES.

14 OF COURSE, THE U.S. ARMY CORPS OF  
15 ENGINEERS HAS RESPONSIBILITY UNDER THE NATIONAL  
16 ENVIRONMENTAL POLICY ACT, AND SECTION 404 OF THE CLEAN  
17 WATER ACT.

18 AND THE CALIFORNIA DEPARTMENT OF FISH  
19 AND GAME HAS RESPONSIBILITY UNDER THE CALIFORNIA  
20 ENVIRONMENTAL QUALITY ACT, AS WELL AS SECTION 1600 OF  
21 THE FISH AND GAME CODE, AND THE CALIFORNIA ENDANGERED  
22 SPECIES ACT.

23 AS PART OF THE SECTION 404 PROCESS, THE  
24 U.S. ARMY CORPS OF ENGINEERS HAS THE RESPONSIBILITY FOR  
25 EVALUATING THE DIRECT, INDIRECT, AND CUMULATIVE EFFECT

1 OF THE PROPOSED ACTIVITIES ON WATERS OF THE UNITED  
2 STATES.

3 WE ARE ALSO GOING TO BE LOOKING AT  
4 NUMEROUS ALTERNATIVES TO THE PROPOSED PROJECT DESIGN,  
5 AS WELL AS WE HAVE RESPONSIBILITY FOR COMPLYING WITH  
6 OTHER FEDERAL LAWS, SUCH AS THE ENDANGERED SPECIES ACT  
7 AND SECTION 106 OF THE HISTORIC PRESERVATION ACT.

8 WE ALSO ARE GOING TO BE DEVELOPING A  
9 REORGANIZATION MEASURE AS PART OF THE E.I.S., AS WELL  
10 AS THE 404B1 ALTERNATIVES ANALYSIS, TO LOOK AT WAYS TO  
11 REDUCE IMPACT ON THE WATERS OF THE UNITED STATES.

12 UNDER THE 404B1 GUIDELINES, WHICH IS THE  
13 PRINCIPLE COMPONENT OF THE SECTION 404 OF THE CLEAN  
14 WATER ACT, THE CORPS OF ENGINEERS CAN ONLY ISSUE A  
15 PERMIT FOR THE LEAST ENVIRONMENTALLY DAMAGING  
16 PRACTICABLE ALTERNATIVE.

17 WE ALSO HAVE A RESPONSIBILITY, UNDER THE  
18 PUBLIC INTEREST COMPONENT. WE'RE NOT ALLOWED TO ISSUE  
19 A PERMIT THAT IS CONTRARY TO THE PUBLIC INTEREST. AND,  
20 AS I MENTIONED BEFORE, WE ALSO HAVE TO COMPLY WITH ALL  
21 PHYSICAL FEDERAL LAWS; SUCH AS, THE ENDANGERED SPECIES  
22 ACT, AS WELL AS SECTION 106 OF THE HISTORICAL  
23 PRESERVATION ACT.

24 NOW, FOR THE IMPORTANT PART. WHAT ARE  
25 WE HERE FOR TONIGHT? AS PART OF THE SCOPING PROCESS,

1 WE ARE LOOKING FOR INPUT FROM THE PUBLIC ON WHAT  
2 FACTORS SHOULD BE EXAMINED IN DETAIL AS PART OF THE  
3 DRAFT D.I.S./D.I.R. FOR THE NEWHALL RANCH PACIFIC PLAN.

4 THE INPUT WE ARE LOOKING FOR TONIGHT,  
5 ALTERNATIVES WE SHOULD CONSIDER TO THE PROPOSED  
6 PROJECT, ALTERNATIVE WAYS OF DOING BANK STABILIZATION  
7 ON ROAD CROSSINGS, FLOOD CONTROL FACILITIES. THOSE ARE  
8 ALL OF THE TYPES OF INFORMATION THAT WE ARE LOOKING  
9 FOR.

10 ANY SENSITIVE RESOURCES THAT YOU THINK  
11 NEED TO BE EMPHASIZED AS PART OF THE DOCUMENT, ANY  
12 IMPACT IN PARTICULAR THAT YOU THINK SHOULD BE  
13 EMPHASIZED AS PART OF THE DRAFT D.I.S./D.I.R., THAT'S  
14 WHAT THIS HEARING PROCESS IS FOR.

15 OTHER FACTORS THAT YOU MIGHT WANT TO  
16 CONSIDER ARE PUBLIC INTEREST ISSUES; MAY BE, AIR  
17 QUALITY, TRAFFIC, THAT NEED TO BE EMPHASIZED AS PART OF  
18 THE DOCUMENT.

19 ONE THING I WANT TO EMPHASIZE IS THAT AS  
20 PART OF THE SCOPING PROCESS, THE CORPS OF FISH AND GAME  
21 ARE GOING TO CAREFULLY CONSIDER ALL COMMENTS THAT WE  
22 GET TONIGHT. WE WILL INCORPORATE THEM AS PART OF THE  
23 SCOPE OF ANALYSIS FOR THIS ENVIRONMENTAL DOCUMENT.

24 WE WILL BE USING THIS INFORMATION TO  
25 DEVELOP THE SCOPE FOR THE DOCUMENT. ONE THING YOU

1 SHOULD BE AWARE OF IS THAT ALL OF THIS INFORMATION IS  
2 GOING TO BE PART OF THE PUBLIC RECORD.

3 ALSO, WHEN THE DRAFT D.I.S./D.I.R. COMES  
4 OUT WITH THIS DOCUMENT, THERE WILL BE ANOTHER 60-DAY  
5 COMMENT PERIOD, SO THIS ISN'T YOUR ONLY CHANCE TO  
6 COMMENT ON THE PROJECT.

7 WE WILL ALSO BE HOLDING ANOTHER PUBLIC  
8 HEARING DURING THE COMMENT PERIOD FOR THE DRAFT  
9 D.I.S./D.I.R., SO THIS ISN'T YOUR ONLY CHANCE TO GIVE  
10 PUBLIC TESTIMONY ON THIS PROJECT.

11 THIS IS THE FIRST STEP IN THE DRAFT  
12 D.I.S./D.I.R., SO THERE WILL BE ANOTHER OPPORTUNITY TO  
13 TALK ABOUT THE ACTUAL ANALYSIS CONTAINED IN THE  
14 DOCUMENT.

15 THE WAY THIS MEETING IS GOING TO RUN IS  
16 IF YOU WISH TO GIVE TESTIMONY TO THE CORPS OF  
17 ENGINEERS, YOU NEED TO FILL OUT A SPEAKER CARD, AND YOU  
18 CAN GET THAT AT THE BACK TABLE. MAKE SURE YOU HAND  
19 THAT SPEAKER CARD TO MYSELF OR ONE OF THE OTHER CORPS  
20 REPRESENTATIVES.

21 JAY IS IN A BLUE SHIRT BEHIND THE BACK  
22 TABLE. HE WILL MAKE SURE THAT I GET, SO THAT YOU GET A  
23 CHANCE TO GIVE PUBLIC TESTIMONY.

24 SO FAR I ONLY HAVE ABOUT EIGHT SHEETS,  
25 SO I THINK WE CAN GIVE PEOPLE FIVE MINUTES TO SPEAK

1 TONIGHT. SO YOU WILL HAVE MORE TIME TO PROVIDE  
2 COMMENTS IF YOU WISH TO USE IT. I WOULD ASK THAT YOU  
3 DO KEEP YOUR COMMENTS TO FIVE MINUTES TO MAKE SURE THAT  
4 EVERYBODY GETS A CHANCE TO TALK AND WE DON'T END UP  
5 SAYING THE SAME THING MORE THAN ONCE.

6 ALSO THE WAY I'M GOING TO RUN THINGS, I  
7 WOULD LIKE TO ANNOUNCE THE PERSON WHO IS GOING TO  
8 SPEAK, AND THEN THE PERSON THAT IS ON DECK. THAT WAY I  
9 DON'T CALL YOU AND IT'S A COMPLETE SURPRISE. YOU HAVE  
10 SOME TIME TO COLLECT YOUR THOUGHTS AND THINK ABOUT WHAT  
11 YOU WANT TO SAY.

12 WHEN I START, I WILL SAY ONE NAME AND  
13 THEN A SECOND NAME FOR THE PERSON THAT'S ON DECK. ALSO  
14 FOR THE COURT REPORTER, IF YOU COULD PLEASE STATE YOUR  
15 NAME FOR THE RECORD BEFORE YOU START YOUR COMMENTS TO  
16 MAKE SURE THAT SHE CAN GET YOUR NAME AND ATTACH THE  
17 RIGHT TO WHATEVER PUBLIC TESTIMONY YOU'RE PROVIDING.

18 WE WILL ACCEPT WRITTEN COMMENTS UNTIL  
19 SEPTEMBER 5TH. SO YOU DON'T HAVE TO PROVIDE YOUR  
20 WRITTEN COMMENTS TONIGHT. YOU DO HAVE OVER A WEEK  
21 AFTER THIS DATE TO GET PUBLIC COMMENTS TO US. THE  
22 ADDRESS TO SEND IT TO IS ON THE PUBLIC NOTICE THAT IS  
23 AVAILABLE IN THE BACK.

24 AS I MENTIONED BEFORE, EVERYTHING THAT  
25 YOU SAY HERE TONIGHT WILL BE PART OF THE PUBLIC RECORD.

1 WE HOPE TO HAVE A TRANSCRIPT OF THIS PUBLIC HEARING  
2 AVAILABLE ON OUR WEBSITE BY OCTOBER. YOU CAN DOWNLOAD  
3 IT IN P.D.F. FORMAT.

4 AND AT THIS POINT, I THINK I'M GOING TO  
5 INTRODUCE CONNIE FARMER, WHO IS FROM THE U.R.S.  
6 CORPORATION, WHO IS GOING TO GIVE AN OVERVIEW OF THE  
7 NEWHALL RANCH PROJECT AND ESPECIALLY THE CHANGES THAT  
8 HAVE OCCURRED SINCE THE LAST SCOPING MEETING.

9 MS. FARMER: THANK YOU, AARON.

10 AS AARON SAID, MY NAME IS CONNIE FARMER.  
11 I'M WITH U.R.S. CORPORATION. WE HAVE BEEN RETAINED TO  
12 PREPARE THE E.I.S./E.I.R. THAT AARON HAS MENTIONED TO  
13 YOU.

14 WE HAVE BEEN WORKING ON THIS DOCUMENT AS  
15 A LOT OF YOU KNOW FROM OUR LAST PUBLIC SCOPING MEETING,  
16 AND IT'S BEEN AN ONGOING AND KIND OF EVOLVING PROCESS.  
17 AS A RESULT OF THAT, I JUST KIND OF WANTED TO TOUCH  
18 BRIEFLY ON OUR FIRST SCOPING MEETING WAS IN 2000, AND  
19 THEN WE MET AGAIN LAST YEAR IN FEBRUARY.

20 AND WE'RE BACK HERE TONIGHT BECAUSE WE  
21 HAVE IDENTIFIED SOME CHANGES TO THE PROJECT DESCRIPTION  
22 THAT WE FELT NEEDED TO BE BROUGHT BACK TO THE PUBLIC  
23 FOR YOUR CONSIDERATION. AND THAT IS THE PURPOSE AND  
24 THE MAIN FOCUS OF THE MEETING THIS EVENING.

25 AS AARON MENTIONED, THE ISSUANCE OF

1 PERMITS FROM BOTH THE CORPS AND FISH AND GAME IS THE  
2 KEY DRIVING FACTOR FOR NEEDING TO PREPARE THE  
3 E.I.S./E.I.R. AND AS HE MENTIONED, IT WILL INCLUDE  
4 ALTERNATIVES THAT AVOID AND MINIMIZE IMPACTS AND  
5 PROVIDE MITIGATION MEASURES TO ALSO REDUCE IMPACTS.

6 THIS DOCUMENT WILL ALSO BE A KEY TOOL  
7 FOR THE AGENCIES IN THEIR PERMIT-ISSUING AND  
8 DECISION-MAKING PROCESS.

9 WHAT I WANT TO FOCUS ON THIS EVENING IS  
10 THE PROPOSED CHANGES TO THE PROJECT DESCRIPTION AS THEY  
11 RELATE TO THE ISSUE OF SPINEFLOWER, WHICH IS A  
12 STATED-LISTED ENDANGERED SPECIES AND A FEDERAL SPECIES  
13 OF CONCERN.

14 FISH AND GAME, AS WE HAVE WORKED THROUGH  
15 THE LAST SEVERAL MONTHS, HAS IDENTIFIED A NEED TO LOOK  
16 AT SPINEFLOWER ACROSS ALL OF NEWHALL'S HOLDINGS,  
17 INCLUDING THE SPECIFIC PLAN AREA, BUT ALSO OTHER LANDS  
18 WITHIN L.A. COUNTY THAT NEWHALL OWNS, AND COME UP WITH  
19 A MANAGEMENT APPROACH THAT ADDRESSES SPINEFLOWER IN A  
20 MORE COMPREHENSIVE WAY AS OPPOSED TO A  
21 PROJECT-BY-PROJECT APPROACH.

22 SO THAT IS REALLY THE GIST OF WHAT WE  
23 ARE HERE TO TALK ABOUT TONIGHT.

24 THE PROPOSED CHANGES INCLUDE THE  
25 PREPARATION OF A SPINEFLOWER CONSERVATION PLAN, WHICH

1 WOULD ENCOMPASS BOTH THE SPECIFIC PLAN AREA, WHICH IS  
2 THIS BOUNDARY THAT WE ARE ALL FAMILIAR WITH, AND IT  
3 WILL ALSO INCLUDE VALENCIA COMMENCE CENTER, WHERE  
4 SPINEFLOWER HAS ALSO BEEN IDENTIFIED, AND IN PARCELS  
5 HERE WHICH ACTUALLY WRAPS AROUND MAGIC MOUNTAIN,  
6 CONCURRENTLY REFERRED TO AS THE ENTRADA PROJECT.

7 WE HAVE IDENTIFIED SPINEFLOWER IN THIS  
8 AREA AS WELL. AND SO FISH AND GAME'S DESIRED IS TO  
9 DEVELOP A COMPREHENSIVE MANAGEMENT PLAN, DEVELOP  
10 PRESERVES FOR SPINEFLOWER THAT ADDRESSES MANY ISSUES.  
11 AND WE WILL GET TO THAT IN JUST A MINUTE.

12 IN CONCERT WITH THAT, THE U.S. FISH AND  
13 WILDLIFE SERVICE AT NEWHALL RANCH OR NEWHALL LAND AND  
14 FARMING WILL ENTER INTO A CANDIDATE CONSERVATION  
15 AGREEMENT WITH ASSURANCES FOR SAN FERNANDO VALLEY  
16 SPINEFLOWER.

17 AT THE FISH AND GAME LEVEL THE OBJECTIVE  
18 IS TO ISSUE ONE 2081 PERMIT FOR SPINEFLOWER FOR ALL  
19 NEWHALL HOLDINGS. AND THEN THE CANDIDATE CONSERVATION  
20 AGREEMENT WITH ASSURANCES JUST REENFORCES THAT AT THE  
21 FEDERAL LEVEL.

22 I WANT TO TALK BRIEFLY ABOUT WHAT THE  
23 STATE ACTION IS. THE STATE ACTION IS THE ISSUANCE OF  
24 THE 2081 PERMIT FOR SPINEFLOWER, AND ALSO THE APPROVAL  
25 OF THE SPINEFLOWER CONSERVATION PLAN, WHICH HAS BEEN AN

1 ON-GOING PROCESS. IT'S BEING PREPARED BY DUDECK  
2 (PHONETIC) AND ASSOCIATES, WHO IS WORKING VERY CLOSELY  
3 WITH FISH AND GAME STAFF AND WITH REPRESENTATIVES FROM  
4 NEWHALL TO COME TO A DOCUMENT THAT REALLY SERVES THE  
5 PURPOSE OF PRESERVING SPINEFLOWER WITHIN THE PROJECT  
6 AREA.

7 THE CONSERVATION PLAN GOAL IS TO DEVELOP  
8 A MANAGEMENT PRESERVATION FRAMEWORK THAT PROVIDES FOR  
9 THE PERSISTENCE OF SPINEFLOWER WITHIN NEWHALL LAND  
10 HOLDINGS FOR AT LEAST 50 YEARS. AND THERE ARE SEVERAL  
11 OBJECTIVES THAT NEED TO BE ACHIEVED IN ORDER TO SUCCEED  
12 WITH THAT GOAL.

13 THESE OBJECTIVES -- I WILL DESCRIBE  
14 BRIEFLY UP HERE ON THE SLIDES -- ARE TAKEN DIRECTLY  
15 FROM THE GRASS SPINEFLOWER CONSERVATION PLAN IN ITS  
16 CURRENT STATE AND IT'S STILL BEING WORKED ON BY BOTH  
17 FISH AND GAME AND DUDECK, AND WILL EVENTUALLY BE AN  
18 APPENDIX TO OUR E.I.S./E.I.R. SO IT WILL BE PART OF  
19 THE PUBLIC RECORD AND AVAILABLE FOR REVIEW WHEN THE  
20 DRAFT COMES OUT.

21 THE KEY TO IT IS THE DEVELOPMENT OF A  
22 SERIES OF PRESERVES FOR SPINEFLOWER. THAT WILL  
23 MAXIMIZE ITS LONG-TERM PERSISTENCE. THESE PRESERVES  
24 ALSO NEED TO HAVE ELEMENTS TO THEM THAT ENCOURAGE THE  
25 POLLINATORS AND THE DISPERSAL AGENTS -- THE BUGS AND

1 BUNNIES THAT GET IN THERE AND SPREAD WHOSE TEENY, TINY  
2 LITTLE SEEDS THAT ALLOW SPINEFLOWER TO CONTINUE AS WE  
3 HAVE NOW FOUND IT.

4 IN ADDITION, THE PRESERVES WILL ALSO  
5 ALLOW FOR RESTORATION OF DAMAGED AND DEGRADED HABITANT  
6 WITHIN THOSE BOUNDARIES.

7 THE ESTABLISHMENT OF SITE-SPECIFIC  
8 BUFFERS, WHICH WILL -- THE PURPOSE OF IT IS TO LIMIT  
9 THE EFFECTS OF SURROUNDING DEVELOPMENT.

10 THEN MAKE TO SURE THAT THERE IS  
11 CONNECTIVITY BETWEEN THE PRESERVES SO THAT THERE IS THE  
12 ABILITY FOR CROSS-POLLINATION AND THOSE KINDS OF  
13 ACTIVITIES TO HAPPEN.

14 AND THEN INCLUDED WITHIN THE PRESERVE  
15 CORE, OCCURRENCES MAXIMIZE GENETIC DIVERSITY AND  
16 OVERALL POPULATION SIZE WHILE CAPTURING THE RANGE OF  
17 ENVIRONMENTAL CONDITIONS WHERE THE SPECIES IS FOUND.  
18 BASICALLY THAT MEANS TO OPTIMIZE THE HABITAT. IN  
19 ADDITION, IT WILL PROVIDE OPPORTUNITIES FOR RESTORATION  
20 AND IN SOME CASES THE INTRODUCTION OF NEW OCCURRENCES.

21 THERE MAY BE A NEED TO TRANSPLANT.  
22 THERE MAY BE A NEED TO SEED BLANK. ALL OF THOSE KINDS  
23 OF THINGS WILL BE ADDRESSED IN THE CONSERVATION PLAN.

24 IN ADDITION, THE PRESERVES NEED TO BE  
25 ABLE TO FUNCTION IN A WAY THAT ALLOWS FOR FLUCTUATION,

1 WHICH, YOU KNOW, WE ARE JUST STARTING TO LEARN ABOUT  
2 SPINEFLOWER AND WHAT ITS CHARACTERISTICS ARE AND WHAT  
3 ITS NEEDS ARE, AND DEVELOP THESE PRESERVES IN A WAY  
4 THAT ALLOWS FOR FLUCTUATION AND POLLENAZATION.

5 AN ADAPTIVE MANAGEMENT APPROACH IS FISH  
6 AND GAME'S DESIRE RIGHT NOW, IN TERMS OF DEALING WITH  
7 THE ISSUE OF HOW TO ENSURE SPINEFLOWER'S SUCCESS OVER  
8 THE NEXT 50 YEARS.

9 THIS WILL INCLUDE QUARTERLY MONITORING  
10 FOR THE NEXT 10 YEARS, ANNUAL SURVEYS FOR CENSUS  
11 COUNTS, AND THEN AN EVALUATION AFTER THOSE CENSUS  
12 COUNTS TO LOOK AT WHAT THE CHANGES ARE FROM YEAR TO  
13 YEAR.

14 THEN IN ADDITION TO THAT, IN ORDER TO  
15 FUND THIS, NEWHALL WILL BE PROVIDING MITIGATION FUNDING  
16 FOR MAINTENANCE, MANAGEMENT, AND MONITORING ON AN  
17 ONGOING BASIS. THAT IS THE STATE'S INVOLVEMENT WITH  
18 THIS CHANGE.

19 THE FEDERAL PERMIT REQUIREMENTS ARE THAT  
20 U.S. FISH AND WILDLIFE SERVICE AND NEWHALL LAND AND  
21 FARMING WILL ENTER INTO A CANDIDATE CONSERVATION  
22 AGREEMENT WITH ASSURANCES FOR SAN FERNANDO VALLEY'S  
23 SPINEFLOWER, WHICH IS NOT CURRENTLY A FEDERALLY LISTED  
24 SPECIES.

25 WHAT THIS ALLOWS THE SERVICE IN NEWHALL

1 TO DO IS TO OPTIMIZE, AGAIN, THE SUCCESS OF SPINEFLOWER  
2 AND GET TO A POINT WHERE THERE WON'T BE A NEED TO LIST  
3 IT AS A FEDERALLY LISTED SPECIES. IT WILL BE PROLIFIC  
4 AND ABUNDANT ENOUGH THAT THAT WON'T BE NECESSARY.

5 THIS AGREEMENT WOULD BE AUTHORIZED UNDER  
6 THE PROVISIONS OF THE ENDANGERED SPECIES ACT UNDER  
7 SECTION 10.

8 THE ELEMENTS OF THE C.C.A.A. WOULD  
9 INCLUDE IMPLEMENTATION OF THE SPINEFLOWER CONSERVATION  
10 PLAN. THE POPULATION IS LOCATED ON NEWHALL LAND, WHICH  
11 INCLUDES NEWHALL RANCH, V.C.C., AND ENTRADA.

12 IN ADDITION, THE U.S. FISH AND WILDLIFE  
13 SERVICE WOULD ISSUE AN ENHANCEMENT OF SURVIVAL PERMIT  
14 UNDER SECTION 10A1A OF THE ENDANGERED SPECIES ACT.

15 IN THE EVENT THAT SPINEFLOWER IS  
16 EVENTUALLY LISTED AS AN ENDANGERED SPECIES UNDER THE  
17 FEDERAL LAW, THIS PERMIT WOULD ALLOW SOME TAKE WITHIN  
18 NEWHALL LAND HOLDINGS BASED ON THE TERMS OF THE  
19 AGREEMENT, WHICH THE CONSERVATION PLAN WILL PLAY A BIG  
20 ROLE IN DEFINING.

21 SO AS WE MOVE FORWARD IN PREPARING THE  
22 E.I.S./E.I.R., WE ARE GOING TO NOT ONLY BE LOOKING AT  
23 THE ALTERNATIVES RELATED TO THE 404 1603 PERMITS  
24 RELATED TO WATERS OF THE UNITED STATES AND STATE  
25 JURISDICTION, BUT WE ARE ALSO GOING TO BE LOOKING AT A

1 VARIETY OF ALTERNATIVES RELATED TO SPINEFLOWER AND THE  
2 DEVELOPMENT OF THESE PRESERVES, BOTH WITHIN THE  
3 SPECIFIC PLAN AREA AND ENTRADA AND THE IMPACTS RELATED  
4 TO THE COMMERCE CENTER.

5 THOSE WILL BE ANALYZED AND PRESENTED IN  
6 THE DRAFT ENVIRONMENT IMPACT STATEMENT, ENVIRONMENT  
7 IMPACT REPORT, ALONG WITH ALL OF THE OTHER ISSUES THAT  
8 WERE ALSO EVALUATED.

9 SO WHERE DO WE GO FROM HERE? WE GO BACK  
10 AND WE'RE BUSY PREPARING THIS DOCUMENT THAT EVENTUALLY  
11 WILL BE RELEASED TO YOU FOR REVIEW IN EARLY 2006. AND  
12 AS AARON MENTIONED, AT THAT POINT, THERE WILL BE A  
13 60-DAY PUBLIC COMMENT PERIOD FOR WRITTEN COMMENTS. ALL  
14 OF THOSE COMMENTS WILL BE READ AND EVALUATED AND  
15 ADDRESSED APPROPRIATELY.

16 THEN THE FINAL WOULD BE THE ISSUANCE OF  
17 THE FINAL E.I.S./E.I.R. AND PERMIT DECISIONS FROM BOTH  
18 AGENCIES IN LATE 2003.

19 THANK YOU.

20 MR. ALLEN: I'M NOT SURE IF EVERYBODY  
21 CAN HEAR ME, BUT WE ONLY HAVE ONE MICROPHONE AND IT'S  
22 PROBABLY MUCH MORE IMPORTANT FOR THOSE THAT ARE MAKING  
23 THEIR COMMENTS TO HAVE A MICROPHONE THAN MYSELF. SO IF  
24 YOU WILL JUST BEAR WITH ME, AND IF YOU HAVE ANY  
25 PROBLEMS HEARING ME, JUST LET ME KNOW.

1 I APOLOGIZE TO THE VERY FIRST SPEAKER  
2 BECAUSE YOU DON'T GET AS MUCH TIME TO PREPARE. LYNNE,  
3 YOU'LL BE THE FIRST PERSON.

4 ON DECK IS KRIS OHLENKAMP. FOLLOWING  
5 THE FIRST SPEAKER, YOU'LL BE SPEAKING NEXT. PLEASE  
6 DON'T FORGET TO SAY YOUR FULL NAME BEFORE YOU START  
7 YOUR COMMENTS. COME ON, UP.

8 I DO HAVE A HANDY-DANDY TIMER. I'LL BE  
9 TRYING TO KEEP AN UNOFFICIAL FIVE MINUTES, BUT IF  
10 PEOPLE START GOING OVER, I'LL HAVE TO PULL THIS OUT.  
11 BUT FOR NOW, I'LL JUST DO IT BY HAND BECAUSE WE DON'T  
12 HAVE THAT MANY SPEAKERS TONIGHT.

13 THE FLOOR IS YOURS.

14 MS. SNEAD: OKAY. MY NAME IS LYNNE  
15 SNEAD; L-Y-N-N-E, S-N-E-A-D. I LIVE IN VALENCIA, AND  
16 I'VE LIVED THERE SINCE 1991.

17 I'M CONCERNED ABOUT THE BUILDING OF  
18 20,000 HOMES WEST OF THE 5. I'M CONCERNED ABOUT THE  
19 SPECIES THERE THAT ARE VERY FRAGILE: THE STICKLEBACKS  
20 AND THE ARROYO TOADS AND THE LEAST BELL'S VIREO. I'M  
21 IN THE AUDUBON SOCIETY, AND I ENJOY LOOKING AT THESE  
22 BIRDS. I JUST THINK THEY ARE A TREASURE, AND WE OUGHT  
23 TO TRY TO PRESERVE THEIR AREA WHERE THEY LIVE AND THE  
24 WATERWAYS TOO.

25 THERE IS A LOT OF OTHER SPECIES THAT WE

1 PROBABLY DON'T EVEN KNOW ABOUT. BUT I'M OPPOSED TO,  
2 YOU KNOW, THE DESTRUCTION OF ALL OF THIS LAND. IT'S A  
3 VALUABLE RESOURCE. I DON'T LIKE THE WAY THEY PUT  
4 CONCRETE ON THE WATERWAYS HERE. AND I DON'T LIKE THE  
5 WAY THAT THEY CLEAR THEM, WHICH I HAVE SEEN THEM DO BY  
6 ORCHARD VILLAGE, JUST CUTTING DOWN EVERYTHING. AND I  
7 KNOW THERE WERE LEAST BELL'S VIREO IN THAT AREA.

8 SO WHEN YOU CLEAR THOSE THINGS AND YOU  
9 CONCRETE THEM AND YOU CLEAR THEM, YOU'VE DESTROYED  
10 THEIR ENVIRONMENT, AND YOU'VE POSSIBLY DESTROYED THE  
11 SPECIES.

12 SO I THINK WE SHOULD BE SENSITIVE TO  
13 THAT WHEN YOU'RE CONSIDERING BUILDING HOMES AND DAMMING  
14 UP THE RIVERS AND CONSTRUCTING ALL THESE NEW HOMES. I  
15 COULD SEE WHY PEOPLE WANT TO LIVE HERE BECAUSE IT'S SO  
16 BEAUTIFUL, BUT WE'RE CEMENTING IT ALL OVER.

17 I'M CONCERNED ABOUT THE WATER. I'M  
18 CONCERNED ABOUT THE SCHOOLS. I MEAN, WE BUILD HOMES  
19 AND WE DON'T BUILD SCHOOLS. I MEAN, OUR HIGH SCHOOL  
20 HERE IS I DON'T KNOW HOW OLD, AND IT HAS PORTABLE  
21 CLASSROOMS. SO I THINK WE'RE NOT PLANNING TOO WELL.

22 IT'S RIDICULOUS. I MEAN, THE AMOUNT OF  
23 PLANNING THAT GOES INTO THIS, AND WE ARE NOT THINKING  
24 AHEAD FAR ENOUGH. THANK YOU VERY MUCH.

25 MR. ALLEN: THANK YOU.

1 KRIS OHLENKAMP IS THE NEXT SPEAKER, AND ON  
2 DECK IS ILEENE ANDERSON.

3 MR. OHLENKAMP: I'M KRIS OHLENKAMP. I'M  
4 CURRENTLY THE PRESIDENT OF THE LOCAL CHAPTER OF THE  
5 NATIONAL AUDUBON SOCIETY. OUR NUMBER ONE CONSERVATION  
6 PRIORITY IS THE PRESERVATION AND RESTORATION OF THE  
7 WILDLIFE HABITAT ALONG THE SANTA CLARA RIVER. AND NOW  
8 THAT IS RECOGNIZED NATIONALLY AS ONE OF THE TEN MOST  
9 ENDANGERED RIVERS IN THE ENTIRE COUNTRY, I THINK IT  
10 SAYS SOMETHING ABOUT HOW YOUR TWO REGULATORY AGENCIES  
11 THAT HAVE JURISDICTION OVER THIS TERRITORY HAVE BEEN  
12 ACTING IN THE PAST.

13 AND I HOPE THAT NOW UNDER THIS SPOTLIGHT  
14 OF THE ENTIRE COUNTRY HAVING A RIVER SO DESIGNATED,  
15 WILL HOPEFULLY -- I HOPE THAT IT WILL HELP YOU ACT A  
16 LITTLE MORE INTELLIGENTLY IN MANAGING THE NEWHALL LAND  
17 AND FARMING.

18 I SPENT THE ENTIRE MORNING PULLING  
19 INVASIVE WEEDS OUT OF THE SANTA MONICA MOUNTAINS. AND  
20 WHEN YOU INTRODUCE HOUSES AND BUILDINGS AND STRUCTURES  
21 IN A NATURAL HABITAT, YOU ARE GOING TO GET A LOT MORE  
22 INVASIVE SPECIES BEING INTRODUCED.

23 I WOULD LIKE TO SUGGEST THAT FOR  
24 MITIGATION FOR THE IMPACTS OF THE LOSS OF THE  
25 ENVIRONMENT THAT WILL TAKE PLACE WITH THIS DEVELOPMENT

1 THAT NEWHALL LAND AND FARMING BE REQUIRED TO PAY INTO  
2 AN ANNUAL FUND FOR THE REMOVAL OF NONNATIVE INVASIVE  
3 SPECIES.

4 HOPEFULLY THAT FUND WOULD BE  
5 ADMINISTERED BY ONE OF YOUR AGENCIES OR, IF NOT THAT,  
6 PERHAPS THE FRIENDS OF THE SANTA CLARA RIVER OR THE  
7 CALIFORNIA PLANT SOCIETY OR EVEN THE AUDUBON SOCIETY  
8 WOULD NOT MIND OVERSEEING THAT PROJECT.

9 NUMBER TWO, I WOULD LIKE TO SEE  
10 MITIGATION FOR THE LOSS OF HABITAT IN THAT -- ALL OF  
11 NEWHALL LAND AND FARMING'S PLANTINGS. AND WHATEVER  
12 PLANTS THAT THEY PUT IN AS A PART OF THIS DEVELOPMENT  
13 PROJECT BE NATIVE SPECIES -- BE REQUIRED TO BE NATIVE  
14 SPECIES. IT'S DONE IN SEVERAL OTHER AREAS -- LAND  
15 DEVELOPMENT PROPOSALS NOW. IT'S BEEN DONE SUCCESSFULLY  
16 IN PORTER RANCH -- LARGE SECTIONS OF PORTER RANCH. AND  
17 I SEE NO REASON WHY IT CAN'T BE DONE HERE.

18 OF COURSE, IF YOU SAY THAT 100 PERCENT  
19 OF PLANTS BE MADE OF SPECIES, THEY WILL COME BACK WITH  
20 AN OFFER OF 10, AND I'M SURE YOU'LL AGREE ON 30 PERCENT  
21 OR SOMETHING LIKE THAT, BUT SOMETHING IS BETTER THAN  
22 NOTHING.

23 AND THERE IS NOTHING RIGHT NOW AS FAR AS  
24 MITIGATION FOR THE DESTRUCTION OR LOSS OF ALL THAT  
25 HABITAT. THOSE ARE THE TWO ISSUES THAT WE WOULD LIKE

1 TO SEE ADDRESSED IN THIS ENVIRONMENTAL IMPACT REPORT.

2 I'VE BEEN GONE FOR THE LAST THREE  
3 MONTHS, SO I HAVEN'T HAD TIME TO PREPARE FOR THIS. I  
4 JUST CAME BACK LAST WEEK. WE WILL SUBMIT WRITTEN  
5 COMMENTS. THANK YOU.

6 MR. ALLEN: THANK YOU.

7 ILEENE ANDERSON.

8 THEN THE NEXT SPEAKER WILL BE RON  
9 BOTTORFF.

10 MS. ANDERSON: I'M ILEENE ANDERSON --  
11 S-O-N AT THE END -- AND MY AFFILIATION IS WITH THE  
12 CALIFORNIA NATIVE PLANT SOCIETY. AND I HAVE WRITTEN  
13 COMMENTS TO TURN IN AS WELL, BUT I'LL REITERATE THEM  
14 FOR THE RECORD NOW.

15 AT PER OUR FIRST SCOPING COMMENTS, I  
16 WANTED TO, AGAIN, REITERATE THAT WE ARE CONCERNED ABOUT  
17 WHAT YOU'RE GOING TO BE UNDERTAKING, YOUR EVALUATION,  
18 BECAUSE MANY OF THE PROPOSED FACILITIES, AS ARE LISTED  
19 ON PAGE ONE AND TWO OF THE OVERVIEW, ARE DESIGNED TO  
20 PERMANENTLY ELIMINATE PARTS OF SENSITIVE PLANT  
21 COMMUNITIES. AND I HAVE A LIST OF THOSE THAT HAVE  
22 POTENTIAL TO OCCUR OR ARE KNOWN TO OCCUR ON THE PROJECT  
23 SITE.

24 I GUESS OUR MAIN CONCERN ABOUT THAT IS  
25 CURRENTLY IN SOUTHERN CALIFORNIA, AS OF 15 YEARS AGO,

1 WE ALREADY LOST 98 PERCENT OF OUR WETLANDS. AND WHY I  
2 BRING THIS UP AGAIN TONIGHT AT THE MEETING IS BECAUSE  
3 THE WATER QUALITY CONTROL BOARD HAD, IN THIS LAST YEAR,  
4 CONTRACTED WITH AND HAD SOME RESEARCHERS OUT OF  
5 U.C.L.A. ACTUALLY GO BACK AND LOOK AT THE SUCCESS OF  
6 WETLAND MITIGATION IN SOUTHERN CALIFORNIA. AND I HAVE  
7 THAT REPORT QUOTED HERE, SO YOU CAN REFER TO THAT.

8 - AND WHAT THEY FOUND WAS THAT 96 PERCENT  
9 OF WETLAND MITIGATION SITES ARE SUBOPTIMAL TO POOR  
10 CONDITIONS. MY CONCERN IS THAT CLEARLY THE CURRENT  
11 REQUIREMENTS FOR MITIGATION AREN'T WORKING WELL.

12 SO, AGAIN, I AM REITERATING AND REQUEST  
13 THAT YOU NOT ONLY DO A COMPREHENSIVE EVALUATION OF THE  
14 IMPACT, BUT ALSO UPDATE THE MITIGATION STRATEGY WITH  
15 ENFORCEABLE TRIGGERS AND TIME LINES TO ACTUALLY ACHIEVE  
16 MITIGATION SUCCESS. BECAUSE IT'S JUST APPALLING THAT  
17 WE ARE NOT GETTING BETTER MITIGATION OUT OF ALL OF THE  
18 EFFORT THAT'S BEING PUT IN.

19 WITH REGARDS TO ALTERNATIVES, IN MY  
20 PREVIOUS COMMENTS, I DON'T THINK THAT I ACTUALLY  
21 SUBMITTED ALTERNATIVES, AND SO I WOULD LIKE TO SUGGEST  
22 A COUPLE OF ALTERNATIVES TONIGHT.

23 ONE OF THEM WOULD BE AN ALTERNATIVE THAT  
24 FOCUSES ON NOT IMPACTING ALL OF THE TRIBUTARIES AND THE  
25 MAIN STEM OF THE SANTA CLARA RIVER, AND THE SENSITIVE

1 RIPARIAN PLANT COMMUNITIES THAT THEY SUPPORT.

2 ANOTHER ALTERNATIVE WOULD BE TO NOT  
3 IMPACT MIDDLE, POTRERO, SALT, CASTAIC, SAN MARTINEZ  
4 GRANDE TRIBUTARIES AND THOSE ADJACENT PARTS OF THE  
5 SANTA CLARA RIVER.

6 ALSO LACKING IN THE NEW OVERVIEW, I  
7 WOULD LIKE TO REQUEST A DISCUSSION ON THE LOS ANGELES  
8 SUNFLOWER, WHICH IS A SPECIES THAT IS PUNITIVELY  
9 REPORTED TO OCCUR ON THIS PROJECT SITE, YET IT FAILS TO  
10 BE MENTIONED IN THIS DOCUMENT, ANYWAY.

11 THAT'S WHAT I HAVE AS AN OVERVIEW OF THE  
12 1605 PROCESS. AND NOW I WOULD LIKE TO ADDRESS THE  
13 SPINEFLOWER CONSERVATION PLAN.

14 IT'S INFREQUENT THAT WE HAVE AN  
15 OPPORTUNITY TO CONSERVE THE SPECIES THAT WAS PREVIOUSLY  
16 THOUGHT TO BE EXTINCT AND TO GUARANTEE THAT IT WON'T GO  
17 EXTINCT IN THE FUTURE. VERY CAREFUL CRAFTING OF AN  
18 ADAPTATIVE MANAGEMENT PLAN IS NECESSARY. SO LITTLE IS  
19 KNOWN ABOUT THE SAN FERNANDO VALLEY'S SPINEFLOWER'S  
20 ECOLOGY (UNINTELLIGIBLE) -- CAN ONLY SEE A CONSERVATION  
21 PLAN -- A CONSERVATIVE CONSERVATION PLAN BEING  
22 IMPLEMENTED.

23 BASIC CONSERVATION BIOLOGY TENANTS NEED  
24 TO BE INCORPORATED AND INCLUDE -- THIS IS FROM NOSS --  
25 PRESERVATION OF THE SPECIES ACROSS ITS RANGE, LARGE

1       BLOCKS WITH LARGE POPULATIONS, CONTINUITY OF PRESERVE  
2       AREAS, AND NOT JUST A PATCHWORK FROM HERE TO THERE, AND  
3       CAPTURING SOME OF THE CORRIDOR ISSUES THAT YOU TALKED  
4       ABOUT IN YOUR PRESENTATION.

5               CLEARLY CONTIGUOUS BLOCKS OF HABITAT ARE  
6       MUCH BETTER THAN FRAGMENTING BLOCKS. ALL OF THESE ARE  
7       BASIC CONSERVATION BIOLOGY TENANTS. CONNECTED BLOCKS  
8       ARE BETTER THAN ISOLATED BLOCKS. BLOCKS OF HABITAT  
9       THAT ARE OTHERWISE INACCESSIBLE TO HUMANS ARE BETTER.

10              IN THE SPECIFIC CASE OF THE SPINEFLOWER,  
11       BECAUSE OF ITS ANNUAL LIFE CYCLE AND FLUCTUATING  
12       NUMBERS, IT'S ECOLOGI'ALLY MORE VULNERABLE TO  
13       EXTINCTION THAN ORDINANCES WITH SMALLER BUT MORE STABLE  
14       POPULATION. SO THE CONSERVATION AREA OF EACH WILL  
15       ALLOW FOR MOVEMENT OF THE POPULATIONS AROUND AND IN THE  
16       CONSERVATION AREAS.

17              BOUNDARIES NEED TO BE DETERMINED BY  
18       REFERENCE TO ECOLOGY NOT POLITICS. THAT'S -- I KNOW A  
19       POLITICAL COMMENT, BUT NOSS ACTUALLY ADDRESSES IT IN  
20       HIS LITERATURE AS WELL.

21              AND RESERVES THAT ARE SURROUNDED BY  
22       LANDS WITH LOW-INTENSITY DEVELOPMENT TEND TO FAIR MUCH  
23       BETTER THAN RESERVES SURROUNDED BY HIGH-INTENSITY  
24       DEVELOPMENT, SUCH AS HOUSING SUBDIVISIONS.

25              WE ALSO RECOMMEND TO YOU A RECENT

1 JOURNAL ARTICLE OUT OF CONSERVATION BIOLOGY IN 2001  
2 ENTITLED A METHOD FOR SETTING THE SIZE AND PLANT  
3 CONSERVATION TARGET AREAS. AND IT LOOKS AT ECOLOGY OF  
4 DIFFERENT SPECIES AND HOW BEST -- WITH LACK OF  
5 INFORMATION ON IT, HOW BEST TO CRAFT A CONSERVATION  
6 AREA THAT ALLOWS FOR VARIABLE EVALUATION OF DISTINCTION  
7 POTENTIAL.

8 AND THEN, LASTLY, ADDITIONAL CONCERNS  
9 ABOUT THE SPINEFLOWER CONSERVATION PLAN IS THAT A MAP  
10 OF THE CURRENT KNOWN LOCATIONS JUXTAPOSE WITH THE  
11 PROPOSED RESERVE AREAS WOULD BE VERY HELPFUL, IF NOT  
12 ESSENTIAL, AND A QUANTITATIVE EVALUATION OF THE NUMBER  
13 OF INDIVIDUALS IN THE CURRENT KNOWN LOCATIONS -- THAT  
14 INFORMATION HASN'T BEEN AVAILABLE -- ASSURANCES THAT  
15 THE RESERVES ARE FIRMLY PROTECTED AND ADEQUATELY  
16 MANAGED, SPECIFIC COMMITMENTS TO FUNDING FROM  
17 MANAGEMENT OF THE PRESERVES, INCREASE THE HABITAT VALUE  
18 OF THE PRESERVES OVER TIME, PERFORMANCE STANDARDS FOR  
19 THE PRESERVES, MONITORING OF THE POPULATIONS TO  
20 EVALUATE TRENDS AND TRIGGERS FOR IF THERE IS PROBLEMS  
21 ON THE PRESERVES AND IMMEDIATE TRIGGER REQUIREMENTS FOR  
22 TIMELY ACTIONS TO TRY TO SOLVE THOSE PROBLEMS.

23 NO FIRE CLEARANCE OR FUEL MODIFICATION  
24 ZONES SHOULD BE INCLUDED WITHIN THE PRESERVE, AND AN  
25 INVASIVE SPECIES CONTROL PLAN ALSO NEEDS TO BE INCLUDED

1 AS A PART OF THAT.

2 THEN I JUST ALSO WANTED TO COMMENT ON A  
3 COUPLE OF THINGS FROM YOUR PRESENTATION, WHICH I REALLY  
4 DON'T ENJOY. I REALLY DON'T UNDERSTAND HOW -- WHAT THE  
5 50-YEAR TIME LINE IS ON THIS IF WE'RE CONSERVING THESE  
6 -- IT SEEMS LIKE THE NOTION WOULD BE IF THE DEVELOPMENT  
7 IS GOING TO HAPPEN, THEY NEED TO BE PRESERVED IN  
8 PERPETUITY, NOT FOR 50 YEARS.

9 ALSO, GENERALLY SPEAKING, THE C.N.P.S.  
10 OPPOSES THE USE OF BUFFERS. WE WOULD LIKE TO SEE THE  
11 PRESERVES BE DESIGNED TO BE ADEQUATE TO ELIMINATE THE  
12 NEED FOR THOSE. OFTENTIMES THOSE CAN GET CONFUSED WITH  
13 BEING INSIDE THE PRESERVE OR OUTSIDE THE PRESERVE. SO  
14 LET'S JUST GET RID OF THEM. LET'S NOT EVEN HAVE  
15 BUFFERS.

16 I THINK THAT I HAVE SOME OTHER  
17 QUESTIONS, BUT I'LL FOLLOW UP WITH THAT. THANK YOU  
18 VERY MUCH.

19 MR. ALLEN: THANK YOU.

20 MR. BOTTORFF.

21 AFTER MR. BOTTORFF, KATHRINE SQUIRES  
22 WILL BE THE NEXT SPEAKER.

23 MR. BOTTORFF: MY NAME IS RON BOTTORFF,  
24 B-O-T-T-O-R-F-F.

25 I JUST WANT TO COMMENT THAT I GO BACK A

1 LONG WAYS ON THIS RIVER, STARTING WITH THE SANTA CLARA  
2 RIVER ENHANCEMENT MANAGEMENT PLAN. WE WORKED FOR MANY  
3 YEARS ON THE BIOLOGICAL RESOURCES SUBCOMMITTEE LOOKING  
4 AT THE HABITATS THAT COME DOWN THE RIVER. WE END UP  
5 GIVING THIS AREA OF THE RIVER OUR SECOND HIGHEST  
6 CONSERVATION RATING BECAUSE OF THE RESOURCES IN THE  
7 AREA.

8 NOW, THE PLAN HAS NO JURISDICTION ON THE  
9 AREA, SO ONCE THE PROPOSED PERMITS ARE IN PLACE, THEY  
10 EFFECTIVELY BECOME THE RIVER MANAGEMENT PLAN. AND  
11 GIVEN THAT FACT, THE MANY ISSUES OF CONCERN REMAIN TO  
12 BE RESOLVED, AND THIS ASPECT IS A MAJOR CONCERN TO US.  
13 I REVIEWED THE ORIGINAL DRAFT D.I.S./D.I.R. PUBLISHED  
14 IN 1998, AND HERE ARE SOME OF THE AREAS OF CONTROVERSY  
15 AND ISSUES THAT WERE LISTED THERE:

16 WHAT IS THE LONG-TERM EFFECT OF  
17 STORMWATER RUNOFF ON THE UNARMORED THREE SPINE  
18 STICKLEBACK?

19 WHAT IS THE LONG-TERM EFFECT OF BANK  
20 PROTECTION ON THE SEDIMENT DYNAMICS OF THE RIVER?

21 CAN RIPARIAN RESTORATION BE SUCCESSFUL?

22 WHAT IS THE EFFECT OF BANK PROTECTION ON  
23 GROUNDWATER RECHARGE?

24 WHY CAN'T ALTERNATIVE METHODS OF BANK  
25 PROTECTION BE USED ON THE RIVER?

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WHAT IS THE JUSTIFICATION FOR  
ENCROACHMENT IN THE RIVER WHEN THERE ARE UNDEVELOPED  
UPLANDS IN THE SURROUNDING AREAS?

WE SUGGEST ALMOST ALL THESE CONCERNS  
REMAIN VALID TODAY, JUST AS THEY WERE SEVEN YEARS AGO.

AS ILEENE HAS MENTIONED, REGARDING THIS  
REPORT BY U.C.L.A. ON THE EFFECT OF WETLAND MITIGATION,  
IMPACTS ARE ALMOST ALWAYS REDUCED TO LEVELS  
INSIGNIFICANT OR NONSIGNIFICANCE BASED ON MITIGATION.  
SO THIS IS A VERY DISTURBING REPORT. 96 PERCENT WERE  
JUDGED NOT OPTIMAL.

SO IT'S ANOTHER PRIME REASON THAT A VERY  
CONSERVATIVE APPROACH NEEDS TO BE TAKEN WHEN PERMITTING  
ACTIVITY ALONG THE STREAM COURSES, WHICH INVOLVES  
SENSITIVE HABITATS.

WE WOULD ASK THE FOLLOWING QUESTIONS  
CONCERNING MITIGATION SUCCESS OVER THE PAST FIVE OR SIX  
YEARS SINCE THE FIRST ROUND OF 404/1603 PERMITS UNDER  
THE N.R.M.P. HAVE BEEN IN PLACE:

ONE, HAS AN ANALYSIS OF MITIGATION  
SUCCESS BEEN MADE?

TWO, THE 1603 PERMIT, WHICH RUNS FOR  
FIVE YEARS, IS AUTOMATICALLY RENEWED UNLESS THE  
DEPARTMENT DETERMINES -- FISH AND GAME -- DETERMINES  
CONDITIONS -- THERE IS A SUBSTANTIAL CHANGE IN

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CONDITIONS.

HAS AN ANALYSIS BEEN MADE TO DETERMINE WHETHER, IN FACT, SUCH A CHANGE HAS OCCURRED OR IS IN THE MAKING.

THIRD, WHAT LEVEL OF ACCURACY AND ADEQUACY IS EVIDENT IN THE ANNUAL MITIGATION STATUS REPORTS THAT ARE REQUIRED UNDER MEASURE 505N IN THE RIPARIAN HABITAT MITIGATION PROGRAM UNDER THE N.R.M.P.

ONE OF THE RECOMMENDATIONS THAT WE HAVE CONSISTENTLY PUSHED OVER THE YEARS IS THE NEED FOR LARGER RIPARIAN BUFFER ZONES.

WE HAVE ALREADY SUPPLIED IN PREVIOUS COMMENTS TWO SCIENTIFIC PAPERS SUPPORTING OUR POSITION, ONE OF WHICH SHOWS THAT URBAN EDGE EFFECTS BREACHED THE INTERIOR OF THE PRESERVE OVER A MILE IN WIDTH, WHICH IS MUCH WIDER THAN THE RIVER'S RIPARIAN CORRIDOR.

WE NOTE THAT THE DEPARTMENT, IN PAST COMMENTS ON NEWHALL RANCH SPECIFIC PLAN RECOMMENDED -- ITSELF RECOMMENDED A 500-FOOT BUFFER ZONE, AND THAT IS SURELY IN THE RIGHT DIRECTION.

FRIENDS REMAIN PARTICULARLY CONCERNED ABOUT CUMULATIVE IMPACTS OF MULTIPLE, LARGE DEVELOPMENT PROJECTS COVERED BY THE N.R.M.P. -- THE CURRENT N.R.M.P. AND, OF COURSE, OUR CONCERN CONTINUES INTO THE NEW ONE. THIS AREA IS HEADED FOR A POPULATION OF

1 OVER 500,000 PEOPLE. WE DO NOT BELIEVE AN ADEQUATE  
2 ANALYSIS OF SUCH IMPACTS HAVE BEEN DONE AND THAT THE  
3 MITIGATION FOR THESE PROJECTS IS NOT SECURING EFFECTIVE  
4 COMPENSATION.

5 WE ALSO BELIEVE, GIVEN THE MANY CONCERNS  
6 ABOUT THE IMPACT OF THE SANTA CLARA RIVER AND  
7 TRIBUTARIES, THAT IT IS VERY INADVISABLE TO GRANT  
8 ANOTHER 20-YEAR-TYPE PERMIT FOR RIVER ALTERATION  
9 ACTIVITIES TO BE DONE FROM THE NEWHALL RANCH PROJECT ON  
10 THE UPCOMING E.I.S./E.I.R.

11 SUCH A 20-YEAR PERMIT DOES NOT ALLOW FOR  
12 UNANTICIPATED CHANGES IN RIVER AND HABITAT CONDITIONS  
13 AND CLOSES OFF ALL PUBLIC INPUT FOR 20 YEARS, WHICH IS  
14 WAY TOO LONG TO CLOSE OUT THE PUBLIC.

15 WE WILL SUBMIT FURTHER COMMENTS, BUT WE  
16 THANK YOU FOR THE OPPORTUNITY TO PRESENT THESE COMMENTS  
17 TONIGHT.

18 MR. ALLEN: THANK YOU.

19 KATHRINE SQUIRES.

20 MS. SQUIRES: GOOD EVENING.

21 MR. ALLEN: EXCUSE ME. THE NEXT SPEAKER  
22 WILL BE MR. TED MOORE.

23 MS. SQUIRES: GOOD EVENING. MY NAME IS  
24 KATHRINE SQUIRES, AND I AM A LIFE-LONG SANTA CLARA  
25 VALLEY RESIDENT. I AM ALSO A LOCAL ELEMENTARY SCHOOL

1 TEACHER. I AM HERE TONIGHT TO VOICE MY CONCERNS OVER  
2 THE PROPOSED NEWHALL RANCH DEVELOPMENT.

3 BASICALLY THIS DEVELOPMENT IS COMPLETELY  
4 UNSUITABLE FOR HOMES AND BUSINESSES. THIS AREA IS JUST  
5 NOT SUITABLE AND HERE IS WHY:

6 FIRST OF ALL, SANTA CLARA RIVER RUNS  
7 THROUGH THIS PROPERTY, WHICH IS THE ONLY LAST, WILD,  
8 FLOWING RIVER. IT'S ONE OF THE TEN MOST ENDANGERED  
9 RIVERS.

10 SECONDLY, THE DESTRUCTION OF HABITAT AND  
11 SPECIES -- UNIQUE SPECIES AND PLANTS CANNOT BE  
12 REPLACED -- WHICH CANNOT BE REPLACED.

13 THIRDLY, THERE IS INCREASED AIR  
14 POLLUTION FROM ADDITIONAL TRAFFIC EVERY DAY IN THIS  
15 VALLEY, AND ADDING 21,000 MORE UNITS WILL ONLY MAKE IT  
16 WORSE. IF THIS PROJECT IS APPROVED, THERE WILL BE, NO  
17 DOUBT, A CAUSE, A DRAMATIC INCREASE IN VALLEY FEVER,  
18 ASTHMA, AND ALLERGIES FOR CHILDREN AND ADULTS IN THIS  
19 COMMUNITY AND NEIGHBORING COMMUNITIES.

20 AND FOURTH, AND PERHAPS MY MOST  
21 IMPORTANT REASON FOR SPEAKING TONIGHT ABOUT DENYING  
22 THIS PROJECT, IS THAT IT IS IN A VERY INAPPROPRIATE  
23 AREA FOR BUILDING HOMES.

24 FIRST OF ALL, THE AREA IS VERY YOUNG,  
25 GEOLOGICALLY SPEAKING. JUST TWO MILLION YEARS AGO,

1 THIS LAND, RIGHT NOW WHERE WE ARE STANDING AND  
2 ENCOMPASSING THE NEWHALL RANCH AREA, WAS AT THE OCEAN'S  
3 EDGE.

4 EVER SINCE THE OCEAN HAS BEEN RETREATING  
5 WEST, DUE TO CONTINENTAL UPLIFT. SIMILAR TO THAT IS  
6 THE CREATION OF HIMALAYAS. THIS IS DUE TO A  
7 COMPRESSION OF PLATES. THIS MEANS THAT ROCKS ARE  
8 DRAMATICALLY RISING AT A RATE OF SPEED THAT IS  
9 ABSOLUTELY INCREDIBLE. YOU CAN FIND SHARK TEETH AND  
10 OYSTER FOSSILS A THOUSAND FEET UP ON THE MOUNTAINS IN  
11 THIS AREA.

12 THIS AREA IS TECHNICALLY ACTIVE. BY  
13 THAT I MEAN MAJOR FAULTS. THERE ARE TWO MAJOR FAULTS  
14 GOING THROUGH IN THIS AREA -- THE OAKRIDGE AND THE SAN  
15 CAYETANO FAULT. THERE IS ALSO EMERGING VARIOUS OTHER  
16 FAULTS, AND YOU CAN SEE THESE ON ANY GEOLOGIC MAP,  
17 WHICH I BROUGHT WITH ME THIS EVENING. I DID NOT SEE  
18 ANY OF THESE FAULTS ON THE MAPS THAT YOU HAVE PROVIDED.

19 THESE FAULTS ARE MAJOR, ACTIVE TETONIC  
20 SYSTEMS. YOU CAN SEE EVIDENCE OF THIS ALONG THE 126  
21 FREEWAY WHERE YOU SEE ABRUPTLY UPTURNED ROCKS. IN  
22 FACT, IN THE '94 EARTHQUAKE, THERE WAS SO MUCH UPLIFT  
23 IN THAT AREA, WHERE THE NEWHALL RANCH IS BEING  
24 PROPOSED, THAT THE LAND WENT UP ONE-AND-A-HALF FEET.

25 SPEAKING OF EARTHQUAKES, LET'S NOT

1 FORGET THE PICO CANYON EARTHQUAKE OF 1893, CAUSED  
2 DAMAGE SO EXTENSION THAT IT WENT ALL THE WAY TO THE  
3 SAGUS, CASTAIC, AND NEWHALL AREAS. I CAN ONLY IMAGINE  
4 HOW DEVASTATING IT WOULD HAVE BEEN IF THERE HAD BEEN  
5 21,000 HOMES THERE.

6 ALSO THE LAND IS MADE OF MUD, STONE, AND  
7 OTHER POORLY CONSOLIDATED MATERIALS, WHICH SUPPORTS  
8 WATER AND HAS FAILED UNDER ITS OWN HEAVY WEIGHT. THIS  
9 AREA IS PRONE TO MUDSLIDES, WHICH COULD BE SIMILAR TO  
10 THE LA CONCHITA IF THERE WERE HOMES AND BUSINESSES IN  
11 THAT AREA. THIS IS ESPECIALLY TRUE DUE TO THE STEEP  
12 SLOPES.

13 THIS INFORMATION HAS BEEN KNOWN SINCE  
14 THE 1960'S, AS MAPPED BY THE CALIFORNIA STATE DIVISION  
15 OF MINES AND GEOLOGY. AS I SAID, AGAIN, I HAVE THE MAP  
16 WITH ME IF YOU WOULD LIKE TO LOOK AT IT. THIS IS VERY  
17 WELL-KNOWN AS BEING AN AREA THAT IS UNSUITABLE FOR  
18 LARGE SCALE DEVELOPMENT.

19 WHEN YOU COMBINE THE DAMAGE TO THE  
20 ECOSYSTEM, AIR QUALITY, AND THE RIVER, AND THEN ADD IN  
21 THE DRAMATIC POTENTIAL FOR DAMAGE DUE TO LANDSLIDES AND  
22 EARTHQUAKES, IT'S ABSOLUTELY UNTHINKABLE THAT THIS  
23 PROJECT IS EVEN BEING CONSIDERED.

24 THANK YOU. :

25 MR. ALLEN: THANK YOU.

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NEXT WILL BE MR. TED MOORE.

THE FOLLOWING SPEAKER WILL BE PATTI WALKER.

MR. MOORE: HI. MY NAME IS TED MOORE, MOORE AND COMPANY; M-O-O-R-E.

I'M REPRESENTING THE OWNERS OF THE TRAVEL VILLAGE, WHICH IS PROBABLY THE ONLY PRIVATELY OWNED PIECE. NEWHALL BASICALLY SURROUNDS THE ENTIRE PROJECT. THE ADDRESS THERE IS 27946 HENRY MAYO DRIVE.

WE'VE BEEN IN DISCUSSION WITH THE NEWHALL FOLKS FOR THE LAST 12 MONTHS OR SO, ESPECIALLY OVER THE ISSUE OF COMMERCE CENTER DRIVE, TRYING TO OBTAIN FROM THE OWNERS OF THE PROJECTS ABOUT FOUR ACRES OF PROPERTY TO EXTEND COMMERCE CENTER DRIVE OVER AND ACROSS THE RIVER TO THE OTHER SIDE FOR FUTURE EXPANSION.

WE ARE QUITE CONCERNED ABOUT THE IMPACT UPON OUR ACCESS TO THE PROPERTY, AS WELL AS THE IMPACT ALONG THE RIVER EDGE -- THE RIVER FRONTAGE OF OUR OWN PROPERTY. THE WORK THEY WILL BE DOING JUST TO THE WEST OF THE BRIDGE IS GOING TO BE EXPENSIVE BANK STABILIZATION AND ALL LEADING TO THE EDGE OF THE STREAM BED.

SO WE HAVE OTHER, OBVIOUS, ECONOMIC CONCERNS: BY THE INSTALLATION OF COMMERCE CENTER DRIVE

1 IN THE MANNER THAT HAS BEEN PROPOSED IT, BASICALLY,  
2 DRAMATICALLY REDUCES THE QUALITY OF ACCESS INTO THIS  
3 PROJECT. SO THERE IS A MAJOR IMPACT ECONOMICALLY FROM  
4 THE LOCATION OF WHAT THEY ARE PROPOSING TO US.

5 WE ALSO HAVE CONCERNS ABOUT FUTURE  
6 POTENTIAL USES OF THE PROPERTY. THE OWNERS HAVE NOT A  
7 DESIRE -- I MEAN, THEY'RE GOING TO BE RUNNING THIS AS  
8 WHAT IT IS TODAY -- A RECREATIONAL VEHICLE TRAVEL  
9 VILLAGE LOCATION. IT'S BEEN VERY SUCCESSFUL. AND IT'S  
10 VERY POPULAR IN THE AREA, AND THAT DEFINITELY SERVES A  
11 WONDERFUL PURPOSE. BUT THEY'RE LOOKING DOWN THE ROAD  
12 AT THEIR FUTURE RIGHTS.

13 ARE THOSE GOING TO BE IMPACTED OR TAKEN  
14 AWAY IN ANY WAY TO CHANGE THE USE IN THE FUTURE, STAY  
15 THE SAME AS THEY ARE? THEY'RE JUST NOT SURE WHAT'S  
16 GOING TO HAPPEN.

17 SO I THINK WE'RE RESPECTFULLY REQUESTING  
18 THAT THE SCOPE OF THE WORK -- AND I KNOW THIS IS MORE  
19 FOCUSED ON ENVIRONMENTAL ISSUES -- BE EXPANDED SO THAT  
20 IT REALLY ANALYZES THE PHYSICAL AND/OR ECONOMIC IMPACTS  
21 ON OUR PROPERTY AS WELL.

22 SO THAT WOULD BE OUR REQUEST. WE WILL  
23 SUBMIT OUR REQUEST IN WRITING AS WELL.

24 THANK YOU.

25 MR. ALLEN: THANK YOU VERY MUCH.

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PATTI WALKER.

AFTER PATTI WALKER, THE NEXT SPEAKER  
WILL BE BARBARA WAMPOLE.

MS. WALKER: GOOD EVENING. MY NAME IS  
PATTI WALKER, AND THAT'S WITH AN "I."

AS YOU'VE ALREADY HEARD, WASHINGTON D.C.  
HAS DETERMINED THAT THIS SANTA CLARA RIVER IS ONE OF  
AMERICA'S TEN MOST ENDANGERED RIVERS.

THE PROJECT THAT YOU ARE SCOPING TONIGHT  
IS ONLY ONE OF SEVERAL PROJECTS THAT ARE PLANNED ALONG  
SANTA CLARA RIVER. THE ARMY CORPS AND CALIFORNIA  
DEPARTMENT OF FISH AND GAME NEEDS TO LOOK AT THE  
CUMULATIVE IMPACT OF ALL THE PROJECTS THAT ARE PLANNED.

THE HERITAGE VALLEY PARK PROJECT,  
DOWNSTREAM OF THIS PROJECT IN FILLMORE, ALSO IS  
REQUIRING A 404 PERMIT, BUT ONLY AN ENVIRONMENTAL  
ASSESSMENT IS BEING PLANNED ON THAT PROJECT, AND I  
WOULD LIKE TO KNOW WHY.

WITH SANTA CLARA RIVER WATERSHED  
FEASIBILITY STUDY, THE WORK THAT'S BEING UNDERTAKEN  
WITH THE ARMY CORPS AS A MAIN PARTNER IN THAT STUDY,  
THE INFORMATION THAT YOU ARE GATHERING WILL HAVE A  
DIRECT EFFECT AND AN IMPACT ON YOUR E.I.S.

AS A RESULT OF THAT WORK, MANY QUESTIONS  
REMAIN UNANSWERED AS TO THE EFFECT THAT THIS PROJECT

1 AND THOSE THAT ARE PLANNED DOWNSTREAM ALONG THE RIVER  
2 WILL HAVE, NOT JUST TO THE WATER QUALITY, BUT THE  
3 ENDANGERED SPECIES AND THE AIR QUALITY, NOT HERE, JUST  
4 IN THE SANTA CLARA VALLEY BUT DOWNSTREAM IN PIRU,  
5 FILLMORE, AND THE REST OF VENTURA COUNTY.

6 PLEASE KEEP THAT IN MIND. THANK YOU.

7 MR. ALLEN: THANK YOU.

8 AFTER BARBARA WAMPOLE, LYNNE PLAMBECK  
9 WILL BE THE NEXT SPEAKER.

10 MS. WAMPOLE: MY NAME IS BARBARA  
11 WAMPOLE, W-A-M-P-O-L-E.

12 THANK YOU FOR HAVING THIS HEARING  
13 TONIGHT. I WOULD JUST LIKE US TO PONDER THE IDEA OF  
14 PREVIOUSLY THOUGHT TO BE EXTINCT. IT'S PROBABLY A MUCH  
15 BIGGER CONCEPT THAN WE GIVE IT CREDIT FOR. IT JUST  
16 SORT OF ROLLS OFF THE TONGUE EASILY. AND I THINK IT'S  
17 A PRESUMPTION TO THINK THAT SOMEHOW IN THE SHORT TERM  
18 THAT WE LOOK AT SOMETHING LIKE THE LENGTH OF THIS  
19 PROJECT OR EVEN A 50-YEAR CONSERVATION PLAN, THAT WE  
20 SHOULD EVEN IMAGINE THAT.

21 I MEAN, I THINK IT'S ACTUALLY ARROGANT  
22 FOR US TO EVEN IMAGINE THAT WE CAN CONCEIVE OF THIS  
23 ACTUALLY BEING RECOVERY, WHEN YOU CONSIDER THAT AT THIS  
24 TIME THERE ARE CATTLE GRAZING ON THE ACTUAL SITE OF ONE  
25 OF THE AREAS THAT IS CONSIDERED TO BE PART OF THE

1 PRESERVE FOR THE FUTURE. THAT IN ITSELF SORT OF  
2 CHALLENGES OUR COMMITMENT TO THAT IDEA.

3 AND THE IDEA THAT EVEN ON THE WESTRIDGE  
4 PROJECT, WHERE I WOULD ASSUME THAT WE WON'T BE  
5 CONSIDERING THE POSSIBILITY, GOATS ARE BEING USED IN  
6 THE CONSERVATION AREA, I BELIEVE, FOR FIRE SUPPRESSION.

7 SO ANY GROUND THAT WAS COVERED WITH ANY  
8 KIND OF NATURAL SPECIES THAT MIGHT BE CONSIDERED WORTH  
9 PRESERVING, WE'RE NOT -- IT WASN'T LIKE THOSE GOATS  
10 WERE LOOKING BETWEEN THE DIFFERENT PLANTS AND SAYING,  
11 WELL, THIS ONE I WON'T EAT BECAUSE IT'S ENDANGERED; AND  
12 THIS ONE I WILL EAT BECAUSE IT'S GOOD FOR ME AND I LIKE  
13 THE WAY IT TASTES.

14 SO I THINK WE SHOULD TAKE A LOT MORE  
15 SERIOUSLY THE IDEA THAT THIS PLANT WAS CONSIDERED TO  
16 BE -- PREVIOUSLY CONSIDERED TO BE EXTINCT. AND ALSO TO  
17 KEEP IN MIND THAT THIS WONDERFUL LITTLE SPECIES, THE  
18 IVORY BILLED WOODPECKER, WAS ALSO PREVIOUSLY THOUGHT TO  
19 BE EXTINCT.

20 AND JUST IN CASE ANYONE HASN'T SEEN  
21 PICTURES, THIS IS A WONDERFUL PICTURE OF A YELLOW BIRD  
22 ON SOMEONE'S ARM IN 1938, ALONG WITH A VERY FEW OF THEM  
23 THAT HAVE BEEN SEEN IN THE LAST 70 YEARS.

24 WE JUST MIGHT THINK ABOUT THE FACT THAT  
25 REGARDLESS OF HOW THIS ALL ENDS UP, THE SECRETARY OF

1 THE INTERIOR, GAYLE MORTON, SET ASIDE 5,000 ACRES JUST  
2 FOR THAT ONE BIRD THAT THEY HAPPENED TO SEE IN HOPES  
3 THAT THAT PARTICULAR SPECIES WOULD RECOVER, AND THAT  
4 THEY HAVE SET ASIDE \$10 MILLION FOR THE RECOVERY OF  
5 THAT SPECIES' HABITAT.

6 SO I WOULD LIKE TO SUGGEST THAT WE TAKE  
7 VERY, VERY SERIOUSLY THE IDEA THAT THIS IS A PREVIOUSLY  
8 THOUGHT TO BE EXTINCT SPECIES AND THINK MOSTLY IN THE  
9 DIRECTION OF ITS RECOVERY AND NOT EVEN IMAGINING THAT  
10 WE ARE GOING TO ACHIEVE IT, MAYBE IN OUR LIFETIME, AND  
11 WE HAVE TO DO SOME VERY SERIOUS THINGS IN ORDER TO MAKE  
12 SURE THAT THAT HAPPENS.

13 I GUESS THERE'S NOT TOO MUCH ELSE I  
14 REALLY WANT TO SAY EXCEPT FOR THE FACT THAT THE CORPS  
15 AND OTHER AGENCIES ARE HARD PRESSED TO DO WHAT IT TAKES  
16 TO ACTUALLY PRODUCE THE PERMITS THAT WE SEE -- THE KIND  
17 OF PERMITS WE SEE BEFORE US TONIGHT. AND THIS ONE, IN  
18 PARTICULAR, LIKE THE NATURAL RIVER MANAGEMENT PLAN, ARE  
19 VERY UNUSUAL, IN FACT, TO GO FOR 20 YEARS WITHOUT ANY  
20 PUBLIC REVIEW.

21 BUT ONE OF THE THINGS I'VE BEEN TOLD IN  
22 THE PAST IS THAT THE AGENCIES ARE HARD PRESSED TO JUST  
23 GET THEIR PERMITS ISSUED, AND THAT ENFORCEMENT OF THE  
24 KINDS OF THINGS THAT ARE STIPULATED IN THESE PERMITS IS  
25 HARD TO COME BY. MOST OF THE AGENCIES ARE

1 UNDERSTAFFED. AND I THINK WE NEED TO KEEP SERIOUSLY IN  
2 MIND AS WELL THE IDEA THAT BEFORE WE ISSUE PERMITS, WE  
3 REALLY DO HAVE TO SERIOUSLY THINK ABOUT WHETHER WE CAN  
4 ENFORCE THEM.

5 THANK YOU.

6 MR. ALLEN: THANK YOU.

7 LYNNE PLAMBECK.

8 TERESA SAVAIKIE WILL BE THE NEXT  
9 SPEAKER.

10 MS. PLAMBECK: MY NAME IS LYNNE  
11 PLAMBECK; L-Y-N-N-E, P-L-A-M-B-E-C-K. I'M HERE  
12 REPRESENTING (UNINTELLIGIBLE) ORGANIZATION FOR PLANNING  
13 IN THE ENVIRONMENT.

14 AT THE PREVIOUS HEARING, WE TALKED A LOT  
15 ABOUT CONCERN OVER THE SO-CALLED NATURAL RIVER  
16 MANAGEMENT PLAN NOT OPERATING AS IT SHOULD, TECH  
17 ISSUES, AND THAT PERMITS, AH, PERMITTING PROCESS HAS  
18 PRECLUDED GOOD PUBLIC REVIEW AND THAT 20 YEARS IS TOO  
19 LONG. AND I WOULD JUST LIKE TO REITERATE ALL THOSE  
20 STATEMENTS, AND ADD TO THEM, THAT AS YOU -- OR THIS  
21 PERMITTING PROCESS, IT'S IMPERATIVE THAT YOU LOOK AT  
22 CUMULATIVE IMPACTS OF CONCRETING TRIBUTARIES.

23 REGIONAL WATER QUALITY HAS DONE SOME  
24 STUDIES TO SHOW THAT THE CONCRETE IS, IN FACT, CHANGING  
25 THE P.H. AND WATER QUALITY. AND AS YOU KNOW OR

1 PROBABLY ARE AWARE, EARLIER THIS YEAR REGIONAL WATER  
2 QUALITY CONTROL BOARD PASSED A RESOLUTION REGARDING  
3 HYDRO MODIFICATIONS AND INDICATING THAT THEY INTENDED  
4 TO LOOK VERY CLOSELY AT THEIR ISSUANCE OF A 401 PERMIT  
5 TO ENSURE THAT THE BENEFICIAL USES WERE PRESERVED.

6 AND I WOULD JUST LIKE YOU TO MAKE SURE  
7 THAT YOU CONSIDER THAT RESOLUTION THAT THEY PASSED  
8 EARLIER THIS YEAR, SORT OF JUST THAT WE'RE GOING TO  
9 ENFORCE OUR LAWS. AND IF EVERYBODY ENFORCED OUR LAWS,  
10 A LOT OF WHAT HAPPENED IN THE NATURAL RIVER MANAGEMENT  
11 PLAN WOULD NOT HAVE HAPPENED.

12 I WOULD LIKE TO SEE YOU INCLUDE AN  
13 ALTERNATIVE OF THAT, THAT DOES NOT ALLOW CONCRETING OF  
14 ANY OF THE TRIBUTARIES OR STREAMS, REQUIRES THAT  
15 DEVELOPMENT TO BACK AWAY FAR ENOUGH SO THAT CONCRETING  
16 WOULD NOT BE REQUIRED, AND THAT NO ALTERATION OF THE  
17 RIVER ITSELF BE ALLOWED. MAYBE PROTECTING THE 500-YEAR  
18 FLOOD PLAIN WOULD BE THE WAY TO DO THAT.

19 THE PERMIT SHOULD INCLUDE A -- SOME SORT  
20 OF A WAY OF PUBLIC REVIEW AFTER THREE YEARS, JUST TO  
21 MAKE SURE THAT WHAT WAS PERMITTED IS ACTUALLY OCCURRING  
22 AND THAT OVERSIGHT AND GOOD MITIGATION, AS REQUIRED BY  
23 THE PERMIT IS ACTUALLY OCCURRING BECAUSE THAT IS NOT  
24 HAPPENING IN THE NATURAL RIVER MANAGEMENT PLAN.

25 AND I THINK THAT A REVIEW OF WHAT IS

1 GOING IN THE NATURAL RIVER MANAGEMENT PLAN TODAY WOULD  
2 PROVIDE A GOOD BASIS TO SEE WHERE THE PROBLEMS ARE IN  
3 ANY NEW POTENTIAL PERMIT YOU MIGHT GIVE.

4 CHANNEL CLEARING, AS WE LOOKED AT,  
5 AS THE PREVIOUS SPEAKER SAID, THE CHANNELS WOULD NEED  
6 TO BE MAINTAINED. IF YOU ALLOWED CHANNELS TO BE  
7 INSTALLED, THAT CREATES PROBLEMS OF ITS OWN AND  
8 DESTRUCTION OF SPECIES.

9 THERE WAS A POLICY OF NONLOSS OF  
10 WETLANDS, AND SOMEHOW THAT GOT CHANGED TO, WELL, IF YOU  
11 CAN'T FIND A WETLANDS TO BUY TO REPLACE WHAT YOU'RE  
12 LOSING, THEN THEY WILL LET YOU MITIGATE BY TAKING OUT A  
13 (UNINTELLIGIBLE) ARUNDO. SO THE END RESULT IS, OF  
14 COURSE, THE DEVELOPER WOULD MUCH PREFER TO TAKE OUT AN  
15 ARUNDO THAN FIND ANY NEW LAND.

16 I DON'T THINK THAT MITIGATION SHOULD BE  
17 ALLOWED. IT'S RESULTING IN LOSS OF WETLANDS ALL UP AND  
18 DOWN THE SANTA CLARA RIVER. IT SHOULD BE -- ARUNDO  
19 REMOVAL SHOULD BE IN ADDITION TO, NOT A SUBSTITUTION  
20 FOR FINDING WETLANDS AND ACQUIRING WETLANDS. AND THE  
21 WETLANDS REQUIREMENT SHOULD BE, AS YOU PREVIOUSLY HAVE  
22 REQUIRED ON A TWO-TO-ONE BASIS, BUT THEN YOU NEVER MADE  
23 THEM BUY THE LAND, SO WE'RE DOING ALL THIS ARUNDO  
24 REMOVAL.

25 ALSO, I THINK ARUNDO REMOVAL IS GETTING

1           COUNTED TWICE. I THINK IT'S GETTING -- IT'S REQUIRED  
2           FOR PERMITS, AND THEN SOMEHOW WE HAVE ALL THESE FEDERAL  
3           GRANTS THAT ARE PAYING FOR IT. SO I DON'T EVEN THINK  
4           IT'S WORKING AT MITIGATION.

5                         IT'S WORKING AT THE PUBLIC'S EXPENSE  
6           WHERE MITIGATION IS REQUIRED. SO THAT IF YOU NEED TO  
7           DEVELOP A PROCESS SO THAT YOU CAN TRACK WHERE YOU --  
8           WHAT MITIGATIONS YOU HAVE PERMITTED. BECAUSE WHATEVER  
9           YOU'RE DOING, IT'S NOT WORKING WELL.

10                        I WOULD LIKE TO SUGGEST THAT THERE BE  
11           SOMETHING IN THE MITIGATION REQUIREMENTS THAT WOULD  
12           REQUIRE FUNDING OF AN INDEPENDENT OVERSIGHT OR A  
13           NONPROFIT ORGANIZATION OR SOMETHING THAT WILL COME IN  
14           AND SEE THAT THE MITIGATION IS ACTUALLY OCCURRING AND  
15           THAT IT'S NOT BEING DOUBLE COUNTED. I MEAN, THAT  
16           SHOULD BE YOUR JOB.

17                        I DON'T KNOW WHAT IS HAPPENING, BUT IT'S  
18           NOT HAPPENING THERE. THERE IS SO MUCH GOING ON ON THE  
19           RIVER THAT REGULATORY AGENCY STAFF HAVE RELATED TO MANY  
20           OF US THAT THEY HAVE TROUBLE KEEPING UP WITH IT. AND  
21           AS YOU KNOW, THE SPECIES ARE NOT BEING PROTECTED.

22                        SO WE WILL BE SUBMITTING WRITTEN  
23           COMMENTS, BUT THAT'S JUST SOMETHING TO START WITH.

24                        THANK YOU.

25                        MR. ALLEN: THANK YOU.

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TERESA SAVAIKIE.

AND LISA FIMIANI WILL BE NEXT.

MS. SAVAIKIE: TERESA SAVAIKIE;  
T-E-R-E-S-A, S-A-V-A-I-K-I-E; REPRESENTING THE CENTER  
FOR BIOLOGICAL DIVERSITY.

I WOULD LIKE TO LEAD OFF IN TALKING  
ABOUT THE NATURAL RIVER MANAGEMENT PLAN, AND THE  
FAILURES THOUGH THAT HAVE NOT BEEN ADDRESSED. I WOULD  
LIKE TO SEE THAT THOSE FAILURES; SUCH AS, THE TRAIL  
FAILURES THAT HAVE OCCURRED BY THE JEFFERSON  
APARTMENTS, WITHIN THE NATURAL RIVER MANAGEMENT PLAN,  
AND THE TRAIL FAILURES ALONG SAN YSIDRO CREEK.

WITHIN THE NATURAL RIVER MANAGEMENT  
PLAN, BOTH AREAS HAD NOT HAD ANY FORM OF BANK  
STABILIZATION. WE NOW UNDERSTAND THAT TAXPAYERS AND/OR  
THROUGH SOME SORT OF MITIGATION THROUGH NEWHALL WILL BE  
RESPONSIBLE FOR REPAIRING THOSE TRAILS.

WE HAVE A REAL ISSUE WITH THAT BECAUSE  
NOW YOU ARE LOOKING TO HARDEN THOSE BANKS, WHERE  
SENSITIVE SPECIES OCCUR, INCLUDING THE CALIFORNIA FULLY  
PROTECTED UNARMORED THREE-SPINE STICKLEBACK, WHICH IS A  
CALIFORNIA FULLY PROTECTED SPECIES.

THESE PERMITS KEEP BEING GRANTED BY THE  
CALIFORNIA DEPARTMENT OF FISH AND GAME TO ALTER THE  
HABITAT OF THESE SPECIES.

1 BUT I WANTED TO GET BACK TO THIS: THE  
2 AGENCY DID NOT ADDRESS BANK STABILIZATION IN THESE TWO  
3 REALLY SENSITIVE AREAS. AND NOW YOU'RE LOOKING AT SOME  
4 FORM OF BANK STABILIZATION IN ORDER TO REBUILD THE  
5 TRAILS. I WOULD CONSIDER THAT A GREAT AMENDMENT TO A  
6 NATURAL RIVER MANAGEMENT PLAN, AND THEREFORE THERE  
7 SHOULD BE PUBLIC REVIEW ADDRESSING THAT.

8 AND ANOTHER ISSUE IN RELATION TO THE  
9 NATURAL RIVER MANAGEMENT PLAN IS THE FINDING OF THE  
10 ARROYO TOAD AFTER THE APPROVAL OF THE NATURAL RIVER  
11 MANAGEMENT PLAN. OF COURSE, WE WERE ABLE TO GO BACK,  
12 YOU KNOW, BACK TO 1994 AND RECOGNIZE THAT NEWHALL LAND  
13 WAS FULLY AWARE THAT THE SPECIES OCCURRED THERE  
14 ALTHOUGH DENIED.

15 AND IN THE RECENT DOCUMENTATION FROM  
16 U.S. FISH AND WILDLIFE, THEY STATE IN THE PROPOSED  
17 CRITICAL HABITAT THAT THE N.R.P. DOESN'T PROTECT THE  
18 ARROYO TOAD. SO WE'RE WONDERING WHY THAT ISN'T  
19 CONSIDERED SOMETHING WE NEED TO BE REVIEWING, AND THE  
20 PUBLIC HAS THE RIGHT TO REVIEW.

21 WHAT IS IT THAT TRIGGERS A REVIEW AS YOU  
22 AMEND THE NATURAL RIVER MANAGEMENT PLAN AND/OR IGNORE  
23 FEDERAL AGENCIES CHARGED WITH PROTECTING ENDANGERED  
24 SPECIES. WHEN THEY PLAINLY STATE THAT THE PROJECT DOES  
25 NOT PROTECT THE ARROYO TOAD, BUT YET YOU CONTINUE TO

1 ALLOW BANK STABILIZATION, MODIFICATION OF THE BANKS,  
2 CLEARING OF SMALLER TRIBUTARIES, WHERE ARROYO TOADS ARE  
3 KNOWN TO OCCUR.

4 I WOULD LIKE TO ALSO GO INTO -- AND SO,  
5 THEREFORE, IN ORDER FOR NEWHALL LAND TO REALLY LOOK AT  
6 THE CUMULATIVE IMPACT, THEY MUST ALSO LOOK AT THE  
7 CUMULATIVE IMPACT UNDER THE NATURAL RIVER MANAGEMENT  
8 PLAN, WHICH WERE NEVER REALLY, FULLY REALIZED UNTIL  
9 JUST RECENTLY, AND EVEN THEN, I BELIEVE THERE IS  
10 FURTHER IMPACT THAT WILL OCCUR. AND UNLESS YOU CHANGE  
11 THE WAY YOU ARE WORKING, THE PUBLIC WON'T HAVE ANY  
12 INPUT WHATSOEVER.

13 BEING THAT WE ARE GOING TO BE PAYING FOR  
14 ALL THESE INFRASTRUCTURES, FAILURE TO -- IT'S A  
15 TAXPAYER ISSUE TOO, AND THE PUBLIC DESERVES THE RIGHT  
16 TO COMMENT AND LOOK AT THESE PROJECTS AND THE POTENTIAL  
17 IMPACTS (UNINTELLIGIBLE) AND OUR QUALITY OF LIFE AND ET  
18 CETERA, ET CETERA.

19 AND SO NEWHALL LANDS AND THIS JOINT  
20 E.I.S./E.I.R. NEEDS TO ADDRESS AND LOOK AT, VERY  
21 IMPORTANTLY IN MY OPINION, THE FAILURES WITHIN THE  
22 N.R.P., OTHERWISE YOU REALLY WOULDN'T HAVE A CUMULATIVE  
23 IMPACT ANALYSIS THAT WAS APPROPRIATE.

24 I WOULD ALSO LIKE TO SEE A FURTHER  
25 ANALYSIS FROM THE HEADWATERS TO THE OCEAN IN THIS JOINT

1 E.I.S./E.I.R. THAT LOOKS AT ALL THE PROJECTS IN THE  
2 HEADWATERS.

3 YOU KNOW YOU HAVE SPRING CANYON, TICK  
4 CANYON -- EVERYTHING THAT HAS GONE ON -- AND PLUM  
5 CANYON CREEK, WHICH USED TO BE A CREEK BUT IS NOW A  
6 CONCRETE DITCH. AH, ALSO, THERE IS RIVER PARK AND THE  
7 SEVEN TRIBUTARIES THAT ARE BEING LOST AND/OR MODIFIED  
8 AND OR RELOCATED UNDER THE NAME OF ENHANCEMENT.

9 THE TRIBUTARIES IN SAN YSIDRO CREEK THAT  
10 WERE NEVER ADDRESSED, FISH AND GAME HAS RECORDS THAT  
11 THEY WERE ACTUALLY BLUE LINE STREAM THAT NEWHALL CALLED  
12 AGRICULTURAL DITCHES, WHERE NATIVE FISH AND AMPHIBIANS  
13 WERE OBSERVED.

14 WE HAVEN'T BEEN ABLE TO FIND ANY  
15 RESOLUTIONS TO THE LOSS OF THOSE TRIBUTARIES. AND WITH  
16 THE LOSS OF 90 PERCENT OF OUR WETLANDS, IT SEEMS  
17 EXTREMELY IMPORTANT THAT WE LOOK AT EVERY SINGLE  
18 (UNINTELLIGIBLE) THAT'S BEING LOST AND, YOU KNOW,  
19 WHETHER MINOR, LARGE, OR OTHERWISE, ADJACENT PONDS TO  
20 ENSURE THAT WE HAVE SOMETHING LEFT SO THAT OUR RIVER  
21 HABITAT DOESN'T END UP ON SOME ENDANGERED SPECIES LIST,  
22 WHICH IT PROBABLY ALREADY SHOULD BE -- OUR HABITAT.

23 AND THE ARROYO -- ONE OTHER THING ABOUT  
24 THE ARROYO TOAD IS THAT IT DOES REQUIRE UPLAND HABITAT.  
25 AND FISH AND WILDLIFE POINTS OUT THAT THEY HAVE LOST

1 ALL OF THEIR -- OR ARE LOSING AND/OR HAVE LOST ALL OF  
2 THEIR UPLAND HABITAT WITHIN THE NATURAL RIVER  
3 MANAGEMENT PLAN.

4 WE DO BELIEVE THAT THE ARROYO TOAD  
5 OCCURS DOWNSTREAM OF THE N.R.P. BECAUSE IT TRAVELS  
6 UPSTREAM AND DOWNSTREAM. AND ANY SCIENTIFIC PERSON  
7 NEEDS TO TRULY ADMIT THAT UP FRONT. THEY'VE BEEN  
8 TRACKED. THEY CAN TRAVEL ONE MILE IN ONE EVENING. THE  
9 FISH AND GAME (UNINTELLIGIBLE) INFORMATION TO DETERMINE  
10 THAT ARROYO TOADS DO OCCUR WITH THAT PROJECT SITE.

11 AND, LET'S SEE -- I ALSO WANTED TO  
12 DISCUSS, YOU KNOW, CASTAIC LAKE WATER AGENCY HAS  
13 RECENTLY CHANGED THEIR METHODS OF CLEANSING AND/OR  
14 PURIFYING OUR WATER. I WOULD LIKE TO SEE THE D.I.R. --  
15 THE JOINT E.I.S./D.I.R. ADDRESS CLOMINE IN ITS IMPACT  
16 TO NATIVE FISH AND AMPHIBIANS BECAUSE IT'S OUR  
17 UNDERSTANDING THAT IT IS ACTUALLY MORE HARMFUL TO THE  
18 SPECIES. SO WHAT ARE WE GOING TO DO ABOUT THAT?

19 I ALSO HAVE AN ISSUE WITH RETENTION  
20 PONDS THAT CONTINUE TO POP UP IN ALL OF THESE  
21 DEVELOPMENTS. AND ALTHOUGH IT'S A REALLY GREAT IDEA TO  
22 KEEP POLLUTION OUT OF THE RIVERS, IT'S BECOME A  
23 BREEDING HABITAT FOR NONNATIVE AGGRESSIVE PREDATORS;  
24 SUCH AS, THE AFRICAN FROG, WHICH IS BECOMING SO  
25 PROMINENT THROUGHOUT THIS ENTIRE WATERSHED -- IN SANTA

1 PAULA, SANTA CLARITA, AND EVERYWHERE.

2 AND THESE RETENTION PONDS DO NOTHING BUT  
3 SUPPORT THEIR HABITAT AND THEREFORE PREY UPON OUR OWN  
4 ENDANGERED SPECIES.

5 ENFORCEMENT: FISH AND GAME, THE ARMY  
6 CORPS -- I MEAN, FISH AND WILDLIFE, THE CITY OF SANTA  
7 CLARITA, UNFORTUNATELY -- AND I RECOGNIZE EVERYBODY'S  
8 RESOURCES ARE LIMITED -- HAVE NOT BEEN ABLE TO ENFORCE  
9 MITIGATION.

10 OFF-ROAD VEHICLE USE CONTINUES UNABATED.  
11 WE ARE TRYING, NOW, TO WORK WITH THE SHERIFF'S  
12 DEPARTMENT TO ADDRESS OFF-ROAD VEHICLE USE BECAUSE  
13 OBVIOUSLY THE AGENCIES ARE INCAPABLE OF DEALING WITH  
14 THAT.

15 THIS HAS BECOME LIKE A -- THERE'S DRUG  
16 DEALING GOING ON BELOW SOME OF THE AREAS, AND REALLY  
17 THE RIVER IS BEING TRAMPLED. AND IF ALL THAT -- THERE  
18 NEEDS TO BE SOME SORT OF ENFORCEMENT, AH, THAT MEANS  
19 SOMETHING. IT'S JUST NOT SOMETHING IN WRITING. IT'S  
20 NOT JUST A DOCUMENT FOR US TO LOOK AT THAT MAKES US  
21 FEEL ALL WARM AND COZY, BUT IT'S SOMETHING THAT REALLY  
22 PROTECTS WHATEVER LITTLE BIT YOU DECIDE TO LEAVE.  
23 HOPEFULLY IT'S A LITTLE BIT MORE THAN YOU DID IN THE  
24 N.R.P.

25 AND I GUESS, FOR NOW, WE WILL BE

1 SUBMITTING SOME COMMENTS IN WRITING, AH, BEFORE THE  
2 5TH.

3 THANK YOU.

4 MR. ALLEN: THANK YOU.

5 RIGHT NOW THIS IS THE LAST SPEAKER THAT  
6 I HAVE, SO IF ANYBODY HAS BEEN MOTIVATED TO SPEAK, GET  
7 A SPEAKER CARD TO ME A.S.A.P.

8 MS. FIMIANI: HELLO. MY NAME IS LISA  
9 FIMIANI; F-I-M-I-A-N-I. I'M WITH AUDUBON CALIFORNIA.  
10 I'M ON THE STATE BOARD. I'M ALSO WITH THE FRIENDS OF  
11 THE SANTA CLARA RIVER. AND I WAS ACTUALLY HERE IN  
12 FEBRUARY OF 2004, AND I SPOKE TO YOU ABOUT THE I.B.A.  
13 AND THE FACT THAT THE SANTA CLARA RIVER VALLEY IS ONE  
14 OF 150 I.B.A.'S IN THE STATE OF CALIFORNIA.

15 ONE OF THE AREAS THAT I BIKE RIDE, WHERE  
16 I LIVE IN CULVER CITY, IS THE BIONA CREEK BIKE PATH.  
17 AND I CANNOT TELL YOU HOW IT PAINS MY HEART TO RIDE  
18 THAT BIKE PATH BECAUSE IT IS COMPLETELY CEMENT LINED.  
19 THERE WAS A TIME WHEN IT WAS COMPLETELY LINED BY  
20 COTTONWOODS AND ARROYOS AND WILLOWS. IT USED TO BE  
21 WHAT IS UP HERE. AND THAT WOULD BE THE FATE OF THE  
22 SANTA CLARA RIVER IF YOU ALLOW ALL THIS DEVELOPMENT TO  
23 GO THROUGH.

24 THERE ARE PORTIONS FROM THIS BOOK THAT I  
25 READ LAST TIME -- I'M NOT GOING TO READ THEM ALL AGAIN

1 -- BUT I THINK THERE IS ONE PORTION IN PARTICULAR THAT  
2 IS WORTHY OF READING ONCE AGAIN.

3 THIS BOOK WAS WRITTEN BY DAN COOPER, WHO  
4 IS A BIOLOGIST, AND AN EXPERT IN BIRDS. AND THIS  
5 CHAPTER IS ON SANTA CLARA RIVER VALLEY. IN THE SECTION  
6 THAT TALKS ABOUT BIRDS, THE HABITAT ALONG THE SANTA  
7 CLARA RIVER SUPPORTS THE LARGEST COMMUNITY OF RIPARIAN,  
8 BIRDS BETWEEN THE SANTA YNEZ RIVER AND SANTA BARBARA  
9 COUNTY AND THE PRADO BASIN IN RIVERSIDE COUNTY.

10 HE GOES ON TO SAY UNDER CONSERVATION  
11 ISSUES, PORTIONS OF THE INTACT LOWLAND RIPARIAN BIRD  
12 COMMUNITY OF THE SANTA CLARA RIVER ARE TITTERING ON THE  
13 BRINK OF DISASTER, PARTICULARLY WITHIN THE LOS ANGELES  
14 COUNTY. EVEN NOW MASSIVE RESIDENTIAL DEVELOPMENTS AND  
15 ASSOCIATED RIVER CHANNELIZATION HAVE ALL BUT BISECTED  
16 THE RIVER INTO A LOWER AND AN UPPER SECTION.

17 I DON'T KNOW IF YOU ARE AWARE -- I'M  
18 SURE YOU ARE -- THAT 32 MILES OF THE L.A. RIVER IS  
19 GOING TO BE RESTORED. I WOULD HATE TO THINK THAT 50  
20 YEARS FROM NOW THERE ARE GOING TO BE PEOPLE NEEDING TO  
21 UNDO THE DAMAGE THAT COULD BE DONE IF THIS KIND OF  
22 DEVELOPMENT IS ALLOWED ALONG THE SANTA CLARA RIVER.

23 IT REALLY COMES DOWN TO ONE SIMPLE FACT:  
24 NO DEVELOPMENT SHOULD BE ALLOWED IN A FLOOD PLAIN, LET  
25 ALONE A RIVER PLAIN.

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THANK YOU.

MR. ALLEN: THANK YOU.

IF THERE ARE NO OTHER PEOPLE THAT WOULD LIKE TO SPEAK, LET ME THANK EVERYBODY FOR COMING TONIGHT. I WILL REITERATE THAT ALL OF THE COMMENTS THAT WE RECEIVED TONIGHT, WE WILL HAVE A TRANSCRIPT. THEY WILL BE CAREFULLY CONSIDERED AND INCLUDED AS WE DEVELOP THE SCOPE FOR THIS DRAFT D.I.S./D.I.R.

JUST TO REITERATE, YOU HAVE UNTIL SEPTEMBER 5TH TO PROVIDE WRITTEN COMMENTS TO EITHER THE CORPS OR THE CALIFORNIA DEPARTMENT OF FISH AND GAME.

AS WE ALLUDED IN OUR PRESENTATION, IT'S ANTICIPATED THAT THE DRAFT D.I.S./D.I.R. WILL BE AVAILABLE FOR PUBLIC COMMENT PROBABLY SOMETIME IN EARLY 2006, SO IN FOUR OR FIVE MONTHS.

AT THAT TIME, THERE WILL BE A 60-DAY COMMENT PERIOD. WE WILL BE HAVING ANOTHER PUBLIC HEARING WITH A COURT REPORTER FOR YOU TO PROVIDE INPUT TO US ON THE ACTUAL ENVIRONMENTAL ANALYSIS CONTAINED IN THAT DOCUMENT.

WITH THAT, I WOULD LIKE TO THANK YOU ALL FOR COMING, AND HAVE A GOOD EVENING. THANK YOU.

(WHEREUPON, THE PROCEEDINGS WERE CONCLUDED.)

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HEARING REPORTER'S CERTIFICATE

I, KATHLEEN KENDALL, A SHORTHAND HEARING REPORTER, IN AND FOR THE STATE OF CALIFORNIA, DO HEREBY CERTIFY:

THAT THE FOREGOING PROCEEDINGS WERE TAKEN BEFORE ME ON AUGUST 24, 2004, AT THE PLACE HEREIN SET FORTH; THAT ANY WITNESSES IN THE FOREGOING PROCEEDINGS, PRIOR TO TESTIFYING, WERE PLACED UNDER OATH; THAT A VERBATIM RECORD OF THE PROCEEDINGS WAS MADE BY ME USING MACHINE SHORTHAND, WHICH WAS THEREAFTER TRANSCRIBED UNDER MY DIRECTION; FURTHER, THAT THE FOREGOING IS AN ACCURATE TRANSCRIPTION THEREOF.

I FURTHER CERTIFY THAT I AM NEITHER FINANCIALLY INTERESTED IN THE ACTION NOR A RELATIVE OR EMPLOYEE OF ANY ATTORNEY OF ANY OF THE PARTIES.

IN WITNESS WHEREOF, I HAVE THIS DATE SUBSCRIBED MY NAME.

DATED: SEPTEMBER 1, 2005

Kathleen Kendall  
KATHLEEN KENDALL  
HEARING REPORTER

## Allen, Aaron O SPL

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**From:** Linda Newkirk [lindanewkirk@bellsouth.net]  
**Sent:** Wednesday, April 13, 2005 7:29 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

Dear Dr. Allen, US Army Corps of Engineers,

As a concerned citizen who has witnessed the continued development of Southern California and the Santa Clara watershed, I urge you to protect one of the region's last significant natural rivers. The Santa Clara River is under mounting pressure from real estate developers seeking permits to build four enormous housing projects. Additionally, Newhall Land and Farming is seeking approval for the five-village Newhall Ranch Project, one of the largest urban development projects ever proposed in Los Angeles County. If the developer secures the required permits for Newhall Ranch, it will unleash its bulldozers on 19 square miles of natural areas straddling the upper Santa Clara River, including 141 acres located on the river's floodplain. 95 percent of habitat in tributaries to the Santa Clara River will be lost if development is permitted.

These are the same heavy-handed and outmoded practices that have ruined almost every other river in Southern California. Newhall Ranch continues to offer what it deems environmentally sensitive riverfront development: buried bank stabilization. Buried bank stabilization involves filling river banks with rock or concrete and then covering these artificial edges with dirt, grass, and trees. Denying California's rivers their floodplains with the false security and hidden hazards of buried bank stabilization is misleading and dangerous. Inevitably, floods will wash away the buried bank stabilization in floodplain areas and only a concrete-lined river will remain.

The U.S. Army Corps of Engineers has the power to protect the natural integrity of this river and stop all of this damage. The Corps launched an \$8.2 billion river study in partnership with Ventura and Los Angeles counties in September 2004. The agency should identify opportunities for sound watershed planning and manage growth in the area to protect the river for future generations of southern Californians to enjoy. The study should be used as an opportunity to analyze the cumulative impacts of past and future development. Until this study is complete, the Corps should deny all floodplain development permits, including the pending Newhall Ranch. Thank you for your consideration.

Sincerely,

Mrs. Linda Newkirk  
115 Fred Atkinson Rd  
Huntsville, AL 35806-1285

## Allen, Aaron O SPL

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**From:** Stephen Donnelly [tvc15ma@yahoo.com]  
**Sent:** Wednesday, April 13, 2005 7:34 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

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Sincerely,

Mr. Stephen Donnelly  
6 Pinebrook Dr  
Easthampton, MA 01027-9723

## Allen, Aaron O SPL

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**From:** Jean Barker [turtlejean@vtlink.net]  
**Sent:** Wednesday, April 13, 2005 7:23 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

Dear Dr. Allen, US Army Corps of Engineers,

I have lived in California for 24 years and will be moving back after a year in Vermont. I am deeply concerned about water issues and hope you will read this and take action.

As a concerned citizen who has witnessed the continued development of Southern California and the Santa Clara watershed, I urge you to protect one of the region's last significant natural rivers.

The Santa Clara River is under mounting pressure from real estate developers seeking permits to build four enormous housing projects. Additionally, Newhall Land and Farming is seeking approval for the five-village Newhall Ranch Project, one of the largest urban development projects ever proposed in Los Angeles County. If the developer secures the required permits for Newhall Ranch, it will unleash its bulldozers on 19 square miles of natural areas straddling the upper Santa Clara River, including 141 acres located on the river's floodplain. 95 percent of habitat in tributaries to the Santa Clara River will be lost if development is permitted.

These are the same heavy-handed and outmoded practices that have ruined almost every other river in Southern California. Newhall Ranch continues to offer what it deems environmentally sensitive riverfront development: buried bank stabilization. Buried bank stabilization involves filling river banks with rock or concrete and then covering these artificial edges with dirt, grass, and trees. Denying California's rivers their floodplains with the false security and hidden hazards of buried bank stabilization is misleading and dangerous. Inevitably, floods will wash away the buried bank stabilization in floodplain areas and only a concrete-lined river will remain.

The U.S. Army Corps of Engineers has the power to protect the natural integrity of this river and stop all of this damage. The Corps launched an \$8.2 billion river study in partnership with Ventura and Los Angeles counties in September 2004. The agency should identify opportunities for sound watershed planning and manage growth in the area to protect the river for future generations of southern Californians to enjoy. The study should be used as an opportunity to analyze the cumulative impacts of past and future development. Until this study is complete, the Corps should deny all floodplain development permits, including the pending Newhall Ranch.

Thank you for your consideration.

Sincerely,

Ms. Jean Barker  
PO Box 892  
3 Ewing St Apt 2  
Montpelier, VT 05602-2525

## Allen, Aaron O SPL

---

**From:** David and Julie Shafer [julieannshafer@msn.com]  
**Sent:** Wednesday, April 13, 2005 7:33 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

Dear Dr. Allen, US Army Corps of Engineers,

As a concerned citizen who has witnessed the continued development of Southern California and the Santa Clara watershed, I urge you to protect one of the region's last significant natural rivers. The Santa Clara River is under mounting pressure from real estate developers seeking permits to build four enormous housing projects. Additionally, Newhall Land and Farming is seeking approval for the five-village Newhall Ranch Project, one of the largest urban development projects ever proposed in Los Angeles County. If the developer secures the required permits for Newhall Ranch, it will unleash its bulldozers on 19 square miles of natural areas straddling the upper Santa Clara River, including 141 acres located on the river's floodplain. 95 percent of habitat in tributaries to the Santa Clara River will be lost if development is permitted. These are the same heavy-handed and outmoded practices that have ruined almost every other river in Southern California. Newhall Ranch continues to offer what it deems environmentally sensitive riverfront development: buried bank stabilization. Buried bank stabilization involves filling river banks with rock or concrete and then covering these artificial edges with dirt, grass, and trees. Denying California's rivers their floodplains with the false security and hidden hazards of buried bank stabilization is misleading and dangerous. Inevitably, floods will wash away the buried bank stabilization in floodplain areas and only a concrete-lined river will remain. The U.S. Army Corps of Engineers has the power to protect the natural integrity of this river and stop all of this damage. The Corps launched an \$8.2 billion river study in partnership with Ventura and Los Angeles counties in September 2004. The agency should identify opportunities for sound watershed planning and manage growth in the area to protect the river for future generations of southern Californians to enjoy. The study should be used as an opportunity to analyze the cumulative impacts of past and future development. Until this study is complete, the Corps should deny all floodplain development permits, including the pending Newhall Ranch. Thank you for your consideration.

Sincerely,

David and Julie Shafer  
15207 Country Ln  
Kearney, MO 64060-8004

## Allen, Aaron O SPL

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**From:** Terry Badger [tbadger@calpoly.edu]  
**Sent:** Wednesday, April 13, 2005 7:29 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

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Sincerely,

Mr. Terry Badger  
440 Derby Ln  
Paso Robles, CA 93446-2444

## Allen, Aaron O SPL

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**From:** Barbara Wood [barbara@dobsis.org]  
**Sent:** Wednesday, April 13, 2005 7:31 AM  
**To:** Allen, Aaron O SPL  
**Subject:** Halt Development on the Santa Clara

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

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Sincerely,

Ms. Barbara Wood  
1926 SE Richmond Ln  
Port Orchard, WA 98367-7869

## Allen, Aaron O SPL

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**From:** Nicole Jordan [nikton@myway.com]  
**Sent:** Wednesday, April 13, 2005 7:31 AM  
**To:** Allen, Aaron O SPL  
**Subject:** PLEASE Halt Development on the Santa Clara!

Apr 13, 2005

Dr. Aaron Allen, US Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

Dear Dr. Allen, US Army Corps of Engineers,

I am a voting United States citizen who is deeply concerned about the quality of our country's environment and the health of its inhabitants. As such, I urge you to halt the continued development of Southern California and the Santa Clara watershed, and thus protect one of the region's last significant natural rivers.

The Santa Clara River is under mounting pressure from real estate developers seeking permits to build four enormous housing projects. Additionally, Newhall Land and Farming is seeking approval for the five-village Newhall Ranch Project, one of the largest urban development projects ever proposed in Los Angeles County. If the developer secures the required permits for Newhall Ranch, it will unleash its bulldozers on 19 square miles of natural areas straddling the upper Santa Clara River, including 141 acres located on the river's floodplain. 95 percent of habitat in tributaries to the Santa Clara River will be lost if development is permitted.

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Thank you for taking the time to consider my views.

Sincerely,

Ms. Nicole Jordan  
8 Carlton St  
Somerville, MA 02143-2902



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

August 25, 2005

Mr. Aaron O. Allen  
United States Army Corps of Engineers  
Los Angeles District  
Regulatory Branch – Ventura Field Office  
Attn: CESPL-CO -2003-01264-AOA  
2151 Alessandro Drive, Suite 110  
Ventura, California 93001

Subject: Notice of Intent (NOI) to Prepare a Draft Environmental Impact Statement (DEIS) for the Newhall Ranch Specific Plan, Los Angeles County, CA

Dear Mr. Allen:

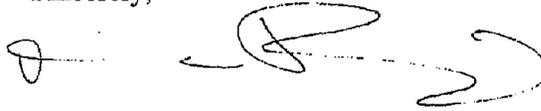
The Environmental Protection Agency (EPA) has reviewed the Notice referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. As noted in our detailed scoping comments (enclosed), we are concerned with the proposed project's compliance with the Federal Guidelines promulgated under CWA §404(b)(1) in terms of avoidance, minimization, and mitigation of potential impacts to aquatic resources (40 CFR 230.10) and have provided specific scoping comments on this issue. We have also included recommendations on other issues of concern to EPA.

The Santa Clara River is one of Southern California's most important aquatic resources. Spanning the Counties of Ventura and Los Angeles and running for approximately 100 miles, the Santa Clara is the largest river system in Southern California that remains in a relatively natural state. The proposed project, because of its magnitude and proximity to the Santa Clara River, has the potential to significantly impact waters of the United States. These waters may be considered an Aquatic Resource of National Importance (ARNI). However, based on the lack of available information, we will delay making an ARNI determination until the release of the second Corps public notice, which the Corps has committed to release upon completion of the DEIS. Through this process, EPA retains the opportunity to designate this project as a candidate for elevation due to impacts to an ARNI.

We appreciate the opportunity to review this NOI and commend the Corps' decision to complete an EIS in order to analyze the significant impacts that may result from the proposed project. EPA is available to provide additional input and guidance to the Corps and the project sponsor on this important project.

We look forward to continuing to work with you. When the DEIS is released for public review, please send three (3) copies to the address above (mailcode: CED-2). If you have any questions, please contact me or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3847.

Sincerely,

A handwritten signature in black ink, appearing to read "Nova Blazej". The signature is fluid and cursive, with a large loop at the end.

Nova Blazej, Acting Manager  
Federal Activities Office

Enclosure: Detailed Comments

cc: United States Fish and Wildlife Service, Ventura Office  
California Department of Fish and Game  
Los Angeles Regional Water Quality Control Board

## Water Resources

### *Clean Water Act, Section 404*

The 12,000 -acre project area proposed for the Newhall Ranch Specific Plan contains approximately 500 acres of jurisdictional waters, as verified by the Army Corps of Engineers through previous coordination associated with the Clean Water Act (CWA) Section 404 application process. This process estimated that the project would cause a direct loss of approximately 80 acres of waters, including wetlands, as well as additional indirect impacts to an unquantified number of acres of aquatic resources in the surveyed area. This project will require an individual permit from the Corps.

### *Recommendations:*

The DEIS should demonstrate consistency with the CWA Section 404(b)(1) Guidelines, in that the range of alternatives must include the Least Environmentally Damaging Practicable Alternative (LEDPA). "Practicable" alternatives are alternatives that are available and capable of being done. Only the LEDPA can be permitted.

The DEIS should clearly document the impacts to aquatic resources associated with the project alternatives and should identify the methodology used to distinguish between permanent and temporary impacts from each element of the project design. Impacts to aquatic resources associated with each of these project design elements should be clearly presented in the DEIS. The DEIS should clearly identify design modifications and other measures taken to avoid and minimize impacts to waters.

Any mitigation proposed for impacts to waters of the United States should be consistent with the avoidance and minimization sequencing established by the Corps. Once impacts to waters are avoided and minimized to the extent practicable, compensatory mitigation can be used. The DEIS should clearly identify suitable mitigation areas, both within the project site and in the project vicinity. Suitable mitigation areas are areas that will not be subject to frequent disturbances, such as maintenance. The DEIS should identify the legal mechanism, such as a conservation easement with a third party, that will be used to protect the mitigation area as well as the funding mechanism to ensure protection (endowment, etc.) into perpetuity. The DEIS should also establish long-term management measures for the mitigation areas to address issues such as invasive species, approved uses, and human disturbances (garbage, trampling, etc.).

### *Water Quality*

It is unclear from the Public Notice how the development will address wastewater that will be generated from this project. Discharges of treated wastewater into the Santa Clara River could lead to significant and unavoidable adverse impacts on surface water quality and fisheries.

Other short- and long-term threats to water quality include construction-related erosion and increased turbidity that would occur during the build-out period for the proposed project, as well as pollutant discharges associated with the perpetual operation and maintenance of suburban

infrastructure. In addition, the Los Angeles Regional Water Quality Control Board has identified increasing development in floodplain areas, channelization, and the spread of *Arundo donax* as threats to water quality in the region.

*Recommendations:*

The DEIS should specifically address the proposal for disposal of wastewater from the entire, built-out project as proposed. Should plans for expanding the local wastewater treatment facility be considered, then this should be analyzed as a connected action to the Newhall Ranch Specific Plan, and the impacts associated with these facilities should be analyzed as part of this project.

The DEIS should specifically address anticipated water quality impacts from construction and maintenance of the project, as well as project impacts from developing in the floodplain, and channelizing and hardscaping waters of the United States. EPA strongly encourages the Corps and project proponent to avoid development in the floodplain and to identify, and commit to, opportunities to restore natural channels and floodplain functions.

*Cumulative Impacts*

Important resources are provided by the Santa Clara River and there are multiple stressors in the area, including water diversions, aggregate mining, discharges of pollutants from urban, suburban, and agricultural areas, modification of habitats and waterways, and the introduction and spread of non-native, invasive species.

*Recommendations:*

EPA recommends that the DEIS include a comprehensive analysis of the impacts of the proposed development to the aquatic resources of this region, including a description of the historical adverse effects to aquatic resources in the Santa Clara River watershed and the project's cumulative impact to these historical adverse effects. This should include proposed impacts in the reasonably foreseeable future to the Santa Clara River from other housing development occurring downstream that have applied for 404 permits from the Corps, as well as all other reasonably foreseeable actions. This information should be included in the cumulative impacts section. The DEIS should identify mitigation, as appropriate, and responsible implementing parties.

**Range of Alternatives**

A reasonable range of alternatives should be analyzed in the DEIS that avoid and minimize impacts to waters of the United States. The Corps should adopt a project purpose statement that does not restrict a full range of reasonable alternatives.

*Recommendations:*

Additional alternatives that meet the basic project purpose should be explored to inform decisions about the LEDPA. Properties not presently owned by the applicant that could be reasonably obtained, utilized, expanded, or managed must be considered (40 CFR 230.10). Alternatives such as developments located in upland areas, as well as smaller scale facilities should be considered. Although these alternatives may achieve a smaller

return on investment than the applicant's preferred alternative, they may be considered practicable for the purposes of permitting under CWA Section 404. Therefore, alternatives that avoid, minimize, and compensate for impacts to waters of the United States should be given preference in the DEIS. In particular, alternatives that completely avoid the discharge of dredged or fill material to waters of the United States should be evaluated in the DEIS.

The DEIS should also explore alternatives that minimize impacts to waters of the United States. These alternatives should include the following components:

- establishment of sufficient riparian buffers around waters of the United States;
- avoiding and minimizing development in floodplains;
- minimizing the use of hardscape bank materials such as riprap, and incorporating more environmentally-friendly bank-stabilization materials, such as vegetation, into project design;
- minimizing or eliminating the use of grade control structures;
- integration of wildlife crossings into drainage crossing structures;
- use of bridges or spans to cross drainages wherever practicable, particularly in fish bearing drainages or areas of high terrestrial wildlife use;
- use of oversized box culverts, buried below stream grade to encourage natural channel substrate for terrestrial and aquatic life and a more natural sediment transport regime;
- avoidance of in-stream sediment, flood debris and water quality detention basins, and commitments to locating these facilities outside of waters of the United States;
- development of maintenance practice Best Management Practices (BMP)'s that minimize impacts to riparian habitat and waters;
- reduction in project size, different housing densities; and
- reduction in other environmentally damaging elements of the project, such as minimizing impervious surfaces, including parking and roads, and adapting a project design that facilitates nonmotorized transportation.

The DEIS should include a clear description of the basic project purpose and need, project alternatives, potential impacts to the environment, and mitigation for these impacts. Particular attention should focus on an evaluation of the environmental impacts of the proposal and alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decisionmaker and the public (40 CFR 1502.14).

### **Indirect and Cumulative Impacts**

NEPA requires evaluation of indirect and cumulative effects which are caused by the action (40 CFR 1508.8(b) and 1508.7). "Indirect effects may include growth-inducing 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."

CEQ regulations also state that the EIS should include the "means to mitigate adverse environmental effects" (40 CFR 1502.16(h)). This provision applies to indirect effects, as well as direct effects, in that induced commercial, industrial, and residential growth can adversely affect water quality, wetlands, and other natural resources.

*Recommendations:*

All indirect and cumulative impacts associated with the multiple elements of the project design should be addressed, with particular attention paid to the impacts related to downstream and upstream water sources, impacts on the natural sediment transport and hydrologic regime from in-stream flood control structures, flooding potential, water quality, and aquatic habitat.

The DEIS should evaluate the cumulative environmental impacts of all reasonably foreseeable actions, including new commercial, industrial, recreational, or residential development and associated transportation projects. The DEIS should identify appropriate mitigation and implementing parties.

## **Air Quality**

The South Coast Air Basin (SCAB) is classified as severe nonattainment for 8-hour ozone, serious nonattainment for particulate matter less than ten microns in diameter (PM-10), and nonattainment for particulate matter less than 2.5 microns in diameter (PM-2.5). SCAB is the only severe area in the nation for 8-hour ozone. During 2000 through 2002, SCAB had the highest PM2.5 annual mean concentration (29 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ )) in the country and was one of two areas in the nation that violated the 24-hour PM 2.5 standard. Due to the serious nature of the air quality conditions in this area, we recommend that the EIS analyze the reasonably foreseeable construction emissions associated with this project, as well as the increase in area mobile vehicle emissions from traffic anticipated from the new development. We also recommend that the EIS identify all of the emissions sources associated with this project and commit to control measures to mitigate the impact of these emissions. Expand to include consideration of how development plan will address extreme events such as high wind days and high ozone events.

*Recommendations:*

We urge the Corps to analyze cumulative air impacts to the South Coast Air Basin from the proposed project, as well as the localized air quality impacts associated with the 12,000-acre Newhall Ranch development. We recommend that the DEIS include an analysis of projected vehicle emissions associated with the project at full project build-out and the impact of these emissions on air quality in future years. The Corps should incorporate appropriate mitigation into the development plan, including alternative transportation options for both local and regional transportation needs.

The DEIS should address the feasibility of implementing additional air quality-related mitigation to reduce emissions of Diesel Particulate Matter (DPM) and other pollutants from construction, including the implementation of a Construction Emissions Mitigation Plan (CEMP). EPA recommends that the following measures be incorporated into the CEMP: that equipment a) not idle for more than ten minutes; b) not be altered to increase

engine horsepower; c) include particulate traps, oxidation catalysts and other suitable control devices on all construction equipment used at the construction site; d) use ultra low sulfur diesel fuel with a sulfur content of 15 parts per million (ppm); e) be tuned to the engine manufacturer's specifications in accordance with a defined maintenance schedule; and f) include provisions for extreme events, such as high wind and high ozone days. In addition, the CEMP should establish work limitations, such as minimizing trips, and providing staging areas for trucks located away from sensitive receptors.

The DEIS should evaluate whether the Newhall Project conforms to the State Implementation Plan (SIP), and if the project conforms to the SIP's purpose of eliminating or reducing the severity and number of violations of National Ambient Air Quality Standards.

## **Environmental Justice**

In keeping with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, the EIS should describe the measures taken by the Corps to: 1) fully analyze the environmental effects of the proposed Federal action on low-income or minority communities, and 2) present opportunities for affected communities to provide input into the NEPA process. The DEIS should address the project's consistency with guidance issued by the Council on Environmental Quality (CEQ), "Environmental Justice Under the National Environmental Policy Act." This guidance provides that mitigation in impact statements "should reflect the needs and preferences of affected low-income populations (and) minority populations to the extent practicable."

Of particular concern will be the indirect and cumulative impacts related to the project design elements proposed in the 100-year floodplain. The proposed channelization of the Santa Clara River and its tributaries may have impacts on upstream and downstream residents.

The California Air Resources Board (CARB) and the Office of Environmental Health Hazard Assessment (OEHHA) have evaluated diesel exhaust since 1989 under the California air toxics program for potential identification as a Toxic Air Contaminant (TAC). In 1998-99 the SCAQMD conducted a second MATES program (MATES II) to further evaluate air toxic issues in the area. MATES II examined potential risks to human health from more than 30 toxic air contaminants; including diesel particulates. According to CARB, particulate emissions from diesel-fueled engines have been identified as a TAC. Information presented by the SCAQMD in regards to MATES II indicates that mobile sources are a significant health risk to residents of the air basin.

### *Recommendations:*

The DEIS should demonstrate that effective outreach to upstream and downstream communities concerning potential impacts has been completed prior to completion of the environmental review process and that appropriate mitigation measures have been adopted.

The DEIS should analyze the potential for localized air quality impacts to environmental justice communities and should include necessary mitigation measures. These may

include reductions to construction emissions and mobile emissions as discussed above. Reducing construction-related emissions would be useful in reducing air quality effects.

### **Incorporation by Reference**

If references to other documents are used to support conclusions in the DEIS, the DEIS should provide a summary of the critical issues, assumptions, and decisions complete enough to stand alone. The DEIS should also verify that this information is still current. Previous analyses should be updated to address substantive issues raised during the public scoping process. This will aid in readability and ensure the use of the most current information available.

# SYCAMORE CANYON ESTATES

Date: August 25, 2005

AUG 25 2005

Re: **Annual Notification**

Cal. Dept. of Fish & Game Permit No. 2081-1999-023-5

Cal. Dept. of Fish & Game Streambed Alteration Agreement No. 5-347-98.SA2

Dept. of the Army, Nationwide Permit 26 File No. 980065500-JPL

To: California Dept. of Fish and Game  
4949 Viewridge Ave  
San Diego, CA 92123  
Attn: Scott Harris

California Dept. of Fish and Game  
402 West Ojai Ave., Suite 101, P.M.B. 501  
Ojai, CA 93023  
Attn: Mary Meyer

Department of the Army  
Ventura Field Office  
2151 Alessandro Dr., Suite 110  
Ventura, CA 93001  
Attn: Aaron Allen

Please be advised the attached list contains the current contact information for the Board of Directors for Sycamore Canyon Estates Maintenance Corporation.

Should you require any additional information, please don't hesitate to contact me directly.

Sincerely,



Kathy O'Connor  
Association Manager

Cc: Patricia Hartman, Vintage Communities

# SYCAMORE CANYON ESTATES

## BOARD OF DIRECTORS

2005/2006

President	Skip Vose 1416 Caitlyn Circle Westlake Village, CA 91361	818-706-2324 Home <a href="mailto:svose@earthlink.net">svose@earthlink.net</a>
Vice President	Roy Belson 1523 Sycamore Canyon Drive Westlake Village, CA 91361	818-620-2020 <a href="mailto:roybelson@aol.com">roybelson@aol.com</a>
Member-at-Large	Randy Clark 1419 Caitlyn Circle Westlake Village, CA 91361	818-707-7381 <a href="mailto:Randy@TheLCSCO.com">Randy@TheLCSCO.com</a>
Treasurer	Dick Lange 1450 Caitlyn Circle Westlake Village, CA 91361	818-865-1498 <a href="mailto:irlange@pacbell.net">irlange@pacbell.net</a>
Secretary	Barry Cohen 1331 Caitlyn Circle Westlake Village, CA 91361	818-597-0922 <a href="mailto:barry.cohen@sbcglobal.net">barry.cohen@sbcglobal.net</a>

\*\*\*\*\*

Manager	Kathy O'Connor The Emmons Company P.O. Box 5098 Thousand Oaks, CA 91359	805-413-1170 805-413-1190 - Fax <a href="mailto:koconnor@emmonsco.net">koconnor@emmonsco.net</a>
Assistant	Sue Spencer The Emmons Company P.O. Box 5098 Thousand Oaks, CA 91359	805-413-1170 805-413-1190 - Fax <a href="mailto:sspencer@emmonsco.net">sspencer@emmonsco.net</a>

Rev. 08/05

21721 Septo St. #120  
Chatsworth, CA 91311  
August 24, 2005

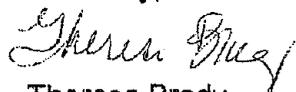
US Army Corps of Engineers, LA District  
regulatory Branch - Ventura Field Office  
Attn: CESPL-CO-2003-01364-AOA  
2151 Alessandro Drive #110  
Ventura, CA 93001

Please require that the permit that Newhall Ranch Company is requesting be subject to review every 3 years. There was a recent permit granted them that has no review, and has proven to be harmful to wildlife. This permit was granted for 59 projects within the City of Santa Clarita. This permit isn't working to protect the wildlife dependent on the stream, and because it was granted without the periodic review as a requirement, there is little or no recourse.

The Santa Clara River, one of the last wild rivers in the United States, is especially important because of the rare and endangered wildlife that depend on this increasingly rare habitat.

I hope that you will make a condition to granting this permit, the requirement that the permit be reviewed every three years to ascertain that they are not having an adverse effect on wildlife and other living things dependent on the stream. This condition is the least we can do. Please do not grant this permit, if this condition is not accepted.

Sincerely,

  
Theresa Brady

**Allen, Aaron O SPL**

---

**From:** Mark Delaplaine [mdelaplaine@coastal.ca.gov]  
**Sent:** Wednesday, August 31, 2005 5:00 PM  
**To:** Allen, Aaron O SPL  
**Cc:** Larry Simon  
**Subject:** 2003-01264-AOA

**Applicant**

The Newhall Land and Farming Company  
23823 Valencia Boulevard  
Valencia, California 91355-2103

**Location**

The 12,000-acre site encompasses 5.5 linear miles of the Santa Clara River and several side drainages near Santa Clarita, Los Angeles County, California (at: lat:34-24-5.0040 lon:118-37-46.9920)

**Activity**

The applicant is requesting a long-term Section 404 permit for proposed future discharges of fill material in waters of the United States for the Newhall Ranch Specific Plan and associated facilities along portions of the Santa Clara River and its side drainages, Los Angeles County, California.

Despite the site's distance from the coastal zone, we have seen prior assertions that this project could affect sand supply to the beaches, in which case it could affect the coastal zone. We request that the sand supply issue be analyzed and addressed in the DEIR/DEIS.  
Thanks

Mark Delaplaine  
Federal Consistency Supervisor  
California Coastal Commission  
45 Fremont St, Suite 2000  
San Francisco, CA 94105  
(415)904-5289  
(415) 904-5400 (Fax)  
mdelaplaine@coastal.ca.gov  
Federal Consistency Web Page: <http://www.coastal.ca.gov/fedcd/fedcndx.html>



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

September 1, 2005

Morgan Wehtje  
California Department of Fish and Game  
Region 5- South Coast Region  
4665 Lampson Avenue  
Los Alamitos, CA 90720

Dear Ms. Wehtje:

**NOTICE OF PREPARATION FOR A DRAFT ENVIRONMENTAL IMPACT REPORT  
(DEIR) FOR THE NEWHALL RANCH LONG-TERM STREAMBED ALTERATION  
AGREEMENT AND INCIDENTAL TAKE PERMIT AND NEWHALL RANCH,  
VALENCIA COMMERCE CENTER AND ENTRADA SPINEFLOWER  
CONSERVATION PLAN AND RELATED INCIDENTAL TAKE PERMITS**

The Notice of Availability for an EIR for the Newhall Ranch Long-Term Streambed Alteration Agreement and Incidental Take Permit and Newhall Ranch, Valencia Commerce Center and Entrada Spineflower Conservation Plan and Related Incidental Take Permits has been reviewed for potential impact on the facilities of this Department. There are two County parks and three trails in, adjacent to, or near the Newhall Ranch Specific Plan area, including the following: Val Verde Community Regional Park (30300 West Arlington Road, Val Verde 91384) and Dr. Richard H. Rioux Memorial Park (26233 West Faulkner Drive, Stevenson Ranch 91381); and Chiquito Canyon Trail; Santa Clara River Trail (#71); and the Pico Canyon Trail (#70). Please evaluate the proposed project for impacts to these County facilities.

Thank you for including this Department in the review of this environmental document. If we may be of further assistance, please contact Bryan me at (213) 351-5133.

Sincerely,

A handwritten signature in black ink, appearing to read 'BM', is written over a horizontal line.

Bryan Moscardini,  
Park Project Coordinator

BM:km(response-CDFG Newhall Longterm SAA)

C: Kathleen Ritner-DPR

From: Ted Moore <ted@tedmoore.com>  
To: Morgan Wehtje <mwehtje@dfg.ca.gov>  
Date: 9/5/2005 2:10:23 PM  
Subject: Newhall Ranch Specific Plan Draft EIR (Application No. 2003-01264-AOA)

Dear Ms. Wehtje,

As a follow up to my attendance at the NOP Scoping meeting on August 24, 2005 for the Newhall Ranch Specific Plan Draft EIR held by the Dept of Fish and Game, I wanted to send you my comments in writing even though I presented them at the meeting. I represent Mr. Ira Robb, owner of The Travel Village, 27946 Henry Mayo Drive, Castaic, Ca.

We are concerned about the Physical and Economic Impacts from Newhall's proposed work on Mr. Robb's property, which is an on-going Travel Village and extended stay campground for owners of recreational vehicles and campers with close to 400 spaces and a general store. Travel Village is one of few such facilities in the area and is busy year round.

A. Physical Impacts: Newhall approached Mr. Robb well over a year ago in regard to acquiring the approximate easterly 4 acres of his property to create a new entrance into Travel Village off of Commerce Center Drive, which would result in a closure of his existing entrance off of Highway 126. Nothing has been resolved to date. The potential impacts from this action (access, utilities, visibility, sound, ability to expand, etc.), are of great concern to Mr. Robb.

Also, with the proposed extension of Commerce Center Drive to bridge the Santa Clara River, new bank stabilization will be required along a portion of Mr. Robb's property. We need to understand if there will be an impact to the property from this work.

B. Economic Impacts: Currently, Travel Village is a busy, successful project, and it is Mr. Robb's intention to continue to own and operate (and possibly to expand) it. With the degrading of access to Travel Village, there is concern about a potential economic impact, as well as a concern that the proposed bank stabilization and streambed alteration around and along his property may affect his ability to expand Travel Village.

I respectfully request that the scope of the EIR be expanded to include Mr. Robb's concerns. Thank you.

Ted Moore

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Ted Moore

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CC: Ira Robb <irarobb@sbcglobal.net>, "Donald L. Boortz"  
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# South Coast Wildlands

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September 5, 2005

California Department of Fish and Game  
Morgan Wehtje  
Region 5  
4665 Lampson Avenue  
Los Alamitos, CA 90720  
[mwehtje@dfg.ca.gov](mailto:mwehtje@dfg.ca.gov)

RE: Newhall Ranch Long-term Streambed Alteration Agreement and Incidental Take Permit and Newhall Ranch, Valencia Commerce center and Entrada Spineflower Conservation Plan and Related Incidental Take Permits

Dear Ms. Wehtje,

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Newhall Ranch Long-term Streambed Alteration Agreement and Incidental Take Permit and Newhall Ranch, Valencia Commerce center and Entrada Spineflower Conservation Plan and Related Incidental Take Permits. South Coast Wildlands (SCW) is a non-profit organization dedicated to ensuring functional habitat connectivity across California's South Coast Ecoregion. Our mission is to protect, connect, and restore the rich natural heritage of the South Coast Ecoregion by establishing a system of connected wildlands. Therefore, comments submitted herein are directed primarily at habitat connectivity issues.

We strongly oppose the issuance of a Long-term Streambed Alteration Agreement because: it would severely impact critical landscape level connections between the 1) Santa Monica Mountains National Recreation Area (SMMNRA) and Los Padres National Forest (LPNF), 2) Los Padres National Forest and the Castaic Ranges of the Angeles National Forest, and 3) the Santa Susana Mountains and Angeles National Forest (i.e., San Gabriel Mountains and the Castaic Ranges); is completely incompatible with maintaining the ecological integrity of the proposed Spineflower Conservation Areas; and is inconsistent with several regional planning efforts such as the Significant Ecological Areas proposed by the County of Los Angeles, the Rim of the Valley Corridor, and The Nature Conservancy's Ecoregional Plan. We request that these impacts be fully and accurately disclosed in the draft EIR, utilizing independent consultants identified by the Department of Fish and Game to ensure the impartiality of the analyses and judgments.

Although the Los Angeles County Board of Supervisors approved the programmatic EIR for the Newhall Ranch Specific Plan in 2003, we believe that it is vital to fully evaluate each phase of the

Specific Plan, under CEQA, the Water Quality Act, and Fish and Game Code. Therefore, we propose that the project proponent apply for Streambed Alteration Agreements and 404 permits at the project level, similar to what is being required under CEQA.

The issuance of a long-term Streambed Alteration Agreement for this extensive area is not compatible with maintaining safe passage and habitat for numerous native species. These regionally important linkages must be adequately protected in order to secure a functional wildlands network for the South Coast Ecoregion (Penrod et al. 2001, Penrod et al. 2004). Furthermore, the proposed project would eliminate habitat types that are highly imperiled in Los Angeles County and throughout the South Coast Ecoregion of California because of habitat loss, fragmentation, and other anthropocentric-induced impacts. The Santa Clara River and its tributaries are key movement areas that provide both live-in and move-through habitat for numerous species, including many that are listed as endangered, threatened or sensitive species. Many species commonly found in riparian areas depend on upland habitats during some portion of their cycle. Therefore, in areas with intermittent or perennial streams, upland habitat protection is needed for these species. Upland habitat protection is also necessary to prevent the degradation of aquatic habitat quality. Contaminants, sediments, and nutrients can reach streams from distances greater than 1 km (0.6 mi) (Maret and MacCoy 2002, Scott 2002), and fish, amphibians, and aquatic invertebrates often are more sensitive to land use at watershed scales than at the scale of narrow riparian buffers (Goforth 2000, Fitzpatrick et al. 2001, Stewart et al. 2001, Wang et al. 2001, Scott 2002, Wilson and Dorcas 2003). Therefore, the EIR must address how the permitted activities will impact key resources for listed, sensitive, and targeted species, as well as aquatic habitat quality.

Many animals use riparian corridors during dispersal or migration. For animals associated with the Santa Clara River and its tributaries (e.g., southern steelhead trout, unarmored three-spine stickleback, arroyo toad, California red-legged frog) impediments are presented by road crossings, exotic species, scouring of native vegetation by increased runoff, water recharge basins, dams, dumping of soil and agricultural waste in streambeds, farming in streambeds, gravel mining, and concrete structures to stabilize stream banks and streambeds. Increased urban and runoff also can create permanent streams in areas that were formerly ephemeral streams; permanent waters can support aggressive invasive species such as bullfrogs and giant Reed, displacing native species. Bullfrogs in particular are known to make waters unsuitable for native amphibians (Penrod et al. 2004). Therefore, the EIR must address how the above will affect species living-in or moving-through riparian and upland habitat areas (Beier and Loe 1992, Forman et al. 2003, Penrod et al. 2004).

In order to sustain the habitats in the proposed Spineflower Conservation Areas ecological processes must be maintained. Natural fluvial dynamics of erosion and deposition are crucial to sustain the soil characteristics required by the spineflower. As such, the impacts to fluvial processes must be fully evaluated in the DEIR for the proposed long-term Streambed Alteration Permit. Furthermore, adverse impacts to pollinators and dispersal agents of the spineflower must be fully evaluated by the DEIR. Project level CEQA, 404 permits, and project level streambed alteration agreements are the only way to fully assess impacts to the proposed Spineflower Conservation Areas.

Significant conservation investments have already been made in the vicinity of the proposed project. A number of other existing planning efforts have identified this area as critical for the conservation of sensitive natural resources, in addition to the South Coast Missing Linkages Project, including local, regional, and statewide planning projects. Federal recovery

plans for threatened and endangered species identify this area as important habitat for the recovery of these species from their threatened or endangered status. The Resources Agency California Legacy Project also recognizes this area as a statewide priority for conserving habitat connectivity. The County of Los Angeles has identified 4 Significant Ecological Areas in its 2025 General Plan update that would be impacted by the permitted activities: 1) Santa Clara River (#25); 2) Piru Creek (#15); 3) Santa Susana Mountains/Simi Hills (#27); and 4) Valley Oaks Savannah (#30). If the proposed long-term permitted activities were allowed to proceed, the biological impacts to these existing protected areas would be substantial. The denial of a Long-term Streambed Alteration Agreement will help to assure that these existing conservation plans are implemented successfully.

The proposed Long-term Streambed Alteration Agreement would: 1) forever eliminate opportunities for securing regionally important habitat connections; 2) adversely impact natural processes critical to sustain the proposed Spineflower Conservation Areas; and 3) significantly impact existing conservation investments. We strongly urge the denial of a Long-term Streambed Alteration Agreement.

Respectfully Submitted,



Kristeen Penrod  
Executive Director  
South Coast Wildlands Project

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## SMART GROWTH SOLUTIONS AND STOPPING SPRAWL

Poorly planned development is threatening our environment, our health, and our quality of life. In communities across America "sprawl" - scattered development that increases traffic, saps local resources and destroys open space - is taking a serious toll.

But runaway growth is not inevitable. Hundreds of urban, suburban and rural neighborhoods are choosing to manage sprawl with smart growth solutions. These solutions, including establishing urban growth boundaries, preserving farmland and green space, investing in alternate forms of transportation, and building compact pedestrian-friendly neighborhoods, can help manage growth and control sprawl.

### The Effects of Sprawl



#### Increased Traffic On Our Neighborhood Streets and Highways

Sprawl lengthens trips and forces us to drive everywhere. The average American driver spends 443 hours per year - the equivalent of 55 eight-hour workdays - behind the wheel. Residents of sprawling communities drive three to four times as much as those living in compact, well-planned areas. Adding new lanes and building new roads just makes the problem worse - studies show that increasing road capacity only leads to more traffic and more sprawl.



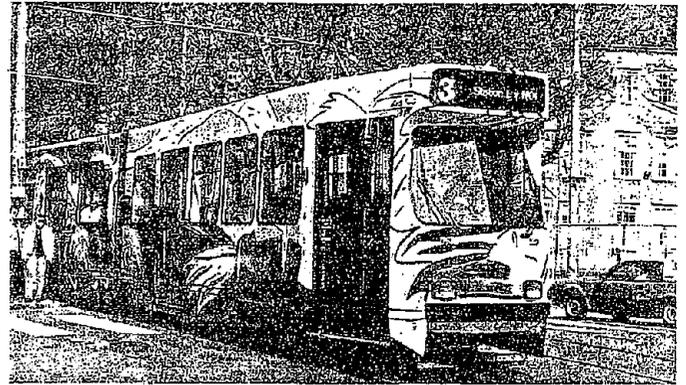
#### Increased Air and Water Pollution

As sprawl increases our reliance on cars and driving, it makes our air dirtier and less healthy. Cars, trucks and buses are the biggest source of cancer-causing air pollution, spewing more than 12 billion pounds of toxic chemicals each year, or almost 50 pounds per person. Our wetlands - nature's water filters - are also under attack. Each year more than 100,000 acres of wetlands are destroyed, in large part to build sprawling new developments. Since wetlands can remove up to 90 percent of the pollutants in water, wetlands destruction leads directly to polluted water.



#### Increased Damage from Killer Floods

Sprawl increases the risk of flooding. Development pressures lead to building on floodplains and the destruction of wetlands, natural flood-absorbing sponges. In the last eight years, floods in the United States killed more than 850 people and caused more than \$89 billion in property damage. Much of this flooding occurred in places where weak zoning laws allowed developers to drain wetlands and build in floodplains.



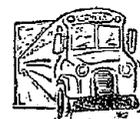
#### Destruction of Parks, Farms, and Open Space

Sprawl destroys more than one million acres of parks, farms and open space each year. This threatens America's productive farmland, and turns our cherished parks and open spaces into strip malls and freeways.



#### Wasted Tax Dollars

Our tax money subsidizes new sprawling developments, rather than improving our existing communities. Sprawl costs our cities and counties millions of dollars for new water and sewer lines, new schools, and increased police and fire protection. Those costs are not fully offset by the taxes paid by the new users. Instead, sprawl forces higher taxes on existing residents and hastens the decline of our urban tax base.



#### Overcrowded Schools

Sprawl creates crowded schools in the suburbs and empty, crumbling schools in center cities. New development puts more children in suburban schools, but does not pay for the new schools that inevitably must be built.

*Explore, enjoy and protect the planet.*