

SANTA MONICA MOUNTAINS CONSERVANCY

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June 1, 2009

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4949 Viewridge Avenue
San Diego, California 92123

Aaron O. Allen
U.S. Army Corps of Engineers
Ventura County Field Office
2151 Alessandro Drive, Suite 110
Ventura, California 93001

Comments on Army Corps of Engineers and the California Department of Fish and Game on the Draft Joint Environmental Impact Statement and Environmental Impact Report for Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (SCH No. 2000011025)

Dear Mssrs. Bedford and Allen:

The Santa Monica Mountains Conservancy is the principle State planning agency for the Newhall Ranch project area. The Draft Joint Environmental Impact Statement and Environmental Impact Report (Draft EIS-EIR) is a landmark document. Its clarity and thoroughness are to be commended. The comprehensive approach to a project-wide section 404 permit, Candidate Conservation Agreement, CESA permit, and Master Streambed Alteration Agreement benefits all stakeholders if impact avoidance guides decision making.

Maximizing the protection of Santa Clara River 100-year flood plain, linear feet of tributary drainage, occupied San Fernando Valley spine flower habitat, and increasing the number bridges versus culverts is completely in the public interest. The Conservancy concurs with the Draft EIS-EIR that the obvious environmentally superior alternative is Alternative 7. Alternative 7 emphasizes avoidance of significant impacts. This avoidance will greatly reduce mitigation and infrastructure costs. It will minimize virtually all temporal loss of habitat resources addressed in the Draft EIS-EIR. The two percent take of the State-listed San Fernando Valley spine flower is acceptable given the project's permanent open space benefits.

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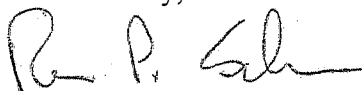
The key feature of Alternative 7 is its avoidance of wholesale drainage course impacts. All of the other alternatives involved regrading virtually all of the tributary drainages to make their grades match preferred development grades. Although the artificially created channels might be wider than the existing channels, they still all would require numerous drop structures and armoring. Alternative 7 implements sound geomorphological, ground water replenishment, and conservation biology practices by pulling all development and bank stabilization out of the 100-year flood plain of the Santa Clara River and avoiding the regrading of virtually all drainage courses. Likewise the alternative employees a maximum number of bridges over drainages rather than artificial and constricting culverts.

The multi-thousand-acre development area should have enough room to allow for these prudent impact avoidance modifications. Alternative 7 allows for a minimum of 16,471 residential dwelling units and 3.82 million square feet of commercial-industrial development floor area. One portion of the document states that Alternative 7 would allow 17,323 residential units and 3.76 million square feet.

Because of the Draft EIS-EIR findings the Conservancy can support partial build-out of the prior Specific Plan approval only if a section 404 permit, Candidate Conservation Agreement, CESA permit, and Master Streambed Alteration Agreement are issued to permit the regulated activities under Alternative 7. We urge the Corps and CDFG to limit their actions and permits within the parameters defined by Alternative 7. By definition, alternatives in an EIR must be feasible to be considered.

Please address any questions to Paul Edelman of our staff at the above address and by phone at (310) 589-3200 ext. 128.

Sincerely,



RONALD P. SCHAFER
Chairperson

007. Letter from Ronald P. Schafer, Santa Monica Mountains Conservancy , dated June 1, 2009

Response 1

The U.S. Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) acknowledge your input and comment. This comment, as well as the additional comments within the commentor's letter, will be included as part of the record and made available to the decision makers prior to a final decision on the proposed Project.

Response 2

This comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7, such as maximizing protection of the Santa Clara River 100-year floodplain, increased preservation of on-site San Fernando Valley spineflower habitat, and increasing the number of bridges over tributaries rather than the use of culverts. This comment does not raise environmental issues not previously evaluated or addressed by the document. The comment also provides support for the Draft EIS/EIR's conclusion that Alternative 7 is the Environmentally Superior Alternative. For responsive information, please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 3

This comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7, such as reducing impacts to the Santa Clara River and its on-site tributaries. This comment does not raise environmental issues not previously evaluated or addressed by the document. The comment also provides support for the Draft EIS/EIR's conclusion that Alternative 7 is the Environmentally Superior Alternative. For responsive information, please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 4

The commentor states that the Draft EIS/EIR describes Alternative 7 as including two different quantities of residential units and area of commercial uses. For clarification, the Draft EIS/EIR evaluated impacts that would occur in two overlapping planning areas. One is the development that would occur on the entire Project site (*i.e.*, development on the Specific Plan site, Valencia Commerce Center (VCC) planning area, and Entrada planning area facilitated by the Spineflower Conservation Plan (SCP)), which under Alternative 7 would include 17,323 residential units and 3.82 million square feet of commercial uses. The VCC Planning area and the Entrada planning area, which are outside the Resource Management and Development Plan (RMDP) planning area, are included for purposes of developing the SCP, to be inclusive of all spineflower occurrences on Newhall land holdings. The second is the Newhall Ranch Specific Plan area development facilitated by the RMDP, which under Alternative 7 would include 16,471 residential units and 3.76 million square feet of commercial uses. For additional responsive information, please see the Final EIS/EIR, revised **Section 3.0**, Description of Alternatives.

Response 5

The comment expresses the opinion that the Corps and CDFG should limit their actions and permits to activities described within Draft EIS/EIR to Alternative 7. The comment will be included as part of the

record and made available to the decision makers prior to a final decision on the proposed Project. The comment does not raise any specific issues regarding the analysis provided by the Draft EIS/EIR; therefore, no additional response is provided.