RESOURCE CONSERVATION DISTRICT
OF THE
SANTA MONICA MOUNTAINS

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of the State of California

CLARK STEVENS
District Manager

August 25, 2009

California Department of Fish and
Newhall Ranch EIS/EIR Project Comments
c/o Dennis Bedford
4949 Viewridge Avenue
San Diego, CA 92123

RE: Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan

Mr. Bedford,

These comments on the Draft EIR/EIS for the Newhall Ranch Resource Management and Development Plan (RMDP) and Spineflower Conservation Plan (SCP) are provided on behalf of the Resource Conservation District of the Santa Monica Mountains. We thank the California Department of Fish and Game (CDFG) for the opportunity to comment on this RMDP and SCP. 1

The RCDSMM has previously expressed concern over the Newhall Ranch Specific Plan during pubic hearings and commenting periods, as it allows the largest development in the history of Los Angeles County to encroach upon 140 acres of floodplain, impacting numerous sensitive species and habitats, including riparian woodland along the Santa Clara River. The RMDP, as proposed by Alternative 2, would allow infrastructure improvements to support the build-out of the Newhall Ranch Specific Plan, Valencia Commerce Center (VCC), and Entrada planning areas. We do not believe this alternative was designed with the adequate measures needed to conserve this sensitive area, as outlined by local planning documents such as the *Santa Clara River Enhancement and Management Plan.* 2 3

We recommend that the environmentally superior alternative, Alternative 7, be chosen by the U.S. Army Corps of Engineers and the California Department of Fish and Game (CDFG) instead of the proposed Project (Alternative 2) because it minimizes ecological impacts to the Santa Clara River and its natural resources compared to the other alternatives. Alternative 7 limits the residential and commercial build out of the Newhall Ranch Specific Plan, does not authorize development within the biologically sensitive Valencia Commerce Center area, requires fewer culverts to be built, preserves more tributaries, and preserves the highest percentage of area occupied by the state-listed endangered San Fernando spineflower (*Chorizanthe parryi* ssp. *fernandina*). 4 5

Santa Clara River

The Santa Clara River is a high quality natural resource and the last unchannelized river in the County of Los Angeles, and thus has been a site of numerous studies that have led to management recommendations for preserving the sensitive habitats and associated species within its floodplain and corridor. 6

The entire reach of the river within Los Angeles County is a proposed Significant Ecological Area (SEA). The management recommendations for the proposed SEA include "limiting new developments to well outside the existing floodplain margins to reduce the necessity for further bank stabilization, and carefully review proposals for new or increased groundwater extraction to prevent overdrafting of the shallow aquifer supporting riparian habitat areas." 7

Management recommendations are also provided by the Santa Clara River Enhancement and Management Plan (SCREMP). This document provides guidance for the preservation, enhancement, and sustainability of the physical, biological, and economic resources that occur within the 500-year floodplain limits of the Santa Clara River main stem. The eight Riverwide Policies in the SCREMP were created to facilitate the conservation and enhancement of native species and habitats within the planning area. Not only does the SCREMP call for preservation of high quality riparian vegetation but also for maintaining current or better levels of fish passage in the active channels within the 500- year floodplain of the River. 8

Alternative 7 clearly reduces impacts to the River by constructing the bank stabilization outside the 100-year floodplain. 9 It would only allow one roadway bridge across the Santa Clara River located at Long Canyon Road. 10 The Potrero Canyon Road Bridge and the previously approved Commerce Center Drive Bridge would not be constructed under this alternative. Alternative 7 would also have the least amount of buried storm drains at 19,330 linear feet and many more preserved tributaries (201, 593 linear feet) compared to the other alternatives. 11 This is critical because several drainages, including the Middle Canyon and Magic Mountain Canyon drainages would be preserved and could continue to serve as regional wildlife connectivity corridors.

Wildlife

The river mainstem and its tributaries serve as wildlife corridors for a multitude of species that utilize riparian areas. The use of bridges instead of culverts as part of Alternative 7 has beneficial impacts on the terrestrial animals such as mule deer that will use the underpass of bridges more readily than narrow culverts for movement. 12

Southern steelhead trout (*Oncorhynchus mykiss*) depends on the Santa Clara River mainstem along with its associated riparian vegetation for cover, streambank stability, and habitat for insects and invertebrates upon which they feed. Although steelhead trout were not observed in the Santa Clara River or tributaries within the Newhall Specific Plan Area (project area) during focused surveys, the project has the potential to affect fish species and habitat downstream of the Project through hydrologic, geomorphic, or water quality alterations of the River. According to the report titled *Information Synthesis and priorities regarding steelhead trout (Onchorhynchus mykiss) on the Santa Clara River* (2004), urban expansion has led communities to build sewage treatment plants along the Santa Clara river, adding flood protection structures and effluent to the river. This secondary water source is often detrimental because it is often warmer than natural waters emerging from underground sources. Its temperature and high nutrient load encourages exotic species such as sunfish, carp, bullfrogs and African clawed frog, putting the native species, including the steelhead trout, at risk from competition and predation. 13

Selecting Alternative 7 would also be favorable to the southwestern pond turtle because it preserves the most refugia compared to the other alternatives. Upon examination of the biological resource impact maps, it is clear that potential wet and dry refugia for the southwestern pond turtle occur all along the reach of the Santa Clara River within the RMDP area. Surveys conducted within the RMDP area found that several individuals utilized the river corridor, particularly at Potrero Canyon because it supports adjacent uplands suitable for nesting and as a refuge for hatchling and juvenile pond turtles. 14

Oak Woodland Impact Analysis

The Climate Change section of the EIR/EIS inadequately analyzes the impacts of oak woodland conversion as required by the California Air Resources Control Board. While it does provide a calculation for a one-time emission of CO2e caused by the removal of existing vegetation, it does not answer the following questions:

- How much sequestered carbon dioxide will be released if the live trees over three inches or greater DBH (including roots), standing dead trees or downed woody debris are burned or otherwise disposed? 15
- How much potential carbon dioxide sequestration over the next 100 years will be lost as a result of the proposed conversion?
- How will the loss of the oak woodlands and the carbon sequestration they provide be mitigated?

In each woodland conversion project both the direct and indirect cumulative impacts associated with the loss of all trees over 3 inches in diameter, as well as woody debris and root mass need to be calculated.

The EIR/EIS also fails to discuss the ecosystem function and ecological services loss associated with the proposed impacts to oak woodlands for each of the project alternatives. Oak trees and woodlands provide substantial economic benefits that can be estimated and used to develop a cost/benefit analysis for each alternative. There are several strategies for assessing these economic values including:

- the accepted Council of Tree and Landscape Appraisers estimation of the value for each individual tree added together; 16
- equations that use programs such as Itree or STRATUM to determine the functional benefits provided by oaks in reducing stormwater runoff, mitigating air and water pollution, reducing temperatures, sequestering carbon and increasing property values; and,
- identifying non-use values such as recreational, aesthetic, cultural or social benefits of oak woodlands.

When oak woodlands are converted, the community at large must pay for the infrastructure needed to accomplish the ecosystem functions provided by the trees in perpetuity. Many communities (such as the City of Seattle) have discovered that the costs of building stormwater management systems far exceeds the cost of maintaining riparian buffer zones where natural vegetation reduces peak flooding, encourages groundwater infiltration, filters pollutants and enhances public open space recreational opportunities. 17

It is only when we can clearly identify and assess these cumulative economic, social and ecological benefits of oak woodlands based on clearly outlined comparisons of the current conditions to the proposed project that decision makers can honestly evaluate the best alternative for a project. We recommend that the total oak woodland value for each alternative be estimated as the sum of all Use Values, plus Non-use values, plus ecosystem function values. 18

Oak Woodland Mitigation

The Oak Resource Management Plan, as described in the EIR/EIS intends to create or enhance oak woodlands. In fact, there are no documented locations where oak woodland has been successfully created in Los Angeles County. The complex ecological interactions, from the soil microbes to the above ground biodiversity of oak woodlands are difficult to characterize, let alone reconstruct. The only way to realistically compensate for the loss of oak woodlands is to require either fee simple or conservation easement dedication of at least a 1:1 acquisition of comparable oak woodlands to be placed in the public trust and provided with sufficient endowment to allow for adaptive management over time. Simply planting 15 gallon seedlings does not begin to replace the myriad functions and inter-relationships found in even degraded oak woodland. 19

Planting oak seedlings fails to adequately replace the functions of mature oaks removed. It takes 30- 100 years to replace a 30-100 year old oak tree. In the meantime, all of the groundwater infiltration, air and water pollution reduction and wildlife benefits associated with mature trees are missing. Replacement plantings are a poor substitute for existing functional oak woodland. 20

Vegetation Communities

As proposed, Alternative 2 would effectively remove riparian, coastal scrub, chaparral, oak woodland, purple needlegrass, and California walnut woodland resulting in a 36% percent loss of vegetation communities. Conversely, Alternative 7 would result in only a 24% percent loss of existing communities. 21

When compared to the others, Alternative 7 would result in a smaller impact to bog and marsh, riparian and bottomland habitat. Alternative 7 would cause the permanent loss of only 0.7 acre of bog and marsh and 17 acres of riparian and bottomland habitats, compared to 13 acres of permanent loss of bog and marsh and 104 acres of permanent loss of riparian and bottomland habitat by the most damaging alternative. Alternatives 3-7 would also avoid impacts to one of the wetland sites, the cismontane alkali marsh in lower Potrero Canyon and the Potrero Canyon Saltgrass Wetland site, that would be impacted under Alternative 2. 22

The San Fernando spineflower would receive maximum avoidance of occupied habitat by Alternative 7. it would provide 661 acres of spineflower reserves and would protect 98.2% of the habitat currently occupied by the spineflower on site. Other sensitive plant species that would benefit from the selection of Alternative 7 include the slender mariposa lily (*Calochortus clavatus var. gracilis*) and everlasting (*Gnaphalium* sp. *nova*). Furthermore, the number of oak trees permanently impacted by Alternative 2 would be a total of 1,370 compared to 870 impacted by Alternative 7. 23

According to the EIR/EIS, “alternatives with relatively more culverts and fewer bridges are likely to have greater long-term effects on vegetation communities than alternatives with more bridges and correspondingly fewer culverts.” Alternative 2 would require the construction of 15 culverts in contrast to Alternative 7 which would require only a few. Instead of culverts, bridges would be constructed along with associated bank stabilization areas. Alternative 2 would have 393.9 acres of direct permanent impacts associated with the RMDP infrastructure, compared with 172.4 acres impacted by Alternative 7. Overall, Alternative 7 would reduce the impacts along the main stem of the Santa Clara River resulting in encroachment into riparian areas. 24

VCC Area

One of the main reasons we have selected Alternative 7 as the preferred one is that it does not allow development on the Valencia Commerce Center (VCC). This area contains an existing population of the endangered spineflower and nesting and foraging habitat for the federally threatened Least Bell's vireo (*Vireo bellii pusillus*). Development on this site would remove half of the existing vegetation (including up to 51 of the 79 oak trees). In addition, Castaic Creek would be channelized, removing riparian habitat and causing siltation of the downstream habitat due to grading and construction. 25 26

Overall, Alternatives 2 and 3 would result in the greatest level of habitat fragmentation and isolation because they include the development of the VCC planning area. Alternative 7 would have the least amount of habitat fragmentation and isolation within the general boundaries of the Project area. 27

Water Quality

The Project area contains several tributaries of the Santa Clara River, most of which would be impacted by Alternative 2. Although Alternative 7 would result in more linear feet of buried bank stabilization, it would also require fewer impacts overall to existing tributaries and the main stem of the river. Under Alternative 7, only the Long Canyon Road Bridge would be constructed and development in the Landmark Village and Homestead East Village areas would be built further away from the Santa Clara River corridor. 28

In addition, Alternative 7 would allow 4,414 fewer residential units and result in a 1.79 million square feet reduction in nonresidential uses within the Specific Plan area when compared to Alternative 2. This would likely reduce the negative water quality impacts expected as a result off runoff from the development areas and roadways for Alternative 2. As it is, sections of the Santa Clara River have been identified as an "impaired water body" by the Regional Water Quality Control Board. 29

These water quality impacts are a major concern for regulatory reasons and because the River provides aquatic, riparian, and terrestrial habitats for many species, including federally and state-listed endangered and threatened species such as the least Bell's vireo and the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). We recognize that long term and secondary environmental impacts will result from infrastructure improvements of Alternative 7. However, compared to Alternative 2 it has far fewer impacts due to the reduced development footprint on the Santa Clara River and its tributaries. 30 31

The RCDSMM, like many other local agencies and organizations in Los Angeles and Ventura counties, supports the protection and sustainability of one of the last natural rivers in Southern California. We also support and actively assist the efforts by the CDFG, U.S. Fish and Widlife Service and National Marine Fisheries Service to implement recovery strategies for the southern steelhead trout, southwestern pond turtle and tidewater goby. 32

Sincerely,

Sandra Albers
Conservation Biologist
Resource Conservation District of the Santa Monica Mountains

012. Letter from the Resource Conservation District of the Santa Monica Mountains (RCDSMM), dated August 25, 2009

Response 1

The comment is an introduction to comments that follow and no additional response is provided.

Response 2

The comment indicates that the Resource Conservation District of the Santa Monica Mountains (RCDSMM) has previously expressed concern regarding the Newhall Ranch Specific Plan. Please note that the Newhall Ranch Specific Plan was approved by Los Angeles County in 2003.

The comment also indicates that the proposed Project would encroach upon 140 acres of floodplain. The comment addressed a general subject area, which received extensive analysis in the Draft EIS/EIR, **Section 4.2**, Geomorphology and Riparian Resources; **Section 4.5**, Biological Resources; and **Section 4.6**, Jurisdictional Waters and Streams. Changes to the Santa Clara River floodplain area that would result from the proposed Project (Alternative 2) are summarized in **Table 4.1-7**, Changes in Floodplain Area, Alternative 2, of the Draft EIS/EIR. That table indicates that there are currently 1,407.6 acres on the Project site located within the 100-year floodplain, and that after the implementation of the proposed Project (Alternative 2), the area of the 100-year floodplain located on the Project site would encompass 1,283.8 acres, which is a reduction of 123.8 acres. For further responsive information, please see the U.S. Army Corps of Engineers' (Corps) draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

The comment also states that numerous sensitive species and habitats would be impacted by the Newhall Ranch Specific Plan. The comment addressed general subject areas that received extensive analysis in the Draft EIS/EIR, **Section 4.5**, Biological Resources. As the comment does not raise any specific issue regarding that analysis, no more specific response is provided. Project-related impacts to sensitive species and habitats associated with the Santa Clara River, including riparian woodland, were analyzed extensively in Draft EIS/EIR **Section 4.5**, Biological Resources, and **Section 4.6**, Jurisdictional Waters and Streams. The analysis provided by those sections indicates that Project-related impacts to riparian habitat would be reduced to a less-than-significant level with the implementation of proposed mitigation measures. These sections also conclude that impacts to most sensitive animal species that would result from the implementation of the proposed Project (Alternative 2) would also be reduced to a less-than-significant level with the implementation of proposed mitigation measures. The Draft EIS/EIR indicated that significant and unavoidable impacts to southwestern pond turtle habitat would occur under Alternative 2, but that impact would be reduced to a less-than-significant level under Alternatives 3-7. For further responsive information, please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 3

The comment express the opinion that the proposed Project (Alternative 2) is not designed with adequate measures to conserve biologically sensitive areas located on the Project site, as outlined by the Santa Clara River Enhancement and Management Plan. Please refer to **Response 8**, below, for additional information regarding the Project's consistency with the requirements of the Santa Clara River Enhancement and Management Plan. For further responsive information, please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 4

The comment recommends that Alternative 7 be chosen by the Corps and California Department of Fish and Game (CDFG) instead of the proposed Project (Alternative 2). Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project. However, because the comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, no additional response is provided.

Response 5

The comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7, which included limiting residential and commercial development on the Project site, increasing preservation of San Fernando Valley spineflower habitat, and increasing the number of bridges over tributaries rather than the use of culverts. Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project. However, because the comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, no additional response is provided.

Response 6

The comment provides background information related to previous studies prepared for the management of the Santa Clara River floodplain and corridor. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 7

The comment states that the entire reach of the Santa Clara River within Los Angeles County is a "proposed" Significant Ecological Area (SEA). As described in Draft EIS/EIR **Section 2.0**, Project Description, and depicted on **Figure 2.0-3**, the Newhall Ranch Specific Plan established, and the County's Board of Supervisors adopted, a 975-acre River Corridor Special Management Area (SMA) and Significant Ecological Area (River Corridor SMA/SEA 23) on the Project site. The proposed Resource Management and Development Plan (RMDP) includes the dedication of the River Corridor SMA/SEA 23 to the County of Los Angeles through a permanent, non-revocable conservation and public access easement, and the implementation of other management activities, such as the removal of grazing to

enhance riparian habitat and the rehabilitation of native habitat areas that have been disturbed by past activities or invaded by non-native plant species. Accordingly, the Newhall Ranch Specific Plan recognized the import of this SEA, and the RMDP includes various plan components that protect, rehabilitate, and enhance this SEA. For further responsive information, please refer to **Topical Response 11: River Corridor SMA/SEA 23 Consistency**. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project. However, because the comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, no additional response is provided.

Response 8

The comment states that "not only does the Santa Clara River Enhancement and Management Plan call for preservation of high quality riparian vegetation but also for maintaining current or better levels of fish passage in active channels within the 500-year floodplain of the River." Project-related impacts to riparian vegetation and fish passage were analyzed in the Draft EIS/EIR, **Section 4.2**, Geomorphology and Riparian Resources; **Section 4.5**, Biological Resources; and **Section 4.6**, Jurisdictional Waters and Streams. These analyses concluded that Project-related impacts would either not be significant or could be reduced to a less-than-significant level with the implementation of proposed mitigation measures. By reducing the Project's impacts to riparian resources and fish passage, the Project would be consistent with the Santa Clara River Enhancement and Management Plan objectives described by the commentor. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

With regard to the preservation of riparian habitat, the Draft EIS/EIR provided analysis of the Project's impacts to riparian resources. For example, **Section 4.2**, Geomorphology and Riparian Resources, evaluated impacts to riparian habitat that would result from the installation of infrastructure facilities identified by the proposed RMDP. The analysis of impacts to riparian resources included evaluations of potential effects resulting from erosion and downstream deposition, impacts to the geomorphic function of riparian areas, and construction and scour impacts to riparian vegetation and concluded that these impacts would be less than significant. In addition, both **Section 4.5,** Biological Resources, and **Section 4.6**, Jurisdictional Waters and Streams, included detailed mitigation for permanent impacts to CDFG jurisdictional riparian habitats in the Santa Clara River and tributary drainages. Please also see revised **Sections 4.2**, **4.5**, and **4.6** of the Final EIS/EIR.

With regard to maintaining and enhancing fish passage, the Draft EIS/EIR concluded that the proposed Project would have less-than-significant impacts to southern steelhead because steelhead are not expected to occur in the reach of the Santa Clara River within the Project boundary. As described in **Subsection 4.5.5.3**, Impacts to Special-Status Species, of the Draft EIS/EIR, quantitative habitat surveys of the Santa Clara River concluded that the Project reach channel has very low-gradient runs and riffles and is dominated by sandy substrate with little or no riparian canopy along the flowing stream (ENTRIX 2009). It is not expected that steelhead could successfully spawn in this reach due to inadequate substrate material (*e.g.*, lack of gravel for redd development) and sub-optimum water quality conditions related to wastewater outflows from upstream of the Project reach. The River habitat for steelhead also lacks requisite channel structure and pool habitat necessary to support rearing. If steelhead could migrate into the Project reach, this species would face significant challenges in successfully completing its life history cycle due to poor instream river habitat conditions and the absence of perennial tributary habitat for spawning and rearing. In addition, a recognized, natural barrier to fish migration within the Santa Clara

River exists downstream of the Project area and upstream of the Piru Creek confluence in the form of an ephemeral reach of the River that is referred to as the "Dry Gap." The Dry Gap consists of an area downstream of the Los Angeles County/Ventura County line where surface flows in the River are lost to the Piru groundwater basin. Additionally, the National Marine Fisheries Service (NMFS) has indicated that the Santa Clara River basin upstream of the Piru Creek confluence is unlikely to be occupied by or accessible to steelhead (Lecky 2000). Therefore, the analysis of southern steelhead in the Draft EIS/EIR was conducted under the assumption that the steelhead and its habitat are not present in the Project area.

With regard to the other special-status fish species documented or with at least some potential to occur in the Project area (unarmored threespine stickleback, arroyo chub, Santa Ana sucker), the Draft EIS/EIR analyzed the potential effects of the proposed Project, including physical impediments to fish passage and alteration of floodplains and channels. (see **Subsection 4.5.5.3**, Impacts to Special-Status Species). The analysis addressed the potential for impacts to fish resulting from the alteration of natural stream flow patterns, physical impediments to fish passage, alteration of floodplains and channels, and increased sedimentation. Long-term effects to habitat quality for the special-status fish, as well as other aquatic and semi-aquatic species, include alterations in base flows; timing and duration of flood flows; biochemical changes; condition and composition of the substrate; aquatic and riparian vegetation (including exotic species); water temperatures; increased pollutants from irrigation runoff; and increased runoff from roadways.

Subsection 4.5.5.3, Impacts to Special-Status Species, of the Draft EIS/EIR provides a "Mitigation Strategy and Summary" to avoid, reduce, and minimize short-term effects on habitat related to construction and long-term secondary effects for each of the special-status fish species. The full text of the "Mitigation Strategy and Summary" for the unarmored threespine stickleback, for example, is found on pages 4.5-685 through 4.5-687 of the Draft EIS/EIR. Similar mitigation strategies are provided for the arroyo chub and Santa Ana sucker.

For further responsive information, please refer to revised **Section 4.5** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 9

The comment states that Alternative 7 would reduce impacts to the Santa Clara River because bank stabilization would be located outside the 100-year floodplain. The Draft EIS/EIR also indicated that Alternative 7 would result in reduced impacts to biological resources. For example, **Table 5.0-5**, Comparison of Alternatives, indicated that Alternative 7 would have "Much Less Impact Compared to the proposed Project." Please see (Revised) **Table 5.0-5** in **Section 5.0** of the Final EIS/EIR. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 10

The comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7 regarding the number of bridges over the Santa Clara River. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The

comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 11

The comment summarizes information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7, such as the amount of buried storm drain that would be provided on the Project site and preservation of the Middle Canyon and Magic Mountain Canyon drainages. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

With regard to the comment that Middle Canyon and Magic Mountain Canyon are regional wildlife connectivity corridors, **Subsection 4.5.3.4.7.1**, Wildlife Habitat Connectivity, of the Draft EIS/EIR described these two canyons as tributary wildlife corridors that currently likely are used by most of the high and moderate mobility species for movement throughout the Project area, but that are also subject to anthropogenic disturbances, such as cattle grazing, agriculture, and film production activities. These canyons are not considered to function as regional habitat linkages, as identified by Penrod et al. (2006), but rather serve local wildlife movement. As described in **Subsection 4.5.5.2.4.3,** under Alternative 7, development in Middle Canyon would be minimized. Magic Mountain Canyon would be constrained under Alternative 7, but not completely developed, as shown in **Figure 4.5-45**. For further responsive information, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**; and the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 12

Subsection 4.5.3.4.7, Wildlife Habitat Connectivity, of the Draft EIR/EIS identifies the Santa Clara River and tributaries as important movement corridors for a variety of plants and wildlife. The Draft EIR/EIS provided a detailed discussion regarding wildlife passage and evaluates the ecological effects of bridges, culverts, and other physical barriers to wildlife movement. The Draft EIR/EIS does indicate that for many species of wildlife, including mule deer, movement is less restricted when animals are required to cross areas spanned by bridges rather than culverts because bridges have a higher "openness factor." (The openness factor (or index) is a structural variable used as a measurement of ambient light in a structure and was calculated by the following equation: width times height divided by length (in meters) (Reed *et al.* 1975).) The analysis presented in **Subsection 4.5.5.2.4**, Impacts to Wildlife Movement and Habitat Connectivity, of the Draft EIR/EIS evaluates the impacts of the proposed Project and Alternatives on wildlife movement. This analysis determined that impacts to wildlife movement resulting from development in and around local wildlife corridors would be significant absent mitigation, but that impacts to habitat landscape habitat linkages and wildlife crossings would be adverse, but not significant. Impacts to wildlife corridors would be mitigated to less than significant levels with dedication of the River Corridor SMA, High County SMA, and Salt Creek area per mitigation measures SP-4.6-23, SP-4.6-37, and BIO-19, respectively, and additional mitigation measures, including SP-4.6-1 through SP-4.6-17, SP-4.6-21, SP-4.6-22, SP-4.6-25 through SP-4.6-26, SP-4.6-29 through SP-4.6-32, SP-4.6-36, SP-4.6-38 through SP-4.6-42, SP-4.6-56, SP-4.6-63, BIO-1 through BIO-16, BIO-19 through BIO-21, BIO-59, BIO-

63, BIO-69, BIO-73, BIO-72, BIO-85, and BIO-87. Although wildlife would be less affected under Alternative 7, each of the Alternatives proposed in the EIR/EIS contain bridges and culverts to some degree. Under Alternative 7 the development footprint would be smaller and fewer impacts to movement corridors would occur. For a detailed discussion of wildlife movement, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

The comment regarding beneficial impacts to terrestrial animals 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 13

The commentor indicates that the proposed Project has the potential to impact fish species and habitat downstream of the Project area through hydrologic, geomorphic, or water quality and or water temperature alterations. The commentor cites a report entitled *Information Synthesis and Priorities Regarding Steelhead Trout (Onchorhychus mykiss) on the Santa Clara River* (2004) and lists some potential adverse impacts of secondary water sources, such as facilitating exotic species such as sunfish, carp, bullfrogs, and African clawed frog, which are potential threats to native species

The southern steelhead is not expected to occur in the Project area, as discussed above in **Comment 8**.

Impacts of the WRP discharge on surface water beneficial uses were addressed in **Section 4.4**, Water Quality, of the Draft EIS/EIR, specifically related to the existing Water Reclamation Plant (WRP) National Pollutant Discharge Elimination System (NPDES) permit requirements and effluent limitations, including temperature and other water quality parameters.

Potential impacts to fish habitat downstream of the Project area following build-out of the Specific Plan were also evaluated in **Subsection 4.5.5.3**, Impacts to Special-Status Species, of the Draft EIR/EIS. The Draft EIR/EIS determined that the physical changes to the River corridor and surrounding watershed from implementation of the proposed Project or Alternatives that could affect steelhead and other fish species or their habitat downstream of the Project through short- or long-term hydrologic, geomorphic, or water quality alterations of the River would be considered less than significant. Discharges from the proposed Newhall Ranch WRP to the Santa Clara River would occur during the winter months. Based on an analysis of post-development conditions within the Dry Gap (GSI Water Solutions 2008), it was determined that the future WRP discharge would not affect the seasonality (i.e., ephemeral nature) of flows through the Dry Gap; therefore, the impact would be less than significant. In addition, these potential changes in hydrology are not substantial and steelhead migration downstream of the Dry Gap would not be affected. Long term effects associated with operation of RMDP facilities and build-out of the Project would not result in physical changes in the River. The Draft EIS/EIR determined that there would be no significant impacts to water flows, velocities, depth, sedimentation, or floodplain and channel conditions downstream of the Project area over the long term as a result of the proposed Project (PACE 2009; included in Draft EIS/EIR **Section 4.2,** Geomorphology and Riparian Resources). Therefore, potential impacts to steelhead and other special-status fish habitat downstream would be considered less than significant.

Secondary impacts associated with increased human presence include changes that could result in conditions that favor exotic predators, such as bullfrogs and non-native fish that prey on special-status

fish such as the unarmored threespine stickleback and arroyo chub. The Draft EIS/EIR concluded that these secondary impacts would be significant absent mitigation, and would be reduced to less than significant levels with the implementation of Mitigation Measure BIO-80, which states that the Project applicant shall retain a qualified biologist to develop and implement an Eradication Plan for bullfrog, African clawed frog, and crayfish. Additional mitigation measures would be implemented to protect special-status fish from secondary effects, including habitat degradation due to water quality impacts, scour and sedimentation, non-native invasive plants, increased human activity, and pet, stray, and feral cats and dogs. The measures include SP-4.6-1 through SP-4.6-27, SP-4.6-44, SP-4.6-54, SP-4.6-55, SP-4.6-58, SP-4.6-63, BIO-1 through BIO-16, BIO-45, BIO-47 through BIO-49, BIO-63, BIO-70, BIO-71, BIO-73 WQ-1, and GRR-1 through GRR-7. These measures require that the Project applicant and/or a Natural Lands Management Organization (NLMO) maintain and monitor water detention facilities, enhance riparian resources, and conduct removal actions for exotic species. Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 14

The commentor indicates that Alternative 7 would be favorable to southwestern pond turtle because it preserves more refugia than the other alternatives.

Subsection 4.5.5.3, Impacts to Special-Status Species, of the Draft EIS/EIR provided a discussion of the potential impacts of the proposed Project and Alternatives to southwestern pond turtle. As described in the Draft EIS/EIR, the analysis concluded that the lower Potrero Canyon is an important nesting and refuge area for juvenile pond turtle. Construction of the proposed Project (Alternative 2) would result in the loss of important breeding and nursery areas and restrict pond turtle movement between lower Potrero Canyon and the Santa Clara River floodplain. Therefore, the Draft EIS/EIR concluded that the impacts to southwestern pond turtle under the proposed Project would be significant and unavoidable, due to the construction of the Potrero Canyon Road Bridge. However, under Alternatives 3 through 7, impacts to the southwestern pond turtle would be mitigated to a level less than significant because use of lower Potrero Canyon would be less affected, and use of and movement between Potrero Canyon and the Santa Clara River would not be precluded under these Alternatives. Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 15

The comment questions the adequacy of the analysis of oak woodland conversion impacts in **Section 8.0**, Global Climate Change, of the Draft EIS/EIR. The comment requests information regarding carbon sequestration release, loss, and mitigation.

To preface, **Section 8.0** contained detailed calculations of the greenhouse gas emissions associated with land use changes on the Project site for the proposed Project and each of its alternatives. The referenced analysis calculated the positive and negative greenhouse gas emissions associated with vegetation removal and re-vegetation of the Project site. Relevant excerpts from that analysis are presented below:

> "In order to calculate the one-time release of GHGs due to changes in carbon sequestration capacity, a four step methodology, based on IPCC guidelines, was utilized: (1) identify and quantify the various land types that will change due to the development; (2) estimate the biomass associated with each land type; (3) calculate CO_2e emissions

> from the net change of vegetation; and (4) calculate the overall change in sequestered CO_2e. To simplify, the difference between the total predevelopment sequestered CO_2e and the post-development sequestered CO_2e is the one-time CO_2e released from clearing the vegetation.
>
> Several assumptions were utilized in quantifying the emissions resulting from land use/vegetation changes. First, the IPCC provides default annual CO_2e sequestration rates on a per tree basis. The numbers given are for 10 *likely* species classes in urban areas, and range from a high of 0.052 tonne CO_2e per year in hardwood maple to a low of 0.012 tonne CO_2e /year in Juniper trees. Alternatively, an average of 0.035 tonne CO_2e /year per tree can be assumed if the tree type is not known. Because the tree types that will be planted on the Project area are not known at this time, the 0.035 tonne CO_2e /year per tree rate was utilized.
>
> Second, urban trees are only net carbon sinks when they are actively growing, and the IPCC assumes an active growing period of 20 years. Thereafter, the accumulation of carbon in biomass slows with age, and is offset completely by losses from clipping, pruning and occasional death. Further, actual active growing periods are subject to, among other things, species type, climate regime, and planting density. Trees also may be replaced at the end of the 20-year cycle, which would result in additional years of carbon sequestration. However, this replacement would be offset by the potential net release of carbon from the removal of the replaced tree."

(Draft EIS/EIR, **Subsection 8.5.2.1.1**, RMDP Direct/Indirect Impacts, pp. 8.0-31-8.0-32; see also **Appendix 8.0**, "Climate Change Technical Report" (February 2009), pp. 4-7--10.) Therefore, contrary to the comment's suggestion, the global climate change analysis in the Draft EIS/EIR quantitatively accounted for carbon sequestration-related emissions. Please also see revised **Section 8.0**, Global Climate Change, of the Final EIS/EIR.

The comment specifically asks how much sequestered carbon dioxide would be released if live trees, standing dead trees, or downed woody debris are burned or otherwise disposed. ENVIRON's "Climate Change Technical Report" (see **Appendix 8.0**), on which the Draft EIS/EIR section is based, addressed this issue by stating that downed wood is assumed to be returned to CO_2:

> "When vegetation is removed, it may undergo biodegradation, or it may be combusted. Either pathway results in carbon (C) present in the plants being combined with oxygen (O_2) to form CO_2."

(**Appendix 8.0**, "Climate Change Technical Report" (February 2009), pp. 4-8-4-9.) The total biomass consists of above-ground and below-ground organic matter, and each land type's biomass is reported in tonne of dry matter biomass per acre. (*Id*. at p. 4-8, fn. 58.) As illustrated in further detail in the table below, the greenhouse gas emissions associated with the proposed Project's modifications to the existing land use conditions follow:

Change in Sequestered CO_2			
RMDP Direct	**Specific Plan Area**	**VCC Area**	**Entrada Area**
9,523 tonnes	33,895 tonnes	0	1,570 tonnes

(Please see **Appendix 8.0**, "Climate Change Technical Report" (February 2009), Tables 4-2-A through 4-2-F and Table 4-4 for further detail regarding the carbon sequestration emissions associated with the proposed Project and Project alternatives.)

The comment also requests information regarding the potential carbon sequestration loss over the next 100 years resulting from the proposed land use conversion. The "Climate Change Technical Report" presents, as a single aggregate 'one-time' value, all emissions over time (*e.g.*, 100 years) for all vegetation change. The report presents a 'one-time' value in an effort to more clearly disclose *total* Project emissions instead of speculatively disaggregating the final total number over the several years that it actually takes to remove and dispose of vegetation. The Intergovernmental Panel on Climate Change's (IPCC) guidelines state that mature forests are at a general steady-state in terms of carbon sequestration; the analysis, therefore, assumes that all mature land types (*i.e.*, at least 20 years old) are at a steady-state. In other words, after some period of time, forests stop sequestering additional carbon; the total quantity of carbon sequestered then remains stable. (See IPCC, "Guidelines for National Greenhouse Gas Inventories," Vol. 4 (Agriculture, Forestry and Other Land Uses) (2006), p. 4.29, available at http://www.ipcc-nggip.iges.or.jp/public/2006gl/vol4.html; see also The World Resource Institute, "Land Use, Land-Use Change, and Forestry Guidance for GHG Project Accounting" (October 2006), available at http://www.wri.org/publication/land-use-land-use-change-and-forestry-guidance-greenhouse-gas-project-accounting. Both references are incorporated by reference.) Therefore, the one-time emissions reported in **Section 8.0** are equal to the sum total of 100-year emissions.

With respect to the comment's statement regarding the mitigation of carbon sequestration loss, please note that the Project site would be extensively re-vegetated, thereby minimizing sequestration losses. For example, during build-out of the Specific Plan area, it is estimated that roughly 35,000 new trees would be planted. (Draft EIS/EIR, **Subsection 8.5.2.1.1**, RMDP Direct/Indirect Impacts, p. 8.0-32.) Relatedly, **Section 4.5**, Biological Resources, of the Draft EIS/EIR (see pages 4.5-433-4.5-447, 4.5-470-4.5-473) addresses impacts to oak woodland communities on an acreage basis. While the proposed Project is expected to result in the permanent loss of 95 acres and the temporary removal of 1.4 acres of oak woodland communities, implementation of the recommended mitigation measures would reduce all impacts to oak woodland species to less-than-significant levels. These measures include the creation, enhancement, and/or restoration of oak woodland vegetation communities, as well as the dedication and preservation of large areas of natural lands intended to off-set the permanent removal of riparian vegetation. The dedicated areas also would be managed for the preservation and enhancement of natural communities.

Response 16

The commentor indicates that the Draft EIS/EIR does not discuss the ecosystem and ecological impacts associated with oak woodland conversion. The commentor also states that the economic benefits of oak trees and oak woodlands can be used in developing a cost/benefit analysis for each Project alternative, including the use of the following economic valuation methods: (a) the sum of tree values derived from

the Council of Tree and Landscape Appraisers estimation methodology; (b) equations that use programs such as i-Tree or STRATUM to determine the functional benefits provided by oaks; and (c) identification of non-use values such as recreational, aesthetic, cultural, or social benefits of oak woodlands.

Section 4.5.5.2.3.2 of the Draft EIS/EIR, Biological Resources, provided discussions of impacts to vegetation communities and land covers, including impacts to oak woodland communities and proposed mitigation to reduce impact significance. Impacts to oak woodlands in the context of oak trees are addressed in Draft EIS/EIR **Section 4.5.5.2.3.5**, Impacts to Special-status Plants, and in **Section 4.5.5.3**, Impacts to Special-Status Species, under oak trees and oak-leaved nemophila. Impacts to oak woodland communities in the context as wildlife habitat are also addressed in Draft EIS/EIR **Sections 4.5.5.2.3.4**, Impacts to Common Wildlife; and **Section 4.5.5.3**, Impacts to Special-Status Species, under a variety of special-status wildlife species, such as raptors, oak titmouse, white-tailed kite, *etc*. The primary focus of oak woodland impact mitigation is dedication of mitigation lands in the High Country, SMA, Salt Creek SMA and River Corridor SMA. Oak tree replacement is proposed as further mitigation of these impacts. Used as an index of habitat availability, the preservation of over 93% of the oak woodlands on site through open space dedication (High Country SMA, Salt Creek area, and River Corridor SMA) not only preserves individual trees but also large, connected expanses of oak woodlands. The protected woodlands would continue to provide habitat, forage, and connectivity for wildlife and retain other woodland functions such as protection of water and air quality, aesthetics, and CO_2 reduction. Please also see revised **Section 4.5** of the Final EIS/EIR.

Developing an economic cost/benefit analysis for each Project alternative, as suggested by the commentor, is not a requirement under CEQA or NEPA. Specifically, Section 15131 of the CEQA Guidelines states that the "economic or social effects of a project shall not be treated as significant effects on the environment," and under NEPA, "the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis." (40 C.F.R. § 1502.23). Furthermore, the valuation methodologies referenced by the commentor (the Council of Tree and Landscape Appraisers estimation methodology, i-Tree, and STATUM) are techniques and tools primarily designed for urban forest management or landscape tree evaluation and were not developed for evaluating native oak trees in woodland settings or the economic value of natural woodland habitat.

Response 17

The commentor discusses general connections between riparian systems and ecosystem functions, e.g., their positive effect on stormwater management, including reductions in peak flooding, groundwater infiltration, pollutant filtration, and enhancement of public open space recreational opportunities. The CDFG and the Corps recognize the importance of floodplain buffers and their ecological role in reducing storm water discharge and filtering pollutants. As designed the proposed project and alternatives includes a variety of infrastructure Project Design Features (PDFs) and other infrastructure that would reduce, minimize, and avoid impacts to water quality. These features include but are not limited to extended detention basins, bioretention areas, vegetated swales, and filtration devices. The Draft EIR/EIS considered the application of these measures as effective for treating pollutants of concern identified in the California Stormwater Association Stormwater BMP Handbook for New Development and Redevelopment. In addition, under the proposed Project large, areas of riparian vegetation would be conserved through the River Corridor SMA, Salt Creek SMA, and High Country SMA. Regarding the maintenance of flood plain areas the Draft EIR/EIS determined that there would be no significant impacts to water flows, velocities, depth, sedimentation, or floodplain and channel conditions downstream of the

Project area over the long term as a result of the proposed Project (see Draft EIS/EIR **Section 4.2**, Geomorphology and Riparian Resources). These hydrologic effects were also found to be insufficient to alter the amount, location, and nature of aquatic and riparian habitats within the Project area and downstream into Ventura County. Please also see revised **Section 4.2** of the Final EIS/EIR.

The County of Los Angeles Department of Public Works (DPW) requires specific stormwater management and flood control improvements related to the subdivision approval process, including specifications for long-term maintenance by DPW or other appropriate entities.

Response 18

The commentor recommends that the Draft EIS/EIR estimate total oak woodland value for each alternative as the sum of all use values, plus non-use values, plus ecosystem function values.

As stated in **Comment 16**, "economic or social effects of a project shall not be treated as significant effects on the environment" (CEQA Guidelines Section 15131; 40 C.F.R. § 1508.14.) However, analysis in the Draft EIS/EIR provided a detailed comparison of impacts to oak woodlands and preservation totals, by Project alternative, and provides mitigation for oak woodland impacts through avoidance, preservation, and restoration. The applicant would implement several mitigation measures to avoid, minimize, and mitigate impacts to individual oak trees and their associated habitat. The proposed mitigation encompassed a three-part strategy that incorporates (1) planting replacement trees, per the requirements of CLAOTO and previously incorporated measure SP-4.6-48; (2) additional replacement ratios recommended in this EIS/EIR for impacts to oak trees and oak woodlands where they occur within stream channels falling under CDFG and Corps jurisdiction, per 1600 and 404 (BIO-2); and (3) additional measures recommended in this EIS/EIR for tree replacement or woodland restoration/enhancement to mitigate for oak trees and woodland occurring in uplands outside CDFG and Corps jurisdiction (BIO-22). General procedures to avoid and minimize impacts to oak trees during construction would be implemented and a qualified biologist would be present during construction in order to avoid inadvertent impacts to biological resources outside of the grading area, further reducing impacts to the species. For further responsive information, please see revised **Section 4.5** of the Final EIS/EIR.

Response 19

The commentor states that the Project Oak Resources Management Plan intends to create or enhance oak woodlands and indicates that no documented locations exist where oak woodland has been successfully created in Los Angeles County. The commentor also states that compensation for oak woodland impacts is only realistic via fee simple or conservation easement dedication of at least a 1:1 acquisition of comparable oak woodlands to be placed in the public trust and provided with sufficient endowment to allow for adaptive management over time and that planting 15-gallon trees does not provide adequate mitigation.

Mitigation of project impacts to oak trees and oak woodlands would be achieved primarily through dedication and long-term conservation management of mitigation lands in the High Country, SMA, Salt Creek SMA and River Corridor SMA, to be funded through an endowment, as recommended by the commentor. More than 93% of the oak woodlands acres throughout the project area would be set aside as conservation lands; 7% of the oak woodlands acres would be impacted. These mitigation strategies would

be more effective than the 1:1 ratio (i.e., 50%) for conservation of comparable oak woodlands proposed by the commentor.

In compliance with the County of Los Angeles Oak Tree Ordinance (CLATO; Los Angeles County Code Chapter 22.56, Part 16), oak tree replacement would be required as further mitigation of these impacts. CLATO specifies planting 15-gallon replacement trees (at ratios specified in the ordinance). Further, the Draft EIR/EIS includes additional mitigation requirements for replacement of oak woodlands occurring in state-jurisdictional streambeds (BIO-2) and uplands (BIO-22b and 22c). These mitigation measures would require preparation and implementation of an Oak Resource Management Plan to create or enhance woodlands, including descriptions of "target" woodland conditions and specific performance standards to evaluate success at replacement or enhancement sites. For further responsive information, please see revised **Section 4.5** of the Final EIS/EIR.

Mitigation measures in the Draft EIS/EIR include performance standards and success criteria for enhancement or restoration sites (e.g., absence of active manipulation by irrigation, planting, or re-seeding for a minimum of three years prior to evaluation for successful completion; cover and species richness to be evaluated based on target vegetation described in the woodland creation or enhancement plan; oak tree densities (numbers / acre); cover and species richness of other native shrubs; and maximum allowable abundance of non-native species).

Although the science and practice of ecological restoration is still developing, successful completion of woodland enhancement or restoration as evaluated by performance standards in the draft EIS/EIR, is technically feasible based on present state of the practice.

Any oak woodland creation efforts rely primarily on oak tree planting and establishment, of which there are numerous examples in Los Angeles County, most notably the mitigation efforts at Sunshine Canyon Landfill. Another local example is the Santa Barbara County Oak Restoration Program 1994-2005 (www.biogeog.ucsb.edu/projects/oak/oak.html).

Response 20

The commentor states that planting of oak seedlings fails to adequately replace the functions of impacted mature oak trees and that a 30- to 100-year timeline is required to replace an oak tree that is 30 to 100 years old. The commentor further states that benefits of oaks, including groundwater infiltration, air and water pollution reduction, and wildlife benefits, remain missing while newly planted trees are being established and that replacement plantings are a poor substitute for existing oak woodland.

As noted in **Comment 19**, the primary mitigation strategy for oak resource impacts is the permanent preservation of approximately 93% of the existing oak woodlands acres on-site through open space dedications. Oak tree planting proposed for the Project is merely one component of the overall oak woodland mitigation strategy. Furthermore, oak tree planting is identified as one of the primary oak woodland mitigation measures under CEQA (Public Resources Code, Section 21083.4) in addition to conservation, monetary contributions to the Oak Woodlands Conservation Fund, or other measures developed by the County (in this case, the County of Los Angeles Oak Tree Ordinance). While benefits associated with oak trees and woodlands are lost when trees are impacted, significant long-term benefits are gained as a result of the permanent preservation and enhancement and management of significant

acreages of contiguous oak woodland habitat in the High Country SMA, Salt Creek area, and River Corridor SMA, as well as in non-developed portions of the Project area.

Response 21

The comment restates information contained in the Draft EIS/EIR related to the potential impact of Alternatives 2 and 7 on existing vegetation communities.

The impacts to riparian habitat would be mitigated to less than significant under Alternatives 2 through 7, through replacement of riparian habitat at specified ratios (see Mitigation Measure BIO-2) and the direct and indirect impacts to coastal scrub, chaparral and oak woodland would be mitigated to less than significant under Alternatives 2 through 7, by preservation of the River Corridor SMA, High County SMA and Salt Creek area, through SP-4.6-23, SP-4.6-37, and BIO-19, respectively, and required restoration and enhancement mitigation in each of these sites. Please note that neither the proposed Project nor any of the Project alternatives would result in direct or indirect impacts to native grassland (purple needlegrass) or California walnut woodland vegetation communities, although individual trees outside woodland areas would be impacted. In addition, the Draft EIS/EIR provides mitigation measures that would reduce secondary impacts to purple needlegrass and California walnut woodland vegetation communities to a less-than-significant level. (See Draft EIS/EIR, pp. 4.5-447 through 4.5-551 [purple needlegrass], and pp. 4.5-452 through 4.5-456 [California walnut woodland].) For further responsive information, please see revised **Section 4.5** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 22

The comment restates information contained in the Draft EIS/EIR related to the impacts of the proposed Project and Alternatives 3-7. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The impacts to each of these habitat types will be considered by decision makers prior to a final decision on the proposed Project. The comment will be included as part of the record and made available to decision makers.

Response 23

The comment restates information contained in the Draft EIS/EIR related to the impacts of the proposed Project and Alternative 7. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. Although the comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, it will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project. The impacts to each of these species under the various alternatives will be considered before any final decision is made.

Response 24

The comment restates information contained in the Draft EIS/EIR related to the impacts of the proposed Project and Alternative 7. Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 25

The comment summarizes RCDSMM's recommendation that Alternative 7 be selected by the Corps and CDFG based, in part, on the fact that Alternative 7 would preclude build-out of the Valencia Commerce Center. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project. It should be noted that the Valencia Commerce Center (VCC) would not be developed under Alternatives 4, 5, 6, and 7 because the establishment of a spineflower preserve in this Project area would preclude build-out of the VCC project as previously approved by Los Angeles County.

Response 26

The comment restates information contained in the Draft EIS/EIR related to the impacts of the VCC component of the proposed Project.

Impacts to San Fernando Valley spineflower individuals were analyzed for the entire Project area, including spineflower individuals on the VCC site (see Figures 5-10, **Appendix 1**, Spineflower Conservation Plan). Please also see the revised Spineflower Conservation Plan found in **Appendix F1.0** of the Final EIS/EIR. Across the proposed Newhall Ranch Project area the impacts to San Fernando Valley spineflower individuals would be reduced to less than significant under Alternatives 3 through 7.

As described in **Subsection 4.5.5.3**, Impacts to Special-Status Species, of the Draft EIR/EIR, impacts to least Bell's vireo habitat will be reduced to less than significant under Alternatives 2 through 7 through restoration, resulting in increased riparian habitat. BIO-1 through BIO-16 include requirements for the development of conceptual wetlands mitigation plans (including planting palettes, assessment of functions and values, mitigation ratios, monitoring methods, success criteria, corrective measures, *etc.*) for the revegetation, restoration, and/or enhancement of the riparian areas within the Project site. BIO-2 in particular sets forth CDFG jurisdictional permanent impact mitigation ratios to be implemented for permanent loss of vireo nesting/foraging habitat, including southern cottonwood-willow riparian forest, southern willow scrub, arrow weed scrub, and mulefat scrub. The mitigation ratios for permanent impacts are based on both the vegetation community type and the score that a portion or the Santa Clara River or tributary achieved using the Hybrid Assessment of Riparian Communities (HARC) method. BIO-55, as a supplement to BIO-2 through BIO-16, requires additional habitat mitigation through replacement or enhancement of nesting/foraging habitat for least Bell's vireo for certain key habitat zones at higher ratios (identified as "key population areas" in **Figure 4.5-86** of the Draft EIS/EIR).

Please see the previous **Responses 12-21** regarding oak woodland mitigation. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 27

The comment restates information contained in the Draft EIS/EIR related to the impacts of the VCC component of the proposed Project. As previous noted, Alternative 4, 5, 6 and 7 would not permit construction of the proposed VCC development. The comment does not address the adequacy of the

environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 28

The comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7 when compared to the proposed Project (Alternative 2). The lead agencies value the attributes provided by the tributaries to the Santa Clara River and will carefully consider impacts in making a final decision on the Project. Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. Although the comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, it will be included as part of the record and made available to decision makers.

Response 29

The comment restates information contained in the Draft EIS/EIR related to the development characteristics of Alternative 7 when compared to the proposed Project (Alternative 2). The water quality impacts of the proposed Project (Alternative 2) and each of the alternatives to the Project (Alternatives 3-7) received extensive analysis in Draft EIS/EIR, **Section 4.4**, Water Quality. That analysis concluded that the significant water quality impacts of the proposed Project and each of the alternatives could be reduced to a less-than-significant level with the implementation of proposed mitigation measures. In addition, the water quality impacts of each alternative were compared in Draft EIS/EIR, **Section 5.0**, Alternatives Comparison. As indicated on **Table 5.0-5**, Comparison of Alternatives, the significance of the water quality impacts of Alternative 7 would be the same as the impacts of the proposed Project. Please also see revised **Sections 4.4** and **5.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 30

The comment states that water quality impacts are a "major concern" because the Santa Clara River provides habitat for many species. The water quality impacts of the proposed Project (Alternative 2) and each of the alternatives to the Project (Alternatives 3-7) received extensive analysis in Draft EIS/EIR, **Section 4.4**, Water Quality. That analysis concluded that the significant water quality impacts of the proposed Project and each of the alternatives could be reduced to a less-than-significant level with the implementation of proposed mitigation measures, such that the proposed Project would:

- Not violate any water quality standards or waste discharge requirements;
- Not create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and,
- Not otherwise substantially degrade water quality.

In addition, water quality impacts to biological resources resulting from the proposed Project were evaluated in Draft EIS/EIR, **Section 4.5**, Biological Resources, starting on page 4.5-360. That analysis indicated that:

> "The Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan (Geosyntec 2008) summarizes the water quality PDFs that would be incorporated into the Project under all of the alternatives to meet all relevant federal, state, and local regulations and policies (see **Subsection 4.4.3.1**, Regulatory Setting). These PDFs include site design, source control, and treatment control BMPs incorporated into the Project to effectively manage wet-weather and dry-weather water quality by limiting or managing pollutant sources. Site design and source control BMPs are practices implemented to minimize runoff and the introduction of pollutants in stormwater runoff. Treatment controls are implemented to remove pollutants once they have been mobilized by runoff."

Therefore, the water quality impacts of the Project would not be significant and would not result in significant impacts to species such as the least Bell's vireo and the unarmored threespine stickleback. Further, as mentioned in **Response 29** above, the water quality impacts of each alternative would be the same as the proposed Project. (See Draft EIS/EIR **Table 5.0-5**, Comparison of Alternatives.) Please also see revised **Sections 4.4** and **5.0** of the Final EIS/EIR. The comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 31

The comment restates information contained in the Draft EIS/EIR that indicates the impacts of Alternative 7 would be reduced, as a general matter (though not across all environment impact categories), when compared to the impacts of the proposed Project (Alternative 2). (See Draft EIS/EIR **Table 5.0-5**, Comparison of Alternatives.) Please also see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.

Response 32

The comment provides information indicating that the RCDSMM supports the protection and sustainability of the Santa Clara River and sensitive species located on the Project site and in the Project region. Please see the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. The comment does not address the adequacy of the environmental review provided by the Draft EIS/EIR, but will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.