Friends of the Santa Clara River
660 Randy Drive Newbury Park, California 91320 (805) 498-4323

June 11, 2009

California Department of Fish and Game
Newhall Ranch EIS/EIR Project Comments
c/o Dennis Bedford
4949 Viewridge Avenue
San Diego, CA 92123
Informational Line: 866-395-4299
Fax: (858) 467-4299
E-mail: newhallranch@dfg.ca.gov

Re Newhall Ranch Resource Management and Development Plan (RMDP) and the Spineflower Conservation Plan(SCP) Environmental Impact Report/Environmental Impact Report (EIS/IEIR)

Dear Mr. Bedford

Friends of the Santa Clara River offer the following comments and our compliments on the thoroughness of the preparation of this document.

1. We believe it is vital that the comment period be extended by preferably 120 days and at least 60 days, to allow completion of expert comments. Friends are now obtaining comments from qualified professionals. The size of the document and issues to be analyzed lead us to request this extension. Since the EIS/EIR preparation process has already consumed nearly 5 years, we believe the extra time for public comment is more than reasonable. 1
2. In the Final EIS/EIR the criteria for selecting the preferred alternative should be thoroughly explained. For example, if an alternative meets a substantial portion of the applicant's objectives and reduces impacts to biological resources by 15 to 25 %, what factors would not make it the preferred alternative? 2
3. It appears that mitigation is relied on heavily in the EIS/EIR to reduce most impacts to less than significant for nearly all alternatives. We suggest a very skeptical attitude regarding mitigation, which has not worked out well for the NRMP (Valencia Natural Resource Management Plan) and 3

in many cases has proven to be quite inadequate in practice, particularly for wetlands mitigation (See Ambrose, et al, *An Evaluation of Compensatory Mitigation Projects Permitted Under the Clean Water Act Section 404 by the Los Angeles Regional Water Quality Control Board 1991-2002*. Department of Environmental Health Sciences , UCLA, 2004). See also attached letter to CDFG Director Robert Hight May 20, 2002. Mitigation, in light of the corporate financial health of the applicant, needs to be considered with this same attitude of skepticism. We stress a desire to avoid the failures of the NRMP. 3

4. We note that only Alternatives 6 and 7 provide less impact to biological resources (15-25%) than the proposed project. Therefore, in Table 5.0-8, we question the conclusion that Alternatives 3, 4, and 5, which provide only slightly less impact than the proposed project, would have "Impacts less than significant after incorporation of EIS/EIR mitigation". 4

5. We strongly urge that the recommendations in Chapter III of the California Floodplain Management Task Force (December, 2002) be evaluated and adopted in this EIS/EIR. In particular, the recommendations relating to Multi-Objective Management of Section 15 and the ecosystem protection approaches, including non-structural approaches, of Sections 16 and 17 should be incorporated as part of overall project floodplain management objectives. Section 17 ends with this language: "In planning new or upgraded floodwater management programs and projects, including structural projects, local and State agencies should, where appropriate, encourage nonstructural approaches and conservation of the beneficial uses and functions of floodplains." 5

6. Though we do not recommend deferring negative impacts to mitigation elsewhere we believe it is important to keep in mind the applicant's ownership of some 16,000 acres of agricultural land in Ventura County and we offer these comments; 6

A. If the 500 year floodplain is encroached upon in this project, we request that a significant multiple of floodplain acreage should be conserved on the applicant's Ventura County land. 7

B. Changes in hydrology through the project area could impact down stream flow conditions and sediment transport. Narrowing the floodplain will increase the potential for downstream flooding. Those impacts should be considered and mitigated by protection of the floodplain down stream of the project area on Newhall land. If we do not they will be "pushed" downstream when the Ventura site is developed. Eventually adjacent property owners and the taxpayers in Ventura will have to address these impacts if they are not permanently mitigated on the applicant's land. 8

C. Newhall Ranch contains the largest and healthiest stream and riparian habitat remaining on the Santa Clara River. The preferred project alternative will impact much of this irreplaceable habitat. The EIS/EIR should mitigate this by requiring protection of the downstream floodplain and creation of new wetlands in the agricultural fields. 9

D. Many riparian and river dependent species can not survive on a narrow sliver of protected river channel. They need a wide riparian buffer and connection to adjacent upland areas. The Newhall ranch project is one of a very few locations on the river where this condition remains. Development of the project will eliminate much of this critical 10

"micro" habitat connectivity. Again protection of downstream habitat and creation of new habitat adjacent to it is the only possible mitigation if the project is to proceed. 10

E This key wildlife connection will only function with the protection and conservation of the applicant's Ventura County property. That protection should be established now. (This property is one among the top 15 critical wildlife corridors in Southern California which is prominently cited in South Coast Wildlands Project's Missing Linkages Study: Wildlands of the Santa Clara Watershed released June, 2006 and South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion March, 2008 11
http://www.scwildlands.org/reports.aspx
These comments are not intended to imply that the Newhall Ranch project should not be modified to reduce its impacts. They assume there will be impacts that can not be adequately addressed on the project site.

We will be amending these brief comments to reflect the information we receive from our consultants who are currently in the process of document review. 12

We sincerely thank you for your attention to our concerns and invite any discussion of our comments that may lead to improving conservation of the natural resources of this Santa Clara River watershed area.

Sincerely,

Barbara Wampole

Barbara Wampole
Vice chair of Friends of the Santa Clara River
For Ron Bottorff,
Chair, Friends of the Santa Clara River

033. Letter from Friends of the Santa Clara River (Barbara Wampole, Vice Chair), dated June 11, 2009

Response 1

The comment requests additional time to review and comment on the Draft EIS/EIR. In response to this and other comments, the public review period for the Draft EIS/EIR was extended. Please refer to **Topical Response 1: EIS/EIR Public Review Opportunities** regarding the additional time provided to review the Draft EIS/EIR. The comment does not raise any specific issue regarding the environmental analysis provided in the Draft EIS/EIR; therefore, no more specific response can be provided. However, 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.

Response 2

Based on the comment's reference to a 15-25 percent reduction in impacts to biological resources, it appears the comment is asking why Alternative 7 was not selected as the preferred alternative. To clarify, the California Environmental Quality Act (CEQA) does not require that an EIR identify a "preferred alternative;" instead, it requires identification of an environmentally superior alternative, as explained below. Additionally, the National Environmental Policy Act (NEPA) does not require identification of the federal agency's "preferred alternative" in the Draft EIS. As explained below, the U.S. Army Corps of Engineers (Corps) will identify its preferred alternative in the Final EIS/EIR.

In accordance with the requirements of the State CEQA Guidelines, section 15126.6, subdivision (e)(2), **Subsection 5.10** of the Draft EIS/EIR identified the environmentally superior project alternative. The section states:

> "CEQA requires the identification of an environmentally superior alternative. The determination of an environmentally superior alternative is based on consideration of how the alternative either avoids or reduces significant impacts to the environment. Because Alternative 1 (the "No Action/No Project" alternative) would involve no development on the Project site, thereby avoiding all potential impacts of the proposed Project, this alternative would be the environmentally superior alternative.
>
> Section 15126.6, subdivision (e)(2), of the State CEQA Guidelines states that, "[i]f the environmentally superior alternative is the no Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Among the other alternatives, Alternative 7 is considered the environmentally superior alternative because it would result in the lowest level of environmental impacts across the majority of environmental resource categories. The relative impacts of all seven alternatives are presented in **Table 5.0-1**. This table illustrates that Alternative 7 has the lowest level of environmental impact in nearly all of the environmental resource categories." (Draft EIS/EIR, pp . 5.0-55 and 5.0-57.)

As indicated by the text excerpted above, the Draft EIS/EIR identified Alternative 7 as the environmentally superior alternative for CEQA purposes based on all of the environmental resource areas analyzed in the Draft EIS/EIR, not just those of biological resources.

In regard to the NEPA requirement to identify a preferred alternative, the Corps' preferred alternative is the alternative which the Corps believes would fulfill its statutory mission and responsibilities giving consideration to economic, environmental, technical and other factors. (See Council on Environmental Quality (CEQ) Forty Questions, ceq.hss.doe.gov/nepa/regs/40/40p3.htm). **Subsection 5.11** of the Draft EIS/EIR states:

> "The Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 C.F.R. § 1502.14, subd. (e)) require that a draft EIS identify the lead agency's preferred alternative or alternatives, if one or more exists. The Corps has not yet identified a preferred alternative among the alternatives evaluated; and, therefore, no preferred alternative is identified in this Draft EIS/EIR. A preferred alternative will be selected following receipt and consideration of public comments on this EIS/EIR, and will be identified in the Final EIS/EIR as required by the CEQ regulations." (Draft EIS/EIR, p. 5.0-57.)

As required by NEPA, the Corps' preferred alternative is identified in the Final EIS/EIR in **Subsection 5.12**. The Corps' Record of Decision (ROD) will also identify an environmentally preferable alternative, which is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources. 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.

Response 3

The comment states that the Natural River Management Plan (NRMP) mitigation has not been successful and is skeptical that mitigation, particularly wetlands mitigation, is effective, citing Ambrose *et al.* (2004).

The Corps and California Department of Fish and Game (CDFG) are satisfied that the NRMP mitigation program (also known as the Mitigation Monitoring and Reporting Program (MMRP)) is functioning and progressing as intended. Please see **Topical Response 3: Natural River Management Plan Projects and Mitigation** regarding mitigation compliance. Please note that the 2004 study by Ambrose, *et al*. reviewed 55 section 401 permits within the Los Angeles region during the period from 1991 to 2002 and included only one project authorized under the NRMP permit (Avenue Scott), which was in the second year of a five-year implementation and monitoring program. Subsequent to the Ambrose, *et al.* study, the Avenue Scott project received confirmation of mitigation completion by the Corps and CDFG.

The Draft EIS/EIR also considered how existing mitigation strategies in the region have not achieved the proposed or expected success criteria in some areas. In order to mitigate lost functions and values to riparian resources the Draft EIS/EIR proposed a suite of mitigation measures that included the preservation of existing habitat and the enhancement or creation of new habitat. These measures were determined by the Draft EIS/EIR to adequately mitigate impacts to these resources.

Subsection 4.5.5 of the Draft EIS/EIR describes the existing conditions that occur within the Santa Clara River. Impacts to riparian and wetland vegetation from the proposed Project and each Alternative were evaluated in **Subsection 4.5.5.2.3.2** of the Draft EIS/EIR. The Draft EIS/EIR concluded that these

impacts would be significant absent mitigation. In order to mitigate project impacts in accordance with Corps and CDFG policies, which emphasize on-site mitigation where possible, the mitigation for impacts to riparian habitat will be conducted on site through creation and enhancement activities that are designed to replace the habitat functions and services/values of riparian vegetation. In addition, the applicant would preserve and dedicate in perpetuity existing natural lands supporting riparian and wetland vegetation in the River Corridor Special Management Area (SMA) and Salt Creek area. The Draft EIS/EIR concluded that with the mitigation measures proposed impacts of the proposed Project and alternatives would be reduced to less-than-significant levels.

The Draft EIS/EIR also evaluated potential impacts to wetlands in **Section 4.6**, Jurisdictional Waters and Streams, and concluded that impacts would be less than significant with mitigation for Alternatives 2-7. Mitigation Measures SW-2, SW-3, SW-4, SW-5 and BIO-2 would ensure the preservation and/or restoration of wetlands functions and services. Further, using the "Hybrid Assessment of Riparian Condition" (HARC) model described in **Section 4.6**, the Corps evaluated the relative functional quality of existing jurisdictional waters, and would repeat this evaluation following Project implementation. Additionally, the proposed Resource Management and Development Plan (RMDP) mitigation plan is subject to approval by the Corps and CDFG. Mitigation requirements will be satisfied through the creation, restoration, and enhancement of native vegetation communities pursuant to Mitigation Measures BIO-1, and BIO-3 through BIO-18, which establish standards for restoration of riparian habitat, and revised Mitigation Measure BIO-2, which establishes standards for the expansion of riparian habitat to compensate for temporal loss of habitat functions and values, as set forth in both the Draft and Final EIS/EIR **Section 4.5**.

Please also see the Clean Water Act draft 404(b)(1) alternatives analysis, included in **Appendix F1.0** of the Final EIS/EIR.

The comment also cites an attached 2002 letter to CDFG. In regard to that letter, please refer to the responses prepared to the letter from Audubon Society, California Native Plant Society, Center for Biological Diversity, Friends of the Santa Clara River, and SCOPE, dated May 11, 2002 (Letter 034), and **Topical Response 3: Natural River Management Plan Projects and Mitigation**.

With respect to the comment regarding the financial health of the applicant, please refer to **Topical Response 2: Bankruptcy-Related Comments**.

Response 4

The comment states that only Alternatives 6 and 7 result in less impacts to biological resources than the proposed Project and questions the conclusion that Alternatives 3, 4, and 5 would have a less-than-significant impact after incorporation of the identified mitigation measures.

The comment addresses general subject areas, which received analysis in **Section 4.5**, Biological Resources, of the Draft EIS/EIR. The conclusion that impacts would be "less than significant after incorporation of EIS/EIR mitigation" is based on the analysis in that section, which evaluated impacts using specific thresholds. Where the analysis found that a particular impact did not trigger the threshold, the EIS/EIR concluded that the impact was less than significant. Comparing the impacts to biological resources from Alternative 2 (proposed Project) to Alternatives 3, 4, and 5, the analysis demonstrated that the impacts of Alternative 2 would trigger the significance threshold for three species and that mitigation

could not reduce the level of significance below the threshold. Therefore, the evaluation of impacts to biological resources provided in the Draft EIS/EIR determined that the proposed Project (Alternative 2) would result in significant and unavoidable impacts to San Fernando Valley spineflower, southwestern pond turtle, and Sam Emigdio blue butterfly. By contrast, under Alternatives 3, 4, and 5 (as well as Alternatives 6 and 7) each of the significant unavoidable impacts that would result with the implementation of the proposed Project would be reduced to a less-than-significant level with the implementation of proposed mitigation measures. As a result, Alternatives 3, 4, and 5 would not result in any significant and unavoidable impacts to biological resources.

Response 5

The comment urges the proposed Project to incorporate several recommendations contained in Chapter III of the California Floodplain Management Task Force's Final Recommendations Report (Report, December 2002).

Although not specifically stated in the Draft EIS/EIR, the proposed Project is largely consistent with the recommendations of Sections 15, 16, and 17 of Chapter III of the Report, as recommended by the comment. The proposed Project would generally comply with Section 15, which recommends flood management as part of multi-objective watershed management. Where feasible, projects should provide adequate protection for natural, recreational, residential, business, economic agricultural and cultural resources and protect water quality and supply.

The proposed Project would be consistent with this recommended management strategy because the proposed Project would implement a multi-disciplinary approach to designing RMDP infrastructure, including consideration of factors such as biology, land use, geology, topography, hydrology, soils, and infrastructure. By incorporating design considerations and resource preservation methods, the proposed Project would result in a conservation strategy to allow for development of the Specific Plan in a way that avoids or minimizes significant impacts on waters, jurisdictional streams and drainages, and sensitive biological resources.

Consistent with the multi-objective management approach, the proposed Project would implement resource conservation, mitigation, and long-term management of sensitive biological resources on the proposed Project site throughout build-out of the Newhall Ranch Specific Plan. The RMDP component of the proposed Project is intended to build on the Newhall Ranch Specific Plan's previously adopted Resource Management Plan, which provided the initial framework for resource management within the Specific Plan area. The previously adopted Resource Management Plan set forth mitigation and monitoring standards for sensitive biological resources located within the Specific Plan area and established standards governing public access, recreational use, management, and ownership of the River Corridor SMA/Significant Ecological Area (SEA) 23, the High Country SMA/SEA 20, and the Open Area portions of the Specific Plan area. The Salt Creek area, adjacent to the westerly boundary of the Specific Plan site, also would be managed in conjunction with and in the same manner as the High Country SMA/SEA 20. With the exception of maximizing opportunities for agricultural conservation, the RMDP component of the proposed Project is also consistent with Section 16 of Chapter III of the Report. The recommendations of Section 16 along with the measures incorporated into the proposed Project are outlined below:

- **Recommendation: Conserve productive agricultural land and natural habitat:** The proposed Project would result in a significant impact related to the conversion of agricultural soils that have been designated prime farmland, unique farmland, or farmland of statewide importance. (See Draft EIS/EIR, **Section 4.12**, Agricultural Resources.) The conversion of agricultural lands to nonagricultural uses to implement the Specific Plan was previously approved by Los Angeles County, and a Statement of Overriding Considerations was adopted for the significant agricultural soil conversion impact. The feasibility of implementing additional mitigation measures for this significant impact is evaluated in **Section 4.12** of the Draft EIS/EIR.

The design of the proposed Project considered factors such as biology, land use, geology, topography, hydrology, soils, and infrastructure. By incorporating design considerations and resource preservation methods, the RMDP would provide a conservation strategy to allow for development of the Specific Plan in a way that avoids or reduces the Specific Plan's significant impacts on waters, jurisdictional streams and drainages, and sensitive biological resources. The RMDP would establish a system of open space preserves through a dedication process that would set aside and preserve land in the High Country SMA/SEA 20, River Corridor SMA/SEA 23 and Salt Creek area. The RMDP also proposes mitigation and management activities to address the significant impacts on jurisdictional waters/drainages and sensitive biological resources resulting from the Specific Plan. The impacts and mitigation and management measures identified in the RMDP are discussed in both Section 7.0 of the RMDP and **Section 4.5**, Biological Resources, of the Draft EIS/EIR.

- **Promote the recovery and stability of agriculture:** See response above.

- **Promote the recovery and stability of native species populations, and overall biotic community diversity:** The RMDP proposes mitigation and management activities to address the impacts on jurisdictional waters/drainages and sensitive biological resources resulting from the Specific Plan. The impacts and mitigation and management measures identified in the RMDP are discussed in both Section 7.0 of the RMDP and **Section 4.5**, Biological Resources, of the Draft EIS/EIR. Similarly, the Spineflower Conservation Plan (SCP) seeks to further the long-term persistence and enhancement of the San Fernando Valley spineflower.

- **Provide for natural, dynamic hydrologic, and geomorphic processes: Section 4.1**, Surface Water Hydrology and Flood Control, and **Section 4.2**, Geomorphology and Riparian Resources, of the Draft EIS/EIR include an analysis of the existing and proposed changes to hydrology and geomorphology of the Santa Clara River and its tributaries, and the associated riparian resources within and outside of the Project site, that may be impacted as a result of the proposed Project and alternatives. The analyses conclude that impacts to hydrologic processes would be less than significant as a result of the proposed Project and impacts to geomorphic processes would be less than significant with mitigation.

- **Increase and improve the quantity, diversity, and connectivity of native habitat:** The RMDP proposes mitigation and management activities to address impacts on jurisdictional waters/drainages and sensitive biological resources resulting from the Specific Plan. The impacts and mitigation and management measures identified in the RMDP are discussed in both Section 7.0 of the RMDP and **Section 4.5**, Biological Resources, of the Draft EIS/EIR. Impacts to jurisdictional streams and the waters of the United States within the Project area are also analyzed in **Section 4.6**, Jurisdictional Waters and Streams, of the Draft EIS/EIR. The analysis concludes

that due to a combination of the proposed enhancement of existing riparian zones and creation of new jurisdictional areas, Alternatives 3-7 analyzed in the Draft EIS/EIR would result in a net improvement in the riparian condition, as measured by the HARC, of on-site resources. This includes improvements in the quantity, diversity, and connectivity of native habitat within the riparian corridor. In addition, the Draft Least Environmentally Damaging Project Alternative (Draft LEDPA), as described in the Final EIR (**Appendix F1.0**) would also result in an increase in the HARC score when compared to existing conditions. The RMDP would also establish a system of preserves that would establish conservation lands in the High Country SMA/SEA 20, River Corridor SMA/SEA 23 and Salt Creek area. Analysis in **Section 4.5** also determined that impacts to wildlife movement and habitat connectivity would be less than significant with mitigation. Please see **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings** for additional discussion of wildlife movement.

- **Eliminate or mitigate negative redirected impacts to neighboring landowners:** The analyses included in **Section 4.1**, Surface Water Hydrology and Flood Control, and **Section 4.2**, Geomorphology and Riparian Resources, of the Draft EIS/EIR conclude that no downstream effects would occur; as such, there would be no negative redirected impacts to neighboring landowners.

- **Evaluate and address economic impacts to local communities and regions: Section 4.19**, Socioeconomics and Environmental Justice, of the Draft EIS/EIR analyzes the potential economic impacts resulting from the proposed Project. The analysis concludes that no economic impacts would occur as a result of the proposed Project.

Section 17 of Chapter III of the report recommends that "in planning new or upgraded floodwater management programs and projects, including structural projects, local and State agencies should, where appropriate, encourage nonstructural approaches and the conservation of the beneficial uses and functions of floodplains. It is recognized that some structural approaches provide needed flood protection and opportunities for agricultural conservation and ecosystem protection and restoration." Accordingly, the proposed Project utilizes innovative techniques to meet the requirements of flood control while maintaining the natural resources within the Santa Clara River. Traditional flood control techniques in use within Los Angeles County rely upon reinforced concrete or grouted rock rip-rap to minimize erosion while maximizing the volume of flood flows carried by the drainage. In contrast, the Conceptual Backbone Drainage Plan (Drainage Plan) of the Newhall Ranch Specific Plan provides drainage and flood control protection to developed uses while preserving the Santa Clara River as a natural resource. The Drainage Plan utilizes several generalized criteria that are to be implemented by projects that develop within the Specific Plan Area. The primary criteria are as follows:

- Flood corridor must allow for the passage of Los Angeles County Capital Flood Flow without the permanent removal of natural river vegetation (except at bridge crossings) (Draft EIS/EIR, Mitigation Measure HY-3 (a);

- The banks of the Santa Clara River will generally be established outside of the "waters of the United States" as defined by federal laws and regulations and as determined by the delineation completed by the United States Army Corps of Engineers (Corps) in August 1993 (Draft EIS/EIR, Mitigation Measure HY-3 (b);

- Where the Corps delineation width is insufficient to contain the Capital Flood flow, the flood corridor will be widened by an amount sufficient to carry the Capital Flood flow without the necessity of permanently removing vegetation or significantly increasing velocity (Draft EIS/EIR, Mitigation Measure HY-3 (c); and,

- Soil cement will occur only where necessary to protect against erosion adjacent to the proposed development. Where existing bluffs are determined to be stable and there is no adjacent proposed development, no bank protection will be built (Draft EIS/EIR, Mitigation Measure HY-3 (d).

The County's Capital Flood is characterized as a theoretical four-day storm event occurring right after the watershed has been burned with the resulting flow rate being increased again by a bulking factor, thereby yielding a peak flow rate that is greater than a 50-year storm over an unburned-unbulked drainage basin. The probability of all of the theoretical assumptions identified in the County's capital flood occurring at the same time is extremely small, and yields greater design flows than the National Flood Insurance Program (NFIP), a component of the Federal Emergency Management Agency (FEMA), methodology for calculating the 100-year flood. For example, as shown on **Table A** provided below, under existing conditions a 100-year storm results in flows in the Santa Clara River of 62,190 cubic feet per second (cfs), and capital flood results in flows of 174,200 cfs. The data from the PACE 2008 analysis and from Section 2.3 of the Newhall Ranch Additional Analysis (Table A) for the referenced downstream reach are presented in the tables below:

Average Hydraulic Parameters In The Santa Clara River For The Reach Downstream Of The Project Site (Located At A Point Approximately Four Miles Downstream Of Project Site, Within Ventura County [HEC-RAS River Station-to-Station 3080-1000]) (PACE, 2008)

Alt. No.	Max Depth (ft)	Avg. Velocity (fps)	Friction Slope (ft/ft)	Area (sq.ft)	Top Width (ft)	Total Shear (psf)
2-Year Storm Event						
Existing	3.1	4.4	0.0050	652.2	360.9	0.77
Alt. 2	3.1	4.4	0.0050	652.3	361.0	0.77
Delta	0	0	0	0.1	0.1	0
5-year Storm Event						
Existing	5.6	5.7	0.0049	1691.7	504.0	1.44
Alt. 2	5.6	5.7	0.0049	1692.0	504.8	1.44
Delta	0	0	0	0.3	0.8	0
10-Year Storm Event						
Existing	7.4	5.7	0.0049	2974.1	666.5	1.89
Alt. 2	7.4	5.7	0.0049	3009.8	666.4	1.92
Delta	0	0	0	35.7	-0.1	0.3
20-Year Storm Event						
Existing	9.2	6.3	0.0048	4407.3	800.4	1.99
Alt. 2	9.2	6.3	0.0048	4407.3	800.4	1.99
Delta	0	0	0	0	0	0
50-Year Storm Event						
Existing	11.6	7.0	0.0047	6658.2	968.5	2.32

Average Hydraulic Parameters In The Santa Clara River For The Reach Downstream Of The Project Site (Located At A Point Approximately Four Miles Downstream Of Project Site, Within Ventura County [HEC-RAS River Station-to-Station 3080-1000]) (PACE, 2008)						
Alt. No.	**Max Depth (ft)**	**Avg. Velocity (fps)**	**Friction Slope (ft/ft)**	**Area (sq.ft)**	**Top Width (ft)**	**Total Shear (psf)**
Alt. 2	11.7	6.9	0.0048	6774.3	970.5	2.39
Delta	0.1	-0.1	0.0001	116.1	2.0	0.07
100-Year Storm Event						
Existing	13.5	7.7	0.0046	8495.0	1053.7	2.66
Alt. 2	13.6	7.6	0.0047	8722.3	1056.0	2.85
Delta	0.1	-0.1	0.0001	227.3	2.3	0.19

The data provided in the Average Hydraulic Parameters table above depicts the change in hydraulic parameters within the entire reach from the Ventura County line to the cross-section located four miles downstream of the Ventura County line. The following table addresses the changes at the specific point four miles downstream of the County line.

Table A: Hydraulic Parameters (With Dissipation Downstream Of County Line) In Santa Clara River For The Cross-Section Located Approximately Four Miles Downstream Of Project Site, Within Ventura County [HEC-RAS River Station 1000]) (Sikand, July 14, 2000)										
Discharge Frequency	**Existing Q Total (cfs)**	**Proposed Q Total (cfs)**	**Change in Q (cfs)**	**Existing Velocity (ft/s)**	**Proposed Velocity (ft/s)**	**Velocity Increase (ft)**	**Existing Depth (ft)**	**Proposed Depth (ft)**	**Depth Increase (ft)**	**Slope (ft/ft)**
2-Year	2700	2700	0	4.59	4.59	0	1.51	1.51	0	0.004
5-Year	8800	8800	0	6.84	6.84	0	3.04	3.04	0	
10-Year	15975	15975	0	8.41	8.41	0	4.33	4.33	0	
20-Year	25815	25815	0	9.94	9.94	0	5.74	5.74	0	
50-Year	43950	43950	0	11.47	11.47	0	8.05	8.05	0	
100-Year	62190	62190	0	13	13	0	9.66	9.66	0	
Capital Q	174200	174400	200	21.79	21.79	0	14.26	14.27	0.01	

Since the Project would be designed to meet Los Angeles County flood protection requirements and flows associated with the capital flood, proposed drainage facilities would be more than adequate to accommodate storm flows associated with a reasonably foreseeable flood event.

The Drainage Plan includes the use of buried bank stabilization where necessary to protect against erosion, except at specific locations discussed in **Section 2.0**, Project Description, of the Draft EIS/EIR. Buried bank stabilization is a modern flood control technique used to protect against erosion while maintaining natural vegetation and soft banks. Areas that would be disturbed to install buried bank stabilization would be revegetated with native plant species to maintain natural habitat presently found along the River. As described above, Alternatives 3-7 and the Draft LEDPA would result in an increase in the overall function of riparian zones and jurisdictional area (*i.e.*, an increase in HARC score), which would be consistent with the objectives of Section 17 of Chapter III of the report to retain beneficial uses and functions of floodplain areas.

As discussed above, the design of the proposed Project generally followed the approach recommended by the California Floodplain Management Task Force in Chapter III, Sections 15 through 17. Analysis in the Draft EIS/EIR concluded that the proposed Project would result in less-than-significant impacts to hydrologic processes, and impacts to geomorphic processes would be less than significant with mitigation, therefore, additional modifications to address floodwater management are not necessary. 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.

Response 6

This comment is an introduction to comments that follow, addressing off-site mitigation strategies involving downstream areas in Ventura County. Responses to these comments are provided below in **Responses 7 through 11**.

Response 7

The comment recommends the implementation of off-site mitigation for encroachments into the 500-year floodplain area by proposed Project development. This comment does not specify what impacts would be reduced by preserving downstream floodplain areas; however, based on the issues raised in **Comment 8**, it is assumed that the comment is referring to hydrology-related impacts.

As indicated by **Response 8**, below, the proposed Project's on- and off-site hydrology-related impacts would be reduced to a less-than-significant level with the implementation of proposed project design features and recommended mitigation measures. Since the proposed project design and mitigation measures reduce the Project's impacts to a less-than-significant level, further mitigation is not required. (State CEQA Guidelines § 15126.4, subd. (a)(3).) In addition, there is not a sufficient "nexus" or direct connection between the proposed Project's impacts and the recommended off-site mitigation measure for the Draft EIS/EIR to require implementation of the suggested off-site mitigation. (State CEQA Guidelines, § 15041, subd. (a), § 15126.4, subd. (a)(3)(A).) 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.

Response 8

The comment states that changes in hydrology throughout the Project area could adversely impact downstream areas, particularly within Ventura County. The assertion appears to be based in part on the commentor's belief that the proposed Project would narrow the floodplain in the Project area.

As shown in **Table 4.1-7**, the proposed Project would slightly increase the floodplain area for 2-year and 5 year flood events; and would decrease the floodplain area for 10, 20, 50, and 100-year flood events. However, site discharge during capital storms would not result in upstream or downstream flooding (Draft EIS/EIR p. 4.1-2). The environmental analyses provided in **Section 4.1**, Surface Water Hydrology and Flood Control, and **Section 4.2**, Geomorphology and Riparian Resources, of the Draft EIS/EIR concluded that there would be no downstream flooding or sediment transport impacts as such effects would be mitigated on site. Specifically, the analysis in **Section 4.1** used HEC-RAS model results to determine the floodplain area and hydraulic parameters for existing conditions and conditions following Project implementation. Regarding flows, the model was used to evaluate existing and post-Project conditions in the Santa Clara River for the 2-, 5-, 10-, 20-, 50-, and 100-year flow events. A comprehensive summary of the model results is provided in PACE Floodplain Hydraulics Impacts

Assessment for the Santa Clara River (PACE 2008). The model results indicate that there would be minimal if any change in maximum depth, average velocity, friction slope, top width, area and total shear from existing conditions at a location approximately four miles downstream of the Project boundary (or four miles downstream of the Los Angeles County/Ventura County line). In addition, the Draft EIS/EIR incorporates by reference the previously certified Newhall Ranch environmental documentation. The HEC-RAS analysis included in Section 2.3 of the Newhall Ranch Revised Additional Analysis (ISI 2003) also considered flows to a point approximately four miles downstream of the Project site (four miles downstream of the Los Angeles County/Ventura County jurisdictional boundary line). The data from the PACE 2008 analysis and from Section 2.3 of the Newhall Ranch Additional Analysis (Table A) for the referenced downstream reach are presented in the tables below:

Average Hydraulic Parameters In The Santa Clara River For The Reach Downstream Of The Project Site (Located At A Point Approximately Four Miles Downstream Of Project Site, Within Ventura County [HEC-RAS River Station-to-Station 3080-1000]) (PACE, 2008)

Alt. No.	Max Depth (ft)	Avg. Velocity (fps)	Friction Slope (ft/ft)	Area (sq.ft)	Top Width (ft)	Total Shear (psf)
2-Year Storm Event						
Existing	3.1	4.4	0.0050	652.2	360.9	0.77
Alt. 2	3.1	4.4	0.0050	652.3	361.0	0.77
Delta	0	0	0	0.1	0.1	0
5-year Storm Event						
Existing	5.6	5.7	0.0049	1691.7	504.0	1.44
Alt. 2	5.6	5.7	0.0049	1692.0	504.8	1.44
Delta	0	0	0	0.3	0.8	0
10-Year Storm Event						
Existing	7.4	5.7	0.0049	2974.1	666.5	1.89
Alt. 2	7.4	5.7	0.0049	3009.8	666.4	1.92
Delta	0	0	0	35.7	-0.1	0.3
20-Year Storm Event						
Existing	9.2	6.3	0.0048	4407.3	800.4	1.99
Alt. 2	9.2	6.3	0.0048	4407.3	800.4	1.99
Delta	0	0	0	0	0	0
50-Year Storm Event						
Existing	11.6	7.0	0.0047	6658.2	968.5	2.32
Alt. 2	11.7	6.9	0.0048	6774.3	970.5	2.39
Delta	0.1	-0.1	0.0001	116.1	2.0	0.07
100-Year Storm Event						
Existing	13.5	7.7	0.0046	8495.0	1053.7	2.66
Alt. 2	13.6	7.6	0.0047	8722.3	1056.0	2.85
Delta	0.1	-0.1	0.0001	227.3	2.3	0.19

The data provided in the Average Hydraulic Parameters table above depicts the change in hydraulic parameters within the entire reach from the Ventura County line to the cross-section located four miles

downstream of the Ventura County line. The following table addresses the changes at the specific point four miles downstream of the County line.

Table A: Hydraulic Parameters (With Dissipation Downstream Of County Line) In Santa Clara River For The Cross-Section Located Approximately Four Miles Downstream Of Project Site, Within Ventura County [HEC-RAS River Station 1000]) (Sikand, July 14, 2000)

Discharge Frequency	Existing Q Total (cfs)	Proposed Q Total (cfs)	Change in Q (cfs)	Existing Velocity (ft/s)	Proposed Velocity (ft/s)	Velocity Increase (ft)	Existing Depth (ft)	Proposed Depth (ft)	Depth Increase (ft)	Slope (ft/ft)
2-Year	2700	2700	0	4.59	4.59	0	1.51	1.51	0	0.004
5-Year	8800	8800	0	6.84	6.84	0	3.04	3.04	0	
10-Year	15975	15975	0	8.41	8.41	0	4.33	4.33	0	
20-Year	25815	25815	0	9.94	9.94	0	5.74	5.74	0	
50-Year	43950	43950	0	11.47	11.47	0	8.05	8.05	0	
100-Year	62190	62190	0	13	13	0	9.66	9.66	0	
Capital Q	174200	174400	200	21.79	21.79	0	14.26	14.27	0.01	

Regarding downstream sediment transport, the analysis provided in **Section 4.2** of the Draft EIS/EIR concluded that there would be no significant changes in local patterns of sediment deposition and erosion. To minimize erosion, erosion resistant materials such as concrete, soil cement or secured rip-rap would be used according to the standards, criteria, and specifications developed by the Los Angeles County Department of Public Works (DPW) to ensure long-term stability (Mitigation Measure GRR-3). The specific improvements for each drainage area would be designed as part of the final drainage plans prepared to DPW standards during the subdivision process. (See previously adopted Mitigation Measures SP-4.2-5 [DPW plan and map approvals] and SP-4.2-6 [DPW-approved permanent erosion control measures].) Incorporation and implementation of proper design, regulatory compliance, facility maintenance, and specified mitigation measures would reduce the impact of erosion and/or downstream deposition to a less-than-significant level. 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.

Response 9

The comment states that the Project area contains the "healthiest stream and riparian habitat remaining in the Santa Clara River," and infers that impacts to these areas would result in downstream impacts to flood plains, wetlands and agricultural fields in Ventura County. The comment suggests that mitigation for impacts to riparian habitat on the proposed Project site should be mitigated off site, downstream within the applicant's property in Ventura County.

Section 4.5, Biological Resources, of the Draft EIS/EIR describes existing conditions that occur within the Santa Clara River. As described in the Draft EIS/EIR, the Santa Clara River is known to support a variety of state and federally-listed species. Impacts to riparian resources from the proposed Project and each alternative were evaluated in **Subsection 4.5.5.2.3.2** of the Draft EIS/EIR. The Draft EIS/EIR concluded that these impacts would be significant absent mitigation. In order to mitigate Project impacts in accordance with Corps policy and CDFG policy, which emphasize on-site mitigation where possible, the mitigation for impacts to riparian habitat would be conducted on site through creation and enhancement activities designed to replace the habitat functions and services/values of riparian vegetation. In addition, the applicant would preserve and dedicate in perpetuity existing natural lands in

the River Corridor SMA, High Country SMA, and Salt Creek area. The Draft EIS/EIR concluded that, with the proposed mitigation measures, impacts of the proposed Project and alternatives would be reduced to less than significant.

Impacts to riparian resources from the proposed Project and each alternative were also evaluated in **Section 4.6**, Jurisdictional Waters and Streams, and **Section 4.2**, Geomorphology and Riparian Resources, of the Draft EIS/EIR. The Draft EIS/EIR concluded that these impacts would be significant absent mitigation. To reduce these effects, the Draft EIS/EIR proposed mitigation measures to preserve and dedicate in perpetuity existing natural lands in the River Corridor SMA, High Country SMA, and Salt Creek area. In addition, the applicant would implement BIO-1 through BIO-16 which would require the replacement and/or restoration of riparian habitat. The Draft EIS/EIR concluded that with the mitigation measures proposed, impacts of the proposed Project and alternatives would be reduced to less-than-significant levels.

Response 10

The commentor indicates Newhall Ranch is one of the few places on the Santa Clara River where there is still a wide riparian buffer and connection to adjacent uplands, but that development will eliminate much of this habitat connectivity. The commentor indicates that protection of downstream habitat and creation of new habitat is the only possible mitigation for the proposed Project.

Subsection 4.5.5 of the Draft EIS/EIR presented analyses of the impacts of the proposed Project and alternatives on the Santa Clara River and riparian buffers. The Draft EIS/EIR also evaluated potential impacts to the special-status species, including threatened and endangered species, known to inhabit or potentially inhabit the Santa Clara River and its associated upland buffers. The Draft EIS/EIR concluded that, with the exception of the southwestern pond turtle and San Emigdio blue butterfly that occur within the riparian upland buffer; impacts of the proposed Project would be considered less than significant with the implementation of mitigation. Significant and unavoidable impacts would not occur under Alternatives 3 through 7.

The Draft EIS/EIR also determined that the post-development widths of the Santa Clara River 100-year floodplain would be approximately 700 feet wide at its minimum point, with most areas ranging from 1,000 to 2,000 feet wide to 2,000 feet wide. Approximately 300 feet of adjacent upland open space, including some natural open space, particularly at the mouth of tributaries, would provide lateral buffer for the east-west habitat linkage. The 300 foot adjacent buffer area would include a bike trail; however, species that are less sensitive to human disturbance would use this area for foraging and movement. The adjacent upland open space would provide a buffer for species and river habitat areas that are sensitive to other human disturbances, such as night lighting. The Draft EIS/EIR also considered how the mosaic of habitats within the River Corridor (*i.e.*, open sand, early seral stages of riparian scrub, riparian woodland and other communities) contribute to the functional value of the river corridor for wildlife movement. Because the River Corridor is rarely flooded to bankfull width for extended periods of time wildlife have the ability to move through this mosaic of habitats. To evaluate potential impacts to wildlife and a species' ability to gain access to the River Corridor and other areas necessary to meet their life history characteristic, **Section 4.5** of the Draft EIS/EIR analyzed wildlife movement and habitat connectivity. The Draft EIS/EIR concluded that these impacts would be less than significant with the implementation of mitigation. With the proposed large, unfragmented open space system, wildlife movement through the region will not be dependent on the constrained wildlife corridors within the urban development areas,

and species will retain access to foraging, watering, and sheltering sites. The Draft EIS/EIR concluded that, with the mitigation measures proposed, impacts to wildlife habitat connectivity of Alternatives 2 through 7 would be reduced to less-than-significant levels, and off-site mitigation would not be required.

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. For additional information regarding the movement of wildlife; please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**.

Response 11

The comment indicates that the Newhall Land property in Ventura County is among the top 15 critical wildlife corridors in southern California. The comment states that wildlife habitat connectivity will only be preserved with protection of the applicant's Ventura County property, which should occur now. The comment refers to the South Coast Wildlands Project's Missing Linkages Study (June 2006) and South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion (March 2008) as showing portions of the proposed Project site including the proposed Salt Creek area to be a critical wildlife corridor. The South Coast Wildlands Project's Missing Linkages Study included a section of Newhall Land and Farming property in Ventura County.

In evaluating the effects to wildlife movement, the Draft EIS/EIR considered the recommendations of the June 2006 Missing Linkages Study cited by the commentor (*i.e.*, Penrod *et al.* 2006). The Draft EIS/EIR analyzed impacts to wildlife landscape habitat connectivity in **Subsection 4.5.5.2.4.2** and concluded that impacts to wildlife landscape habitat linkages would be adverse but not significant due to protection and management of the Salt Creek area in Ventura County, along with the High Country SMA and River Corridor SMA in Los Angeles County. Further, analysis in **Subsection 6.5.5.2.3**, Impacts to Wildlife Habitat Linkages, Wildlife Corridors, and Wildlife Crossings by Species Guilds, determined that, with mitigation identified in the Newhall Ranch Specific Plan Program EIR and this EIS/EIR, the proposed Project's contribution to cumulative impacts to wildlife habitat landscape linkages in the Santa Clara River watershed would not be cumulatively considerable. For these reasons, additional mitigation is not required. Lands outside the Project area in Ventura County would not be required to mitigate Project impacts, and the applicant's Ventura County properties were not identified in the cumulative analysis in **Subsection 6.5.5**, Cumulative Impacts to Biological Resources, as being proposed for development. Should development be proposed in this area, it would require independent analysis under CEQA.

As described above, the protection of the High Country SMA and Salt Creek area would conserve the large majority of the conceptual habitat linkage at the Los Angeles County/Ventura County boundary identified by Penrod *et al.* (2006). The dedication of the proposed Salt Creek Corridor would commence concurrent with the issuance of building permits for the proposed development. The Draft EIS/EIR concluded that the proposed mitigation strategy identified in Mitigation Measure BIO-19 would reduce impacts of the proposed Project and alternatives without the requirement to dedicate the lands prior to development. Dedication of these lands prior to development would not be required, as the current land use has not been determined to adversely affect wildlife linkages in the Project area. Therefore, the commentor's suggestion regarding the inclusion of the applicant's additional Ventura County property would not be required to reduce impacts to less-than-significant levels. However, this 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.

For additional information on wildlife movement, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings.**

The comment also states that the preceding comments do not imply that the proposed Project should not be modified to reduce impacts and that the commentor assumes that there will be impacts that cannot be addressed through on-site mitigation.

As described in **Response 10**, above, **Section 4.5**, Biological Resources, of the Draft EIS/EIR concluded that with the exception of the San Fernando Valley spineflower, southwestern pond turtle and San Emigdio blue butterfly impacts of the proposed Project to biological resources would be reduced to less-than-significant levels with the implementation of Project mitigation measures. However, impacts to these species would be mitigated to less-than-significant levels for Alternatives 3 through 7. See **Response 9**, above, for discussion of policy preferences for on-site mitigation.

Response 12

Thank you for your comments. Please note that the comment period for the Draft EIS/EIR ended on August 25, 2009. Your comments will be included as part of the record and made available to the decision makers prior to a final decision on the proposed Project.