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June 20, 2009

Attn: Donald Bedford
Re: Newhall EIR/EIS
California Dept. of Fish and Game
4949 Viewridge Avenue
San Diego, CA 92123

Attn: Aaron Allen
Re: Newhall EIR/EIS
US Army Corps of Engineers
2151 Alessandro Dr. Suite 110
Ventura, CA 93001

Via US mail and email to: newhallranch@dfg.ca.gov and
Aaron.O.Allen@usace.army.mil

Subject: Request for extension of time to comment on the Newhall Ranch EIR/EIS for the 404 Permit and Streambed Alteration Agreement

Dear Mr. Bedford and Mr. Allen:

The California Water Impact Network (C-WIN) is a statewide California non-profit organization incorporated in 2003 that focuses on water supply issues. We are concerned about project approvals in the Santa Clarita Valley because of their continued reliance on the contested transfer of 41,000 acre feet (AF) of SWP allocation from the Kern County Water Agency to the Castaic Lake Water Agency (CLWA) as a presumably reliable source of water supply.

Although this project purports not to rely on the State Water Project for any portion of its supply, we believe that ultimately such reliance may be unavoidable local water supply availability may be overstated.

Such an overstatement could result in overdraft of local supplies, thus affecting the habitat of several listed endangered species. The need for additional imported water may result in unacceptable water quality impairment that would prohibit compliance with the recently established TMDL requirements for chloride releases to the Santa Clara River.

We have requested information from various sources including local ground water agencies and wish to review this documentation as well as information involving the Nickels water transfer. Unfortunately, due to the length of the EIR/EIS document itself and the tardiness of certain necessary information, it appears we will not be able to complete our analysis by the current close of comment period on June 26th.

We believe that a thorough review of the information before you will result in a better project. It is also most helpful to have information available to all

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commentors in the final document. We therefore request that you extend the comment period for at least an additional 90 days so that we may provide your agencies with the well-researched comments that you and the public deserve.

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Thank you for considering this request.

Sincerely,

A handwritten signature in cursive script that reads "Carolee Krieger".

Carolee Krieger,
President and Executive Director

Cc: Lynne Plambeck

From: "Carolee Krieger" <caroleekrieger@cox.net>
To: Aaron.O.Allen@usace.army.mil; NEWHALLRANCH@dfg.ca.gov;
stroshan@spillwaynews.net
Date: Sun, Jun 28, 2009 10:16 PM
Subject: RE: Request for Deadline Extension - Newhall Ranch EIR/EIS

Thanks for doing this Tim.

Lynne am just getting back from Napoopoo. We should catch up.

Carolee

From: Tim Strohane [mailto:stroshan@spillwaynews.net]
Sent: Saturday, June 20, 2009 1:44 PM
To: newhallranch@dfg.ca.gov; Aaron.O.Allen@usace.army.mil
Cc: Carolee Krieger; Lynne Plambeck
Subject: Request for Deadline Extension - Newhall Ranch EIR/EIS

Mr. Bedford and Mr. Allen,

Enclosed with this email message is a letter from the California Water Impact Network requesting a 90-day extension of the deadline for comments on the Newhall Ranch EIR/EIS for the Department of Fish and Game and the US Army Corps of Engineers to consider. The great length and unavailability of some information we and others seek lead us to make this request.

We look forward to hearing from you.

Tim Strohane for Carolee Krieger
California Water Impact Network

CC: lynneplambeck@access4less.net

038. Letter from California Water Impact Network, dated June 20, 2009

Response 1

The comment provides an introduction to comments that follow and expresses a concern about reliance on the 41,000 acre-feet water transfer to the Castaic Lake Water Agency (CLWA) in relation to development in the Santa Clarita Valley.

The Draft EIS/EIR addressed the 41,000 acre-feet water transfer to CLWA in **Subsection 4.3.4.1.1** and **Subsections 4.3.4.6.1** and **4.3.4.6.2**. That analysis determined that it is reasonable: (i) to rely on the 41,000 acre-feet transfer as a viable transaction; and (ii) to conclude that the litigation challenges are not likely to affect either the short-term or long-term reliability of imported water supplies. In addition, please refer to **Topical Response 5: Water Litigation and Regulatory Action Update**, and **Topical Response 6: CLWA's 41,000 AFY Water Transfer**, for further responsive information. Please also see revised **Section 4.3** of the Final EIS/EIR. Because the comment does not raise any specific issue regarding the adequacy or content of the Draft EIS/EIR, no additional response is provided. 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 2

The comment states that although the proposed Project purports not to rely on the State Water Project (SWP) for any portion of its supply, such reliance may be unavoidable as local water supply availability may be "overstated." To clarify, the Draft EIS/EIR does not state that the development that would be facilitated by the proposed Project would not rely on the SWP for any portion of its required water supply. Instead, as stated in the Draft EIS/EIR, page 4.3-1, the Newhall Ranch Specific Plan does not rely on imported SWP supplies from CLWA, but would instead use primarily local groundwater and recycled water from local water reclamation plants to meet the Specific Plan's potable and non-potable water demand. (Draft EIS/EIR, **Subsection 4.3.1**.) The proposed Project (RMDP/SCP) also would facilitate development of the remainder of the VCC planning area, and a portion of the Entrada planning area. These two planning areas would rely on water supplies through a combination of SWP water delivered through CLWA and groundwater resources from the local groundwater basin to meet the potable water demands of both VCC and Entrada. (Draft EIS/EIR, **Subsection 4.3.1**.) For that reason, the Draft EIS/EIR evaluated the availability and reliability of CLWA's SWP supplies, including the 41,000 afy water transfer. In conducting that evaluation, the Draft EIS/EIR, at pages 4.3-10-4.3-19, provided an overview of the regulatory setting and existing conditions affecting the water agencies within the Santa Clarita Valley. In addition, the Draft EIS/EIR, at pages 4.3-19-4.3-29, provided an overview of the SWP and its associated facilities, operations, deliveries, and constraints.

Additionally, the anticipated water supply impacts of the proposed Project received extensive analysis in the Draft EIS/EIR, with project-level impacts assessed in **Section 4.3**, Water Resources, and cumulative impacts assessed in **Subsection 6.5.3**. Please see the Draft EIS/EIR, **Subsection 4.3.4.4**, for responsive information regarding the sufficiency of the local groundwater basins. In addition, the Draft EIS/EIR also addressed the availability and reliability of local groundwater resources to serve the proposed Project in **Subsection 4.3.6.2.2**. Please refer to **Topical Response 5: Water Litigation and Regulatory Action Update**, and **Topical Response 8: Groundwater Supplies and Overdraft Claims**, for further responsive information. Please also see revised **Section 4.3** of the Final EIS/EIR. Because the comment

does not raise any specific issue regarding the adequacy of the water supply analysis in the Draft EIS/EIR, no additional response is provided. 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 states that if local water supply is overstated, implementation of the proposed Project may result in overdraft of the local groundwater basin, which would impact the habitat of endangered species. The Draft EIS/EIR addressed the issue of potential groundwater overdraft in **Subsection 4.3.4.4**, pages 4.3-39 to 4.3-55. As indicated therein, the groundwater basin is not in overdraft and will not be in a state of overdraft in the future; therefore, no impact to the habitats of sensitive species would occur. Please also refer to **Topical Response 8: Groundwater Supplies and Overdraft Claims** for further responsive information. Please also see revised **Section 4.3** of the Final EIS/EIR. 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 4

The comment states that the need for additional imported water may result in unacceptable water quality impairment. Please refer to **Responses 2 and 3**, above, as well as **Topical Response 8: Groundwater Supplies and Overdraft Claims**, for responsive information. In addition, the water quality impacts of the proposed Project are addressed in the Draft EIS/EIR, **Section 4.4**, Water Quality. As discussed in that section, all potentially significant water quality impacts would be reduced to less-than-significant levels with implementation of mitigation measures previously adopted in connection with approval of the Newhall Ranch Specific Plan and recommended by the Draft EIS/EIR. Please also see revised **Section 4.4** of the Final EIS/EIR. 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 5

The comment states that information has been requested "from various sources including local ground water agencies" and that this information needs to be reviewed, along with "information involving the Nickels water transfer." Please see the Draft EIS/EIR, **Subsection 4.3.6.2.2**, for responsive information concerning the Nickel water supply. In addition, please refer to **Topical Response 4: Nickel Water** for further responsive information regarding Nickel water. Please note that the environmental documentation for the Kern River Restoration and Water Supply Program was included as an appendix in the previously certified Newhall Ranch Specific Plan Program EIR (specifically, Appendix 2.5), which was incorporated by reference in the Draft EIS/EIR. 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

The comment expresses concern regarding the ability to review the Draft EIS/EIR prior to the close of the public comment period. 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. It is not clear what "certain necessary information" the commentor claims is "tardy." Therefore, it is not possible to provide an additional

response to that comment. 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 7

The comment requests that the public comment period be extended for at least 90 additional days. In response to this and other similar comments, the public review period for the Draft EIS/EIR was extended. Please refer to **Topical Response 1: EIS/EIR Public Review Opportunities**, for information regarding the additional time available to review the Draft EIS/EIR. 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.