

June 4, 2009

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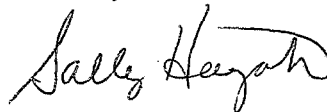
California Department of Fish and Game:
 Newhall Ranch EIR/EIS
 Comments
 Attn: Dennis Beford
 4949 Viewridge Avenue
 San Diego, CA 92123

Dear Mr. Beford:

RE: OPPOSE THE NEWHALL LAND AND FARMING PERMIT TO ALTER THE SANTA
 CLARA RIVER STREAMBED

In 2005, the American Rivers designated Santa Clara River in Northern LA County as one of the nation's 10 most endangered rivers. Newhall Land and Farming is proceeding with its plans to obtain an Army Corps permit and State Fish and Game streambed alteration agreement, in spite of being in bankruptcy. I am opposed to building the Newhall Ranch project in this sensitive floodplain area. This area is very beautiful and wild; it is home to several endangered and threatened species that are not found anywhere else in the world. It encompasses wildlife corridors that allow large animals to get to water and a rare valley oak woodland. This is worth a very great deal, and is far more important to America and its citizens than the private profit that the owners of Newhall Land stand to gain. Growth for growth's sake is not the correct policy to plan for the future of our state. The destruction of valuable ecosystems has an impact not only on the creatures that live there but on the future of the earth and humanity. Surely the California Department of Fish and Game can understand this simple fact. The County of Los Angeles designated the floodplain area as a Significant Ecological Area. The Department of Fish and Game is there to protect such environments and not to protect profits of private enterprise; or at least, that is what the citizens of this state need its role to be.

Sincerely,



Sally Hayati, Ph.D.
 Citizen and member of "The Public"

Sally Hayati
 466 Calle De Aragon
 Redondo Beach, CA 90277

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DEPT OF FISH & GAME
 SOUTHERN COAST REGION

Dept of Fish and
 Newhall Ranch EIR/EIS
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 4949 Viewridge Ave
 San Diego, CA 92123

076. Letter from Sally Hayati, Ph.D., dated June 4, 2009

Response 1

The Corps and CDFG acknowledge the commentor's statement regarding the American River's 2005 designation of the Santa Clara River as one of the nation's ten most endangered rivers. 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. However, because the comment does not address the content of the Draft EIS/EIR, no additional response is provided.

Response 2

Please refer to **Topical Response 2: Bankruptcy-Related Comments**.

Response 3

The comment addresses general subject areas such as floodplain areas, Project site aesthetics, wildlife corridors, species of concern found on the Project site and oak woodlands. These topics received extensive analysis in the Draft EIS/EIR. For example, the Draft EIS/EIR provided extensive analyses regarding the Project's effects on floodplain areas and associated resources located on and off the Project site. These analyses are included in **Section 4.1**, Surface Water Hydrology and Flood Control; **Section 4.2**, Geomorphology and Riparian Resources; and **Section 4.6**, Jurisdictional Waters and Streams. The analyses provided in those sections indicate that Project-related impacts to the floodplain and its associated resources can be feasibly reduced to a less-than-significant level with the implementation of proposed mitigation measures. In addition, the Draft EIS/EIR evaluated an alternative to the proposed Project (Alternative 7) that substantially minimizes development within the 100-year floodplain as it is delineated by the Federal Emergency Management Agency (FEMA). This is one of the alternatives the Corps and CDFG will consider before taking action on the proposed Project. In addition, for further responsive information, please see revised **Sections 4.1, 4.2, and 4.6** of the Final EIS/EIR.

Project-related impacts to visual conditions were evaluated in **Section 4.15**, Visual Resources, and impacts to endangered and threatened species were evaluated extensively in **Section 4.5**, Biological Resources. In addition, for further responsive information, please see revised **Section 4.5** of the Final EIS/EIR. Please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**, for additional information regarding the Project's impacts to wildlife corridors. Project-related impacts to oak woodlands were also evaluated and it was determined that with the implementation of proposed mitigation measures, impacts to oak trees would be reduced to a less-than-significant level. In addition, the Draft EIS/EIR indicates that approximately 13,732 oak trees in the High Country area and 5,640 oak trees in the Salt Creek area would be preserved. The comment does not raise any specific issues regarding the analysis provided in the Draft EIS/EIR; therefore, no additional response is 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 4

The Corps and CDFG appreciate the comment provided in your letter. Your opinion regarding environmental protection and the proposed Project 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 content of the Draft EIS/EIR, no additional response is provided.

This comment also expresses general concerns related to floodplain areas within the Project site and the presence of a designated Significant Ecological Area (SEA). Please refer to **Topical Response 11: River Corridor SMA/SEA 23 Consistency**, regarding the proposed Project's relationship to the on-site SEA area, and **Response 3**, above, regarding impacts to biological resources and floodplain areas.

Finally, CDFG is the State of California's trustee agency for fish and wildlife resources. (Fish & G. Code, §§ 1802, and 711.7, subd. (a); Pub. Resources Code, § 21070; Cal. Code Regs., tit. 14, § 15386, subd. (a).) In that capacity, CDFG holds fish and wildlife resources in trust for the people of the state, exercising jurisdiction over the conservation, protection, and management of those species and their habitat. CDFG also administers various permitting programs under the Fish and Game Code, two of which are involved in the present case. (Fish & G. Code, §§ 1600 *et seq.*, § 2081; Cal. Code Regs., tit. 14, §§ 783.0 *et seq.*, § 15251, subd. (o).) Managing California's diverse fish, wildlife, and plant resources, and their habitat, for their ecological values and their use and enjoyment by the public is CDFG's core mission. CDFG is and will fulfill its trustee mandate in the present case.