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**To:** NEWHALLRANCH@dfg.ca.gov; Aaron.O.Allen@usace.army.mil  
**Date:** Thu, Jun 18, 2009 6:03 PM  
**Subject:** Draft EIR/EIS

I have reviewed your draft and find in to be insufficient in 2 areas:

The first has to do with the impacts to our schools. We have just been told by the Hart School District that in many areas of Newhall where children currently attend West Ranch HS and Rancho Pico Jr HS, elementary school children will have to change their currently designated middle and high schools because of this project. This is because the building of schools in the project area will follow the building of residences, and not be concurrent with it. I disagree with the draft's conclusion that "the build-out of the Specific Plan would not result in new or previously unidentified school capacity impacts... No new mitigation measures are required." This forced displacement of elementary school students has not been addressed at all. The proper mitigation for this is to require students from the project area to only attend schools with available capacity, which are not necessarily the closest schools to the project, so as to \*not disrupt existing students\*. Also, further supporting my above concern, the existing school enrollment figures cited in the draft are extremely out of date (2004-5) and therefore conclusions about available capacity to accommodate new students from this project are incorrect. The reference to mitigation measures from the March 1999 Draft EIR as being adequate are unsubstantiated.

The draft's conclusion that the limits of a catastrophic Castaic Lake Dam failure would roughly follow the outline of the 100 year flood zone within the confines of the Santa Clarita River bed are unsupported and in conflict with the well-known downstream consequences of the St. Francis Dam failure. Your Figure 4-17.2 clearly shows that a Castaic Lake dam failure would result in a tremendous flood of water \*aiming directly at the project area\*. Expectations that the water would take a "hard dog leg right" and significantly avoid the project area by following the river bed are extremely suspect.

I look forward to these concerns being properly being addressed in your next draft.

Thomas Surak  
Newhall

**111. E-mail from Thomas Surak, dated June 18, 2009**

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**Response 1**

The Draft EIS/EIR states that the proposed Project would increase student enrollment in local area schools and provides information regarding a previously-approved reorganization of the Newhall and Hart School Districts. The following is an excerpt from page 4.18-24 of the Draft EIS/EIR:

"Build-out of the Specific Plan, as facilitated by implementation of the proposed RMDP, would increase student populations within the Newhall, Castaic, and Hart Districts. In order to provide more efficient educational services, the existing elementary and junior high/middle school district boundaries would be reorganized, such that public elementary school education (kindergarten through sixth grade) would be provided to the Specific Plan area by the Newhall District, while public junior high school (seventh and eighth grades) and high school (ninth through twelfth grades) education would be provided by the Hart District. The Newhall District has agreed to annex the portion of the Project north of the Santa Clara River into its service area which adds one elementary school north of the Santa Clara River in addition to the four elementary schools proposed south of the Santa Clara River already within Newhall District boundaries. This reorganization also accommodates the Castaic District which opposes reorganization of its boundaries."

It is possible that through the reorganization process described above, or with the development of new schools on the Specific Plan site, existing school attendance area boundaries may be revised by the Hart School District in the future.

If a future change in school attendance boundaries were to occur, such a change would not result in significant physical effects on the environment because no new buildings or other physical changes to the environment would occur. Furthermore, it would be speculative for the Draft EIS/EIR to anticipate or evaluate future school district boundary revisions that local school districts may make in the future. Therefore, the Draft EIS/EIR was not required to address the effects of potential future school boundary changes.

**Response 2**

The Draft EIS/EIR indicates that in conjunction with the approval of the Newhall Ranch Specific Plan in 2003, a Facilities Funding Agreement was agreed to by the Hart School District. The following is an excerpt from page 4.18-25 of the Draft EIS/EIR:

"Compliance with the Hart District School Facilities Funding Agreement constitutes the entire extent of the Project applicant's obligation to provide the means necessary for the Hart District to obtain the school facilities needed to accommodate students generated by the Specific Plan. (See [Specific Plan] Mitigation Measure SP-4.16-3, above.) The details of the agreement provide sufficient funding to construct school facilities that would be needed to support development of the Specific Plan. As a result, compliance with the agreement would satisfy all of the proposed Project's obligations to the Hart District with respect to its junior and senior high school impacts, and ensure that the Specific Plan would not cause the Hart District to exceed its current student capacity thresholds."

Implementation of the RMDP and build-out of the Specific Plan would not result in new or previously unidentified school capacity impacts . . ."

Based on the requirements of the funding agreement previously agreed to by the Project applicant and the Hart District, the Draft EIS/EIR concluded that the mitigation measures previously identified and adopted by Los Angeles County are still adequate to reduce Project-related impacts to a less-than-significant level, and that no new mitigation measures are required.

### **Response 3**

As described in **Response 1** provided above, the evaluation of school-related impacts was based on the potential for the Project to result in significant impacts resulting from physical changes to the environment. If future changes in school attendance boundaries were to occur, such changes would not result in significant physical effects on the environment. Therefore, no new mitigation measures are required. Further, social effects of a proposed Project are not treated as significant effects on the environment in an EIS/EIR unless they cause or are related to a physical effect on the environment (see Cal. Code Regs., tit. 14, § 15131; 40 C.F.R. § 1508.14.). Your request for additional mitigation 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**

**Tables 4.18-3, 4.18-4, and 4.18-5** of the Draft EIS/EIR provide information related to school design capacities and enrollment statistics for the Newhall, Castaic Union, and Hart School Districts, respectively. The school capacity data presented in the tables was obtained in 2004-05; however, the current enrollment data reflects conditions from the 2006-07 school year. The school capacity and enrollment data provided in the Draft EIS/EIR is considered to be representative of existing conditions and adequate for the evaluation of Project-related impacts, and will be updated as necessary when individual tract maps for development on the Specific Plan site are evaluated. Subsequent evaluation of school enrollment data will be required because over time, school enrollments can fluctuate up or down, and the Specific Plan would be built out over a period of approximately 20 years. Furthermore, adopted Specific Plan mitigation measures will ensure that regardless of school enrollment changes that occur over time, adequate school facilities will be provided as part of the proposed Project. These measures include requirements for the reservation of five elementary, one junior high and one high school site on the Specific Plan site (Mitigation Measure SP-4.16-1); and funding agreements between the Newhall Land and Farming Company and the Newhall School District, William S. Hart Union High School District, and the Castaic Union School District (Mitigation Measures SP-4.16-2, SP-4.16-3, and SP-4.16-4).

### **Response 5**

Please refer to **Response 2**, above, regarding the adequacy of the Hart District School Facilities Funding Agreement.

### **Response 6**

The Draft EIS/EIR indicates that "in the event of a catastrophic dam failure, the limits of dam inundation would roughly follow the outline of the 100-year flood zone within the confines of the Santa Clara River

bed . . ." The Draft EIS/EIR, **Figure 4.17-2**, Dam Inundation Area, indicates that the inundation area for the Castaic Dam would generally follow the Santa Clara River, and the potential inundation area includes area to the east and west of the Project site. The Draft EIS/EIR concluded that due to ongoing inspection of dam facilities by the California Department of Water Resources -- Division of Safety of Dams, and the requirements of federal and local floodplain management ordinances that minimize development in areas that would potentially be subject to inundation in the unlikely event of a catastrophic dam failure, the potential for a failure of the Castaic Dam to result in impacts to the proposed Project was less than significant and no additional mitigation measures were required.

**Response 7**

The Corps and CDFG appreciate your comment. The comment does not raise any specific issue regarding the analysis provided by 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.