

From: Thomas Barron <barron@imageg.com>
To: aaron.O.Allen@usace.army.mil
Date: Mon, Aug 24, 2009 4:40 PM
Subject: NEWHALL RANCH - RMDP comments

US ARMY CORPS OF ENGINEERS
Re: Application No.: 2003-01264-AOA
NEWHALL RANCH - RMDP testimony

Attn: Aaron O. Allen 805-585-2148

Dear Mr. Allen

I am a property owner immediately adjacent to the project area and have been "onsite" for the last 36 years. In my previous comments I express my strong opposition to the plan in general terms. In this further amplification I would draw your attention to the problem of sustaining the passage of wildlife along the northern boundaries of the project area. (RMDP-SCP EIS/EIR 4.5-31)

1

State highway 126, recently widened, is a 100' wide obstacle to the natural flow of wildlife between two key reserves. There is much discussion within the document about the need for Wildlife Corridors to be maintained. The existing, and recently improved highway bridge at San Martinez Grande Canyon is featured as an excellent existing crossing adjacent to the current road alignment and a small plant mitigation area.

2

Having lived intimately with the wildlife moving through this rural canyon, I have seen first hand almost every creature described in the document. Unlike Chiquito Canyon, this is an unpopulated passage, where animals have plenty of shelter and a water course through which they can meander undisturbed between the wilderness to the north and the river to the south. It is replete flora, especially those of special concern, and is being considered to host plant preserves.

3

Unfortunately all but the "no project" alternative 1 impact these essential biological resources.

4

4.5-586
...Alternative 2,3,4,5,6
Although bridges have been substituted for road crossing culverts within Potrero Canyon and San Martinez Grande Canyon, the corridors would still be constrained by urban development and are not considered to effectively contribute to long-term habitat connectivity function in the Project area.

5

4.5-664
...Alternative 7
Bank protection would be removed from the 100year floodplain and built in upland areas. All jurisdictional streams and wetlands in the Santa Clara River, Potrero Canyon, Chiquito Canyon, and San Martinez Grande Canyon drainages would be preserved or avoided except where bridges are built to facilitate road crossings.

6

The alternative of building an animal overpass (such as in Banff -

7

see attached picture and reference) isn't considered in the plan. This, albeit expensive option, would open an entire new set of considerations for an effective Corridor and Linkage. These overpass solutions would be recommended for the Salt Creek area, where the highway meets the hillside on the north and there is now no natural passage. (This area has already been the site of major road kills, including mature bears, and is west of the new traffic to enter highway 126 from the cross valley connections and Portrero Canyon.)

7

San Martinez Grande Canyon is a large tract with few landowners and very poor ground water. The three mile long barranca is susceptible to flooding (the road is often closed in wet years) and has been burned out by wildfire several times since the seventies. Oil and natural gas extraction have scarred the hillsides, with innumerable impacts. It has been passed over several times as an inhospitable and impractical isolated area for human residential development. Since our arrival in the early seventies, the population has declined from twelve to seven households.

8

In the Newhall Ranch plan it is an appendage; an afterthought with outsized impacts, unsustainable unless tethered to the rest of the project.

Setting aside this entire slice of the ranch property, a salubrious natural setting sheltered by the surrounding canyon walls, would be a simple and effective offset or mitigation for the harm to the biological resources likely to result from the urbanization of the surrounding area.

Thank you for your consideration,

Thomas M. Barron
280006 San Martinez Grande Canyon Road
Castaic, CA 91384
661-257-3036

CC: NEWHALLRANCH@dfg.ca.gov

US ARMY CORPS OF ENGINEERS
Re: Application No.: 2003-01264-AOA
NEWHALL RANCH - RMDP testimony

24-Aug-09

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The alternative of building an animal overpass (such as in Banff - see attached picture and reference) isn't considered in the plan. This, albeit expensive option, would open an entire new set of considerations for an effective Corridor and Linkage. These overpass solutions would be recommended for the Salt Creek area, where the highway meets the hillside on the north and there is now no natural passage. (This area has already been the site of major road kills, including mature bears, and is west of the new traffic to enter highway 126 from the cross valley connections and Portrero Canyon.)

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TWO WAYS TO CROSS THE HIGHWAY

1. OVERPASSES provide natural-looking, open pathways preferred by grizzly bears, wolves, moose, elk and deer.

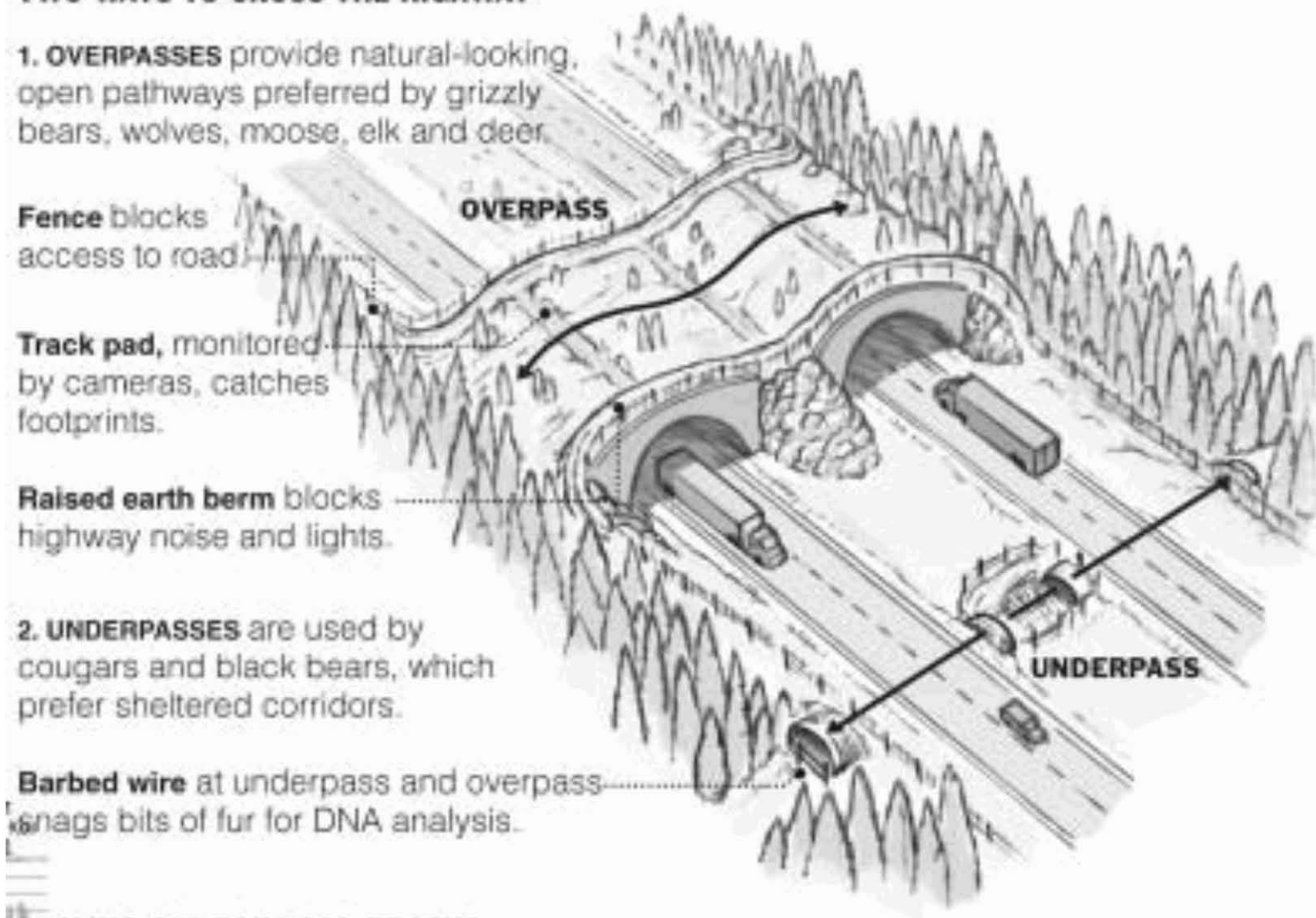
Fence blocks access to road

Track pad, monitored by cameras, catches footprints.

Raised earth berm blocks highway noise and lights.

2. UNDERPASSES are used by cougars and black bears, which prefer sheltered corridors.

Barbed wire at underpass and overpass snags bits of fur for DNA analysis.







123. Letter from Thomas Barron, dated August 24, 2009

Response 1

The comment is an introduction to comments that follow. Please also refer to the responses to the commentor's prior letter, **Letter 96**, dated June 11, 2009. 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

The comment states that State Highway 126 (SR-126) is an obstacle to the natural flow of wildlife between two key reserves, and notes that the recently improved highway bridge at San Martinez Grande Canyon is featured as an existing wildlife crossing.

Wildlife crossings and habitat corridors were described in **Subsection 4.5.3.4.7**, Wildlife Habitat Connectivity and Buffers, of the Draft EIS/EIR. **Subsection 4.5.5.2.4.4**, Wildlife Crossings, identified the existing crossings at San Martinez Grande Canyon, Chiquito Canyon, and at the Castaic Creek confluence with the Santa Clara River. The Draft EIS/EIR also discusses the status of the wildlife crossings that exist under the different alternatives and concluded that impacts to wildlife crossings would be less than significant under Alternatives 2 through 7. Although impacts to wildlife crossings would not be significant under any of the alternatives, and mitigation is not required, the protection of the River Corridor Special Management Area (SMA), High Country SMA, and Salt Creek area would reduce the effects of constrained wildlife crossings in the Project area by providing alternative routes for movement. In addition, improvements and enhancement of the existing wildlife crossing under SR-126 west of the Project area at the base of Salt Creek (see Mitigation Measure BIO-19) will facilitate north-south movement. The requirement for downcast lighting (Mitigation Measure SP-4.5-56) adjacent to open space areas will reduce lighting impacts on wildlife using both unconstrained and constrained crossings. For further information related to wildlife corridors and wildlife movement, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**.

In addition, the small plant mitigation described in the comment includes the San Martinez Grande spineflower preserve and a potential area that would be used to mitigate Project impacts to slender mariposa lily. For further responsive information, please see revised **Section 4.5** of the Final EIS/EIR.

Response 3

The comment states that San Martinez Grande Canyon is an "unpopulated passage" with shelter and water to allow undisturbed movement of wildlife. The comment further states that numerous species occur in this area, including species of special concern.

The Draft EIS/EIR presented an analysis of potential impacts to the special-status plants and wildlife that occur in the Project area, including the San Martinez Grande drainage. As discussed in the Draft EIS/EIR analysis, this area provides wildlife passage to open areas in the Los Padres National Forest. Furthermore, the Draft EIS/EIR indicated that open areas preserved adjacent to the San Martinez Grande would be proposed as potential spineflower and slender mariposa lily mitigation sites. The U.S. Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) appreciate the commentor's personal assessment of the San Martinez Grande regarding the biological resources, and this information

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 commentor states that only Alternative 1 (No Action/No Project) would not result in impacts to biological resources in San Martinez Grande Canyon.

The Draft EIS/EIR analyzed a range of seven alternatives, including Alternative 1 (No Action/No Project). While the "no project" alternative would have the least impacts to biological resources, the Draft EIS/EIR analyzed a reasonable range of alternatives designed to reduce or avoid the significant impacts of the proposed Project. With the exception of Alternative 2, which resulted in significant and unavoidable impacts to three species (San Fernando Valley spineflower, southwestern pond turtle, and San Emigdio blue butterfly), the Draft EIS/EIR determined that significant impacts of the Alternatives 3 through 7 would be mitigated to less-than-significant levels with the implementation of mitigation. The Corps and CDFG appreciate the commentor's concerns regarding the biological resources and the information will be presented to the decision makers for their consideration.

For further responsive information, please refer to the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR.

Response 5

Subsection 4.5.5.2.4.3, Impacts to Wildlife Corridors, of the Draft EIS/EIR provided information and analysis regarding wildlife movement and connectivity in the Project area, including the San Martinez Grande Canyon. As described in the Draft EIS/EIR, the analysis concluded that San Martinez Grande Canyon would become a constrained wildlife corridor due to surrounding development. However, the Draft EIS/EIR concluded that impacts to wildlife corridors would be less than significant, with mitigation, for Alternatives 2 through 7. For further information related to wildlife corridors and wildlife movement, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**.

Response 6

As the comment states, Alternative 7 would result in the removal of bank protection from the 100-year floodplain and preserve or avoid all jurisdictional streams and wetlands, except where bridges are built to facilitate road crossings. Additional information regarding the infrastructure provided and the development facilitated under Alternative 7 is provided in Draft EIS/EIR **Section 3.0**, Description of Alternatives. For further responsive information, please refer to revised **Section 3.0**, Description of Alternatives, and revised **Section 5.0**, Comparison of Alternatives, of the Final EIS/EIR. In addition, 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 the decision makers prior to a final decision on the proposed Project. However, because the comment does not raise an environmental issue with respect to the Draft EIS/EIR, no further response is provided.

Response 7

The comment states that the alternative of building a wildlife overpass is not considered in the Draft EIS/EIR and provides an example that was constructed in the Canadian city of Banff. The commentor recommends such an overpass for the Salt Creek area where SR-126 meets the hillside in the north.

As described in **Response 5**, the Draft EIS/EIR provided information and analysis regarding wildlife movement and connectivity in the Project area. This included a detailed description of the existing man-made wildlife crossings that occur in the Project area related to SR-126. **Figure 4.5-32** of the Draft EIS/EIR shows six of the largest existing crossings that can be accessed by wildlife coming directly from adjacent uplands or by moving along the Santa Clara River. These six crossings are associated with current agricultural operations and are bridges or culverts large enough for vehicle passage. The large culverts in Ventura County are about 4.4 meters (14 feet, 7 inches) in height, 7.5 meters (25 feet) in width, and 51.8 meters (170 feet) in length. The Draft EIS/EIR identified these culverts to have an openness factor of 0.65, which well exceeds the openness factor of 0.25 found by Donaldson (2005) to be adequate for white-tailed deer. Based on this and other analysis in the document, the Draft EIS/EIR determined the existing passages would be expected to provide adequate passage for high-mobility ground-dwelling species such as mule deer, mountain lion, and black bear. The easternmost of the Ventura County crossings serve wildlife passing through the Project area via the Salt Creek corridors discussed above as well as Tapo Canyon in Ventura County. There are also existing crossings at the San Martinez Grande Canyon, Chiquito Canyon, and at the Castaic Creek confluence with the Santa Clara River. These crossings are short and open and include soft bottom underpasses at the San Martinez Grande Canyon and Castaic Creek crossings and a large parallel set of box culverts at the Chiquito Creek crossing (**Figure 4.5-32**). These crossings would not significantly constrain current wildlife movement in the area.

Although the construction of a wildlife overpass would provide greater passage opportunities for some wildlife and potentially reduce roadkill, analysis in the Draft EIS/EIR determined that at the existing large agricultural undercrossings in Ventura County, wildlife, including bear and mountain lion, would be able to effectively move north and south via the Salt Creek area and High Country SMA. Because the impact would not be significant, a new wildlife overpass is not necessary to provide for wildlife crossings in this area. For further information related to wildlife corridors and wildlife movement, please refer to **Topical Response 12: Wildlife Habitat Connectivity, Corridors, and Crossings**.

Response 8

The commentor recommends setting aside San Martinez Grande Canyon as mitigation for impacts to biological resources resulting from urbanization of the surrounding area.

The San Martinez Grande Canyon area of the Newhall Ranch Specific Plan is part of the land plan approved by the County of Los Angeles on May 27, 2003. In addition, this area was included in the analysis for the proposed Project and Alternatives, which is described in the Draft EIS/EIR.

Section 4.5, Biological Resources, of the Draft EIS/EIR evaluated impacts to biological resources, including those present in the San Martinez Grande Canyon, and identified feasible mitigation measures that would reduce significant impacts to less-than-significant levels under Alternatives 3 through 7. Although the Draft EIS/EIR has identified a number of significant and unavoidable impacts to biological

resources that would occur under Alternative 2 (the proposed Project), none of these would occur in San Martinez Grande Canyon (see **Subsection 4.5.8**, Significant Unavoidable Impacts, of the Draft EIS/EIR), and there is no evidence that setting aside San Martinez Grande Canyon would mitigate for these impacts. Because setting aside San Martinez Grande Canyon would not reduce an otherwise significant impact to below the level of significance, there is no requirement to adopt this measure. For further responsive information, please see revised **Section 4.5** of the Final EIS/EIR, and the Corps' draft 404(b)(1) alternatives analysis found in **Appendix F1.0** of the Final EIS/EIR. However, the opinion expressed in this comment will be included as part of the record and made available to decision makers prior to a final decision on the proposed Project.