

SANTA MONICA MOUNTAINS CONSERVANCY

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September 26, 2005

Ms. Morgan Wehtje
Department of Fish and Game, Region 5
South Coast Region
4665 Lampson Avenue
Los Alamitos, California 90720

**Notice of Preparation for the Newhall Ranch Specific Plan: Long-term Streambed
Alteration Agreement and Endangered Species Incidental Take Permit Draft
Environmental Impact Report, Santa Clara River Watershed
(SCH No. 2000011025)**

Dear Ms. Wehtje:

The Santa Monica Mountains Conservancy (Conservancy) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Newhall Ranch Specific Plan: Long-term Streambed Alteration Agreement (SAA) and Endangered Species Incidental Take Permit (ITP).

Summary of Project Description

According to the NOP, the Newhall Ranch Specific Plan encompasses about 12,000 acres and was approved by the Los Angeles County Board of Supervisors in May 2003. Individual project will be developed over time in accordance with the regulations and guidelines in the Specific Plan. The Newhall Land and Farming Company has requested a long-term SAA for impacts to streams and an ITP for impacts to the state-listed San Fernando Valley spineflower. The Department of Fish and Game has decided to prepare a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) with the U.S. Army Corps of Engineers. The project to be addressed in the EIR/EIS consists of those facilities associated with the approved Newhall Ranch Specific Plan that will require a 1605 Agreement and 2081 Permit including: bank stabilization, drainage facilities, grade control structures, bridges and drainage crossings, utility crossings, trails, building pads, activities associated with construction of a Water Reclamation Plan adjacent to Santa Clara River, water quality control facilities, ongoing maintenance activities, and temporary haul roads for grading equipment.

The project now also involves consideration of a Spineflower Conservation Plan (SCP) and related 2081 Permits for three areas: Newhall Ranch, Valencia Commerce Center (VCC), and Entrada. The SCP involves establishing permanent preserves for the San Fernando Valley spineflower on the Newhall Ranch and Entrada sites.

According to the project description attached to the NOP, the project area consists of the mainstem of the Santa Clara River from its confluence with Castaic Creek to the Los Angeles County Line, all side drainages in the Specific Plan area and some upland areas, including upland areas in VCC and Entrada, which contain populations of spineflower.

Conservancy Comments

There are several streams within the Newhall Ranch Specific Plan that drain northward into the Santa Clara River. These appear to be identified as “Open Area (OA)” in the Specific Plan. The Streambed Alteration Agreement should require maximum avoidance of direct impacts to these streams in the proposed project and should require biologically ample buffers for these streams. Along the Santa Clara River, the DEIR must include at least one economically feasible alternative that provides a minimum of a 500-foot-wide buffer between any and all proposed bank stabilization and the proposed edge of any improvements (except bridge abutments) including hardscaping, non-native landscaping, fencing, and structures. (This alternative should also provide a minimum 500-foot-wide buffer between the edge of Army Corps of Engineers jurisdiction in unstabilized portions of the river and the proposed edge of any improvements.) The Conservancy emphasizes that within these buffers only passive uses should be allowed; in other words, active uses such as maintenance, debris basins, landscaping, grading, fencing, and structures can have detrimental impacts on the streams and should be avoided and minimized. By maximizing the distance between the development and the streams and floodplains, the need for bank stabilization can be reduced.

Also, maximum connectivity of these northward-flowing drainages to the Santa Clara River should be required in the proposed project. This connectivity should extend into the Stevenson Ranch Phase V project. This connectivity can only be adequately achieved by minimizing any hard wall and channel bottoms. The DEIR should show all areas where any channelization of drainage bottom or sides is proposed for each alternative.

The DEIR alternatives should maximize the requirement of clear span bridges across the streams and drainages. If that is not possible in all locations, large box culverts and metal pipe-arch structures suitable for medium to large mammal crossings should be required.

The DEIR should provide a figure clearly identifying the locations of San Fernando Valley spineflower. Due to the rarity of this plant, the project should incorporate preserves around the majority of portions of all existing populations. At least 2/3 of these preserves should be connected to one another with undisturbed open space suitable for seed transport. To adequately assure that the populations will persist in the long term, buffers are necessary around the existing plants, to prevent disturbances into the preserves and to allow natural fluxes in distribution and dispersal of the plants. Our staff's observation of this species at Upper Las Virgenes Canyon Open Space Preserve show that presence or absence of the species in a given small area usually varies substantially year to year. Also, with respect to the definition of the "project area," has potential habitat for the spineflower been considered?

The DEIR should clearly identify the location and purpose of existing San Fernando Valley preserves imposed by the County of Los Angeles. How are these monitored and by whom? Also, how is such monitoring funded? The DEIR should disclose the ratio of previous spineflower take that resulted in the existing acreage of the preserves.

The DEIR should clearly identify the methods for management of the open space spineflower preserves and streams. Either the new Newhall Ranch High Country joint powers authority or the Santa Clarita Watershed Recreation and Conservation Authority (SCWRCA) would be an appropriate entity to accept resulting dedications or conservation easements. Likewise, SCWRCA could be funded to manage areas.

The DEIR should address the consistency with and coordination with the ongoing Army Corps of Engineers and Los Angeles and Ventura counties planning study for the Santa Clara River. The multi-year study is aimed at creating better policies on flooding, water protection, erosion and restoration to help guide development decision that could affect the Santa Clara River.¹ To the extent possible, the DEIR should address the project's consistency with the data, stakeholders' input, and draft policies to date.

The DEIR should also address the consistency of the project with the California Regional Water Quality Control Board January 2005 action entitled: Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control

¹Griggs, Gregory W. "Coalition Seeks to Protect Watershed's Very Nature." Los Angeles Times. September 30, 2004.

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Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region.

Thank you for the opportunity to comment. Please direct any questions and all future correspondence to Paul Edelman of our staff at the above address and by phone at (310) 589-3200, ext. 128.

Sincerely,

ELIZABETH A. CHEADLE
Chairperson

cc: State Clearinghouse