

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207



July 26, 2010

Dr. Aaron O. Allen, Chief  
North Coast Branch  
Regulatory Division  
U.S. Army Corps of Engineers  
2151 Alessandro Drive, Suite 110  
Ventura, California 93001

**Final Environmental Impact Statement/Environmental Impact Report  
for the Newhall Ranch Resource Management and Development Plan  
and Spineflower Conservation Plan, Los Angeles County**

Dear Dr. Allen:

The Santa Monica Mountains Conservancy (Conservancy) is the principal State planning agency in the vicinity of the subject project. We have strong concerns with the Corps' selection of the Least Environmentally Damaging Practicable Alternative (LEDPA). The Conservancy strongly disagrees that the proposed selection is the "least environmentally damaging" alternative and asserts that the Corps' narrow project scope arbitrarily rendered environmentally superior alternatives impracticable. The Conservancy substantially agrees with the U.S. Environmental Protection Agency's concerns enumerated in their letter to you dated September 1, 2009. The proposed LEDPA does not adequately address the EPA's concerns and fails to protect an Aquatic Resource of National Importance.

The Draft Environmental Impact Report identifies an array of potential alternatives for the development of the Newhall Ranch Specific Plan area and adjacent Valencia Commerce Center and Entrada areas. By all indications, the Corps' LEDPA closely resembles the applicant's original proposed project rather than the environmentally superior Alternatives 6 and 7. The applicant's proposed project includes unacceptable impacts to aquatic resources including burying 59,845 linear feet of tributary drainage. In contrast, Alternative 7 would bury only 19,330 linear feet. The LEDPA, which should be a reasonable compromise between economic and environmental objectives, proposes to bury 56,291 linear feet, only a five percent reduction from the applicant's worst-case scenario. Alternative 7 calls for 20 bridges and zero culverts, while the applicant's proposed project requests 15 culverts and only 3 bridges (all spanning the Santa Clara River). The LEDPA again sides with the applicant by including 13 culverts and only 5 bridges across the largest tributaries.

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Our main concern is that by limiting the purpose and need statement to meeting the housing and commercial targets of the Specific Plan, the Corps precluded serious consideration of environmentally superior alternatives. The alternatives eliminated as impracticable should never have been analyzed if reaching Specific Plan housing targets was the litmus test for practicability. The California Environmental Quality Act requires that alternatives be feasible, therefore the EIR should have evaluated an avoidance alternative with the footprint of Alternative 7, but that achieved the stated purpose and need to preclude premature exclusion. That impact avoidance was dismissed in this manner is a grave abuse of the process.

The practical effect of the elimination of environmentally superior alternatives is to condone the proposed wholesale grading and manufacture of riparian corridors in Potrero and Long Canyon, entirely unnecessary impacts. Potrero Canyon is supposed to be the site of 19 acres of wetland mitigation from other impacts in the project area, yet that tributary's own headwaters will be entirely transformed, impacting the potential success of the mitigation and the health of the existing sensitive marsh. The Corps has not proven that regrading, realigning, and stabilizing upper Potrero Canyon will not adversely affect the lower wetland. The Corps has likewise not proposed additional mitigation should the recreated stream not retain its aquatic function.

The flawed process also excluded from consideration avoidance of impacts to the Santa Clara River flood plain. The only alternative that contemplated this was Alternative 7, which failed the Specific Plan litmus test. This objective could have been accomplished in the context of any other alternative, but was not studied. The LEDPA proposes to elevate over 100 acres of Santa Clara River flood plain to facilitate housing and commercial development near Route 126 without an analysis of alternative locations for those units to avoid the impact.

The Conservancy cannot support the Corps' selection of this LEDPA. We believe that the Corps' proposal unnecessarily compromises aquatic resources without enough emphasis on impact avoidance. We urge you to reconsider an environmentally superior alternative that satisfies the Specific Plan objectives without sacrificing critical aquatic resources in watershed of the last free-flowing river in Los Angeles County.

If you have any questions, please contact Paul Edelman at (310) 589-3200 ext. 128.

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Sincerely,

RONALD P. SCHAFER  
Chairperson

cc: Laura Yoshii, Acting Regional Administrator  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105-3901

Enrique Manzanilla, Director, Communities and Ecosystems Division  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105-3901

Alexis Strauss, Director, Water Division  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105-3901

Chris Dellith  
U.S. Fish and Wildlife Service  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003