

SANTA MONICA MOUNTAINS CONSERVANCY

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



November 8, 2010

Mr. Samuel Dea
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

**Mission Village Draft Environmental Impact Report
Newhall Ranch Specific Plan Area
SCH# 2005051145**

Dear Mr. Dea:

The Santa Monica Mountains Conservancy (Conservancy) is the principal State planning agency in the vicinity of the subject project. The Conservancy is greatly concerned about the loss of habitat area and impact to the Santa Clara River associated with the proposed project. We strongly disagree that the proposed project would not result in significant unavoidable impacts to biological resources because—quite specifically—the loss of almost 1,500 acres of any Santa Susana Mountains habitat is both significant and irreversible. This habitat loss is both individually and cumulatively significant in the context of the rapidly urbanizing Santa Clarita Valley. The project is proposed at a time when already permitted residential development more than meets demand for the next decade, but natural systems are straining in the face of continued urban expansion. The Santa Clara River is the longest free-flowing natural river in Southern California, providing habitat to a multitude of special status species and rare ecosystems. The impacts of rapid urbanization have cumulatively damaged the river ecosystem and continue threaten the valley's defining characteristics. The Conservancy offers the following specific comments on the Draft Environmental Impact Report (DEIR).

Environmental Review Process is Premature Before Army Corps and CDFG Decision

The Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) have yet to issue a joint record of decision for the proposed Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan. Until such a time as this resource plan is approved, all environmental review is speculative in nature. A tiered, project-level DEIR must be detailed and specific to a degree of accuracy not possible until after the associated program-level resource plan is finalized. The DEIR review and public comment period must be extended until the responsible agencies

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complete their record of decision. Otherwise, the public will not have an opportunity to analyze the specific biological resource-related repercussions and make informed comments on the tiered DEIR. The project described in the DEIR must have the flexibility to adapt to the final Corps and CDFG decision or risk invalidating the environmental document. That is a risk the applicants appear to be willing to assume by moving forward at this time.

Water Quality Mitigation Measures are Deficient

The DEIR appropriately identifies chloride contamination as a potential impact, however asserts that the additional chloride load will be less than significant. The aquatic ecosystem has already been impacted by high concentrations of chloride in the water. The projected increase in chloride contamination is cumulatively significant, yet the proposed mitigation measures do not address increased chloride levels in the natural environment. Chloride contamination has had a significant impact on the natural river ecosystem due to high levels in treated wastewater effluent and runoff from urban areas. The DEIR is deficient for failing to eliminate future projected increases in chloride levels from operation of the project.

In addition to failing to eliminate chloride contamination from new sources, the project would exacerbate existing contamination problems in two ways. First, the project proposes to pump groundwater from formations already contaminated with chloride. Pumping water from this source would increase surface contamination as this water reenters the environment as both runoff and effluent. Second, the project proposes to pipe or pump wastewater to the existing Valencia Wastewater Treatment Plant (WTP) in the interim until build-out of the specific plan justifies construction of the proposed Newhall WTP. However, the Valencia WTP is already out of compliance for chloride. Adding substantial new flows to the plant would compound its treatment problems. Again, the result would be higher chloride amounts in the natural environment even if Mission Village itself releases no new chloride. The only option to reduce this significant impact is the phased or full construction of the proposed Newhall WTP as part of the current project. Routing wastewater to the Valencia WTP is not an environmentally acceptable alternative.

Proposed Project Does Not Seek to Avoid Impacts to Riparian Resources

Riparian corridors perform multiple core ecological functions including groundwater recharge, providing critical habitat, and facilitating wildlife movement. The proposed project would eliminate these ecosystem services on all Santa Clara River tributaries within the tract map. The proposed realignment and grading of Lion Canyon does not constitute preservation of riparian resources. The long-term health and verdancy of the Santa Clara

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River ecosystem is directly dependant on the condition of its tributaries. Thus, the conversion of multiple blue line streams to buried storm drains and manufactured channels is significant. The Corps and CDFG process has shown that some of these tributaries can be avoided and still allow for large numbers of units.

The DEIR asserts that the conversion of the majority of the project site's tributaries to buried storm drain is not a significant impact to the site's hydrology. To the contrary, the project proposes to replace a completely natural hydrological system with a completely artificial and mostly buried one. This is a significant and irreversible impact. Furthermore, the reduction of groundwater infiltration due to the increase in impermeable surface area is not analyzed. Given that the project relies exclusively on groundwater rights for water supply, this is a critical deficiency in the DEIR.

Water Supply is Questionable

Water quality in the Santa Clara River is critical to its ecological function. As required by the Specific Plan, the project proposes to supply the new development with pumped groundwater currently used for agriculture on the property. A thorough analysis of this water source's reliability and potential for contamination must be completed to ensure the sustainability of using local groundwater. Particularly close attention must be paid to the potential for perchlorate contamination to spread as additional water is withdrawn from the aquifer. In addition, the final EIR must contain a list of all the parcels (including APNs) to be fallowed in order to make this local water supply available.

River Buffer Area is Inadequate

The Santa Clara River's ecosystem is intricately linked with upland areas. In developing along the riverbank, the proposed project would sever these ties. The Specific Plan requires a 100-foot buffer between development areas and the top of the riverbank unless a specific finding can be made to permit less. The Conservancy maintains that this 100-foot buffer is grossly inadequate to protect the river and adjacent habitat areas from edge effects such as lighting, noise, domestic animals, and invasive species. The 100-foot radius is less than the perimeter required for brush clearance, leaving no unaltered native habitat on the river terrace. The Center for Biological Diversity recommended a minimum 300-foot buffer for the river area. Several residential lots are within even the 100-foot buffer. All lots that are within the buffer area must be realigned or eliminated to ensure continuity of the river corridor. In addition, water quality basins and other infrastructure should likewise be located outside a minimum-width defined natural buffer area.

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Newhall High Country Must be Partially Dedicated

The proposed project will pass the 2,000 dwelling unit threshold requiring dedication of one-third (approximately 1,400 acres) of the Newhall High Country open space area to a joint powers agency with the appropriate County conservation easements. A specific timeline for the completion of this transfer must be included in the final EIR mitigation measures and project description.

Rearrangement of Proposed Land Uses Would Reduce Impacts to River Terrace

The proposed Spineflower Preserve east of Commerce Center Drive would be biologically isolated and unsustainable in the long term. The fragmentation of open space reduces its utility to medium-sized and large animals. The proposed management framework relies too heavily on active interventions should populations decline in the future, rather than preventative measures such as ensuring high-quality protection and connectivity. Mitigation measure SP 4.6-76 requires a reassessment of potential impacts to spineflower populations in each project-level EIR. The tenets of conservation biology dictate that preserves should be designed to maximize buffer area width, minimize fragmentation, maximize habitat connectivity, and maximize preserve size to allow for population fluctuation. Given the constraints of the proposed Commerce Center Drive, the Spineflower Preserve requires a stronger connection to the river to increase its viability as a general habitat area.

The Conservancy proposes an alternative that relocates the northernmost mixed-use area to the southwest side of Commerce Center Drive, leaving the prominent river terrace area as an open space link between the Spineflower Preserve and the river. There is zero development advantage for the proposed project's siting over this alternative because primary access is still from Commerce Center Drive. In fact, locating the mixed-use center closer to condominiums and single-family residential enables greater pedestrian and bicycle access to the center than its current isolated configuration on the opposite side of a major arterial street, furthering many of the project's stated goals. The Conservancy alternative closely reflects the original proposed densities in the Specific Plan for this area. Any lost single-family units can be replaced by reducing the lot size of the large-lot parcels in the western part of the tract map area. The attached figure illustrates this environmentally superior alternative.

Unlike Alternative 3, the Expanded Spineflower Preserve Alternative, the Conservancy's proposed alternative would not reduce the number of number of housing units to be

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developed. It would maintain the full range of housing types offered by the proposed project. Additionally, this proposed alternative would still construct Commerce Center Drive, maintaining direct access to SR-126. The alternative would not result in a reduction in the tax base as all uses would continue to be accommodated, maintaining the total property value of the project. This proposed alternative would not reduce any significant public benefits in comparison to the proposed project and would satisfy all goals and objectives of the Specific Plan with less environmental impact. Furthermore, the increased viability of the Spineflower Preserve would reduce the potential for costly ecological intervention.

In conclusion, the Conservancy finds the DEIR to be premature and deficient in multiple respects. The design of this project was not premised on impact-avoidance and instead continues a pattern of wholesale landform alteration and habitat loss in the Santa Clarita Valley. Further environmental review of the current project proposal is inappropriate until the responsible agencies issue their record of decision. Under no circumstances should the County use this environmental document as the basis for any decision until that time. Failure to abide by the correct process in this respect would gravely undermine the County's environmental review process and make decisions legally vulnerable.

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

Sincerely,

ANTONIO GONZALEZ
Chairperson