Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

November 4, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Samuel Dea
Section Head
Special Projects Section

SUBJECT: AGENDA ITEM NO. 8
PROJECT NUMBER 04-181-(5)

The following attachments are comments received by staff regarding the Draft Environmental Impact Report related to the above-referenced item:

1. A letter from the Los Angeles County Sheriff's Department, Santa Clarita Valley Station, dated October 20, 2010.

2. A letter from the Friends of the Santa Clara River dated November 1, 2010.

If you need further information, please contact Carolina Blengini from my staff at (213) 974-1522. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SD

Attachments

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169
(661) 255-1121

Leroy D. Baca, Sheriff

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October 20, 2010

Ms. Carolina Blengini
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Dear Ms. Blengini:

DRAFT ENVIRONMENTAL IMPACT REPORT
MISSION VILLAGE PROJECT, NEWHALL RANCH
TENTATIVE TRACT NO. 061105

The proposed Project consisting of 4,412 residential units located south of State Route 126 and the Santa Clara River, and west of Interstate 5 is within the jurisdiction of the Los Angeles County Sheriff's Department, Santa Clarita Valley Station, 23740 Magic Mountain Parkway, Valencia, California. The station is located approximately 9-10 miles from the project site.

It is anticipated that the non-emergent response time to a request for service would be approximately 20-35 minutes. The priority response time would be approximately 8-12 minutes and the response time under emergent circumstances would be approximately 5-7 minutes. All response times are approximations, only, and would be dependent on both the deployment of area radio cars and traffic conditions.

This station serves an area of 656 square miles, which is made up of the City of Santa Clarita and unincorporated County area between the Los Angeles City Limits to the South, the Kern County Line to the North and involving all area between the Ventura County Line to the West and the township of Aqua Dulce to the East. The population served by our station is approximately 262,000 residents.

Our ideal officer to population ratio is one deputy per 1,000 residents and with our current staffing of 171 sworn deputies currently assigned, our ratio is less than ideal at one deputy per every 1,532 residents. Assuming a residential density of 3.123 persons per dwelling unit, this proposed project will generate a population increase of 13,778. Based on the above, this project located in the unincorporated area, would require thirteen additional deputies to the station complement.

Our primary concern is our ability to provide an adequate level of protection and service to all areas we police. Due to the rapidly expanding population of the Santa Clarita Valley and its record-setting home building, it is difficult to project the impact of this specific project on law enforcement.

Upon review of your documentation and our understanding of the Newhall Ranch Specific Plan, there will be several more tracts proposed and ultimately built with a population increase of approximately 67,213, which would put our services in dire need of a new station facility located in the area, and an increase of 67 deputy personnel. Additionally, the increase in required field personnel will necessitate an increase in support resources such as detectives, front desk personnel, secretaries, administration, vehicles and portable radios.

While we do not oppose this project, or future projects for the Newhall Ranch area, we are seriously concerned about our ability to adequately police this valley with our current resources. Without a strong commitment from the Board of Supervisors to provide sufficient funding, we may face a situation where we cannot provide timely emergency services.

Adding this project and other projects in progress, either proposed, approved or committed in the Santa Clarita Valley, it is certain they will all significantly strain our departments ability to operate.

It is suggested, for the security and safety of the residents, that the following crime prevention measures be implemented during site and building layout design:

- Provide lighting in open areas and parking lots;
- Ensure the visibility of doors and windows from the street;
- Ensure that the required building address numbers are lighted and readily apparent from the street for emergency response agencies;
- Provide Knox Box entry key system for law enforcement, if a gated community, gated apartments or gated town homes are planned in the project area;

Should you have further questions, please feel free to call me at (661) 255-1121 extension 5102, or Deputy Patrick Rissler at extension 5159.

Sincerely,

LEROY D. BACA, SHERIFF

Paul Becker, Captain
Santa Clarita Valley Station

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

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Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club
Angeles Chapter
Los Padres Chapter

Surfrider Foundation

Audubon Society
Ventura Chapter

Ventura County Environmental Coalition

November 1, 2010

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Ms. Carolina Blengini
Los Angeles County Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, CA 90012

Re: Comments on Draft Environmental Impact Report - Newhall Ranch, Mission Village, County Project No. 04-181-(5)

Dear Ms. Blengini,

Friends of the Santa Clara River submits the following comments on the subject project. Because of the huge and complex impacts of this project to biological and other areas along the Santa Clara River, we request a 30-day extension of the comment period to December 21, 2010.

Areas of Controversy to be Resolved

At a minimum, there are several areas of controversy and issues to be resolved relative to the Newhall Ranch Project that neither the Specific Plan nor the DEIR sufficiently addresses. Many of these will be considered in the EIS/EIR now being prepared by the Army Corps of Engineers and California Department of Fish and Game (see comments below on EIS/EIR review). These issues need to be studied, understood, and mitigation defined for significant impacts prior to any approval of Mission Village. Among these are:

- What is the long-term effect of stormwater runoff on the unarmored threespine stickleback and can this species survive continued floodplain alteration?
- What is the long-term effect of bank protection on the sediment dynamics of the river?
- What is the probability of success of riparian restoration and mitigation (see comments below on mitigation effectiveness)?
- Why can't alternative methods of bank protection be used and what is the justification for encroachment into the river floodplain when there are large areas of undeveloped uplands in the surrounding areas (see comments below on floodplain modifications and the need for larger buffer zones)?
- What are the cumulative impacts of multiple large development projects in the upper Santa Clara River, including Newhall Ranch

and projects within the City of Santa Clarita, on the biological resources of the river corridor?

Water Quality

The DEIR comments on hydromodification show once again that there is no real understanding of the cumulative potential for existing and future development along the Santa Clara River to cause detrimental hydromodification impacts. A larger, quantitative, regional study is needed. Until that study is complete and the impacts understood, we urge that no further projects, including Mission Village and other Newhall Ranch Villages, be approved.

Biota

Friends is submitting a separate comment letter on biota, prepared by David Magney Environmental Consulting.

We also refer to the remarks of Dr. Jonathon Baskin (Reference 4), a recognized expert on aquatic species and the unarmored threespine stickleback (UTS) in particular. Dr. Baskin clearly explains his concern that the Newhall Ranch project will "negatively affect, and perhaps eliminate, the unarmored threespine stickleback."

Specifically, he states (Ref 4) "The sensitive biota of the river, including the UTS, arroyo toad, least Bell's vireo, etc., requires a habitat that is produced by a meandering stream. Meandering streams have a variety of shallow, slow flow habitats, as well as areas of faster flow, and during flooding overbank habitat is formed. A well-developed riparian corridor is essential to the birds, but is also important to the fish because it provides a refugium during high flows and its ecotonal nature increases productivity of the aquatic habitat. The sensitive aquatic species require good water quality, water free of sediments and chemical pollutants. The project documents do not provide adequate evidence that these conditions will be maintained if the project is implemented.

"The installation of buried and other bank stabilization will destroy the riparian vegetation upon which some species (birds, insects and others) depend. Revegetation at best takes many years to produce the mature plant community that support these organisms, and recent studies show that revegetation efforts, even if they succeed in restoring some of the ecosystem structure, fail to restore ecosystem functions. One reason for this failure is that the root systems of willows, mule fat and other vegetation hold the soil in place, and these root systems take many years, perhaps hundreds of years, to develop. Even when the above ground vegetation is flattened or removed by floods, the roots resprout rapidly. The proposed bank stabilization will destroy this root system for many miles of riverbank area. Revegetation cannot replace it, and the soil will be much more vulnerable to erosion. This will, in turn, destroy the remaining vegetation and what ever had developed, and greatly increase sediment in the river. This sediment is particularly harmful to gravel spawning fishes such as the Santa Ana sucker, and the southern steelhead, which inhabit the river further downstream, and to the bottom nesting

UTS. Sediment smothers the eggs and nests of the UTS. Additional downstream impacts of sediment and other water quality parameters are inadequately addressed. Furthermore revegetation, even if successful, will tend to become uniform if the dynamic nature of the river is impaired. The diversity of organisms associated with the riparian is maintained by the dynamic nature of the stream, which periodically disrupts patches of riparian habitat so that the corridor is a mosaic of habitats in various stages of ecological succession. Disruption of the disturbance regime will significantly reduce the biodiversity, including sensitive species such as the least Bell's vireo."

Adequacy of Mitigation

Recent studies have shown that wetlands mitigation is not working. A recent report (Reference 1: Ambrose, et.al., UCLA, August, 2006) studied 129 wetlands mitigation projects and found that "despite relatively high permit compliance, the vast majority of mitigation sites were not optimally functioning wetlands...In comparison to reference sites, only 19% of the mitigation files were classified as optimal, with just over half sub-optimal and approximately one-quarter marginal to poor." (Reference 1, page iii). Given the high reliance placed on wetlands mitigation to offset project impacts, we must conclude that wetlands loss, in general, is not being adequately mitigated. Thus, we urge that a thorough review of project mitigation be carried out along with the establishment of sufficiently high mitigation ratios and adequate monitoring to ensure there is no net loss of wetlands in the project area.

Need for Larger Buffer Zones

The Santa Clara is the last major natural river remaining in Southern California, a region has already lost all but 3-5% of its pre-settlement riparian woodlands. The Newhall Ranch Environmental Impact Report states: "The Santa Clara River is a regionally significant biological resource. Its value is derived from the inherent value of the riparian habitats and associated species, from its function as a regional wildlife corridor, and because it is a natural river for most of its course".

The river's riparian corridor can properly be considered an ecological reserve, as per its designation by Los Angeles County as SEA#23. Reference 2 (*"Buffer Zones for Ecological Reserves in California: Replacing Guesswork with Science"* by Kelly and Rotenberry) considers needed width, or buffer, for ecological reserves such as SEA 23. Here is a key quote from Reference 2 (page 87): "Buffer design needs to be regarded as a key component of any integrated management strategy for sensitive species". In designing buffers, the UC Riverside scientists consider what processes are operating at the reserve boundary and to what extent those external forces are likely to penetrate the boundary and result in negative effects. Several potential forces are listed, including: (1) introduction of alien predators (particularly domestic cats and dogs), (2) increased nighttime illumination, (3) trespass, including pedestrian, equestrian, and off-road vehicles, (4) introduction of wildlife competitors, (5) pollution, and (6) disease transmission from domestic animals to wildlife. The paper illustrates the problem with an example of a wildlife reserve in Orange County. This reserve, which is up to a *mile wide*

in places, is discussed by the authors as likely having *no interior area* immune from certain edge effects such as far-ranging pets, *even at a mile in width.* This reserve is much wider than the buffer allowed between the river trail (top of buried bank protection) and the riparian vegetated zone in Mission Village, which varies from zero to about 100 feet. Moreover, the EIR does not reference any studies concerning urban edge effects on riparian species.

A study by Stanford's Department of Biological Studies (Reference 3: Rottenborn, Stephen C., "Predicting impacts of urbanization on riparian bird communities) shows that the placement of urban uses in the vicinity of riparian zones has substantial impacts on riparian bird communities *out to a distance of 1500 feet.* Mission Village setbacks range from zero to about 100 feet and thus fail to buffer the sensitive riparian resources of the project area. The Stanford paper's concluding paragraph contains the following statement: *"The single most important step that can be taken to conserve riparian communities in the face of urbanization is to minimize development in and along floodplains by maintaining broad buffers of undeveloped land between developed areas and riparian habitats."*

Floodplain modifications

Mission Village, as proposed, will result in a loss of 39.7 acres of wildlife habitat within the SEA/SMA 23 boundary (DEIR, Page 4.2-61). The Los Angeles Regional Water Quality Control Board has recommended that Newhall Ranch avoid development in the floodplain and Friends agrees with that recommendation. The purpose of floodplains is to store floodwaters. Usurping the floodplain of a river can have serious immediate and long-term repercussions on the hydrology of the river and on channel morphology, both upstream and downstream (see comments above under Water Quality). Long-term impacts could include structural flood control measures of unknown magnitude which could be required in the future due to the cumulative effects of artificial reduction of the existing floodplain. The floodplain avoidance alternative would prevent these impacts and, if the project is eventually approved, this alternative or a lesser damaging environmental alternative, should be adopted. (See remarks above on hydromodification).

New Alternatives Needed

An alternative should be developed which provides a minimum 500-foot buffer zone between the urban edge (top of the buried bank protection) and the riparian zone. Such an alternative would at least go part way towards reducing the urban edge effects discussed above under "Need for Larger Buffer Zones".

Cumulative Impacts

The unprecedented growth in the Santa Clara River watershed over the last few decades has caused an array of cumulative impacts to flora and fauna of the River corridor. Encroachment by development into the River floodplain and terrace lands has resulted in

habitat loss and fragmentation and will inevitably be followed by a decline in species and loss of biological diversity. These cumulative impacts are not adequately addressed in the DEIR. In its 1998 "Biological Opinion for the Valencia Company's Clean Water Act Section 404 Authorization for Portions of the Santa Clara River, Los Angeles County, California", the U. S. Fish and Wildlife Service (p. 33) states that "The potential increase in urbanization could result in alterations to the Santa Clara River through increasing the pollutant load reaching the river through runoff, human activity in the river, and introduction of additional exotic predators, all of which could adversely affect the unarmored threespine stickleback, southwestern willow flycatcher, and least Bell's vireo." Twelve years later, the truth of this statement is evident as numbers of massive projects continue to impact the river. The DEIR must completely reexamine cumulative impacts of Santa Clara watershed projects and evaluate the effectiveness of mitigation for these impacts (see comments above under Water Quality).

EIS/EIR Review Document

We note with some puzzlement that the Mission Village approval process is proceeding in advance of a major environmental review document that will impact the entire Newhall Ranch project. We refer to the EIS/EIR and Record of Decision now being prepared by the the Army Corps of Engineers that will govern the needed Corps 404 permit under the Clean Water Act. This document, along with its associated public hearings and a finalizing process, could affect large sections of the project over which these two agencies have jurisdiction and could well result in major alterations. We therefore submit that project approval by Los Angeles County Regional Planning should be delayed until after such changes have been clarified and any associated alternatives evaluated. Sequencing project-level review after completion of the Record of Decision could avoid needless staff time and expense if substantial changes are required in the project.

Conclusion

No approval for Mission Village should be forthcoming until the DEIR is revised to account for the impacts discussed above. Cumulative impacts, in particular must be analyzed, understood and mitigated. Friends incorporates by reference the comments of Heal the Bay, Ventura Coastkeeper, Sierra Club, Santa Clarita Organization for Planning and the Environment (SCOPE), and the Center for Biological Diversity.

Thank you for your consideration of these comments.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

References

1.Ambrose, R. F. et. al. *An Evaluation of Compensatory Mitigation Projects Permitted Under the Clean Water Act Section 401 by the Los Angeles Regional Quality Control Board, 1991-2002.* Department of Environmental Health Sciences, University of California, Los Angeles, December 2004.

2.Kelly, Patrick J. and Rotenberry, John T., *Buffer Zones for Ecological Reserves in California: Replacing Guesswork with Science,* in "Interface Between Ecology and Land Development in California". Southern California Academy of Sciences Symposium Proceedings: 1993.

3.Rottenborn, Stephen C., *Predicting the impacts of urbanization on riparian bird communities.* In Biological Conservation, v. 88, n.3, June, 1999, pages 289-299.

4.Personal email communication, Jonathan Baskin, Ph.D. to Ron Bottorff, February 28, 2003.