

# WATERSHED

E-NEWS SPRING 2011

## FRIENDS OF THE SANTA CLARA RIVER

Friends of the Santa Clara River (FSCR) is a non-profit, public interest organization dedicated to the protection, enhancement and management of the resources of the Santa Clara River, which flows approximately 100 miles from Acton, California to the Pacific Ocean. The Santa Clara is the largest natural river system remaining in Southern California, and was selected by American Rivers in 2005 as one of the nation's most endangered rivers.

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Check Out the Attached Report on this Hugely Successful Effort – Due in No Small Part to Great Work by Friends’ Board Members Sandy Hedrick and Richard Sweet, Many Audubon Society Volunteers - and our Volunteer Coordinator Jackie Worden!!

- QUICK UPDATE - LAWSUIT OPPOSING WILDLIFE AGENCY’S APPROVAL OF NEWHALL RANCH PROJECT



- QUICK UPDATE - SANTA PAULA CREEK FISH PASSAGE

# FRIENDS OF THE SANTA CLARA RIVER

## *WATERSHED*

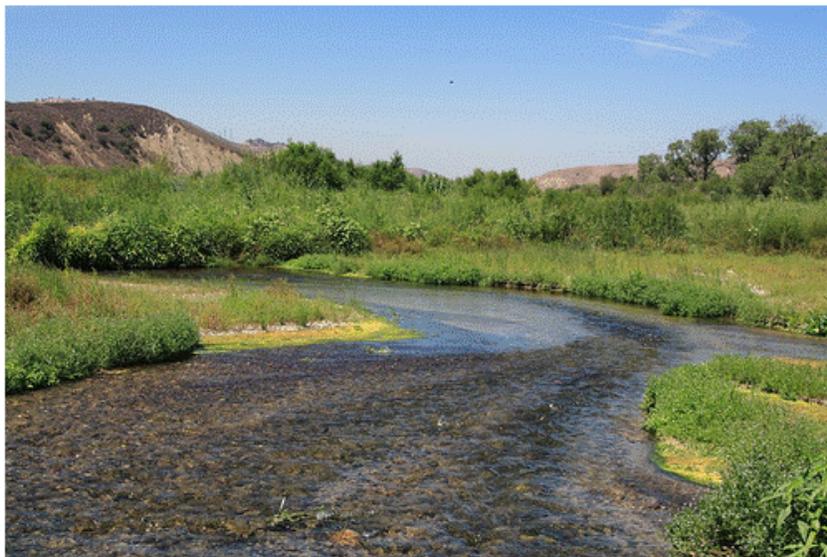
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Ron Bottorff, Chair

Ginnie Bottorff, Editor

### **Update on Lawsuit Opposing Wildlife Agency's Approval of Massive Newhall Ranch Project**



On January 3, 2011, a coalition of five environmental and Native American groups filed suit against the California Department of Fish and Game over its approvals of permits for the sprawling Newhall Ranch development — one of the largest single residential development projects ever contemplated in California — proposed for 12,000 acres along the Santa Clara River in northwest Los Angeles County. Newhall Ranch would create a city of more than 60,000 on a six-mile stretch of the river that is currently mostly rugged open space and agricultural land.

The Department's December 3 approval authorizes filling of the Santa Clara River and its floodplain on a massive scale; filling or concrete lining of nearly 20 miles of tributary streams; unearthing and desecration of Native American burial sites; paving over of natural areas used by the California condor and other wildlife; and the destruction of about one quarter of the San Fernando Valley spineflower population — a species found in only one other location — on and around the Newhall Ranch site. Los Angeles County has approved the Specific Plan for the project but has not approved any of the individual villages that make up the total development.

FSCR and our four co-litigants held a mandatory settlement conference via telephone on February 8, 2011. John Buse, of the Center for Biological Diversity, presented the environmental group's arguments

for stronger protection of natural resources within the project area. California Department of Fish and Game attorneys as well as Lennar Homes attorneys heard our case. Our requirements, as outlined by Buse, follow closely one of the Corps of Engineers alternatives for the project (alternative 7), which avoids most impacts to the river floodplain, riparian areas and tributary streams. Further, it includes only one bridge instead of two, as proposed by the developer. Both the Department and Lennar promised to get back to us with a counter proposal, but we have not heard from them yet. Meanwhile, the Corps of Engineers continues to work on finalizing its Record of Decision (ROD) for the project under Clean Water Act Section 404. One important document the Corps will use is a Biological Opinion from the U.S. Fish and Wildlife Service, which is still in work. We are fairly sure the reason we have not heard from Lennar on our lawsuit settlement proposal is that they wish to evaluate the Corps' ROD before responding.

STAY TUNED!!!

### UPDATE ON SANTA PAULA CREEK FISH PASSAGE

As we have noted in previous newsletters, the viability of the Army Corps of Engineers' (Corps) Santa Paula Creek flood control project that protects the City of Santa Paula is the subject of a new report covering the potential for sediment deposition in the channel that could increase the flood threat to the city. The report indicates that sediment deposited downstream of the concrete-walled flood control channel could cause flooding which would impact Hwy. 126 access roads. Moreover, the Ventura County Watershed Protection District has now revised the peak flow in a 100-year flood from 28,000 cfs to 38,800 cfs, an increase of 39% over the peak flow used in the Corps' analysis. Updated analyses, using the new peak flow, show there would be impingement (called pressure flow) directly against the Hwy. 126 bridge.

FSCR has been following this issue closely because Santa Paula Creek is a prime spawning stream for the endangered southern steelhead. The fish ladder that was built as part of the flood control project was heavily damaged in the near-record 2005 flood. The Corps had earlier proposed to construct a second fish ladder, similar in design to the one that was damaged, but has now abandoned these plans due to the probability of damage to a modified ladder of similar design.

The overall situation is complicated by the fact that a new Santa Paula development project, termed East Area 1, is planned adjacent to the east side of the creek. Modifications to the project may be needed to allow for flood channel widening for both flood protection and fish passage. Substantive modifications to the flood channel between the project and Hwy. 126 will have to be considered as part of overall improvements in flood protection for the entire east end of Santa Paula.

East Area 1 annexation to Santa Paula was approved by the Ventura County Local Agency Formation Commission on March 16. Friends, along with Keep the Sespe Wild Committee and the Environmental Defense Center, had presented a strong case to LAFCO that it should authorize a Supplemental Environmental Impact Report covering flood issues, since the

original EIR relied on the erroneous assumption that the Flood Control Project, as currently configured, afforded adequate flood protection.

After LAFCO approval without EIR authorization, KSWC and EDC met with the developer and the City of Santa Paula. These entities have now agreed to preparation of a Subsequent EIR, which will require several months. Such a document is clearly needed to allow assessment of flood risk to both East Area 1 and the City.