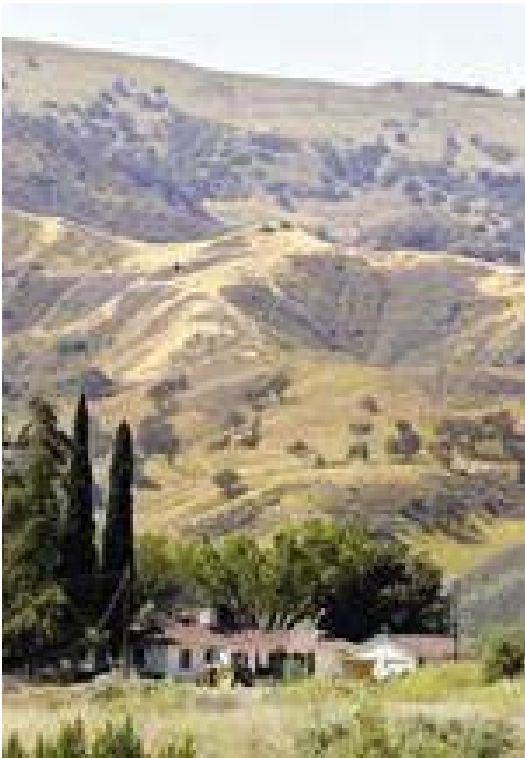

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Newhall Ranch housing development dealt a new setback

By Ann M. Simmons
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A farmhouse sits near the site of the proposed Newhall Ranch housing development. An L.A. County Superior Court judge has backed alleged flaws in the massive project's environmental review. (Reed Saxon / Associated Press / May 22, 2003)

The proposed Newhall Ranch residential development project received another setback this week when a Los Angeles County Superior Court judge issued a preliminary ruling that supported concerns raised by environmentalists.

A judge issues a preliminary ruling that supports concerns raised by environmentalists. Developers seek to house 60,000 residents along the Santa Clara River.

Developers seek to eventually house about 60,000 residents along a six-mile stretch of the Santa Clara River. Environmentalists argue that the development would harm the waterway, destroy wildlife habitat and despoil Native American cultural sites.

The project has languished for years amid heavy opposition. In June, several environmental groups sued the California Department of Fish and Game for allegedly failing to adequately assess the potential environmental effects.

In the Superior Court's "statement of intended decision," filed Thursday, Judge Ann I. Jones found several of the plaintiffs' claims to be "without merit," such as Fish and Game's failure to work with all the Chumash tribal contacts identified by the Native American Heritage Commission. But the judge also backed alleged flaws in the environmental review. She called insufficient its analysis of the effect on wildlife, such as the rare San Fernando spineflower and steelhead salmon, which breed downstream.

The court also questioned the justification of the project, a stated "unmet demand for housing."

The ruling poses "significant obstacles" for Newhall Ranch developers, said John Buse, staff attorney for the Center for Biological Diversity, one of the plaintiffs. Others are the California Native Plant Society, Friends of the Santa Clara River, Santa Clarita Organization for Planning the

Environment and the Wishtoyo Foundation and
its Ventura Coastkeeper program.

“We feel there are a lot of deficiencies, a lack of adequate analysis of the environmental and cultural impacts and a lack of establishment of mitigation measures” in the review, said Jason Weiner, a staff attorney for Wishtoyo.

Mike Taugher, a spokesman for the Department of Fish and Game, said in an email that his agency was “still reviewing” the judge’s preliminary decision and had no comment at this time.

Marlee Lauffer, a spokeswoman for Newhall Land, expressed disappointment.

“We believe that the decade-long environmental review process, which resulted in significant additional riparian land and spineflower preserves, was very thorough and detailed,” Lauffer said in an email. “We are working with the Department of Fish and Game to fully assess the Court’s initial ruling and to review all the legal options.”

The plaintiffs said they are expecting a final ruling next month.