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5-2-06

Planning Commissioners
City of Santa Clarita
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Re: Comments on the Additional Information Document for the Gates/King Project

Honorable Commissioners:

We believe that this additional information document does not comply with the disclosure requirements ordered by the 2nd Appellate Court. The document persists in calling the 41,000 AF water transfer "permanent", when in fact the 3rd Appellate Court stated that a new EIR for the Monterey Agreement must be completed. That EIR has not yet been completed, nor even a draft circulated. Additionally, that court ruled that the lead agency for a transfer of this magnitude must be the Dept. of Water Resources. The Castaic Lake Water Agency has proceeded in defiance of the law and prepared and EIR which they then certified. This EIR is being challenged in Court and is not valid based on settled law.

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Further, this informational document does not disclose to you the extreme adverse impacts of global warming on our state water supply. This is the very reason for the Sierra Club's continued concern regarding further increasing dependence on State Water supplies from Northern California. It has become apparent that snow packs will be reduced and that the past 72 years of supply and distribution patterns will be drastically changed. It is therefore imperative to wait for the statewide EIR document analysis before approving further projects based on water from Northern California.

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The document also fails to provide you with copies of Court decisions and orders that would assist you in understanding the statewide issues and problems in this matter. We request that you review recent CalFed Court decisions regarding water quality issues so that you may understand the severe impacts that increased pumping will have on the Delta, its fisheries and its farming. This is a matter of huge statewide importance. Your actions have a ripple effect that will encompass the entire state.

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We believe that the water assessment prepared by Newhall County Water District (NCWD) does not comply with the disclosure requirements of SB610 because it does not fully disclose the impermanence of the 41,000 AF Monterey Agreement transfer. Nor does it disclose the impacts that would occur to the water supply in the Santa Clarita Valley should the EIR for the transfer not be approved. In addition to the fact that the Monterey Agreement EIR has not been completed and certified, it does not disclose the many other Court decisions that may impact transfers to Southern California, including the recent CalFed decision discussed above, nor the constraints that such decisions may place on water supplied from Northern California.

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As indicated by the recent Court decision on this project, the City cannot rely wholly on the Water Assessment by the Water District, but must evaluate these decisions for itself. The Additional Information Document should include scenarios based on reduction of water supplies from Northern California so that the Commission will be fully informed as to the impacts of these water quality and global warming constraints

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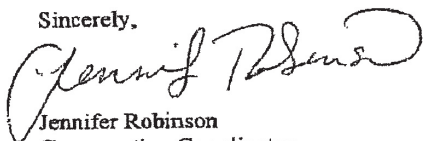


Disclosure of reductions to the water supply due to ammonium perchlorate pollution is also inadequate. No clean up facilities for perchlorate in the Saugus aquifer are in place. Nor has construction even begun. Further, the estimated \$80 million in clean-up costs is not funded. The water agencies have stated in environmental documents for the last several years that clean-up facilities will be on line in each of those past years, yet funding and settlement of the lawsuit against the polluter (Whitiker-Bermite) is still not forthcoming. The Additional Information Document should not rely on water from the polluted Saugus Aquifer until clean-up facilities are in place and functioning. Should a drought occur and that water not be available, a severe cutback in supplies would be necessitated. Further, the NCWD Stetson Report, commissioned and approved by that Board, states that reliance on the Saugus Aquifer beyond 15,000 AF has not been adequately studied (pg. 59-60). We refer and incorporate this report by reference. There is no disclosure of this risk.

Additionally, the Sierra Club continues to protest the loss of 1400 oaks in a significant hardwood forest. The loss of these oaks and the carbon-sequestering abilities will exacerbate the already severe air pollution problems in the Santa Clarita area.

Thank you for your time.

Sincerely,



Jennifer Robinson
Conservation Coordinator

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