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California Supreme Court Upholds Environmental and Cultural Challenges to Sprawling Newhall Ranch Mega-development

Wishtoyo, our Ventura Coastkeeper Program, Center for Biological Diversity, Friends of the Santa Clara River, California Native Plant Society, and SCOPE Prevail for the River and its Communities

SAN FRANCISCO— The California Supreme Court today struck a severe blow to the Newhall Ranch mega-development project near Los Angeles, upholding environmental claims brought against state wildlife officials by Wishtoyo Foundation and its Ventura Coastkeeper Program, Center for Biological Diversity, Friends of the Santa Clara River, SCOPE and the California Native Plant Society, and fully reversing a 2014 ruling by the Second Appellate District, Division Five.

Newhall Ranch would create a new city of more than 60,000 residents on a 12,000-acre site in northern Los Angeles County that includes a nearly six-mile stretch of the Santa Clara River. The Santa Clara is the last major free-flowing river in Southern California, and is home to sacred Chumash Native American cultural resources and many rare species, including the endangered unarmored threespine stickleback and southern California steelhead. The development also would create new greenhouse gas emissions, equivalent to roughly 260,000 metric tons of carbon dioxide each year.

"Justice won today," said Mati Waiya, Chumash Ceremonial Elder and Wishtoyo Foundation Executive Director. "This is a dose of medicine for a River and its species that are suffering... Wishtoyo and its Ventura Coastkeeper Program did our part for climate change, native and endangered species, and the right for California Tribes to participate in California's environmental review process... We served our members and the public in the very best way we could, and made the Chumash Peoples very proud. Our ancestors are having a ceremony on the River this very moment, that with more work and good government, will hopefully continue for a long time to come."

The state Supreme Court's decision, in line with the Superior Court's 2012 decision, resolves a 2011 suit challenging the California Department of Fish and Wildlife's approvals of permits for the entire development and review under the California Environmental Quality Act, and addresses three distinct issues:

Greenhouse Gas Emissions Reductions and Significance Analysis

First, the Court properly shut down Newhall's and the California Department of Fish and Wildlife's illusory business as usual approach that compared greenhouse gas emissions from the actual project to a hypothetical project that could never be built under the state's climate change laws and regulations. Specifically the high Court found that the public and agency decision makers have "no way of knowing whether the project's likely greenhouse gas emissions impacts will indeed be significant and, if so, what mitigation measures will be required to reduce them."

"The Court's decision is needed to ensure the State of California can actually meet its greenhouse gas emissions reduction goals," said Jason Weiner, General Counsel for Wishtoyo and its Ventura Coastkeeper Program. "It requires greenhouse gas emission impacts for all projects throughout the state to be sufficiently analyzed so that adequate mitigation measures can be adopted to reduce global warming impacts to a less than significant effect."

Fully Protected Species Statute & the Unarmored Threespine Stickleback

On the second issue, the court also agreed with environmental challengers that the fully protected species law prohibits California State Agencies from allowing the capture and relocation of "fully protected" species under state law, to facilitate projects. "In this instance, one of the worlds last remaining populations of unarmored threespine stickleback will be saved from the Newhall Ranch mega development...Throughout California, condors, sea otters, and other treasured and endangered wildlife will remain protected from individuals and corporations looking to exploit the environment for private gain," said Jason Weiner.

Public and Tribal Participation in the Environmental Review Process

On the third issue, the court protected meaningful participation for California Native Americans and the general public in the California Environmental Quality Act environmental review process by rejecting the California Department of Fish and Wildlife's attempt to discount comments raised by the public on final Environmental Impact Report documents, including the Wishtoyo Foundation and Chumash Ceremonial Elder Mati Waiya's comments regarding the project's effects on Native American cultural resources and steelhead.

"The California Supreme Court should be applauded for maintaining the right of California Tribes to identify and prevent impacts to tribal cultural resources in CEQA's environmental review process," said Mati Waiya, Chumash Ceremonial Elder and Wishtoyo Executive Director.

“Today is a more than good day for our current and future generations,” said Jason Weiner, General Counsel for Wishtoyo and its Ventura Coastkeeper Program. “The Court fulfilled its role by upholding California’s statutes needed to curb global warming, prevent species extinction, and to allow for meaningful public and tribal participation during state environmental review processes.” “We are ecstatic and relieved to say the least. The decision has tremendously beneficial environmental, social, and cultural implications for the communities and species in the Santa Clara River Watershed, and throughout California.”

[Click Here](#) for a copy of the Supreme Court Decision and more information about our work on the Newhall Ranch Campaign and the issues before the Supreme Court.

The Wishtoyo Foundation

Founded in 1997, Wishtoyo is a 501(c)(3) non-profit grassroots organization with over 700 members consisting of Ventura County’s diverse residents and Chumash Native Americans. Wishtoyo’s mission is to preserve and protect Chumash culture, the culture of all of Ventura County’s diverse communities, and the environment that our current and future generations depend upon. Wishtoyo shares traditional Chumash Native American beliefs, cultural practices, songs, dances, stories, and values with the public in its Chumash Discovery Village and through educational programs in schools to promote environmental awareness and natural resources stewardship. In 2000, Wishtoyo founded its Ventura Coastkeeper Program (“VCK”). VCK’s mission is to protect, preserve, and restore the ecological integrity and water quality of Ventura County’s inland and coastal waterbodies for all beings in the County’s diverse community through outreach and education, restoration projects, advocacy, litigation, and community organizing and empowerment. For more information about Wishtoyo Foundation and its Ventura Coastkeeper Program Visit: www.wishtoyo.org.