

## **1.0 INTRODUCTION**

### **1.1 PURPOSE**

This Final Environmental Impact Report (Final EIR) has been prepared to describe the disposition of environmental issues raised in the comments received on the Draft EIR for the Vulcan Materials Azusa Rock Quarry. The evaluation and response to public comments is an essential part of the full disclosure environmental review process for the California Environmental Quality Act (CEQA) and has been completed in accordance with California Public Resources Code Section 21000 *et seq.*

### **1.2 FINAL EIR REQUIREMENTS**

The Final EIR for the Azusa Rock Quarry has been prepared to provide responses to comments received. The response to comments may take the form of a revision to the Draft EIR or may be a separate section in the final document. In this case the Final EIR includes both.

The CEQA Guidelines (14 CCR Chapter 3, Section 15132) require that the Final EIR shall consist of:

- The Draft EIR or a revision of the draft;
- Comments and recommendations received on the Draft EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

This Final EIR has been prepared in a format in accordance with CEQA Regulations. This document should be used in conjunction with, rather than in place of, the Draft EIR. Therefore, this document, together with the Draft EIR, fulfills State and City CEQA requirements for a complete Final EIR.

### **1.3 USE OF FINAL EIR IN DECISION-MAKING PROCESS**

The EIR is an informational document designed to inform the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

The final actions for completion of the CEQA process are described below:

The City of Azusa (City) is the CEQA Lead Agency. To certify the Final EIR, the City must find that:

- the Final EIR has been completed in compliance with CEQA; and
- the Final EIR was presented to the decision-making body of the lead agency, and the decision-making body considered and reviewed the information contained in the Final EIR prior to approving the project; and
- the Final EIR reflects the lead agency's independent judgment and analysis (State CEQA Guidelines, Section 15090).

After the City certifies the Final EIR, the City may decide whether and how to approve the Project and must adopt findings of fact regarding the significant effects identified in the Final EIR (State CEQA Guidelines, Sections 15091-15093).

The Final EIR will be used by the City together with economic, social, and technical information, to decide on the discretionary entitlements requested. This Final EIR is being made available prior to hearings on project approval or denial to provide an opportunity for agency and public review of the complete Final EIR before decisions are made.

Mining activities on private land are regulated by the City in accordance with the Azusa General Plan and other requirements. The City reviews proposed conditional use permits and reclamation plans prior to considering approval of a project. The City is responsible for regulating the reclamation of mining operations, in accordance with the California Surface Mining and Reclamation Act of 1975 (SMARA) (California Public Resources Code Section 2710 et seq.).

The Project Application for a modification to C-89-20, Development Agreement and Revised Reclamation Plan and related technical documents that were, in part, used in the preparation of the Draft EIR, and this Final EIR, were submitted by the Applicant to the City in 2008. The Application and supporting documents are on file and available for public review at the City Planning Department and in Volume II of the Draft EIR. This Final EIR reviews the environmental consequences of the proposed activities on the Project Site, as described in the Application.

Upon review of the Final EIR, and prior to rendering decisions on the discretionary actions, the City must certify that:

- The Final EIR has been completed in compliance with CEQA;
- The Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the Project; and
- The Final EIR reflects the Lead Agency's independent judgment and analysis.

Should applicable permits and Reclamation Plan approvals be granted by the City, a statement of findings would be made for each significant environmental effect of the Project, accompanied by a brief explanation of the rationale for each finding. Possible findings are that:

- Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effects as identified in the Final EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or
- Specific economic, social, or other considerations make infeasible the mitigation measures or Project alternatives identified in the Final EIR.

In addition, the City would have to make a statement of overriding considerations if, in choosing to grant the modified CUP, Reclamation Plan and other approvals for the Proposed Project, it determines that significant environmental impacts remain. The statement of overriding considerations would set forth the specific reasons why the benefits of the Proposed Project outweigh the unavoidable significant environmental impacts. The statement of overriding considerations (if any) and the findings will be issued by the Azusa City Council concurrently with its decision at a public hearing.

The record as appropriate, will:

- State the decision.
- Identify all alternatives considered by the agency in reaching its decision, specifying the alternative or alternatives that were considered to be environmentally preferable.
- Identify and discuss relevant factors, including economic and technical considerations, agency statutory missions, and considerations of national policy that were balanced by the agency in making its decision.
- State whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not.
- Adopt a mitigation monitoring and enforcement program.