

2.0 PUBLIC REVIEW AND CONSULTATION PROCESS

2.1 CIRCULATION OF DRAFT EIR

2.1.1 Purposes of Public Review

CEQA views public participation as an essential part of the environmental impact evaluation process. The purposes of public circulation and review of EIRs include:

- Sharing expertise;
- Disclosing agency analyses;
- Checking for accuracy;
- Detecting omissions;
- Discovering public concerns; and
- Soliciting counter proposals.

CEQA explains that the focus of the review should be on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project may be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. Reviewers should therefore explain the basis for their comments, and whenever possible should submit data or references in support of their comments (CEQA Guidelines, Section 15204).

CEQA (Cal. Pub. Res. Code Section 21082.2(b)) explains that, “Statements in an environmental impact report and comments with respect to an environmental impact report shall not be determinative of whether the project may have a significant effect on the environment.” According to CEQA, it is the responsibility of the decision makers of the Lead Agency to “determine whether a project may have a significant effect on the environment based on substantial evidence in the record.” “Substantial evidence” is defined as facts, fact-related reasonable assumptions, and expert opinion. Substantial evidence does not include arguments, speculation, unsubstantiated opinion or narrative, clearly erroneous evidence, or socioeconomic impacts not related to the physical environment (Cal. Pub. Res. Code Section 21080(e), 21082.2(a), 21082.2(c), and Guidelines Section 15384).

2.1.2 Public Review Period and Notifications

In accordance with both the specific requirements and the intent of CEQA, the environmental review process for the Azusa Rock Quarry has included substantial opportunities for public and agency review and comment on the environmental evaluations. This extensive public review process is briefly summarized in the following paragraph.

The Draft EIR process included the following:

- An EIR Notice of Preparation (NOP) was distributed to the State Clearinghouse, responsible agencies, interested groups and individuals, and surrounding property owners for a 60-day comment period;
- One Public Scoping Meeting was held;
- The Draft EIR was circulated for review;
- Copies of the Draft EIR were sent directly to responsible, trustee, and other State, Federal, and local agencies expected to have expertise or interest in the resources that may be affected by the Proposed Project;
- In addition, copies were sent to organizations, businesses, and individuals with special expertise on environmental impacts and/or who had expressed an interest in this particular project, or other activities; and
- The Notice of Completion was filed with the State Clearinghouse.
- The comment period was extended by the City to February 20, 2010.

Notice of the availability of this Final EIR has been provided to agencies, organizations, and the public, who have expressed an interest in the project.

2.2 PUBLIC INPUT ANALYSIS

As a result of the degree of public interest in the Project, a substantial number of comments were submitted during the public review period. A total of 653 comment letters were submitted. In addition, commenters presented verbal comments at various public meetings. Written comments (received as letter correspondence) are contained in Section 5.0, Response to Comments, of this Final EIR.

The public comments received did not change the analyses or conclusions regarding environmental impacts of the Project presented in the Draft EIR. Instead, the input resulted in the adoption of some modification of mitigation measures described in the Draft EIR. These modified mitigation measures, along with other corrections to the Draft EIR, are included in Section 3.0, Draft EIR Errata, as well as being included in the appropriate comment responses in Section 5.0, Response to Comments.

As is common with Draft EIR circulation and review, many of the comments submitted were general in nature, and asked questions already answered in the Draft EIR evaluations. Other commenters asked for clarification on points addressed in the environmental evaluations, while some provided suggestions on the evaluation of impacts and determination of specific mitigation measures.

Comments received indicated that some reviewers disagree with the Draft EIR conclusions. Where specific points of disagreement were expressed by commenters concerning environmental issues, detailed responses have been prepared in this document.

2.3 APPROACH TO RESPONSES

2.3.1 General Issue Comments

The majority of submitted comments were general in nature and expressed concern regarding aesthetics, air quality, noise, biology, traffic and utilities. Few of these commenters asked questions that had not already been evaluated in the Draft EIR. Most of these general concerns were voiced in conjunction with opinions on project approval/denial. These concerns were anticipated, as these are the same issues that have been the focus of public interest since the initial public scoping process. Clarification on the environmental evaluations and recommendations in the Draft EIR is provided. Individual responses are in Section 5.0. They are also cross referenced to specific general responses in Section 4.0 for clarification and consistency.

2.3.2 Specific Comments

The Draft EIR was circulated to numerous agencies that could be affected by the proposed Project, or having expertise or interest in environmental resources. In addition, interested organizations, individuals, and businesses received the documents or were noticed of their availability. A number of agencies, organizations, businesses, and individuals submitted specific comments or opinions based on review of the Draft EIR. The majority of these comments requested clarification on specific points addressed, while some provided suggestions on the evaluation of impacts and determination of specific mitigation measures. Replies to comments from agencies, organizations, businesses, and individuals are provided in Section 5.0. Comments received are organized and numbered in their chronological order of submittal and are listed in Table 5-1. A general response was prepared for each and is referenced for each of those submitted. In many cases other letters were so similar in content that the reader is referred to the form letter response. These individual letters and responses follow Table 5-1.

2.4 DETERMINING NEED FOR RECIRCULATION

CEQA Guidelines Title 14, Article 7, §15088.5 requires recirculation of a Draft EIR prior to certifying the Final EIR under specific circumstances. A Lead Agency is required to recirculate when significant information is added to the EIR subsequent to the public review notice and before certification. Information can include changes in the project description, the environmental setting, as well as additional data or other information. New information is only considered significant if the EIR is changed in such a way that deprives the public of meaningful opportunity to comment upon a substantial adverse effect or a feasible way to mitigate or avoid such an effect.

Recirculation is not required when new information added merely clarifies or amplifies, or makes other insignificant modification to an adequate EIR. A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

The City of Azusa determined, after receiving testimony at four public meetings and reviewing and responding to 653 comment letters, that the required revisions to the Draft EIR did not

constitute substantial changes to the document, but instead required editorial changes and clarifications. The documentation of changes made to the Draft EIR is included in Chapter 3.0 of this Final EIR. All changes are considered insignificant and the City determined that recirculation was not warranted.