

# CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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## 1.0 INTRODUCTION TO THE FINAL EIR

The City of Irwindale (City) has prepared this Final Environmental Impact Report (EIR) to evaluate the potential environmental impacts related to the *Olive Pit Mine Reclamation Plan*; and thereby, the development of the *Olive Pit Mining & Reclamation Project* (Proposed Project or “Olive Pit Mine”). This EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended) [Public Resources Code §§21000-21178] and the 2014 State CEQA Guidelines [California Code of Regulations, Title 14, Chapter 3, §§15000-15387]. The *Olive Pit Mine Reclamation Plan* is included as Appendix A of this EIR.

Pursuant to State CEQA Guidelines §15121[Informational Document]:

- A. *An EIR is intended as an informational document which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency;*
- B. *While the information in the EIR does not control the agency’s ultimate discretion on the project, the agency must respond to each significant effect identified in the EIR by making findings under Section 15091 and if necessary by making a statement of overriding consideration under Section 15093; and*
- C. *The information in an EIR may constitute substantial evidence in the record to support the agency’s action on the project if its decision is later challenged in court.*

This introductory chapter of the *Olive Pit Mining & Reclamation Project EIR* discusses the purpose and use of the EIR, as well as provides an overview of the CEQA EIR process. A description of the scoping activities is detailed below, including summarized comments received in writing from the public and various agencies. This chapter also describes the organization and contents of the EIR; and incorporates by reference several of the City’s planning documents.

The Final EIR consists of:

- The Draft EIR;
- Chapter 8.0 Responses to Comments;
- Chapter 9.0 Mitigation Monitoring and Reporting Program; and,
- Technical Appendices.

## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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After completion of the *Olive Pit Mine and Reclamation Project* Draft EIR, the City of Irwindale (City and Lead Agency) filed a Notice of Completion (NOC) / Notice of Availability (NOA) with the Governor's Office of Planning and Research, State Clearinghouse (SCH) on August 14, 2014 indicating that the Draft EIR was complete and available for review (State CEQA Guidelines §15085-15086 and §15105(a)).

The Draft EIR was made available for public review and comment for a period of 45-days beginning on August 14, 2014 and ending on September 29, 2014. A copy of the SCH stamped NOA/NOC is provided in Appendix B.

Pursuant to State CEQA Guideline §15087, the City filed the NOA/NOC with the Los Angeles County Clerk on August 14, 2014. A copy of the County Clerk stamped NOA/NOC is provided Appendix B.

The City of Irwindale mailed a copy of the NOA/NOC noticed the Draft EIR 'as availability for review' to surrounding city and Los Angeles county community development directors/planners, surrounding business owners and residents, and other interested agencies and individuals. The EIR Notification List is provided in Appendix B of this EIR.

The EIR was made available on the City's website at: <http://www.ci.irwindale.ca.us/>

In addition, both hardcopies and CD copies of the Draft EIR were made available for review at the following locations:

Office of the City Clerk  
50505050 North Irwindale Avenue  
Irwindale, California 91706

Irwindale Public Library  
5050 North Irwindale Avenue  
Irwindale, California 91706

The City received a total of 8 comment letters. All written comment letters received by the City were assigned a number (e.g., Letter 1, Letter 2, etc.) as indicated in the table below. Each comment within the comment letter was assigned an identifying number (e.g., Comment 1-1, Comment 1-2, etc.). The comment number(s) are provided on the right column of each comment letter. The table below lists each comment letter received with the associated number it has been assigned.

Pursuant to State CEQA Guideline §15088, the City of Irwindale evaluated written comments on environmental issues from persons who reviewed the Draft EIR and provided a written response during the noticed comment period. Written responses to comments are provided in Chapter 8.0 Responses to Comments. As necessary, and in response to comments received, revisions to the text in the body of EIR are provided in Chapter 8 in redline/strikeout for visual recognition.

## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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Individual responses to agency/individual comments have or will be sent to each of the commenting agencies/individuals on or before 10 days prior to the public hearing & certification of the Final EIR by the City Council.

Final EIR Olive Pit Mine and Reclamation Project Draft EIR Comment Letters	
Number	Name
1.	California Department of Conservation
2.	California Department of Transportation
3.	California Department of Fish and Wildlife
4.	Native American Heritage Commission
5.	South Coast Air Quality Management District
6.	County of Los Angeles Fire Department
7.	City of Baldwin Park and ESA
8.	Jacqueline Pineda

The City of Irwindale City Council intends to hold a public hearing to consider the adoption of the *Olive Pit Mine and Reclamation Project* Final EIR on November 12, 2014 at the Irwindale City Council Chambers located at 5050 North Irwindale Avenue, in the City of Irwindale. Questions or comments on this Final EIR should be directed to the attention of:

Ms. Paula Kelly, Senior Planner  
City of Irwindale  
5050 North Irwindale Avenue  
Irwindale, California 91706  
(626) 430-2200 (Telephone)  
(626) 962-2018 (Facsimile)

Electronic mail: [paulakelly@ci.irwindale.ca.us](mailto:paulakelly@ci.irwindale.ca.us)

### 1.1 PURPOSE OF THE EIR

The purpose of this EIR is to present information relevant to existing conditions, evaluate potential environmental impacts, and recommend a feasible Mitigation Program to reduce any identified significant adverse environmental effects that could result from the Proposed Project in the City of Irwindale. Approval of the Proposed Project requires discretionary approval by the City, and therefore constitutes a “project” under CEQA (State CEQA Guidelines §15378). State

## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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CEQA Guidelines §15378 defines a “project” as “*the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...*”.

CEQA requires that an EIR be prepared for any project to be undertaken or approved by a State or local agency that has the potential to have a significant effect on the environment. The City has prepared this EIR pursuant to State CEQA Guidelines §15161 regarding a Project EIR. CEQA defines a Project EIR in the following terms:

*The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation.*

The purpose of a Project EIR is to inform governmental decision makers and the public about the potential significant environmental effects associated with a proposed action or “project.” Mitigation measures are identified and may be adopted as conditions of approval, intending to reduce or offset potential environmental effects from implementation of the Proposed Project. Where the Mitigation Program is unable to fully mitigate a significant adverse impact, the impact is deemed “significant and unavoidable.” If the Lead Agency approves a project with significant and unavoidable impacts, the Agency shall explain in writing specific reasons for approving the project, based on the Final EIR, and any other information within the public record for the project (State CEQA Guidelines §15093).

The *Olive Pit Mining & Reclamation Project* EIR describes actions required to carry out mining and reclamation at the Olive Pit mine site. A sufficient degree of analysis is presented to provide decision-makers with information that will enable them to make a decision which intelligently accounts for any environmental consequence (State CEQA Guidelines §§15146 & 15151). Using its best efforts to find out and disclose all that it reasonably can, an EIR must utilize some degree of forecasting, but must avoid speculation (CEQA Guidelines §§15144-15146).

### 1.2 CEQA EIR PROCESS OVERVIEW

Under State CEQA Guidelines §15002(f)(1), an “*EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment.*” The City, acting in its Lead Agency capacity, is the agency with the greatest responsibility for supervising or approving the project as a whole. The Lead Agency may develop and circulate an initial study of potential environmental impacts, or it may forgo further initial review of the project and begin work directly on the EIR. For this Project, the Lead Agency began work directly on the EIR as allowed for under CEQA §15063(a) as City Staff made the determination early on that based on other similar past mining projects in the City, implementation of the Proposed Project could potentially result in significant impacts and that preparation of an EIR was warranted.

## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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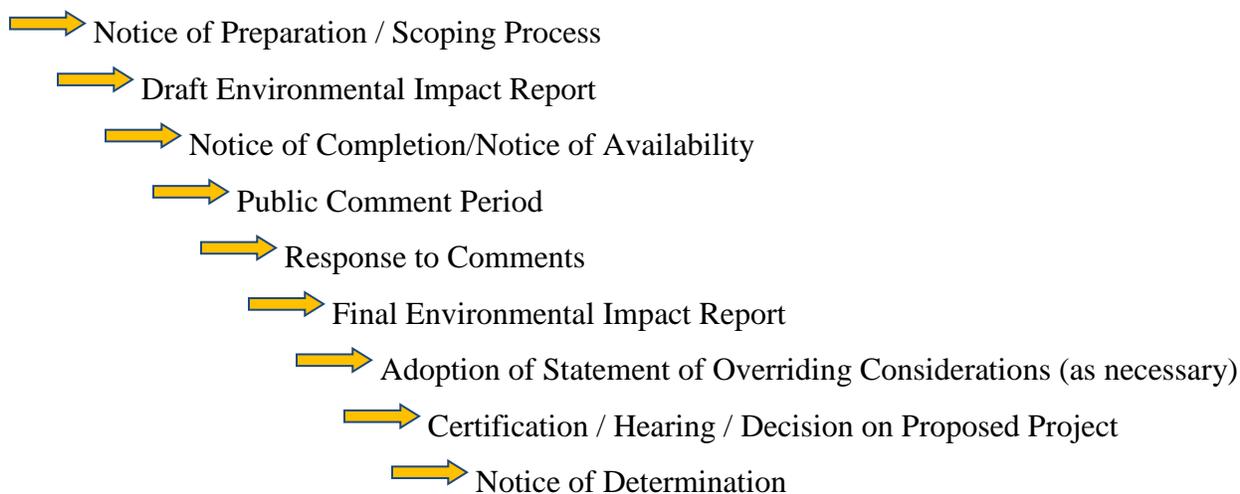
Once the range of scope for the EIR has been determined, the Lead Agency begins analyzing and documenting all potential environmental impacts. Once complete, the Draft EIR is released for a public review period. The Lead Agency may also conduct public meetings or hearings to solicit additional input from interested parties on the content and conclusions in the Draft EIR. All comments received on the Draft EIR during the public review period must be addressed in the Final EIR. The Final EIR reflects comments and responses as well as any changes to the text, maps, exhibits or other elements of the EIR.

The Lead Agency then considers certification of the EIR, and subsequently, makes its decision regarding project approval or denial. Under CEQA, a Lead Agency must make certain determinations before it can approve or carry out a project if the EIR reveals that the project will result in one or more significant environmental impacts.

According to the CEQA Guidelines, certification consists of three separate steps. The agency's decision-making body must conclude: first, that the document "has been completed in compliance with CEQA": second, that the body has reviewed and considered the information within the EIR prior to approving the project; and third, that "the Final EIR reflects the Lead Agency's independent judgment and analysis" (CEQA Guidelines §15090(a); see also PRC Section 21082.1(c)(3)). In addition, after the Final EIR is completed and 10 days prior to the public hearing to certify and approve/deny the project, a copy of the responses to comments made by public agencies on the Draft EIR will be provided to each commenting agency (State CEQA Guidelines §15088(b)).

CEQA EIR Process Overview:

### **Decision to Prepare an Environmental Impact Report**



## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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### DRAFT EIR

The Draft EIR has been circulated to the Governor's Office of Planning and Research, State Clearinghouse, regional and local agencies, and interested agencies, organizations and individuals that may wish to review and comment on the report. Publication of the Draft EIR marked the beginning of a 45-day public review period during which written comments could be submitted to the City at the following address:

Ms. Paula Kelly, Senior Planner  
City of Irwindale  
5050 North Irwindale Avenue  
Irwindale, California 91706  
Telephone: (626) 430-2200  
Facsimile: (626) 962-2018  
Email: [paulakelly@ci.irwindale.ca.us](mailto:paulakelly@ci.irwindale.ca.us)

Copies of the Draft EIR are available to the public at the City Clerk's office and the Irwindale Public Library located at 5050 North Irwindale Avenue in the City of Irwindale.

### 1.3 SCOPING SUMMARY

When a Lead Agency determines that an EIR is required for a project, a Notice of Preparation (NOP) must be prepared. In compliance with State CEQA Guidelines §15082, a NOP was prepared by the City and submitted to the State Governor's Office of Planning and Research (State Clearinghouse or SCH). ). The purpose of the NOP is to provide the responsible agencies with sufficient information describing the Proposed Project and the potential environmental effects to enable the responsible agencies to make a meaningful response. All referenced scoping materials are included in Appendix B of this EIR.

The State Clearinghouse is responsible for circulation of the NOP to the appropriate State agencies. The State Clearinghouse distributed the NOP to the following entities: Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Fish and Wildlife, Region 5; Native American Heritage Commission; California Highway Patrol; Caltrans, District 7; Air Resources Board; and the Regional Water Quality Control Board, Region 4.

In addition to the State Clearinghouse, the City circulated the NOP to various agencies, organizations, and interested parties on or around March 18, 2014. The NOP was received at the State Clearinghouse on March 18, 2014; and therefore, the CEQA-mandated 30-day public review period began on March 18, 2014, closing on April 16, 2014

The NOP was published in the San Gabriel Valley Tribune on March 17, 2014.

## **CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR**

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A Scoping Meeting was held on Monday, April 7, 2014 @ 6:00PM in the Irwindale Recreation Department Gymnasium located at 5050 North Irwindale Avenue, Irwindale, California 91706. Additionally, the Scoping Meeting was noticed at City Hall, and distributed to individuals and agencies on the NOP Distribution List. The notice was provided in both English and Spanish

Written comment letters on the NOP were received from: the State Governor's Office of Planning and Research; California Regional Water Quality Control Board, Los Angeles Region; Main San Gabriel Basin Watermaster; County of Los Angeles Fire Department; California Public Utilities Commission; South Coast Air Quality Management District; County Sanitation Districts of Los Angeles County; County of Los Angeles, Department of Public Works; California Department of Fish and Wildlife; and Native American Heritage Commission. The comment letters are presented in Appendix B of this EIR.

### **1.4 ORGANIZATION OF THE EIR**

In determining the content for the environmental analysis of the EIR, the City took into consideration all comments received during the public scoping period, review of the Project application and supporting materials, evaluation of existing site conditions, and additional background research conducted for the Proposed Project. All issues raised during the scoping process were reviewed by the City in determining the appropriate consideration and level of environmental analysis. As a result, and consistent with the nature of the Proposed Project, the following environmental resource topics will be evaluated in this EIR:

#### **Executive Summary**

This chapter presents a summary of the Proposed Project and Project Alternatives, identifies areas of controversy and significant unavoidable impacts (air quality and traffic), and provides mitigation measures directly related to each potential environmental impact. A comprehensive Mitigation Monitoring and Reporting Program is included to provide the reader an overview of each mitigation measure, the party responsible for implementing the program, mitigation timeframe, and verification required.

#### **Chapter 1.0 Introduction**

This chapter describes the purpose and scope of the EIR. Public scoping efforts are discussed, including environmental issues to be analyzed in the EIR. The public review and intent of the EIR document are addressed, followed by an organizational list of EIR chapters. Documentation of various City planning documents incorporated by reference is explained.

#### **Chapter 2.0 Project Description**

This chapter defines the Project Description, including location, operations, and identification of potential environmental issues. Within this chapter are the project objectives, and a description of the existing environment and background. This chapter concludes with a list of responsible

## **CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR**

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agencies expected to use the EIR document for review of other approvals and permits required for implementation of the Proposed Project.

### **Chapter 3.0 Environmental Setting and Impact Analysis**

This chapter describes the regional and local environmental setting for the Proposed Project. The chapter also describes the regulatory setting (if applicable), thresholds of significance, and includes a discussion of potentially significant adverse environmental impacts associated with the Proposed Project for each environmental issue area. This chapter defines a Mitigation Program based on Project Design Features and Mitigation Measures to reduce potentially significant impacts to a less than significant level, and identifies the residual level of significance of the impact once the Mitigation Program is implemented. Cumulative impacts are discussed in each of the resource topics.

#### **3.1 Effects Not Found To Be Significant**

Pursuant to (State CEQA Guidelines §15128), and based on preliminary project scoping, the following resource topics were not analyzed within this EIR: Agriculture and Forestry Resources; Cultural Resources; Population and Housing; Public Services and Utilities; Recreation. As more fully discussed in this chapter, these resource topics were found to have no potential for significant environmental impacts, and are therefore not required to be included in primary analysis sections of the EIR

#### **3.2 Air Quality / Greenhouse Gas Emissions / Health Risk Assessment**

This chapter discusses air quality impacts from the Project. Extension of the duration of mining operations along with the subsequent reclamation and development of the Olive Pit mine site could generate emissions or dust that may have a significant effect on local and /or regional air quality. Assessment of contribution to GHG is also required by CEQA. The City has requested that the EIR include a health risk assessment to assess potential effects of air emissions from on-site excavation equipment and truck traffic that will transport material to the United Rock Products processing plant.

#### **3.3 Aesthetics**

This chapter discusses aesthetics impacts from the Project. The physical character and overall aesthetic appearance of the mine pit during construction and operational facilities of the site during mining and reclamation phases will be modified.

#### **3.4 Biological Resources**

This chapter discusses biological impacts from the Project. The inactive mine site may contain biological resources which could be disturbed during Project operations.

## **CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR**

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### **3.5 Geology, Soils, and Mineral Resources**

This chapter discusses geological impacts from the Project. Excavation of materials could affect surrounding land uses in relation to slope stability issues related to mineral extraction.

### **3.6 Hazards and Hazardous Materials**

This chapter discusses hazards and hazardous materials impacts from the Project. Slope stability during mine operations will need to be managed to prevent slope failures that could affect adjacent properties. Backfill materials used in reclamation will also need to be screened to exclude the use of hazardous materials or any materials that could degrade water quality.

### **3.7 Land Use and Planning**

This chapter discusses impacts from the Project related to land use issues. Existing land uses with the area and City planning strategies of the mine site has the potential to result in adverse impacts to surrounding communities or conflict with existing land use plans. Two schools, one elementary and one high school are located on Bogart Avenue within about one-half mile of the Olive Pit in the neighboring City of Baldwin Park, and residential neighborhoods border the Pit on the west and north sides.

### **3.8 Noise**

This chapter discusses noise impacts from the Project. The construction of an access road, and then mining and reclamation activities, has the potential to generate increased noise levels adversely affecting surrounding sensitive receptors.

### **3.9 Traffic and Circulation**

This chapter discusses traffic impacts from the Project. The construction of an access road, and then mining and reclamation activities, has the potential to prolong and increase impacts on roadway segments and intersections and the structural integrity of roadways and pavement conditions.

### **3.10 Water Quality and Hydrology**

This chapter discusses water quality and hydrology impacts from the Project. Mining at the site may result in excavation from below the water table and therefore expose groundwater of the San Gabriel Groundwater Basin, a listed Superfund site.

## **Chapter 4.0 Mandatory CEQA Considerations**

This chapter discusses potentially significant irreversible effects and irretrievable commitments of resources, the potential for growth inducing impacts, and cumulative impacts. Additionally, this section considers the effects of the Proposed Project that would result in a commitment of resources and uses of the environment that could not be recovered if the Proposed Project were constructed, as well as describing the potential for unavoidable adverse impacts from the Proposed Project.

# CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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## **Chapter 5.0 Alternatives to the Proposed Project**

The purpose of the alternatives analysis is to identify ways to mitigate or avoid the potentially significant effects a project may have on the environment. This chapter begins by providing an overview of the alternative selection process, and describes the alternatives to the Proposed Project and compares their relative impacts to those of the Proposed Project. This chapter also provides a description of alternatives considered but rejected from further analysis, as well as selection of the environmentally superior alternative.

## **Chapter 6.0 List of Preparers / Persons & Organizations Consulted**

This chapter identifies the individuals, agencies, and organizations consulted in preparing the EIR, including names of the City staff, and consulting scientists and planners who contributed to preparation of the EIR. Resumes of key senior staff involved in the preparation of the Draft EIR and Final EIR are also included in this chapter for reference.

## **Chapter 7.0 References**

This chapter provides a list of the sources of information cited in the Draft and Final EIR.

## **Chapter 8.0 Draft EIR Comments and Responses**

This chapter contains the written comments received by the City on the Draft EIR and the City's responses to those comments. Where necessary, changes, clarifications and corrections to the Draft EIR were made in response to comments received. Such changes are included in the errata list (see Section 8.4) within this chapter.

## **Chapter 9.0 Mitigation Monitoring and Reporting Program**

This chapter presents a comprehensive matrix of the mitigation and monitoring program required by the EIR. The Mitigation Monitoring and Reporting Program (MMRP) is a verification tool provided to the Lead Agency, Applicant / Owner / Operator that lists the mitigation measure, entity responsible for implementation, timing of compliance, and record of date of compliance.

## **Technical Appendices**

Appendices include procedural documentation for the administrative record, and supporting technical information and reports used in preparation of the Draft and Final EIR. The technical appendices include the following:

- Appendix A – Reclamation Plan and Slope Stability Report
- Appendix B – Project Scoping Summary Report and Draft EIR public noticing materials
- Appendix C – Air Quality and Health Risk Assessment (plus supplemental data CD)
- Appendix D – Biological Resources Letter Report
- Appendix E – Noise Calculations

## CHAPTER 1.0 INTRODUCTION TO THE FINAL EIR

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- Appendix F – Traffic Impact Assessment

### 1.5 INCORPORATION BY REFERENCE

Pursuant to State CEQA Guidelines §15150, this EIR incorporates by reference several of the City’s planning documents, as well as scientific and technical reports. These documents are considered a matter of public record and can be viewed at the City’s Planning Department during normal business hours. The following City documents are specifically noted to be “incorporated by reference”:

- *City of Irwindale 2020 General Plan (2008)*
- *City of Irwindale Zoning Map*
- *City of Irwindale Building Code – Appendix J*
- *Irwindale Municipal Code*
- *City of Irwindale Guidelines for Stability Analyses of Open-Pit Mine Slopes (2003)*
- *City of Irwindale Guidelines for Drainage and Erosion Control for Open-Pit Mines (2004)*
- *City of Irwindale Guidelines for Underwater Backfilling of Open-Pit Mines (2005)*
- *City of Irwindale Guidelines for Above-Water Backfilling of Open-Pit Mines (2005)*