

# Azusa council gives rock quarry plan a second chance

**Daniel Tedford, Los Angeles Newspaper Group, 6-9-10**

AZUSA - After rejecting the proposal last month, the City Council unanimously voted to reconsider a proposal for new mining in the Azusa Rock Quarry.

The City Council in May rejected Vulcan's request to exchange 80 acres of land permitted for mining on the most eastern end of its property for 80 untouched acres the company owns on the western end, which isn't permitted for mining.

At a meeting Monday, Councilman Uriel Macias said he wanted to take another look at the project because he hoped Vulcan could come forward with an improved environmental plan with more stringent language in the application and development agreement.

"I met with representatives from Vulcan and I gave them my whole list - a huge list - of concerns and problems I had with what was presented to us," Macias said. "They said they were willing to address all of them. I said if you are willing to address all these things, I would be willing to look at it again."

The company owns 270 acres, but has a permit to mine 190. The proposal has faced stiff resistance from neighboring Duarte and the Save Our Canyon community group, who argue the new site would cause environmental damage, increase air pollution and reduce access to the forest. They also said the mining would make the hillside ugly.

When the council rejected the plan last month, Mayor Joe Rocha said Vulcan couldn't guarantee the new mining operation would be better for Azusa than the old one.

One of the issues that came up the date of the original vote was proposed revegetation levels.

Macias and others have said proposed 40 percent revegetation rates are inadequate.

But Vulcan officials said the levels in the application will "mirror" that of surrounding hillsides.

"We look forward to clarifying the language that currently exists regarding the revegetation standards so that previously mined areas will not be 40 percent of the existing conditions, but will mirror the density that exists in unmined areas," Vulcan spokesman Todd Priest said. "Let me be clear, the revegetation plan that is submitted to the city is not seeking a 40 percent match but will mirror existing density conditions."

The mining issue was not included on Monday's City Council agenda.

State law generally requires that any proposed city council action be placed on a publicly available agenda at least three days before it is discussed or voted upon.

In this case, there was no notice.

An open-government said the council should have given notice unless there was a urgent need to vote on the meeting immediately.

Such votes are "usually reserved for things that come up suddenly and are urgent enough that they do require immediate action," he said.

City officials said Macias did not notify them of the reconsideration until just before the meeting.

In addition, they said city law mandates that a reconsideration can only take place the meeting of the first vote or on the very next council meeting.

Unless the city can prove it had no other choice than to vote on the matter, Francke said it was an obvious violation of the Brown Act and that an outside party could file a demand for a correction.

Rocha said he did not know the reconsideration issue would arise Monday night.

"I had no idea this was going to happen tonight," he said at the meeting. "It just came to us (Monday). We did not have the time to notice it. None of us new this before hand. I am not trying to rush anything through or hide anything."

Now that the council has voted for reconsideration, there will be a June 21 meeting to provide a staff report to the council regarding the reconsideration process. At that meeting, the council can provide direction to its staff and outline a public hearing process.

"I think some of the concerns that have been raised certainly deal with issues raised by Duarte officials, Save Our Canyon and Sierra Club," Azusa City Manager Fran Delach said.

The vote to reconsider "revives" the process to consider Vulcan's plan, but a public hearing and council deliberation must be heard for a second time before any re-vote takes place.

"I think it was a surprise, at the same time we always knew it was a possibility," Duarte Mayor John Fasana said. "In terms of what it really means, we don't have a sense."