

Azusa council votes down mining proposal, but door for new plan remains open

Daniel Tedford, Los Angeles Newspaper Group, 5-19-10

AZUSA - The City Council turned back a new Azusa Rock Quarry mining proposal Tuesday, but what happens next is far from written in stone.

The council voted 3-2 against Vulcan Materials Co.'s mining proposal at about 12:50 a.m. Tuesday following a more than six-hour meeting.

Mayor Joe Rocha and Councilmen Robert Gonzales and Uriel Macias voted against the proposal, while Councilmen Keith Hanks and Angel Carrillo voted in favor.

Rocha questioned the adequacy of measures to restore the hillsides, including the plan's standard of a 40 percent revegetation rate for reclaimed hills.

"As an educator, 40 percent is an F," Rocha said.

Vulcan wanted to move its mining operation to 80 acres near Duarte but still has rights to mine 190 acres nearby.

There was too much risk involved with the new plan, Rocha said.

"It might not be better, but it is what we have," he said.

Duarte officials, who vocally opposed the project, called the council's vote a triumph for their community.

"I was very pleased with the outcome of the meeting and thankful to the council for taking all the feedback," Duarte City Manager Darrell George said. "A better plan is out there and we can all reach for a better plan."

Vulcan has a permit to mine 190 acres near Fish Canyon. The company asked to exchange a permit to mine 80 acres on its eastern property line for 80 undisturbed acres near its western property line.

The 270-acre Vulcan property is in Azusa but rests near the Duarte border. Without approval to mine the western 80 acres, Vulcan can only act under its existing permit, which allows it to mine 190 acres, including the eastern most 80 acres.

Under the new plan Vulcan would have used a new method to reshape the hillsides post-mining, a technique often referred to as micro-benching because of its use of small one- to two-foot benches. The existing plan calls for 30- to 50-foot benches to be built into the hillside, commonly known as "Mayan steps."

"Vulcan Materials has never nor would we ever submit a reclamation plan that is not fully capable of being implemented," Vulcan spokesman Todd Priest said. "The revegetation standard required under the proposed plan provides far more natural plant coverage than currently exists on the previously mined areas."

Vulcan and Azusa city staff were never able to convince Rocha, as well as Duarte officials and other groups, that the company's motives for the land swap were honest.

Despite a city staff report to the contrary, Rocha said he believes there is more aggregate on the west 80 acres under the proposed plan than there is under the current plan.

"My question was and still is, why would you switch over to the west when you are going to get one million tons more on the east without having to spend \$40 million in micro-benching and all the other money paid to the city?" Rocha asked. "To me it just didn't make sense."

In its time at the Azusa Rock Quarry since 1999, Vulcan has only operated on the west side of Fish Creek, Priest said.

Vulcan already had permission to mine part of its property west of Fish Canyon. The permit would have allowed the company to mine more of the west side and give up the east.

Vulcan still has a right to mine rock from its land on the east, according to the current permit.

"The mining efficiencies by operating on one side of Fish Creek versus two were significant and would have required us to mine in a much less visible area of our property," Priest said.

But the story may not end with the council's rejection.

Prior to the vote on the permit, the council voted 3-2 - Macias joining Hanks and Carrillo - to approve the project's environmental impact report.

"By approving the (EIR), City Council sent a clear message that our proposed project would not have an impact on the community," Vulcan spokesman Todd Priest said.

That leaves the door open for the city to work out an amended proposal and to revote using the existing EIR. That possibility put a cloud over what otherwise was an evening of celebration for some Duarte officials.

"Obviously to us, the outcome is still unclear because the EIR was approved, but the permit was not," Duarte Councilman John Fasana said.

If the objective was to scale back mining acreage and/or mining on the west side or somehow compromise regarding environmental concerns, that could work out for all parties, Fasana said.

Azusa-based anti-mining group Save Our Canyon agreed that a new effort to develop a compromise should be started, said member Richard Deem.

Fasana said Duarte may still consider legal action against the approval of the EIR.

Due to those possibilities, Duarte still may consider legal action, Fasana said.