

Duarte seeks nearly \$14M over mining plan

Daniel Tedford, Los Angeles Newspaper Group, 4-7-10

AZUSA -- Duarte officials have asked for \$500,000 annually for the next 28 years from a mining company that wants to expand its operation near the city's border.

They say the payments would help compensate for negative effects their community would suffer from Vulcan Materials Co.'s proposal to mine 80 acres of previously untouched foothill land.

Duarte Councilman John Fasana, speaking at the Azusa City Council meeting Monday night, said Duarte wants \$500,000 annually for the duration of the mining operation, which would run through 2038 if approved. That would add up to nearly \$14 million.

"In our view, that amount would not nearly compensate for the adverse environmental and other damages that would be caused by the expansion project," Fasana said at the meeting. "The amount is extremely minimal given the long-term and permanent scars that would be put forward."

Fasana's comments marked the first time Duarte officials have said how much money they want.

"We continue to believe that our project should be evaluated on the merits of its environmental benefits and not as a potential piggy bank by a neighboring city," Vulcan spokesman Todd Priest said.

"While Duarte has now admitted they have been seeking a financial gain from someone in regards to our project, we are legally unable to confirm nor deny that confidential settlement conversations have occurred."

Azusa City Manager Fran Delach had requested documents regarding negotiations between Duarte and Vulcan.

"I think it is interesting," Delach said. "I am happy that it has finally come to light."

Vulcan has proposed swapping a permit to mine 80 acres on its eastern border for 80 acres on the west. The company owns 270 acres near Fish Canyon above Azusa, but has a permit to mine only 190 acres.

Azusa must approve the proposal before Vulcan can move forward. A City Council vote is scheduled April 19.

Vulcan officials say they want to use a new technique to repair the hillsides following mining to allow for a more natural and aesthetically pleasing look. Duarte officials say they are skeptical about the effectiveness of the technique, called micro-benching.

In addition to the \$500,000 annually, Duarte's mitigation requests include a \$20 million performance assurance bond from Vulcan and land use rights from Azusa for Encanto Parkway and the 300-acre Shin Property near Vulcan's property. Duarte also wants control of access to Fish Canyon Falls.

Duarte has been a vocal opponent of Vulcan's project and is fighting to have mining in the quarry stopped, Fasana said.

"I think it is clear from our standpoint, the mitigation doesn't match the damages," Fasana said. "We think it does significant damage that is irreversible."

But if all their requests were met, the city would have to consider supporting the new proposal versus a lawsuit against Azusa, Fasana said.

"I think the council would have a tough decision to make," Fasana said.

Duarte has threatened to sue if the project is approved.

Duarte officials have misled their own residents to believe the issue is about mining or no mining, Delach said. Instead the issue is about how mining will take place at the quarry in the future, either with a new proposal or the existing approved permit, Delach said.

"It has never been about mining or no mining," he said. "For officials to continue to propagate that myth, that inaccuracy, is a travesty."