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EXHIBITS

N/A

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1.1 PURPOSE AND SCOPE OF THE EIR

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (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 purpose of this EIR is to present information relevant to existing conditions, evaluate potential environmental impacts, and recommend feasible mitigation measures to reduce any identified significant adverse environmental effects that could result either from the construction or operation of the proposed Irwindale Materials Recovery Facility and Transfer Station (Proposed Project) in the City of Irwindale. Approval of the Proposed Project would require discretionary approval by the City, and therefore constitutes a “project” under CEQA (State CEQA Guidelines 15377). The City of Irwindale has primary responsibility for carrying out and approving this Proposed Project, and is therefore the designated Lead Agency under CEQA.

This Draft EIR was prepared by the City acting in its capacity as Lead Agency pursuant to CEQA and the State CEQA Guidelines. It was prepared in compliance with CEQA (Public Resources Code §§21000-21178), and the 2009 State CEQA Guidelines (California Code of Regulations (CCR), Title 14, Chapter 3, §15000-15387.) As described in the State CEQA Guidelines §15121(a), an EIR is a public information document that assesses potential environmental impacts of a proposed project, and identifies mitigation measures and alternatives to the project that could reduce or avoid potential adverse environmental impacts. CEQA requires that State and local government agencies consider the environmental consequences of projects over which they have discretionary authority. It is not the purpose of an EIR to recommend either approval or denial of a project. Rather, an EIR is a document whose primary purpose is to disclose the potential environmental impacts associated with an action or “project”.

This chapter of the Irwindale Materials Recovery Facility and Transfer Station EIR discusses the purpose and scope of the EIR, provides an overview of the CEQA process, lists the potential issues to be further analyzed, and summarizes the effects not found to be significant. In addition, this chapter explains the intended uses for this EIR and outlines the organization of the document.

1.2 CEQA EIR PROCESS OVERVIEW

The City of Irwindale (City) has prepared this Draft EIR pursuant to State CEQA Guidelines §15161. This EIR has been prepared as a project EIR, pursuant to §15161 of the State CEQA Guidelines, which 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”.

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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”. State 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...*”. 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 Lead Agency 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.

Once a Lead Agency has determined that an EIR is necessary, it must issue a Notice of Preparation (NOP) for 30 days to all responsible and trustee agencies and other interested parties. The Lead Agency must also send a copy of the NOP to the State Clearinghouse. The purpose of the NOP is to inform agencies and the public that a project is proposed and to solicit input on the scope and nature of reasonably expected environmental impacts of the project. This input is used by the Lead Agency to develop and refine the scope of the EIR.

Once the scope of 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.

1.3 NOTICE OF PREPARATION AND PUBLIC SCOPING EFFORTS

The City prepared a NOP and sent it to the State Office of Planning and Research, Clearinghouse and Planning Unit (SCH), responsible and trustee agencies, and interested persons and organizations on December 18, 2008. A 30-day public review and comment period on the NOP, required by State law, initially ended on January 16, 2009. However, during the initial State mandated 30-day public review and comment period, the City extended the scoping period to include an additional 28 days for a combined total of 58 days for public scoping and comment. A copy of the SCH stamped NOP, NOP distribution list, Notice of the NOP, Notice of Extension of NOP comment Period, Notice of Public Information Meeting, and Agency comment letters received in response to the NOP and related scoping efforts are included in **Appendix A** of this report. Non-Agency comment letters are provided on a compact disk (CD) and will be available [as such] in the Draft EIR Appendix A.

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.

The scoping process helps agencies identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR. The scoping process also

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helps to eliminate from further study issues found not to be significant. Section 15082(c)(1) of the State CEQA Guidelines requires the Lead Agency to conduct at least one scoping meeting for projects of statewide, regional, or areawide significance. Consistent with §21083.9 of the State CEQA Statute (Public Resources Code Section 21000, et. seq), the City of Irwindale held a public scoping meeting, in addition to a public information meeting, to solicit public and agency comments on the scope and content of the EIR.

The public scoping meeting for the Proposed Project was held on Monday, January 12, 2009 from 6:30 to 8:30 PM at Irwindale City Hall, 5050 North Irwindale Avenue, Irwindale, California 91706. Public notification of the scoping meeting was included in the NOP and Project materials sent to the State Clearinghouse [who is responsible for distribution to State agencies]. Additionally, the scoping meeting was noticed at City Hall, and distributed to individuals and agencies on the NOP distribution list (included in **Appendix A**).

The scoping meeting began at 6:30 PM and ended at approximately 8:30 PM. A total of 92 members of the public and/or public agency representatives signed-in for the scoping meeting (see Scoping Meeting Sign-In Sheets in **Appendix A**). The speakers conducting the scoping meeting and presenting the Proposed Project and pending CEQA process included Mr. Ray Hamada, Director of Planning and Community Development, City of Irwindale; Mr. Fred Galante, City Attorney; Dr. Jeff Harvey, environmental consultant under contract to the City; and the applicant's representative, Mr. Eric Herbert, President of Athens Services.

On January 28, 2009, the City noticed a bilingual (English/Spanish translation) Extension of [the] Notice of Preparation Comment Period and Notice of Public Information Meeting (see **Appendix A**). The extension of the NOP comment period included an additional 28 days for a combined total of a 58-day public scoping period.

The public information meeting for the Proposed Project was held on Thursday, February 12, 2009 from 6:30 to 9:45 PM at the Irwindale Recreation Department Gymnasium, located at 16053 Calle de Paseo, in Irwindale. The public information meeting was noticed in the local newspaper, posted at City Hall and on the City's website, distributed to individuals and agencies on the NOP distribution list, and sent it to City of Baldwin Park property owners and/or occupants within a 2,500 foot radius of the site boundary.

The purpose of the scoping meeting and public information meeting was to provide information on the Proposed Project, CEQA requirements for the scoping and EIR process, to solicit input from individuals and agencies, and to assist in the determination of the scope of analyses and issues to be addressed in the EIR.

Within the Proposed Project scoping process and NOP comment period, the City received a total of 11 agency comment letters and approximately 635 non-agency comment letters (*please note*: the approximate comment letter count refers to the comments and/or names received; therefore, these counts were not mutually exclusive due to: 1) some comment letters were blank with only a name, 2) some comment letters had multiple names, and 3) individuals commenting more than once). Copies of all agency comment letters to the City are included in **Appendix A**; however, due to the volume of comment letters received, non-agency comment letters are provided on a

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compact disk (CD) and will be available [as such] in the Draft EIR Appendix A. See **Table 1-1 – List of Agency’s to Comment on the NOP**)

TABLE 1-1 LIST OF AGENCY’S TO COMMENT ON THE NOP	
Agency	Letter Dated
Native American Heritage Commission	December 24, 2008
California Department of Transportation, District 7	December 29, 2008
City of Monrovia	January 12, 2009
California Integrated Waste Management Board	January 15, 2009
City of Baldwin Park Resolution No. 2009-002	January 21, 2009
County of Los Angeles Department of Public Health	February 5, 2009
City of Baldwin Park	February 12, 2009
County of Los Angeles Department of Parks and Recreation	February 12, 2009
Upper San Gabriel Municipal Water District Resolution No. 2-09-466	February 17, 2009
County Sanitation Districts of Los Angeles County	February 25, 2009
City of Baldwin Park, Mayor Manuel Lozano	No date provided

In determining the scope and content of the EIR, the City took into consideration comments received during the NOP public review period which commenced on December 18, 2008 and concluded on February 13, 2009. The City determined that based on the scope and nature of the Proposed Project and existing site conditions, the following issues will be evaluated in the EIR:

- Aesthetics;
- Air Quality / Greenhouse Gas / Odor and Health Risk Assessment;
- Environmental Safety and Public Health;
- Water Quality and Soils;
- Land Use Compatibility (including Population/Housing and Recreation);
- Environmental Justice;
- Noise;
- Public Services and Utilities; and
- Traffic Generation and Circulation.

In addition, State CEQA Guidelines §§15126, 15126.2, 15126.4 and 15126.6 define required subjects to be included in the EIR analyses. These include:

- Growth Inducing Impacts;

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- Significant Irreversible Environmental Changes;
- Unavoidable and Adverse Impacts;
- Alternatives;
- Required Mitigation Measures; and
- Cumulative Projects / Cumulative Impact Analysis.

During the public scoping period, elected officials and residents asked the City to consider and evaluate the potential for environmental justice issues associated with project implementation. CEQA does not have an environmental justice analytical requirement. State law defines environmental justice in California Government Code §65040.12, as “*the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies*”. Therefore, in response to NOP scoping comments, the City has determined that the Draft EIR will address potential environmental justice issues following the guidelines of the California Integrated Waste Management Board (CIWMB) [the Local Enforcement Agency (LEA) and a Responsible Agency for the Project].

Pursuant to State CEQA Guidelines §15128, the following resources topics were determined as a result of Project scoping not to apply or to have no potential for significant effects

- Agricultural Resources;
- Biological Resources;
- Cultural Resources; and
- Mineral Resources.

As such, the City determined that these issues would not be evaluated at a project level in the EIR. The EIR does contain brief statements indicating the reason that each of these resource topics were determined to be insignificant (please refer to **Chapter 3.1 Effects Not Found To Be Significant**).

1.4 PUBLIC REVIEW OF THE EIR

This Draft EIR is being circulated to Federal, State, regional and local agencies, and interested organizations and individuals that may wish to review and comment on the report. Publication of this Draft EIR marks the beginning of a 45-day public review period during which written comments may 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

Copies of the Draft EIR will be made available to the public at the City Clerk’s office and the Irwindale Public Library located at 5050 North Irwindale Avenue.

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1.5 INTENDED USES OF THE EIR

This Draft EIR is part of the environmental review process for the Proposed Project. The intent of this Draft EIR is to enable the City and other responsible agencies and interested parties to understand the potential environmental effects of the Proposed Project.

The DEIR is expected to be used for the following purposes:

- To inform the public, decision-makers, elected officials and other stakeholders regarding the Proposed Project.
- To disclose to the public, decision-makers, elected officials and other stakeholders the potential environmental effects associated with short-term construction and long-term operation of the Proposed Project, and to solicit input on the potential environmental effects.
- To identify ways to avoid or minimize potential environmental effects of the Proposed Project and evaluate alternatives to the proposed action(s).
- To provide the Irwindale Planning Commission, Irwindale City Council, and Irwindale Community Redevelopment Agency Board with a technically and legally adequate environmental document to be used as one basis for their decision-making process for the proposed Disposition and Development Agreement, Conditional Use Permit, Development Agreement, and various other City entitlements; and
- To provide regulatory agencies with information necessary to determine if they have jurisdiction over the Proposed Project and, if so, to identify project permitting requirements.

1.6 ORGANIZATION OF THE EIR

The Draft EIR is organized as follows:

Executive Summary. This chapter presents a summary of the Proposed Project and Alternatives considered in this EIR, identifies areas of controversy, and provides a summary of potential environmental impacts and mitigation measures.

Chapter 1.0 – Introduction. This chapter describes the purpose and organization of the EIR and its preparation, review, and certification process.

Chapter 2.0 – Project Description. This chapter defines the Project Description, including the location and identification of potential environmental issues. Within this chapter are the Project Goals and Objectives, Project Design Features, a list of approvals and permits required to construct and operate the Proposed Project, and a list of agencies expected to use this EIR in the permitting process.

Chapter 3.0 – Environmental Setting and Impact Analyses. 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

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each environmental issue area. Where necessary, this chapter outlines the mitigation measures to reduce potentially significant impacts to less-than-significant levels and identifies the residual level of significance of the impact once mitigation is accomplished. The impact analyses are organized alphabetically by resource topic areas.

Chapter 4.0 – Growth Inducement, Cumulative Impacts, and Other CEQA Considerations. This chapter discusses potentially significant irreversible effects and irremediable commitments of resources, the potential for growth inducing impacts, and cumulative impacts.

Chapter 5.0 – Alternatives to the Proposed Project. This chapter 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.

Chapter 6.0 – Mitigation Summary. This chapter presents a matrix of the mitigation measures required in the Draft EIR to reduce potentially significant impacts to a less-than-significant level and identifies the residual level of significance of the impact once mitigation is accomplished. A Mitigation Monitoring and Report Program to be used as a verification tool is also included.

Chapter 7.0 – Acronyms and Abbreviations. This chapter provides a list of acronyms and abbreviations that are used throughout the Draft EIR.

Chapter 8.0 – References. This chapter provides a list of the sources of information cited in the Draft EIR.

Chapter 9.0 – Organizations and Persons Consulted. This chapter identifies the individuals, agencies, and organizations consulted in preparing the Draft EIR.

Chapter 10.0 – List of Draft EIR Preparers. This chapter provides the names of the City staff, and consulting scientists and planners who contributed to preparation of the Draft EIR.

Appendices (*supporting data and technical information referenced in the Draft EIR*)

Appendix A – Scoping Materials

- 1 - SCH STAMPED NOTICE OF PREPARATION (NOP) COVER
- 2 - NOP
- 3 - NOP DISTRIBUTION LIST
- 4 - PUBLIC NOTICE OF NOP
- 5 - PUBLIC NOTICE OF SCOPING MEETING
- 6 - SCOPING MEETING SIGN-IN SHEETS
- 7 - PUBLIC NOTICE OF EXTENSION FOR NOP COMMENT PERIOD
- 8 - PUBLIC NOTICE OF PUBLIC INFORMATION MEETING
- 9 - AGENCY COMMENTS RECEIVED DURING SCOPING PERIOD
- 10 - NON-AGENCY COMMENTS RECEIVED DURING SCOPING PERIOD

Appendix B – EIR Notification List

Appendix C – Athens Services On-Site Management Plans

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Appendix D – Air Quality and Health Risk Assessment

Appendix E – Noise Data

Appendix F – Traffic Impact Study and Appendix

Appendix G – Phase I Environmental Site Assessment