

CHAPTER 3.1 – EFFECTS NOT FOUND TO BE SIGNIFICANT

TABLE OF CONTENTS

3.1	EFFECTS NOT FOUND TO BE SIGNIFICANT.....	3.1-1
3.1.1	Agricultural Resources.....	3.1-1
3.1.2	Biological Resources	3.1-1
3.1.3	Cultural Resources	3.1-2
3.1.4	Mineral Resources	3.1-3

TABLES

N/A

EXHIBITS

N/A

CHAPTER 3.1 – EFFECTS NOT FOUND TO BE SIGNIFICANT

3.1 EFFECTS NOT FOUND TO BE SIGNIFICANT

Pursuant to the CEQA Guidelines §15128, “An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” This chapter of the Draft EIR for the Irwindale Materials Recovery Facility and Transfer Station Project (Proposed Project) describes the resource areas which were found not to pose any potentially significant effects.

Based on the scope of the Proposed Project, comment letters in response to the Notice of Preparation (NOP), site visits, review of project file materials and technical reports, and additional background research on the construction and operational features of the Proposed Project, the following resource topics were found to not have impacts that would be considered potentially significant. These topics, therefore, are not subject to further more detailed analysis in the EIR.

3.1.1 Agricultural Resources

The Proposed Project area is located within a highly urbanized region of Los Angeles County, surrounded by industrial and commercial uses, aggregate mining, freeways and major arterial roadways, and a regional flood control and recreational project (Santa Fe Dam and Recreation Area). The Proposed Project does not involve development of or any encroachment upon Prime Farmland, Farmland of Statewide Importance, or Unique Farmland (as defined by the California Department of Conservation’s Farmland Mapping and Monitoring Program, 2009). The Project area is not zoned for agricultural use and no Williamson Act contracts are associated with the Project site (City of Irwindale, Zoning Map).

Implementation of the Proposed Project would not result in changes that have the potential to induce conversion of agricultural lands in the vicinity of the Project to non-agricultural uses. The Proposed Project site has been vacant, surrounded by high density urban uses, and underused for 20 years. As such, the Proposed Project does not have the potential to have any impacts on agricultural resources. Therefore, no further discussion of this issue area is provided in this EIR.

3.1.2 Biological Resources

The Proposed Project site is located in an urbanized area of the City and is surrounded by existing development to the west, south and east, the Santa Fe Dam and Recreation Area to the north, and paved roadways. The Proposed Project site is located at the intersection of Arrow Highway and Live Oak Avenue on approximately 17.22 acres, and is not located within a Habitat Conservation Plan area or Natural Communities Conservation Plan area. The Proposed Project site is formally developed land, and vacant with weedy species and perimeter street trees along Live Oak Avenue and the northwestern property line. Street trees along Live Oak Avenue are upwards of 15-25+ feet in height, and although they do not provide a special or unique habitat, they are intended to be preserved as a visual amenity to the extent feasible (refer to **Chapter 2.0 Project Description** Conceptual Landscape Plan). The existing street trees are mostly comprised of non-native species (Canary Island Pine (*pinus canariensis*) and London Planetree (*plantanus x acerifolia*)), and native species of Washington Palm (*Washington*

CHAPTER 3.1 – EFFECTS NOT FOUND TO BE SIGNIFICANT

robusta). Existing vegetation on-site is sparse and consists of non-native groundcovers, grasses and shrubs. Prior to any irrigation or landscaping activities, the Applicant will provide a City-approved landscape plan consistent with the City's Commercial and Industrial Design Guidelines.

The Proposed Project lies southeast of the San Gabriel River (and along Interstate 605), which has the ability to function as a wildlife corridor in the region. However, because the site is not adjacent to the river and the fact that the project is essentially an urban infill project that is surrounded by developed lands on all four side sides, the site does not add or provide any linkage between the San Gabriel River and other habitat areas in the region/area. Therefore, it is concluded that the project has no potential to affect any significant biological resources, and no further discussion of this resource area is provided in this EIR.

3.1.3 Cultural Resources

The Proposed Project site does not contain any structures, buildings, or other features that could constitute historic or prehistoric resources. However, because the Proposed Project involves a General Plan Amendment, compliance with Senate Bill 18 (SB 18) is required. SB 18 requires local governments to consult with the State of California Native American Heritage Commission (NAHC) prior to the adoption or amendment of a General Plan. The intent of SB 18 coordination is to obtain information regarding the potential presence of traditional lands, cultural places or sacred lands within a proposed project site. The City initiated consultation with the NAHC as a part of the NOP process, and followed up with local tribal consultation in February 2009.

The Native American Heritage Commission (NAHC) performed a Sacred Lands File (SLF) search of the Project's "area of potential effect" and the results determined that "No known Native American Cultural Resources were identified; however the NAHC SLF is not exhaustive and local tribal contacts should be consulted" (refer to **Appendix A** – NAHC NOP comment letter dated December 24, 2008). The NAHC provided a list of five (5) local tribal contacts, all of whom were sent correspondence regarding SB 18 on February 20, 2009.

As detailed in the Governor's Office of Planning and Research *Overview of SB18 Consultation and Notice Requirements*, a local government (in this case the City of Irwindale) must contact tribes(s) identified by the NAHC (NOP comment letter dated December 24, 2008) and notify the tribe(s) of the opportunity to comment. By law, tribes have 90 days from the date of receipt of the notice to request consultation (Government Code Section 65352.3(a)(2)). However, consultation does not begin until or unless a tribe requests it within 90 days of receiving a notice of the opportunity to consult, and tribes can agree to a shorter timeframe (less than 90 days) to request consultation ([www.opr.ca.gov/programs/docs/09_14_05%20Updated%20Guidelines%20\(922\).pdf](http://www.opr.ca.gov/programs/docs/09_14_05%20Updated%20Guidelines%20(922).pdf); accessed March 2, 2009).

No correspondence was received in response to letters sent to the five (5) local tribal contacts, and there is no requirement for additional consultation. Further, no impacts to cultural resources are expected from the Proposed Project, nor does the Project have potential to cause any substantial adverse change in the significance of a historic, archaeological, or paleontological resource as defined in the State CEQA Guidelines §15064.5.

CHAPTER 3.1 – EFFECTS NOT FOUND TO BE SIGNIFICANT

As with all development projects in the City, and as a condition of approval, should unforeseen artifacts become uncovered during site grading, the Project Applicant (Athens Services) would be required to adhere to all City and State of California procedures, including State CEQA Guidelines §15064.5 regarding stoppage of work, handling of discovered materials, and notification of proper authorities to ensure that the Project would not have an adverse effect on such resources. No further discussion of this issue area is provided in this EIR.

3.1.4 Mineral Resources

The nature of the bedrock materials in the mountains and canyons north of Irwindale make the alluvial rock found in the City a valuable mineral source for aggregate used in production of concrete and asphalt products and as a base-rock for other construction projects including roads. In many cases, construction projects within the Los Angeles Basin specify “Irwindale-grade” aggregate for use in building materials. As a result of the presence of this high quality mineral resource, aggregate mining activities have been ongoing within the City for more than 100-years. A total of six aggregate surface mines are currently operating within the City. These mines are expected to continue to operate until the source of aggregate is depleted in accordance with Conditional Use Permit(s) granted by the City.

The proposed project site is land previously developed for urban uses, and presently surrounded by urban development. It is too small to support mining, and is not contiguous with any mined lands. The City’s considerable mining development – including recently approved expansion of local operations that will provide regional markets with aggregate products for decades to come – precludes the value of or need for this site for mineral resources development. Therefore, the Proposed Project is determined not to have any potential effects on mineral resources, and no further discussion of this resource area is provided in this EIR.