
1.0 Introduction

1.1 PURPOSE

This Final EIR has been prepared to describe the disposition of environmental issues raised in the comments received on the M&T Chico Ranch Mine Draft EIR. The evaluation and response to public comments is an essential part of the full disclosure environmental review process for CEQA and has been completed in accordance with California Public Resources Code Section 21000 *et seq.*

1.2 FINAL EIR REQUIREMENTS

The Final EIR for the M&T Chico Ranch Mine Project has been prepared to provide responses to comments received. The response to comments may take the form of a revision to the Draft EIR or may be a separate section in the final document.

The CEQA Guidelines (14 CCR Section 15132) require that the Final EIR shall consist of:

- The Draft EIR or a revision of the draft.
- Comments and recommendations received on the Draft EIR either verbatim or in summary.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- Any other information added by the Lead Agency.

This Final EIR for the M&T Chico Ranch Mine has been prepared in an abbreviated format. This document should be used in conjunction with, rather than in place of, the Draft EIR. Therefore, this information, together with the Draft EIR, fulfills State and County CEQA requirements for a complete Final EIR.

1.3 USE OF FINAL EIR IN DECISION-MAKING PROCESS

The EIR is an informational document designed to inform the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

The Final EIR will be used together with economic, social, and technical information, to decide on the discretionary entitlements being requested. The County has made this Final EIR available prior to hearings on project approval or denial to provide an opportunity for agency and public review of the complete Final EIR before decisions are made.

Mining activities on private land are regulated by Butte County in accordance with the County General Plan and the County's mining ordinance. The County reviews proposed mining use permits and reclamation plans prior to considering approval of a project. The County is responsible for regulating the reclamation of mining operations, in accordance with the California Surface Mining and Reclamation Act of 1975 (SMARA) (California Public Resources Code Section 2710 *et seq.*).

The Applicant filed an Application for a Use Permit and Reclamation Plan Approval on August 30, 1996, in accordance with County requirements. Several modifications have been made to the proposed project subsequent to that initial filing. This Final EIR reviews the environmental consequences of the proposed activities on the 235-acre Project site, as described in the Application. Based upon evaluations and recommendations from this environmental review process, the Applicant has revised its initial application proposal to eliminate the option of having cement and asphaltic concrete batch plants on the site (Proposed Project With Batch Plants Scenario). The County will use this Final EIR, along with other information, in its consideration of the site plan and reclamation plan.

Upon review of the Final EIR, and prior to rendering decisions on the discretionary actions, the County must certify that:

- The Final EIR has been completed in compliance with CEQA.
- The Final EIR was presented to the decision-making body of the Lead Agency, and the information was reviewed and considered prior to approving the project.

Should the use permit and reclamation plan approvals be granted by the County, a statement of findings would be made for each significant environmental effect of the Proposed Action, accompanied by a brief explanation of the rationale for each finding. Possible findings are that:

- Changes or alterations have been required in, or incorporated into, the project to avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

In addition, the County would have to make a statement of overriding considerations if, in choosing to grant the use permit and reclamation plan approvals for the project, it determines that significant environmental impacts remain. The statement of overriding considerations would set forth the specific review of why the benefits of the project outweigh the unavoidable significant environmental impacts. The statement of overriding considerations (if any) and the findings will be issued by the Butte County Planning Commission following its decision at a public hearing.

1.4 ORGANIZATION OF THE DOCUMENT

This Final EIR is organized into seven chapters and six appendices:

Chapter 1.0 Introduction: Introduces the purpose and requirements of the Final EIR and describes the use of the Final EIR in the decision-making process.

Chapter 2.0 Public Review and Consultation Process: Provides information on the circulation of the Draft EIR and the purpose of public review; describes the public review periods, notifications, and hearings for the project; summarizes the analysis of public responses to the Draft EIR; and describes the approach taken to responding to both general and specific comments received on the Draft EIR.

Chapter 3.0 Draft EIR Errata: Provides corrections and clarifications to the text of the Draft EIR, but includes no significant new information to that provided in the Draft EIR. All of the information added in this section of the Final EIR merely clarifies, amplifies, or makes minor modifications to the Draft EIR.

Chapter 4.0 Collective Responses: Addresses the most commonly asked types of questions and questions/comments that are general in nature. By providing these 'collective' responses on issues most often mentioned in the 400-plus comment letters received, the concerns identified by a majority of commenters can be addressed in at an appropriate level of detail. Collective responses are included in this chapter for the areas of: Non EIR/Administrative Issues; Available Aggregate Resources in Butte County; Traffic/Roads/Safety; Air Quality; Land Use and Williamson Act Compatibility; Water Resources and Flooding; Noise; and Mitigation Monitoring and Reporting Plan.

Chapter 5.0 Individual Responses: Provides specific individual responses to representative comments received on the Draft EIR. Individual responses were prepared for all comment letters received from agencies and organizations. Individual responses were also prepared for representative letters from businesses and private individuals that contained specific, substantive comments on the Draft EIR or came from the project's closest neighbors (i.e., from businesses and individuals with a stake in project activities).

Chapter 6.0 Preparers and Persons Consulted: Identifies lead agency staff, consultants, and other individuals involved in the preparation of the Draft EIR.

Chapter 7.0 Acronyms Used in this Document: Provides the reader with a quick reference to the document's usage of common acronyms.

Appendices: The Appendices to this Final EIR provide specific information referenced in the text of this document; this information is considered important to an understanding of the comment responses provided.

- Appendix A: Public Meeting Minutes
- Appendix B: M&T Ranch Soils Capability Assessment
- Appendix C: M&T Chico Ranch Williamson Act Contract
- Appendix D: Butte County Resolution No. 68-7
- Appendix E: Comment Letters Received on the Draft EIR
- Appendix F: Summary of Impacts and Mitigation Measures

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2.0 Public Review and Consultation Process
