

Tips for Reviewing the CEMEX Rockfield Modification Project DEIR

Overall Approach for Reviewing the DEIR:

- Start with the Specific Plan to understand the proposal
- Study the Project Description
- Review the Summary for an overview of the EIR
- Look at the analysis for the topics that interest/concern you most
- Skim the alternatives

Tips for Reviewing the Project Description:

- Does it cover all components? Construction and operations?
- Does it provide enough detail for readers to understand what the project is, what it will look like, and how it will operate?
- Does the EIR accurately describe the existing conditions on the site?
- Does the EIR identify the local regulations relevant to the site or area?

Tips for Reviewing the Analysis:

The DEIR analysis should analyze:

- all of the potentially significant environmental impacts of the project (keep an eye out for impacts the analysis omits or fails to consider thoroughly)
- cumulative impacts (Related past, present, and reasonably foreseeable future projects)
- growth inducing impacts – this likely does not apply in this case
 - cause population growth
 - remove obstacles to growth

Tips for Reviewing Alternatives:

The Alternatives should:

- Avoid or lessen (one or more) significant effects
- Analyze a “reasonable range” of alternatives that would accomplish “most of the basic objectives of the project”
- Analyze the “no project” alternative
- Identify the “Environmentally Superior Alternative”
- Are there other alternatives they should have considered?

Helpful Tips for Commenting on the CEMEX Rockfield Modification Project DEIR

General Tips

- Include personal experience/observations (have you experienced impacts, such as noise, conflicts with truck traffic, etc... from the existing operations? Do you know of any articles, studies, photographs, or other evidence indicating that significant impacts could occur?)
- Point out any errors/omissions in the “project background”
- Include heartfelt concerns

Tips for Commenting on the Analysis

- How much and in what way will the project change the existing conditions?
- Does the analysis include impacts to surrounding sensitive receptors and resources?
- Are the data, assumptions, thresholds of significance, technical studies current and accurate?
- Does the analysis include reasonable significance thresholds and use them?
- Does the EIR base its conclusion regarding the project’s impacts on substantial evidence?
- Does the analysis omit or ignore any impacts that you know might occur?
- Are there other mitigation measures that should have been included? (i.e., steps the County could take to make the project less impactful, even if impact is significant and unavoidable)
 - Does the DEIR include evidence of feasibility and effectiveness
 - Identification of mitigation cannot be deferred until later
 - Mitigation measures must be fully enforceable
 - If relying on policies to mitigate impacts, are the policies specific and enforceable?
- Does the DEIR include a reasonable range of feasible alternatives to avoid or substantially reduce significant environmental impacts? Should it have included another obvious alternative that would reduce significant impacts

Example Specific Issues

The area has been mined for over 100 years. Everyone anticipated that operations would be over in 2005-2008. But instead, the County granted extensions with a new deadline in 2020. Now, CEMEX proposed to extend and expand operations for another 100 years. The change to a huge increase in capacity and to hard rock to a depth of 600 feet will result in much worse impacts to both human residents and wildlife. The DEIR does not adequately evaluate the project's impacts.

Air Quality

Health Risk:

- The DEIR says that project emissions may exceed cancer risk thresholds. DEIR pg. 4.3-63. The DEIR says that because mitigation measures would reduce emissions, the DEIR did not evaluate population-wide cancer burden. DEIR at pg. 4.3-64. CEQA requires that the analysis be performed before taking into account implementation of mitigation measures.

Biology

- The DEIR does not adequately analyze potential impacts of blasting on wildlife. The examples of habituation of wildlife to mining operations are for surface mining, not the deep rock mining proposed here.

Noise

Increase in Ambient Noise:

- The threshold of significance used is inappropriate at this site. Noise along area roadways used by truck traffic already exceeds the General Plan normally acceptable standard of 60 dBA in residential areas.

-The threshold used doesn't make sense in an area where residents are already exposed to high levels of noise. Any increase of noise should be considered significant.

See DEIR Table 4.13-6 at pg. 4.13-28 and Table 4.13-13 at starting at pg. 4.13-49.

Impacts from blasting:

- impacts to area residents have the potential to be significant

- the DEIR doesn't explain what residents would experience with blasting once or twice a day (which would be within the proposed threshold)

- the analysis lists three potential impacts related to damage to surrounding residential/commercial structures and damage to nearby groundwater wells, disturbance of nearby residents, or destabilization of the San Joaquin River embankment. The DEIR analyses damage to structures and wells and destabilization of the river embankment but barely mentions disturbance to residents.

- It appears that they did not evaluate the impacts of blasting to users of the adjacent park

Mitigation Measures:

- the mitigation measures for noise impacts should be more specifically be required rather than a laundry list for the applicant to choose from.

- The DEIR should have analyzed how much noise reduction each measure would result in and required particular combinations of measures to ensure noise is adequately reduced.

- Because the project would increase nighttime noise for area residents, the DEIR should prohibit nighttime operations that increase noise. See pg. 4.13-60.