

Mount Shasta Herald

News

EIR gives public voice on Nestle project

By Deborra Clayton
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The formal submission of a preliminary project description for Nestle Waters of North America's proposed McCloud water bottling plant sets in motion an environmental review process, the scope and content of which will be determined in part by public comment and participation.

Public input by mail and e-mail is encouraged, as is public participation in a scoping meeting tentatively scheduled for early September.

Pacific Municipal Consultants, under contract with the county, will produce the Environmental Impact Report on the proposed project in accordance with the California Environmental Quality Act.

The EIR will focus on both the 250 acre mill site recently purchased by Nestle as the proposed site of the plant and on the springs themselves, which are owned by the McCloud Community Services District.

In accordance with the National Environmental Protection Act, PMC will also produce an Environmental Assessment of the area where water pipeline will cross federal lands.

"The EIR/EA is a consolidation of technical analysis that evaluates environmental impact of the project," said PMC project manager Mark Teague.

To the greatest extent possible, the studies will be done concurrently. However, Teague explained, the EA process may diverge from the EIR process at some point, since response time restrictions imposed by the state law are not required by the federal government.

The first step in the EIR/EA process is a public Notice of Preparation, which Teague said will provide project details sufficient to allow "meaningful response."

He said responses to the NOP by the public and by the "responsible agencies" to which the Notice will be circulated, such as the Department of Fish and Game,

Caltrans, the Water Quality Control Board and others, will help determine what factors are included in the draft EIR/EA.

Teague said since Siskiyou County has approval authority for the project, it is the "lead agency" and will receive all responses and comments.

The NOP, tentatively scheduled for publication in mid-August, will be publicly posted in the county clerk's office for 30 days and will be sent to any citizen who requests it from the county.

Siskiyou County Assistant Planning Director Wayne Virag said a public scoping meeting will be held in McCloud within the 30 day period legally determined as the window for responding to the Notice.

Virag, currently the project manager for the county in the Nestle permitting process, said the public is invited to "come share your views and concerns" at the meeting.

When the 30 day response window closes, he said, PMC will begin their analysis.

Teague said each realm of consideration - such as traffic flow, biological impact and air quality - will be studied by experts in that field.

Teague said the analysis can take up to a year.

"With biological analysis you have to look for critters when they're there and plants when they're growing," he said.

"Traffic has to be counted both in and out of holiday season, with and without snow on the ground, on mid-week days," he added.

Also time-consuming is the order in which components must be analyzed, as some data is contingent on other data, Teague explained.

"For example, air quality can't be evaluated until traffic flow is determined," he said.

Virag said the county welcomes public correspondence comprised of "constructive criticism, information and expertise relevant to the project" during the analysis period.

Teague said there are typically three to four revisions to the EIR/EA before a draft is made public.

Once the draft EIR/EA is produced, a 45 day response window opens for comment by the public and "responsible agencies" and for Nestle to address the report's findings.

"If an environmental impact is found to be significant, the county may suggest changes to the project that would reduce the impact to a less than significant level," he said.

In other words, said Teague, if the significant impact can be mitigated, the EIR includes suggestions as to how that might be done.

"A nexus must exist between the impact and the solution," Teague explained. "The purpose of this part of the report is not to simply get 'extras' written into the project."

Nestle may respond to county mitigation suggestions with alternative solutions.

Although not required, there is typically a formal public meeting during the 45 day period to which the public is again invited.

In addition, all relevant written responses received by the county during this time will receive a written response in the final EIR.

When the final EIR/EA is submitted, the county must review and consider it before deciding whether or not to grant the permits necessary for the project to begin.

Teague said expert analysis sometimes reveals a "show stopper," an environmental impact that cannot be mitigated.

Should such a circumstance arise, he said the county must determine if the socioeconomic benefits of the project outweigh the adverse environmental effects.

If the county finds the adverse effects outweigh the benefits, they must decline approval of the project.

If it finds the benefits outweigh the environmental risks, the county must prepare a Statement of Overriding Considerations, a legal document explaining why each significant negative effect is acceptable in light of the overall benefits of the project, Teague explained.

When the publication of the Notice of Preparation signals the start of the EIR/EA process, comments can be mailed to the Siskiyou County Planning Department, P.O. Box 1085, Yreka, CA, 96097 or can be e-mailed to planning@co.siskiyou.ca.us.