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Legislators Must Reject Assembly Bill 742 as a Blatant End Run Around Local Government

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California local governments face unprecedented challenges, including budget shortfalls that threaten substantial reductions in vital public services. Management problems like this are hard enough to handle without additional meddling in the form of misguided special interest legislation like Assembly Bill 742.

This last minute "gut and amend" bill by Assembly Member Bonnie Lowenthal (D-Long Beach) strips local agencies of their land use authority and bypasses the local permitting and environmental review process - all to kill a planned Riverside County aggregate mining project on behalf of the well-heeled and politically powerful Pechanga tribe.

The Liberty Quarry project in Temecula, already in the permitting process for six years, awaits final approval of the County Board of Supervisors later this year. If the Pechangas and their lobbyists have their way and AB 742 is enacted, that decision will never come and local government will have lost control of the process. The project will die, along with hundred of new jobs, \$350 million in lost local and state tax revenue that is badly needed and more bruises to a state and local business climate that already is on life support.

It is troubling that the Pechangas stayed mostly on the sidelines as the project underwent reviews and hearings. They participated in a site review and said there were no cultural issues. Now, right at the end of the legislative process and near the end of the local approval process, the tribe declared Liberty Quarry a sacred site and demanded that the state act to halt the project.

For local governments throughout the state, AB 742 should be a wakeup call. If the local government permitting process can be neutered in one county, it can happen anywhere such a project is proposed. The bill gives a sovereign nation - in this case the Pechangas - de facto condemnation power over any property outside their reservation. It allows a tribe to take private property without compensation and there would be nothing local leaders could do about it.

Leaders of local government, business, education and many others have united to defeat AB 742. It is an unprecedented incursion into local land use decision making that has too many unintended consequences to ignore. Legislators must reject this blatant end run around local government.