

Quarry meddling

State meddling is the wrong way to resolve the contentious dispute over a proposed quarry near Temecula. Legislators should not just stall a bill to intervene in the battle, but kill the measure entirely. A decision on the quarry should remain under local control, free from the distorting influence of legislative interference.

The Senate Natural Resources Committee last week approved, then shelved, a bill that would stop the quarry. But legislators noted they could revive the bill at any time — a tactic meant to pressure the opposing factions into reaching an agreement. Putting this special-interest legislation in limbo is a better decision than advancing it, certainly. But the implied threat of further Sacramento intrusion in a local decision is neither helpful nor wise.

Developer Granite Construction wants to mine rock used in making concrete and asphalt on part of a 414-acre site south of Temecula. Granite first proposed the quarry in 2005, touching off a lengthy, divisive conflict. The quarry has the support of business and labor interests, while nearby residents, Temecula officials and environmental groups oppose the plan.

The Pechanga Band of Luiseño Indians, whose reservation sits near the quarry site, also opposes the project. The tribe says the open pit mine would desecrate a site sacred to the Pechanga, and persuaded Assemblywoman Bonnie Lowenthal, D-Long Beach, to introduce legislation that would prohibit a quarry at the Granite site.

A hastily drafted bill in the waning days of the legislative session is an abysmal way to settle a complex local debate, however. The Legislature knows little about the quarry issue, and asking it to digest the project's 8,500-page environmental report and make a quick judgment is laughable.

Even the basic facts are in dispute: The developer says the tribe never mentioned the sacred site until recently, despite a review process that included tribal monitors. The tribe contends it told county planners about the issue as far back as 2005, yet the county ignored the tribe's concerns. Such claims are hard enough to sort out for people who have been following the case closely, so why should anyone think legislators unfamiliar with the area and the project would do better?

AB 742 is not a solution to the quarry issue, but rather the latest example of legislative meddling in local development decisions at the behest of a special interest — and big political donor.

Interfering with quarry plans to aid a wealthy tribe is little different from exempting influential developers' stadium projects from environmental laws, as legislators did in 2009. Both distort the local planning process to benefit favored interests — at the expense of the Legislature's credibility, not to mention local control and rational public policy.

The Assembly analysis of the bill notes that protecting sacred tribal sites on private land is a vexing issue that state law does not adequately address. Yet AB 742 makes no attempt to create effective state policy to handle such disputes. Instead, the bill merely proposes to take one side in a complex controversy with little thought about the broader issues.

Suspending AB 742, rather than killing it, might spur the tribe and the developer to negotiate, as legislators suggested last week. But the Legislature has already shown which side it favors, so the threat of future intervention hardly contributes to an impartial resolution of the differences.

The fate of the quarry proposal is a local decision that local officials should make. California already has a process to resolve such issues, including public hearings, environmental reviews and, as a last resort, lawsuits. Granted, that approach has its flaws. But arbitrary legislative intervention in local development deliberations only makes an imperfect process worse.