

TEMECULA: Lawsuit fights Liberty Quarry report



FILE PHOTO

Riverside County supervisors and staff members talk during a break during January hearings over a proposed quarry near Temecula. The city has sued the county over the supervisors' approval of an environmental impact report on the project.

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Temecula has filed a lawsuit against Riverside County, alleging the county failed to comply with the California Environmental Quality Act when supervisors approved Granite Construction's environmental report for supporting the Liberty Quarry.

The lawsuit, filed in Riverside Superior Court Thursday afternoon, asks the court to void the environmental report because it "fails to adequately analyze, evaluate and mitigate the environmental impacts of the project, and (because it) relies on flawed assumptions and studies."

The 10-page suit also alleges that the county lacked the jurisdiction to certify the report, was negligible in providing information to the public and failed to recirculate the report "despite the clear existence of significant new information."

"The county abused its discretion in that it failed to proceed as required by law," the lawsuit reads. "Its certification of the (environmental report) is not supported by substantial evidence."

Riverside County Public Information Officer, Ray Smith, said Friday that the county had not yet been served with the suit.

"The attorneys will review (the lawsuit) and until they're done there's nothing that I could comment specifically," Smith said.

City officials had been discussing in closed session the possibility of suing the county over its approval of the 8,500-page environmental report. The issue has been a major source of contention for Temecula officials, who went as far as attempting to annex the land on which the quarry was proposed to be built in order to block its construction. As of March, the city's efforts to block the quarry cost tax payers roughly \$1.4 million in legal fees, studies and consultants.

In February, county supervisors denied the proposed open-pit mining operation but, in a split vote, approved the project's environmental report.

That approval paved the way for Granite Construction to submit this week a new application for a smaller quarry.

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