

TRUTH UPDATE #5

In their Advertising Supplement from Sunday, July 26, 2009, Granite Construction makes the statement that "They're your friends and neighbors in the community." Given that Granite Construction wants to be "A Good Neighbor", let's just see how they have complied with Mine Safety and Health Administration (MSHA) regulations.

First Let's take a look at two Granite Construction quarries located near Indio and Twenty-Nine Palms.

In the last twenty-four months, MSHA has issued twelve Mine Citations to Granite's Indio Quarry and sixteen to the Twenty-Nine Palms Quarry. All of the citations are classified as "Closed", meaning that they are not being contested with MSHA.

So what about Granite's newest quarry, Rosemary's Mountain, just eight miles south of their proposed Temecula quarry? In the last fifteen months Granite's newest quarry has already had six "Mine Citations", four of which are closed and two which are being contested. When you look at MSHA Mine Citation fine structure, the fines assessed at these three quarries range from a low of \$60 to a high of only \$1,111. With such insignificant and outdated financial penalties, it is difficult to believe that a major corporation would be motivated to comply by this kind of slap on the wrist.

Here is what the AP reported about Granite Construction in Oregon, September 10, 2007 "SALEM, Ore. (AP) - The state levied a \$240,000 fine against the California contractor hired to straighten a dangerous and curving stretch of U.S. 20 in the coast range.

"Officials said the fine is for 61 violations of state water quality laws. It's the largest storm water management fine the state has ever issued against a company.

"Granite Construction cleared more than 160 acres of ground last summer, clear-cutting trees and chewing up the soil to get the stumps out. But the contractor was not installing erosion control measures

to protect streams, so when heavy rains arrived last September, muddy water went into salmon-bearing streams."

And in Nevada: (Published in The Californian Newspaper, October, 2005)

"According to state records, the Nevada Environmental Commission fined Granite several times over the past 17 years: \$3,500 in September 1993, \$12,000 in January 1998, \$8,000 in March 1998, \$30,000 in September 1998, \$9,670 in December 1999, \$6,785 in April 2000 and \$15,400 in August 2000. Most citations the regulatory agency issued dealt with failure to control dust at various plants and construction sites. One was issued for operating a new crushing and screening operation near Carson City without a permit. Another was issued for digging a discount store site without a permit in Nevada's capital city.

One of the air quality citations stemmed from a Dec. 2, 1999, incident that was addressed in an April 2000 commission meeting, records show.

"At that time we observed major quantities of dust coming from the site to the extent that it was creating a road hazard, or diminished visibility on Highway 50 East out of Carson City," Eric Taxer, compliance enforcement branch supervisor for the state Bureau of Air Quality, told commissioners.

By late 2000, those Nevada commissioners appeared to have lost their patience with Granite. Three violations in June of that year triggered yet another fine, for \$15,400, and provoked extensive debate at a meeting that August. One commissioner observed that Granite and a few other companies "seem to be in here all the time" for violations.

"...I don't think monetarily you're charging them enough to really make a difference in their operations," commissioner Paul Iverson stated, according to commission archives.

"I can just about guarantee you ... that we can go ahead and approve a \$15,600 fine, or whatever it is, and before the year is over I would almost bet that we will be talking to these people again," Iverson said.

In the same meeting, commissioner Mark Doppe observed: "There are companies that are not as large as Granite, but that have as many jobs ongoing at one time in southern Nevada, that don't have anywhere the history of noncompliance in southern Nevada that Granite has statewide."

It doesn't cost much for them to SAY they will be good neighbors, but it does cost a lot to actually BE good neighbors.

If they were allowed to open and operate Liberty Quarry here in our neighborhood in Temecula, what would be their incentive to live up to their promises?