

U.S. Senator Dianne Feinstein

**Statement In Support of the
“Soledad Canyon Settlement Act” (S. 771)**

November 20, 2013

Chairman Wyden, Ranking Member Murkowski, and Committee members, I strongly support S. 771, the “Soledad Canyon Settlement Act,” and urge the committee to pass this important legislation as soon as possible.

This legislation would resolve a fourteen-year-old mining dispute between the City of Santa Clarita and CEMEX USA, ending years of negotiations with a comprehensive and fair solution supported by both affected parties.

Since 2004, Senator Boxer and I have been working with the City of Santa Clarita and CEMEX USA to find an appropriate balance to this complex issue that would not only solve a long-term dispute, but would also protect the

economic interests of CEMEX, meet the long-term needs of the Santa Clarita community, and facilitate the preservation of irreplaceable natural resources. This bill does just that—and I believe it will bring a satisfactory conclusion to this issue.

Bill Specifics

The “Soledad Canyon Settlement Act” would cancel CEMEX’s 20-year contracts with the Bureau of Land Management (BLM) to mine 56 million tons of aggregate from the Soledad Canyon site, located immediately east of the City of Santa Clarita, and permanently withdraw this area from mining. The bill also directs BLM to sell roughly 10,000 acres of public lands near the City of Victorville that were previously identified for disposal in BLM’s 2006 *West Mojave Land Management Plan* and use the proceeds to compensate CEMEX. Furthermore, the bill provides the option for Santa Clarita to contribute to the compensation paid to CEMEX to lessen federal costs and eliminate any possible shortfall.

Background

CEMEX's mining contracts were granted in 1990. A lot has changed since then.

First, the City of Santa Clarita has grown dramatically over the past two decades and remains one of the fastest growing cities in California. In 1990, Santa Clarita's population was approximately 110,000 people, and today, the population has almost doubled to 203,000, with an additional 70,000 residing in nearby unincorporated areas.

Second, the Upper Santa Clara River where the proposed mine is located, has been identified by federal and local land use agencies as an environmentally significant resource and a critical wildlife linkage. Though the ecological significance of the area was unknown when the contracts were approved, this compelling new information, including information from the Department of the Interior, should not be ignored.

Third, a 2012 statewide aggregate sustainability report prepared by the California Department of Conservation places serious doubt on whether the proposed mine is indeed necessary. According to the report, the State has already permitted 34% of the projects needed to meet aggregate demands for the next 50 years and 74 billion tons of non-permitted aggregate resources have been identified which could be permitted over the next half century if necessary. These additional resources represent six times the anticipated statewide demand for aggregate.

Additionally, the proposed mine would have significant traffic and air quality impacts on a region already facing congestion and air pollution challenges. For example, at full operation the proposed mine would require 1,164 additional truck trips daily onto State Route 14—that equates to one more large truck on the greater Los Angeles metropolitan roadway system every two minutes.

Given the significant changes in the surrounding community over the last 23 years and what we have learned about the project's ecological and environmental impacts, it seems unlikely that the federal government would issue these contracts if given the choice today. Through the legislation now before the Committee, Congress has the opportunity to make a better, more informed choice.

Conclusion

The "Soledad Canyon Settlement Act" is a reasonable compromise for solving a difficult problem. It is the product of years of negotiations between the Santa Clarita and CEMEX. The bill enjoys the support of not only Santa Clarita residents, but the State of California. I urge you to support this legislation.