

# **Cemex legislation to be carried by Boxer to avoid earmark restriction**

**Carol Rock, KHTS.com (Santa Clarita radio), 2-3-11**

Patience is a virtue and a requirement when dealing with the government.

Especially in the legendary case of Cemex, a cause that locals have rallied around for several years, taking to the streets in the ultimate “not in my back yard” protest.

Federal legislation that would do away with any possibility of a massive strip-mining operation in Soledad Canyon has been proposed by Congressman Buck McKeon for the last five years, only to die in committee, despite the importance of the bill to the Santa Clarita Valley.

In fact, it’s that local specialization that is making McKeon step back from the legislation, which was last proposed in 2010.

Back in 1990, a Mexican mining company, CEMEX, leased the rights to mine Soledad Canyon for sand and gravel from the U.S. Bureau of Land Management, setting off a firestorm of protest from citizens and government officials alike.

The City of Santa Clarita and CEMEX announced a truce in February 2007 and agreed to seek a legislative solution that would result in an acceptable outcome for all parties. Both Senator Barbara Boxer and Congressman McKeon were critical players in that solution and McKeon immediately introduced legislation to stop the mining project once and forever.

Unfortunately, it never got approved, but McKeon kept on trying, reintroducing bills that garnered support, but just not enough.

Fast forward to 2011, with House Republicans and the President of the United States making serious efforts to avoid “earmark” projects – or proposals that benefit just one part of the country.

In his State of the Union address, President Barack Obama said he would veto any legislation that contained earmarks, effectively dooming any reintroduction of McKeon’s legislation.

“I am fully committed to working with the City of Santa Clarita, local community groups, and CEMEX to find a satisfactory resolution to mining in Soledad Canyon,” McKeon said in a prepared statement. “To that end, I have previously sought a legislative solution and would have done so again this year except for the determination that my legislation constitutes an earmark.

“While I disagree with the interpretation, I support the current Congressional ban on earmarks, which is intended to curb federal spending. Until the issue of earmarks is resolved, I cannot under the House Rules reintroduce the legislation. I will continue to work with all the parties in an attempt to find a satisfactory resolution.”

Which is where Senator Boxer comes in.

In 2010, Boxer introduced the S.3057, the Soledad Canyon High Desert, California Public Lands Conservation and Management Act, but it failed to advance.

According to city staff, this will be reintroduced in this Congress and may stand a better chance of being approved.

“Senator Boxer’s staff has indicated to us that she fully intends to reintroduce the bill this year, possibly in the next few weeks,” said Michael Murphy, the city’s Governmental Relations manager. “It will be pretty much the same bill as before.”

Boxer’s bill would set in motion the cancellation of the contracts with Cemex and compensation, which could benefit not just Santa Clarita but the entire country by preserving a vibrant open space corridor, but also the city of Victorville, where Cemex has indicated an interest in purchasing land that will ultimately benefit the city’s redevelopment projects.

In the meantime, no mining has been done and everything is on hold.

Patience is definitely in play.

“This is the fifth year that we’ve been working on this legislatively and there are a lot of unexpected twists and turns,” Murphy said.