

SCV lawmakers line up behind Wilk's anti-Cemex bill

Kevin Kenney, The Santa Clarita Valley Signal, 12-12-16

While Cemex – the Mexico-based mining giant — awaits word from a federal panel of administrative judges on whether it can begin long-pending operations in Soledad Canyon, state legislators from the Santa Clarita area are lining up behind a bill authored by state Sen. Scott Wilk that would give local voices at least some power in the anti-mining fight.

Wilk, a Republican whose 21st Senate District encompasses the Santa Clarita and Antelope valleys, introduced a measure last week, Senate Bill 57, designed to re-open public comment on the state permitting process for the mega-project's water supply, if the feds ultimately OK the project.

While the overall future of the sand and gravel mining operation – widely opposed in the Santa Clarita area – rests in federal hands, Wilk's bill would offer a legal loophole designed to put one aspect within local control.

In this case, the very key aspect of water.

Wilk's office said mine operators have applied for permits through the California State Water Resources Control Board to draw about 105 million gallons of water annually from the Santa Clara River.

Local public comments on any aspect of the Cemex project are likely to be loud, long and stridently opposed.

“Federal law preempts state law, so there is little state government can do to stop the project, but state agencies have an ability to require mitigations that can protect the environment and residents' health and quality of life,” a statement from Wilk's office said.

“A lot has changed since 1990 – four years of drought, environmental rules, the population of the area,” Wilk told The Signal on Monday, referring to the time the previous owner of the Cemex site received the federal OK for the mining project.

Assemblymen Dante Acosta of Santa Clarita and Tom Lackey of Palmdale, both Republicans, are principal co-authors of Wilk's bill. They would shepherd the legislation on their side of the Capitol if it makes it through the Senate.

“Assemblyman Lackey felt pretty strongly there needs to be an accurate level of review,” said Tim Townsend, Lackey's capitol director. “That's the reason the (Santa Clarita-area legislative) delegation is working together on this.”

Acosta, newly elected to his Assembly seat, said in a statement, “I am proud to join with my colleagues in the region to address the critical issues surrounding the Cemex gravel mining project in Soledad Canyon. I am committed to meeting the needs of the constituents of the 38th Assembly District, and this bill is a critical step in doing that.”

Rep. Steve Knight (R-Palmdale) has also been a vocal opponent of the Cemex on the federal level – and Monday said he was behind Wilk's efforts here.

“We support all actions by our leaders at the local, state, and federal levels to prevent Cemex from breaking ground on a mine in the Soledad Canyon,” Knight said.

“I thank Senator Wilk for introducing this bill and will continue to work with members of the community to explore and exhaust every available option.”

Wilk’s bill is an updated version of one he pushed last year, when he was an Assemblyman.

That bill looked to re-open public comments on projects pending for 20 years or more. But the bill ran aground in the Assembly’s appropriations committee, Wilk said, because it applied to 86 projects statewide and would have cost the state about \$286,000 – above the \$150,000 threshold to avoid the appropriations committee.

This version of the bill, Wilk said, was adjusted to projects pending at least 25 years, and includes only non-government projects – whittling the scope to 22, including Cemex. It also would cost below the \$150,000 threshold, so conceivably could get an easier ride, Wilk said.

Wilk, one of only 13 Republicans in the 40-member Senate, also said he’s hoping SB 57 will find support across the aisle because, “I look at it as a district bill” – one less likely to encounter partisan push-back.

According to Wilk’s office, “the proposed Cemex mega-mine would be one of the largest aggregate mines in the nation. The mine would devastate our air and water quality and choke the 14 Freeway.

“Despite the magnitude of the project the public has been without an opportunity for input in over 25 years.”

Said Wilk: “SB 57 will guarantee the public has an opportunity to weigh in with regulators on this ill-conceived proposal.”

The Bureau of Land Management rescinded Cemex’s mining contracts last year, but the company has appealed and is awaiting the decision of a panel of administrative judges from the Interior Bureau of Land Appeal. There is no timeline for the panel’s decision.

Cemex officials did not immediately reply to The Signal’s inquiry on Monday seeking comment.