



THE SOLEDAD CANYON HIGH DESERT, CALIFORNIA PUBLIC LANDS CONSERVATION AND MANAGEMENT ACT OF 2009

FACT SHEET

SUMMARY

The Soledad Canyon High Desert, California Public Lands Conservation and Management Act of 2009 (H.R. 4332) was introduced by Representative Howard P. “Buck” McKeon (CA-25) on December 16, 2009. This measure is a slightly modified version of H.R. 5887, introduced by Representative McKeon during the 110th Congress.

The new version of the bill seeks to accomplish the same goal as the previous legislation -- resolve the mining dispute between the City of Santa Clarita, California and CEMEX USA (CEMEX). The new legislation would employ a proven process to cancel existing mining contracts, fairly compensate CEMEX and potentially provide additional revenue for environmentally important acquisitions throughout Southern California.

HISTORY

- In 1990, CEMEX was awarded two, ten-year consecutive contracts from the United States Bureau of Land Management (BLM) to extract 56-million tons of sand and gravel from a site in Soledad Canyon; located on split estate, with the surface estate owned by the City of Santa Clarita and the underlying mineral estate owned by the United States and administered by the BLM.
- The City of Santa Clarita objected to CEMEX’s plan to mine in Soledad Canyon beyond the historical production level of 300,000 tons per year.
- The two entities were at odds for nearly a decade before announcing a truce in February 2007.
- As a result of the truce, CEMEX, the cities of Santa Clarita and Victorville, and the County of San Bernardino worked with Representative McKeon to craft federal legislation, which would amicably resolve the dispute.

HOW THE BILL WORKS

- Upon enactment of the bill, the Secretary of the Interior would immediately cancel CEMEX’s mining contracts in Soledad Canyon and prohibit future mining at the site of the contracts.
- The Secretary of the Interior would then determine the fair market value of the cancelled contracts.

- The proposed legislation then instructs the Secretary of the Interior to sell, within specified time frames, federal lands near Victorville, CA, which are currently on the BLM's "disposal list." A map of the properties entitled "Victorville Disposal Area" is available upon request.
 - There are three classifications of land to be sold near Victorville. Depending on the classification, the City of Victorville and the County of San Bernardino would have the preemptive right to purchase land before the land is offered for sale to other interests.
 - The lands near Victorville were carefully selected to ensure that no environmentally-sensitive lands would be sold for development as part of this bill.
- The proceeds from the land sale would be deposited in a special account set up in the United States Treasury. Utilizing existing legislative precedent, the measure contains specific language, which would instruct the Secretary of the Interior to use proceeds from the land sales for specific and prioritized purposes, including:
 - As compensation for CEMEX for the cancellation of the mining contracts in Soledad Canyon, as determined by the Secretary of the Interior.
 - The acquisition of private holdings and land interests in the Mojave National Preserve.
 - The acquisition of private holdings and land interests from willing sellers within the area identified by the *"East Santa Clarita Land Conservation Concept Plan and Implementation Strategy."* These acquisitions could help to achieve a major environmental milestone: linking the northern and southern segments of California's Angeles National Forest.
 - The acquisition of other environmentally-sensitive lands in California.

ENVIRONMENTAL BENEFITS FOR CALIFORNIA

- The bill allows the Secretary of the Interior to acquire environmentally-sensitive California lands for preservation, if additional sale proceeds are available. The proposal specifically identifies two important environmental enhancements for Southern California: linking segments of the Angeles National Forest and further protecting the Mojave National Preserve.
 - With singing sand dunes, volcanic cinder cones, Joshua tree forests, and carpets of wildflowers, the Mojave National Preserve is one of Southern California's most precious treasures. This bill provides a funding avenue for acquiring private in holdings and land interests in order to expand the preserve.
 - Environmental groups and local governments have been exploring ways to preserve lands east of the City of Santa Clarita in order to link two sections of the Angeles National Forest. Linking these sections of the forest would protect the biodiversity of the area, create a greenbelt that buffers the City of Santa Clarita, establish a continuous trail system with connections to public parks, restore the Santa Clara River and its tributaries and

redevelop previously disturbed areas. Previous efforts to preserve this area struggled to secure the necessary funding.

- Keeping with one of the most important aspects of the previous version of the Soledad Canyon Mine Act, the revised legislation would not trade one mine for another. The federal lands sold near Victorville would not be mined.
 - The already identified-for-disposal lands designated for sale near Victorville were selected because they are not environmentally-sensitive and would be subject to California Environmental Quality Act review prior to development.

TAXPAYER PROTECTIONS

- The financial mechanism used in the proposal would ensure that the Secretary of the Interior would be able to use proceeds from land sales to meet the goals outlined in the bill and would not require funding from the federal budget.
- This proven mechanism has been used successfully for more than two decades as a way to ensure land transaction legislation is fiscally responsible.

For more information on the legislation, please contact Michael Murphy at (661) 255-4384 or email at mmurphy@santa-clarita.com

###