

## The Real Straight Talk – Part 2

The format of the questions and answers below resembles that of CEMEX's paid advertisements. CEMEX's original questions and answers remain unchanged. The accurate responses are in blue italics font below.

The sources for all of the City's statements below are contained in endnotes and are readily verifiable. We encourage you to visit CEMEX's website at [www.CemexUSA.com](http://www.CemexUSA.com) and read about the mega mine in Soledad Canyon and the company from their point of view. Then please compare their claims to our facts.

Please also see Parts 1 and 3.

### *THE REAL* STRAIGHT TALK: Part 2 Soledad Canyon and the Environment

There have been a lot of questions about mining Soledad Canyon and the environmental impacts. We'd like to help answer them.

Question	Answer
<i>Will mining at the Soledad Canyon site destroy it?</i>	<i>Cemex's Answer:</i> No. Environmental stewardship is an important part of CEMEX's corporate culture. It's our policy to leave land better off than when we found it. Currently, the Soledad Canyon site is a large area scarred by decades of others' mining. But after our project, we will work with biologists, environmental specialists, and diversity experts to restore Soledad Canyon to a

natural state.

**Accurate Answer:** *CEMEX's mega mine will remove 69 million tons of earth at the site<sup>i</sup>. We encourage you to decide for yourself if removing enough material to fill the Rose Bowl 127 times<sup>ii</sup> qualifies as destroying the site.*

*The concerns about CEMEX's mine are not over its reclamation, but over its operation. Reclamation occurs at the end of mining, it is the impacts from the mining operation itself that has the community so concerned. Leaving the land "better off" than before through reclamation does nothing to alleviate:*

- *Exceeding by 250% the maximum risk allowed by the South Coast Air Quality Management District Toxic Rules for new emissions<sup>iii</sup>;*
- *Exceeding State air quality standards for particulate dust emissions by 200%<sup>iv</sup>;*
- *Generating up to 1,164 daily truck trips on our roads, 24 hours a day 7 days a week<sup>v</sup> tearing up our roads and spewing carcinogenic diesel exhaust;*
- *Draining the Santa Clara River of year-round surface flows and killing fully-protected endangered species<sup>vi</sup>; and,*
- *Likely reducing property values from heavy truck traffic, dust, and noise.*

*The site might look nice in the end, but is it worth it?*

*Something else to consider is that according to the State Department of Conservation, there are enough aggregate reserves in Soledad Canyon to last for several decades. We may not see any reclamation of the site in our lifetime.*

**Does the project respond to Santa Clarita's environmental concerns?**

**Cemex's Answer:** Yes. In addition to numerous mitigation measures, CEMEX has already committed to donate nearly \$2 million to create an Open Space/Visual, Air Quality, and Traffic Fund. This fund will be dedicated to

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improve, enhance and replenish open space, parks, trails, and traffic improvements in area communities, as well as to assist in the enhancement of air quality.

***Accurate Answer:** No, and it is not CEMEX's role to answer for the City. The project does not come close to addressing the concerns of the City, the school districts, community groups, the chamber of commerce, environmental groups, and host of other organizations.*

*CEMEX's mega mine will create significant impacts to the environment that CANNOT be mitigated! The EIR/EIS prepared by CEMEX even acknowledges this<sup>viii</sup>. There will be significant impacts to air quality, aesthetics, biological resources, and traffic that will not be sufficiently mitigated.*

*In addition, the City currently has three active lawsuits over the approved mine's violations of the California Environmental Quality Act, the National Environmental Preservation Act, and the Endangered Species Act.*

*Regarding the Open Space/Visual, Air Quality, and Traffic Fund: there is no commitment from CEMEX to donate to the fund, it is a required condition of approval (number 36). Also, it is not "nearly \$2 million", it is for \$1,550,000, about 25% less than CEMEX claims. Also, CEMEX is allowed to pay into the fund in annual installments. It won't reach the full amount for 11 years after commencement of mining operations! Also, the \$1.5 million dollars is not an environmental mitigation measure! It is a requirement of approval! The money paid into this County-controlled fund does not mitigate any of the significant environmental impacts from this mega mine.*

*What will \$1.5 million buy? Not much. \$1.5 million could pay for the replacement of only about 1.5 miles of Soledad Canyon Road<sup>x</sup>, the road that will experience the most wear and tear from the up to 1,164 daily trucks trips from the mine. There will be nothing left to put towards the \$31 million dollars that the school districts will need to upgrade their air conditioning systems to protect our children from the mine's air pollution<sup>x</sup>. Nothing will be left to "improve, enhance and replenish open space, parks, trails, and traffic*

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*improvements in area communities, as well as to assist in the enhancement of air quality” as CEMEX claims. Nothing will be left to help offset the costs of increased emergency room visits due to respiratory ailments caused by the mine’s air pollution<sup>xi</sup>.*

***Can CEMEX prove that they are committed to the environment?***

***Cemex’s Answer:*** As a member of the World Business Council for Sustainable Development, CEMEX has committed to promoting a culture of environmental awareness. We consistently operate with strict adherence to permitting restrictions and laws – ensuring our projects respect, and often exceed, established parameters of environmental stewardship and awareness.

***Accurate Answer:*** *Consider the following:*

- In just 8 states and Puerto Rico alone, Cemex has been fined more than \$4.5 million for violating various state and federal environmental laws during the past several years<sup>xii</sup>.*
- Almost \$4 million of these fines were imposed after Cemex violated federal and state air quality laws, including 3 years of continuous violations at the Cemex Victorville facility<sup>xiii</sup>.*
- Cemex’ Victorville plant ranked among the top 3% toxic polluters in CA and 9% in the nation, releasing 184,843 pounds of toxic chemicals into the environment in 2004<sup>xiv</sup>.*
- Cemex reportedly amassed 72,000 separate air quality violations in Colorado alone in 2004, and was identified as one of only 16 industrial plants in Colorado responsible for increasing haze at Rocky Mountains National Park, Mesa Verde, and other national parks<sup>xv</sup>.*
- Cemex also fought new air quality rules in Southern California to control air pollution from its existing and proposed quarry operations<sup>xvi</sup>.*

- *Cemex has violated air quality standards and permits in New Mexico, Colorado, California, Alabama, Florida, Puerto Rico, Pennsylvania, Texas, and Tennessee with individual fines exceeding \$1 million<sup>vii</sup>.*
- *A southern California Cemex plant discharged illegal caustic water for 436 days in a row, and ignored repeated warnings to cease the illegal discharges until the Los Angeles Regional Water Quality Control Board threatened them with fines totaling \$4.3 million<sup>viii</sup>.*

*What is CEMEX's track record for environmental stewardship directly related to its excavation projects?*

***Cemex's Answer:*** CEMEX has a 100 year history of environmental safety and responsibility. We are particularly proud of our land stewardship efforts, which endeavor to leave our project sites healthy and beautiful environments. Most recently, our Wampum, Pennsylvania wetlands restoration project accomplished an award-winning advance in land stewardship for the completed reclamation of 138 acres of land. CEMEX re-established the ecosystem by planting native trees and grasses, reintroducing crayfish, snails and over 4,000 fish to wildlife habitat.

***Accurate Answer:*** *See the previous answer for information about CEMEX'S "history of environmental safety and responsibility."*

i Condition of Approval 9.aa.

ii Rose bowl capacity if filled with water - 84,375,000 gallons (from www.rosebowlstadium.com) One acre-foot of water = 325,851 gallons. 84,375,000 divided by 325,851 = 259 acre-feet in the Rose Bowl. One acre-foot of water contains 43,560 cubic feet multiplied by 259 acre-feet = 11,282,040 cubic feet. 11,282,040 divided by 27 cubic feet (1 cubic yard) = 417,853 cubic yards of space in the Rose Bowl. There is 69,000,000 tons of material in the mine or 138,000,000,000 pounds. One yard of aggregate averages 2,600 pounds (multiple websites range from 2,500-2,700 lbs). 138,000,000,000 divided by 2,600 = 53,076,923 cubic yards of material coming out of the mine. 53,076,923 cy divided by the 417,853 cy capacity of the Rose Bowl is 127.

iii From AQMD

iv Air Quality Sections of Draft EIR and "Additional Environmental Information to the Draft EIR"

v Page 3-292 of Draft EIR and Page 16 of the BLM's Record of Decision

vi Condition of Approval 9.p.4.

vii Draft Hydrogeologic Report, March 14, 2005 prepared by RTF&A Geotechnical Engineering & Engineering Geology

viii CEQA Findings of Fact for the Final EIR for the Soledad Canyon Sand and Gravel Mining Project, LA County Project Number 91111066, November 2001

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ix The replacement of 1 mile of 2-lane road is estimated to cost approximately \$900,000 per City's Capital Improvement Programs Division

x Preliminary Economic Impact Study Soledad Canyon Surface Mining Project Los Angeles County Department of Regional Planning," prepared for the Wm S Hart Union High Schools District and the Sulphur Springs School District, by Mechanical Systems Consulting Engineers, May 21, 2001.

xi UCLA Study: <http://www.healthpolicy.ucla.edu/pubs/publication.asp?pubID=181>; Orange County Register, August 17, 2006: "For asthmatics, traffic takes their breath away"-  
[http://www.ocregister.com/ocregister/homepage/abox/article\\_1245631.php](http://www.ocregister.com/ocregister/homepage/abox/article_1245631.php)

xii US EPA, Enforcement and Compliance Online (ECHO) database. Enforcement data from the state environmental agencies in New Mexico, Colorado, California, Alabama, Florida, Pennsylvania, Texas, and Tennessee.

xiii Victorville citation from USEPA ECHO. Enforcement data from the state environmental agencies in New Mexico, Colorado, California, Alabama, Florida, Pennsylvania, Texas, and Tennessee.

xiv US EPA, Toxic Release Inventory (TRI) database for 2004.

xv 72,000 violations—Daily Camera, October 11, 2005, as reported on [http://www.geocities.com/watchdogs\\_99/dc\\_allegations\\_10\\_05.html](http://www.geocities.com/watchdogs_99/dc_allegations_10_05.html)- "State regulators cited the plant for having excessive heat in pollution-control intakes more than 72,000 times in 2004. Such heat can lead to emission of cancer-causing dioxins and furans. Cemex could face civil penalties of up to \$15,000 per day." Haze-- Denver Post, July 25, 2005- "Power plants and factories across the West - from a Cemex Inc. cement kiln in Lyons to a Phillips 66 refinery near Salt Lake City - are being targeted for the first time as sources of the haze clouding the region's national parks."

xvi Riverside Press Enterprise, March 12, 2005: "Gravel miners criticize air-quality rules"

xvii Enforcement data from the state environmental agencies in New Mexico, Colorado, California, Alabama, Florida, Pennsylvania, Texas, and Tennessee.

xviii Los Angeles Regional Water Quality Control Board, ACL R4-2004-0068