

LAHC response to Cemex extension request

Submitted by Lauren Click, Chair

Prepared by Gil Sparks, member

7/15/2022

The Lyons Arts and Humanities Commission (LAHC) held its regularly monthly meeting on Tuesday July 12, 2022. While the CEMEX application extension was on the agenda, the LAHC did not recognize the need for Commission input until late in the meeting. There was insufficient time to have an in-depth orientation or discussion about the issues or to solicit a consensus position by the Commission.

Instead, the members were requested to submit written comments to the chair by July 14 for submission to the Town of Lyons by Friday July 15.

Three members submitted written comments, which are set out below.

As chair, my thoughts are aligned with the comments submitted by Melinda Wunder and Gil Sparks.

The LAHC has not had any formal discussion, nor has any vote been taken by our Commission. We recognize the Town of Lyons intends to have a public forum on the Cemex application on July 19th and will encourage all our members to attend and participate in those discussions.

Please let me know if you have any questions or need additional information.

Respectfully,

Lauren Click, Chair

Comments of LAHC commission members

Gil Sparks

I am a retired attorney and live at 2169 Apple Valley Road in Lyons. I serve on the Lyons Parks and Recreation Commission, the Lyons Arts and Humanities Commission, the Lyons Community Foundation Board and the Lyons Regional Library District Board.

I have reviewed the Cemex extension request for Dowe Flats. As currently proposed, I oppose the extension request.

While Cemex is dangling some enticing financial incentives to obtain Boulder County's support for the requested extension, the extension request is contrary to Boulder County's stated climate goals. The Boulder County climate goals are far more important for our health and the health of our children and grandchildren than any financial incentives Cemex can offer. Creating or protecting more open space is not the solution.

I am unaware of anything in Cemex's proposal that remotely attempts to meaningfully mitigate the harm caused by allowing Cemex's high levels of pollution to continue unabated. Additionally, based on

the information I have received, Cemex's proposal does not mean the physical plant will actually cease operations at the end of the extension period. There is no commitment to either decommission the plant or not sell it to another operator. Any negotiation to allow even a brief extension, must be coupled with the requirement to decommission the cement plant permanently.

Also, the Town of Lyons has not been part of the ongoing negotiations with Cemex, contrary the spirit of the 2012 IGA. Without prior involvement or input in the negotiation process, the request for comments from the Town is too short. I can support a possible short extension of the Dowe flats application, as long as the Town of Lyons can meaningfully participate in all future discussions or negotiations regarding the Cemex extension request.

Melinda Wunder

I understand Cemex has supported LAHC with some donations this past year but I see these as purely a function of public relations and not genuine. I have no faith in Cemex as they have proven over the years to be unreliable and untrustworthy. They continue to be a major contributor of polluted air emissions which impact the entire surrounding area.

Barring closing the plant, I would like see Cemex make significant changes to their structure and processes to reduce emissions. In other words, I want to see them operate on a much cleaner facility.

This is my major issue with Cemex.

Claudia Paterno

I apologize for getting my response to you so late. I have actually read more about the decision that has been laid in front of us. After letting all of it simmer, this is what I think we should do.

I think we should allow for the extension of their mining operations for another 15 years. Gulp. And, going forward we ask them for every contribution they can give to Lyons as a penance for polluting our air so badly!

Also, can we negotiate with them that if we extend this permit they MUST make some steps to lower their emissions.