



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Taos Field Office
226 Cruz Alta Road
Taos, New Mexico 87571-5983
www.blm.gov/nm

*July 1, '10
mtb*

In Reply Refer To:
NMNM 57861-01
2912 (LLNMF02000)

April 29, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
7009 2250 0002 7848 8187

DECISION

Santa Fe County	:	NMNM 57861-01 (Nambe)
Attn: James Lujan	:	Recreation and Public Purpose
PO Box 276	:	Lease
Santa Fe, NM 87504-0276	:	

Lease Renewal Rental Requested

On January 31, 1985, Recreation and Public Purpose (R&PP) Lease NMNM 5786101 was issued to Santa Fe County for a term of 5 years for a 10 acre modified sanitary landfill site which has since been converted into a transfer station site. The site is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, section 23, T. 20 N., R. 9 E., NMPM, New Mexico. The lease expired on January 31, 2010. The County has expressed an interest in purchasing the transfer station site under the R&PP Act and may renew the lease for an additional two years while the sale option is discussed. The lease will be renewed for a period of two years upon acceptance of this decision.

The lease is hereby renewed from January 31, 2010 to January 30, 2012, for a period of two years, subject to your acceptance. Should the R&PP application for purchase be approved prior to the expiration date of this renewal, it will supersede this renewal. Please sign two copies of the acceptance and return one copy to the address above to the attention of Francina Martinez.

The lease renewal is subject to:

- 1) Terms and conditions of the lease;
- 2) EPA regulations contained in 40 CFR 241;
- 3) New Mexico Environmental Division Regulations;
- 4) Title VI – Civil Rights Act requirements; and

A rental payment of \$50.00 for the renewal period from January 31, 2010 to January 30, 2012 must be submitted within 30 days of receipt of this decision and should accompany your acceptance of this renewal decision. Please make check payable to: Department of Interior – BLM.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision, the Interior Board of Land Appeals, and the appropriate Office of the Solicitor at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Should you have any questions, please call Francina Martinez at (575)751-4708.

Sincerely,



Sam DesGeorges
Field Manager

Enclosures:
Form 1842-1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL..... Bureau of Land Management
226 Cruz Alta Road
Taos, NM 87571

WITH COPY TO SOLICITOR... Field Solicitor
U.S. Department of the Interior
PO Box 1042
Santa Fe, NM 87504

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR..... Field Solicitor
U.S. Department of the Interior
PO Box 1042
Santa Fe, NM 87504

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

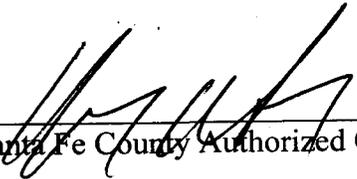
STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)

Renewal of Recreation and Public Purposes (R&PP) lease NMNM 57861-01 from January 31, 2010 to January 30, 2012, is hereby accepted by:



Santa Fe County Authorized Officer

BCC Chairman

Title

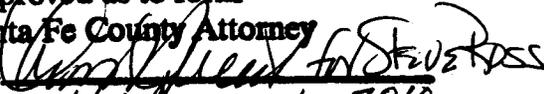
9-28-10

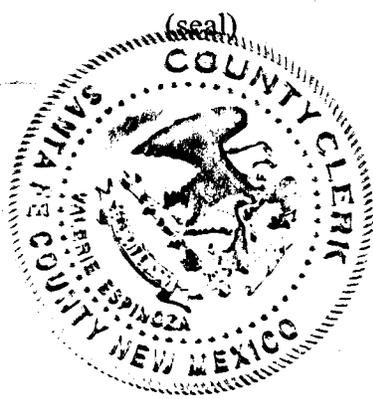
Date

ATTEST:

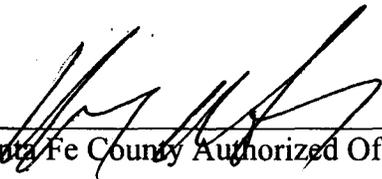


Valerie Espinoza

Approved as to form
Santa Fe County Attorney
By: 
Date: 16 August 2010
Amy 9/2/2010



Renewal of Recreation and Public Purposes (R&PP) lease NMNM 57861-01 from January 31, 2010 to January 30, 2012, is hereby accepted by:



Santa Fe County Authorized Officer

Bcc Chairman

Title

9-28-10

Date

ATTEST:



Valerie Espinoza

Approved as to form
Santa Fe County Attorney
By: 
Date: 16 August 2010
JMB 9/21/2010

