

Resulting expansion factors (f_e) are presented in Table 5.3. Data are shown for Station 119. The expansion factors are shown for all vehicles. Expansion factors were calculated using Equation 5-2. The expansion factor for a Monday in January, for instance, was calculated by dividing 25706 by 19336, which equals 1.33.

Table 5.3. Expansion factors for Station 119

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mon	1.33	1.22	1.15	1.06	0.99	0.95	0.91	0.90	0.97	1.03	1.08	1.29
Tue	1.20	1.22	1.12	1.07	1.01	0.97	0.93	0.92	1.02	1.06	1.04	1.21
Wed	1.17	1.22	1.07	1.03	0.98	0.92	0.97	0.88	0.98	1.02	0.92	1.04
Thur	1.14	1.18	1.06	0.96	0.93	0.87	0.85	0.85	0.91	0.96	1.05	1.01
Fri	1.09	1.13	0.94	0.86	0.80	0.76	0.74	0.72	0.79	0.83	0.94	0.91
Sat	1.31	1.37	1.14	1.13	1.00	0.91	0.89	0.85	0.97	1.04	1.04	1.09
Sun	1.48	1.39	1.15	1.08	1.05	0.92	0.85	0.84	0.98	0.96	0.96	1.29

5.4 N-Fold Cross-Validation

N-fold cross-validation was used to evaluate the three methods. In *n*-fold cross-validation, data are split into *n* partitions and data from the *n*th partition are used to validate the model created from the remaining data. For example, if four partitions are used, for the first partition, data from partition *n*=1 are removed from the sample and data from partitions *n*=2, *n*=3, and *n*=4 (referred to hereafter as the “model” dataset) are combined to create the model of interest. Data from partition *n*=1 (referred to hereafter as the “validation” dataset) are used to validate the model. For the second partition, data from partition *n*=2 are removed and data from *n*=1, *n*=3, and *n*=4 are used to create the model. Data from partition *n*=2 are used to validate the model. Partitions 3 and 4 follow the same method.

The 36 rural primary ATR stations were randomly partitioned into four groups of nine stations. The four groups are presented in Table 5.4. The 14 rural interstate ATR stations were divided into four groups, as shown in Table 5.5.

Table 5.4. Division of rural primary ATR stations

	Group 1	Group 2	Group 3	Group 4
ATR Station	201	202	203	204
	205	206	207	208
	209	210	211	212
	220	216	217	219
	224	221	228	223
	230	226	233	229
	235	231	238	234
	240	236	246	239
	244	245	248	247

Table 5.5. Division of rural interstate ATR stations

	Group 1	Group 2	Group 3	Group 4
ATR Station	120	100	119	116
	106	113	104	110
	109	115	118	111
		102		

5.5 Short-term Counts

Short-term counts were used to evaluate the accuracy of each of the three methods. For each partition, stations from the model datasets were used to create expansion factors, and stations from the validation dataset were used to create short-term counts. Expansion factors for each model dataset were computed for the two truck (SU and MU) categories and for total traffic by averaging expansion factors for all ATR stations in a model dataset creating an average factor for the group:

$$F_{cg_n} = \frac{\sum_{i=1}^m f_{atr_{gi}}}{m} \tag{5-3}$$

where

F_{cg_n} = Average expansion factor for vehicle category c in group g

$f_{atr_{gi}}$ = Expansion factor for station i in group g

c = Vehicle category

g = ATR group

m = Number of ATR stations in group g

Consequently, expansion factors were created for both rural interstate and primary roads for each partition n for each vehicle type. For each partition, factors were created for total vehicles, single-unit trucks, and multi-unit trucks. An example is shown in Table 5.6 for single-unit vehicles for rural interstates for partition 1.

Table 5.6. SU expansion factors for rural interstate group 1

Group 1	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mon	1.56	1.16	1.18	1.01	0.99	0.88	0.81	0.86	1.00	1.05	1.24	1.66
Tue	1.29	1.17	1.16	1.02	0.95	0.91	0.83	0.91	1.05	1.09	1.23	1.54
Wed	1.17	1.22	1.10	1.00	0.93	0.84	0.91	0.82	1.03	1.02	1.14	1.34
Thu	1.16	1.15	1.09	0.94	0.87	0.76	0.76	0.77	0.91	0.94	1.21	1.25
Fri	1.15	1.23	1.01	0.86	0.75	0.63	0.62	0.64	0.79	0.86	1.07	1.14
Sat	1.74	1.70	1.47	1.24	1.10	0.81	0.78	0.79	1.03	1.17	1.37	1.70
Sun	2.26	2.11	1.73	1.36	1.31	0.99	0.88	0.86	1.18	1.33	1.56	2.20

Data from stations reserved as validation datasets were used to create short-term count datasets. The Iowa DOT collects short-term counts from June to August. The summer

DOT counting period was also used for analysis. Four days were randomly selected for each of the 3 summer months (June, July, and August), and 24-hour counts were extracted from the validation dataset for weekdays (Monday through Thursday). For each day, a 24-hour classification count was extracted from each station in the validation dataset. For instance, if nine stations were present in the validation dataset, a total of 9 x 3 x 4, or 108 individual 24-hour counts, would have been extracted for each partition. The days used in the analysis were the following:

June 6	July 9	Aug 8
June 11	July 18	Aug 14
June 19	July 26	Aug 23
June 28	July 31	Aug 27

AADT was estimated for each station from each 24-hour count using the expansion factors for each method. The actual AADT for each vehicle category was calculated using Equation 5-1 for each station and was compared to the estimated AADT by vehicle category generated using each method.

5.6 Description of Three Methods

AADT was estimated for each vehicle category for each 24-hour count for each partition for each of the three methods. Each method is described in more detail in the following sections.

5.6.1 Truck Expansion Factor Approach

This approach involved developing separate expansion factors for single-unit (SU) and multi-unit (MU) trucks. Expansion factors were used to estimate annual average daily truck traffic (AADTT) for each truck category using the 24-hour counts. AADTT was calculated using Equation 5-4 for each validation station for each partition. Expansion factors were created, as discussed previously, by averaging expansion factor for the model dataset for each partition.

$$AADTT_c = V_{c_{24}} \times f_c \quad (5-4)$$

where

$AADTT_c$ = Annual average daily truck traffic for truck category c

$V_{c_{24}}$ = 24-hour short-term truck count for truck category c

f_c = Averaged seasonal and day-of-week adjustment factor for truck category c

In order to use this approach, short-duration truck counts must be collected as part of the traffic monitoring program.

5.6.2 Yearly Truck Percentage Approach

This approach calculated a single expansion factor for all vehicles for each partition. Truck AADT was calculated for each validation station using Equation 5-5. Truck AADT

was calculated by multiplying AADT for all vehicles by a yearly truck percentage. The percentage of single-unit and multi-unit trucks for each partition was calculated by summing the number of trucks in each category for all the stations in the “model” dataset and dividing that by total AADT for the stations, as shown in Equation 5-6.

$$AADTT_c = P_c \times [V_{i,24} \times f_i] \quad (5-5)$$

where

P_c = Average yearly truck percentage for truck category c

$V_{i,24}$ = 24-hour short-term volume count for total traffic for station i

f_i = Averaged seasonal and day-of-week adjustment factor for total traffic

$$P_c = \frac{\sum_{j=1}^{12} \left(\sum_{i=1}^n truck Vol_{mij} \right)}{\sum_{j=1}^{12} \left(\sum_{i=1}^n Vol_{ij} \right)} \quad (5-6)$$

where

P_c = Annual truck percentage for truck category m

$truck Vol_{mij}$ = Truck volume for truck category m for day i in month j

Vol_{ij} = Total traffic volume for day i in month j

i = Day of the month

j = Month of the year

Unlike in the first approach, the collection of short-term truck counts is not required. The truck percentages are developed from vehicle classification data and are given by the ratio of truck volume to total traffic volume. Yearly truck percentages for rural interstates for each partition are provided in Table 5.7. Percentages for rural primary roads are shown in Table 5.8 for each partition.

Table 5.7. Average truck percentage by partition for each vehicle category for rural interstate road

Partition	PC	SU	MU
$n = 1$	75.6%	3.3%	21.1%
$n = 2$	70.7%	3.2%	26.1%
$n = 3$	73.6%	3.1%	23.3%
$n = 4$	75.0%	3.0%	22.0%

Table 5.8. Average truck percentage by partition for each vehicle category for rural primary road

Partition	PC	SU	MU
<i>n</i> = 1	86.0%	4.4%	9.6%
<i>n</i> = 2	85.6%	4.5%	10.0%
<i>n</i> = 3	85.8%	4.6%	9.6%
<i>n</i> = 4	85.6%	4.5%	9.9%

5.6.3 Count Specific Truck Percentage Approach

Expansion factors that represented all vehicle categories combined were calculated for each validation station for each partition the same way as for method 2. Total AADT was factored for each validation station from each 24-hour count using expansion factors. Single-unit and multi-unit AADT were calculated by multiplying truck percentages for each category. Truck percentages for this method were based on the 24-hour classification count. Consequently, the percentages of single-unit and multi-unit trucks were calculated separately for each validation station for each 24-hour count according to Equation 5-7.

$$P_c = \frac{T_c}{Vol_{24}} \quad (5-7)$$

where

- P_c = Percentage of trucks in category *c*
- T_c = 24-hour volume of trucks for category *c*
- Vol_{24} = Total 24-hour volume

5.7 Cross-Validation

N-fold cross-validation was the method used to evaluate the accuracy of AADT computed using the three different estimation methods. As discussed above, one dataset was reserved as the validation dataset, and expansion factors were calculated using the remaining model datasets. Four partitions were used for both the rural interstate and rural primary road categories. Truck AADT was estimated for each station in the validation dataset for each of the 24-hour counts using the three different methods, as described previously.

5.7.1 Comparison of Methods

A 4-fold cross-validation was performed. One partition was reserved for testing, while the other 3 partitions were used for fitting the model. This procedure was repeated until all four partitions were used as a test set. The 4-fold cross-validation was applied to the ATR data using the 3 methods for estimating AADTT, as discussed. A comparison of the accuracy of the 3 methods was made using the estimates of prediction error obtained

from cross-validation. The prediction error was determined by averaging the squared error between the estimated AADTT and the actual AADTT, as shown in Equation 5-8.

$$MSEP = \frac{\sum (AADTT_{est} - AADTT_{actual})^2}{n} \quad (5-8)$$

where

$MSEP$ = Mean squared error of prediction

$AADTT_{est}$ = Estimated annual average daily truck traffic from a particular method

$AADTT_{true}$ = Actual annual average daily truck traffic

n = Number of observations

5.7.2 Results of Cross-Validation

To perform an accuracy assessment of the results obtained from the three AADT estimation methods, the estimates of the mean squared error of prediction (MSEP) for the methods obtained from cross-validation were compared. On average, the smaller the MSEP, the less errors in the predictions and, consequently, the better the method. Observed MSEP values for the three methods are given in Table 5.9 for the rural primary category. Values are averaged over all days and stations. Average MSEP for each station for single-unit trucks is presented in Table 5.10 and for multi-unit trucks in Table 5.11.

The results for single-unit trucks for rural primary roads show that the estimated MSEP for the truck expansion factor method (method 1) is 2,354, the corresponding MSEP for the annual truck percentage method (method 2) is 11,942, and the MSEP for the daily truck percentage method (method 3) is 2,595. Thus, for single-unit trucks, the truck expansion factor method performed the best in terms of minimum expected error. In the case of multi-unit trucks, the results show that the MSEP for method 1 is 12,341, the corresponding MSEP for method 2 is 98,837, and the MSEP for method 3 is 28,773. Again, the best method in terms of minimum prediction error is the truck expansion factor method.

Table 5.9. Average mean squared error of prediction for rural primary roads

	Average MSEP for All Days and Stations		
	Truck Expansion Factor Method (1)	Annual Truck Percentage Method (2)	Count Specific Truck Percentage Method (3)
Single-Unit	2,354	11,942	2,595
Multi-Unit	12,341	98,837	28,773

Table 5.10. Average mean squared error of prediction by station for rural interstate roads for single-unit vehicles

Station	Average MSEP for Each Station		
	Truck Expansion Factor Method (1)	Annual Truck Percentage Method (2)	Count Specific Truck Percentage Method (3)
201	4393	126	3933
205	451	15510	1199
209	1356	3613	2667
220	319	98	586
224	2986	36390	1154
230	127	164	159
235	100	19	182
240	103	70	157
244	294	10677	475
202	1934	4634	2017
206	1762	66413	2589
210	1151	300	1419
216	750	1000	864
221	804	58	745
226	1746	64	1969
231	57	33	172
236	405	47	494
245	1675	1675	1675
203	6902	1040	6962
207	1793	1226	2116
211	1042	20	830
217	11215	197932	12018
228	4050	935	4135
233	214	763	336
238	160	68	202
246	17042	45724	18086
248	1928	4099	1814
204	4191	39816	6142
208	1753	1353	2440
212	1176	3226	629
219	13119	8082	14718
223	784	45	981
229	84	87	98
234	771	62	994
239	121	260	108
247	1483	10715	5245

Table 5.11. Average mean squared error of prediction by station for rural interstate roads for multi-unit vehicles

Station	Average MSEP for Each Station		
	Truck Expansion Factor Method (1)	Annual Truck Percentage Method (2)	Count Specific Truck Percentage Method (3)
201	228557	834	379230
205	21046	652003	155548
209	1188	22094	7121
220	8085	4991	25150
224	3809	48323	5929
230	57	13681	290
235	249	912	976
240	562	3139	1234
244	894	131228	1244
202	752	19664	3154
206	3730	347525	24832
210	1355	2557	8816
216	1708	2505	8058
221	1892	2608	4597
226	5561	2811	19757
231	111	1233	431
236	928	1839	2986
245	12590	1258	66899
203	5452	105929	22129
207	2425	239	6837
211	39814	131449	11001
217	6791	1217586	20400
228	4967	4098	11539
233	432	2955	1254
238	140	1585	207
246	58890	239169	91912
248	1603	1798	321
208	512	70565	1584
212	399	5997	5571
219	1806	4556	8081
223	350	6798	858
229	394	1065	799
234	1696	233	4904
239	52	2863	83
247	17100	494516	257806

Average MSEP for the rural interstate category is presented in Table 5.12. Shown is the average MSEP for all days and all stations. Average MSEP by station for single-unit trucks is presented in Table 5.13 and for multi-unit trucks in Table 5.14. As shown overall, the mean squared error is lowest for the method that developed expansion factors

separately for the different truck groups for both the single- and multi-unit truck categories (method 1). For some stations, different methods produce different results, but the average MSEP is lowest overall for that method.

Table 5.12. Average mean squared error of prediction for rural interstate

	Average MSEP for All Days and Stations		
	Truck Expansion Factor Method (1)	Daily Truck Percentage Method (2)	Annual Truck Percentage Method (3)
Single-Unit	34,028	61,490	161,331
Multi-Unit	698,851	1,700,949	10,623,191

Table 5.13. Observed mean squared error of prediction for rural interstate for SU vehicles

Station	Average MSEP for Each Station		
	Truck Expansion Factor Method (1)	Daily Truck Percentage Method (2)	Annual Truck Percentage Method (3)
1000	10,605	12,935	6,446
1020	4357	4570	23979
1040	3,875	13,462	19,083
1060	33,283	10,987	67,835
1090	19,404	40,435	2,656
1100	151,233	128,080	89,939
1110	30,378	71,420	268,078
1130	914	2,955	449
1150	19,013	88,346	16,597
1160	105,470	205,378	73,991
1180	48,028	152,219	1,004,315
1190	8,823	28,564	202,026
1200	6,977	40,020	321,916

Table 5.14. Observed mean squared error of prediction for rural interstate for MU vehicles

Station	Average MSEP for Each Station		
	Truck Expansion Factor Method (1)	Daily Truck Percentage Method (2)	Annual Truck Percentage Method (3)
1000	7,599	89,369	4,317,140
1020	52,221	239,339	275,992
1040	71,780	503,876	634,217
1060	55,192	307,571	879,533
1090	115,361	551,819	86,126
1100	7,036,514	14,294,839	8,672,671
1110	256,355	1,555,521	4,436,701
1130	32,058	184,502	193,389
1150	302,891	406,634	4,996,260
1160	536,091	475,280	238,742
1180	211,889	976,603	103,888,065
1190	161,179	761,648	880,880
1200	245,936	1,765,337	8,601,773

5.8 Hourly, Weekly, and Monthly Variations

In addition to testing the different methods using n -fold cross-validation, the different methods were also graphically compared. Figure 5.1 illustrates the fraction of monthly volume that occurs on a specific month of the year for four rural interstate stations. As shown, passenger vehicle and single-unit truck patterns are more similar than multi-unit truck pattern. Passenger and SU volumes peak in the summer months, while MU volumes are more constant over the year. Figure 5.2 illustrates weekly variation for four rural interstate stations. In general, higher truck volumes occur during the weekdays (Monday through Friday), with much lower volumes on weekends for both truck groups. Passenger vehicles peak on Friday and have higher weekend volumes. Figures 5.3 and 5.4 show volume variations by hour of the day for the same four interstate stations. Figure 5.3 shows data for a typical Monday in July, and Figure 5.4 shows a typical Saturday in July. As shown, passenger vehicle and single-unit truck volumes follow similar hour trends, while multi-unit trucks have a much flatter curve. On Mondays, the multi-unit truck curve peaks later in the day. On Saturdays, the trend is similar but flatter than for the other two vehicle categories.

Figure 5.5 illustrates monthly variation in vehicle volumes for four rural primary stations. Volume trends for multi-unit trucks and passenger vehicles for three of the stations are more similar than for single-unit trucks. Weekly variations for the four rural primary stations are provided in Figure 5.6. As shown, truck volumes peak on Monday through Friday and then drop on Saturday and Sunday, while passenger vehicle volumes peak on Fridays and weekends are similar to weekdays. Figures 5.7 and 5.8 illustrate hourly variation for the same station for a typical Monday and Saturday in July, respectively. As shown, multi-unit truck volumes have significant variations throughout the day, while single-unit and passenger vehicles follow a smoother trend.

As shown, weekly and monthly truck patterns are different from passenger vehicle patterns. The n -fold cross-validation confirmed that using truck specific expansion factors resulted in more accurate estimates of truck AADT and, consequently, truck VMT. Graphical comparison indicated the same conclusion.

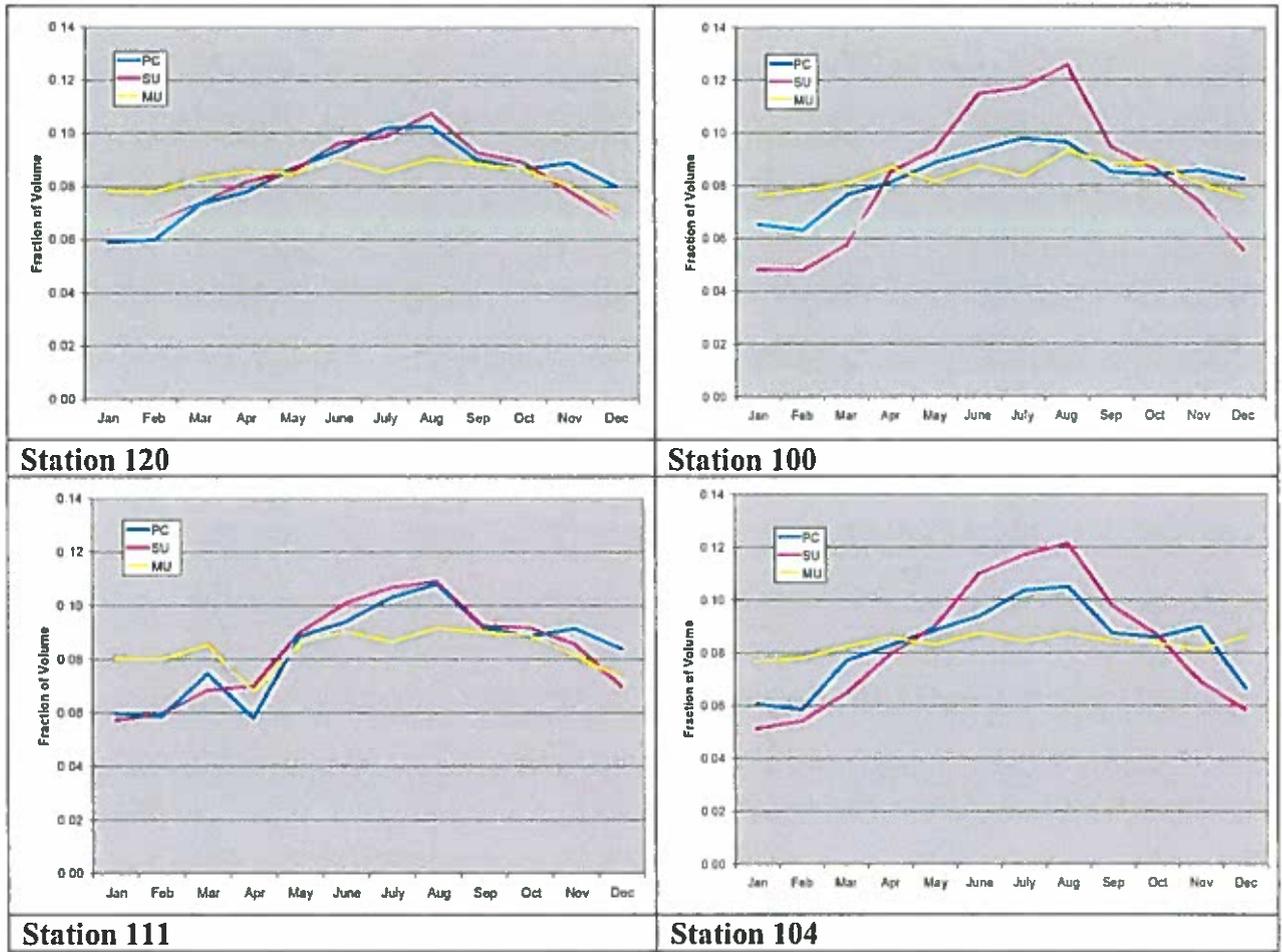


Figure 5.1. Monthly variations for rural interstate stations

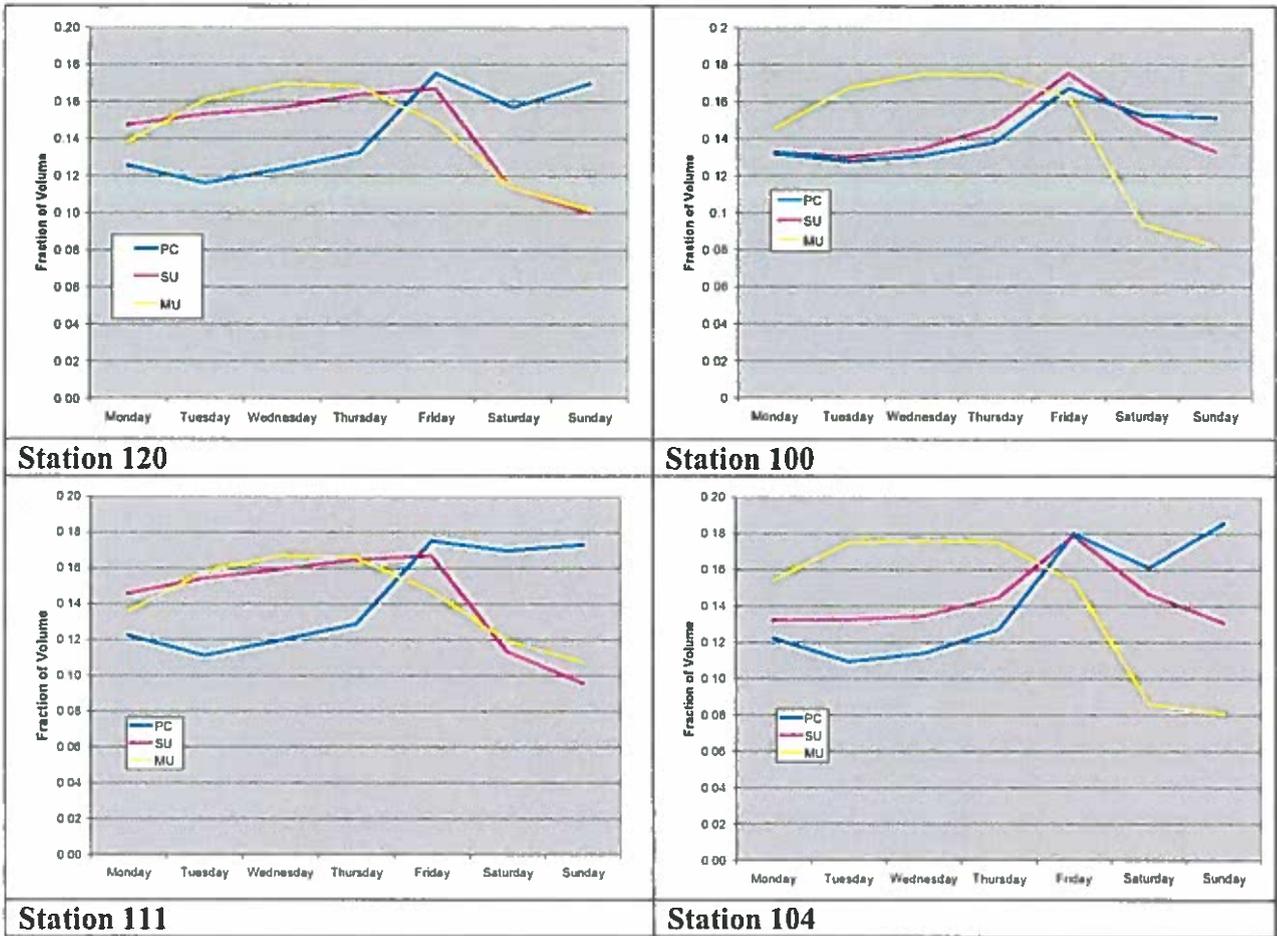


Figure 5.2. Weekday variations for rural interstate stations

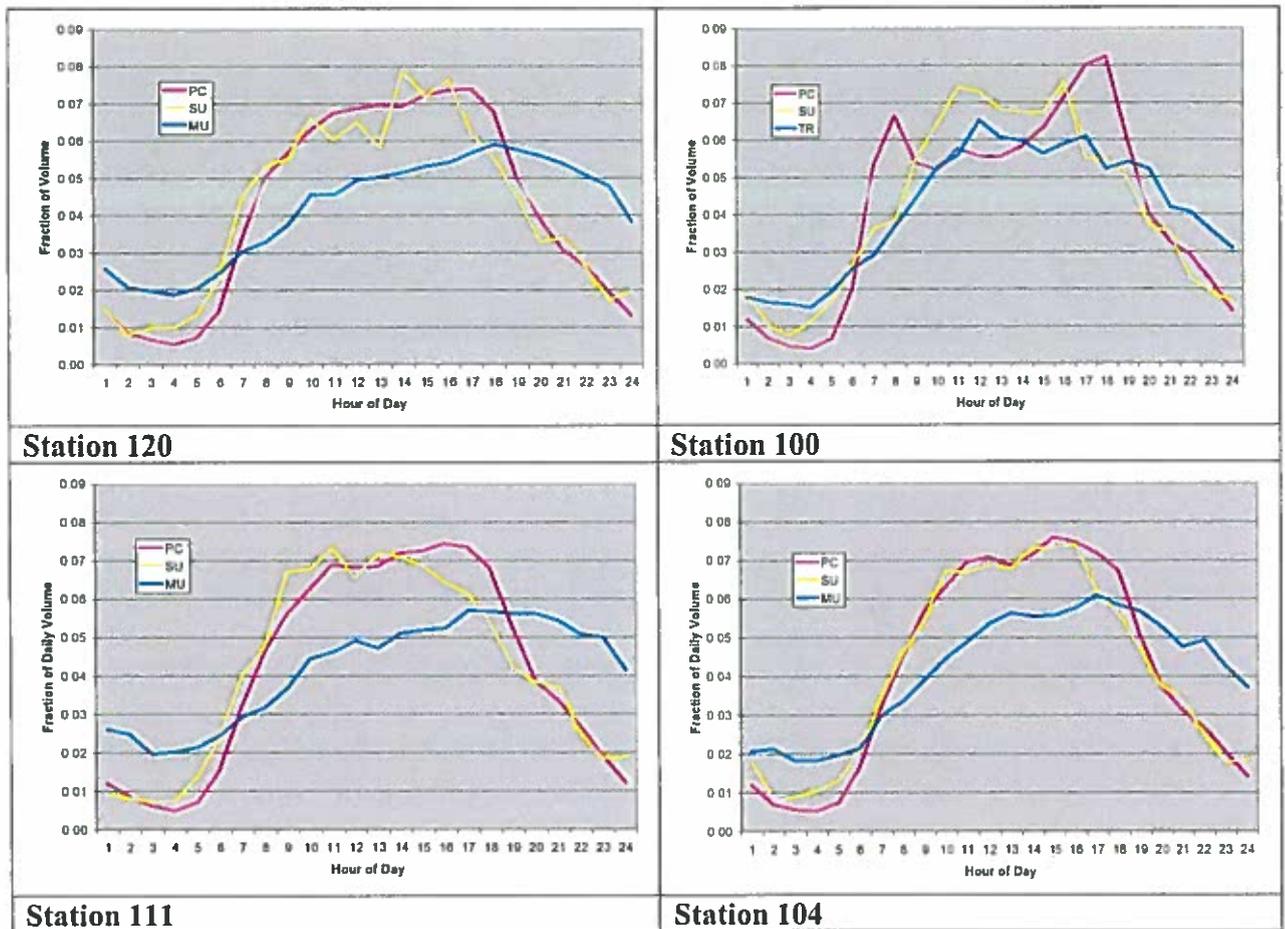


Figure 5.3. Weekday variations for rural interstate stations (Monday in July)

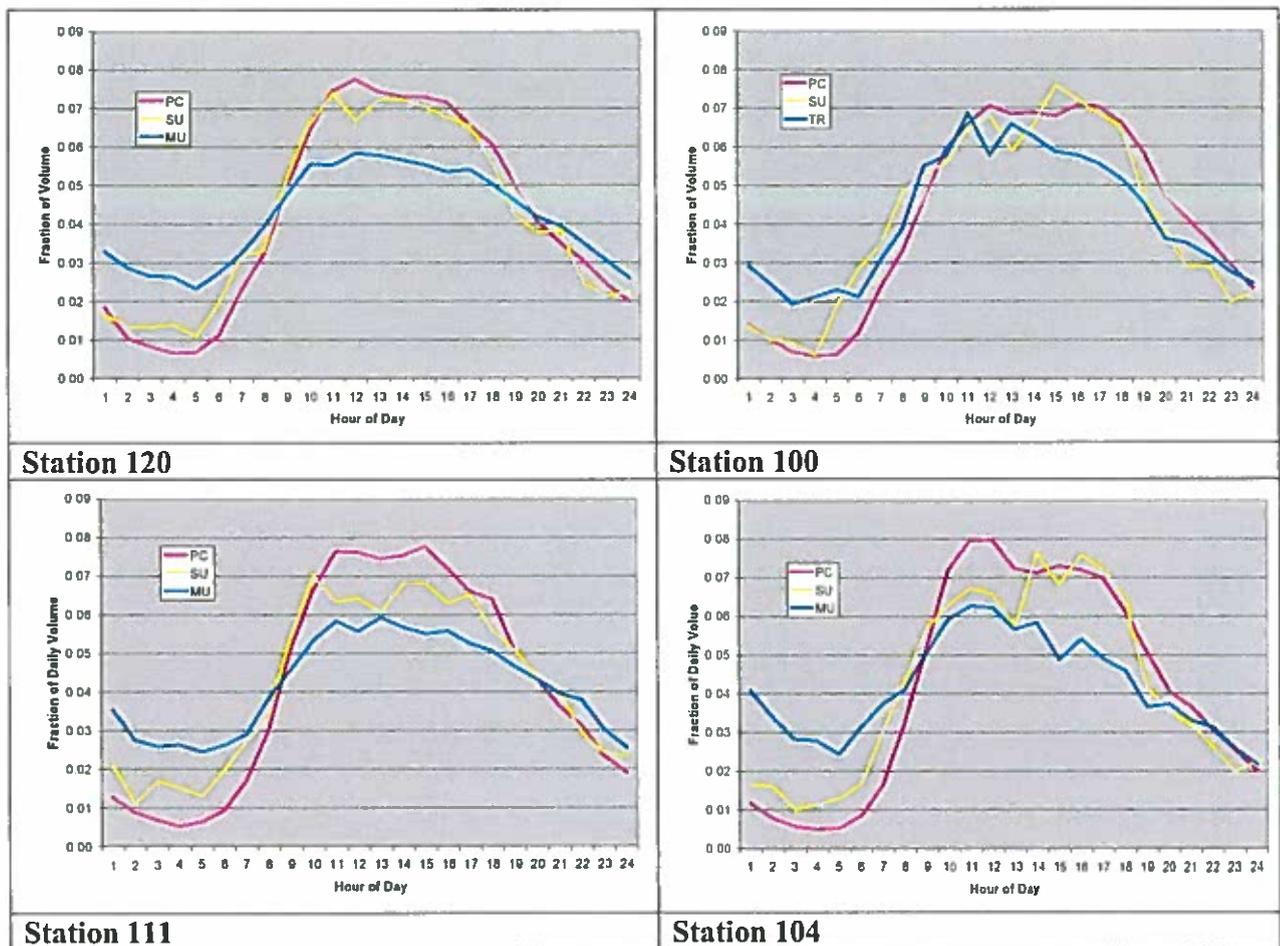


Figure 5.4. Weekday variations for rural interstate stations (Saturday in July)

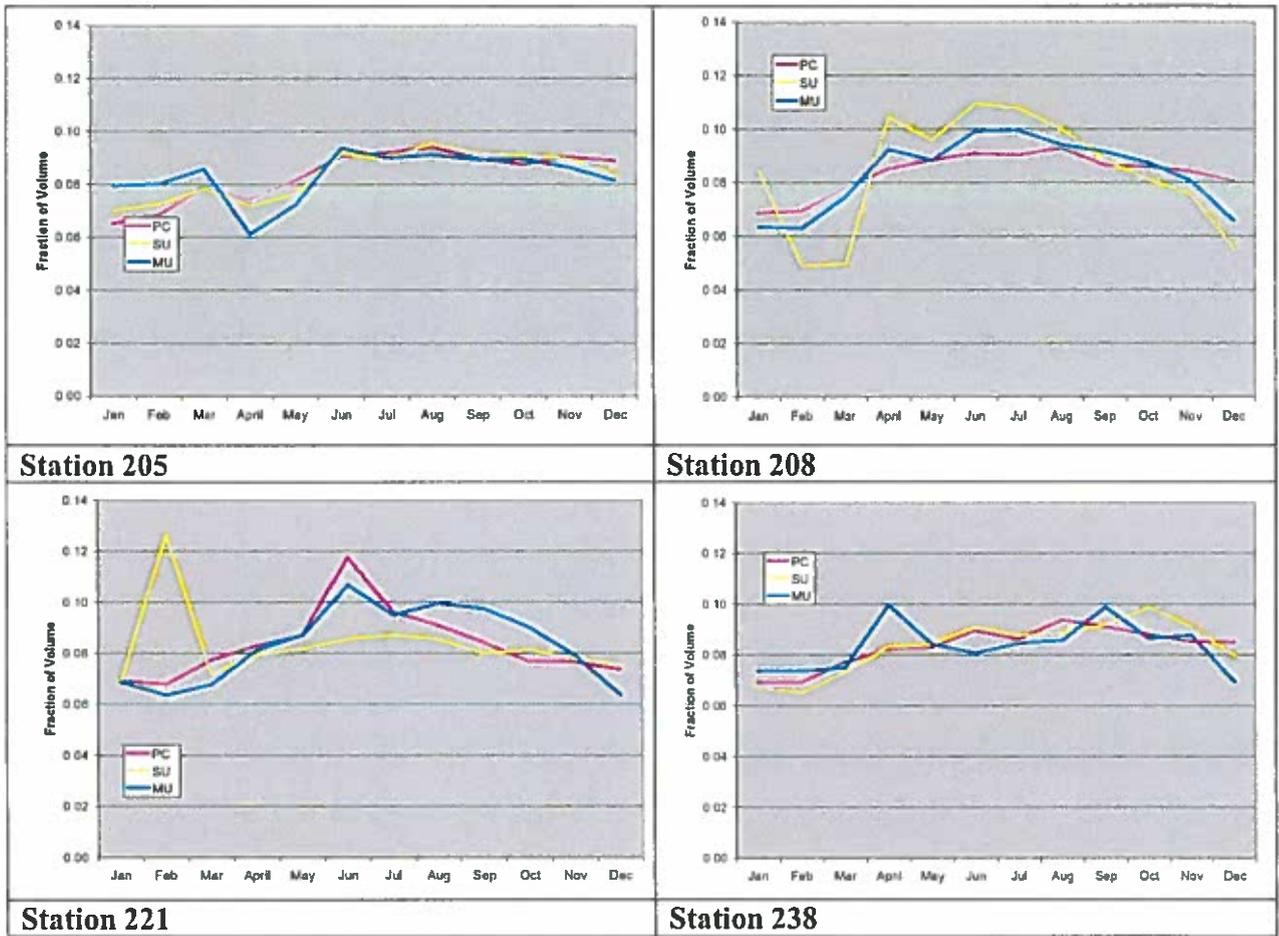


Figure 5.5. Monthly variations for rural primary stations

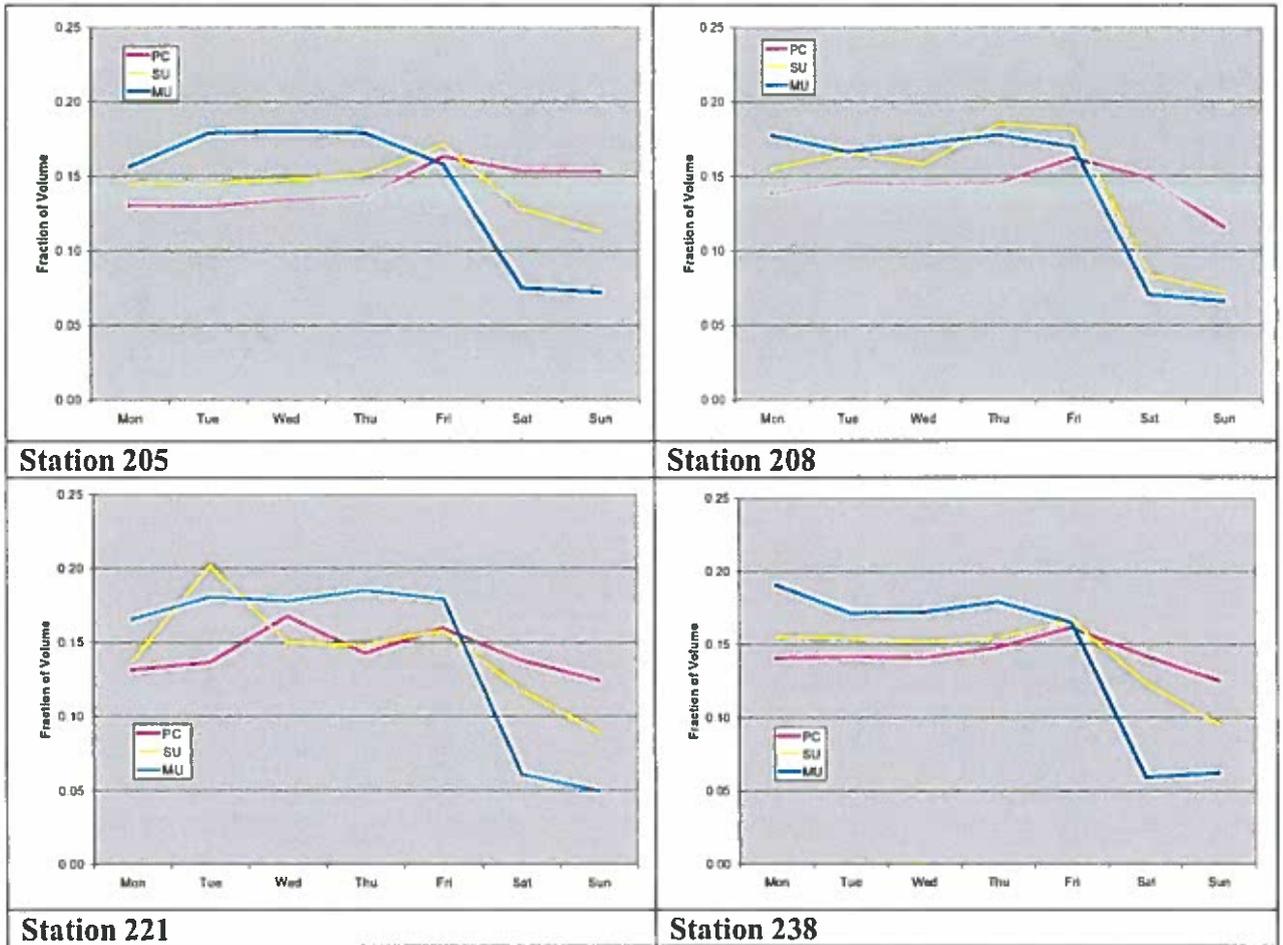


Figure 5.6. Weekly variations for rural primary stations

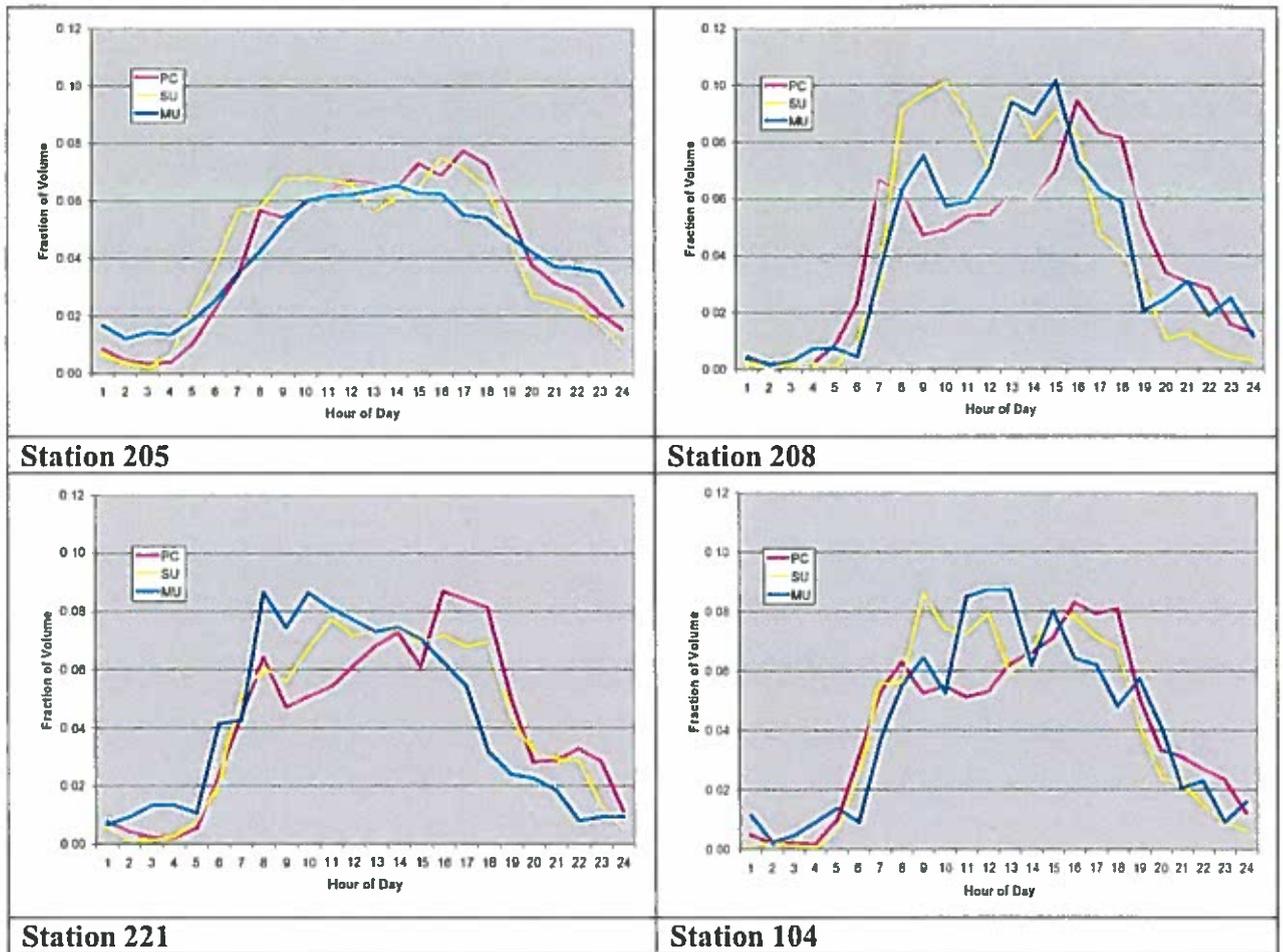


Figure 5.7. Daily variations for rural primary stations (Monday in July)

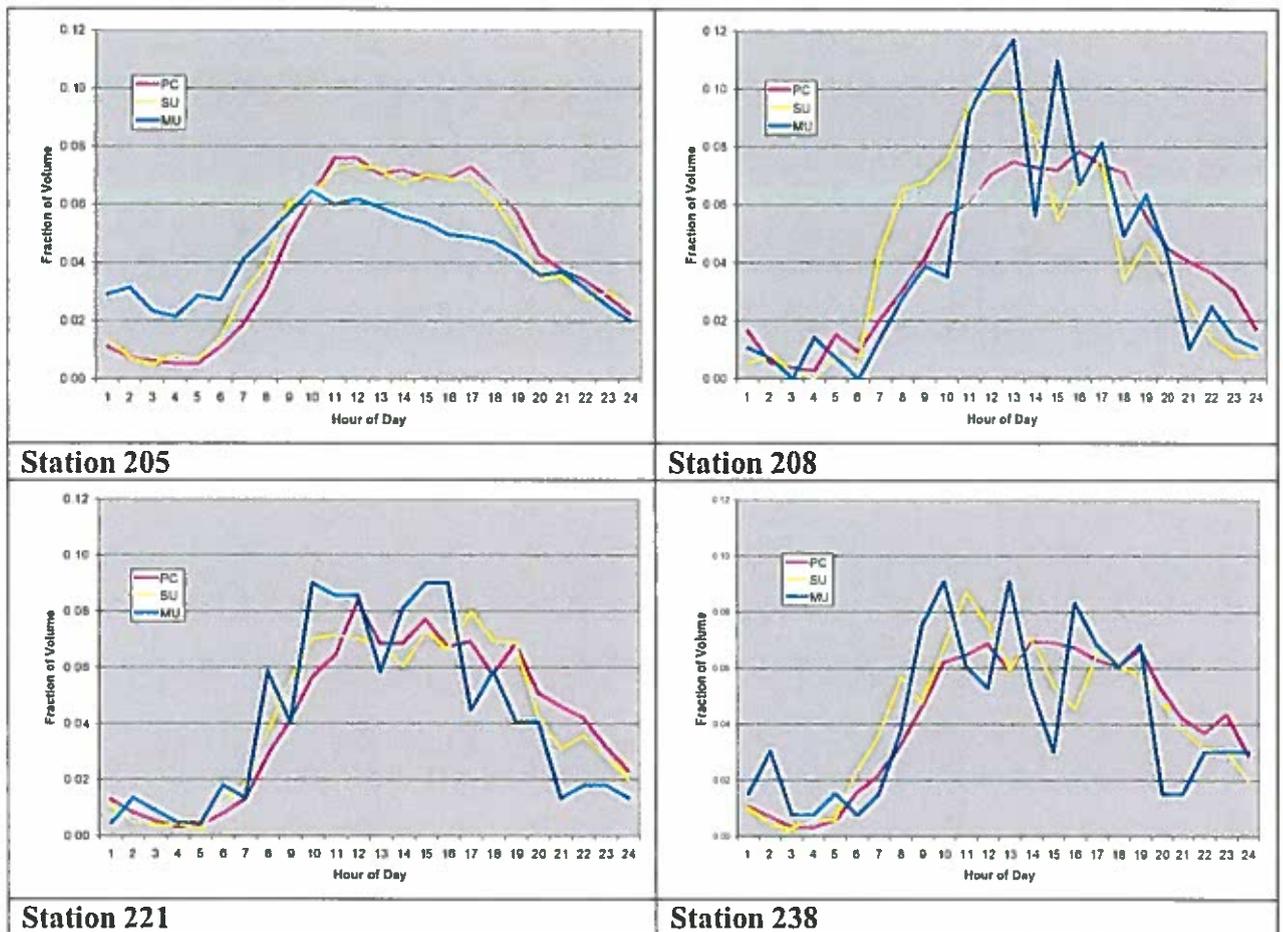


Figure 5.8. Daily variations for rural primary stations (Saturday in July)

6. SUMMARY AND CONCLUSIONS

This research evaluated three different methods to calculate heavy-truck AADT and, subsequently, VMT. Traffic data from continuous count stations provided by the Iowa DOT were used to estimate AADT for two different truck groups (single-unit and multi-unit) using the three methods. The first method developed monthly and daily expansion factors for each truck group. Truck AADT was calculated by applying truck expansion factors to short-term counts. The second and third methods created general expansion factors for all vehicles. Truck AADT was calculated by multiplying short-term counts by generic expansion factors and truck percentages. Truck percentages for the second method were based on the annual percentage of trucks for each group from continuous count stations. The third method used daily truck percentages from short-term counts.

Accuracy of the three methods was compared using n -fold cross-validation. In n -fold cross-validation, data are split into n partitions, and data from the n th partition is used to validate the remaining data. Accordingly, data from continuous count stations were divided into four groups, and each group was reserved for one partition as the validation dataset. Short-term counts were extracted from the validation dataset, and then AADT was estimated using each of the three methods. Actual AADT by truck group for each count station was compared to the estimated AADT by truck group for each method.

Data were analyzed for rural primary and rural interstate roadways. Data from continuous count stations for the 2001 counting year were used. Although 2002 data were available, the DOT felt that there had been significant problems with data quality and suggested use of the 2001 data. A total of 36 rural primary ATR stations and 14 rural interstate stations were used. Data were analyzed for two truck categories: single unit trucks (SU), which was composed of FHWA vehicle classes 4 to 7, and multi-unit trucks (MU), which included FHWA vehicle classes 8 to 13.

To perform an accuracy assessment of the results obtained from the three methods, the estimates of the mean squared error of prediction (MSEP) obtained from cross-validation were compared. On average, the smaller the MSEP, the less errors in the predictions and, consequently, the better the method.

The results for rural primary roadways for single-unit trucks show that the estimated MSEP for the truck expansion factor method (method 1) was 2,354, the corresponding MSEP for the annual truck percentage method (method 2) was 11,942, and the MSEP for the daily truck percentage method (method 3) was 2,595. Thus, for single-unit trucks, the truck expansion factor method performed the best in terms of minimum expected error. In the case of multi-unit trucks, the results show that the MSEP for method 1 was 12,341, the corresponding MSEP for method 2 was 98,837, and the MSEP for method 3 was 28,773. Again, the best method in terms of minimum prediction error was the truck expansion factor method.

Similar results were found for the rural interstate category. The mean squared error was lowest for the method that developed expansion factors separately for the different truck

groups for both the single- and multi-unit truck categories (method 1). For single-unit trucks, the MSEP was 34,028 for method 1, 61,490 for method 2, and 161,331 for method 3. For multi-unit trucks, the MSEP was 698,851 for method 1, 1,700,949 for method 2, and 10,623,191 for method 3. For some stations, different methods produce different results, but the average MSEP was lowest for that method.

Overall, the prediction error was the lowest for the method that developed expansion factors separately for the different truck groups for both single- and multi-unit trucks. This indicates that use of expansion factors specific to heavy trucks results in better estimates of AADT and, subsequently, VMT than using aggregate expansion factors and applying a percentage of trucks.

Monthly, daily, and weekly traffic patterns were also evaluated. Significant variation exists in the temporal and seasonal patterns of heavy trucks as compared to passenger vehicles. This suggests that the use of aggregate expansion factors fails to adequately describe truck travel patterns.

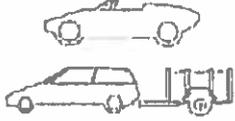
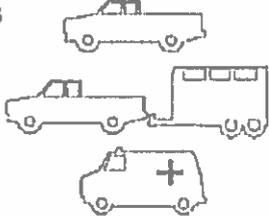
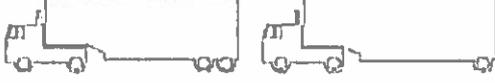
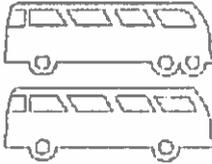
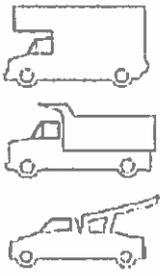
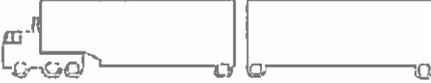
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APPENDIX A: FHWA VEHICLE CLASSIFICATION SCHEME (USDOT 2001)

The FHWA Classification scheme is divided into categories based on whether the vehicle carries passengers or commodities. Commodity carriers (Non-passenger vehicles) are further subdivided by number of axles and number of units, including both power and trailer units. Note that the addition of a light trailer to a vehicle does not change the classification of the vehicle. A pictorial representation of the classification scheme is given below:

<p>1</p>  <p>MOTORCYCLES</p>	<p>6</p>  <p>THREE AXLE, SINGLE UNIT</p>
<p>2</p>  <p>PASSENGER CARS</p>	<p>7</p>  <p>FOUR OR MORE AXLE, SINGLE UNIT</p>
<p>3</p>  <p>FOUR TIRE, SINGLE UNIT</p>	<p>8</p>  <p>FOUR OR LESS AXLE, SINGLE TRAILER</p>
<p>4</p>  <p>BUSES</p>	<p>9</p>  <p>FIVE AXLE, SINGLE TRAILER</p>
<p>5</p>  <p>TWO AXLE, SIX TIRE SINGLE UNIT</p>	<p>10</p>  <p>SIX OR MORE AXLE, SINGLE TRAILER</p>
	<p>11</p>  <p>FIVE OR LESS AXLE, MULTI-TRAILER</p>
	<p>12</p>  <p>SIX AXLE, MULTI-TRAILER</p>
	<p>13</p>  <p>SEVEN OR MORE AXLE, MULTI-TRAILER</p>

Vehicle Class Definitions

- Class 1- **Motorcycles:** All two- or three-wheeled motorized vehicles. Typical vehicles in this category have saddle type seats and are steered by handle bars rather than wheels. This category includes motorcycles, motor scooters, mopeds, motor-powered bicycles, and three-wheeled motorcycles.
- Class 2- **Passenger Cars:** All sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers and including those passenger cars pulling recreational or other light trailers.
- Class 3- **Other Two-Axle, Four-Tire, Single-Unit Vehicles:** All two-axle, four-tire vehicles other than passenger cars. Included in this classification are pickups, panels, vans, and other vehicles such as campers, motor homes, ambulances, hearses, carryalls, and minibuses. Other two-axle, four-tire single unit vehicles pulling recreational or other light trailers are included in this classification.
- Class 4- **Buses:** All vehicles manufactured as traditional passenger-carrying buses with two axles and six tires or three or more axles. This category includes only traditional buses (including school buses) functioning as passenger-carrying vehicles. Modified buses should be considered to be trucks and be appropriately classified.
- Note:** In reporting information on trucks the following criteria should be used:
- a. Truck tractor units traveling without a trailer will be considered single-unit trucks.
 - b. A truck tractor unit pulling other such units in a "saddle mount" configuration will be considered as one single-unit truck and will be defined only by axles on the pulling unit.
 - c. Vehicles shall be defined by the number of axles in contact with the roadway. Therefore, "floating" axles are counted only when in the down position.
 - d. The term "trailer" includes both semi- and full trailers.
- Class 5- **Two-Axle, Six-Tire, Single-Unit Trucks:** All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., having two axles and dual rear wheels.
- Class 6- **Three-axle Single-Unit Trucks:** All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., having three axles.

- Class 7- **Four- or More Axle Single-Unit Trucks:** All trucks on a single frame with four or more axles.
- Class 8- **Four- or Less Axle Single-Trailer Trucks:** All vehicles with four or less axles consisting of two units, one of which is a tractor or straight truck power unit.
- Class 9- **Five-Axle Single-Trailer Trucks:** All five-axle vehicles consisting of two units, one of which is a tractor or straight truck power unit.
- Class 10- **Six- or More Axle Single-Trailer Trucks:** All vehicles with six or more axles consisting of two units, one of which is a tractor or straight truck power unit.
- Class 11- **Five- or Less Axle Multi-Trailer Trucks:** All vehicles with five or less axles consisting of three or more units, one of which is a tractor or straight truck power unit.
- Class 12- **Six-Axle Multi-Trailer Trucks:** All six-axle vehicles consisting of three or more units, one of which is a tractor or straight truck power unit.
- Class 13- **Seven- or More Axle Multi-Trailer Trucks:** All vehicles with seven or more axles consisting of three or more units, one of which is a tractor or straight truck power unit.

APPENDIX B: SUMMARY OF RESPONSE FROM DOTS

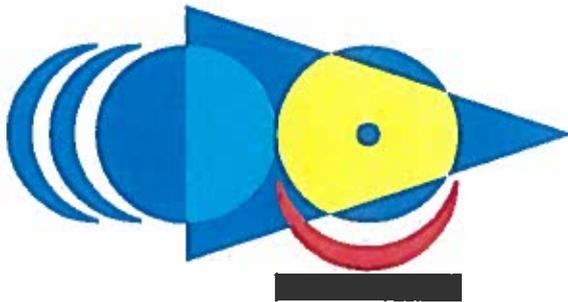
State	Response to Questionnaire	Additional Information Received
California	Yes	-
Illinois	Yes	-
Indiana	No	-
Iowa	Yes	Iowa DOT Traffic Monitoring Program Manual
Kansas	Yes	Traffic Counting & Adjustment Procedures Document
Minnesota	Yes	MN DOT Procedure Manual for Forecasting Traffic on Minnesota's Highway Systems
Missouri	Yes	-
Nebraska	Yes	-
South Dakota	Yes	SD DOT Traffic Monitoring Manual
Wisconsin	Yes	-
Florida	Yes	Project Traffic Forecasting Handbook

APPENDIX C: RAW DATA FROM COUNT STATION 201

000000002010 000000002010 01 0000 050101 2400 050101 0060 04 2 100 54 300
0000 0000 0000 0000 0000 0000 0000 0000 0000 02XXXXXX 'iowa2____
'HAMPTON '35 'US 65 4.3 KM N OF IA 3
06 03 0022 0036 0215
01 02 0001 0002
00 00
01 01 0 0100 0000 0002 0000
01 02 2 0100 0005 0000 0001
01 01 0 0200 0000 0006 0000
01 02 2 0200 0006 0001 0002
01 01 0 0300 0000 0004 0000
01 02 2 0300 0002 0000 0001
01 01 0 0400 0000 0004 0000
01 02 2 0400 0000 0000 0000
01 01 0 0500 0000 0006 0000
01 02 2 0500 0011 0002 0002
01 01 0 0600 0000 0035 0000
01 02 2 0600 0037 0000 0002
01 01 0 0700 0000 0078 0000
01 02 2 0700 0053 0002 0008
01 01 0 0800 0000 0079 0000
01 02 2 0800 0070 0001 0006
01 01 0 0900 0000 0067 0000
01 02 2 0900 0059 0005 0008
01 01 0 1000 0000 0077 0000
01 02 2 1000 0041 0006 0006
01 01 0 1100 0000 0078 0000
01 02 2 1100 0055 0002 0009
01 01 0 1200 0000 0069 0000
01 02 2 1200 0055 0004 0008
01 01 0 1300 0000 0078 0000
01 02 2 1300 0065 0005 0011
01 01 0 1400 0000 0080 0000
01 02 2 1400 0060 0002 0013
01 01 0 1500 0000 0092 0000
01 02 2 1500 0051 0007 0008
01 01 0 1600 0000 0107 0000
01 02 2 1600 0087 0007 0009
01 01 0 1700 0000 0100 0000
01 02 2 1700 0108 0005 0008
01 01 0 1800 0000 0074 0000
01 02 2 1800 0095 0005 0003
01 01 0 1900 0000 0054 0000
01 02 2 1900 0059 0001 0000
01 01 0 2000 0000 0041 0000
01 02 2 2000 0051 0003 0003
01 01 0 2100 0000 0032 0000
01 02 2 2100 0041 0000 0001
01 01 0 2200 0000 0041 0000
01 02 2 2200 0032 0000 0003
01 01 0 2300 0000 0017 0000
01 02 2 2300 0011 0000 0003
01 01 0 2400 0000 0014 0000
01 02 2 2400 0017 0000 0001

2014

Project Traffic Forecasting Handbook



METHODS RELEVANT TO TRUCK TRAFFIC ESTIMATES ARE SELECTED



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CHAPTER ONE

INTRODUCTION AND OVERVIEW

1.1 PURPOSE



This handbook offers guidelines and techniques on the **Project Traffic Forecasting Process** for use by FDOT staff and consultants providing traffic parameters required by project design. This handbook may be used by local governments and other agencies to review highway projects. This handbook provides instructions for **Corridor Traffic Forecasting, Project Traffic Forecasting and Equivalent Single Axle Loading (ESAL) Forecasting.**

1.2 INTRODUCTION

This handbook supplements the **Project Traffic Forecasting Procedure Topic No. 525-030-120** and consists of seven Chapters with three Appendices:

Chapter 1 Introduction and Overview

This chapter describes general guidelines, references, definitions, and techniques to be used in the Project Traffic Forecasting Process. In addition, it also outlines the forecasting processes which include Corridor, Project and Equivalent Single Axle Load (ESAL).

Chapter 2 Traffic Data Sources and Factors

This chapter describes the different types of traffic counters in operation, the current traffic data collection methodologies used in the State of Florida, the estimation and tabulation of Seasonal Factors (SF), axle correction factors (ACF), estimates of Annual Average Daily Traffic (AADT), K and Standardized K, Directional Design Volume Factor (D), and Percent Trucks (T) for the current year.

Chapter 3 Forecasting with Travel Demand Models

This chapter provides guidance in the application of models to develop traffic projections for route specific (PD&E) studies, corridor studies and resurfacing type projects. This chapter also provides an overview of modeling for traffic engineers and an overview of traffic forecasting requirements for modelers.



Chapter 4 Forecasting without a Traffic Model

This chapter provides a description of the appropriate methods of performing trend analysis and examination of local land use plans, and other indicators of future growth in the project traffic forecasting process.

Chapter 5 Directional Design Hourly Volumes

This chapter describes the appropriate methods for converting model volume outputs to Annual Average Daily Traffic (AADT) volumes and then into Directional Design Hourly Volumes (DDHVs), which are used in the evaluation of roadway points, links and facility analyses.

Chapter 6 Estimating Intersection Turning Movements

The purpose of this chapter is to provide a method for balancing turning movement volumes at intersections. The TURNS5-V2014 spreadsheet is explained and reviews of other techniques are summarized.

Chapter 7 Equivalent Single Axle Load Forecast

This chapter describes the guidelines and techniques of forecasting Equivalent Single Axle Load (ESAL) volumes for use in pavement design.

Appendix A

Central Office and District Planning and Modeling Contacts

Appendix B

FHWA Letter - Use of Standard K-Factors for Traffic Forecasting

Appendix C

Example - District Two Manual Method–Balancing Turning Movement Volumes



1.3 AUTHORITY

Sections 20.23(4)(a) and 334.048(3); Florida Statutes (F.S.).

1.4 REFERENCES

Sections 334.03(25); 334.046(1) and (2); 334.063; 334.17; 334.24; and 338.001(5); (F.S.).

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ITE Trip Generation Manual, 9th Edition.

National Cooperative Highway Research Program (NCHRP) Report 187, "Distribution of Assigned Volumes Among Available Facilities", Transportation Research Board (TRB).

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National Cooperative Highway Research Program (NCHRP) Report 277, "Portland Cement Concrete Pavement Evaluation System (COPES)", M. L. Darter, J. M. Becker, M. B. Snyder and R. E. Smith, Transportation Research Board (TRB), September 1985.

FDOT uses the latest version of each reference listed. These documents can be obtained from the Office of Maps and Publications, (850) 414-4050 or through DOT INFONET under Maps and Publications Internet and Forms and Procedures Intranet.



1.5 GLOSSARY

Terms in this handbook are used as defined in the most recent editions of the **Highway Capacity Manual (HCM 2010)**, **A Policy on Geometric Design of Highways and Streets (AASHTO)**, and the **Project Traffic Forecasting Procedure**. Modeling terms which are used in **Travel Demand Forecasting Models (Chapter 3)** are followed by (MODEL). The following terms are defined to reflect their meaning in this **Project Traffic Forecasting Handbook**:

ACTION PLAN — A document identifying low cost, short-term, and major capacity improvements necessary to bring a controlled access facility to Strategic Intermodal System/Florida Intrastate Highway System (SIS/FlHS) standards within 20 years.

ADJUSTED COUNT — An estimate of a traffic statistic calculated from a base traffic count that has been adjusted by application of axle, seasonal, or other defined factors. (AASHTO)

AAADT



ANNUAL AVERAGE DAILY TRAFFIC — The total volume of traffic on a highway segment for one year, divided by the number of days in the year. This volume is usually estimated by adjusting a short-term traffic count with weekly and monthly factors. (AASHTO)

AAWDT

ANNUAL AVERAGE WEEKDAY TRAFFIC — The estimate of typical traffic during a weekday (Monday through Friday) calculated from data measured at continuous traffic monitoring sites.

AREA OF INFLUENCE — The geographical transportation network of state and regionally significant roadway segments on which the proposed project would impact five percent or more of the adopted peak hour level of service maximum service volume of the roadway, and the roadway is, or is projected to be, operating below the adopted level of service standard in the future.

ARTERIAL — A signalized roadway that serves primarily through-traffic and provides access to abutting properties as a secondary function, having signal spacings of two miles or less and turning movements at intersections that usually does not exceed 20 percent (%) of the total traffic.

ADT

AVERAGE DAILY TRAFFIC — The total traffic volume during a given time period (more than a day and less than a year) divided by the number of days in that time period. (AASHTO)



1.5 GLOSSARY - continued

ACF **AXLE CORRECTION FACTOR** — The factor developed to adjust vehicle axle sensor base data for the incidence of vehicles with more than two axles, or the estimate of total axles based on automatic vehicle classification data divided by the total number of vehicles counted. (AASHTO)

BASE COUNT — A traffic count that has not been adjusted for axle factors (effects of trucks) or seasonal (day of the week/month of the year) effects. (AASHTO)

BASE DATA — The unedited and unadjusted measurements of traffic volume, vehicle classification, and vehicle or axle weight. (AASHTO)

BASE YEAR — The initial year of the forecast period.

BASE YEAR (MODEL) — The year the modeling system was calibrated, from which projections are made.

CALIBRATION (MODEL) — An extensive analysis of a travel demand forecasting model based on census, survey, traffic count and other information.

CAPACITY — The maximum sustainable hourly flow rate at which persons or vehicles can be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, environmental, traffic and control conditions. (HCM 2010)

CORE FREEWAY — A conceptual term defining a freeway (major, through, non-toll) routed into or through a large urbanized area's core area (central business districts). The Standard K value may change on this Core Freeway as it passes through the urbanized area. (FDOT)

CORRIDOR — A broad geographical band that follows a general directional flow connecting major origins and destinations of trips and that may contain a number of alternate transportation alignments.



CORRIDOR TRAFFIC FORECASTING — The process used to determine the required number of lanes within a corridor to meet anticipated traffic demands.



1.5 GLOSSARY - continued

CORRIDOR TRAFFIC STUDY — The long range system data forecast that includes projected link volumes and other data necessary to determine the number of lanes needed on a particular roadway and that includes the analysis of transportation alternatives for the corridor.

COUNT — The data collected as a result of measuring and recording traffic characteristics such as vehicle volume, classification, speed, weight, or a combination of these characteristics. (AASHTO)

COUNTER — Any device that collects traffic characteristics data. FDOT utilizes Continuous Counters, Continuous Classification and Weigh-In-Motion (WIM) Counters, Portable Axle Counters, and Portable Vehicle Counters. (*see* TTMS, PTMS)

CUTLINE — A cutline is similar to a screenline; however, it is shorter and crosses corridors rather than regional flows. Cutlines should be established to intercept travel along only one axis. (MODEL)

DTV

DAILY TRUCK VOLUME — The total volume of trucks on a highway segment in a day.

DAMAGE FACTOR — (*see* Load Equivalency Factor).

DEMAND VOLUME — The traffic volume expected to desire service past a point or segment of the highway system at some future time, or the traffic currently arriving or desiring service past such a point, usually expressed as vehicles per hour.

DESIGN HOUR — An hour with a traffic volume that represents a reasonable value for designing the geometric and control elements of a facility. (HCM 2010)

DESIGN HOUR FACTOR — The proportion of the AADT that occurs during the design hour. (*see* also K-FACTOR) (HCM 2010)

DHT

DESIGN HOUR TRUCK — The percent of trucks expected to use a highway segment during the design hour of the design year. The adjusted, annual design hour percentage of trucks and buses (24T+B).



1.5 GLOSSARY - continued

- DHV** **DESIGN HOUR VOLUME** — The traffic volume expected to use a highway segment during the design hour of the design year. The Design Hour Volume (DHV) is related to AADT by the “K” factor.
- DH2** — The adjusted, annual design hour medium truck percentage. The sum of the annual percentages of Class Groups 4 and 5 (see Figure 2.2), adjusted to 24 hours.
- DH3** — The adjusted, annual design hour heavy truck percentage. Is DHT minus DH2, or the sum of the adjusted annual percentages of Class Groups 6 through 13 (see Figure 2.2).
- DESIGN PERIOD** — The number of years from the initial application of traffic until the first planned major resurfacing or overlay. (AASHTO)
- DESIGN YEAR** — Usually 20 years from the Opening Year, but may be any time within a range of years from the present (for restoration type projects) to 20 years in the future (for new construction type projects). The year for which the roadway is designed.
- DRI** **DEVELOPMENT OF REGIONAL IMPACT** — Any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. (F.S. 1993 LAND AND WATER MANAGEMENT)
- DDHV** **DIRECTIONAL DESIGN HOUR VOLUME** — The traffic volume expected to use a highway segment during the design hour of the design year in the peak direction.



1.5 GLOSSARY - continued

- D** **DIRECTIONAL DISTRIBUTION** — The percentage of total, two-way peak hour traffic that occurs in the peak direction.
- D** — The proportion of traffic based on the median (average) for the design hour of the design year traveling in the peak direction. D is often used in calculating the level of service for a roadway.
- DF** — Directional distribution factor for $ESAL_D$ equation. Use 1.0 if one-way traffic is counted or 0.5 for two-way. This value is not to be confused with the Directional Factor (D) used for planning capacity computations.
- ESAL** **EQUIVALENT SINGLE AXLE LOAD** — A unit of measurement equating the amount of pavement consumption caused by an axle or group of axles, based on the loaded weight of the axle group, to the consumption caused by a single axle weighing 18,000 lbs. (AASHTO)
-  **ESAL FORECASTING PROCESS** — The process required to estimate the cumulative number of 18-KIP ESALs for the design period; used to develop the structural design of the roadway.
- FACTOR** — A number that represents a ratio of one number to another number. The factors used in this handbook are K, D, T, Design Hour Factor, Peak Hour Factor and Seasonal Factor. The Load Equivalency Factor adjusts pavement damage calculations.
- FDOT** **FLORIDA DEPARTMENT OF TRANSPORTATION**
- FHWA** **FEDERAL HIGHWAY ADMINISTRATION**
- FIHS** **FLORIDA INTRASTATE HIGHWAY SYSTEM** — A system of existing and future limited access and controlled access facilities that have the capacity to provide high-speed and high-volume traffic movements in an efficient and safe manner.
- FM** **FINANCIAL MANAGEMENT SYSTEM**
- FPI** **FINANCIAL PROJECT IDENTIFIER**



1.5 GLOSSARY - continued

FSUTMS **FLORIDA STANDARD URBAN TRANSPORTATION MODEL STRUCTURE** — The standard model for projecting traffic flow in the State of Florida.

FTP **FLORIDA TRANSPORTATION PLAN** — A statewide, comprehensive transportation plan, to be annually updated, which is designed to establish long range goals to be accomplished over a 20-25 year period and to define the relationships between the long range goals and short range objectives and policies implemented through the Work Program.

FORECAST PERIOD — The total length of time covered by the traffic forecast. It is equal to the period from the base year to the design year. For existing roads, the forecast period will extend from the year in which the forecast is made, and thus must include the period prior to the project being completed as well as the life of the project improvement.

FREEWAY — A fully access-controlled, divided highway with a minimum of two lanes (and frequently more) in each direction. (HCM 2010)

HIGHWAY — A term that includes roads, streets, and parkways and all appurtenances.

HCM **HIGHWAY CAPACITY MANUAL**

HOV **HIGH OCCUPANCY VEHICLE** — Any vehicle carrying two or more passengers.

IJR **INTERCHANGE JUSTIFICATION REPORT** — The documentation submitted through FDOT to FHWA to determine if a new interchange on an interstate is allowed.

IMR **INTERCHANGE MODIFICATION REPORT** — The documentation submitted through FDOT to FHWA to determine if modification to an existing interchange on an interstate is allowed.

INTERMEDIATE YEAR — Any future year in the forecast period between the base year and the design year, typically halfway between the opening year and the design year.



1.5 GLOSSARY - continued

K

K-FACTOR— The ratio of the traffic volume in the study hour to the Annual Average Daily Traffic (AADT). (*see also Standard K*)

L_F

LANE FACTOR — Value calculated by a formula that accounts for the proportion of vehicles that use the design lane (commonly the outside lane) of a divided roadway. The percentage of vehicles driving in the design lane is dependent on the directional number of lanes, and the AADT. Lane Factor is used to convert directional trucks to the design lane trucks. Lane factors can be adjusted to account for unique features known to the designer such as roadways with designated truck lanes.

See COPES equation: (Section 7.4.3)

$$L_F = (1.567 - 0.0826 \times \ln(\text{One-Way AADT}) - 0.12368 \times LV)$$

LOS

LEVEL OF SERVICE — A quantitative stratification of a performance measure or measures that represent quality of service, measured on an A-F scale, with LOS A representing the best operating conditions from the traveler's perspective and LOS F the worst. (HCM 2010)

LINK — The spatial representation of the transportation system, which may or may not constitute a one-to-one correspondence to the actual major components of the transportation system being modeled. There are three primary attributes which describe a link: facility type, area type, and the number of lanes. (MODEL)

LOAD EQUIVALENCY FACTOR — The ratio of the number of repetitions of an 18,000 pound single axle load necessary to cause the same degree of pavement damage as one application of any axle load and axle number combination. A Load Equivalency Factor is commonly referred to as a damage factor.

LGCP

LOCAL GOVERNMENT COMPREHENSIVE PLAN — The plan (and amendments thereto) developed and approved by the local governmental entity pursuant to Chapter 163, F.S., and Rule Chapter 9J-5, Florida Administrative Code, and found in compliance by the Florida Department of Community Affairs.



1.5 GLOSSARY - continued

LONG RANGE PLAN — A document with a 20-year planning horizon required of each Metropolitan Planning Organization (MPO) that forms the basis for the annual Transportation Improvement Program (TIP), developed pursuant to Title 23 United States Code 134 and Title 23 Code of Federal Regulations Part 450 Subpart C.

MASTER PLAN — A document identifying both short-term and long-term capacity improvements to limited access highways (Interstate, Turnpike and other expressways) consistent with policies and standards to meet SIS/FIIS standards. Master Plans shall also identify potential new or modifications to existing interchanges.

MPO **METROPOLITAN PLANNING ORGANIZATION**

MOCF **MODEL OUTPUT CONVERSION FACTOR** — The MOCF is used to convert the traffic volumes generated by a travel demand forecasting model (PSWADT) to AADT. The MOCF is the average of the 13 consecutive weeks during which the highest weekday volumes occur and when the sum of Seasonal Factors (SF) for those 13 weeks are the lowest. MOCF used in validation to convert AADT to PSWADT for the base year model network should be used for adjusting future year model volume. Note: Currently, there are several model outputs throughout the State that require conversion from PSWADT to AADT using MOCF (see page 3-80).

MADT **MONTHLY AVERAGE DAILY TRAFFIC** — The estimate of mean traffic volume for a month, calculated by the sum of Monthly Average Days of the Week (MADWs) divided by seven; or in the absence of a MADW for each day of the week, divided by the number of available MADWs during the month. (AASHTO)

MADW **MONTHLY AVERAGE DAYS OF THE WEEK** — The estimate of traffic volume mean statistic for each day of the week, over the period of one month. It is calculated from edited-accepted permanent data as the sum of all traffic for each day of the week (Sunday, Monday, and so forth through the week) during a month, divided by the occurrences of that day during the month. (AASHTO)



1.5 GLOSSARY - continued

- MSF** **MONTHLY SEASONAL FACTOR** — A seasonal adjustment factor derived by dividing the AADT by the MADT for a specific TTMS count site.
- OPENING YEAR** — One year beyond the scheduled beginning of construction as defined in the Adopted Five Year Work Program for a project. This is normally provided by the project manager.
- PD&E** **PROJECT DEVELOPMENT & ENVIRONMENT/ENVIRONMENTAL**
- PHF** **PEAK HOUR FACTOR** — The hourly volume during the analysis hour divided by the peak 15-min flow rate within the analysis hour; a measure of traffic demand fluctuation within the analysis hour. (HCM 2010)
- PEAK HOUR-PEAK DIRECTION** — The direction of travel (during the 60-minute peak hour) that contains the highest percentage of travel.
- PEAK SEASON** — The 13 consecutive weeks of the year with the highest traffic volume.
- PSCF** **PEAK SEASON CONVERSION FACTOR** — Used to convert a 24-hour count representing the average weekday daily traffic to PSWADT.
- PSWADT** **PEAK SEASON WEEKDAY AVERAGE DAILY TRAFFIC** — The average weekday traffic during the peak season. FSUTMS traffic assignment volume represents Peak Season Weekday Average Daily Traffic (PSWADT) projections for the roads represented in the model highway network. For Project Traffic Forecasting Reports, the PSWADT should be converted to AADT using a MOCF. Note: Currently, there are several model outputs throughout the State that require conversion from PSWADT to AADT using MOCF.
- p/d** **PEAK-TO-DAILY RATIO** — The highest hourly volume of a day divided by the daily volume.
- PERMANENT COUNT** — A 24-hour traffic count continuously recorded at a permanent count station.



1.5 GLOSSARY - continued

PERMANENT COUNT STATION — Automatic Traffic Recorders that are permanently placed at specific locations throughout the state to record the distribution and variation of traffic flow by hours of the day, days of the week, and months of the year from year to year. (see TTMS — Telemetered Traffic Monitoring Site)

PTMS **PORTABLE TRAFFIC MONITORING SITE** — Automatic Traffic Recorders that are temporarily placed at specific locations throughout the state to record the distribution and variation of traffic flow.



PROJECT TRAFFIC — A forecast of the design hour traffic volume for the design year. Project Traffic Forecasting projections are required by FDOT for all design projects.



PROJECT TRAFFIC FORECASTING (PTF) — The process to estimate traffic conditions used for determining the geometric design of a roadway and/or intersection and the number of 18-KIP ESALs that pavement will be subjected to over the design life.

RCI **ROADWAY CHARACTERISTICS INVENTORY** — A database maintained by the Transportation Statistics Office (TranStat) which contains roadway and traffic characteristics data for the State Highway System, including current year traffic count information such as AADT and the traffic adjustment factors, K, D, and T.

SCREENLINE — An imaginary line which intercepts major traffic flows through a region, usually along a physical barrier such as a river or railroad tracks, splitting the study area into parts. Traffic counts and possibly interviews are conducted along this line as a means to compare simulated model results to field results as part of the calibration/validation of a model. (MODEL)

SF **SEASONAL FACTOR** — Parameters used to adjust base counts which consider travel behavior fluctuations by day of the week and month of the year. The Seasonal Factor used in Florida is determined by interpolating between the Monthly Seasonal Factors for two consecutive months. (AASHTO)



1.5 GLOSSARY - continued

SERVICE FLOW RATE — The maximum directional rate of flow that can be sustained in a given segment under prevailing roadway, traffic, and control conditions without violating the criteria for LOS_i. (HCM 2010)



STANDARD K — A conceptual “design” term defining factors within a rural, transitioning, urban or urbanized area that are based on a ratio of peak hour volume to annual average daily traffic (K). Multiple standard K factors may be assigned depending on the area type and facility type and applied statewide.

SIS

STRATEGIC INTERMODAL SYSTEM — Facilities, including appropriate components of all modes, and services of statewide or interregional significance that meet high levels of people and goods movement, generally supporting the major flows of interregional, interstate, and international trips. Both “Strategic Intermodal System” and “Emerging SIS” are a formal part of “The SIS”.

TARGET YEAR — The final year of the forecast period; i.e., the design year, or the future year for which roadway improvements are designed.

T_r

T-FACTOR — Truck Factor; the percentage of truck traffic during the peak hours.



T₂₄ — The percentage of truck traffic for 24 hours (one day). (Categories 4-13, see Figure 2.2)

24T+B

24-HOUR TRUCK + BUS PERCENTAGE — The adjusted, annual 24-hour percentage of trucks and buses (Categories 4 through 13, see Figure 2.2).

24T

24-HOUR TRUCK PERCENTAGE — The adjusted, annual 24-hour percentage of trucks (Categories 5 through 13, see Figure 2.2).

TAZ

TRAFFIC ANALYSIS ZONE — The basic unit of analysis representing the spatial aggregation for people within an urbanized area. Each TAZ may have a series of zonal characteristics associated with it which are used to explain travel flows among zones. Typical characteristics include the number of households and the number of people that work and/or live in a particular area. (MODEL)



1.5 GLOSSARY - continued

TRAFFIC BREAK — A continuous section of highway that is reasonably homogenous with respect to traffic volume, vehicle classification, and general physical characteristics (e.g., number of through lanes), with beginning and ending points at major intersections or interchanges. Traffic breaks are determined through engineering judgment by the Districts and are recorded in the Roadway Characteristics Inventory (RCI).

TCI **TRAFFIC CHARACTERISTICS INVENTORY** — A database maintained by TranStat which contains both historical and current year traffic count information including AADT and the traffic adjustment factors, K, D, and T.

TPO **TRANSPORTATION PLANNING ORGANIZATION**

TRAFFIC VOLUME COUNT — Any short-term count taken by a portable axle counter on a roadway.

TranStat **TRANSPORTATION STATISTICS OFFICE** — The FDOT Central Office in Tallahassee that monitors and reports statistical traffic information for the State Highway System.

TTMS **TELEMETERED TRAFFIC MONITORING SITE** — Automatic Traffic Recorders that are permanently placed at specific locations throughout the state to record the distribution and variation of traffic flow by hour of the day, day of the week, and month of the year, from year to year, and transmit the data to the TranStat Office via wireless communication.

TRUCK — Any heavy vehicle described in FHWA Classification Scheme F (see Figure 2.2). Classes 4-13; i.e., buses and trucks with six or more tires. Class 14 is available for state definition of a special truck configuration not recognized by Scheme F. At the present time, only Classes 1-13 (Classes 1-3 are motorcycles, automobiles, and light trucks) are used in Florida.

VALIDATION (MODEL) — An analysis of a travel demand forecasting model based on traffic count and other information. A validation is usually less extensive than a calibration.



1.5 GLOSSARY - continued

- VHT** **VEHICLE HOURS OF TRAVEL** — A statistic representing the total number of vehicles multiplied by the total number of hours that vehicles are traveling. The VHT is most commonly used to compare alternative transportation systems. In general, if alternative “A” reflects a VHT of 150,000 and alternative “B” reflects a VHT of 200,000 it can be concluded that alternative “A” is better in that drivers are getting to their destinations quicker. (MODEL)
- VMT** **VEHICLE MILES OF TRAVEL** — A statistic representing the total number of vehicles multiplied by the total number of miles which are traversed by those vehicles. The VMT is used on a region-wide basis as a measure of effectiveness to compare system performance to other urbanized areas. (MODEL)
- v/c* **VOLUME TO CAPACITY RATIO** — Either the ratio of demand volume to capacity or the ratio of service flow volume to capacity, depending on the particular problem situation. This is one of the six factors used to determine the level of service.
- WIM** **WEIGH-IN-MOTION** — The process of estimating a moving vehicle's static gross weight and the portion of that weight that is carried by each wheel, axle, or axle group or combination thereof, by measurement and analysis of dynamic forces applied by its tires to a measuring device. (AASHTO)
- WPA** **WORK PROGRAM** — The five-year listing of all transportation projects planned for each fiscal year by FDOT, as adjusted for the legislatively approved budget for the first year of the program.
- WPI** **WORK PROGRAM ITEM** (First 6-digits of FPI)

1.6 BACKGROUND

Project Traffic Forecasting estimates are needed for Planning and Project Development and Environmental (PD&E) studies and construction plans which lead to construction, traffic improvements, and pavement design projects. A Project Traffic Report is routinely developed as part of most Project Development and Environmental Studies. Primary components of the report are supporting documentation related to the Project Traffic Forecasting Process and highway capacity and level of service (LOS) analyses.

PROJECT TRAFFIC FORECASTING HANDBOOK



CHAPTER 1

FDOT's Roadway Plans Preparation Manual requires Project Traffic and its major parameters to be posted on the Typical Section sheets. This handbook supplements the information described in the Project Traffic Forecasting Procedure, Topic No. 525-030-120.

The Project Traffic Forecasting Procedure describes in detail the three forecasting processes which include Corridor, Project and Equivalent Single Axle Load (ESAL). Figure I.1 outlines the relationship between Corridor Traffic Forecasting, Project Traffic Forecasting, and ESAL processes.



Corridor projects usually require the development of travel projections which are used to make decisions which have important capacity and capital investment implications. The traffic forecasting is required before establishing a new alignment or widening of an existing facility. The Corridor Traffic Forecasting Process is further detailed in Chapter 3 of this handbook.



The Project Traffic projections are commonly used to develop laneage requirements for intersection designs, and to evaluate the operational efficiency of proposed improvements. Project Traffic Forecasting is also required for reconstruction, resurfacing, adding lanes, bridge replacement, new roadway projects, and major intersection improvements. This process differs from Corridor Traffic Forecasting in that it is site specific and covers a limited geographic area. Further details may also be found in Chapter 3 of this handbook.



The Equivalent Single Axle Loading (ESAL) Forecasting Process is necessary for pavement design for new construction, reconstruction, or resurfacing projects. Truck traffic and damage factors are needed to calculate axle loads expressed as ESALs. The ESAL Forecasting Process is detailed in Chapter 8 of this handbook.

The four major types of construction projects are Preservation (resurfacing), Intersection Operational Improvements (add turns lanes), Roadway Capacity Improvements (add through lanes) and New Alignment Projects. Traffic operations projects such as signal

PROJECT TRAFFIC FORECASTING HANDBOOK



CHAPTER 1

timing, signal phasing and other non-construction type projects are not covered under this procedure.

Construction projects require both the Project Traffic Forecasting Process and the Equivalent Single Axle Load (ESAL) Process to be performed. Preservation Projects, which are usually resurfacing projects, only require the ESAL process to determine the appropriate Load Equivalency Factor for the pavement to be laid. Traffic Operation Improvements, such as improving shoulders or turn lanes and restriping roads are not covered under this procedure.

Corridor Traffic Forecasting and Project Traffic Forecasting projects require forecasts of Annual Average Daily Traffic (AADT) and Design Hour Volumes (DHV). AADT and DHV are related to each other by the ratio commonly known as the K-factor.

The overall truck volume and AADT are related to each other by the T-factor. The total impact of truck traffic on pavement design is expressed in units of ESALs, which represent truck axle weights converted into 18,000 pound (18-KIP) loads carried by a single, four-tire axle. The metric equivalent is 80,000 newtons .



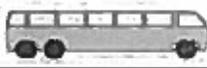
FHWA CLASSIFICATION SCHEME "F"			
CLASS GROUP		DESCRIPTION	NO. OF AXLES
1		MOTORCYCLES	2
2		ALL CARS	2
		CARS W/ 1-AXLE TRAILER	3
		CARS W/ 2-AXLE TRAILER	4
3		PICK-UPS & VANS 1 & 2 AXLE TRAILERS	2, 3, & 4
4		BUSES	2 & 3
5		2-AXLE, SINGLE UNIT	2
6		3-AXLE, SINGLE UNIT	3
7		4-AXLE, SINGLE UNIT	4
8		2-AXLE, TRACTOR, 1-AXLE TRAILER (2S1)	3
		2-AXLE, TRACTOR, 2-AXLE TRAILER (2S2)	4
		3-AXLE, TRACTOR, 1-AXLE TRAILER (3S1)	4
9		3-AXLE, TRACTOR, 2-AXLE TRAILER (3S2)	5
		3-AXLE, TRUCK, W/ 2-AXLE TRAILER	5
10		TRACTOR W/ SINGLE TRAILER	6 & 7
11		5-AXLE MULTI-TRAILER	5
12		6-AXLE MULTI-TRAILER	6
13	ANY 7 OR MORE AXLE		7 or more
14	NOT USED		
15	UNKNOWN VEHICLE TYPE		

Figure 2.2 FHWA Vehicle Classification Scheme "F"



2.4 SHORT-TERM TRAFFIC COUNTS

These counts are primarily performed by the Districts, local agencies and consultants who are responsible for reporting counts using various portable traffic counting devices. These counts are collected using axle counters and/or vehicle counters.

Portable traffic counters frequently use rubber hoses that record by sensing the number of axles. These counters are small enough to be transported, contain a power source, internal clock, and may be easily secured to a telephone pole, fence post, sign post, tree, etc. All counters utilize electronic storage and require special software and/or hardware to download the collected data. The downloaded data can be transferred directly to a computer or may be printed in a report format. Another type of portable unit adheres to the road surface in the middle of a lane and uses magnetic vehicle detectors rather than axle sensors and records bumper to bumper length and speed in a variety of length and speed groups. The unit requires a special computer to download the data. Other technologies are continually being developed and tested.

2.4.1 Portable Axle Counters

Portable Axle counters are those that have a single rubber hose to sense axles. These counters simply divide the number of axles by two to derive a count. If the counting device measures the “number of axles,” an axle correction factor is assigned to the specific count location based on the trucking characteristics of that location. The axle correction factor is applied to the count and then the count is seasonally adjusted to produce AADT.

2.4.2 Portable Vehicle Counters

Examples of Portable Vehicle counters include microwave, magnetic, video, inductive loops, and vehicle classifiers. If the counting device counts the “number of vehicles,” the count site will not require an axle correction factor.

2.4.3 Seasonal Adjustments

All short-term counts must be adjusted to reflect the seasonal changes in traffic volumes. TranStat determines the Seasonal Factor Category using traffic data collected from permanent count locations. The Districts assign a Seasonal Factor Category to each short-term traffic count site. The basic assumption is that seasonal variability and traffic characteristics of short-term and permanent counts are similar.



2.5 TRAFFIC ADJUSTMENT FACTORS

The two traffic adjustment factors, Seasonal and Axle Correction, are calculated by the TranStat Office and can be accessed through either the **Traffic Characteristics Inventory (TCI)** database or the **Florida Traffic Online (FTO)** application. Both TCI and FTO contain current and historical information. The continuous counts and the seasonal classification counts provide the necessary information to establish traffic adjustment factors. In the absence of any continuous counts within a county, TranStat borrows seasonal factors from adjacent counties and develops seasonal factors for those counties. These adjustment factors are later applied to the short-term counts to estimate AADT, K, D, and T.

2.5.1 Seasonal Factor (SF)

The Monthly Seasonal Factor (MSF) for a particular month in a particular location is derived from the Annual Average Daily Traffic (AADT) for a location divided by the Monthly Average Daily Traffic (MADT) for a specific month at that count site:

$$MSF = \frac{AADT}{MADT}$$

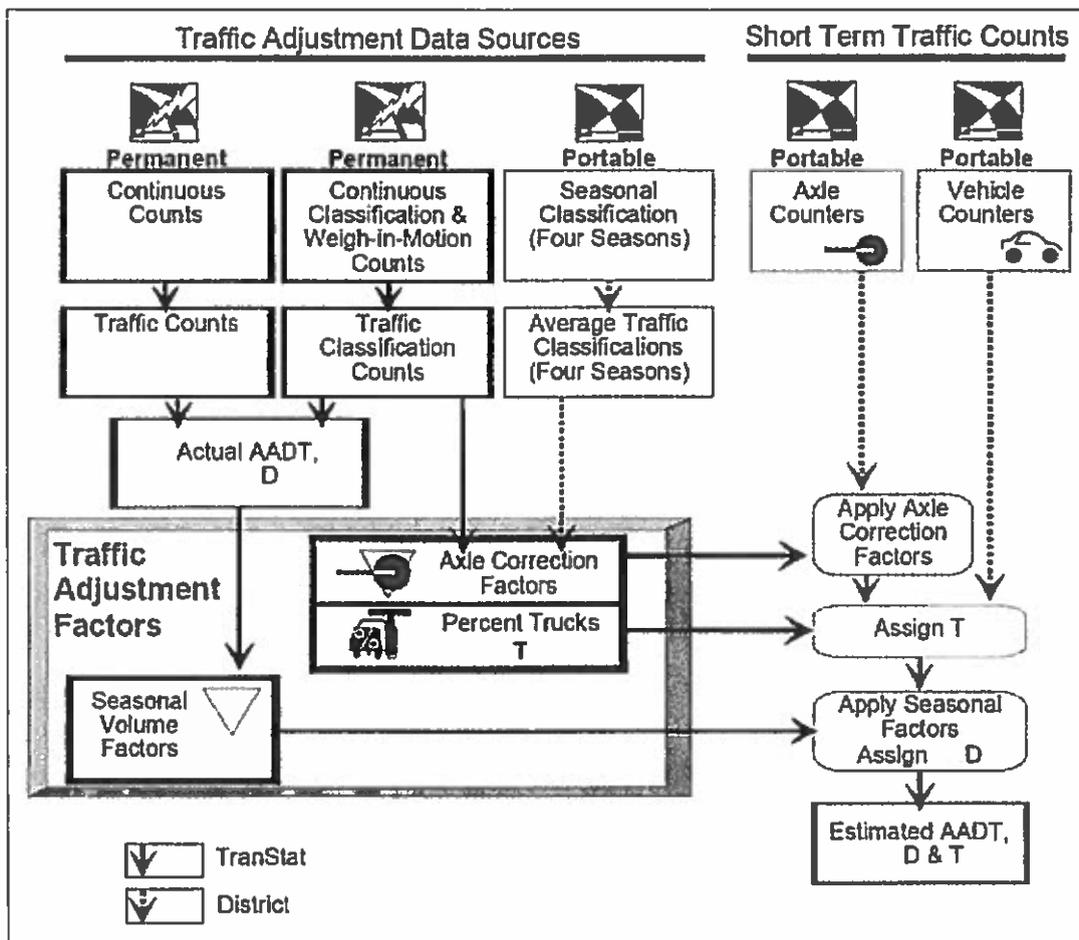
Weekly Seasonal Factors (SF) are developed by interpolating between the monthly factors for two consecutive months. The Seasonal Factors are calculated for each week of the year for each permanent count station and printed in a Peak Season Factor Report. Figure 3.7 shows an example of a Peak Season Factor Report showing the SF. The SF and Axle Correction Factors are used to convert ADT to AADT.

2.5.2 Axle Correction Factor (ACF)

The Axle Correction Factors are determined by using the data from continuous and portable classification counts following the guidelines as described in the FHWA *Traffic Monitoring Guide*.



TRAFFIC COUNTS, SEASONAL FACTORS, AXLE CORRECTIONS, AND ESTIMATED AADT, D, & T



* Traffic Adjustment Factors are assigned to each Short Term Traffic Count for every Section Break of the State Highway System

Figure 2.3 Process Used to Estimate AADT, D, & T

Actual AADT, D, and T data are measured at continuous counters. At all other locations, the AADT, D, and T are estimated. The data collected at the continuous count stations are used to develop the traffic adjustment factors: Axle Correction Factors, Percent Trucks, and Seasonal Volume Factors. These adjustment factors are applied to short-term traffic counts taken by portable axle and vehicle counters to estimate AADT, D, and T for every section break of the State Highway System.



2.6.4 Percent Trucks (T)



The most critical factor to pavement design is the percentage of trucks using a roadway. The structural design is primarily dependent upon the heavy axle loads generated by commercial traffic. The estimated future truck volume is needed for calculating the 18-KIP ESALs for pavement design.

Because there are numerous classes of trucks (*see* Figure 2.2), and different applications of truck data, various definitions of truck percentages are used. Truck percentage definitions (*see* Section 1.5) include T_r , T_{24} , $24T+B$, $24T$, DHT , $DH2$, and $DH3$, and are all calculated as percentages.

The traffic forecasting “T” is the same as T_{24} or $24T+B$. It includes the trucks and buses from Categories 4 through 13. The truck volume and AADT are related to each other by a ratio commonly known as “T.” The Daily Truck Volume (DTV) can be derived by multiplying AADT x T.

$$DTV = AADT \times T$$

For traffic forecasting purposes, the Design Hour Truck (DHT) is defined as T divided by two, based on the assumption that only half as many trucks travel on the roadway during the peak hour. The DHT is derived by dividing T by two.

$$DHT = \frac{T}{2}$$

The truck percentage is usually assumed to be constant over time. More research is being performed both nationally and in Florida to determine if the current assumptions can be improved.

Attachment #9: Viewshed Mapping and Visual Impact Analysis

Viewshed Mapping and Visual Impact Analysis

related to Buena Vista/ Rockology mine proposal on La Bajada Mesa

Summary, with documentation, of presentation by D. Van Doren at BCC hearing, June 11, 2014

Executive Summary:

Viewshed Mapping, also known as Visual Impact Analysis, is a critical tool in land-use planning. According to one current standard textbook (*Site Analysis*, LaGro, 2008; see resource list):

"Particularly in hilly and mountainous landscapes, where tourism is an important component of the local or regional economy, the [geological] skyline is a significant visual resource [that creates] a memorable image of Place."

Imageability of this sort is recognized as a critical success factor for even small commercial development, and takes on dominant importance when tourism or real estate values are significant.

Visual analysis has been done in the field with sketchbooks and cameras for over a century. However, such methods are today reserved for very simple or small sites, or where the client refuses to pay for proper visual impact analysis.

Viewshed analysis for regions, corridors, and individual sites has been successfully *computerized* since the 1970s, when the Federal Highway Authority and US Forest Service demonstrated such methods at a regional scale, notably on the redevelopment of I-70 over Vail Pass, Colorado. ESRI, a major center in development of Geographic Information Systems (GIS software), published "Land Planning Tools," an early methodology for computer visual analysis, at about this time. "Visual Landform Analysis" was released by Computer Terrain Mapping in 1997, by which time both analytical and graphic methods were becoming standardized. Today, visual impact analysis can be largely automated, using standard GIS software and widely available digital topographic maps. This allows analysis to include hundreds of viewpoints in a region, quickly and cost-effectively.

In the case of the application to mine La Bajada, the Applicant should have provided a complete visual impact analysis using standard modern methods. Instead, County staff were saddled with this responsibility, and put in the position of having to use outdated methods of visual impact analysis, from an inadequate number of locations, not representative of the many places within the County from which the proposed mine would be clearly and intrusively visible.

Resources:

Site Analysis: A Contextual Approach to Sustainable Land Planning and Site Design, James A. LaGro, Jr. 2008, Wiley, NY

Visual Landform Analysis, 1997, CTM Inc (Computer Terrain Mapping), Colorado; updated online at www.ctmap.com/ctm/landform.html

Time-Saver Standards for Site Planning, J. de Chiara and L.E. Koppelman, 1985, McGraw-Hill, NY

Site Reconnaissance and Engineering, H.C. Landphair and J. L. Motloch, 1985, Elsevier, NY

Land Planning Tools, ESRI (Environmental Systems Research Institute, developers of ArcGIS), Redlands CA. No date; first released in 1970s.

For a wide variety of software and services, search "viewshed mapping" or "visual impact analysis"

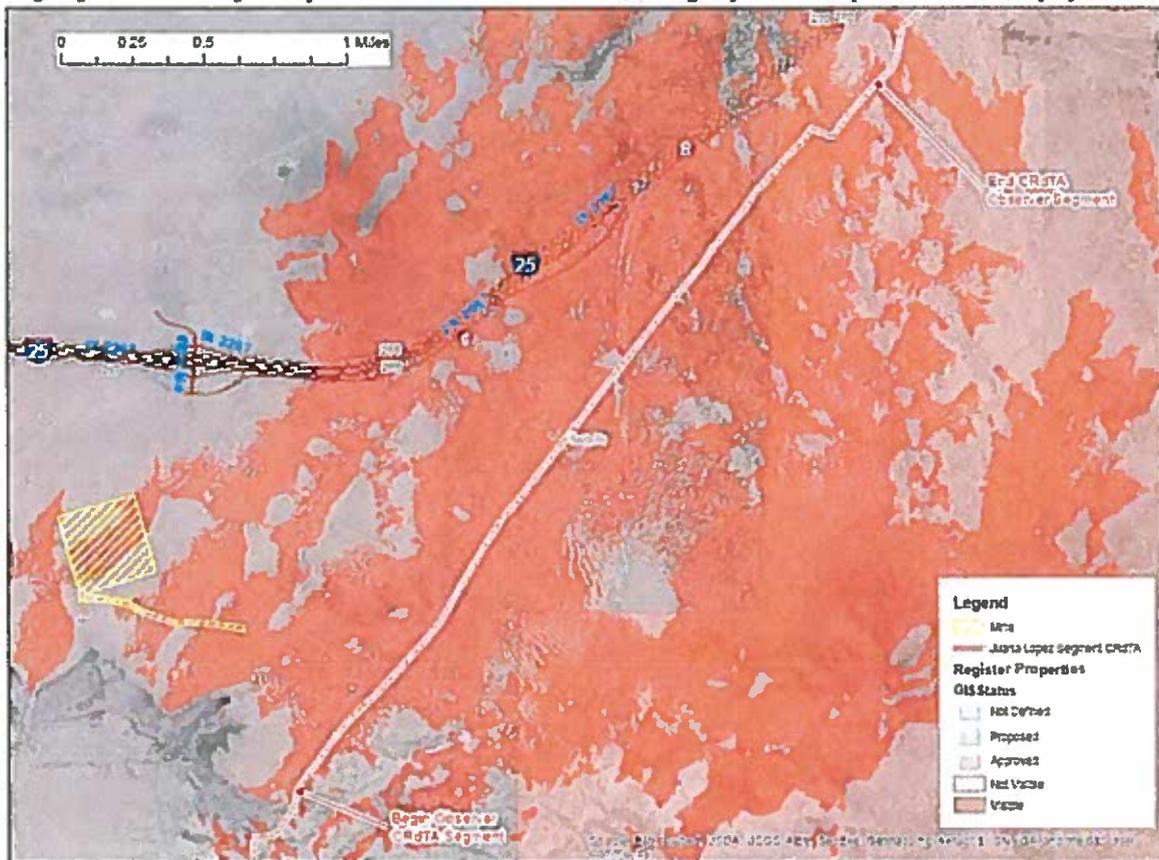
Inadequacies of Visual Impact/ Viewshed Analysis accompanying BV/Rockology Application

- Applicant's analysis uses photographs from a few selected points along I-25 and Waldo Canyon Road. The photographs show that 20-foot tall banners two or three feet wide are not very noticeable. This inadequately represents visual impact of the proposed mine because:
 - Applicant proposes gravel piles, structures and equipment, which the County land-use Code allows to be 36 feet tall, almost twice the height of 20-foot poles, and therefore less hidden by the topography.
 - Gravel piles are shown on the application as approximately 200 feet long and 50 feet wide. Proposed structures and equipment would also be much more substantial and wider than a three-foot wide banner, and thus far more visible.
- According to Rick Wessel, Archaeologist at NMDOT Environmental Development Section, "...there is a reason for not relying solely on photographic documentation of a viewscape. [In photographs] lens barrel distortion reduces detail along the horizon."
- Applicant's claim that mining operations will be within the excavation in later stages, and therefore less visible, are incorrect. As shown in the Application drawings, the *bottom* of the excavations in all phases will be completely visible from locations to the south and east. The wall of the excavation will only hide items within the pit from viewpoints to the north-east, and only from Phase II at the earliest, when excavation depth greater than 36 feet is achieved.
- Although the height of mining operations is limited to 36 feet, the dust from these operations will go much higher. Dust plumes are commonly 100-200m (350 to 650 feet) tall, and have been recorded as high as 10 km (6 miles) into the sky (*Essentials of Medical Geology*, Selinus et al., 2005, Elsevier; Chapter 18). Even a fifty-foot plume would certainly attract attention of vehicle occupants traveling I-25 and the Turquoise Trail, as well as being visible for hundreds of square miles. Conversely, when blown sideways on the windy mesa-top, dust reduces on-road visibility to dangerous levels.
- Two modern visual impact analyses were presented at the BCC hearing June 11 2014, and are attached.
 - GIS analysis from Rick Wessel of the visual impact from Juana Lopez section of the Camino Real de Tierra Adentro, which passes less than a mile from the proposed mine site. This analysis shows visibility of ground-level activities. Operations and materials higher than ground-level will be even more visible.
 - Analysis of sight-lines from five points along I-25 using Google Earth pathway profiles, by Don van Doren. Created from freely accessible online mapping data, these show that the operations will be partially or completely visible from many more locations than implied by the Applicant's analysis.

Computerized Viewshed Analysis, BV/R proposed Mine from historic Camino Real
 2014 GIS analysis by Rick Wessel, archaeologist, NMDOT Environmental Development Section

Red indicates visibility of mine(yellow outline) from the marked trail segment

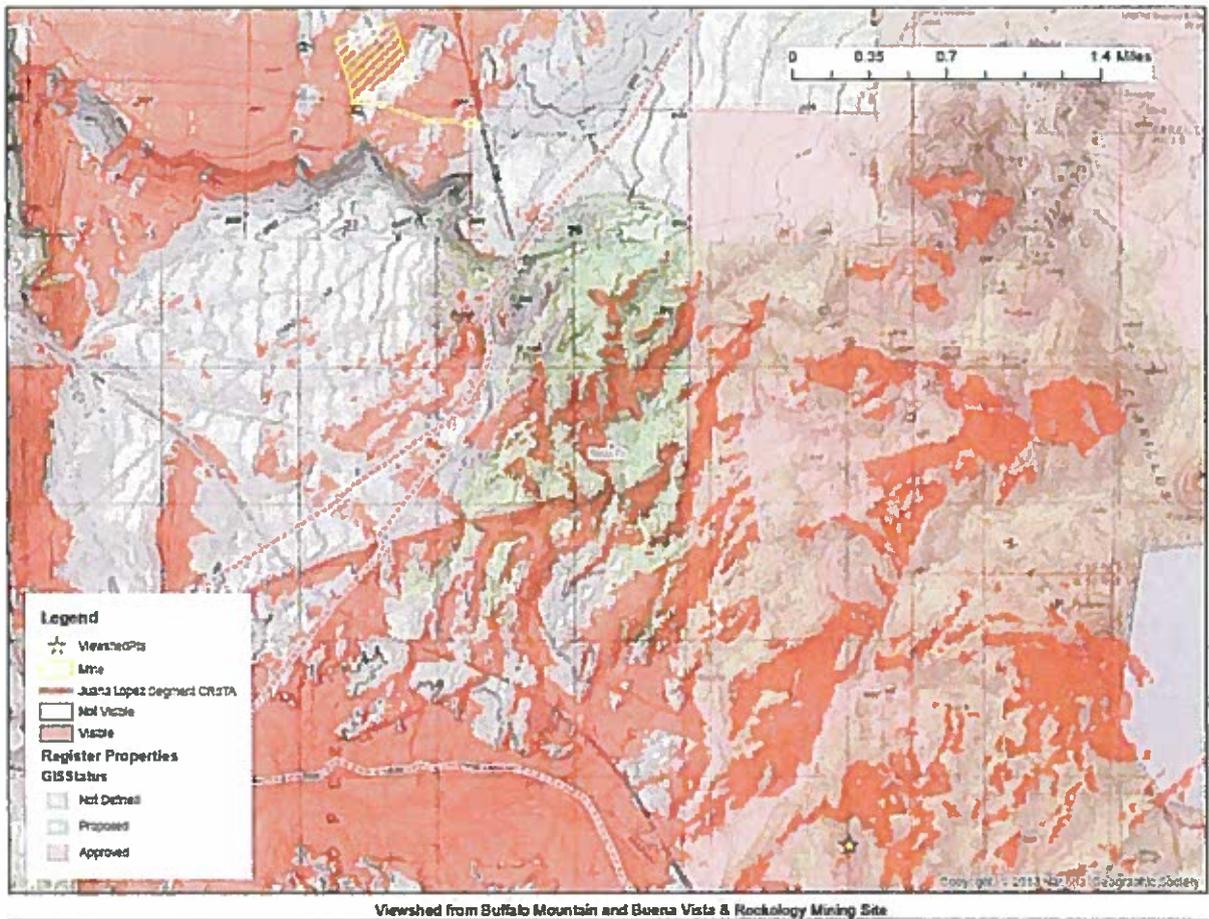
Figure 2: Viewshed Analysis from the Juana Lopez section of the Camino Real de Tierra Adentro
 Using a digital elevation model generated from the National Elevation Dataset and a vertical offset of 1.5 meters to represent a hiker a bit over five feet tall



Viewshed from Juana Lopez Road Segment of Camino Real's Tierra Adentro and Buena Vista & Rockology Mining Site

Computerized Viewshed Analysis, BV/R proposed Mine from Buffalo Mountain, near Cerrillos
2014 GIS analysis by Rick Wessel, archaeologist, NMDOT Environmental Development Section

Red indicates visibility of mine(yellow outline) from Buffalo Mountain (yellow star, lower right)



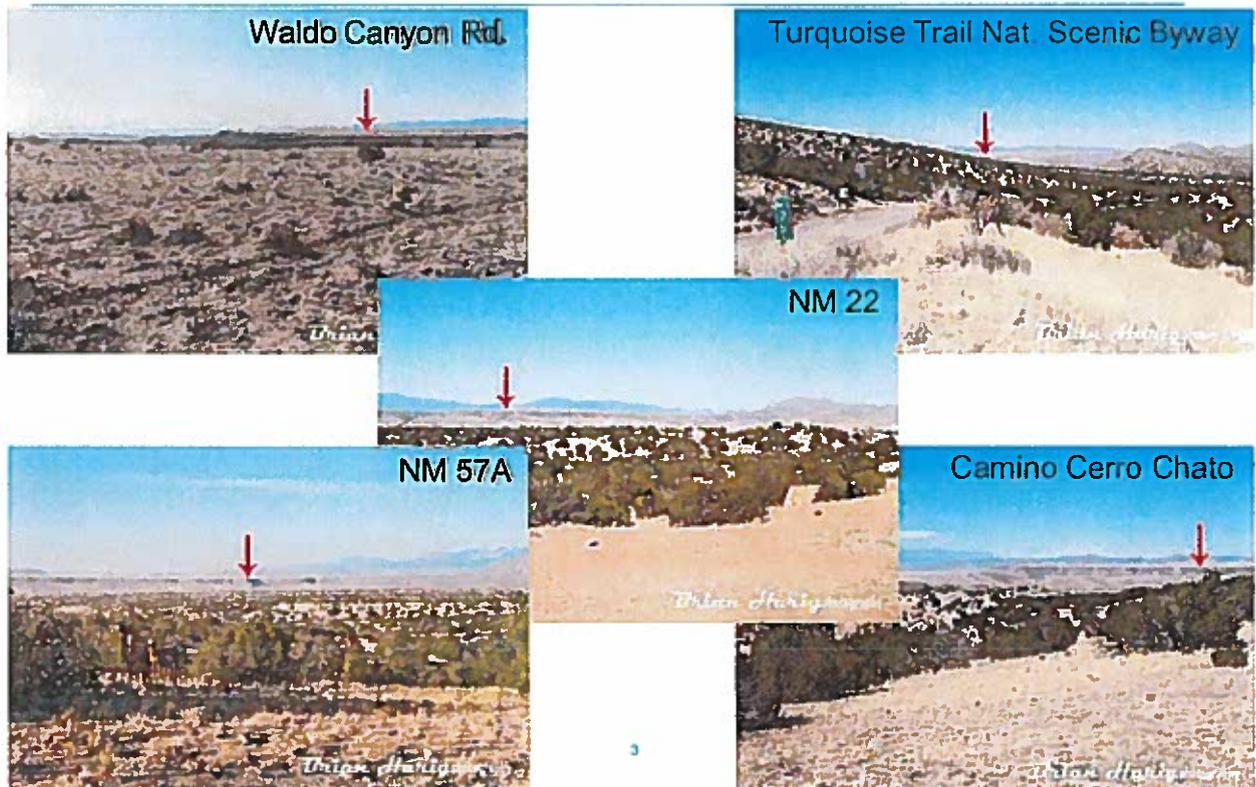
Some locations from which proposed mine site is clearly visible
and from which GIS visual impact analysis should be undertaken

Not a comprehensive list

Photographs by Brian Harig

Red arrows mark proposed La Bajada mine site

La Bajada Mesa Strip Mine A Sampling of Visibility Perspectives

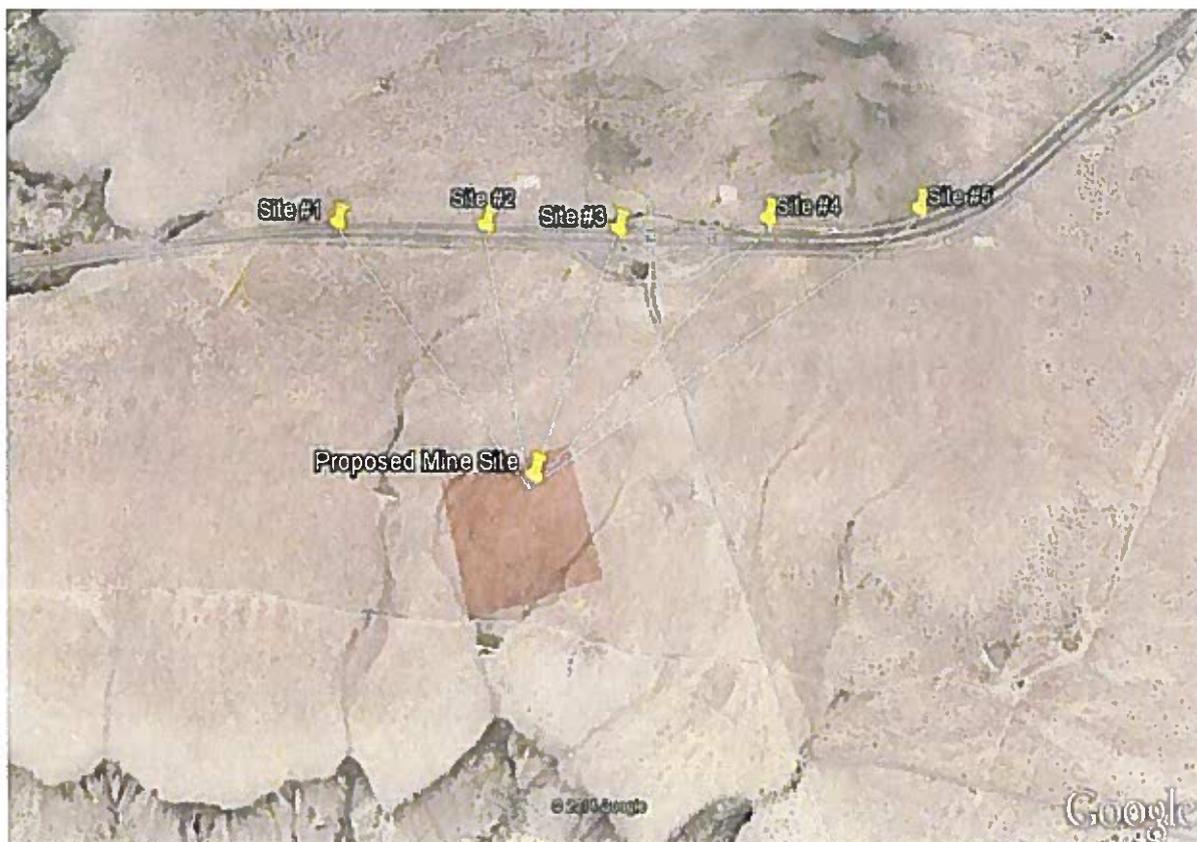


Views of Proposed Mine Site from Five Locations along I-25

Analysis by Don van Doren, based on publicly available digital maps

Reference Map of viewpoints and lines of sight

Visibility for sites 1-5 shown on following page



Views of Proposed Mine Site from Five Locations along I-25

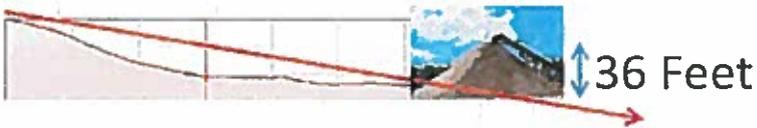
Cresting the Mesa – #1 Elevation 6087– Dust is visible



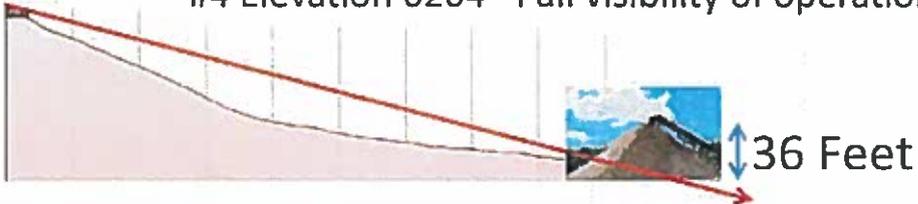
#2 Elevation 6124– Structures or gravel over 20 feet visible



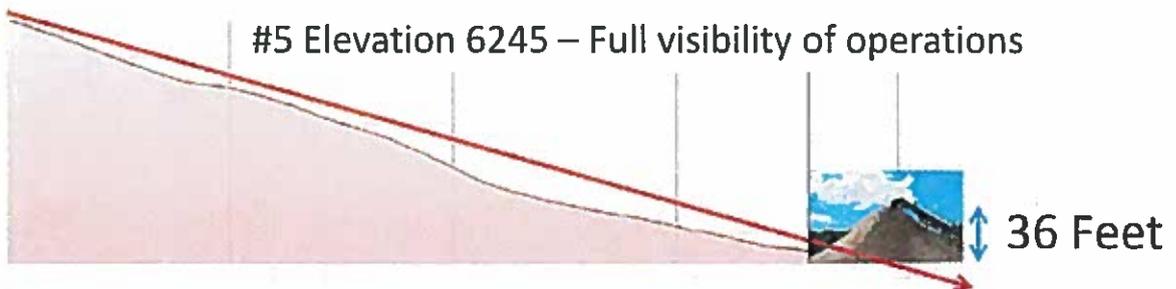
#3 Elevation 6154– Full visibility of operations



#4 Elevation 6204– Full visibility of operations



#5 Elevation 6245 – Full visibility of operations



THE SANTA FE REPORTER

A Weekly Journal



City Edition



SANTA FE'S LOCALLY OWNED NEWSPAPER Vol. 4 No. 47 Thursday, May 18, 1978 20 Cents

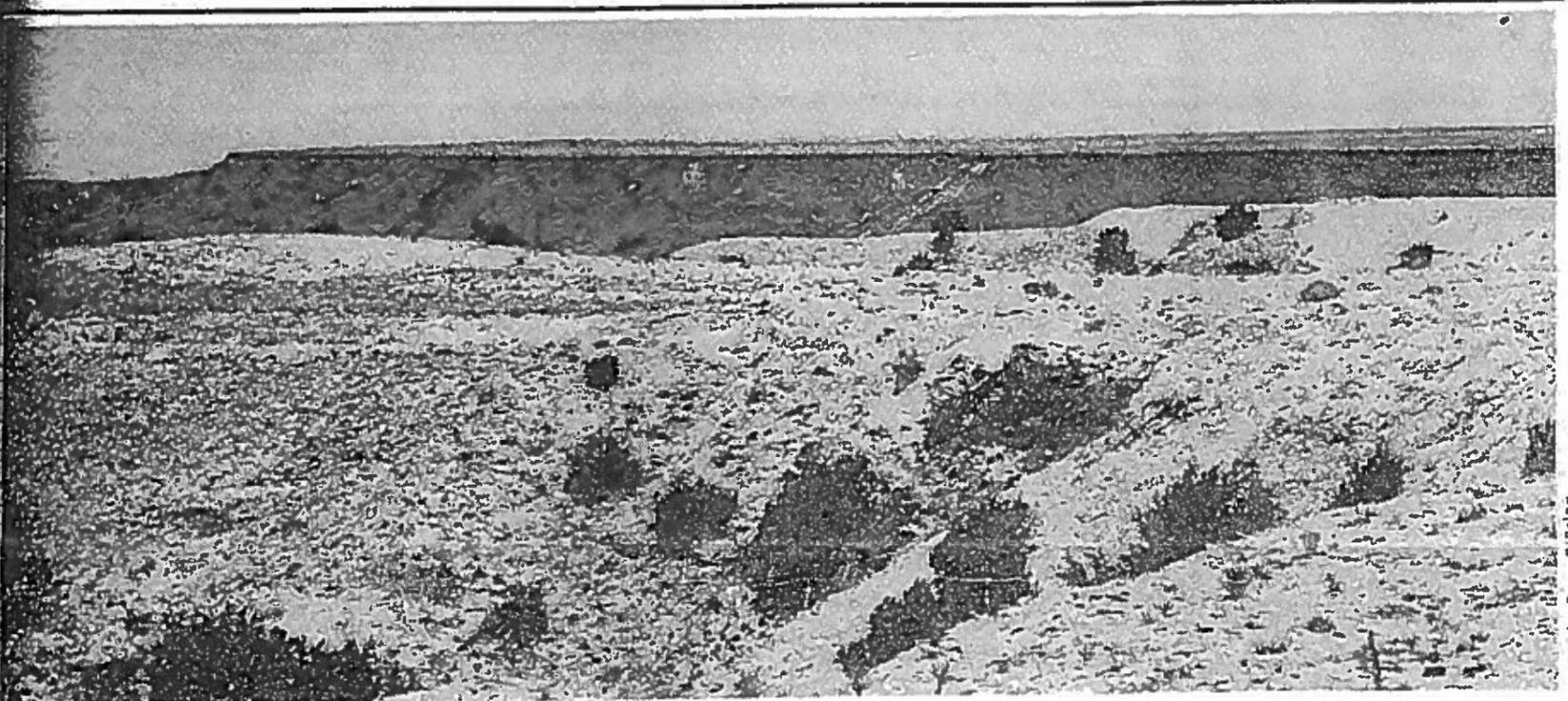


Photo by Tony O'Brien

The Promised Land

Call it "The Ranch": 11,600 acres of hogback and plateau on the lip of La Bajada mesa 15 miles south of Santa Fe that has become the magnet for a multimillion-dollar real estate speculation scheme:

A sprawling cattle ranch owned by former New Mexico governor John Simms, it now is being peddled as the largest piece of private land along the 60-mile corridor between Santa Fe and Albuquerque.

Behind the deal, three New Mexico real estate brokers including Peter Naumburg of Santa Fe, so far have drawn more than 300 investors to the property, generating close to \$8 million in sales contracts for land that barely cost \$1 million five years ago.

Most of the participants have invested between \$12,500 and \$50,000 at the bottom level of a complex pyramid scheme. Included among them are residents of New Mexico and more than half a dozen other states, from California to New York.

Proponents of The Ranch have been promoting it as the setting for a new town—a 70,000-resident city, powered by solar energy and populated by people eager to end the traumas of urban existence in Albuquerque and Santa Fe.

That idyllic vision, however, is tainted by specters ranging from non-existent water to an Interstate highway slicing through the land. An earlier plan to develop a new town at the site ended in collapse seven years ago. The long-awaited Santa Fe County General Plan poses outright opposition to high-density population in that area. Moreover, both the county and the State Utilities Commission, after learning of The Ranch from the Santa Fe Reporter, have launched investigations to determine whether the scheme is in violation of the law. The failure of a new town to develop, or of an equally attractive alternative to take its place, could result in significant losses for investors at the lower levels of the complicated financing plan. But whether the land is developed or sits untouched, full payment of already-purchased contracts by small investors will result in multimillion-dollar profits for the original promoters at The Ranch.

According to those promoters, their plan is a sound one based on solid research, designed to make money not only for them but also for anyone involved when the new town is built.

The Ranch is my vision of a whole new living



*An Investigative Report
By Frank Clifford*

For the past five years, a small group of land promoters has been working quietly and energetically to sell, parcel by parcel, a huge tract of land on the highway to Albuquerque 15 miles south of Santa Fe. Called The Ranch, the 11,600-acre tract, mapped in outline form above, has been sold in a pyramid scheme to investors who were told the site is perfect for a new city of 70,000 people. The promoters behind the scheme stand to make millions of dollars in profits—unless uranium mining, lack of water, or the law shuts them down.

Other Stories on Pages 3 and 5

environment," said Albuquerque realtor Ernest Cummins, the member of the trio who bought the acreage and engineered the project. "The Ranch has been identified as an excellent site for a community based on solar, wind, and other exotic energies," reads a segment of the promotional literature distributed to prospective investors.

Local officials, however, take a different view of the property. An environmental analysis contained in the proposed Santa Fe County General Plan indicates that The Ranch is located in an area of the county least suitable for large-scale development. Poor water supplies, ground water contamination, steep slopes and fragile soils combine to make the area particularly unaccommodating, according to the plan.

If the General Plan is adopted by the Santa Fe County Commission, it would in effect impose countywide zoning laws. No new construction that did not comply with the zoning regulations could be undertaken. And under the most stringent recommendations of the plan, settlement of The Ranch property would be limited to one house per 40 acres—a total of 290 houses.

Yet a preliminary master plan commissioned by Cummins calls for a total of 24,000 dwelling units on The Ranch's 11,600 acres.

There are still other reasons for apprehension about the prospect of an ideal community on the mesa.

State Highway Department officials say a distinct possibility remains that a new section of I-25 between Waldo and Bernalillo will have to be built. If the current contingency design plan is followed, the road would be built right through the Ranch property.

When interviewed, Cummins conceded that the construction of such a road "would be very detrimental" to any major development plans.

Mineral rights could pose another problem. Some 25 people unaffiliated with The Ranch own subsurface mineral rights to much of the property. Those rights give them license to explore or mine anywhere on that property.

While the promoters of The Ranch have been soliciting investments in the land for more than four years, county and state officials responsible for overseeing land and investment transactions say they have had no knowledge of the enterprise.

[Continued on page 8]

From \$300 to \$1200 per Acre in One Day

One day, Sept. 9, 1975, a parcel of property at The Ranch quadrupled in value. The fourfold increase was the result of improvements made upon the land. Nor was it trace to pressures of the marketplace, to speculators clamoring to buy the property, whatever the price.

The incredible one-day rise in the land's cost was the product of a series of "paper transactions," managed by three real estate promoters who had owned the land. And when their day's work was done, the property that had started out with a value of \$300 per acre had been elevated to a per-acre price tag of \$1,200.

The 250-acre parcel of land had been sold the previous year by Ranch owner Ernest Cummins for \$300 per acre to a limited partnership call Mesita de Santa Fe, managed by Albuquerque realtor Lauren Pepler and Santa Fe realtor Peter Naumburg comprised the original development trio at The Ranch—and on Sept. 9, 1975, they were ready to act.

First, the Mesita partnership sold the \$300-per-acre parcel to Pepler as an individual, at a per-acre cost of \$300. Next, public records show, Pepler sold the

parcel to Naumburg at \$1,080 per acre. Finally Naumburg sold it, at \$1,200 per acre, to another partnership, called Mesita Two, which he himself headed. Two of the other members of that nine-man partnership were Cummins and Pepler. When the dust settled, the flurry of transactions had benefitted Cummins, Pepler and Naumburg in at least three ways:

An
Investigative
Report
By Frank Clifford



First, the precedent of selling land at The Ranch for \$1,200 per acre, the same price charged subsequent investors in the scheme, had been set.

Second, duly documented land sales had established a \$1,200-per-acre value that would have to be reckoned with should the State Highway Department condemn portions of the property for a new corridor for the Interstate 25 highway.

And third, according to Naumburg, the fast-shuffle transactions between him and Pepler enabled both of them, as general partners in their respective partnerships, to pay themselves commissions without paying sales taxes on the deals. Under the structure of the deals, their commissions were disguised as profits on land sales.

Looking back recently on the final aspect of the dealings of Sept. 9, 1975, Naumburg admitted that the interim exchanges between Mesita de Santa Fe, Pepler, and himself were "phony" transactions. Then he chuckled.

"We did it that way one time," Naumburg said. "Then my lawyer suggested it wasn't the best way to do things."

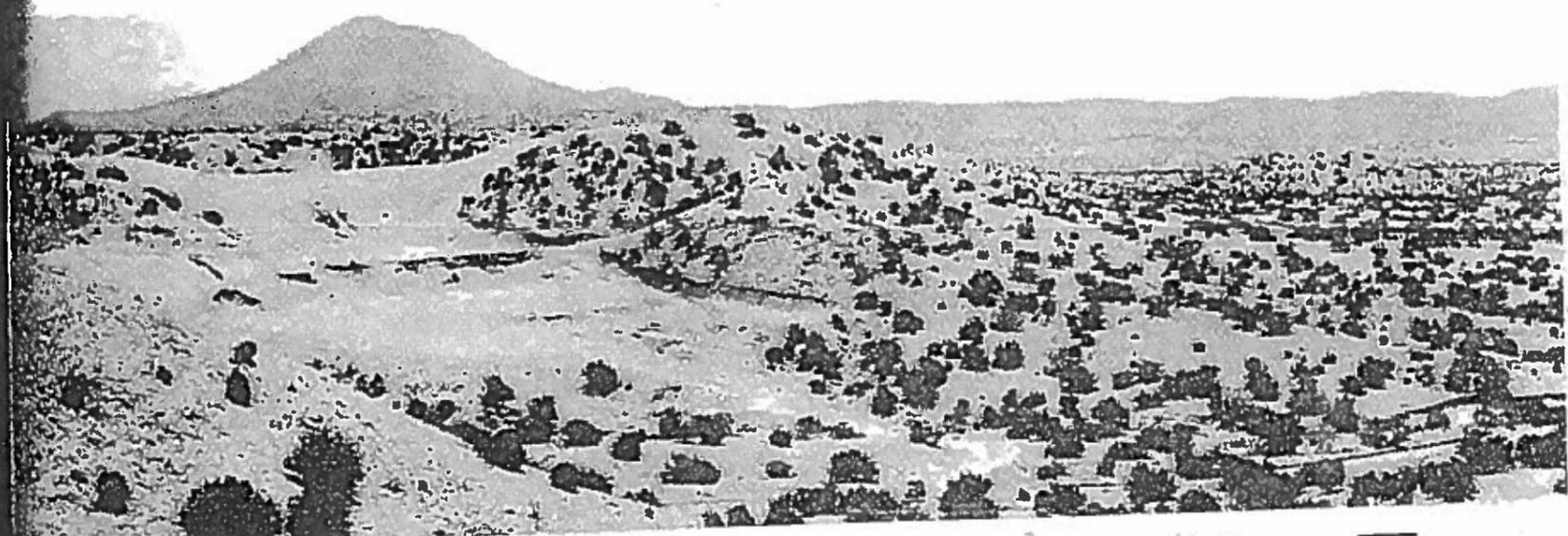


Photo by Tony O'Brien

It Is a Sales Spiel, and It Is Not True'

The Ranch, they tell you, offers just about the best opportunity for investing in raw land anywhere west of Los Angeles and east of Albuquerque. The promotional literature on The Ranch tells you that the price per acre you pay is "well below market." It says it is very difficult to find comparable land at any other price.

It is a sales spiel, and it is not true. In 1975 Peter Naumburg, a Santa Fe real estate broker and principal in The Ranch investment project, began promoting the sale of Ranch property to new investors. His associates began selling the land at a price of \$300 per acre in parcels of 100 to 250 acres. During the same period, Naumburg also was involved in selling Ranch property, in particular by buying a large tract that originally had been part of the ranch owned by former governor John Simms but had been sold during the early 1970s by a Chicago firm. The 356-acre parcel contained many of the best parcels offered to Ranch investors. They were close to existing roads and offered access to gas, water, and telephone lines. It was not merely available to The Ranch property. It had more potential for commercial development than did a great many of Ranch parcels being offered to investors.

While the investors were paying the so-called market price per acre of \$1,200, Naumburg paid only \$421 per acre for the parcel he bought. Naumburg's purchase is not the only example of recent real estate transactions in which property near The Ranch has been sold for cheaper prices.

The Highway Department records of private land sales during the past three years show that undeveloped land near The Ranch has been selling for as little as \$280 to \$300 per acre in parcels of less than 100 acres. These prices were being paid during the same time when Ranch parcels of 100 to 250 acres of undeveloped land were commanding prices of \$1,200 and

But you don't hear about those prices from Ranch property promoters.

Instead, they hand you a map of the area surrounding The Ranch, with figures written in purporting to demonstrate how high prices are in the vicinity of the investment property. Those figures could lead you to believe that property anywhere in the vicinity is selling for prices that range from \$2,000 to \$40,000 per acre.

But curiously, the only such expensive lots noted on the map happen to be located in well-established well-watered spots: the Downs at Santa Fe race track, Cochiti Lake, and the villages of La Cienega, Cerrillos and Madrid. No recent sale price for arid outback land, such as the property at The Ranch, is mentioned.

The Ranch sales spiel falls short of full disclosure in other areas as well.

It says that artesian and well water is present on the property. It does not say that official studies have concluded that there is virtually no surface water and that ground water in the general area is scarce and often highly contaminated.

The sales pitch tells you that the property offers convenient access to three maintained state and county roads. It does not tell you that a State Highway Department contingency plan calls for rerouting Interstate 25 directly through The Ranch property if current efforts to expand the existing I-25 corridor from La Bajada to Bernalillo break down.

The present route passes through Santa Domingo Indian land south of La Bajada, and the department has been trying for years, so far without success, to reach a mutually acceptable agreement to acquire Indian land for the purpose of expanding the present I-25 right of way.

But since 1975, according to department officials, alternative routes for the interstate have been planned in case they are needed. All three of the alternative routes that have been mapped out pass through The Ranch.

Ernest Cummins of Albuquerque, the driving force behind The Ranch, conceded recently that the effect of the road going through the property would be very

detrimental to development plans.

On the subject of subsurface minerals, the sales pitch states that Ranch investors and Union Carbide Corp. control all mineral rights attached to the property. In addition, it states that Union Carbide, which has been exploring for uranium on the land, would have to share the fruits of any uranium "harvest" with investors.

In fact, Union Carbide owns no mineral rights on the property. It is currently leasing them from some 25 people, not affiliated with The Ranch, who with Cummins own all the mineral rights on the property. For purposes of promotion, the potential role of Union Carbide has been hailed: "If Union Carbide should decide to harvest minerals, the picture would change from only an outstanding land investment to something even more rewarding," prospective land buyers read in the sales spiel. What they are not told, however, is that Cummins has tried his best to force Union Carbide off The Ranch.

Unlike the other mineral owners, Cummins chose not to lease his rights to Union Carbide. And last month, he took Union Carbide to court in an effort to compel the company to get off the land. In his lawsuit, Cummins said Union Carbide's presence was doing "irreparable damage" to the land and that its exploratory work could endanger real estate development plans.

Cummins' suit was thrown out of court, and Union Carbide was permitted to stay on the land.

More important, mineral owners, whose rights take priority over surface owners, are virtually free, if and when valuable underground deposits are discovered, to do what they want in the way of drilling and mining on the property, providing they compensate surface owners for any damage done to surface property.

Their license to probe the land, combined with the growing interest in uranium exploration across La Bajada mesa, could prove to have an inhibiting effect on any plans for real estate development at The Ranch.

But in the hands of the promoters, the question of mineral rights at The Ranch, like so many other aspects of the development scheme, has remained far below the surface.

77D

The Top of the Pyramid: Millions in Profits

terms, The Ranch is a plain, a windblown land with an unknown capacity for...

terms, The Ranch is a pyramid with a to generate millions of dollars for those to the apex.

an Albuquerque realtor, stands on He bought The Ranch in 1973 from the governor, John F. Simms.

the terms of the sales contract, Cummins more than \$1 million for 11,298 acres of began paying for the property through rents of \$100,000 at six percent interest.

contract on file at the Santa Fe County not indicate that Cummins was required payment. Rather, the first was to be later in April of 1974. (Peter Naumburg, a and an associate of Cummins, said that make a down payment.)

terms of the contract with Simms, Cummins about \$100 per acre for the property. 1974, when the first installment was due, that Cummins had raised \$140,000 through

the resale of 4,000 acres of the same land he was buying from Simms. By June of that year, through the sale of another 2,500 acres, he had raised an additional \$60,000 in cash, according to the records.

Cummins raised the money by negotiating sales contracts with three investor groups. In addition to their down payments, the three groups contracted to pay via annual installments a total of \$1,785,000, most of it bearing seven percent interest. (One group contracted to pay just six percent.)

Thus, in one year's time, Cummins had signed contracts calculated to give him double his money back. He paid slightly more than \$1 million and would get back slightly more than \$2 million. Moreover, he still owned more than 40 percent of the land he had bought.

At that point, The Ranch speculative venture had just begun.

In his three 1974 transactions Cummins had raised the price of the land from \$100 per acre to around \$300. During the next year the price would rise sharply.

In 1975 the three investor groups began selling off large portions of the land they were buying from Cummins. And in each of the investor structures, Cummins himself was still very much in the picture. He

was a controlling member of one of the groups and a participant in the other two.

Naumburg and a second Cummins associate, Lauren Pepler, also participated as controlling partners in two of the three original investor groups. They would control other groups to be formed later. And Cummins would re-emerge as the general partner of yet another group established in 1976.

By the end of 1976 the first three investor groups had sold 2,709 acres, about 40 percent of the land they had bought from Cummins.

But they had sold that 40 percent for more than \$3 million against the \$2 million they had paid. In addition, the 30 or so investors in those first groups also had agreed to pay almost \$400,000 in interest on the sales.

The original investor groups had bought the land at about \$300 per acre from Cummins in 1974. Their sales price to the next level of investors during the next two years, however, was \$1,200 per acre. In The Ranch's pyramid financial structure, they were selling to a third level, which brought in about 120 new investors. But several of those third-level groups were headed once again by Naumburg, Pepler and Cummins. Thus, the

[Continued on page 9]

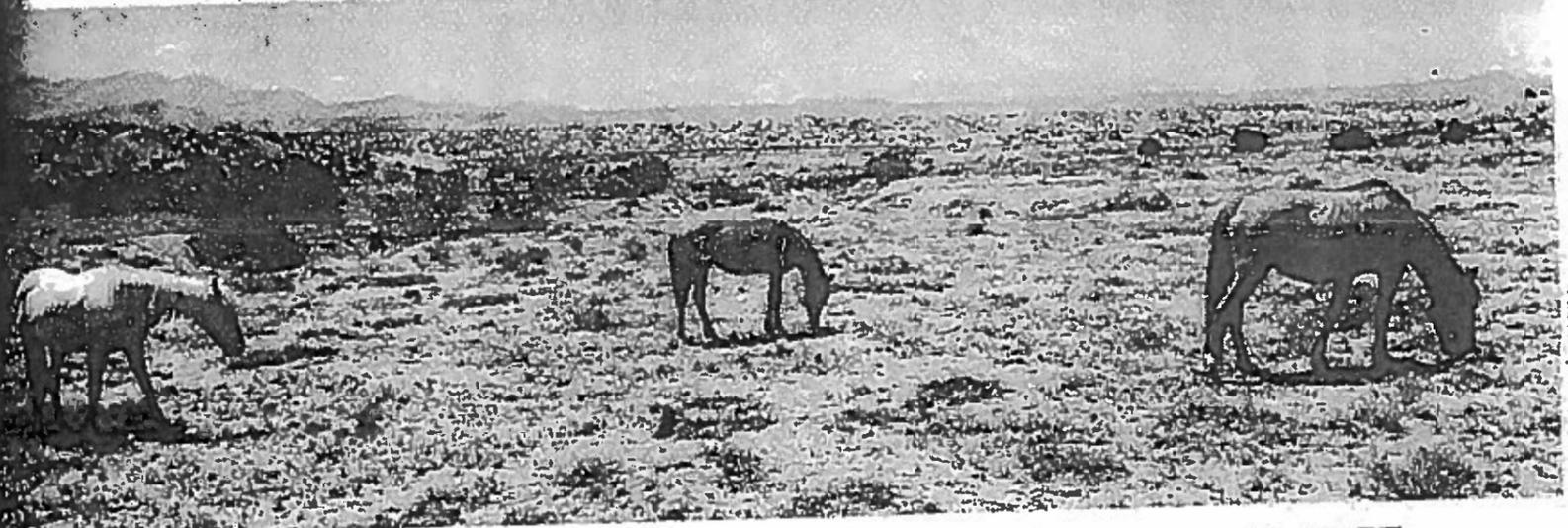


Photo by Tony O'Brien

The Laws—And How to Avoid Them

laws govern the conduct of real estate sales The Ranch.

The New Mexico Subdivision Act, designed to land being divided and sold into several contains adequate resources, such as water, to community life.

and law is the New Mexico Securities Act. Its to ensure that an investment project is "fair, equitable" through an investigation of the venture. The act also permits the state commissioner to exempt small, relatively ventures, including certain limited partnerships, tion.

act, all investment ventures, including ones exemption, must notify the commissioner of tion to do business in the state.

oters of The Ranch acknowledged in recent that they did not comply with the notification of either law and, as a result, avoided opening project to official scrutiny.

Cummins and Peter Naumburg, two of the The Ranch, said their lawyers advised them project did not fall under the jurisdiction of

elaborate, the two men said they themselves understand the fine points of real estate and law and could not explain why The Ranch all within the scope of those laws.

say is this: We wouldn't have the prominent involved that we do have if there was anything not this deal," Naumburg said. "It's the cleanest ever seen."

minent investors he was referring to include State Treasurer Kenneth Johnson, State Rep. lary (D-Albuquerque), two bank officials and ctors and lawyers.

theless, two officials here, Santa Fe County Earl Potter and New Mexico Securities oner A.M. Swarthout, said last week they have arate investigations to determine if either the law or the securities law has been violated by project.

THE RANCH

An
Investigative
Report

By Frank Clifford

The subdivision law requires that anyone dividing a piece of property into five or more parcels for the purpose of sales in Santa Fe County must show how the property can be made suitable for development.

For example, the subdivider must be able to guarantee the availability of water for at least 40 years. "If someone is found guilty of violating the subdivision law, that person can be fined as much as \$1,000 for each piece of property illegally subdivided.

Records in the Santa Fe County courthouse show that The Ranch's original promoter, Ernest Cummins, has divided and sold about 20 parcels of Ranch property during the past five years.

Moreover, Cummins indicated in conversation he was not completely confident of the advice he apparently received that his transactions were not subject to the subdivision law.

"I think it's probably a debatable point. I think it's questionable."

The sale and resale of property at The Ranch has been carried out through transactions involving investment groups known as limited partnerships. More than 25 such partnerships, each consisting of 10 to 15 investors, have been established to buy and sell Ranch property.

Public records show, however, that only two of the partnerships filed notice with the securities commissioner in efforts to seek the exemption. In addition, the records do not reflect that the remaining

partnerships filed any kind of notice with the commissioner.

The point of the legal restrictions is to insure that the limited partnership is a small investment entity, both in terms of the number of participants and the financial liability of the general partner.

By not filing notice of their existence with the securities commissioner, the limited partnerships avoided the risk that they would be ruled ineligible for the exemption.

Without the exemption they would have been subject to the official investigation normally made into larger investment groups.

The purpose of that investigation, done by the securities commissioner, is to make sure that any large-scale investment scheme is "fair, just and equitable"—in other words, that investors stand a reasonable chance of benefitting financially from the project into which they are putting their money.

If the scheme involves investing in land, part of the commissioner's examination may be aimed at determining if the land has the potential in terms of future sales or development to reward the investor.

"In making a determination I would be inclined to ask many of the same questions that the subdivision law raises," securities commissioner Swarthout said. "For example, I would want to know if there was water. And I would want to know if the project was likely to fall afoul of any local regulations like the county plan."

Someone who violates the securities law also is liable to criminal prosecution. A conviction can lead to the imposition of \$5,000 fine and a three-year prison term.

"It is possible that he (the securities commissioner) could find some problem on paper as far as what we've done," Naumburg said. "But he'd find no problem as far as intent."

"People got involved in this deal because they knew us and trusted us with their money. We're going to take care of the investors. No one has gotten hurt. That's the important thing. And no one is going to get hurt."

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the pyramid could manipulate sales prices groups which they themselves controlled. At the same time that Cummins, Pepler and Naumburg were selling land at \$1,200 an acre, Naumburg was the only piece of the original Simms tract that had not been acquired. It was a 356-acre parcel with a large on two roads. Naumburg bought it from a firm for \$421 per acre.

According to the records, 16 groups had been formed to buy and sell parcels of The Ranch. Cummins, Pepler and Naumburg were involved in eight of them. In the next 16 months Cummins began selling off a portion of the approximately 5,800 acres he had previously sold. He sold the property in tracts of 250 acres to 17 new partnerships, many of which were organized or headed by employees of Smart Realty of Albuquerque.

In these partnerships, he sold the land for \$1,200 per acre, for a total of just over \$2.6 million, including interest, which could amount to an additional \$100,000, according to the records.

Years after he bought the Simms Ranch for more than \$1 million, Cummins had personally sold 80 percent of it for more than \$4.5 million. In the meantime, Naumburg and Pepler each had benefitted from a million worth of sales negotiated by the first partnerships.

Yet another way in which the venture was profitable for Cummins.

When he had signed the contracts with the first partnerships in 1974, he used those contracts to secure a \$750,000 loan which he received from the Grande Valley Bank in Albuquerque.

Richard Elkins signed the loan, according to court records. And Elkins himself became an investor in the Lopez Limited Partnership, one of the investment groups whose contracts were collateral.

In a recent interview that he was not one of the original investors but that he bought a partnership sometime after it was formed. He did not say when.

Records indicate that Cummins paid back the loan to the Grande Valley Bank but on the same day he received \$100,000 from the First National Bank of Santa Fe for the contracts with the three groups as well as the bank officer who signed the loan became an investor in one of the partnerships in the property.

Banking law defines such loans, in which the bank is involved on both sides of a transaction, as "self-dealing" and can be done legally providing the bank officer makes a full disclosure of his interest to the bank's loan-approval committee.

This year, more than 300 people had graduated from The Ranch. Most were bottom-level employees who are not presently on the selling end of the property.

Naumburg says they are confident these people will make money eventually.

They are working on a plan to sell The Ranch at \$2,000 per acre to a developer interested in building a well-fledged community on the property. If that happens, say the two realtors, bottom-level employees bought in at \$1,200 and \$1,250 an acre would be worth \$2,500 per acre.

In working in putting together the deal, the Ranch owners would pay themselves the remaining \$500 per acre they would gross an additional \$5.6 million for what they have already made. Cummins said last week they have not yet located a developer. Cummins said he already has spent \$20,000 in the The Ranch appealing to a developer. "I'm sure it is as enticing and as easy as possible for a developer to come along and buy it up," he said.

Under the proposed scheme, it would cost a developer more than \$30 million just to buy the property. The developer would be required to spend millions more on roads, sewers and generally making it fit for residential use. A water system alone could cost several millions to build.

Santa Fe officials, citizens groups and consultants have viewed the area where The Ranch is located as one of the county's least attractive for development.

The adoption of a proposed county general plan, in its final stages of preparation, would make it possible to develop a community on The Ranch.

Ranch promoters continue to talk in optimistic terms.

For one, said he has little respect for the county officials and county consultants. "I don't care what those consultants say. When it's all over, I wish they had put their money where

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Investors Bought The Ranch Without Looking

By FRANK CLIFFORD

Investors in The Ranch, the mammoth project now under investigation by state officials, readily admitted they never looked at the land before investing in it.

"I've seen it," said state Rep. Lenton Malry, an independent Democrat who would have passed by The Ranch if he commuted from his home via I-25 to the legislature here.

The project became the focus of official scrutiny—by the State Commission, the attorney general's office and the Santa Fe county attorney—after a recent series of newspaper articles raised questions about the feasibility of the Ranch investment project.

The Ranch, about 11,600 acres, is located approximately 20 miles south of Santa Fe and is easily viewable and accessible from U.S. Highway I-25. The majority of the investors, according to available records, live within a 50-mile radius of The Ranch.

Malry said he decided to put money into the Ranch at the recommendation of a friend. In fact, the friend was Ernest Cummins, one of three men who had invested the most money from it.

Cummins is a neighbor of mine and he just sold me a house. He said that it was a good investment," Malry said. "I had heard that his total pledged investment was around \$10 million, and I thought I would invest in the project."

Force Col. Bucky Walters is another investor who said he put money into the

project without first looking at the land or investigating its potential.

"A friend of mine said it was a good deal, so I thought I'd take a flier," Walters said Monday. "I never went to see it. I didn't ask anyone in Santa Fe about it. I did ask a couple of realtors in Albuquerque, but they didn't know anything about it. . . I'm just one of those guys who agreed to put down \$100 a month and hoped to double my money one day. Maybe I was dumb."

At the time they were interviewed, neither Malry nor Walters had seen Santa Fe Reporter articles concerning The Ranch.

The newspaper articles, published last month, revealed that:

- The Ranch project, involving some \$8 million worth of real estate sales through a vast network of investor partnerships, was carried out over the past five years without the knowledge of state and county officials responsible for approving subdivision of land and the sale of securities.
 - The promotional material used in attracting investors to The Ranch omitted any discussion of possible risks involving the availability of water, the construction of new roads and the pre-existing rights of mineral owners on the property.
 - The final draft of the county's general plan characterizes the area where The Ranch is located as one of the least suitable for future development.
- The articles also disclosed that even if The Ranch is not developed, the handful of people who initiated the project stand to make millions of dollars on the basis of investments solicited over the past few years.

Most of 10 investors interviewed recently said they had put their money in The Ranch with the expectation that demand for the land would allow them to resell at a profit within two to five years from the time they invested.

"The sales pitch was that The Ranch was the sort of property that would be appealing to a large-scale developer," said investor Randy Sabre of Albuquerque.

Sabre said he invested—through a limited partnership—in a parcel of the Ranch property that he believed would have commercial development potential if it turned out that the entire Ranch site was not purchased for a single massive development.

Sabre said his parcel of land was located south of La Bajada Hill adjacent to I-25. "So even if the dream of a big development should fizzle I think I'm pretty well situated to recoup my investment," he said.

Sabre said he invested in the property during the past year. He was asked if he was aware of planning by the State Highway Department that could lead to a rerouting of I-25 in such a manner that the road no longer would abut his property. (The planning has come about because of the inability, so far, of the department to negotiate with the Santo Domingo Pueblo for more land needed to widen I-25 south of La Bajada and The Ranch. For the past several years the state has been trying to work out a price with the Indians for the property necessary to broaden the highway right of way through Indian land. If an acceptable price cannot be negotiated, highway officials say that I-25 probably will have to be rerouted east of its present course. For the past three years officials say they have been doing contingency planning, including mapping out

[Continued on page 4]

Inspectors Find Chaparral Lacks Room and Air

By HOPE ALDRICH

State building inspectors, called in by parents to inspect alleged overcrowding and poor ventilation at Chaparral Elementary School, have determined that the school this year enrolled 72 more students than is legal under the state building codes, and that ventilation there was "very poor."

In a report delivered Tuesday to the Construction Industries Commission of the state Department of Commerce and Industries, the inspector, Harvey King, stated that occupancy of the main school building should not exceed 345. The occupancy this spring has been 417.

The department can close a building if occupancy regulations are not complied with, a state official said. King reported also that several of the huge roof fans intended to cool the building did not turn on when he flicked the switches during his inspection June 2, and the temperature had reached 75 degrees, too hot for classrooms, he said.

Teachers at the school have said they asked the school administration for repairs many times over the last five years but that the administration did not respond.

But last Tuesday, a day before the June 7 school board meeting, at which Chaparral parents have said they will present a petition of complaints, Santa Fe school superintendent James Miller said he would request funds from the school board to hire an engineer to inspect the ventilation system.

Miller said funds for improvements to the faulty system, if recommended, could be drawn from the school district's operating budget or its minor-projects building fund. He added that he wanted the work done before school reopened.

This move seemed in contradiction to statements made by assistant superintendent for elementary schools Walter Wier on May 11. At that meeting, called by the teachers at Chaparral, Wier said no improvements could be expected next fall in either the overcrowding or the ventilation system, teachers said.

After that meeting, teachers called The Santa Fe Reporter, and in its May 25 edition, the newspaper detailed overcrowding and overheating problems, which teachers claimed were so severe they interfered with the children's education.

The recent building inspection report states "the ventilation in the building was very poor. . . The doors have to be opened to get ventilation, and this is a bad situation for the students being exposed to the outside elements. . ."

"The occupant load of the building was checked and we

[Continued on page 8]



A class at Chaparral: 'We thought that's the way open schools looked'

Parents Figure Out What to Do

Two weeks ago Jerry Ortiz y Pino, like most of Chaparral Elementary School students, everything was just fine over there.

He had noticed that the huge room where his son and 416 other children were taught in the room system seemed rather crowded, he said, "I thought that's the way all the open schools

And as he spoke last Monday, he had only two days left before the meeting.

"We're operating out of real ignorance," he conceded, as he busily made notes on a pad at his office in the PERA Building, where he is a planner in the social services division of the state Human Resources Department.

But this is not the first time Ortiz y Pino has jumped into the midst of a school controversy. Four years ago he was a member of a task force formed as a result of low test scores among the district's junior high students. The task force created a social work program within the school system.

Ortiz y Pino was also very clear about one point he would stress to the school board June 7 as the parents' spokesman.

It was that whatever other problems plague the Chaparral school, the parents do not believe its educational standards have dropped. "Parents are basically happy with the quality of education at the school," he said. They feel that the staff, under principal Imelda Baca, is unusually fine, he said, adding that his son has had an excellent year in the second grade. (But next year David will attend the newly created Pinon Elementary School as the family lives south of Rodeo Road and falls within the new district.)

As to the insistent demands of the parents' petition, Ortiz y Pino said he felt optimistic that steps would soon be taken to fix the faulty fans that have stifled ventilation in the school's music room to the point that children reportedly have "vomited and fainted." He said he already learned that Santa Fe School Superintendent James Miller would ask the school board for funds for an

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[Continued from page 2]

many that would be perverted in this hour of death of many singers, the hillbilly type singer, rock and roll singers. It will be catastrophe catastrophe (sic)."

The revival audience grows excited and speaks of his fulfilled predictions. He says America in which traditional religious values and standards have eroded, and the crowd is with clapping hands and hissing "yes."

Padgett's text tonight is the "Bible of Revelation" and, wrapping the tension tight, preaches fire and brimstone, death and hell. Outside the wind has risen, and it whistles and makes loose flaps snap as thunder growls in the eerie counterpoint to his preachings.

"Repent!" is the key word. The tempo in Padgett's voice rises until he is shouting into the microphone and the overloaded sound system is fuzzy distorted words. "The harvest time is now, screams, and then releases his audience with a forehead and begins again in a soft voice.

Time and again he does this, gradually increasing the rhythm of his preaching to a loud incessant "God give a little TRUTH, ah, unto these PEOPLE... Jesus is the LIFE, ah, Jesus is the WORD" with the odd inflections of an auctioneer.

Padgett's face is red, he is perspiring freely, he has taken off his jacket. "Whoooo," he hollers, he says, and twitches, shivers as if he has felt an electric shock, his feet beating, stamping, an odd tattoo that raises puffs of dust.

"We don't want death," he chants. "We want life is the woood, ah... God's dealing with us to get saved!" Padgett's head is tilted back, eyes closed, and gradually, members of the audience toward the stage and the worn carpets, with knees, their raised arms waving slowly like palm trees.

The people return finally to their seats, and calls for "people with needs." Three women, small children, come forward. The preacher whispers wishes, places his hand on their heads, each, and with his otherworldly shiver, prays with strange words—"Selah the miciah," he says. "Selah the miciah."

But this laying-on of hands is anticlimactic, a lively narrative and choreography of the scene are no obvious miracles, and the revival moves down to the collection of offerings.

"God said someone would give \$100 tonight," says brightly. But apparently no one does.

"Some say everyone with a talent is out for me, I ain't," says Padgett, relaxed now and grinning.

"Shake hands, be friendly and we'll see you tonight," he says, and the organ launches into a tune as the audience files out of the big top. Of the world, it is happy music.

Investors Bought

[Continued from page 3]

alternative routes for I-25.)

All of those routes would bypass Sabre's route, Sabre said Monday he knew nothing of the plans. "This is the first I've heard about it," he said. "Someone had told me anything about this, I don't think I have invested."

Three of the 10 investors recently interviewed, although they were hearing for the first time about the possible risks associated with The Ranch, remained confident that their investments were a fruit.

Mel LaVail, a retired Air Force officer who had "heavily invested" in The Ranch, said this week he was investigating the potential of The Ranch and decided to become an investor.

LaVail said he grew confident enough of it to invest himself and to "get most of my friends and family involved." On the subject of water, he said he had there had been enough accidental finds and drilling operations to indicate that there are water supplies beneath the ground.

While LaVail has been instrumental in getting a substantial number of investments in The Ranch, he has not been acting as an employee or agent of the principals in The Ranch. "I have been in deals with them," he said without naming names. "I got into this deal strictly as an independent investor."

"I spent a lot of time walking around the area standing at the edge of that cliff and looking down the valley. It's one of the most enchanting spectacles I've seen. I'd like to build there myself one day. But I don't know if I should do that or not. I think my investment up there is a good one," LaVail said.

"Maybe I won't make all the money I hoped for on my investment. But when push comes to shove, I think you'll find I've lost my hat, ass and spurs."

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The revival audience grows excited and speaks of his fulfilled predictions. He says America in which traditional religious values and standards have eroded, and the crowd is with clapping hands and hissing "yes."

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Attachment #11: Recalculation of BV/R Runoff using more realistic coefficients

**STORMWATER RETENTION REQUIREMENTS
La Bajada Basalt Mine, Buena Vista/ Rockology, applicants**

RECALCULATED USING REALISTIC PERCENT-RUNOFF VALUES (CN)

ALL UNITS ARE C.F. (cubic ft) except %	% runoff (CN) used by Appl.	Appl's calc runoff volume	Realistic % runoff (CN)	Difference in CN %	Recalc. volume with corrected CN
<i>pre-dev</i> (veget'd soil)	82%	338,218	75%	-7%	314,543
<i>post-dev</i> (imperm. basalt)	84%	360,482	95%	11%	400,135
<i>Difference between pre- and post-development is the minimum volume that must be retained by on-site pond.</i>					
Applicant's volume:	22,264		Realistic vol:	85,592	
Difference btwn calculated min vol's :				63,328	
Applicant's pond design (c.f.):				31,245	
POND LIKELY DEFICIENT BY AS MUCH AS:				32,083	cubic feet

Recalculation by K. Sorvig, Research Assoc. Professor, UNM School of Arch. & Planning
licensed Landscape Architect (ret.) in NM and PA by Uniform National Exam

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PROPERTY PROFILE

La Bajada

Aggregates

- Overview
- Maps
- Photos
- Aggregates**



October 10, 2003

Re: Waldo Aggregate Geology

Per your request, this is written to give a general description of the aggregates available and the anticipated physical properties of these materials on the lands owned by Waldo Aggregates, Partnership. It should be noted that this is based on my observations and study of the property, which has not yet included actual physical testing. Interested parties should conduct appropriate testing in order to determine actual physical properties and verify actual quantities of materials in place.

Within the approximate 11,000 acres, there are several geological formations containing significant quantities of construction aggregate resources. These include monzonite, rhyolite, pediment deposits, basalt, and outcrop sediments of the Santa Fe group.

1. Monzonite - currently being mined in the area, monzonite is a hard and durable material that meets all the properties to be used for construction purposes, including aggregate for hot mix asphalt, ready-mix concrete, base course railroad ballast, riprap and landscaping. These deposits will need to be quarried, requiring overburden removal, drilling, blasting, and crushing with large jaw and/or impact crushers for size reduction. Monzonite has a low Los Angeles abrasion property, resulting in normal to high wear costs in crushing and screening components.
2. Basalt - large deposits of basalt lie predominantly on the west side of the property. Although no formal testing has been done, visual observations and discussions with others indicate this material may also be used for construction aggregates. Visually the depth of material appears to be significant, ranging from 50'-100'. This, however, may be misleading, according to random drill tests performed by a contractor in this area, which indicated average material depths in the 20-255 range. Through selective exploration it is possible to establish durable quality aggregate in the flow rock. Ordinarily, the best rock is exposed near the edges of the flows.
3. Rhyolite - minor outcroppings of rhyolite exist. These sources are questionable in quality for construction aggregates, typically having a high Los Angeles abrasion loss, high soundness loss, and low specific gravity.
4. Santa Fe formation - as is the case with rhyolite, the Santa Fe formation will be of questionable quality for construction aggregates. Certain deposits may contain marginally acceptable physical properties for construction uses, however the marketability for this material will be primarily for landscaping ground cover.
5. Pediment deposits - fair quality pediment deposits occur within the property, cropping out in recent erosion channels. These deposits contain cobble rock and medium graded rock, mixed with igneous and sedimentary materials, with fair abrasive and soundness qualities. Selective subsurface exploration can develop pits suitable for primary construction jobs.

A summary of these materials and the expected range of physical properties:

L.A. Wear Sodium Soundness Specific Gravity Absorption

446

Aggregates

Monzonite	20-30%	10%	2.6-2.7	1.5%
Basalt	25-40%	5-20%	2.55-2.65	5%
Rhyolite	30-50%	10-25%	2.30-2.50	5%
Santa Fe	30-50%	10-25%	2.40-2.55	3%
Pediment	25-35%	5-20%	2.6-2.65	2%

From a quantitative perspective, the monzonite and basalt will most likely yield the greatest reserves. Using a conservative estimate of 20' depths, these materials will yield approximately 65,000 tons per acre. The other materials will yield approximately 45,000 tons per acre assuming 20' depths.

Again, please note that this information was derived from visual observations, general knowledge of the aggregates historically mined in the area, and state highway department information regarding aggregate resources. Actual field testing needs to be done to ensure quantitative and qualitative requirements are met.

Please do not hesitate to contact me if you have any questions or comments.

Regards,

Steven A. Hooper, P.E.

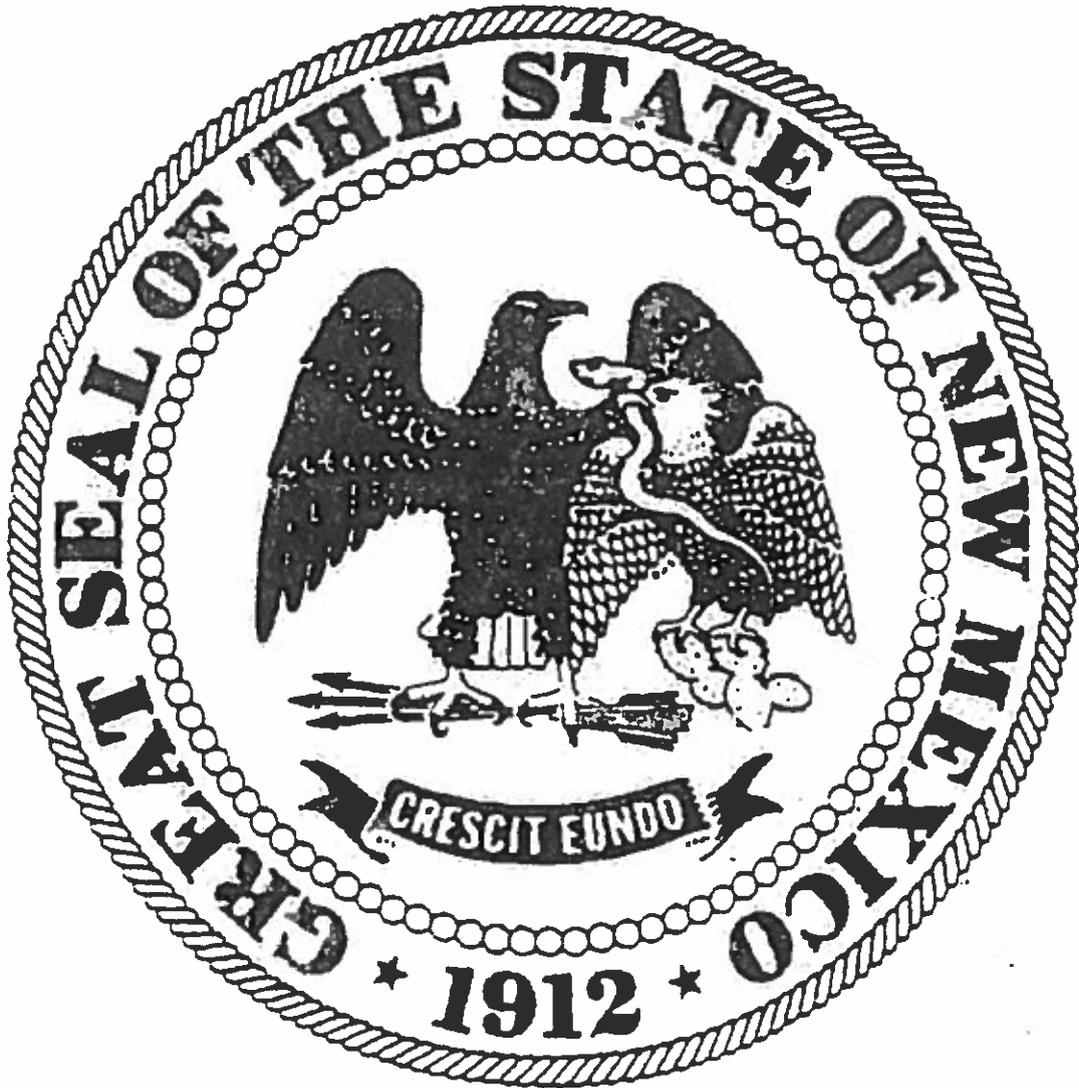
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NEW MEXICO



MINING ACT

ARTICLE 36
Mining

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69-36-1. Short title.

This act [69-36-1 to 69-36-20 NMSA 1978] may be cited as the "New Mexico Mining Act".

History: Laws 1993, ch. 315, § 1.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69, Article 25A NMSA 1978.

ANNOTATION

County regulatory authority not preempted. — A county ordinance containing permit requirements for mines was not expressly or completely preempted by the New Mexico Mining Act or the adoption of regulations thereunder and, to the extent its ordinance did not conflict with the Act or the regulations, the county could require compliance therewith. *San Pedro Mining Corp. v. Board of County Comm'rs*, 1996-NMCA-002, 121 N.M. 194, 909 P.2d 754.

69-36-2. Purposes.

The purposes of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] include promoting responsible utilization and reclamation of lands affected by exploration, mining or the extraction of minerals that are vital to the welfare of New Mexico.

History: Laws 1993, ch. 315, § 2.

69-36-3. Definitions.

As used in the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978]:

- A. "affected area" means the area outside of the permit area where the land surface, surface water, ground water and air resources are impacted by mining operations within the permit area;
- B. "commission" means the mining commission established in the New Mexico Mining Act;
- C. "director" means the director of the division or his designee;
- D. "division" means the mining and minerals division of the energy, minerals and natural resources department;
- E. "existing mining operation" means an extraction operation that produced marketable minerals for a total of at least two years between January 1, 1970 and the effective date of the New Mexico Mining Act;
- F. "exploration" means the act of searching for or investigating a mineral deposit, including sinking shafts, tunneling, drilling core and bore holes, digging pits, making cuts and other works for the purpose of extracting samples prior to commencement of development or extraction operations and the building of roads, access ways and other facilities related to such work; however, activities that cause no, or very little, surface disturbance, such as airborne surveys and photographs, use of instruments or devices that are hand carried or otherwise transported over the surface to perform magnetic, radioactive or other tests and measurements, boundary or claim surveying, location work or other work that causes no greater disturbance than is caused by ordinary lawful use of the area by persons not engaged in exploration are excluded from the meaning of "exploration";
- G. "mineral" means a nonliving commodity that is extracted from the earth for use or conversion into a saleable or usable product, but does not include clays, adobe, flagstone, potash, sand, gravel, caliche, borrow dirt, quarry rock used as aggregate for construction, coal, surfacewater or subsurfacewater, geothermal resources, oil and natural gas together with other chemicals recovered with them, commodities, byproduct materials and wastes that are regulated by the nuclear regulatory commission or waste regulated under Subtitle C of the federal Resource Conservation and Recovery Act;
- H. "mining" means the process of obtaining useful minerals from the earth's crust or from previously disposed or abandoned mining wastes, including exploration, open-cut mining and surface operation, the disposal of refuse from underground and in situ mining, mineral transportation, concentrating, milling, evaporation, leaching and other processing. "Mining" does not mean the exploration and extraction of potash, sand, gravel, caliche, borrow dirt and quarry rock used as aggregate in construction, the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipes, the development or extraction of coal, the extraction of geothermal resources, smelting, refining, cleaning, preparation, transportation or other off-site operations not conducted on permit areas or the extraction, processing or disposal of commodities, byproduct materials or wastes or other activities regulated by the federal nuclear regulatory commission;
- I. "new mining operation" means a mining operation that engages in a development or extraction operation after the effective date of the New Mexico Mining

Act and that is not an existing mining operation;

J. "permit area" means the geographical area defined in the permit for a new mining operation or for an existing mining operation on which mining operations are conducted or cause disturbance; and

K. "reclamation" means the employment during and after a mining operation of measures designed to mitigate the disturbance of affected areas and permit areas and to the extent practicable, provide for the stabilization of a permit area following closure that will minimize future impact to the environment from the mining operation and protect air and water resources.

History: Laws 1993, ch. 315, § 3.

Effective date of the New Mexico Mining Act. — The effective date of the New Mexico Mining Act, referred to in Subsection E, is the effective date of Laws 1993, ch. 315, which is June 18, 1993.

Resource Conservation and Recovery Act. — The federal Resource Conservation and Recovery Act, referred to in Subsection G, is codified primarily as 42 U.S.C. § 6901 et seq.

ANNOTATION

Regulation defining "affected area". — A regulation changing the "and" to "or" in the statutory definition of "affected area" avoided an absurd interpretation since it must have been intended that such area be one where either the air, surface, water, ground water or land surface was impacted. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

"Mineral". — Uranium ore, at the time of its extraction from the earth by conventional mining techniques, is not regulated by the Nuclear Regulatory Commission and, therefore, meets the statutory definition of mineral in Subsection G, placing supervision of the mining sites under the supervision of the New Mexico mining commission. *N.M. Mining Comm'n v. United Nuclear Corp.*, 2002-NMCA-108, 133 N.M. 8, 57 P.3d 862, cert. denied, N.M. , 57 P.3d 861 (2002).

New mining operation. — New Mexico mining commission acted within its discretion in ruling that the El Cajete mine was a new mining unit of the Las Conchas mine, rather than a new mining operation; the mines were owned by the same mining company and were substantially interrelated. *Rio Grande Chapter of Sierra Club v. N.M. Mining Comm'n*, 2003-NMSC-005, 133 N.M. 97, 61 P.3d 806.

69-36-4. Interim program; limitations.

A. Nothing in the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] shall supersede current or future requirements and standards of any other applicable federal or state law.

B. After the effective date of the New Mexico Mining Act and until the commission adopts regulations necessary to carry out the provisions of the New Mexico Mining Act, county mining laws or ordinances shall apply to mining within their jurisdictions in New Mexico.

History: Laws 1993, ch. 315, § 4.

Effective date of the New Mexico Mining Act. — The effective date of the New Mexico Mining Act, referred to in Subsection B, is the effective date of Laws 1993, ch. 315, which is June 18,

1993.

ANNOTATION

County regulatory authority not preempted. — A county ordinance containing permit requirements for mines was not expressly or completely preempted by the New Mexico Mining Act or the adoption of regulations thereunder and, to the extent its ordinance did not conflict with the Act or the regulations, the county could require compliance therewith. *San Pedro Mining Corp. v. Board of County Comm'rs*, 1996-NMCA-002, 121 N.M. 194, 909 P.2d 754.

69-36-5. Mining operation site assessment.

A. After the effective date of the New Mexico Mining Act, the operator of a new mining operation may operate that new mining operation until the operator is either granted or denied a permit for a new mining operation provided that the operator submits to the director on or before June 30, 1994 a site assessment pursuant to the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] or a notice of intent to close. On or before June 30, 1994, an existing mining operation shall submit to the director a site assessment pursuant to the New Mexico Mining Act.

B. The mining operation site assessment for new and existing mining operations shall describe in detail the mining operation's existing permits and regulatory requirements pursuant to the standards for mining operations pursuant to existing state and federal environmental standards and regulations. To the extent that they are applicable, the permit applicant may incorporate documents on file with state agencies. The mining operation site assessment shall include:

- (1) identification of a proposed permit area for the mining operation;
- (2) a description of the location and quality of surface and ground water at or adjacent to the mining operation and an analysis of the mining operation's impact on that surface and ground water;
- (3) a description of the geologic regime beneath and adjacent to the mining operation;
- (4) a description of the piles and other accumulations of waste, tailings and other materials and an analysis of their impact on the hydrologic balance, drainages and air quality;
- (5) an analysis of the mining operation's impact on local communities;
- (6) a description of wildlife and wildlife habitat at and surrounding the mining operation and an analysis of the mining operation's impact on that wildlife and wildlife habitat; and
- (7) for existing mining operations, a description of the design limits for each unit, including waste units, impoundments and stockpiles and leach piles.

C. A new mining operation that files a notice of intent to close shall comply with the requirements for reclamation of new mining operations established in the New Mexico Mining Act and regulations adopted pursuant to that act.

D. The operator or owner of a new or existing mining operation or exploration shall

submit to the director, within thirty days of the effective date of the New Mexico Mining Act, written information stating the name and business address of the operator and owner of the new or existing mining operation or exploration, the address where official notices and other documents may be served and an agent for service of process. The operator or owner shall provide notification to the director of any change in the information required by this subsection. Updated information shall be provided promptly by the operator or owner to the director.

E. In lieu of a site assessment under this section, following adoption of the regulations, the operator or owner of an existing mining operation that has completed all reclamation measures may apply to the director for an inspection of the reclaimed areas to determine whether the completed reclamation satisfies the requirements of the New Mexico Mining Act and the substantive requirements for reclamation pursuant to the applicable regulatory standards. If the director determines that those requirements are met, the operator or owner shall be released from further requirements under the New Mexico Mining Act.

History: Laws 1993, ch. 315, § 5.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69, Article 25A NMSA 1978.

Effective date of the New Mexico Mining Act. — The effective date of the New Mexico Mining Act, referred to in Subsections A and D, is the effective date of Laws 1993, ch. 315, which is June 18, 1993.

69-36-6. Mining commission; created; members.

A. The "mining commission" is created. The commission shall consist of seven voting members, including:

- (1) the director of the bureau of geology and mineral resources of the New Mexico institute of mining and technology or his designee;
- (2) the secretary of environment or his designee;
- (3) the state engineer or his designee;
- (4) the commissioner of public lands or his designee;
- (5) the director of the department of game and fish or his designee; and
- (6) two members of the public and an alternate for each, all to be appointed by the governor with the advice and consent of the senate. The public members shall be chosen to represent and to balance environmental and mining interests while minimizing conflicts of interest. No more than one of the public members and one of the alternates appointed may belong to the same political party. When the initial appointments are made, one of the public members and his alternate will be designated to serve for two-year terms, after which all public members shall serve for four years. An alternate member may vote only in the absence of the public member for whom he is the alternate.

B. The chairman of the soil and water conservation commission and the director of the agricultural experiment station of New Mexico state university or their designees shall be nonvoting members of the commission.

C. The commission shall elect a chairman and other necessary officers and keep

records of its proceedings.

D. The commission shall convene upon the call of the chairman or a majority of its members.

E. A majority of the voting members of the commission shall be a quorum for the transaction of business. However, no action of the commission shall be valid unless concurred upon by at least four of the members present.

F. No member of the commission, with the exception of one of the public members and his alternate, shall receive, or shall have received during the previous two years, more than ten percent of his income directly or indirectly from permit holders or applicants for permits. Each member of the commission shall, upon acceptance of his appointment and prior to the performance of any of his duties, file a statement of disclosure with the secretary of state stating:

(1) the amount of money or other valuable consideration received, whether provided directly or indirectly, from persons subject to or who appear before the commission;

(2) the identity of the source of money or other valuable consideration; and

(3) whether the money or other valuable consideration was in excess of ten percent of his gross personal income in either of the preceding two years.

G. No commissioner with any financial interest affected or potentially affected by a permit action may participate in proceedings related to that permit action.

History: Laws 1993, ch. 315, § 6; 1997, ch. 88, § 1; 2001, ch. 246, § 12.

The 1997 amendment, in Subsection A, substituted "his designee" for "an academic from a mining-related field to be appointed for a four-year term by the governor with the advice and consent of the senate" at the end of Paragraph (1); and, in Subsection B, substituted "members of" for "ex officio members to". Laws 1997, ch. 88 contains no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, is effective on June 20, 1997, 90 days after adjournment of the legislature. See Volume 14 NMSA 1978 for "Adjournment Dates of Sessions of Legislature" table.

The 2001 amendment, effective June 15, 2001, in Paragraph A(1), substituted "bureau of geology" for "bureau of mines."

69-36-7. Commission; duties.

The commission shall:

A. before June 18, 1994, adopt and file reasonable regulations consistent with the purposes and intent of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] necessary to implement the provisions of the New Mexico Mining Act, including regulations that:

(1) consider the economic and environmental effects of their implementation;

(2) require permitting of all new and existing mining operations and exploration; and

(3) require annual reporting of production information to the commission, which shall be kept confidential if otherwise required by law;

B. adopt regulations for new mining operations that allow the director to select a qualified expert who may:

(1) review and comment to the director on the adequacy of baseline data gathered prior to submission of the permit application for use in the permit application process;

(2) recommend to the director additional baseline data that may be necessary in the review of the proposed mining activity;

(3) recommend to the director methodology guidelines to be followed in the collection of all baseline data; and

(4) review and comment on the permit application;

C. adopt regulations that require and provide for the issuance and renewal of permits for new and existing mining operations and exploration and that establish schedules to bring existing mining operations into compliance with the requirements of the New Mexico Mining Act; provided the term of a permit for a new mining operation shall not exceed twenty years and the term of renewals of permits for new mining operations shall not exceed ten years;

D. adopt regulations that provide for permit modifications. The commission shall establish criteria to determine which permit modifications may have significant environmental impact. Modifications that the director determines will have significant environmental impact shall require public notice and an opportunity for public hearing pursuant to Subsection K of this section. A permit modification to the permit for an existing mining operation shall be obtained for each new discrete processing, leaching, excavation, storage or stockpile unit located within the permit area of an existing mining operation and not identified in the permit of an existing mining operation and for each expansion of such a unit identified in the permit for an existing mining operation that exceeds the design limits specified in the permit. The regulations shall require that permit modifications for such units be approved if the director determines that the unit will:

(1) comply with the regulations regarding permit modifications;

(2) incorporate the requirements of Paragraphs (1), (2), (4), (5) and (6) of Subsection H of this section; and

(3) be sited and constructed in a manner that facilitates, to the maximum extent practicable, contemporaneous reclamation consistent with the closeout plan;

E. adopt regulations that require new and existing mining operations to obtain and maintain permits for standby status. A permit for standby status shall be issued for a maximum term of five years; provided that upon application the director may renew a permit for standby status for no more than three additional five-year terms. The regulations shall require that before a permit for standby status is issued or renewed an owner or operator shall:

(1) identify the projected term of standby status for each unit of the new or existing mining operation;

(2) take measures that reduce, to the extent practicable, the formation of acid and other toxic drainage to prevent releases that cause federal or state environmental standards to be exceeded;

(3) meet applicable federal and state environmental standards and regulations during the period of standby status;

(4) stabilize waste and storage units, leach piles, impoundments and pits during the term of standby status;

(5) comply with applicable requirements of the New Mexico Mining Act and the regulations adopted pursuant to that act; and

(6) provide an analysis of the economic viability of each unit proposed for standby status;

F. establish by regulation closeout plan requirements for existing mining operations that incorporate site-specific characteristics, including consideration of disturbances from previous mining operations, and that take into account the mining method utilized;

G. establish by regulation a procedure for the issuance of a permit for an existing mining operation and for modifications of that permit to incorporate approved closeout plans or portions of closeout plans and financial assurance requirements for performance of the closeout plans. The permit shall describe the permit area of the existing mining operation and the design limits of units of the existing mining operation based upon the site assessment submitted by the operator. The permit shall contain a schedule for completion of a closeout plan. The permit shall thereafter be modified to incorporate the approved closeout plan or portions of the closeout plan once financial assurance has been provided for completion of the closeout plan or the approved portions of the closeout plan. The permit may be modified for new mining units, expansions beyond the design limits of a unit at an existing mining operation or standby status;

H. establish by regulation permit and reclamation requirements for new mining operations that incorporate site-specific characteristics. These requirements shall, at a minimum:

(1) require that new mining operations be designed and operated using the most appropriate technology and the best management practices;

(2) assure protection of human health and safety, the environment, wildlife and domestic animals;

(3) include backfilling or partial backfilling only when necessary to achieve reclamation objectives that cannot be accomplished through other mitigation measures;

(4) require approval by the director that the permit area will achieve a self-sustaining ecosystem appropriate for the life zone of the surrounding areas following closure unless conflicting with the approved post-mining land use;

(5) require that new mining operations be designed in a manner that incorporates measures to reduce, to the extent practicable, the formation of acid and other toxic drainage that may otherwise occur following closure to prevent releases that cause federal or state standards to be exceeded;

(6) require that nonpoint source surface releases of acid or other toxic substances shall be contained within the permit area;

(7) require that all waste, waste management units, pits, heaps, pads and any

other storage piles are designed, sited and constructed in a manner that facilitates, to the maximum extent practicable, contemporaneous reclamation and are consistent with the new mining operation's approved reclamation plan; and

(8) where sufficient topsoil is present, take measures to preserve it from erosion or contamination and assure that it is in a usable condition for sustaining vegetation when needed;

I. adopt regulations that establish a permit application process for new mining operations that includes:

(1) disclosure of ownership and controlling interests in the new mining operation or submission of the applicant's most recent form 10K required by the federal securities exchange commission;

(2) a statement of all mining operations within the United States owned, operated or directly controlled by the applicant, owner or operator and by persons or entities that directly control the applicant and the names and the addresses of regulatory agencies with jurisdiction over the environmental aspects of those operations and [sic] that could provide a compliance history for those operations and over the preceding ten years. The operator shall assist the applicant in obtaining compliance history information;

(3) a description of the type and method of mining and the engineering techniques proposed;

(4) the anticipated starting and termination dates of each phase of the new mining operation and the number of acres of land to be affected;

(5) the names of all affected watersheds, the location of any perennial, ephemeral or intermittent surface stream or tributary into which surface or pit drainage will be discharged or may possibly be expected to reach and the location of any spring within the permit area and the affected area;

(6) a determination of the probable hydrologic consequences of the new mining operation and reclamation, both on and off the permit area, with respect to the hydrologic regime, quantity and quality of surface and ground water systems, including the dissolved and suspended solids under seasonal flow conditions;

(7) cross-sections or plans of the permit area depicting:

- (a) the nature and depth of the various formations of overburden;
- (b) the location of subsurface water, if encountered, and its quality;
- (c) the nature and location of any ore body to be mined;
- (d) the location of aquifers and springs;
- (e) the estimated position and flow of the water table;
- (f) the proposed location of waste rock, tailings, stockpiles, heaps, pads and topsoil preservation areas; and
- (g) premining vegetation and wildlife habitat features present at the site;

(8) the potential for geochemical alteration of overburden, the ore body and other materials present within the permit area;

(9) a reclamation plan that includes a detailed description of the proposed post-mining land use and how that use is to be achieved; and

(10) premining baseline data as required by regulations adopted by the commission;

J. adopt regulations to coordinate the roles of permitting agencies involved in regulating activities related to new and existing mining operations and exploration, including regulatory requirements, to avoid duplicative and conflicting administration of the permitting process and other requirements;

K. except for regulations enacted pursuant to Subsection L of this section, adopt regulations that ensure that the public and permitting agencies receive notice of each application for issuance, renewal or revision of a permit for a new or existing mining operation, for standby status, or exploration, a variance or an application for release of financial assurance and any inspection prior to the release of financial assurance, including a provision that no action shall be taken on any application until an opportunity for a public hearing, held in the locality of the operation, is provided and that all interested persons shall be given a reasonable chance to submit data, views or arguments orally or in writing and to examine witnesses testifying at the hearing. An additional opportunity for a public hearing may be provided if the applicant makes substantial changes in the proposed action, if there are significant new circumstances or information bearing on the proposed action or if the applicant proposes to substantially increase the scale or substantially change the nature of the proposed action and there is public interest and a request for a public hearing. These regulations shall require at a minimum that the applicant for issuance, renewal or revisions of a permit or a variance or an application for release of financial assurance and any inspection prior to release of financial assurance shall provide to the director at the time of filing the application with the director proof that notice of the application and of the procedure for requesting a public hearing has been:

(1) provided by certified mail to the owners of record, as shown by the most recent property tax schedule, of all properties within one-half mile of the property on which the mining operation is located or is proposed to be located;

(2) provided by certified mail to all municipalities and counties within a ten-mile radius of the property on which the mining operation is or will be located;

(3) published once in a newspaper of general circulation in each county in which the property on which the mining operation is or will be located; provided that this notice shall appear in either the classified or legal advertisements section of the newspaper and at one other place in the newspaper calculated to give the general public the most effective notice and, when appropriate, shall be printed in both English and Spanish;

(4) posted in at least four publicly accessible and conspicuous places, including the entrance to the new or existing mining operation if that entrance is publicly accessible and conspicuous;

(5) mailed to all persons who have made a written request to the director for notice of this application; and

(6) mailed by certified mail to all persons on a list maintained by the director

of individuals and organizations who have requested notice of applications under this act [New Mexico Mining Act]. If the application is determined to be administratively complete by the director, the applicant shall provide to the director timely proof that notice of that determination has been provided by first class mail to everyone who has indicated to the applicant in writing that they desire information regarding the application and to a list maintained by the director of individuals and organizations who have requested notice of applications under this act;

L. adopt regulations to provide for permits, without notice and hearing, to address mining operations that have minimal impact on the environment; provided that such permits shall require general plans and shall otherwise reduce the permitting requirements of the New Mexico Mining Act;

M. establish by regulation a schedule of annual administrative and permit fees, which shall equal and not exceed the estimated costs of administration, implementation, enforcement, investigation and permitting pursuant to the provisions of the New Mexico Mining Act. The size of the operation, anticipated inspection frequency and other factors deemed relevant by the commission shall be considered in the determination of the fees. The fees established pursuant to this subsection shall be deposited in the mining act fund;

N. establish by regulation a continuing process of review of mining and reclamation practices in New Mexico that provides for periodic review and amendment of regulations and procedures to provide for the protection of the environment and consider the economic effects of the regulations;

O. adopt regulations governing the provision of variances issued by the director, stating the procedures for seeking a variance, including provisions for public notice and an opportunity for a hearing in the locality where the variance will be operative, the limitations on provision of variances, requiring the petitioner to present sufficient evidence to prove that failure to grant a variance will impose an undue economic burden and that granting the variance will not result in a significant threat to human health, safety or the environment;

P. provide by regulation that, prior to the issuance of any permit for a new mining operation pursuant to the provisions of the New Mexico Mining Act, the permit applicant or operator:

(1) shall provide evidence to the director that other applicable state and federal permits required to be obtained by the new or existing mining operation either have been or will be issued before the activities subject to those permits begin; and

(2) shall provide to the director a written determination from the secretary of environment stating that the permit applicant has demonstrated that the activities to be permitted or authorized will be expected to achieve compliance with all applicable air, water quality and other environmental standards if carried out as described;

Q. require by regulation that the applicant file with the director, prior to the issuance of a permit, financial assurance. The amount of the financial assurance shall be sufficient to assure the completion of the performance requirements of the permit, including closure and reclamation, if the work had to be performed by the director or a third party contractor and shall include periodic review to account for any inflationary

increases and anticipated changes in reclamation or closure costs. The regulations shall specify that financial requirements shall neither duplicate nor be less comprehensive than the federal financial requirements. The form and amount of the financial assurance shall be subject to the approval of the director as part of the permit application; provided, financial assurance does not include any type or variety of self-guarantee or self-insurance;

R. require by regulation that the permittee may file an application with the director for the release of all or part of the permittee's financial assurance. The permittee shall not file an application for release of financial assurance more than once per year for each mining operation. The application shall describe the reclamation measures completed and shall contain an estimate of the costs of reclamation measures that have not been completed. Prior to release of any portion of the permittee's financial assurance, the director shall conduct an inspection and evaluation of the reclamation work involved. The director shall notify persons who have requested advance notice of the inspection. Interested members of the public shall be allowed to be present at the inspection of the reclamation work by the director.

(1) The director may release in whole or in part the financial assurance if the reclamation covered by the financial assurance has been accomplished as required by the New Mexico Mining Act; provided that the director shall retain financial assurance at least equal to the approved estimated costs of completing reclamation measures that have not been completed; and provided further that for revegetated areas, the director shall retain the amount of financial assurance necessary for a third party to reestablish vegetation for a period of twelve years after the last year of augmented seeding, fertilizing, irrigation or other work, unless a post-mining land use is achieved that is inconsistent with the further need for revegetation. For new mining operations only, no part of the financial assurance necessary for a third party to reestablish vegetation shall be released so long as the lands to which the release would be applicable are contributing suspended solids above background levels to streamflow of intermittent and perennial streams.

(2) A person with an interest that is or will be adversely affected by release of the financial assurance may file, with the director within thirty days of the date of the inspection, written objections to the proposed release from financial assurance. If written objections are filed and a hearing is requested, the director shall inform all the interested parties of the time and place of the hearing at least thirty days in advance of the public hearing, and hold a public hearing in the locality of the new or existing mining operation or exploration operation proposed for release from financial assurance. The date, time and location of the public hearing shall be advertised by the director in a newspaper of general circulation in the locality for two consecutive weeks, and all persons who have submitted a written request in advance to the director to receive notices of hearings shall be provided notice at least thirty days prior to the hearing:

S. establish coordinated procedures that avoid duplication for the inspection, monitoring and sampling of air, soil and water and enforcement of applicable requirements of the New Mexico Mining Act, regulations adopted pursuant to that act and permit conditions for new and existing mining operations and exploration. The regulations shall require, at a minimum:

(1) inspections by the director occurring on an irregular basis according to the following schedule:

- (a) at least one inspection per month when the mining operation is conducting significant reclamation activities;
- (b) at least two inspections per year for active mining operations;
- (c) at least one inspection per year on inactive sites;
- (d) at least one inspection per year following completion of all significant reclamation activities, but prior to release of financial assurance; and
- (e) mining operations having a minimal impact on the environment and exploration operations will be inspected on a schedule to be established by the commission;

(2) inspections shall occur without prior notice to the permittee or his agents or employees except for necessary on-site meetings with the permittee;

(3) when the director determines that a condition or practice exists that violates a requirement of the New Mexico Mining Act, a regulation adopted pursuant to that act or a permit issued under that act, which condition, practice or violation also creates an imminent danger to the health or safety of the public or will cause significant imminent environmental harm, the director shall immediately order a cessation of the new or existing mining operation or the exploration operation or the portion of that operation relevant to the condition, practice or violation. The cessation order shall remain in effect until the director determines that the condition, practice or violation has been abated or until modified, vacated or terminated by the director or the commission;

(4) when the director determines that an owner or operator is in violation of a requirement of the New Mexico Mining Act, a regulation adopted pursuant to that act or a permit issued pursuant to that act but the violation does not create an imminent danger to the health or safety of the public or will not cause significant imminent environmental harm, the director shall issue a notice to the owner or operator fixing a reasonable time, not to exceed sixty days, for the abatement of the violation. If, upon expiration of the period of time as originally fixed or subsequently extended for good cause shown, the director finds that the violation has not been abated, he shall immediately order a cessation of new or existing mining operations or exploration operations or the portion thereof relevant to the violation. The cessation order shall remain in effect until the director determines that the violation has been abated; and

(5) when the director determines that a pattern of violations of the requirements of the New Mexico Mining Act or of the regulations adopted pursuant to that act or the permit required by that act exists or has existed and, if the director also finds that such violations are caused by the unwarranted failure of the owner or operator to comply with the requirements of that act, regulation or permit or that such violations are willfully caused by the owner or operator, the director shall immediately issue an order to the owner or operator to show cause as to why the permit should not be suspended or revoked;

T. provide for the transfer of a permit to a successor operator, providing for release of the first operator from obligations under the permit, including financial

assurance, following the approved assumption of such obligations and financial assurance by the successor operator;

U. adopt regulations providing that the owner or operator of an existing mining operation or a new mining operation who has completed some reclamation measures prior to the effective date of the regulations adopted pursuant to the New Mexico Mining Act may apply for an inspection of those reclamation measures and a release from further requirements pursuant to that act for the reclaimed areas if, after an inspection, the director determines that the reclamation measures satisfy the requirements of that act and the substantive requirements for reclamation pursuant to the applicable regulatory standards; and

V. develop and adopt other regulations necessary and appropriate to carry out the purposes and provisions of the New Mexico Mining Act.

History: Laws 1993, ch. 315, § 7; 1997, ch. 88, § 2.

Bracketed material. — The bracketed material in Subsections I(2) and K(6) was inserted by the compiler; the bracketed material was not enacted by the legislature and is not a part of the law.

The 1997 amendment, in the introductory language of Subsection A, substituted "before June 18, 1994" for "within one year of the effective date of the New Mexico Mining Act" at the beginning and "the provisions of the New Mexico Mining Act" for "that Act" near the end; in Subsection K, in the introductory language, added the second sentence and inserted "at the time of the filing of the application with the director" and "and of the procedure for requesting a public hearing" in the last sentence, made a minor stylistic change in Paragraph (4), added "of this application; and" in Paragraph (5), and added Paragraph (6); and, in Subsection S, rewrote Paragraph (1). Laws 1997, ch. 88 contains no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, is effective on June 20, 1997, 90 days after adjournment of the legislature. See Volume 14 NMSA 1978 for "Adjournment Dates of Sessions of Legislature" table.

ANNOTATION

Constitutionality of regulations. — Regulations that did not establish a schedule of fees but provided that almost all fees be set on a case-by-case basis were invalid insofar as they did not set a determinate fee. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

Regulations were not impermissibly vague and could not delegate an unbridled discretion in the director, in view of the provisions for both administrative and judicial review of actions of the director, and therefore did not violate due process. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

Regulations granting power to the director, an employee of the commission, were not violative of the separation of powers doctrine. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

The provision authorizing the imposition of fees by the commission did not violate the constitutional prohibition against the imposition of fees by a nonelective body, since the commission is not a political subdivision. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

A definition of "mining" that classified mining operations into different categories did not violate the dictates of equal protection. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

Rulemaking authority. — The commission had authority to adopt a rule imposing a surcharge on certain fees promulgated by it in order to partially reimburse the Department of Game and Fish for assistance in implementing the State Mining Act. *New Mexico Mining Ass'n v. New Mexico Mining Comm'n*, 1996-NMCA-098, 122 N.M. 332, 924 P.2d 741.

Fee not a tax. — A surcharge imposed on certain fees for the purpose of reimbursing the Department of Game and Fish for assisting in implementing the State Mining Act was a fee, not a tax. *New Mexico Mining Ass'n v. New Mexico Mining Comm'n*, 1996-NMCA-098, 122 N.M. 332, 924 P.2d 741.

Transfer of funds. — Nothing in the Mining Act, the Wildlife Conservation Act (17-2-37 to 17-2-46 NMSA 1978), or other state laws prohibit the transfer of funds derived from fees imposed by the commission to the Department of Fish and Game to assist in implementing the Mining Act. *New Mexico Mining Ass'n v. New Mexico Mining Comm'n*, 1996-NMCA-098, 122 N.M. 332, 924 P.2d 741.

Discretion. — New Mexico mining commission acted within its discretion in ruling that the El Cajete mine was a new mining unit of the Las Conchas mine, rather than a new mining operation; the mines were owned by the same mining company and were substantially interrelated. *Rio Grande Chapter of Sierra Club v. N.M. Mining Comm'n*, 2003-NMSC-005, 133 N.M. 97, 61 P.3d 806.

69-36-8. Regulations; adoption process.

- A. No regulation shall be adopted, amended or repealed without a public hearing before the commission or a hearing officer appointed by the commission.
- B. Any person may recommend or propose regulations to the commission for adoption, amendment or repeal. The commission shall determine within sixty days of submission of a proposed regulation whether to hold a hearing. If the commission determines not to hold a hearing, the determination shall be subject to review under Section 16 of the New Mexico Mining Act [69-36-16 NMSA 1978].
- C. The public hearing shall be held in Santa Fe, and a verbatim record shall be maintained of all proceedings. Notice of the subject, time and place of the hearing, the manner in which interested persons may present their views and the method by which copies of the proposed regulation or amendment may be obtained shall be:
- (1) published at least thirty days prior to the hearing date in a newspaper of general circulation in the state and in the New Mexico register, if published; and
 - (2) mailed at least thirty days prior to the hearing date to all persons who have made a written request to the commission for advance notice of hearings.
- D. The commission shall allow all interested persons a reasonable opportunity to submit arguments and to examine witnesses testifying at the hearing.
- E. A person appearing or represented at the hearing shall, upon a written request, be given written notice of the commission's action on the proposed adoption, amendment or repeal of regulation.
- F. No regulation, its amendment or repeal shall be effective except as provided by the Public Records Act [Chapter 14, Article 3 NMSA 1978].
- History:** Laws 1993, ch. 315, § 8.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69,

Article 25A NMSA 1978.

69-36-9. Director; duties.

The director shall:

A. exercise all powers of enforcement and administration arising under the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] not otherwise expressly delegated to the commission, execute and administer the commission's regulations and coordinate the review and issuance of permits for new and existing mining operations and exploration with all other state or federal permit processes applicable to the proposed operations;

B. enter into agreements with appropriate federal and state agencies for coordinating the review and issuance of all necessary permits to conduct new and existing mining operations and exploration in New Mexico;

C. create an advisory committee, the membership of which shall balance the interests of affected government entities, the mining industry, environmental groups, regulatory agencies and other persons as determined by the director to represent a constituency that will be affected by the provisions of the New Mexico Mining Act;

D. confer and cooperate with the secretary of environment in administering the New Mexico Mining Act, in developing proposed regulations and obtain the concurrence of the secretary of environment regarding areas of the regulations that have an impact upon programs administered by the department of environment;

E. approve a permit area and design limits for new and existing mining operations and exploration following submission of the site assessment, where applicable and prior to issuing a permit. The director shall incorporate the permit area and design limits into the permit issued;

F. review at least twelve months of baseline data and other information submitted by the applicant for a permit for a new mining operation, before the permit is approved or denied; and

G. prepare an environmental evaluation, before a permit for a new mining operation is approved or denied, which shall include an analysis of the reasonably foreseeable impacts of proposed activities on the premining and post-mining environment and the local community, including other past, present and reasonably foreseeable future actions, regardless of the agency or persons that undertake the other action or whether the actions are on private, state or federal land. The director may contract with, and the applicant shall pay for, a third party to prepare the analysis and assessment.

History: Laws 1993, ch. 315, § 9.

69-36-10. Confidentiality.

If the operator designates as confidential an exploration map, financial information, information concerning the grade or location of ore reserves or trade secret information, the director shall maintain the information as confidential and not subject to public records or disclosure laws; provided that if a request is made for public review of the information, the director shall notify the operator and provide a reasonable opportunity

for substantiation of the claim that public disclosure of the information could harm the competitive position of the operator. If the claim of confidentiality is not substantiated to the satisfaction of the director, the information shall be released.

History: Laws 1993, ch. 315, § 10.

69-36-11. Existing mining operations; closeout plan required.

A. An owner or operator of an existing mining operation shall submit a permit application to the director by December 31, 1994. The permit application shall contain all information required by regulation of the commission, including a proposed compliance schedule for submission of a closeout plan within the shortest time practicable. The director shall approve or deny the permit application within six months after it has been deemed complete.

B. The owner or operator of an existing mining operation shall submit a closeout plan in accordance with the compliance schedule in the permit. The compliance schedule in the permit shall require submission of a closeout plan by December 31, 1995 unless the operator shows good cause for a further extension of time. The director shall approve a modification of a permit for an existing mining operation incorporating a closeout plan or portion of a closeout plan if:

- (1) the closeout plan and permit application is complete;
- (2) the closeout plan permit fee has been paid and the financial assurance is adequate and has been provided;
- (3) the closeout plan specifies incremental work to be done within specific time frames that, if followed, will reclaim the physical environment of the permit area to a condition that allows for the reestablishment of a self-sustaining ecosystem on the permit area following closure, appropriate for the life zone of the surrounding areas unless conflicting with the approved post-mining land use; provided that for purposes of this section, upon a showing that achieving a post-mining land use or self-sustaining ecosystem is not technically or economically feasible or is environmentally unsound, the director may waive the requirement to achieve a self-sustaining ecosystem or post-mining land use for an open pit or waste unit if measures will be taken to ensure that the open pit or waste unit will meet all applicable federal and state laws, regulations and standards for air, surfacewater and ground water protection following closure and will not pose a current or future hazard to public health or safety; and
- (4) the secretary of environment has provided a written determination in the form prescribed in Paragraph (2) of Subsection P of Section 7 of the New Mexico Mining Act [69-36-7 NMSA 1978].

C. An approval granted pursuant to this section may be revoked or suspended by order of the director for violation of a provision of the approved closeout plan or permit for the existing mining operation, an approval condition, a regulation of the commission or a provision of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978].

History: Laws 1993, ch. 315, § 11.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69, Article 25A NMSA 1978.

69-36-12. New mining operations; mining operation permit required.

A. After the effective date of the New Mexico Mining Act, except as provided in Section 5 [69-36-5 NMSA 1978] of that act, no person shall conduct a new mining operation without a permit issued by the director. Applications for permits for new mining operations operating pursuant to Section 5 of the New Mexico Mining Act shall be received by the director by December 31, 1995. The director may grant one extension for the submission of a permit application for a new mining operation for six months for good cause shown. Prior to receiving a permit for a new mining operation, an applicant shall submit an application that complies with the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] and regulation of the commission, including at a minimum, one year of baseline data as required by regulation.

B. The director shall issue the permit for a new mining operation if the director finds that:

- (1) the permit application is complete;
- (2) the permit application fee has been paid and the financial assurance is adequate and has been provided;
- (3) reclamation in accordance with the proposed reclamation plan is economically and technically feasible;
- (4) the mining operation is designed to meet without perpetual care all applicable environmental requirements imposed by the New Mexico Mining Act and regulations adopted pursuant to that act and other laws following closure; and
- (5) the applicant, the operator or owner or any persons or entities directly controlled by the applicant, operator, owner or any persons or entities that directly control the applicant, operator or owner:

(a) are not currently in violation of the terms of another permit issued by the division or in violation of any substantial environmental law or substantive environmental regulation at a mining operation in the United States, which violation is unabated and is not the subject of appeal, and have not forfeited or had forfeited financial assurance required for any mining, reclamation or exploration permit in the United States; provided that a violation that occurred prior to the initiation of a legal relationship between the permit applicant and the violator shall not be considered for purposes of this paragraph; and

(b) have not demonstrated a pattern of willful violations of the New Mexico Mining Act or other New Mexico environmental statutes; provided that a violation that occurred prior to the initiation of a legal relationship between the permit applicant and the violator shall not be considered for purposes of this paragraph.

C. The permit for a new mining operation may be revoked or suspended by order of the director for violation of its terms or conditions, a regulation of the commission or a provision of the New Mexico Mining Act.

History: Laws 1993, ch. 315, § 12.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69, Article 25A NMSA 1978.

Effective date of the New Mexico Mining Act. — The effective date of the New Mexico Mining

Act, referred to in Subsection A, is the effective date of Laws 1993, ch. 315, which is June 18, 1993.

69-36-13. Exploration permit.

A. After December 31, 1994, a person shall not engage in exploration operations in New Mexico without first obtaining a permit to conduct exploration from the director. In order to be approved by December 31, 1994, the application for a permit to conduct exploration shall be submitted by September 1, 1994. A permit to conduct exploration shall not be issued for a period of more than one year from the date of issue and is renewable from year to year upon application. An application for renewal of a permit to conduct exploration shall be filed within thirty days preceding the expiration of the current permit. A permit to conduct exploration shall not be renewed if the applicant for renewal is in violation of any provision of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978].

B. A person shall not be issued a permit to conduct exploration if that person's failure to comply with the provisions of the New Mexico Mining Act, the regulations adopted pursuant to that act or a permit issued under that act has resulted in the forfeiture of financial assurance.

C. An applicant for a permit to conduct exploration shall not be issued a permit to conduct exploration until he:

- (1) pays a permit fee for exploration;
- (2) agrees to reclaim any surface area damaged by the applicant during exploration operations in accordance with a reclamation plan submitted to and approved by the director; and
- (3) certifies that he is not in violation of any other obligation under the New Mexico Mining Act or the regulations adopted pursuant to that act.

D. The application for a permit to conduct exploration shall include an exploration map in sufficient detail to locate the area to be explored and to determine whether environmental problems would be encountered. The commission shall establish regulations to determine the precise nature of and requirements for the exploration map. The application shall state what type of exploration and excavation techniques will be employed in disturbing the land during exploration operations.

E. Prior to the issuance of a permit to conduct exploration, the applicant shall provide to the division financial assurance in a form and amount as determined by the director pursuant to Section 7 [69-36-7 NMSA 1978] of the New Mexico Mining Act. The financial assurance shall be released only in accordance with the provisions of that act.

F. In the event that the holder of a permit to conduct exploration desires to mine the permit area to conduct exploration and he has fulfilled all of the requirements for a permit for new mining operations, the director shall allow postponement of the reclamation of the acreage explored if that acreage is incorporated into the complete reclamation plan submitted with the application for a permit for a new mining operation. Land affected by exploration or excavation under a permit for exploration and not covered by the reclamation plan shall be reclaimed in a manner acceptable to the director within two

years after the completion of exploration or abandonment of the site.

History: Laws 1993, ch. 315, § 13.

Cross references. — For regulation of lands affected by coal surface mining, see Chapter 69, Article 25A NMSA 1978.

69-36-14. Citizens suits.

A. A person having an interest that is or may be adversely affected may commence a civil action on his own behalf to compel compliance with the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978]. Such action may be brought against:

(1) the department of environment, the energy, minerals and natural resources department or the commission alleging a violation of the New Mexico Mining Act or of a rule, regulation, order or permit issued pursuant to that act;

(2) a person who is alleged to be in violation of a rule, regulation, order or permit issued pursuant to the New Mexico Mining Act; or

(3) the department of environment, the energy, minerals and natural resources department or the commission alleging a failure to perform any nondiscretionary act or duty required by the New Mexico Mining Act; provided, however, that no action pursuant to this section shall be commenced if the department of environment, the energy, minerals and natural resources department or the commission has commenced and is diligently prosecuting a civil action in a court of this state or an administrative enforcement proceeding to require compliance with that act. In an administrative or court action commenced by the department of environment, the energy, minerals and natural resources department or the commission, a person whose interest may be adversely affected and who has provided notice pursuant to Subsection B of this section prior to the initiation of the action may intervene as a matter of right.

B. No action shall be commenced pursuant to this section prior to sixty days after the plaintiff has given written notice to the department of environment, the energy, minerals and natural resources department, the commission, the attorney general and the alleged violator of the New Mexico Mining Act; provided, however, when the violation or order complained of constitutes an immediate threat to the health or safety of the plaintiff or would immediately and irreversibly impair a legal interest of the plaintiff, an action pursuant to this section may be brought immediately after notification of the proper parties.

C. Except as otherwise provided herein, suits against the department of environment, the energy, minerals and natural resources department or the commission shall be brought in the district court of Santa Fe county. Suits only against one or more owners or operators of one or more mining operations shall be brought in the district court where one of the mining operations is located. If an action is brought against the department of environment, the energy, minerals and natural resources department or the commission and the owner or operator of a mining operation, such owner or operator may apply for a change of venue to the judicial district in which the mining operation is located. If not already a party, an owner or operator may intervene, upon a showing that the action relates primarily to a dispute regarding the single mining operation and apply for such a change of venue. The district court shall grant a change of venue upon a showing that the

action relates primarily to a dispute regarding the subject single mining operation and a showing that a *forum non conveniens* analysis suggests that the location of the mining operation is a superior venue.

D. In an action brought pursuant to this section, the department of environment, the energy, minerals and natural resources department or the commission, if not a party, may intervene.

E. The court, in issuing a final order in an action brought pursuant to this section, may award costs of litigation, including attorney and expert witness fees, to a party whenever the court determines such award is appropriate. The court may, if a temporary injunction or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the rules of civil procedure.

History: Laws 1993, ch. 315, § 14; 1997, ch. 88, § 3.

The 1997 amendment, in Subsection A, substituted "duty required by" for "duty under" in the first sentence in Paragraph (3); rewrote Subsection C; and, in Subsection E, substituted "attorney" for "attorneys". Laws 1997, ch. 88 contains no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, is effective on June 20, 1997, 90 days after adjournment of the legislature. See Volume 14 NMSA 1978 for "Adjournment Dates of Sessions of Legislature" table.

ANNOTATION

Administrative review. — A challenge to the issuance of a permit must pursue an administrative review under 69-36-15 NMSA 1978 before proceeding with a "citizen suit" under this section. *Pueblo of Picuris v. New Mexico Energy, Minerals & Natural Resources Dep't*, 2001-NMCA-084, 131 N.M. 166, 33 P.3d 916, cert. denied, 131 N.M. 221, 34 P.3d 610 (2002).

Am. Jur. 2d, A.L.R. and C.J.S. references. — Requirement that there be continuing violation to maintain citizen suit under federal environmental protection statutes - post-*Gwaltney* cases, 158 A.L.R. Fed. 519.

69-36-15. Administrative review.

A. Any order, penalty assessment or issuance or denial of a permit by the director pursuant to the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] shall become final unless a person who is or may be adversely affected by the order, penalty assessment or issuance or denial of a permit files, within sixty days from the date of notice of the order, penalty assessment or issuance or denial of a permit, a written petition to the commission for review of the order, penalty assessment or issuance or denial of a permit by the director.

B. The commission shall set a hearing no sooner than thirty days and no later than sixty days from the date of receipt of the petition.

C. Evidence in support of, or to challenge, the action of the director shall be heard by the commission or by a hearing officer appointed by the commission.

D. A verbatim record of the hearing shall be made and preserved by the commission or the hearing officer.

E. A recommendation based on the record shall be made by the hearing officer and presented to the commission. The commission shall issue findings of fact and a final

decision in the proceedings.

F. The chairman of the commission may issue subpoenas to compel attendance of witnesses and for documents relevant to the action to be heard before the commission. The Rules of Civil Procedure for the District Courts shall govern discovery procedures in commission hearings.

History: Laws 1993, ch. 315, § 15.

ANNOTATION

Administrative review. — A challenge to the issuance of a permit must pursue an administrative review under this section before proceeding with a "citizen suit" under 69-36-14 NMSA 1978. *Pueblo of Picuris v. New Mexico Energy, Minerals & Natural Resources Dep't*, 2001-NMCA-084, 131 N.M. 166, 33 P.3d 916, cert. denied, 131 N.M. 221, 34 P.3d 610 (2002).

69-36-16. Judicial review.

A. A person who is or may be affected by a rule of the commission may appeal the action of the commission by filing a notice of appeal with the court of appeals within thirty days from the filing date of the rule with the state records center. All appeals of rules shall be taken on the record made at the public hearing on the rule.

B. A party, intervenor or any other person upon a showing of good cause for not appearing at the public hearing on a rule may appeal a decision of the commission adopting, amending or repealing the rule by filing a written notice of appeal with the court of appeals within forty-five days after entry of the commission's decision. Copies of the notice of appeal shall be served at the time of filing, either personally or by certified mail, upon all parties to the proceeding before the commission.

C. A person who is or may be affected by a final action of the commission other than a rule may appeal the action of the commission by filing a notice of appeal with the district court pursuant to the provisions of Section 39-3-1.1 NMSA 1978.

History: Laws 1993, ch. 315, § 16; 1998, ch. 55, § 84; 1999, ch. 265, § 86.

Cross references. — For procedures governing administrative appeals to the district court, see Rule 1-074 NMRA.

The 1998 amendment, effective September 1, 1998, substituted "rule" for "regulation" and "rules" for "regulations" throughout the section; rewrote Subsection C; deleted former Subsections D through F relating to procedures on appeal; and made minor stylistic changes throughout the section.

The 1999 amendment, effective July 1, 1999, substituted "Section 39-3-1.1" for "Section 12-8A-1" in Subsection C.

Compiler's notes. — For scope of review of the district court, see *Zamora v. Village of Ruidoso Downs*, 120 N.M. 778, 907 P.2d 182 (1995).

ANNOTATION

Authority of court of appeals. — Even though the commission had taken no action against miners under the challenged regulations, the court of appeals had the power and authority to

review the regulations. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

The court of appeals was without authority to review the constitutionality of the New Mexico Mining Act (69-36-1 to 69-36-20 NMSA 1978) in the case of an appeal challenging regulations on their face. *Old Abe Co. v. New Mexico Mining Comm'n*, 121 N.M. 83, 908 P.2d 776 (Ct. App. 1995).

Discretion of commission. — New Mexico mining commission acted within its discretion in ruling that the El Cajete mine was a new mining unit of the Las Conchas mine, rather than a new mining operation; the mines were owned by the same mining company and were substantially interrelated. *Rio Grande Chapter of Sierra Club v. N.M. Mining Comm'n*, 2003-NMSC-005, 133 N.M. 97, 61 P.3d 806.

69-36-17. Civil penalties.

A. Civil penalties may be assessed by the director or the commission for violations of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978], including a violation of a regulation of the commission, an order of the director, a permit condition and the order resulting from a hearing.

B. Civil penalties assessed by the director or the commission shall be imposed pursuant to regulations adopted by the commission. Any penalty assessed shall not exceed ten thousand dollars (\$10,000) per day of noncompliance for each violation.

C. Circumstances to be considered by the commission or the director in determining the amount of the penalty to be assessed shall be the seriousness of the violation, efforts to comply with the requirements of the New Mexico Mining Act, recent history of violations and other relevant factors as determined by the commission and regulations adopted by the commission.

D. Any penalty imposed by the director may be appealed to the commission, and any order of the commission concerning a penalty may be appealed de novo to the district court within thirty days from issuance of the order imposing the penalty.

History: Laws 1993, ch. 315, § 17.

69-36-18. Criminal penalties.

A. Any person who knowingly or willfully violates the New Mexico Mining Act, regulations adopted by the commission or a condition of a permit issued pursuant to the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] or fails or refuses to comply with a final decision or order of the commission or the director is guilty of a misdemeanor and is subject to a fine not to exceed ten thousand dollars (\$10,000) per day of violation or imprisonment of up to one year, or both.

B. Cases seeking criminal penalties shall be brought in the district court in Santa Fe.

C. Circumstances to be considered by the district court in determining the sentence shall be the seriousness of the violation, the efforts taken to comply with the requirements of the New Mexico Mining Act and the recent history of violations of the defendant.

History: Laws 1993, ch. 315, § 18.

69-36-19. Funds created.

A. There is created within the state treasury the "mining act fund". All money received by the state from permit applicants, permit holders, the federal government, other state agencies or legislative appropriations shall be delivered to the state treasurer and deposited in the fund. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of energy, minerals and natural resources. Money in the fund is appropriated to the energy, minerals and natural resources department to carry out the purposes of the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978]. Any unexpended or unencumbered balance remaining in the mining act fund at the end of a fiscal year shall not revert to the general fund but shall remain and accrue to the benefit of the mining act fund.

B. There is created within the state treasury the "inactive or abandoned non-coal mine reclamation fund". All money received from administrative or court-imposed penalties shall be delivered to the state treasurer and deposited in the fund. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of energy, minerals and natural resources. Money in the fund is appropriated to the energy, minerals and natural resources department to conduct reclamation activities on abandoned or inactive non-coal mining areas. Any unexpended or unencumbered balance remaining in the inactive or abandoned non-coal mine reclamation fund at the end of a fiscal year shall not revert to the general fund but shall remain and accrue to the benefit of the inactive or abandoned non-coal mine reclamation fund.

History: Laws 1993, ch. 315, § 19.

ANNOTATION

Transfer of funds. — Nothing in the Mining Act, the Wildlife Conservation Act (17-2-37 to 17-2-46 NMSA 1978), or other state laws prohibit the transfer of funds derived from fees imposed by the commission to the Department of Fish and Game to assist in implementing the Mining Act. *New Mexico Mining Ass'n v. New Mexico Mining Comm'n*, 1996-NMCA-098, 122 N.M. 332, 924 P.2d 741.

69-36-20. Remedy.

Nothing in the New Mexico Mining Act [69-36-1 to 69-36-20 NMSA 1978] shall limit any right that any person or class of persons may have pursuant to any statute or common law to seek enforcement of the New Mexico Mining Act and the regulations adopted pursuant to that act, or to seek any other relief.

History: Laws 1993, ch. 315, § 20.

CHAPTER 70 Oil and Gas

Property Overview

CB Richard Ellis New Mexico Land and Services Group has been engaged as the exclusive listing representative for the sale of La Bajada. The property consists of approximately 5,421 +/- acres of vacant land of which includes 5,200 +/- acres of rich aggregate deposits for possible mining. (See Buildology correspondence).

La Bajada is the largest privately owned parcel of land located on Interstate 25 between Albuquerque and Santa Fe in New Mexico. It features over 10,000 feet of Interstate 25 frontage with two major north and south interchanges into the site. Exit 264 (State Highway 16) located at the northwest corner of the property connects to the Cochiti Indian Reservation and Santo Domingo Pueblo. Exit 267 (County Road 57) is at the northeast corner of the La Bajada property and connects Highway 14 to the Madrid/Cerrillos Mountains. La Bajada is approximately 35 minutes from the Albuquerque International Sunport and 15 minutes from Santa Fe Plaza.

This exceptional property has tremendous development potential, both in terms of a residential master plan and as an aggregate resource. La Bajada is uniquely situated between Albuquerque, New Mexico's largest metro area with a population of over 850,000, and the exclusive Santa Fe market. With an elevation of over 6,100 feet, La Bajada's terrain is rich and has varied scenic views from within the heart of the property, including views of Santa Fe National Forest, Cerrillos Mountains, Jemez Mountains, Sangre de Cristo Mountains, Sandia Mountains and the Ortiz Mountains.

The general area is recognized for its mining and railroad history. Existing mines within the area include Rosario and older mining towns of Waldo, Cerrillos and Madrid all adding to the ambiance of the area. Even today, the main rail line to northern New Mexico and Colorado runs through the heart of the land with plans to have the new Rail Runner spur come directly off the main line within the site. The light rail commuter train is due to be in service in late 2008.

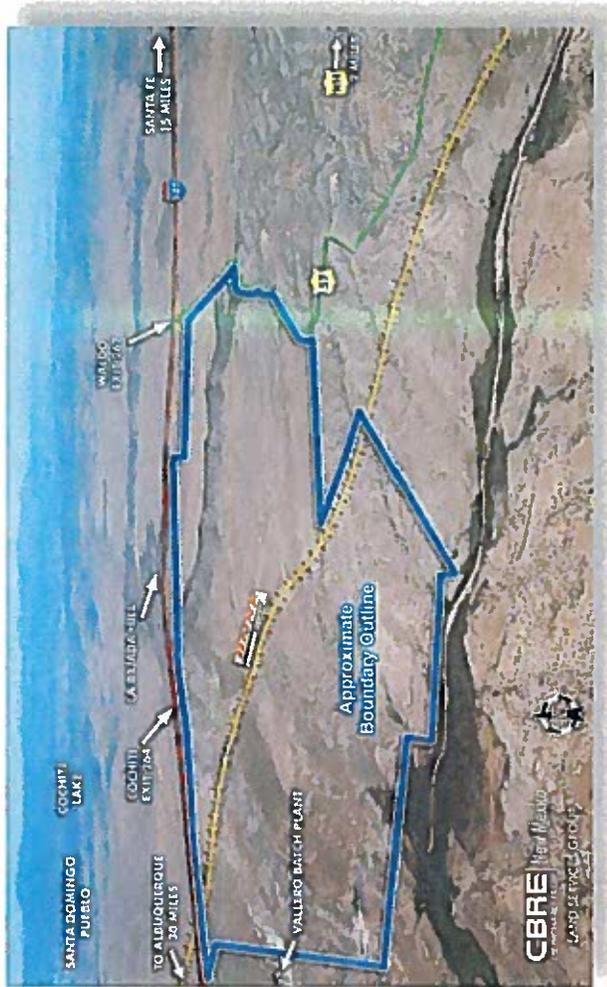
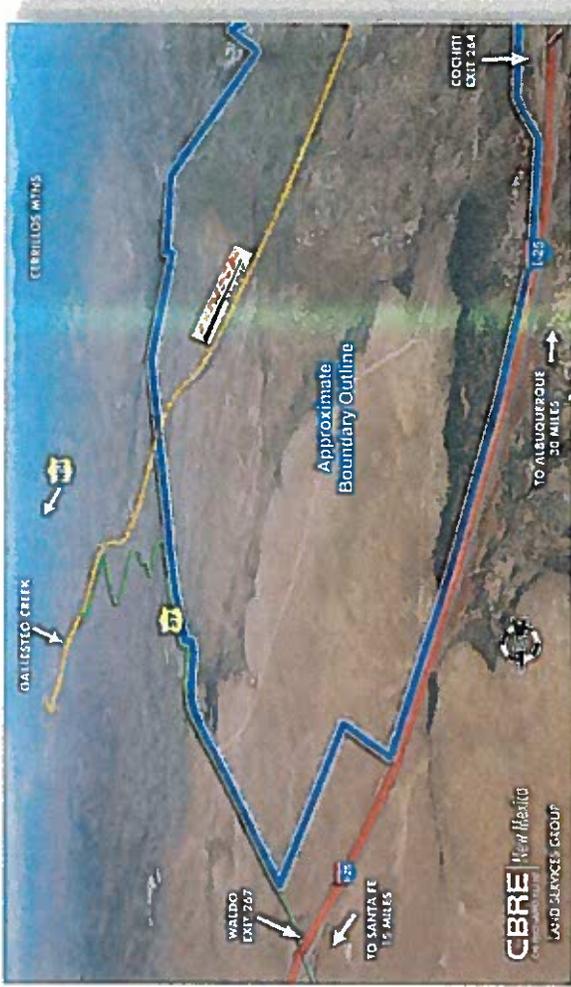
INVESTMENT SUMMARY

Price: \$65,052,000 (\$12,000/acre)

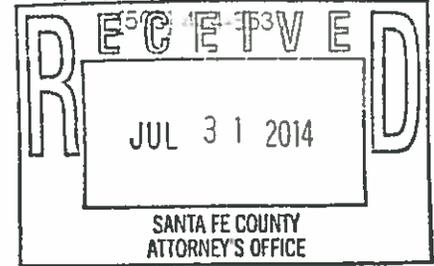
Site Area: Approx. 5,421 +/- Acres.

Property Description: The improvements consist of existing cell towers which are not part of offering, existing main line rail, and 5,200 +/- Acres of Aggregate

Legal Description: Tract A, B, & C La Bajada



The Underground
103c Camino los Abuelos
Santa Fe, NM 87508



22 July, 2014
FILE REF. ECSSeval-covertr

Gregory Shaffer, Esq., Santa Fe County Attorney
102 Grant Ave.
Santa Fe, NM 87504-0276

Dear Mr. Shaffer:

I recently requested Charlie Johnston, owner and Vice President of Environmental Construction & Safety Service, to review the Stormwater Pollution Prevention (SWPP) drawings submitted by Buena Vista/ Rockology. His response is attached.

Mr. Johnston has many years of experience producing SWPP Plans for large public, industrial, and commercial sites, as well as offering training in NPDES (National Pollutant Discharge Elimination System), and general large-scale construction management and compliance services.

As you will see, his assessment shows that the drawings submitted for the proposed mine:

- should have been submitted under requirements for industrial facilities, but were submitted as if a simple construction project;
- refer to boilerplate text that is from a superseded less-strict version of NPDES
- show inadequate information even under the out-dated version;
- have incomplete and improper stormwater management design.

These findings are consistent with my own professional opinion (as a researcher and licensed landscape architect, ret.) that the proposed engineering drawings are incomplete, error-filled, and not signed or stamped by a licensed NM engineer as required by State law and County code. The SWPPP sheets are only initialed as "checked" by Mr. Siebert, who is not an engineer.

Mr. Johnston's analysis corroborates suspicions that the plans have been recycled from the 2005-8 submissions without serious revision, indicating haste, incompetence, and/or deception.

In discussion with Mr. Johnston, he has told me that he views it as highly unlikely that the US EPA, which has full jurisdiction, would ever approve the proposal as submitted.

The serious deficiencies in the SWPPP as submitted, in my opinion, offer grounds by themselves for the County to deny the application for new zoning, or, if the Commissioners so decide, to invoke a moratorium and adopt laws that adequately cover gravel extraction, which the old Code Section XI manifestly does not.

I hope that you will discuss Mr. Johnston's analysis with the Commissioners, since I believe it is material to their decision-making. Mr. Johnston has offered to answer any clarifications or questions you might have, at the number shown.

Thank you for helping back the public value attached to La Bajada with legal protection.

Sincerely,

A handwritten signature in black ink that reads "Kim Sorvig".

(Mr.) K. Sorvig
Research Assoc. Professor, UNM School of Architecture & Planning



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ENVIRONMENTAL, CONSTRUCTION & SAFETY SERVICES, INC.

Phone: 505 466-6464 Fax: 505 214-5680 Mailing Address: P.O. BOX 24097, Santa Fe, NM 87502-0097
New Mexico contractors license GB98 license number 91788 BE no. 03-06-208

to: Professor KIM SORVIG

REF; Review of SWPPP drawings on the proposed BUENA VISTA/ROCKOLOGY MINE AT LA BAJADA HILL, NM.

Prof. Sorvig, the following pages are a quick review of the SWPPP (STORM WATER POLLUTION PREVENTION PLANS) submitted by Buena Vista and Rockology of their proposed mine. With major reference to compliance with the NPDES (NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM) /EPA requirements.

If further review or clarification is needed please feel free to contact me at c-phn.# 505-780-0836

July 16, 2014

CEJ

Charles E. Johnston
Vice-President



Santa Fe's Construction Professionals: Construction Management; SWPPP development, Safety.
Location Address: #1 Pino Place, Santa Fe, NM 87508 (Send No Mail to this Address)

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July 16, 2014

TO: Prof. Kim Sorvig, Research Assoc. Professor, UNM School of Architecture & Planning
c/o 103c Camino los Abuelos, Santa Fe NM 87508

FROM: Charlie Johnston, Vice President
ECSS, Inc. (Environmental Construction And Safety Services)
SWPP Plans, NPDES Training, and Construction Management
P.O. Box 24097, Santa Fe NM 87502
505-780-0836

As requested, I have gone through the plan drawings on the proposed Buena Vista/ Rockology mine (using prints from the application submissions posted by the County). The following are my professional comments in regards to the submitted SWPPP (Storm Water Pollution Prevention Plan).

SWPPPs are required for all projects affecting more than one acre, under the NPDES (National Pollutant Discharge Elimination System). NPDES regulations 40CFR-122.26 were enacted to comply with the Clean Water Act, 33 USC Section 1251 et seq. The regulations are updated every few years.

First let me state that the submitted prints are not a complete SWPPP, but only a portion of what the EPA requires to be included in a SWPP Plan. The drawings provided are what are generally referred to as a TESCP (temporary erosion and sediment control plan).

I should also explain here that the state of New Mexico does **not** have NPDES permitting authority (unlike many other states). For NM, the EPA's Region VI office (Dallas, TX) is responsible for permitting storm water discharges. However the state can add to the requirements .

Under NPDES, discharges are regulated under three categories: industrial, construction, and multi-sector general permits. This mine proposal should fall under and comply with an Industrial Storm Water Discharge Permit, but has been submitted as if it were a simple construction permit. For industrial discharge permits, there are a significant group of additional specific requirements based on the particular type of operation proposed. I believe from what I know of these applicants' stated plans that this project would fall within the guidelines of the SIC CODE 3295 - Minerals And Earths, Ground Or Otherwise Treated. (SIC is 'Standard Industrial Classification'.)

The submitted set of drawings contains text that obviously refers to NPDES's 2008 Permit (outdated) rather than to the 2012 Permit which became effective February 16th, 2012 and will expire (and be re-issued in updated form) on February 16th, 2017. Because they refer to the outdated version of NPDES, much of the information and guidelines submitted by the applicants is erroneous and not in compliance with the present 2012 Permit.

The submitted plans are inadequate even under the old 2008 Permit, because they are missing elements that would have applied even to the older version. These missing items include (not comprehensively): a GPS location for the site; a map of receiving waters; perimeter sediment controls such as wattle at the down-slope and side slope sides of the

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perimeter of the project (specifically absent from the SW side of the proposed mine); sediment controls and wind erosion controls for the stock piles that are indicated on the plans; and EPA requirements for posting, with specific location for such postings. None of these is included in the submittal documents.

Another indication that the submission is out of date is that it refers to a single-page NOI (Notice Of Intent) that can be mailed to the EPA office. Under the new 2012 Permit, the NOI can only be applied for online with EPA and is a number of pages long. The NOI is a required part of any SWPPP.

One of the requirements of both the old and new Permit is to identify the runoff conveyance (such as an arroyo or ephemeral stream) and the receiving water (the major body into which runoff is conveyed). Identifying the receiving water is important because most waters have limitations on what is called TMDL (total maximum load) for sediment, dissolved oxygen, pH, etc. The permit applicant must show that the project will not exceed or affect the TMDL of the receiving water. The new 2012 permit, Section 3.3, requires identification of discharges to waters identified as Tier 2, Tier 2.5, or tier 3; and section 3.2.2 states "Requirements for discharges to sediment or nutrient impaired waters".

Industrial and extractive projects such as this one also require off-flow testing of waters during rain events defined by the Permit.

This is but a small sample of missing or incorrect items in the application. The fact remains that an outdated permit is being used as reference ,and that this facility should apply as an industrial site. It does not appear that the owners have retained a qualified SWPPP professional since the submitted plans are not compliant with current requirements. Fines for non-compliance now stand at \$ 37,500.00 per day for each violation, with the potential for criminal prosecution as well. A site inspection from EPA can be initiated by a complaint from any citizen.

Just to give you another reflection of the complexity of these SWPPP's ,when my company, ECSS, produces an SWPPP it is usually contained in a 2" three-ring binder. Industrial SWPPP's even get bigger. A set of drawings is, as I said before, only a portion of the whole. Also required are certain signature/certification pages; a list of inspectors and their qualifications; inspection procedures and forms; BMP (best management practices); temporary and permanent controls and the methodology for choosing them. The EPA also requires verified investigation of historical, archeological, and endangered species identifications in the area. General maintenance requirements, prohibited discharges, general requirements, erosion and sediment control requirements, pollution prevention standards, criteria for stabilization, identifying the use of chemicals and many other types of information about the operation are mandatory, not optional.

If you have specific questions about any of this you are welcome to call me. The bottom line is that what has been submitted in the set of drawings is not a sufficient SWPPP and the application is invalid because the owners should have applied under an Industrial Permit.

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Susan McGrew <sierra@sierraclub.org>
Sent: Wednesday, June 18, 2014 11:14 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 18, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egoif and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Susan McGrew
3b Deans Ct
Santa Fe, NM 87508-1337

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Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Caroline Owen <sierra@sierraclub.org>
Sent: Friday, June 13, 2014 10:11 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Caroline Owen
67 Paseo De Estrellas
Santa Fe, NM 87506-8283
(505) 424-0848

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Emily Romero <sierra@sierraclub.org>
Sent: Friday, June 13, 2014 8:41 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Emily Romero
1504 Gold Ave SE
Albuquerque, NM 87106-4414

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Margaret Gray <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 11:36 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.
 - This project endangers the view shed important for tourism, our primary industry.
- Please do not grant the owners this rezoning- the costs are much greater than the benefits. Thank you.

Sincerely,

Ms. Margaret Gray
PO Box 359
Santa Fe, NM 87504-0359

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Stephen Gilbert <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 7:35 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Stephen Gilbert
1000 Cordova Pl # 154
Santa Fe, NM 87505-1725
(520) 241-8616

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Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Lynne Richards <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:02 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Lynne Richards
1049 Camino Real
Santa Fe, NM 87501-8828
(505) 989-4149

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Leah Popp <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:03 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Please don't let the greed of a very few take precedent over the good of all and especially of the land that we adore.

Sincerely,

Ms. Leah Popp
28 Harriets Rd
Santa Fe, NM 87506-0022

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Susie Landrum <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:03 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.
- PLEASE PAY ATTEND TO THIS MATTER.

Sincerely,

Mrs. Susie Landrum
16 Jornada Loop
Santa Fe, NM 87508-8756
(505) 466-1713

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Stephen Gilbert <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 7:35 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Rep. Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Stephen Gilbert
1000 Cordova Pl # 154
Santa Fe, NM 87505-1725
(520) 241-8616

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:44 PM
To: Jose Larranaga
Subject: FW: Block Gravel Strip Mining on La Bajada Mesa

-----Original Message-----

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:17 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: Block Gravel Strip Mining on La Bajada Mesa

This email is sent to you for inclusion in the official record regarding this case.
Thank you, - D. Mayfield

-----Original Message-----

From: WildEarth Guardians [<mailto:action@wildearthguardians.org>] On Behalf Of Gary Eschman
Sent: Monday, March 17, 2014 9:44 AM
To: Daniel Mayfield
Subject: Block Gravel Strip Mining on La Bajada Mesa

Mar 17, 2014

County Commissioner Daniel Mayfield
Santa Fe, NM

Dear County Commissioner Mayfield,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Please do NOT support a mining zone on La Bajada Mesa because this is part of the historic landmark that the New Mexico Heritage Preservation Alliance (NMHPA) has recognized as one of New Mexico's "Most Endangered Places."

In order to mine, they need water, largely to control the dust and air pollution that a strip mine would create.

This mining is NOT beneficial for the vast majority of Santa Fe County residents

Sincerely,

Mr. Gary Eschman
5 Alteza
Santa Fe, NM 87508-2218

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:42 PM
To: Jose Larranaga
Subject: FW: attention: this e-mail should be filed with all the protest letters for Mr. L.

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:33 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: attention: this e-mail should be filed with all the protest letters for Mr. L.

This email is sent to you for inclusion in the official record regarding this case.

Thank you, - D. Mayfield

From: djofm@yahoo.com [<mailto:djofm@yahoo.com>]
Sent: Wednesday, March 12, 2014 8:43 PM
To: Jose Larranaga
Subject: attention: this e-mail should be filed with all the protest letters for Mr. L.

Subject: Protes!: Mining application on La Bajada Mesa
Please, Jose Larranaga, AND OTHERS

I do NOT support mining in this location because:

ALL MINING SEVERELY DISTURBS ALL PARTS OF THE ECOSYSTEM, HURTS TOURISM
DOLLARS, LIGHTS & DYNAMITE BLASTS DISTURB THE RESIDENTS IN A WIDE AREA.....

--Mining in this site would result in the degradation of a NM cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

--Mining the Mesa would ruin the geological integrity--the grandeur of this oceanic Gateway along I-25 into Santa Fe & Waldo Canyon Road--the road that leads into the Galisteo basin park lands, a sustainable and growing economic resource. The Mesa needs to be preserved as open space for the welfare of the county, city, state, and thus the nation.

--There is no need for another basalt gravel mine in the County or another gravel mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

--The current owners have no protected rights to demand a rezoning as they purchased the property with the current agricultural/residential zoning in place. The County has no obligation to enhance the economic (sold by the cubic yard) value of the property to the detriment of the County and State as a whole.

--Using County Water to enable the degradation of this historic NM cultural landscape would not benefit the public welfare.

--NO ONE SHOULD BE ALLOWED TO CRUNCH UP OUR GLORIOUS BAJADA!

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Diana Johnson, 2843 Highway 14, (40 years in new Madrid)
Madrid N.M. 87010, ON THE TURQUOISE TRAIL

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:42 PM
To: Jose Larranaga
Subject: FW: case Buena Vista Estates and Rockology Limited LLC

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:33 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: case Buena Vista Estates and Rockology Limited LLC

This email is sent to you for inclusion in the official record regarding this case.

Thank you, - D. Mayfield

From: Philip J. Taccetta [<mailto:pjtaccetta@gmail.com>]
Sent: Sunday, March 09, 2014 9:26 PM
To: Jose Larranaga; Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Subject: Re: case Buena Vista Estates and Rockology Limited LLC

To all concerned,

I am writing to express my firm opposition to the proposed Buena Vista & Rockology LLC basalt mine on the La Bajada mesa.

The unspoiled mesa is most suitable as a symbol of our pride in and respect for our shared home. The La Bajada mesa and escarpment is as enchantingly monumental and sublime an open space as is found anywhere in this country. As part of a state park or national monument, it can contribute to the allure of Santa Fe and surrounding areas as desirable places to live and to visit, and will help grow our economy in a broad-based and sustainable way into the future.

The proposed Buena Vista & Rockology basalt mine is situated conspicuously at the door step of our capital city, at the gateway most often experienced by residents and visitors alike. It is directly adjacent to the well-traveled I-25 corridor, one of the largest arteries of our economic life. Therefore, the mesa top landscape is a strong component of collective psyche; it influences human regard for the people and place and those who govern and manage the land.

Allowing the irreversible destruction of the La Bajada mesa for the acquisition of materials more suitably obtained from existing mine operations or from other previously impacted sites is analogous to smashing an irreplaceable artifact for bits of disassociated jewels and gold. If the mesa top is re-zoned and a strip mine is allowed to operate, we will shame ourselves in the eyes of future generations and create a monument to our lack of respect for the cultural heritage of our population and disregard for the future life of central New Mexico.

Thank you for your attention to this matter,

Philip Joseph Taccetta

UNM School of Architecture and Planning

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:44 PM
To: Jose Larranaga
Subject: FW: Protecting LaBajada - no mine needed

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:41 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: Protecting LaBajada - no mine needed

This email is sent to you for inclusion in the official record regarding this case.

Thank you, - D. Mayfield

From: P. Brown [<mailto:brownp52@yahoo.com>]
Sent: Friday, March 14, 2014 4:11 PM
To: Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Cc: Jose Larranaga
Subject: Protecting LaBajada - no mine needed

Honorable County Commissioners,

This data comes directly from the NM Dept of Mining & Minerals, summarized below. The table below shows production and sales from permitted operations in Santa Fe County alone from 2008-2012 (data for 2013 won't be available until sometime in April). The measurements shown are in short tons (2000lbs).

What it says that just in Santa Fe County we produced a surplus of over 223 thousand tons of the very same type of aggregate that would be produced by the proposed mine. Further, the figures below do not include the Caja del Rio quarry's production and sales since that quarry is not registered. I spoke with the quarry manager there last week who estimated he had 800,000-1,000,000 tons of stockpiled gravel on hand right now.

There simply is no shortage.

Aggregate Production/Sales/\$Value - Santa Fe County, 2008-2012 (as reported by operators)

Aggregate Type	Amount Sold Total	Amount Produced Total	Surplus Production
Base Course	516,283	550,797	34,514
Crushed Rock	79,595	80,626	1,031
Gravel	348,262	420,973	72,711
Scoria	183,198	298,715	115,517
Total (Short Tons)	1,127,338	1,351,111	223,773

Since we already have an overproduction gravel in Santa Fe County alone, if any gravel is being brought in from elsewhere, it's a matter of free market price competition. So if we have more gravel than we need anyway but still can't compete on price, why does he think opening another mine – one that plans to product almost as much as every other operation in the county combined – would be a good idea?

In exchange for a *tiny* number of jobs (seven), it would undercut all of the existing mine operations in the County (which means no net gain in gross receipts taxes) and either stockpile vast amounts of unneeded gravel or export it for sale elsewhere – again, generating no revenue for the County.

But in the process of making all that unneeded gravel, they will have consumed millions of gallons of precious water, damaged established gravel operations, and jeopardized tourism and the businesses that depend on tourism by allowing a massive mine to blight the gateway entrance to both Santa Fe and the Galisteo Basin Parklands.

We do not think the destruction of this historic mesa for a strip mine is a good idea.

Todd & Patricia Brown
Cerrillos, New Mexico 87010

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Glenn Wohl <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Glenn Wohl
1106 Calle De Suenos
Santa Fe, NM 87507-5111
(505) 577-4916

494

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Ian Tregillis
<sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Ian Tregillis
212 Cibola Dr
Santa Fe, NM 87501-1660

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Julie Winson <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Julie Winson
PO Box 23030
Santa Fe, NM 87502-3030

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Howard Schwartz <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Howard Schwartz
3600 Cerrillos Rd
Santa Fe, NM 87507-2612
(505) 438-8855

497

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Howard Schwartz <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Howard Schwartz
3600 Cerrillos Rd
Santa Fe, NM 87507-2612
(505) 438-8855

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Benjamin Whitehill <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 4:59 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Benjamin Whitehill
2113 Calle Azulejo
Santa Fe, NM 87505-5706
(505) 983-5173

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Ishwari Sollohub <sierra@sierraclub.org>
Sent: Monday, July 14, 2014 12:52 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa
Categories: Red Category

Jul 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

I believe that you, as our representatives, should represent the majority. The profit-making few that are pushing for this rezoning clearly have their own financial interests in mind, and for that, I do not blame them; we all look out for ourselves. However, when one or a few benefit at great cost to the many, I think that the balance has to override the personal gain of the few. Clearly, the greatest good of the people is served by protecting La Bajada. The property owners need to find another way to use their land - one that does not dis-serve so many other people.

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Ishwari Sollohub
839 1/2 Don Diego Ave
Santa Fe, NM 87505-1624

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Brad Hodges <sierra@sierraclub.org>
Sent: Friday, July 11, 2014 5:45 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jul 11, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Brad Hodges
PO Box 105
Corona, NM 88318-0105

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Betsy Windisch <sierra@sierraclub.org>
Sent: Sunday, July 06, 2014 3:50 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jul 6, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

We live in the 21st Century. It is time to leave behind our 19th and 20th century technologies and move on to cleaner, healthier, less destructive energy models.

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Betsy Windisch
403 Valentina Dr
Gallup, NM 87301-4840

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Robert Lucas <sierra@sierraclub.org>
Sent: Sunday, July 06, 2014 11:20 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jul 6, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

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Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Robert Lucas
4 Jornada Loop
Santa Fe, NM 87508-8756
(505) 466-6460

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of R Toups
<sierra@sierraclub.org>
Sent: Sunday, July 06, 2014 10:20 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jul 6, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
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 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. R Toups
36 Raven Ravine
Santa Fe, NM 87507-4291

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Vicki Mitchell <sierra@sierraclub.org>
Sent: Wednesday, July 02, 2014 11:30 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jul 3, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Vicki Mitchell
2412 Tramway Terrace Ct NE
Albuquerque, NM 87122-2357

Jose Larranaga

From: Claudia LeSueur <mspopplersalpacafun@yahoo.com>
Sent: Friday, June 27, 2014 10:22 PM
To: Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Subject: DO NOT Re-Zone LaBajada Mesa

As a new, environmentally-friendly business owner here in Santa Fe county, I am opposed to re-zoning The Mesa for strip mining purposes. Surely in this day and age, we can come up with better uses for such beautiful and meaningful landscape.

Private owners should not have the right to destroy historical landmarks, nor endanger the environment for their own profit: water is too precious a resource to allow these owners to create a strip mine, which we don't need and OBVIOUSLY the citizens of Santa Fe don't want. As far as I can discern, there are NO benefits to allowing this change in zoning: ripping apart the landscape to provide gravel which is already in plentiful supply; using water to accomplish dust abatement while FAMILIES go without water because of it's scarcity; and turning a beautiful landscape into hellish terrain are not reason enough to overturn zoning that has been denied time and again.

Listen to your constituents and those who have worked on, lived in and loved this land for many years; DO NOT allow Rockology to strip mine this land.

Thank you,
Claudia LeSueur
Mrs. Poppler's Alpaca Ranch
18B Cedar Rd.
Santa Fe

Jose Larranaga

From: Robin Gurule
Sent: Friday, June 27, 2014 1:08 PM
To: Jose Larranaga
Subject: FW: La Bajada Mesa strip mine proposal

From: Russell Bennett-Cumming [<mailto:r.bennettcumming@gmail.com>]
Sent: Friday, June 27, 2014 11:22 AM
To: Penny Ellis-Green; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Subject: La Bajada Mesa strip mine proposal

June 27, 2014

Santa Fe County Board of Commissioners:

Concerning the decision of denying or allowing the proposal of the strip mine project on La Bajada Mesa, voters are stunned by the process and expect an explanation of the procedure. After previous denials and withdrawals of the same project, the County Staff astonishingly recommended approval of the proposal. At the CDRC hearing, diverse testimony was presented by the applicants and the public. The Review Commission overwhelmingly denied the applicants after thoughtfully considering all the testimony presented from both sides. The issues were very diversified covering legal land issues, water issues, pollution issues, tourism, and aesthetics and most importantly, non-conformance with the County's own adopted Strategic Growth Management Plan.

At the Commissioners' hearing, most of the same testimony was presented, although the attorney for the applicants tried to influence and sway the thinking of the Board by information claimed as factual which the Board has undoubtedly researched; side-stepped many issues and threatened legal action against the County. The facts have not changed. Prior hearings and decisions have not been voided. At the Board's hearing, there were two people present in favor of the proposal and eight hundred against; in addition, more than six thousand voters signed petitions against the proposal. Citizens of the County were expecting a decision at the hearing, but one Commissioner wanted more information. In deference to a colleague, the Board agreed to have an executive session for discussion and then make a decision at the next public hearing in July. Now, the Board has granted a further extension at the request of the applicants; the reasons for approving that request are not revealed to the public. Additional testimony was closed at the June hearing. Citizens feel that it is unfair to string out this process; lives have been and continue to be disrupted by this application. I urge you to support the precedents that have already been set and also to consider the overwhelming concerns of the public and exercise your authority in a denial of the proposal.

Sincerely,
Russell J. Bennett-Cumming, MIT, educator, retired
286 Camino Cerro Chato
Cerrillos, NM 87010

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Dwight Capshaw <sierra@sierraclub.org>
Sent: Tuesday, June 24, 2014 10:07 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 24, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Dwight Capshaw
512 Bishops Lodge Rd
Santa Fe, NM 87501-1123

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Patricia Mays <sierra@sierraclub.org>
Sent: Monday, June 23, 2014 3:35 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 23, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

-- My grandmother and her family were from La Bajada. Although I don't live in La Bajada, I feel connected to this land of my ancestors.

-- With the continuing drought, any wasting of this precious resource is reprehensible.

Please protect our land, our history, and our resources.

Thank you!

Sincerely,

Ms. Patricia Mays
2046 Calle Lorca
Santa Fe, NM 87505-6028
(505) 670-3277

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Nick Babic <sierra@sierraclub.org>
Sent: Sunday, June 22, 2014 6:30 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 22, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Nick Babic
1605 Kit Carson Ave SW
Albuquerque, NM 87104-1018
(505) 382-0355

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Serena Trujillo <sierra@sierraclub.org>
Sent: Saturday, June 21, 2014 1:35 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 21, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Miss Serena Trujillo
PO Box 6013
Santa Fe, NM 87502-6013

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of arden reed <sierra@sierraclub.org>
Sent: Friday, June 20, 2014 8:22 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 20, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. arden reed
19 Old Dog Run
Santa Fe, NM 87508-9519

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Malissa Haslam <sierra@sierraclub.org>
Sent: Friday, June 20, 2014 5:22 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 20, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Malissa Haslam
2598 Calle Delfino
Santa Fe, NM 87505-6488

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Raymond McQueen <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:20 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

Honorable Commissioners:

As a Santa Fe County resident and property owner in District 3, I feel compelled to address the Board today as you consider this application.

My spouse and I live in the closest residential development to this proposed mining site. The area is called Rancho Alegre and was carved from the Eaves ranch in the '70s. It is just over the Cerrillos Hills State Park from the site or approximately 2 -3 miles from the site.

While you have heard from many citizens today and in the past few months about the multi-faceted detrimental impact that this operation would have on both immediate adjacent property owners and the larger county as a whole, I would just like to remind you that I understand that your consideration of this Land Use application is a quasi-legal procedure and that the Board essentially acts in a legal capacity to enforce applicable county and state laws in a fair and impartial way.

Having said this and while I and my neighbors have the greatest respect for the private property rights of all New Mexico citizens to do what they wish with their property, I must emphatically remind the Board that these rights are not absolute. The Board must give due consideration to the inherent rights of all adjacent property owners to the quiet enjoyment of their property free from the constant constructive nuisances of noise, dust, light, and traffic that this site would engender. Moreover, you must give full regard to the comparative water rights and usage of a diminishing commodity of the entire county versus one unneeded business plan. These are substantive rights; not derivative rights. Moreover, these rights also apply to the State Park and its visitors who wish to enjoy its attractions, not its potential detriments.

In addition, the applicant land owner has failed to demonstrate to the Board that the use of the property for the extraction of road surface materials is of any strategic importance to the county, state or nation and that demand for such materials has risen to such an extent that a new operation is imperative. Another entrant into this materials market, would only cannibalize current suppliers causing contraction of their businesses and resulting unemployment of their workers.

On a larger scale, residents and citizens of this county and statewide have spoken through thousands of petitions to the Board voicing their concerns about how ill-advised this operation would be in dismantling the physical gateway separating the Rio Abajo and the Rio Arriba. We do not want a strip mine as our gateway.

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Linda Buchser <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:07 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

Tearing up an historically significant area and wasting potable water to make gravel -- a commodity in plentiful supply from other places -- would be a travesty.

Think about it -- do you want to be the Commission that sold our collective birthright for a mess of pottage? What a legacy that would be!

I understand that the owners want to profit from their investment, but they need to find a non-destructive option.

Sincerely,

Ms. Linda Buchser
606 Alto St
Santa Fe, NM 87501-2519
(505) 820-0201

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of BRUCE PAPIER <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:09 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

this shouldn't even be a discussion given our special place in this country regarding our clean air, and of course the water issue is a no-brainer

this is a public verses a private company's profit motive situation and the County should represent and protect the public interest

jobs and tax money for the County is of little value when the environment and health of the community is at risk

Sincerely,

Mr. BRUCE PAPIER
PO Box 28073
Santa Fe, NM 87592-8073
603-3660

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Toby Gallagher <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:38 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

Kia ora.....

As a concerned citizen of new mexico, i have to IMPLORE YOU to abandon the foolhardy idea of destroying a desert treasure to make rocks for roads, whilst using thousands upon thousands of gallons of precious, disappearing water for the process.

You are more intelligent than this. Show that by choosing to permanently shelf this stupid proposal.

Sincerely,

Ms. Toby Gallagher
1027 Canyon Rd Apt A
Santa Fe, NM 87501-6224

Jose Larranaga

From: Penny Ellis-Green
Sent: Wednesday, June 18, 2014 9:59 AM
To: Jose Larranaga
Subject: FW: These were in the junkmail folder...they are more rockology constituent communications...
Attachments: Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa

From: Daniel Mayfield
Sent: Wednesday, June 18, 2014 9:58 AM
To: Penny Ellis-Green; Greg Shaffer
Subject: These were in the junkmail folder...they are more rockology constituent communications...

For the record

Jose Larranaga

From: Penny Ellis-Green
Sent: Wednesday, June 18, 2014 9:59 AM
To: Jose Larranaga
Subject: FW: These were in the junkmail folder...they are more rockology constituent communications...
Attachments: Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa; Please don't allow strip mining on La Bajada Mesa

From: Daniel Mayfield
Sent: Wednesday, June 18, 2014 9:58 AM
To: Penny Ellis-Green; Greg Shaffer
Subject: These were in the junkmail folder...they are more rockology constituent communications...

For the record

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Drury Sherrod <sierra@sierraclub.org>
Sent: Tuesday, June 17, 2014 11:38 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 17, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Drury Sherrod
19 Old Dog Run
Santa Fe, NM 87508-9519

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Fitzhugh Cline <sierra@sierraclub.org>
Sent: Monday, June 16, 2014 7:43 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 16, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Fitzhugh Cline
103 Catron St
Santa Fe, NM 87501-1875

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:45 PM
To: Jose Larranaga
Subject: FW: CDRC Case Buena Vista Estares & Rockology Limited LLC

-----Original Message-----

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:09 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: CDRC Case Buena Vista Estares & Rockology Limited LLC

This email is sent to you for inclusion in the official record regarding this case.
Thank you, - D. Mayfield

-----Original Message-----

From: akpitts [<mailto:akpitts@earthlink.net>]
Sent: Monday, June 09, 2014 9:01 PM
To: Daniel Mayfield; Kathy S. Holian; Liz Stefanics; Miguel Chavez; Robert A. Anaya
Subject: Re: CDRC Case Buena Vista Estares & Rockology Limited LLC

Dear Santa Fe County Commissioner,

I am a resident of Santa Fe who supports the protection of La Bajada Mesa. I do not support mining in this location for many reasons:

This is the gateway to the City of Santa Fe and needs to be protected. Cresting La Bajada lets me know I am home.

There are already existing gravel mines nearby.

With climate changes we are already seeing, we need to act from the perspective of long-term sustainability.

The County has no obligation to enhance the value of this property to the detriment of the County and State.

I hope you will protect this historically significant place for future generations

Sincerely,

A Kay Pitts

Jose Larranaga

From: Penny Ellis-Green
Sent: Wednesday, June 18, 2014 10:07 AM
To: Jose Larranaga
Subject: FW: La Bajada Strip Mine proposal hearing by the BCC .ZMIN13-S360 (Rockology Case)

From: Russell Bennett-Cumming [<mailto:r.bennettcumming@gmail.com>]
Sent: Wednesday, May 21, 2014 3:41 PM
To: Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics; Russell Bennett-Cumming
Subject: La Bajada Strip Mine proposal hearing by the BCC .ZMIN13-5360 (Rockology Case)

Russell J. Bennett-Cumming, MIT, Educator, Retired
286 Camino Cerro Chato, Cerrillos, NM 87010

Re: La Bajada Mesa gravel strip mine proposal

Dear Commissioners and support decision makers:

Revisiting the stated goals of the Sustainable Growth Management Plan written and adopted by the County in 2010 is beneficial to all our citizens. It is especially important when the Commissioners consider such proposals as the gravel strip mine on La Bajada Mesa and its inconsistency with those goals and issues.

An outpouring of impassioned experts and voting community members presented significant valuable and pertinent opposition information concerning the La Bajada Mesa strip mine proposal. In contrast, the applicants and county planning staff merely reiterated what was contained in their submitted application. They omitted any compelling reason to allow such a short-sighted project to be approved. Unfortunately, the applicants and staff failed to address the concerns of inappropriateness of the site for mining in view of the vision of the County's Sustainable Growth Management Plan. They failed to address water rights issues, impact on the surrounding area and proximity to recreation uses. They failed to adequately address a variety of pollution issues. They failed to justify a viable economic impact for our community. In light of this key information, the CDRC overwhelmingly voted to recommend denial of the application.

It is now more publicly known that this same proposal was denied in 2005 and again a recommendation for denial in 2008. The County wrote that it did not want to create a new mining zone then because of these very same reasons we heard at the CDRC hearing in March 2014. What has changed since 2008 that compelled the staff to recommend approval? What has changed since then is a more rigorous concern for the dangers of creating a new mining zone on this pristine and historical landmark. We see more clearly the impacts on the surrounding communities. We understand that by making a simple pronouncement of words that we would be inviting the devastation of even more of our irreplaceable natural beauty through industrial expansion at that site which would be allowed in a new mining zone. Santa Fe County, in November 2010, approved, adopted and implemented the Sustainable Growth Management Plan. The Plan intends to protect and preserve important sensitive, historic and scenic areas such as La Bajada Mesa. The Plan recognizes and states that growth should not affect the state of surrounding communities nor affect the status of world-wide acknowledgement of our special landscape. Disastrous environmental and negative aesthetic impacts would be brought about through the mistake of approving a strip mine operation on La Bajada Mesa. How could this vision allow a mining zone that would clearly negatively affect so many of our citizens and voters? How could we, as responsible citizens and

caretakers, allow changes which would negatively impact our shared beauty and quality of life? How could we justify such a meritless and disastrous economic venture like this to our future generations? Commissioners: I strongly urge you to rally with the greater community and see clearly that we must deny this mining proposal.

Sincerely,

Russell J. Bennett-Cumming

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:45 PM
To: Jose Larranaga
Subject: FW: CDRC Case Buena Vista Estates & Rockology Limited LLC --- Buena Vista's mining application to mine La Bajada Mesa

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:11 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: CDRC Case Buena Vista Estates & Rockology Limited LLC --- Buena Vista's mining application to mine La Bajada Mesa

This email is sent to you for inclusion in the official record regarding this case.

Thank you, - D. Mayfield

From: colleen [mailto:c_m_mccann@cybermesa.com]
Sent: Wednesday, February 05, 2014 6:37 PM
To: Jose Larranaga
Cc: Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics
Subject: Re: CDRC Case Buena Vista Estates & Rockology Limited LLC --- Buena Vista's mining application to mine La Bajada Mesa

Dear Mr. Larrañaga:

I am writing to express my opinion and concerns about Buena Vista's application to mine La Bajada Mesa near Waldo Canyon off of I-25. Many issues were overlooked by the county when the application was approved. This application needs to be rightly reassessed and disapprove of this mining operation.

The mining application needs to be reassessed because of the adverse effects mining would have on Santa Fe county residents. In particular, the indiscriminate change in zoning laws from agricultural/residential to commercial use that adversely affects residential property values, the minimal fee charged (2 cents a gallon) to buy potable water from the county well on Rte 14 near the prison during a time of drought and the failure to refer to and abide by sustainable land use laws.

The proposed mining activities of Buena Vista's are detrimental to Santa Fe county residents in many ways. Below are several questions I have about the approving this application and the reasons why I think this mining operation is a bad choice. I trust this information will sway your decision to reassess and disapprove of Buena Vista Estates & Rockology LLC's mining application in order to protect land and potable water sources, property values, and the health and well being of Santa Fe county residents.

1. Santa Fe County and most of the country has been in a severe drought. Why are you supporting a proposal that would waste a potable water source by using water from the county well on Rte 14 for an unneeded gravel mining operation?

Was the county's decision to give Buena Vista Estates & Rockology Limited LLC

unlimited water rights to use potable water for a "25 year" mining operation an oversight?

Why is the county considering giving away large amounts of "potable water" in a time of severe drought from the well on Rte 14 for a ridiculously low and minimal fee?

Buena Vista opened a \$200.00 water account for potable water well on Rte 14. Water restrictions for this well are 2.1 acre feet a year. This company is predicting an estimated 710,000 gallons per year for "DUST CONTROL alone." Is this a good use of potable water or a good source of revenue when the county is selling it at "2 cents" a gallon in a time of drought? Is this an outdated water fee for potable water?

Are water catchment and "water recycling" procedures included in their proposed plan?

2. I am curious as to why this mining operation (and other commercial enterprises) are not lawfully required to use grey water, rather than, potable water sources for such endeavors?

The county produces grey water at the water recycling plant.

Why is grey water not sold for revenue and used as a water source for commercial use?

3. NM has been in a drought for over 14 years. The amount of water the Buena Vista mining project will use in the next 25 years from the county well on Rte 14 is hundreds of thousands of gallons of "potable" county water. Are you aware many households draw water from the well on Rte 14 to supplement their water for household use due to non-productive and/or failing wells?

4. There are watering restrictions required by law in Santa Fe because of drought.

Shouldn't a watering law be carried over to commercial endeavors?

There should be "no favoritism" in water use for commercial endeavors especially during extreme and extended times of drought!

5. As we enter a 14th year of drought, Santa Fe County will again be in severe high-risk fire area. Many areas along the Rte 14 extend east into Rancho Viejo and El Dorado and to points west to I-25. This area is flanked by severely dry, flat plains that are frequently visited by high winds. Fires in this area can easily break out, spread to wide area and get out of control. Where will water come from to service these areas in times of fire if Buena Vista runs Rte 14's county well dry?

6. What is the county's back-up plan to service potable water to towns?

We have been in and severe drought conditions for over 14 years with future droughts predicted. Reservoir levels are well below the norm and aquifers have not been replenished with rain water or snow. If the county well on Rte 14 runs dry from Buena Vista's excessive use of water for their private commercial enterprise, where will Cerrillos, El Dorado, Rancho Viejo, Madrid and other outlying areas get potable water from? And, ... how will residents pay for this?

7. Buena Vista's 50-acre parcel of mining operations will deplete potable water resources on Rte 14 and also destroy what has been a historical, cultural and environmentally significant landscape to New Mexico's tourism for hundreds of years. Was an environmental impact study done? Were archeologist studies submitted and read cover to cover? What were the findings of this area? Do the Pueblo Govenors agree with these findings?

8. There is no shortage or imminent need for another basalt gravel mine in the County or another gravel mining operation off of I-25. Several suppliers already exist and supply these materials within that same area.

9. The current owners of Case Buena Vista Estates & Rockology Limited LLC have "no protected rights" to demand a re-zoning of their property which is currently zoned agricultural/residential to commercial

zoning. The intended zoning is in place for good reason and needs to remain as is.

10. Re-zoning of this property from agricultural to commercial would affect residential property values and the livelihood of nearby residents in this proposed mining area.

Noisy, dirty, commercial endeavors devalue residential property values. Selling a residential property with noise and dust pollution from a 25-year proposed period of: blasting, multiple crushers, trucks hauling debris from nearby mining would legally need to be revealed in a Real Estate contract as an "adverse material fact," meaning, something negative is or can adversely affect a property owner's health and happiness, and decrease the property's value. Generally speaking, adverse material facts are unattractive selling qualities that do NOT attract real estate investors or raise real estate values.

11. The County has no obligation to enhance the economic value of Buena Vista's property for its owners while depleting the community resources and devaluing their neighbor's property value due from the adverse material facts created by their mining. Overall, mining operations are detrimental to county residents and residential real estate investments.

12. Creating a mining eyesore along the pristine environment along I-25 that leads into Santa Fe and Waldo Canyon and Galisteo Basin park lands that are sustainable economic and cultural resources would be detrimental to New Mexico's tourism. The Mesa needs to be preserved as open space for the welfare and culture of the county, city, state, and the country.

13. The county made approved the application in error. The county approved the application based on outdated laws of 2006. They did not abide by the sustainable land laws that are in place.

I trust you are innately fair-minded and will do what's best to protect the rights of Santa Fe county citizens. With these new facts and errors in mind, you can make better educated and sound ethical decisions about the implication of approving this commercial endeavor. To reiterate my points I will say, the county should seriously reaccess Buena Vista's mining application because of failing to:

1- adhere to current sustainable law for land and water use

2- update potable county well and water usage laws while considering the amount of water used by commercial enterprises so as not to deplete potable water sources during times of drought. The amount of water used for commercial enterprises SHOULD NOT be unlimited or at the business owners discretion.

3- New laws and standards need to be specifically written for the Rte 14 county well so that county residents have a reservoir of protected potable drinking water. Current drought conditions, and failing water wells are causing water problems for residential home owners.

4- Water useage for large commercial endeavors in Santa Fe county needs to be more closely monitored. The county should also address using grey water as opposed to using potable drinking water for commercial purposes to protect potable drinking water rights and potable water drinking resources for Santa Fe county residents.

5- Re-zoning the La Bajada from an agricultural area to a commercial mining area was unethical and unfair to local residents in that area. A person's happiness and quality of life in their retirement years can be deeply compromised due to unexpected decreases in their property value caused by adverse material facts from mining due to an indiscriminate change in zoning laws that were approved by the county. Adverse material facts legally need to be written into Real Estate contracts, i.e.; noise and dust pollution emanating from an

mining operation can cause ill health. Adverse material facts decrease property values.

People's health and their livestock's health can be compromised by airborne dust which results in allergies and asthma.

6- Cultural artifacts from archeological studies need to be protected in this proposed mining area.

7- water catchment harvesting and recycling procedures should be included in their proposed plans

In closing, my final remarks are to keep the La Bajada area free from Buena Vista mining operations is a **GOOD CHOICE**. Keeping the original zoning in place would protect archeological sites that attract tourism and not cause **ANY** threats to Santa Fe county residents' property values, livelihood or potable water reserves that people rely on. It is the right decision to make.

Thank you for your time and consideration.

Colleen McCann
33 Old San Marcos Trail
Santa Fe, NM 87508
505/660-8148

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, June 16, 2014 1:45 PM
To: Jose Larranaga
Subject: FW: CDRC Case Buena Vista Estates & Rockology Limited LLC (La Bajada Mesa)

From: Daniel Mayfield
Sent: Monday, June 16, 2014 1:11 PM
To: Greg Shaffer; Penny Ellis-Green
Subject: FW: CDRC Case Buena Vista Estates & Rockology Limited LLC (La Bajada Mesa)

This email is sent to you for inclusion in the official record regarding this case.

Thank you, - D. Mayfield

From: Jeff Pfohl [<mailto:jeff.pfohl@me.com>]
Sent: Monday, June 09, 2014 11:39 PM
To: Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Cc: Jose Larranaga; Penny Ellis-Green; Stephen C. Ross; SaveLaBajada@gmail.com; Jeff Pfohl
Subject: CDRC Case Buena Vista Estates & Rockology Limited LLC (La Bajada Mesa)

I urge you to deny the proposed gravel strip mine on the top of La Bajada Mesa, south of Santa Fe near I-25. This is one of the most important historical, cultural, and scenic landmarks in New Mexico. In addition, the County has unconscionably agreed to sell scarce, potable water for mining operations and for dust control. Please stop the destruction of this treasure

Sincerely,
Jeff Pfohl
Albuquerque, NM 87111

--
Jeff Pfohl
jeff.pfohl@me.com

Jose Larranaga

From: Ryan Toups <findingrien@yahoo.com>
Sent: Monday, June 16, 2014 8:52 AM
To: Daniel Mayfield; Robert A. Anaya; Miguel Chavez; Kathy S. Holian; Liz Stefanics
Subject: Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioners-

Along with your other prudent considerations, please consider this Aldo Leopold quote:

"Quit thinking about decent land use as solely an economic problem. Examine each question in terms of what is ethically and esthetically right, as well as what is economically expedient. A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise."

Thank you-
Ryan Toups
La Cienega

/R

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Dyanna Taylor <sierra@sierraclub.org>
Sent: Sunday, June 15, 2014 8:51 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 15, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

We must not destroy such an important threshold/landmark in/out of Santa Fe.

We do not have the water to support the mining or keeping the dust down!

We have other gravel mines in the area - already an eyesore.

We do not need more industrialization of our area.

And finally it is zoned agricultural/residential and it should not be rezoned. Why should we give Rockology financial gain at the expense of our beautiful landscape and limited water supply.

Thank you. Dyanna Taylor

Sincerely,

Ms. Dyanna Taylor
15 Old Dog Run
Santa Fe, NM 87508-9519

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Malissa Haslam <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 9:15 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Malissa Haslam
2598 Calle Delfino
Santa Fe, NM 87505-6488

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Stephanie Nemet <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 3:28 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Stephanie Nemet
PO Box 23269
Santa Fe, NM 87502-3269
(505) 555-1212

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Areena Estul <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 2:53 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Areena Estul
127 Bob St
Santa Fe, NM 87501-1712

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Susan Hammock <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 11:48 AM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Susan Hammock
8 Osprey Ct
Edgewood, NM 87015-7099
(505) 286-8658

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of B Hall <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 9:46 AM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. B Hall
825 Old Santa Fe Trl
Santa Fe, NM 8750S-0392
(505) 989-4661

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Raquel Casillas <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 8:12 AM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Raquel Casillas
79 Old San Marcos Trl
Santa Fe, NM 87508-6675
(505) 577-3498

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Caroline Owen <sierra@sierraclub.org>
Sent: Friday, June 13, 2014 10:11 AM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Caroline Owen
67 Paseo De Estrellas
Santa Fe, NM 87506-8283
(505) 424-0848

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Margaret Gray <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 11:36 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

-- This project endangers the view shed important for tourism, our primary industry.

Please do not grant the owners this rezoning- the costs are much greater than the benefits. Thank you.

Sincerely,

Ms. Margaret Gray
PO Box 359
Santa Fe, NM 87504-0359

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Victoria Beardsley <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 11:06 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

In addition, the consideration to identify the mesa as a national monument is underway. According to geo-physicist Betsy Siwula-Brandt [SF New Mexican, March 30, 2014], is that New Mexico is "like a grand museum" for volcanoes and that "our treasured La Bajada mesa is a volcanic-in-nature structure."

Why would you fail to protect our water, our vistas, our irreplaceable lands of Santa Fe County?

Sincerely,

Ms. Victoria Beardsley
1704 Llano St
Santa Fe, NM 87505-5415

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Stephen Gilbert <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 7:35 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Stephen Gilbert
1000 Cordova Pl # 154
Santa Fe, NM 87505-1725
(520) 241-8616

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Bo Keppel <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 7:05 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I cannot believe that you are seriously even discussing this. Is everything beautiful for sale? If so, what is left for our children and grandchildren. The destruction of a State Heritage Site and the waste of gallons and gallons of drinking water --for what price? A few jobs for the short run? The state from which I moved here is being destroyed by fracking. Will my new, chosen home, New Mexico, be as foolish as to squander its natural resources in such an irresponsible manner? I am opposed to the destruction of La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Bo Keppel
1226 Vitalia St
Santa Fe, NM 87505-3222
(505) 989-7876

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Carol Bartelt <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 7:05 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
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 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Carol Bartelt
2325 Calle Halcon
Santa Fe, NM 87505-5714

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Marc Scullin <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 6:35 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Marc Scullin
369 Montezuma Ave
Santa Fe, NM 87501-2835
(505) 231-1608

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Cathleen Rooney <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 6:06 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Cathleen Rooney
1677 Cerro Gordo Rd
Santa Fe, NM 87501-6100
(505) 982-9450

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Ellen Fox <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 6:05 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Ellen Fox
2400 Calle Amelia
Santa Fe, NM 87505-6280
(505) 699-4312

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Lisa Bemis <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 6:05 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Lisa Bemis
3876 Old Santa Fe Trl
Santa Fe, NM 87505-4559
(505) 983-7094

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Lana Straight <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:54 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Lana Straight
21 Domingo Rd
Santa Fe, NM 87508-8256
(505) 466-0340

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Daphene Furva <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:47 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Daphene Furva
1000 Cordova Pl # 61
Santa Fe, NM 87505-1725

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Lura Brookins <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:40 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Lura Brookins
PO Box 1362
Santa Fe, NM 87504-1362
(505) 820-7017

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Byron Kohr <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:23 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. Byron Kohr
40 Sunlit Dr W
Santa Fe, NM 87508-9373
(505) 988-3788

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Emmy Koponen <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:18 PM
To: Daniel Mayfield
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Mr. Daniel Mayfield
102 Grant Avenue
Santa Fe, NM 87501

Dear Mr. Mayfield,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Emmy Koponen
1212 Maclovia St
Santa Fe, NM 87505-3241
(505) 471-3855

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Malissa Haslam <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 9:15 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Malissa Haslam
2598 Calle Delfino
Santa Fe, NM 87505-6488

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Stephanie Nemet <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 3:28 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Stephanie Nemet
PO Box 23269
Santa Fe, NM 87502-3269
(505) 555-1212

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Areena Estul <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 2:53 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Areena Estul
127 Bob St
Santa Fe, NM 87501-1712

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Susan Hammock <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 11:48 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Susan Hammock
8 Osprey Ct
Edgewood, NM 87015-7099
(505) 286-8658

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of B Hall <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 9:46 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. B Hall
825 Old Santa Fe Trl
Santa Fe, NM 87505-0392
(505) 989-4661

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Dyanna Taylor <sierra@sierraclub.org>
Sent: Sunday, June 15, 2014 8:51 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 15, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

We must not destroy such an important threshold/landmark in/out of Santa Fe.

We do not have the water to support the mining or keeping the dust down!

We have other gravel mines in the area - already an eyesore.
We do not need more industrialization of our area.

And finally it is zoned agricultural/residential and it should not be rezoned. Why should we give Rockology financial gain at the expense of our beautiful landscape and limited water supply.

Thank you. Dyanna Taylor

Sincerely,

Ms. Dyanna Taylor
15 Old Dog Run
Santa Fe, NM 87508-9519

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Raquel Casillas <sierra@sierraclub.org>
Sent: Saturday, June 14, 2014 8:12 AM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 14, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Raquel Casillas
79 Old San Marcos Trl
Santa Fe, NM 87508-6675
(505) 577-3498

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Victoria Beardsley <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 11:06 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 13, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials. The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

In addition, the consideration to identify the mesa as a national monument is underway. According to geo-physicist Betsy Siwula-Brandt {SF New Mexican, March 30, 2014}, is that New Mexico is "like a grand museum" for volcanoes and that "our treasured La Bajada mesa is a volcanic-in-nature structure."

Why would you fail to protect our water, our vistas, our irreplaceable lands of Santa Fe County?

Sincerely,

Ms. Victoria Beardsley
1704 Llano St
Santa Fe, NM 87505-5415

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of John Reese <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:40 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

-- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.

-- Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

-- I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen.

Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

-- There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. John Reese
2300 W Alameda St Apt D1
Santa Fe, NM 87507-9658
(505) 471-4764

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Toby Gallagher <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:38 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

Kia ora.....

As a concerned citizen of new mexico, i have to IMPLORE YOU to abandon the foolhardy idea of destroying a desert treasure to make rocks for roads, whilst using thousands upon thousands of gallons of precious, disappearing water for the process.

You are more intelligent than this. Show that by choosing to permanently shelf this stupid proposal.

Sincerely,

Ms. Toby Gallagher
1027 Canyon Rd Apt A
Santa Fe, NM 87501-6224

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Barbara Yelverton <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:34 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

I don't support strip mining on La Bajada Mesa because of the eminent damage to the land scape, the large volume of potable water that will be wasted and the depreciation of land values that will affect current property owners. This an unnecessary action while the are other sources of these materials that ate still viable.
As a resident of Santa Fe county, I ask that you will kindly deny this activity.

Sincerely,

Dr. Barbara Yelverton
20 Vista Encantada Dr.
Edgewood, NM 87015-9517
(505) 286-3493

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Jacqueline Maret <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:29 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole. We don't need and we don't want this mine on La Bajada Mesa

Sincerely,

Mrs. Jacqueline Maret
2837 Don Quixote
Santa Fe, NM 87505-6493
(505) 471-4277

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of Lois & Charles Hammer <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:29 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Dr. Lois & Charles Hammer
2017 Calle Lejano
Santa Fe, NM 87501-8747
(505) 989-1176

Jose Larranaga

From: Sierra Club <information@sierraclub.org> on behalf of J. Samuel Burnett-Ragueneau <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:09 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I am writing to express my strong opposition to the application for rights to strip mine La Bajada Mesa. I am opposed to this for an assortment of reasons.

I am an avid outdoor enthusiast and spend a lot of time exploring La Bajada Mesa with my family and our dogs. This is a very special place to us and we are horrified to think that this enchanting landscape is under the threat of being strip mined.

Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements. Considering that there are already mines producing the same materials in our area the thought of using such large amounts of our most precious natural resource - water - to allow for what I personally perceive to be a redundant basalt mine is irresponsible. We have a duty to be stewards of our natural environment. Wasting water to strip mining our land is antithetical to this duty.

Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.

I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.

There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.

The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

I very much appreciate that you have taken the time to consider my letter. I urge you to vote to preserve our Mesa by preventing the strip mine from being allowed.

Sincerely,

Mr. J. Samuel Burnett-Ragueneau

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of J Corcoran <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 4:59 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do NOT support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mr. J Corcoran
109 Sam St
Santa Fe, NM 87501-1741
(248) 219-3966

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Fran Hardy <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Fran Hardy
31 Old Rd
Lamy, NM 87540-9629
(505) 466-6400

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Linda Smith
<sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Linda Smith
1580 Avenida De Las America
Santa Fe, NM 87507-5079

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Ana Cohen <sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Mrs. Ana Cohen
2915 Viaje Pavo Real
Santa Fe, NM 87505-5389

Amanda L. Romero

From: Sierra Club <information@sierraclub.org> on behalf of Dianne Carrell
<sierra@sierraclub.org>
Sent: Thursday, June 12, 2014 5:00 PM
To: Jose Larranaga
Subject: Please don't allow strip mining on La Bajada Mesa

Jun 12, 2014

Jose Larranaga
NM 87501

Dear Larranaga,

I do not support mining on La Bajada Mesa because:

- Rockology LLC has requested extreme amounts of county water for its mining operations, and thousands of gallons of potable water daily would be wasted on watering the area to meet dust-reduction requirements.
 - Mining in this site would result in the degradation of a cultural landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years.
 - I agree with four state legislators who previously wrote you in opposition to this ill-advised mining proposal: Sen. Peter Wirth, Sen. Phil Griego, Rep. Brian Egolf and Rep. Stephanie Garcia-Richard.
 - There is no need for another basalt gravel mine in the county or another gravel-mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials.
- The current owners have no protected rights to demand a rezoning. They purchased the property with the current agricultural/residential zoning in place. The county has no obligation to enhance the economic value of the property to the detriment of the county and state as a whole.

Sincerely,

Ms. Dianne Carrell
991 Camino Rizo
Santa Fe, NM 87505-5251
(505) 473-7364