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JOINT MEETING OF THE

SANTA FE CITY COUNCIL
and
SANTA FE COUNTY COMMISSION

NORTHWEST SANTA FE RELIEF ROUTE

JUNE 9, 1998

This special joint meeting of the Santa Fe City Council and Santa Fe County Commission to discuss the Northwest Santa Fe Relief Route was called to order by County Commission Chairamn Marcos Trujillo at approximately 5:30 in Sweeney Convention Center, Santa Fe New Mexico.

Commissioners Present:
Marcos Trujillo, Chairman
Joe Griñé
Paul Duran
Richard Anaya
Javier Gonzales

Councilors Present:
Mayor Larry Delgado
Patti Bushee
Carol Robertson Lopez
Jimmie Martinez
Frank Montaño
Art Sanchez
Molly Whitted

Commissioners Absent:
None

Councilors Excused:
Peso Chavez
Cris Moore

County Staff:
Domingo Sanchez, County Manger
Denice Kulseth, County Attorney
Tom Dominguez, Traffic Engineer
Larry Velasquez, Public Works
Juan Rios, Information Officer
David Wolfe, Utilties Director

City Staff:
Mike Mier, City Manager
Mark Basham, City Attorney
Chuck Lange, Public Works
Anne Condon, Planning Director
Peter Dwyer, Assistant Attorney
Reed Liming, Planner
Buddy Lucero, Planner
Cyrus Samii, Traffic Planner

Exhibit 1: Neighborhood questions (62) submitted by Beverly Garcia
Exhibit 2: State Highway Commission Law (67-3-62); re: Provisions for pedestrian etc.
Exhibit 3: Letter to Councilor & Commissioners from Holmes; Roybal; Garcia; Bowden and Gold
Exhibit 4: NM State Highway Commission Policy: CP 65
Exhibit 5: *New Mexican* article dated 2/13/98
Exhibit 6: Neighborhood Requests
Exhibit 7: David Gold document re: Relief Route Issues and Berming
Exhibit 8: Chronology of Resolutions adopted by the City prepared by B. Garcia

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CHAIRMAN TRUJILLO: I think we're ready to get started on the public hearing. It's a pleasure to welcome you to this joint City/County public hearing on the bypass. When we talk about working together as a City and a County to address the needs of the community, this is what it represents. To get started with the agenda, we're going to deviate a little bit from what we have on the agenda. What's going to happen tonight is we're going to have a ten-minute presentation by the neighborhood. Then we're going to have a ten-minute presentation by the Highway Department. Then we're going to open it up for about an hour for community input and comments, not to exceed one minute for each individual or each person. Then we're going to close it with a ten-minute presentation by the community. Then we're going to have about fifteen to twenty minutes for comments and questions by the body up here, the Board of County Commissioners and the City Councilors and the Mayor.

So with that I welcome the State Highway Department and I welcome Secretary Pete Rahn.

This meeting will last approximately two hours. The public will have an hour and twenty minutes. The public will ask questions for an hour and a representative from the public will give a ten-minute presentation to begin with and then will end with a ten-minute presentation. So the public will have an hour and twenty minutes. And again, the meeting is limited to two hours at this time. If we need to continue later on, then we will do that. Then we have a regular meeting of the County Commission which we need to reconvene at 7:30. So we're limited in the time we scheduled. We initially had scheduled an hour and a half but we extended that to two hours. So we'll get started with the presentation unless we have any other comments. Councilor Montano?

COUNCILOR MONTAÑO: I just wanted to now if everyone was required to check in their tomatoes at the door. And not only that, to let you know Commissioner, that I need to leave for about twenty minutes. I need to leave from about 6:10 to 6:30, but I will be back at 6:30.

CHAIRMAN TRUJILLO: Thank you, Councilor.

COMMISSIONER DURAN: Mr. Chairman, would it be safe to say that if we do not address the public's concerns this evening that we could have another meeting to deal with the issue?

CHAIRMAN TRUJILLO: Yes, I think that if the body wants to go in that direction, I would acquiesce with that. Does everybody agree with that?

COMMISSIONER ANAYA: Mr. Chairman, that would be my desire. I think the public deserves more input than an hour and twenty minutes.

CHAIRMAN TRUJILLO: Very good. City Councilors? Same? Okay. So we can start if with the presentation by the neighborhood group, Ms. Beverly Garcia, for ten minutes.

MS. GARCIA: My name is Beverly Garcia and I'm president of the Casa Solana Neighborhood Association. Can you hear me in the back? I would first like to introduce out attorney, David Gomez, who is here. He'd like to make just an opening remark before we make our neighborhood presentation.

DAVID GOMEZ: Thank you. My name is David Gomez. I'm an attorney

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with the Western Environmental Law Center, Grove Burnett's law firm up in Taos. I've looked at the Environmental Assessment for this project from 1985 at the request of the Casa Solana neighborhood. As you may be aware, the National Environmental Policy Act requires federal agencies to look at direct, indirect and cumulative impacts of their proposed actions, including growth-inducing impacts, changes in the patterns of land use, population density among other impacts.

These three impacts are addressed only very briefly on page 11 of the environmental impact. It says that growth northwest of Santa Fe will increase but that this will be done in accordance with local land use plans. The EA fails to look at the City of Santa Fe plan, which passed in 1996 and really explained how all this was going to take place. With respect to noise impacts, on page 17 of the Environmental Assessment, the programmatic, or the preferred alternative had no existing residences in 1985 that would experience noise loads exceeding 67 dBA in 2010.

The EA should be revisited to take existing homes into account. For instance, the Cottonwood Mobilehome Park, which was built since 1985, is three feet outside of the bypass right-of-way. That should be taken into account in a new EA. As far as cultural resources go, the National Historic Preservation Act requires federal agencies to look at the impacts of their actions on historic and prehistoric sites, like ruins and that sort of thing. In its analysis of the proposed alternative, they didn't have any information on cultural resources in there, although alternative A has six cultural resources, alternative B had four.

There's been no compliance with the National Historic Preservation Act in this document. There's been also no indication that the agency did consult with Native Americans as they're required to do under the act to determine the significance and the impacts of these sites and these proposed projects. As far as the health of the public, there's nothing. It could be argued that trail crossings for pedestrians and horses need to be more adequately analyzed in terms of health.

Finally, a couple of points. It could be argued that the Santa Fe-Los Alamos corridor, the WIPP transport of nuclear waste on this bypass needs to be examined along with the bypass construction itself in a cumulative environmental impact statement because all these projects are linked, either by design or by circumstance.

Finally, I understand that there's going to be a committee who will be looking at corridor issues and I would suggest that this committee, the public, local governments and the community request that the Federal Highway Administration revisit this Environmental Assessment and take a look at this document, which is really inadequate given the current circumstances. Environmental impact statements, which are separate from EAs have been overturned on the basis of stale analysis. The public really should ask that this project be reevaluated and to see really what the impacts are under the current situation.

MS. GARCIA: My name again is Beverly Garcia for the record. Dear Commissioners and Councilors: As much as I appreciate this meeting, I must say that two hours simply isn't long enough to discuss the complexity of issues associated with the Relief Route. I hope that a firm resolve will be taken by you today, but I don't see how, considering all the information that must be considered. Many of us are depending on you as our final recourse on some pretty serious neighborhood and public safety problems.

We all know what brings us here: the Relief Route. But what is it about the Relief

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Route that is in contention? I think it can be narrowed down to a single point. Is the Relief Route being constructed for the City and County of Santa Fe, our community, or is it being constructed for land speculators and developers and the Los Alamos National Laboratory? These are the forces that are pulling us apart and preventing us from focusing on the Relief Route as something positive, that has the potential to become a real asset for us.

But instead of creating something of beauty, we are now in the process of bulldozing pinons and other natural vegetation, getting an emergency asphalt plant permit issued without the benefit of public hearing, being downright serious about transporting hazardous materials and low level nuclear waste over a graveled road, and entertaining the notion of commercial developments of every dimension next to the Relief Route. This isn't the picture of beauty that most people think of when they think of Santa Fe, but this is what we are in the process of at this time.

We requested this meeting because each time we have been to the City Council about a Relief Route problem we have never gotten a clear answer about who is in charge and nothing has been done to address our concerns about traffic flowing into neighborhoods, equestrian crossings, interchanges, etc., so we've embarked on a lot of research and want to share that information with you to get some of these outstanding problems resolved.

I just want to show you, these are some of the documents that a person has to read to understand this project. There's an Environmental Assessment that was done years ago. I think that the supporting data for it started in 1984, '85, '86. It was finally completed in 1987. There was a supplemental draft environmental impact statement, the larger document you see on the desk there, that was prepared for the Los Alamos-Santa Fe corridor. They, in that impact review, considered a lot of the elements that are at stake here. Like on the northern part, the northern-most eastern-most part of the proposed Relief Route, at that point the geology is in question there. Some stabilization is required for that portion of it to be used as part of the Relief Route, and they called specific attention to that problem in these documents.

None of us know if those things are being addressed. There's a fault there at that location. We don't know if pillars are required, but what we do know is that two interchanges are being proposed for construction there within 1100 feet of each other. The minimum standard under AASHTO, which are recognized federal highway building standards, the minimum standard for that is to place those 1.8 miles apart, a minimum of 1.8 miles apart. That's what AASHTO's standards require. We're proposing to build them 1100 feet apart on questionable soil, questionable geologic make-up. I think that the community should first be satisfied that that is safe to do that before we go forward with it.

On the matter of jurisdiction where we've been jockeying around back and forth and some times I have wrongly pointed the finger at the Highway Department as it turns out, I read a joint powers agreement that was entered into between the Highway Department and the City of Santa Fe, and I'd like to tell you that in that joint powers agreement, the City of Santa Fe, not the State Highway Department, but the City of Santa Fe, is responsible for acting in the capacity of lead agency for the project. The City of Santa Fe is responsible for the final design plans and final right-of-way map, not the Highway Department. The City of Santa Fe is responsible for coordinating project development, not the Highway Department. The City of Santa Fe is responsible for adopting a resolution on a limited access control

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policy.

To me, a limited access control policy would be addressing such issues as where those interchanges are placed, how they are utilized, where intersections are placed, and what kind of development will or will not have access to it. That responsibility is right now vested with the City of Santa Fe, not the State Highway Department. Such a resolution so far as I know has never been adopted by the City of Santa Fe. The City of Santa Fe is responsible for building a road that meets current AASHTO standards, as I said, that's a specific provision in that contract. The City is responsible for providing a representative from the City to take the lead on this project, to take the lead on this project. Yet we have been told by the State Highway Department that a lead agency means nothing more than sponsoring this project.

The contract that you have with the State Highway Department says otherwise. That contract also provides that the City of Santa Fe is responsible for providing pedestrian, bicycle and equestrian facilities, concurrent with the design of the project, and at a minimum, providing a bicycle public hearing, at a minimum, providing a bicycle public hearing, with notice to the public and the Highway Department. That burden is on the City of Santa Fe, and it also provides that the City is solely responsible for the accuracy of the plans.

There's another provision in that contract that says of course that the provisions of the Torte Liability Act will apply where anything goes wrong, and the City has sole responsibility for the accuracy, is the word that was used in the contract, of the design plans. And I just want to propose to you that if something goes wrong because of those interchanges being placed too close to each other in violation of AASHTO standards, and if this contract says the City is responsible, who do you think is going to get sued?

The City is already being put on notice by virtue of these hearings, other hearings, documents, questions have been raised. The City is well put on notice that these standards are being violated. The things that were represented to the community in the Environmental Assessment are not being done. And yet some would have you believe that the neighborhoods are coming before you and asking for something extraordinary; we're not. All we're asking you to do as the lead agency is enforce the provisions of the Environmental Assessment and live up to your responsibilities that are in this contract.

If the City doesn't do it, no one else is going to do it. Throughout the Environmental Assessment and all the other documents you see on this table, it constantly warns against commercial development along this Relief Route. No one seems to know or understand that. I mean, that either means something or it doesn't mean something. In our open space trails plan that was adopted by the City of Santa Fe in 1987, it provides for a 1000-foot corridor. That 1000-foot corridor went out the window some place without any explanation. It is on there. It's on a map that's before you and that will be explained by Suby Bowder shortly.

There are a number of things that are going here, not the least of which is that Buckman Road, Paseo de las Vistas and Camino de los Montoyas are all three directly flowing into a neighborhood with about 800 homes. What we're going to propose to you tonight, we have a list of about 26 requests from several neighborhoods to you, asking for specific things that we would like to have corrected on this project. All of the things that we're asking for cumulatively, wouldn't amount to the cost of one interchange.

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It costs between four and seven million dollars to build an interchange. Between four and seven million dollars. When someone makes that decision alone, or without really consulting the community, four to seven million dollars out of a total appropriation of $20 million is being used up. It's not something to be treated lightly. There should be justification before an interchange goes forward. We should have traffic studies. The very own resolution that the City and County signed off on in 1987 requires that in order for there to be additional interchanges that there be justification for them. Somebody just can't willy-nilly go out and say they want to do it.

There are just all sorts of issues that I cannot go into detail here about because of the time constraints. I did want to talk on the jurisdiction thing, because that is in the contract. I hope that your attorneys have read that contract. If there's anything that changes the terms of that contract, I think that should be brought forth here tonight and not have neighbors leave this place again thinking that we at least know where the responsibility should go and have someone twist that on us again.

We went before the legislature this year because there were three words included in a highway funding bill for the Relief Route. And those three words said that the funding for the Santa Fe Relief Route would also go to required interchanges. It said "and required interchanges."

After some hot hearings and a bunch of name-calling and stuff at the legislature, we finally ended up in a room many of the parties that were there, neighborhoods, highway officials and some City officials. And some legislators. And the agreement that we made there, and I have supporting letters here to support that from the majority of the people who were in that room, we entered into an agreement that the neighborhoods would back off from the rest of the amendments that we were proposing to that bill in exchange from a commitment from the Highway Department that they would limit construction of those interchanges to three.

One would be built at I-25, that's already been done. The other would be built at 84/285. And the other would be built for Santa Fe Estates at the ridgetop. It was called the Ridgetop interchange. This is the one that is illegally placed, 1100 feet from the other. We argued that at that time. But the people from the neighborhoods didn't have the credentials, I guess, to be believed. They wouldn't believe us that it violated AASHTO standards. So that was part of the agreement, that that Relief Route could be built.

But the entity that's taken responsibility for that is the City of Santa Fe, and you really need to know that. The second agreement that we entered into before the legislature, was that the three words would be removed from that bill. And those three words then, "and required interchanges" were taken out of that bill. The bottomline in the effect of doing that is that by removal of those three little words, the authority was taken away from the Highway Department for it to arbitrarily use that $20 million appropriation willy-nilly for any interchanges that it wanted.

They agreed to hold public hearings, public hearings, before any more interchanges were constructed. I have to tell you, and I've told some of you in this body before, I was a court reporter for about twenty years of my life, both a free-lance reporter and an official court reporter with the First Judicial District. I probably know about as much about the public hearing process as most people do. I know what that means. I know the

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requirements that attach to the public hearing process. I don't take those words lightly. I knew what was being committed to there that day. That whole agreement would have been completely unacceptable to me, and I would never have agreed to back off from the amendments we were trying to get tacked onto that bill had anyone agreed to anything lesser than that.

I have deviated all over the place from the presentation that I was going to make here. I've tried to touch on the highlights. I would like to have several documents handed out to you. There was a list of 62 questions that we asked of the Highway Department, and I guess that they were distributed to them by the City. I don't know; I didn't see them in your packet if any of you received them. So that's one of the handouts we're going to give to you, a copy of those 62 questions, and they'll probably be answered cumulatively here because it would be impossible to answer them in detail.

The other thing we're going to do is distribute to you a copy of the letter that several of us signed that were at that committee meeting with the legislators, with Representatives Lujan and Varela, on our recollection of what we agreed to there. The other thing that I want to hand out to you is a copy of the New Mexico State Statutes which requires that every highway construction project that uses state funds in New Mexico, and this project has used some state dollars. Every project that uses state dollars must have equestrian, pedestrian and bicycle access, but specifically, pedestrian pathways.

That's a mandated requirement. There are certain ways to get out from under it, but there has to be certification that it would against the public safety interest to build it, and I don't think that anyone could prove that that would be the case here, especially when we're already going to transport on a gravel road.

The other thing is, I have a copy of a newspaper account that was written after that agreement was entered into at the legislature, and you might want to look at that as well. In addition, we have a copy here of a New Mexico State Highway Department policy, commission policy number 65, and although it related to interstate access, it says that when there's going to be any access provided on an interstate highway that it can be requested by local government but before that interchange or that access point can be provided, it says that it must be approved by the New Mexico State Highway Commission. That is not something that can be done by the department alone.

And here is another issue that you need to be aware of: the Highway Department has throughout this whole process told us that because this highway is going to be maintained or turned over to the state after its completion that they don't have to meet the federal highway standards. In other words, they can use lesser standards to build this highway, even though it's going to be the official WIPP route, that they can use lesser standards rather than higher standards. And they told me time and time again, and many others in public meetings that they don't have to follow AASHTO standards

And I guess because it's not going to be part of the federal highway system they don't have to follow highway Commission policy 65 either, because when I called over there and asked for the minutes of the Highway Commission meeting that approved this interchange at Buckman and La Tierra, they said that there had been no meeting, that one of their key engineers had said nor did they need it because it wasn't a federal highway.

Now I think that the Department of Energy might have something else to say about

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this, and I think there are some minimum WIPP standards that have to be complied with here. Instead of reducing the standards for this highway we ought to be raising them.

The last thing that I have for you are neighborhood requests. They come from La Nueva Casa Solana Neighborhood Association, Barrio de Torreon, Barrio La Cañada, Las Lomas, Rio Vista Subdivision, Commons on the Alameda, West Santa Fe Association, Puesta del Sol Homeowners Association, and Sierra Azul Homeowners Association. We think that these are workable. For Casa Solana, what I must say what we're proposing is that you cut off access to Camino de las Crucitas just above Graham Avenue. We don't think that should be done a month from now. We would like for that to be done immediately. If not, all the highway construction traffic is going to flow through Casa Solana.

There are many people that need to speak and that you need to hear, so I will close, but before that I would like to have Suby Bowden explain to you what is on two maps here and concurrent with that, we're going to distribute to you a detailed account here of what you really approved, your entities approved. The Santa Fe County Commission, the City Council approved back in 1987. You approved two interchanges and nine total access points. That's all. You never approved nine interchanges like you have on that second page in your meeting of the notice tonight that came from an unapproved, and I underscore unapproved, general plan of the City, which is highly questionable and which we had a meeting about in December of last year. And that map has never been approved and it's very misleading to have that distributed in your packet tonight. And I hope someone here has the courage to ask how that came about. But here's the hand-out that goes with the map that will now be explained to you by Suby Bowden. Thank you.

SUBY BOWDEN: I'll be very brief. Three maps are being passed out to you. The first map is a map of the only map that was unanimously approved by the County Commission and the City Council. The two bodies approved it at different times, so it was 1985 and 1986, and as you look at this colored map you will see there were two approved interchanges, one at I-25 and one at St. Francis. And there was a third possible or potential future interchange which was at Caja del Rio heading up to what's now the municipal recreation area. All other dots on that map are intersections, not interchanges.

The significance of this is, this distance is about the same as the distance on I-25 between the Cerrillos Road interchange and the Pecos Road interchange. So the 1985 governing bodies were taking the same attitude about the Relief Route as they were taking about I-25, that that long a distance should have about three interchanges.

The second map is an open space map for the City of Santa Fe approved in 1987 that show the 1000-foot open space corridor, not a commercial corridor, but an open space corridor and it shows five potential or proposed trail crossings across the Relief Route, so we've numbered those five. The third is a black and white copy of a big colored map we have up here on the wall. But what it's basically showing is that there are now nine proposed interchanges. Not three, but nine in the same distance as we have from Cerrillos to Pecos on I-25 and three intersections and they state under each of those what approvals they have or do not have as we understand them. Thank you very much.

[Councilor Montaño left at this point.]

CHAIRMAN TRUJILLO: Thank you very much. Now we'll go to the

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presentation by the State Highway Department, Mr. Rahn.

PETE RAHN (Secretary of Transportation): Thank you, Mr. Chairman, Mayor, Councilors, Commissioners. Ladies and gentlemen, thank you very much for coming out tonight and taking this opportunity to give us input on the Santa Fe Relief Route. I'll keep my comments very brief. Following my comments Max Valerio, who's been the project engineer, the project manager for this project for a number of years will give a brief recap for the Commission and Council to summarize the history from the Highway and Transportation Department's perspective on this project.

I would like to say to everyone involved in this that we as a department are very concerned about your interests and the interests of the public in the utilization of the highway system and the impact that it has on property owners that surround it. and these are all concerns that we take into account every day with every project that we undertake in the state of New Mexico.

To attempt to respond to Ms. Garcia's comments would be extremely difficult and quite time consuming but I would add that there are a number of issues that have been raised that really mix, essentially, the responsibilities of the various governmental agencies. From the standpoint of the Highway and Transportation Department, our goal is to insure that from right-of-way that we have a highway that can accommodate the needs of both the communities that we border, the residents that we border and the traveling public of the state of New Mexico and nationally and internationally who are going to use this road.

Our responsibilities are essentially right-of-way to right-of-way. Decisions about commercial development, decisions about access from different roadways as far as what road connects into which road, which street, which ties into an access on the bypass, are essentially decisions of local government. And I think it's important that as much possible when we talk about issues regarding the bypass that were clear as to who's jurisdiction is being addressed and who's decision it is. The Highway and Transportation Department makes no decisions regarding what sort of commercial development or non-commercial development occurs along it.

The access points that have been designated along the Relief Route, and in fact the design of the Relief Route has occurred over a very lengthy period of time in close cooperation with the governmental entities involved. I know that we have had numerous meetings at governmental levels and there have been numerous public hearings. So I believe that the project as it stands is a project that will serve a very valuable purpose to the residents of Santa Fe, to Santa Fe County and all of northern New Mexico.

The road itself, and I would like to clarify to everyone involved, is that the decisions that we're making here today really do not involve build or not to build. The decision to build has been made quite some time ago and construction is moving forward. The questions that we have to answer and the input that we're seeking have to do with what features we can add to the Relief Route to make it more usable by various interests, and that has to be weighed against resources that are available to us. The cost of the Relief Route to date, with the expected projects, to date total $93 million. At the time that the facility is totally built, with anticipated construction completed here within about two years, we're talking about having spent $93 million on a fourteen-mile route.

So there has been a huge investment of taxpayer dollars already in this route and the

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decision, quite frankly, is too late, to try to go back and not build. That really is not an option at this point. We are interested in how it could be made better and we will take that into account as the project allows. The gentleman who spoke initially and who is an attorney and said he found fault with the environmental process, I would point out that we are comfortable with the environmental document. We believe that the construction and the design is totally in line with the environmental document, and I would also add that we have never lost in court when challenged on environmental documents because we are very careful. We are very responsive whenever possible. And I am as confident that this document will hold up in court if it were to be challenged as any challenge that we have faced in the past.

So I do not want to sound as if we do not care, and I hope that does not come across. We do care. But we have to deal with available resources and the available time that we have to complete a project. And at this time I'd like to turn the microphone over to Max Valerio, the project manager, to recap the process that we have gone through in developing this project.

COMMISSIONER ANAYA: Mr. Chairman, am I in order to ask a question of Mr. Rahn?

CHAIRMAN TRUJILLO: Yes.

COMMISSIONER ANAYA: Mr. Rahn, to follow up with Beverly Garcia who was asking us how these interchanges are materialized, are you saying that the City and the County governments are the ones that materialize these interchanges?

SECRETARY RAHN: No, Mr. Chairman, what I am saying is that we have worked together as three governmental entities in developing this design over the past ten years, so that there has been input from City and County personnel as well as the department to make the decision to construct interchanges. And it has been, there have been joint discussions and joint input into all of these decisions. None of these decisions has been made arbitrarily.

COMMISSIONER ANAYA: But ultimately the decision has been made -- it's on your shoulders of making these decisions of where they're going to be located.

SECRETARY RAHN: Ultimately we have to make the determination if there are resources available. One of the things that we have got to address whenever we are looking at any project, is the safety of the traveling public. And interchanges are multiples of being safer than an at-grade intersection.

COMMISSIONER ANAYA: But as far as your decision process is concerned.

SECRETARY RAHN: Yes.

COMMISSIONER ANAYA: Thank you, Mr. Chairman.

COUNCILOR BUSHEE: Mr. Chairman, Secretary Rahn, you had stated that we can look at what features we can add to make the project more workable, what can we do as the governing bodies to subtract some features to make it more workable?

SECRETARY RAHN: All of the features that currently exist on this design are there to address specific concerns that have been raised during the design process, including the environmental process. The interchanges, I'm assuming, Mr. Chairman, Councilor, that you're referring to interchanges as a feature to remove.

COUNCILOR BUSHEE: Interchanges, I suppose we could add some real

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pedestrian crossings. But my understanding, I've read pretty much all the documents I've had before me at least, and there are a lot of versions and many of us on these current bodies of course weren't serving when any of these things were created. However, they're fairly vague. They mention limited access points. They do not get specific and say that a diamond interchange is required here. I know I have personally participated in meetings where it was assured to us -- again, I was trying to determine the jurisdiction issues, and it was mentioned over and over that the three required interchanges were required for obvious reasons, to get in and get off and Santa Fe Estates because I guess that had to happen.

But all the rest were to be at-grade intersections and that we would control the access if it were in the City and the County Commission would control the access if it were in the County. So I would leave those meetings along with my constituents with assurances that all we really needed to do was work with the governing body to limit that access. However, now there is an enormous new interchange suggested for the Buckman Road area. My understanding is back in 1993, that was an at-grade intersection until Las Campanas, requested, because of development reasons they wanted to stick it up on top of a ridge, and now it is an interchange.

I also know it's built into a legal contract or a development agreement of 1986, however, it does not impact my district favorably. So at this point, I guess I'm asking you, your lawyers, my lawyers, the County lawyers, anyone's lawyers, how we would appeal to the Highway Commission to actually have the jurisdiction and control to limit the access for some of these proposed interchanges. There's no need to have nine interchanges along what's considered a relief route or bypass.

And this is a sincere question and legally I look through and we are the lead agency over and over, but there's always a clause that says, well, the department, meaning the highway, has final say on the plans and the whole thing, and that we do have a joint powers agreement. I have had the buck passed round and round and round to the point where when you say a statement like the local governing body has the access control, I can't find out how to get that control. So, I'm asking and appealing to any of you how we can actually have that say in protecting my district at least, and I'm sure other Councilors and Commissioners have their concern.

SECRETARY RAHN: You raise several issues and I'll try to address them as I recall them. The first one about whether it is appropriate to have interchanges along a relief route, in fact interchanges make more sense along a relief route than does at-grade intersection because the concept of an interchange preventing conflicts of traffic, allowing traffic to enter with the flow of the traffic in whatever particular direction it is at, the inherent safety of an interchange over an at-grade intersection. So it's my belief that an interchange is far more appropriate to have on a bypass than would at-grade intersection.

The fact is though, that we don't have enough money to build interchanges along the entire route. We are having to make certain decisions given the resources that we have available to us that given side road traffic, that some intersections can be safely traversed with an at-grade intersection. As far as the access control, the entire design and I believe a number of people are aware of this, is that when you deny access to a roadway, to neighboring property owners, they have to be compensated for the loss of access to the transportation facility, meaning we have to pay property owners when they border a road and

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they don't have access to it.

COUNCILOR BUSHEE: Do you not only have to provide reasonable access?

SECRETARY RAHN: We have to provide reasonable access. That's right. But the question is, what is that reasonable access, and how far can you travel to reach that point.

COUNCILOR BUSHEE: Who determines that?

SECRETARY RAHN: Ultimately the courts, if we make a bad decision. But the question becomes, if we have to go back and close -- and we have said and I believe members of the Council have heard me say this before, is that if the City desires to have an access point closed, then it's the City's responsibility to compensate the property owners that will be affected for the loss of the value to their property. And if the City is willing to undertake that responsibility, then that certainly is a right that the City or the County or any other governmental entity could have.

But from the standpoint of our department, I believe a $93 million investment in this facility is enough. We've got to deliver a product for the public now. So that if the City is desirous of closing access points and they're willing to shoulder the cost of that decision, then we will live with that decision.

Now beyond that, if there's an access point on the relief route that neighborhoods are concerned about what the traffic patterns are going to be like after the access is opened to an existing right-of-way, it would appear to me that it's a City or a County option to change the flow of traffic. There are options available to local governments to close roadways, to close streets, whatever is necessary then to change the pattern of traffic from that relief route.

COUNCILOR BUSHEE: Mr. Chairman, I just have one final question for the Secretary. If we're desirous at this stage, which the design stage, because we're not completed, if we're desirous as the governing body to limit the access by eliminating some of the access points, what is it we need to do? I'm not talking about after the fact when we could or could not connect to these suggested interchanges and/or at-grade intersections. What do we do if we want to not have nine access points in a very short span?

SECRETARY RAHN: It would require the City or the County, whomever it is, to enter into agreements with the property owners that are affected. And I would point out that it's not only the property owners that border the Relief Route, it's going to be any of them, any of the businesses or residences that are going to be negatively impacted by denial of access. The City would have to acquire from them their rights that they currently have for access to this facility. And Charlie Trujillo is our division director and can answer the specifics of the mechanics.

COUNCILOR BUSHEE: Thank you.

CHARLIE TRUJILLO: Mr. Chairman, Mayor, Commissioners, and City Councilors, as we've stated previously at several meetings, the access points have already been determined, and they were determined through the environmental process. Now to take it one step further and say well we want to close four of them. In order to do that then a complete reevaluation of the purpose and the need for the project would have to be done. We would want to take a look to make sure that the traffic safety issues that had been committed in the original project would still be addressed, that the traffic relief and those sorts of concerns that were again part of the purpose and the need for the project would be

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looked at, and there's ultimately the issues of -- the right-of-way has already been acquired so there are then concerns from the property owners that they could raise saying that we have all of a sudden changed what we had committed to do and now they have potential damages that they could claim and all of those issues were then have to be resolved.

COUNCILOR BUSHEE: Can I ask you, were all of those concerns addressed when we added the ridgetop Santa Fe Estates access point? Were there hearings? Were there environmental concerns that were addressed and all of the like? Because there are only so many access points that are put in the resolutions in the earlier days, but Santa Fe Estates materialized very recently and I would like to understand what the process was and again, understand the process to undo a few of them.

MR. TRUJILLO: Mr. Chairman, Mayor, the ridgetop issue was addressed through the process that I just stated. It went through several meetings trying to figure out how to address the access issue. It was an issue that the access had to be mitigated. I've gone before City Council several times to discuss that issue. So it's our opinion that all of that was done. Yes.

SECRETARY RAHN: Mr. Chairman, if I could add to my statement and also the comments that Charlie has just made. When I said the City, if the City wanted to acquire those rights of the people affected. I frankly don't believe that you could produce an environmental document that could justify those changes to the Relief Route of to justify the expense that the City would have to incur in order to do that. We have heard the comments of numerous citizens and activists regarding this project. We have incorporated whenever appropriate those comments into the design. And the design that we have and the construction of that Relief Route is a solid decision by the parties involved, including the City, the County and the Highway and Transportation Department.

The decision to construct was based on the incorporation of comments that we received into the process. We have evaluated those and when the information that we were presented with impacted the design, we changed the design to incorporate everything we could within the resources that we have available to us. And as I've said, there's already been a huge commitment of resources to this project.

The last comment I would make before I give the microphone to Max is that a number of items were cited, many of them are helter-skelter and do not apply to this project. AASHTO standards for federal interstates do not apply to relief routes. There was a very definite, as I say, helter-skelter approach to citing AASHTO standards or federal standards. This project meets every applicable state and federal law for the construction of this project and we are prepared to continue with its construction. And I'd like to turn this over to Max Valerio.

CHAIRMAN TRUJILLO: Councilor Sanchez, do you have a question?

COUNCILOR SANCHEZ: Yes, a couple of questions I had. You answered one of them by the last comments that you made regarding the national standards as it pertains to relief routes. They do not apply, is that correct?

SECRETARY RAHN: Mr. Chairman, Councilor, the standards that were cited are for federal US interstate highways. This is a totally different road. The question of whether the Highway Commission approved access to the interstate is already answered since the construction of the interchange at the interstate, which is 599, is existing. That

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interchange has already been built. The Commission approved it at the appropriate time. That is not an issue for the continued construction of this project.

COUNCILOR SANCHEZ: Okay, a little bit of confusion on my part. I don't understand what the responsibility of the City is. I think Beverly Garcia there was saying that it is the City's responsibility to determine the interchanges, the whatever out there. Is that right?

SECRETARY RAHN: No, Mr. Chairman. The City has acted as the lead agency in the design of this project. What that means is that the City staff has done a great deal as far as organizing, contracting with the design firms, making intermediary decisions. Ultimately, however, the lead agent provides this package, this design back to the Highway Department for us to either accept or reject. We have accepted the design and it has been let for construction and that is the work that is going on now.

COUNCILOR SANCHEZ: Mr. Rahn, what part did the two resolutions, one by the City in 1985 and then the County's -- they were identical as far as the number of interchanges -- what part did these resolutions play in your decision to proceed with the interchanges?

SECRETARY RAHN: Mr. Chairman, Councilor, if you would allow me to have Max go through the process to explain what occurred in what order, I believe he can answer that question.

COUNCILOR SANCHEZ: All right. I'll ask that question when he gets up there. But let me ask another one. These two resolutions, and that gentleman you referred to might have the answers. You might refer this question to him also. Those two resolutions had certain numbers and both entities also reserve the right for additional five. And you didn't answer the question of what role it played. If we don't have any responsibility on the design, for example for the City, I think it only touches two points or two of the interchanges are within the city limits; the rest are in the County.

I'm a little confused as to even what this meeting means, if we don't have a say-so.

SECRETARY RAHN: This meeting, my understanding is the second of the two meetings that the Highway and Transportation Department had agreed with area legislators that we would conduct as we proceeded with the Relief Route. This was the opportunity for public input and comment on the project. So that's what this meeting is all about. We're here to receive that input.

And the reason I didn't answer your question regarding what role did that play is I don't know what role those two played and we're going to need someone from the department who was involved at that level to explain what role the two resolutions played.

COUNCILOR SANCHEZ: The other question that I have is regarding the requirements for pedestrian, bicycle and equestrian lanes, are those required for this Relief Route?

SECRETARY RAHN: The law requires us to whenever possible to provide access for those items. We believe there is access for those items, for pedestrians, for bicycles and equestrian. There's been the request for us to look at the design, to see if we could locate a point for a particular, I think it was equestrian and we believe we have identified at least one location where some sort of an underpass could be constructed to allow for it. But the question really boils downs to who's going to pay for it and I think a

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collaborative effort of the State Highway and Transportation Department, the County and the City to try to locate the available resources is an option for us there.

We have only been able to find one location along the Relief Route that lends itself to any sort of equestrian or pedestrian trail that would be at a great separation either over or under the Relief Route.

COUNCILOR SANCHEZ: Mr. Rahn, it's my understanding, and I've got the state statute, that you're required before you spend any monies to have these things and to design these things. And I think that you're evading, you say we're looking into it, resources and that's how you're answering. Are you going to build these things?

SECRETARY RAHN: If the City and the County will elaborate on funding for the access, we have taken into account --

CHAIRMAN TRUJILLO: Hold on a second. You're going to get your opportunity to comment or ask questions. Why don't we let Mr. Rahn finish here, okay? Thank you.

SECRETARY RAHN: We have taken into account the available trails, and there have been a number of statements to the department that an equestrian trail, a crossing point for an equestrian trail would be desirable along the route. The question is that the City and the County has no dedicated easements to allow for public access to these trails. It does not make sense and would in fact be illegal for the department to expend state resources to construct access to private landowners for equestrian or pedestrian trails that do not have dedicated easements for public thoroughfares.

[Councilor Montaño returns.]

COUNCILOR SANCHEZ: Let me ask this question, Mr. Rahn, and I'll try to shut up here because we're running out of time. The right-of-way for the Relief Route, does it allow, is there sufficient width along the Relief Route to provide for these trails?

SECRETARY RAHN: The right-of-way we have acquired is the right-of-way necessary for the design that you see in front of you. We believe that the design allows for the use of bicycles to utilize the facility. Appropriate pedestrian access has been taken into account. The fact is that this is very rural. Frankly it limits the amount of pedestrian access that's necessary in crossing that facility.

All of these concerns, all of the requirements of state law have been met by the Highway and Transportation Department.

COUNCILOR SANCHEZ: What you're saying is yes, that there's sufficient right-of-way to take care of that when the time comes to put this thing together.

SECRETARY RAHN: In the appropriate -- now are we talking about parallel or perpendicular to --

COUNCILOR SANCHEZ: Well, I'm not sure because it says that you're supposed to do it. It's very clear to me, 67-3-62 says you've got to do it before you spend any funding.

SECRETARY RAHN: We made the appropriate evaluation and that design takes into account our judgements as to what can be made available and what can reasonably be provided for those activities.

COUNCILOR SANCHEZ: I would assume that you have to comply with this at some time. Right now you're expediting, trying to come up with a Relief Route, but you

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are compelled by state statute for these trails and crossings. Isn't that right?

SECRETARY RAHN: And we have. We have met that law. We have met that law. The problem is that the City and the County do not have dedicated easements for trails that run perpendicular to the Relief Route. We, quite frankly, cannot build equestrian, pedestrian and bicycle facilities that tie into nothing. It's a waste of public dollars.

COUNCILOR SANCHEZ: Mr. Chairman, that's all the questions I have.

COMMISSIONER ANAYA: Mr. Chairman, just to elaborate further, was the right by prescription taken into consideration by the Highway Department in these matters?

MR. TRUJILLO: Mr. Chairman, Mayor, Commissioner, I'm not sure what you mean by prescription unless the County has those dedicated easements by prescription, but no one has shown us that. Likewise, if the City has those, then we would likewise like to see those, but every time we ask the question nothing is produced, so I would assume that they don't exist.

COMMISSIONER ANAYA: I'm not sure whether that question has been asked of the County. I would like to look into it Larry.

MR. VELASQUEZ: Mr. Chairman, I'm not aware of any easements, prescriptive or otherwise that the County owns across this facility.

COMMISSIONER ANAYA: Thank you.

COUNCILOR MARTINEZ: Mr. Chairman, one question for Mr. Rahn, and it's pretty easy, pretty quick. That is the [inaudible] the legislature, the statement was made by Mr. Trujillo that there would only be three interchanges period. Three interchanges at that time. Now, how do we keep the Highway Department, how do we make them honor that statement?

MR. TRUJILLO: Mr. Chairman, Mayor, Councilor, now it appears is the appropriate time for me to respond to that and it is an issue. During the discussions that were held, the issue was brought up and one of the questions that was asked was what was the significance of the issue of the required interchanges? And what that significance was was that we are obligated to follow the project development process, conduct public involvement meetings and make those decisions from that standpoint, for whatever action is ultimately taken on the project. And that's what I agreed to that evening, and that is what we are doing.

COUNCILOR MARTINEZ: Mr. Trujillo, there is only one thing one that, correct me if I'm wrong, but there's several, several people that heard you say that there would only be three interchanges, one on 84, one I-25 and one on Ridgetop. That's all the interchanges that were going to be done. That's the reason that the people there agreed not to mess around with the funding of the Highway Department at that time. Now as your resources change, so do the interchanges change.

MR. TRUJILLO: Mr. Chairman, Mayor, during the discussion, I was asked what was taking place and what was required based on the interchanges. But if you'll recall, before the discussions even started I went over these maps, I explained everything that was going on. I also stated that the next interchange was probably going to be -- yes I see your fingers, thank you -- the next interchange would be the one that would have to be looked at was going to be Las Campanas.

At those discussions, during those discussions what we said was when that occurs, we

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will go through the public involvement process and we'll go through the project development process in order to get there. We can't exclude or include those decisions because they're future decisions. You have to make those decisions based on what's going on at that point in time. So we had already stated that. It's in the letter that I sent to the City in November. We have been very consistent in what we've been saying. I realize that it is a point of contention and there is a huge difference of opinion as to whether there will be three or more, but what I stated was that we would go through the project development process and we would go through public involvement in order to get to that point and that is what we're doing.

COUNCILOR MARTINEZ: One more thing. At the meeting that we had a couple weeks ago, you said that this decision has already been made. There's no input by the public if they've already been made. One more thing. At the legislative meeting that we had, I never heard the word Las Campanas. Never. Maybe somebody can correct that for me.

MR. TRUJILLO: At that meeting I went over the maps and I explained all the intersections. I'm sorry if you didn't hear that, but that's what I explained. The other issue has to do with -- I'm sorry. What did you say about the public input? The issue regarding public input, the public involvement meetings are established so that we can gain that input. As a result of the meeting that has taken place we are taking a look at that at-grade intersection but we have a lot of concerns about the safety issues that are going to be evolving if we don't address that and address that correctly.

So based on those inputs, we are looking at that issue. We're just very concerned that that is not the best solution and in fact it's going to cause a problem.

SECRETARY RAHN: Mr. Chairman, Mayor, and I would like to add that the access points have been outlined from the beginning. There were, I believe there were eight that were pointed out as being specific points that would be constructed. There were five potential access points. What we're talking about essentially is the difference between an interchange and an at-grade intersection and quite honestly, I don't understand why everyone would not want the safety benefits of an interchange instead of the inherent dangers with an at-grade intersection.

COUNCILOR MARTINEZ; Mr. Rahn, I think one of the problems that you have understanding is, because you're not even being impacted by the traffic. Casa Solana is, and so is West Alameda.

COUNCILOR BUSHEE: Mr. Chairman, thank you. This will be brief. This is a question for our City Attorney. Mark, this has gone round and round long enough for me anyhow, with regard to how actually has jurisdiction. I read this JPA and it says, Appendix A "make no changes in design or scope of work after final approval of the plans by the department without written approval of the chief Highway Administrator or his authorized representative.

So in my reading of I guess, this little appendix, Pete Rahn is the guy that has the jurisdiction. At least I want to point that out and make it clear, because many people of the Highway Commission or somebody. But what I'd like to understand is, we keep relying on these resolutions that were passed back in 1985 and 1986, my understanding is that a resolution is a non-binding intent and what was also presented tonight was a map with more

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specifics saying that these would be interchanges and these would be at-grade intersections.

Which would supersede, do we have a right to understand here that perhaps a resolution, a non-binding resolution passed over a decade ago, perhaps does not signify what this governing body or what these governing bodies perhaps would like to see done now as we're building this thing.

MARK BASHAM (City Attorney): Mayor Delgado, Chairman, Councilor Bushee, to answer your first question, the way I read the most recent JPA, it would appear to me that the City has submitted the final design for the Relief Route. As such, any changes to that Relief Route would require Highway Department approval. To answer your second question, a resolution is not binding on a subsequent City Council and this Council could pass another resolution requesting that there be deletions to certain intersections or interchanges. However, even if it did that, it would still have to go back to the Highway Department for their approval.

COUNCILOR BUSHEE: Okay, let me ask you just the follow-up, with regard to the map. I don't know if you were given a copy; I assume you were. If someone would give him a copy. There's a map indicating, it's also passed by, I understand, I don't have the minutes here, but it seems to have been passed by a joint City/County Commission meeting that outlines the specific interchanges and then the potential at-grade intersections. Because there is a difference, Mr. Rahn.

Even if we could eliminate some, that would make it better, but to have now, at Buckman Road, to have it built on a ridgetop so that everybody gets to hear the traffic, have the light pollution because it now affords Las Campanas a better development project, perhaps, and affects the people all around how it's going to be built. It shouldn't be built on a ridgetop. It should be built down at at-grade intersection where it was originally designed until 1993 when Las Campanas decided they needed all the land possible to develop. So there is a difference.

Safety reasons, I'm not an engineer, but I do know that the people's concerns are that there are too many of these proposed intersections, not exactly how you're going to build them, but that there's far too many in a short stretch. But I would like to get back to just the map, if you could take a look at it to see if that has any better indication. It's more specific, because these resolutions that are non-binding are not very specific about the points that are going to be even access points. They just suggest that they're going to be access points. And again, I want to mention that there are resolutions. Thank you.

CHAIRMAN TRUJILLO: I'd just like to say that we're fifteen till seven and it looks like this exchange that's question and answer essentially will take us probably through the 7:30 hour, so it looks like we're probably going to have to schedule another public hearing to listen to the community with questions and with comments. Is that where this body wants to head? Councilor Montaño.

COUNCILOR MONTAÑO: I do think that because the County Commission needs to get back to its own meeting this evening that it would be appropriate to have another hearing but it would need to be very soon, like next weed. I just have a question, if that's all right. I'm sorry that I had to leave for a few minutes and this may have already been asked, but I guess I don't understand after reading this provision 67-3-62 what is says is that you shall not expend state funds without providing provisions for bicycle and equestrian

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traffic along and across the highway.

I guess my question is that if that means on both sides of the highway, how are you supposed to get from one side of the highway to the other if you don't have an underpass below the highway to do so. If people are going to access the western end and the eastern end and if they're on the east end and they wish to use the trail, the equestrian trail and the bicycle trail that's on the western end, isn't that why that provision is in there, so they can make that connection between the east and the west end along the highway? That would make sense to me.

I can understand why they don't want to put it in a specific place where maybe the County and the City do not have access, but it seems to me that if you have pedestrian and equestrian paths along both sides of the highway, there were need to be some kind of an underpass or overpass in order for bicycles and people and horses to get to the opposite side. That doesn't make sense. I mean, how would you have bicycle paths on both sides and yet not have a way for people to get from one end to the other?

I guess that's what this statute says, and I guess what you're saying, Mr. Rahn, is that if we're providing it for a private trail that exists across the highway, that would be permissible, but it would seem to me that for the bicycle path from one side of the highway to the other, that we should be able to be able to provide that. I think it would go a long way, I think that we would go a long way with developing a way for people to get across the highway in order for there to be bicycling and horse traffic, even if it's just along the highway.

MR. VALERIO: Mr. Chairman, Mayor, members of the Council and Commission, my name is Max Valerio, the project development engineer for the Santa Fe Relief Route and I have been involved in this project for four years, the last four years. The issue regarding crossings to accommodate pedestrians and equestrians are being provided as part of the Relief Route to some extent and I will discuss those locations as part of my presentation.

COUNCILOR MONTAÑO: You haven't had a chance to make your presentation yet?

MR. VALERIO: Again, thank you. The northwest Santa Fe Relief Route has been on the City and County plans for the last 25 years. There has been a need to provide a bypass around Santa Fe to be able to provide relief to the overburdened street networks of Santa Fe. In 1984, a partnership was formed by the Federal Highway Administration, the New Mexico State Highway and Transportation Department and the City of Santa Fe, with the City acting as the lead agency, to develop a location study to evaluate a route to accomplish this purpose.

That study was undertaken in 1984 as I mentioned, and it did undergo an extensive public involvement program that began in 1984 and extended up until the time that an Environmental Assessment was produced and a finding of no significant impact issued, which we refer to as a FONSI. That FONSI was issued in 1988. The location study, the Environmental Assessment and the FONSI, all noted or identified or 13 access points on the Santa Fe Relief Route.

These access points were identified by the design team, the partnership that I referred to and they were consistent with the City and County General Land Use Plans, which

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identify critical needs and locations for access to be served by the Relief Route. The 13 access points, as we heard previously, were adopted by resolution by the City and the County. Both entities recognized a need for the 13 identified sites. They did also recognize, or recommended that eight of these sites be implemented as preliminary access with five of the remaining sites to be developed at a later time.

It was also shown in the Environmental Assessment that 11 of the 13 sites could be designed as potential interchange locations and the resolutions acknowledged that, acknowledged that these locations could be developed as interchanges as the need would warrant. So those were in fact in the documents. In 1987, that is when the actual design and right-of-way acquisition began for the Santa Fe Relief Route, and it was a very lengthy process. It encompassed approximately ten years.

Just last fall, we completed the right-of-way acquisitions and this year at the legislative session, we received the final funding, $20 million which we referred to to be able to complete the entire facility as it has been ultimately designed. The facility is 13.8 miles in length. It has been broken down into phases for purposes of discussion and purposes of developing construction bid packages.

The first phase, which begins at I-25 and proceeds north and west to Airport Road has been completed. Construction began in 1989 and took place through 1995. The four-lane arterial was built from I-25 to Airport Road as was the interchange at I-25. A portion of the two-lane frontage road was also completed as part of that work, and that began at the Santa Fe River just north and west of Airport Road and proceeded north and east for 1 1/2 miles. So as of 1995 we had a completed arterial and a portion of the frontage road network.

Currently, or recently the department advertised and let out to bid and awarded a contract for the completion of the frontage road network that would begin where the 1 1/2 mile segment ended near the Cottonwood Mobilehome Park, and that would extend approximately five miles north and east to the vicinity of the Buckman Road area and Camino La Tierra. That project has been under construction, which is what we can see out there, and that project is scheduled to be complete, paved, and open to traffic by the end of July. At that time, the Santa Fe Relief Route will be functional as a two-lane facility around the City of Santa Fe.

Other construction projects have taken place. In January of this year we advertised and let out to bid the northern interchanges which would include the ridgetop interchange and the interchange at US 84/285. It would include the four-lane arterial between those segments and it would also include provisions for a climbing lane from Guadalupe north of 84/285 and ending at the interchange. That project is to have construction commence this month. That project has also been let out with a feature that would require, or provides for an incentive for construction to be completed as soon as possible.

Construction of that interchange will take approximately 12 to 18 months to complete. Next, we have two remaining projects. The next portion, which is one of the northern portions, would complete what we refer to as Phase III. And it basically connects from the Buckman Road-Camino La Tierra area east to where the interchange project will begin. That is a two-mile segment and that is tentatively scheduled to be let out to bid the end of this summer or beginning of fall. Construction for that project should take approximately 18

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months.

Lastly, we have the Phase II, as we refer to, which is the middle portion of the corridor, the Phase II mainline arterial. That would basically encompass 6 1/2 miles of four-lane arterial that would be built along with at-grade intersections at County Road 62, County Road 70. It would provide an underpass near Puesta del Sol and it would terminate at the proposed interchange of Buckman and Camino La Tierra. That project is tentatively scheduled to be let out to bid near the end of this year or late fall.

Construction season for that project would take approximately 18 to 24 months, being the largest and last project to complete this facility.

SECRETARY RAHN: Mr. Chairman, that will conclude our presentation.

CHAIRMAN TRUJILLO: Thank you, Mr. Rahn. Thank you very much. This is a public hearing and that's the reason that we're here to listen to the questions and comments from the public. Since we started about fifteen minutes late, we are -- the County Commission's receptive to going to 7:45. So we'll open it up for questions and comments from the public for the next forty-five minutes and if we have to we will reschedule a meeting for next week to continue with the public input. We can schedule that meeting, I understand, right away if we need to and announce it today.

Okay, so we have 45 minutes for questions and comments. How may people want to talk to this matter? If you want to stand up, try to limit it to one minute per person, and get away from being redundant. So stand in line and continue that way.

MS. GARCIA: Mr. Chairman, at the end of the public's presentation, could we have two minutes just to rebut a couple of answers that you received here, because we do have other information. We'd hate for you to leave tonight thinking that certain answers that were elicited from your City Attorney -- we really take great exception to some of the interpretations made here, and we'd like to point a couple of things to your attention.

CHAIRMAN TRUJILLO: That was in the agenda. I don't see any problem with that. Yes, Councilor Sanchez.

COUNCILOR SANCHEZ: Yes, I had one question. Mr. Rahn, you said one of your staff persons was going to answer it and that was regarding what emphasis or credibility was given to the ordinances passed by the two entities. Actually, they were resolutions. And I think in the talk there by Mr. Valerio, he placed quite a bit of emphasis on it. Is that right?

MR. TRUJILLO: Mr. Chairman, Mayor, Councilor Sanchez, that's correct. That's part of the public involvement and governing body input in developing and evolving this project.

COUNCILOR SANCHEZ: Were you on staff at that time for the highway?

MR. TRUJILLO: Mr. Chairman, Mayor, Councilor, I was on staff and I was the traffic engineer at that time.

COUNCILOR SANCHEZ: Do you remember where that was held? Where we held the final selection of the route and the designated intersections? It was held in this building in 1985. Out there. We had maps. We had everything. And the consensus at that time was the alignment and the route and the interchanges were acceptable to the people that were attending and it was a huge gathering, such as this. Not his big, but that's what happened. I was there. Is that right?

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MR. TRUJILLO: Are you sure. Mr. Chairman, I was not at that meeting, so I don't know.

CHAIRMAN TRUJILLO: Okay, we'll go ahead and start with the public portion of the meeting. State your name for the record, please.

CHARLIE GRIEGO: My name is Charlie Griego. I want to say hello to the City Council, the County and all of you at State. I just have a couple of questions for you. Okay, we're talking and we hear about we're going to develop these streets, we're going to develop this and that. I want to ask you all a question. Where is all the money going to come from to pay for these streets when they're finished? When the under comes and everything that's finished, where is all the money going to come from?

You first have to study and have the money for these streets to be paved, to be finished and everything, the underpass and everything. Let me tell you each and everyone, I am not going to let the County, the State or the City raise more taxes for more and more things to be developed because it is not right that we come up here and speak and then something doesn't get done. Just like my father. Look. They promised my father a street light on Cerrillos Road and Enterprise Road 20 years ago and it still hasn't been done.

But where is the money going to come from? I'm asking you a question, because I am not going to let nobody from the State, County, or City raise any taxes for these poor people or for nobody because I go stand for 100% for them. Thank you.

PAT SIMONS: My name's Pat Simons. I'd just like to point out that the presentation that was made here tonight is condescending. It's cynical and it has a contempt for public input. It seems to be it was almost Machiavellian. And I just wonder where people who are supposed to be protecting our interests were when the boys over in the department were planning to be the tail that wags the dog, and you guys are supposed to be the dog.

As I think you pointed out sir, this meeting is a sham on the part of the department. I think it's pathetic.

RICHARD BARR: My name is Richard Barr and I live about a half mile from the Buckman-La Tierra interchange and if you all want to come out and see something that looks like hundreds of acres that is totally unnecessary, I invite you to come out and look at this monstrous interchange. I don't know what it is. I'm not an engineer, but I don't know what it is with the almighty interchange.

A relief route is supposed to provide relief. The way I see it is a road, a four-lane road if they want, no frontage road, running from the interstate up to 285, no interchanges at all. What's wrong with an underpass? Are you familiar with the underpass that goes over -- there's an underpass that goes under the interstate to go to Arroyo Hondo. What is wrong with one of those for each dirt road serving a community in this area so the people can just get where they're going. I mean I call that access. Go under the road.

I hope that you would ask these questions on my behalf. Also, commercial development in my mind should be zero. I see no reason for it. And if any of you have seen our night sky out on the westside, you know how beautiful it is. And I don't know what creative measures can be taken with highway signs and lighting, but I hope that issue is seriously addressed also.

One last question: It's impossible to get information in this city. This map up here

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in front of you is the first map I have ever seen that has my street on it. I have gone to the federal building where the transportation is for the last three years, and they keep pasting these little day-glo runners along the map and nothing's labeled. It's a topographic map. I don't know how you can build a road and you don't even have a map that I'm thankful to see, that shows exactly what is going on. So please ask these questions on my behalf.

MICHAEL BUONAIUTO: Thank you. Thank you for being here. My name is Michael Buonaiuto. I'm representing the Barrio de Torreon. I'd just like to read this little bit. I know that the City officials have recently, there's been recent interest to preserve our neighborhoods and last night, Mayor Delgado and the City Manager have stated that there should be no cross-city traffic going directly through existing neighborhoods, which I'm appreciative of.

At the present it looks as though the West Alameda neighborhood and the Santa Fe River park system may be under siege of significant increase in traffic, which I'll explain in a minute. Unless immediate attention is given to several major road connections, the following neighborhoods stand to be overrun with cars: the Barrio de Torreon, Casa Solana, Barrio La Cañada, Las Lomas, Rio Vista Subdivision and the Commons, to mention a few.

We are concerned also because interest and work now being done on the Santa Fe River restoration project and that and increase in traffic not only would be damaging to existing neighborhoods but would disrupt the biologically sensitive area along the river corridor which in time will be a wonderful benefit to the entire city. We ask that the City now begin, as lead agent, to work with and direct the Highway Department, which seems to be stepping a little out of bounds and just feels downright arrogant on their part to come before the public and tell them, to tell us what they're going to do to our town.

We ask -- the three following issues that I'd like to bring up. One is the intersection of the Alameda and so-called Relief Route, that it be redesigned or designed to not let traffic flood down the Alameda. I realize that it's now as an underpass, but with the number of interchanges on this map I'm afraid that it too would be an interchange.

The Highway Department has recently started to construct a massive roadbed which is from the bypass near the radio tower. I'm not sure how many of you have been out there. If you past Hanson's. I'm not sure exactly how many of you are listening, but if you go out past Hanson's and before you get -- it's right near Tricoma Vista. There is a massive roadbed coming from the bypass.

And if you stand at the bypass and look down this road that is aimed at Agua Fria Village and I would ask the Public Works and the Highway Department that this seems to be Richards Avenue in disguise. I know there was a meeting and they said, no, no, Richards Avenue is 100 feet that way. Well, this project you must drive down. There's a box culvert in the middle of nowhere in this arroyo. It seems to be a four-lane bridge in the middle of nowhere aimed at Agua Fria Village and what would be Richards Avenue.

This is a great mystery and before another foot of this road is built I would demand a public hearing so that we know what that is all about. I urge you to go out and look at this. It's ridiculous.

The third thing would be, that for the West Alameda neighborhoods and the river corridor, that now something be put in place for a traffic calming system and in the future, traffic calming systems, the area is very delicate. There's lots of kids. There's curves. The

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Habitat for Humanity is in there. The river will be a beautiful area and we don't want it destroyed.

In closing, this is a perfect opportunity for the County and the City officials to join together as our representatives to help protect the neighborhoods and just preserve Santa Fe. Thank you.

MICHAEL DUBONNIET: Hello, my name is Michael Dubonneit. I'm the Vice President of La Nueva Casa Solana Association and I'm here tonight because I have some serious grievances with the way this bypass is being presented and built. First of all, I am extremely offended at the labeling that Mr. Rahn has attempted to pursue in calling people activists just because they're concerned about the bypass.

We're not saying don't build it. That's not what we're saying. We're saying let's build it safe. Let's build it's accessible to pedestrians. Let's build it appealing to sight and sound. Let's build it fair to the neighborhoods. That's what we're saying. If you take a minute and in your mind, just take the area of Las Campanas and trade it with Cottonwood Trailer Park. Now do you think that would be getting the kind of flack. Don't you think that there'd be a big interchange down there where the new Las Campanas is going to be? Do you think that this bypass would come three feet from Las Campanas? No. No.

I have a question for maybe Max Valerio, I'm not sure. I live in Casa Solana and I want to know what's going on. I want an answer tonight to say what are you planning to do with the traffic when you tear up the last leg of the bypass from say, Montoyas to 285? You're going to route it through Casa Solana until you get that built, aren't you? No? So where is it going to go? Are you going to airlift them over? That's just a question you can just honor because I need to know. Because we're not getting a voice here. We're getting Range Rovers and Mercedes Benzes passing us on our neighborhood streets.

And when I make a voice about it, all I get is the finger. They were saying tonight that for pedestrian access, there's only one real reasonable place that we can put one. The rest is just too hard. Let's take a look at the overpass that's on St. Francis Drive and St. Michaels. Now, can you walk between St. Vincent Hospital and the Emporium without taking your life in your hands? This is the kind of idiotic stuff that's going on. And this is what we're going to end up with on the bypass.

We need to have these things written in now. We need to have these things done now. It's going to be a lot more expensive to do it later. Basically what we're going to end up with is not a bypass. We're going to end up with a glorified Cerrillos Road. We're going to need a bypass for the bypass.

CHAIRMAN TRUJILLO: Let's try and limit it to a minute here to give the others a chance, an opportunity to talk. Okay?

MR. BUONAIUTO: I'm doing what I can. I understand. So basically, what's the message here? If you have enough money to fight and sue or whatever, you get what you want. If you don't, you eat what's on your plate. Why is it that Las Campanas, related developers Santa Fe Estates and the such are getting everything they ask and need? Why is they are the only ones that are getting everything they need? How convenient. It's money, it's what it is.

So basically, I'm asking everybody here, I want to say choose this day whom you will serve, the people or the wallet? That's what I want. And I say to the people, this isn't

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their fight. We elected them. This is our fight. Thanks for coming tonight, but be here every time. Be on their case. Let's not give up. Let's strengthen. The neighbors that aren't here tonight. Talk to them. Get them here. Tell them to turn off Dateline, or whatever and get down here. This is for eternity. Thank you very much.

MOLLY MAHAFFEY: My name is Molly Mahaffey. As a member of the La Nueva Casa Solana Neighborhood Association, I'd really like to thank the Council and the County Commission for sponsoring this meeting. I'd like to make it clear to the public that they agreed to have this meeting at the neighborhoods' request, that it was not a meeting, a public hearing called for by the Highway Department.

I know that we have a long way to go. We have lots of issues, we're taxing your time and your energy and I hope you'll bear with us and allow us to continue to do so. Our concerns our legitimate. Our manners vary, but I hope you will listen to us in the future and to hold meetings, as many and as long as necessary. Thank you.

JOSE VILLEGAS: Buenas tardes. My name is Jose Villegas. I'm a new member of the newly appointed Highway Corridor Planning Committee. I'm so excited. I'm going to be representing La Cieneguilla and La Cienega. I've got some issues. I only have two issues. One that has to do with WIPP on 599. I attended on March 14, 1998 the WIPP tracks 98-1 scenario on 599 and Airport Road. And reviewing in particular the exercise, we're all going to die.

I believe that we don't have the emergency capability or the response to take care of our community big time. The second thing I wanted to talk about was the DOE draft site environmental impact statement. On page S-22, Sections S-3-17 on the environmental justice and transportation it states that the human health impacts associated with these special pathways, which includes 599, also will not present disproportionate high and adverse impacts to minority or low income populations. I disagree.

I want to know what happened to the presidential executive order number 12-898, the enforcement requirement for 599. If the Highway Department receives federal funding to build a highway to accommodate DOE under the mask of national security, then why hasn't the highway department complied with identifying and address any type of disproportionate high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low income populations such as the traditional communities of La Cienega, La Cieneguilla and Agua Fria.

The last thing I want to say is that if the Highway Department really believes that their environmental impact study can truly stand up in court, then I tell you what. I would really love to put that executive order 12-898, which was done February 11, 1994, a challenge to this particular environmental impact study of the Highway Department.

AMY SUMMA: My name is Amy Summa. I'm a resident of Coyote Ridge Road in the county. I have lived there for ten years. We've been using the trails. There's a large network of trails for pedestrians, joggers, horses, cyclists, out in that area, all along. I've heard over and over, I've been to meetings where the College of Santa Fe has said they will grant an easement. I would like to see a trail crossing. It's heartbreaking to have this huge road go in out there but I am wiling to accept it because this is progress. This is the way of the world.

But it seems to me the least that can be done is to not cut us off from this whole

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beautiful area that we've had access to for so long. I've heard from our councilors, and I really want to thank Frank Montaño and Patti Bushee for fighting for us. I want to know, though, what the County Commissioners are doing about this. And Mr. Trujillo, I voted for you. And I want you to fight for me. And I want you to fight for these crossings.

DUNCAN MCBRANCH: My name is Duncan McBranch and I've been a resident of Casa Solana and also of Tierra de Oro and it seems to me that this has been on the books for 25 years. We're all paying for the mistakes on the poor planning on the segment from Pojoaque to Santa Fe. We're now seeing exactly the same poor planning coming in here.

I listened very carefully to the presentations by Mr. Rahn and Mr. Valerio. What we were told is there has been extensive public input up until the environmental impact statement was prepared in 1988, which says to me there's been no public input for a decade. Secondly we were told the decisions have been made and it's impossible to change them. And finally we were told that this is our opportunity to have input now.

If this is true and if this is legal, it's an embarrassment to our system.

ROBERT WILLIAMS: Mr. Chairman, Mr. Mayor, Councilors, Commissioners, my name is Robert Williams. I'm a board member of the West Santa Fe Association.

I listened very closely at Mr. Rahn. He said he was concerned for traffic safety and the flow of the traffic on the highways. And certainly if the highway out there had been built as it was normally intended with four lanes and frontage roads for the side traffic, certain safety features would have been incorporated into it. However, because of the phasing that they're using to build this highway, they've sold out, as far as I'm concerned, the safety of the local people that have to cross that road in the interim until they get it constructed.

If it had been built as it was intended with the interchanges, the frontage roads connecting to it, we would have had a safe way to get across that road. But as it is now, I'm not really worried about an atomic catastrophe out on that highway, I'm worried about some guy running up my tailpipe when I try to make a left- or a right-handed turn off of that road. Using a two-lane road that will handle the high-volume, high-speed traffic that's going to be on it.

So what I'd like to request, Mr. Rahn, is that you have your people take a look and see if they can't give us some holding lanes that would provide us safety in the interim. I'd appreciate it very much, sir.

DAVID LIEBERMAN: My name is David Lieberman and I didn't hear any reference to any people here from the DOE. I didn't hear any reference to people from the Department of Energy, whom I understand are paying for some of this route. This is not an ordinary bypass to go around a town so people can go through quickly, so that the merchants can bitch about it and say we now have to build some stores near the bypass now, which we're trying to avoid by letting people go through faster.

It's not as simple a case as that. It seems to me that this bypass -- which means going around -- this relief route, is to, because you're going to be transporting some stuff on it, that I don't want running past my kids and my home, because I was up there at Gate 55 making some of that stuff at one time, and now I live at a place where they're not going to

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come right by it but two miles to the first interchange off, or maybe a mile and a half off 85.

So this route is not just a case of taking traffic, ordinary traffic, around this town. It may have started out that way in a sense when you first planned it, but it's taken on a completely new dimension. And it seems to me that the DOE, or people who are familiar, not me, with what they're going to be transporting and the possibilities, the terrible possibilities, should have some input as to whether that 13.9 miles is easier for an ambulance and a fire engine and some unhappy vehicles to come across if they have to. Is it easier for them to take care of people with five interchanges or two interchanges? And how many interactions? How may cross-overs?

There are some questions here that I haven't heard mentioned. Now it could be that I came in late. I do that sometimes. As a matter of fact it could be that I've already heard some of the people that came before me. I almost came up here and said, good evening and went back, because I've heard almost everything that I wanted to say, said almost by people. I am concerned. I am concerned by some of the gratuitous, euphemistic, throw-away statements that were made by the people from the organization from the Highway Department about what they're doing about a fait accompli, almost.

It's almost as if they were saying, well, we can't change it now. We've already got a lot of resources into that already. You wouldn't want us to change it now. That would be a shame, wouldn't it? It seems to me that there are some questions about procedure and stuff. But the most important part I want to mention is I hope that people will continue to remember what the hell is going to be on that bypass that we're so concerned about. It isn't just tourists coming from Colorado and or some place else and going elsewhere and we hope will find Santa Fe a destination. It isn't just a big sign that says "Keep New Mexico green. Bring money." Like the tourist bureau.

It's a much more important question. And I haven't heard that part addressed yet. Are there people here joining you, people working for the public, people who have been elected from the agency which had provided part of this money to make this into a very special bypass? What do they say is good for a bypass of that sort? Are there people here from DOE joining us? I don't know. Thank you.

KIM SHANAHAN: My name is Kim Shanahan and I live in Barrio La Cañada. I've lived in the West Alameda corridor for the entire 12 years I've lived in Santa Fe. And I'm about to probably make some of my neighbors kind of unhappy. This is a good road. This is necessary for Santa Fe. And I ask all of you, with what little capacity that you have to actually show some courage and to acknowledge the fact of what this is going to do for the rest of the population of Santa Fe and not just Patti's district, and Jimmy's and Larry's, maybe Javier's.

This road has been here for decades. I used to live on West Alameda further out about 100 yards from were this road is going to go. It impacted the sale of my house by probably about $50,000 or $60,000 because nobody wanted to buy by the WIPP road. So this has been known for a long time. And what is it? The bypass, the Relief Route, or is it the WIPP road? It's all three. It's all three. And it needs to be built and it has to happen pretty much the way these guys have said it's going to happen.

What is a surface interchange? Patti, you were asking, you didn't really know what the difference between what a surface interchange and a cloverleaf is. A surface interchange

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is Tano Road. A surface interchange is that four-way stop down by I-25 where six people have died. That's a surface interchange. A cloverleaf is access to where this county is growing. We are going to grow to the north, whether it's Las Campanas or whether it's Tierra Contenta in Santa Fe Estates, that is where we are going to grow.

That's where we should grow. That is where our land is. We do not have to keep pushing down to the south to grow. The Arterial Road Task Force has got little dotted lines that go all the way north of the Relief Route. Those are going to be built some day. If the Relief Route does not have interchanges or accesses beyond that to the south, you have effectively created a dam, which means that everybody will have to drive, just like they do now, to have to cross the river, way the heck out of their way to get from one side of the thing to the other. So I'm just here to just say to you that I live in the district that we're talking about. Yes, the traffic is going to get worse.

St. Francis Drive didn't exist at one time. It blew through neighborhoods. Casa Solana didn't exist at one time. It was a concentration camp for Japanese Americans. Things change. We have to acknowledge the fact that this is the way the county is growing and if we don't do it responsibly, we don't do it safely, we're going to be back here again trying to figure out when are we going to build a Solana cloverleaf. How many people are going to die in Solana before we finally build a clover leaf in Solana?

What you can do at this point in time is to figure out how to get kids and bikes and horses underneath there. That is what you and the governing body can actually accomplish at this point in time. Where's the money going to come from? How are we going to buy these accesses? That's what you guys need to be doing. And I would also suggest that there is a lot of easements that go through there, and they are all owned by PNM. So talk to them.

GRETCHEN GARNER: My name is Gretchen Garner and I live in Puesta del Sol. I was listening very carefully to Mr. Rahn put safety as the whole reason for these interchanges, and yet we found out at the end of the presentation that the overpass/underpass that our little trapped community was relying on to get across this new highway is not going to be built for probably four years and we're going to have to dart across trucks barrelling down at that speed limit for four years taking our lives in our hands whereas you're going to be building interchanges that nobody seems to want.

How about canceling one of those interchanges and building us our overpass. So we're not trapped behind this very dangerous road. And I think there's another subdivision in a very similar state. Safety should come first. This is going to be a very unsafe situation. Phase it differently. It's not too late for that hopefully.

WILLY VIGIL: My name is Willy Vigil. I live at 136 Camino de las Crucitas, native Santa Fean, been here over 30 years. I would invite any one of you to come in to one of the bedrooms that we have at our house that we currently have vacant and just witness the barrage of traffic that goes up and down our street. You can't believe it. But that's not the point.

I think the point is when the state legislature met, they in fact, and Jimmy Martinez made the statement and he's accurate, because I've verified this with my representative, Lucky Varela, Representative Varela. He said that if in fact, that the State Highway Department was going to have more than three interchanges, there would be public hearings

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so there would be public input.

Unfortunately, the public, the State Highway Department didn't call the public hearing. These people here, Beverly Garcia, due to her and her groups, are the people that are responsible for putting this meeting on today. And I want to commend her for that.

Lastly, you are the governing body here. We voted for every one of you here. You represent us. You're the drivers of the bus. These guys are just passengers. I know that. I was a department head too. You have an opportunity to change, to make a change. And I think that is the importance of this meeting. It's not too late. This is what these people ar telling you right now. That's what I'm hearing. Change. Change. We know we need the Relief Route. Maybe put it somewhere else, I don't know what the issue is or the resolution is. But, it needs to be done. But I think that you as the governing body need to make changes so that they'll be listening to us and saying, hey, the public did have something to say. Thank you so much.

TAMARA LICHTENSTEIN: My name is Tamara Lichtenstein. I am a resident of Agua Fria Village. And I'm feeling like I'm living in George Orwell's world here tonight. It's very strange to me because some years ago there were public meetings about this. There were about half the number of crossings and interchanges on the maps we were given then. That's when Larry Velasquez was the City's chief engineer on the project.

At that time we were told there was nothing that could be done to make any changes. And I still haven't heard anything tonight that explains how the number of interchanges and crossings has doubled yet, because of the environmental impact statement which we were told at that time was the last word on the subject, we're still told that today. I just still haven't heard anything tonight that explains that, and I heard Councilor Bushee ask this repeatedly and I just haven't heard an answer.

As a resident of Agua Fria Village we've been promised for a long time that the Relief Route will give us some traffic relief on Agua Fria Street and we hope that's true and we support that. However, even five years ago we asked about noise abatement and we asked about crossings for pedestrians and equestrian traffic and bicycles. And we were told that because the environmental impact statement was done, none of that could be added to the project. We're still asking for it.

I have a lot of neighbors who have horses. There are a lot for children in the neighborhood and I don't know how any of them are going to get to use the new recreation center. I don't know how the kids over in Pinon Hills and Puesta del Sol are going to get to come over and use Agua Fria park if they can't get across. This is going to be like a wide, fast-moving river. I hope to get out of Orwell's world. Thank you.

BILL CANTU: Good evening, ladies and gentlemen. My name is Bill Cantu. Good evening Commissioners, and Councilors. I'm here to represent about 225 people that live out on West Alameda who own horses. It's true, I do own a boarding facility, myself and my wife out on West Alameda. There are five boarding facilities from St. Francis Drive all the way out to Pinon Hills and past that point. There's a number of people who board their horses at these facilities.

One of the facilities even caters to the tourism. Now, for the last eight years, my wife and myself and a number of other business people out there who own the boarding facilities, have been working, or talking I should say, with the Highway Department. Eight

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years ago the Highway Department invited us to meetings wanting to know what they could do for us to give us access underneath this highway. So we came up with maps and an idea and they said okay. We'll give you at least a couple of underpasses.

And this isn't just for the people who ride horses and enjoy that beautiful land out there, this is for the hundreds of people who hike out there, and I see them every day out there hiking and riding their mountain bikes. Well, everything went to bid, or the first part of the project went to bid, and according to Max Valerio, it was too expensive. So they dropped it. So I had a meeting with Max Valerio and he told me in his own words the original engineers are the ones who screwed you. They forgot you people.

Now according to Charlie Trujillo and Max Valerio, the highway has been planned so that everybody can get across it or enjoy it and that's true. If you want your kids at Cottonwood Trailer Park jumping over fences and running across the highway to get to the new park that the City of Santa Fe out there, then that's true. The people who ride horses out there have horses that will jump the fences and run across this four-lane road, well, then that's true.

And if you don't mind the people who jog out there cutting the fences in order to get across the highway then that's true. The question was brought up a few minutes ago I believe by Pete Rahn concerning public access. Thanks to several people, one of them being David Gold, the College of Santa Fe, who has a project going out there has said, we will give you the property to put an underpass. And this has been brought forth to the Highway Department and they've said yes, that would be a good area because it's below grade.

So the College of Santa Fe and the project engineer or the project planner, Steve Flance for the college, he said we will help you. We will do anything we can to help you. We will dedicate that property as a public easement. The Highway Department can have it and they can put an underpass for the hikers and the equestrian people. Well, when that was brought to the attention of the Highway Department they stood there with their mouths open. They didn't know what to say.

Now, it's a saying that this big highway is being put out there being built without any consideration to all the people. Los Vecinos means the neighbors. And I think that right here is a very good showing of the neighbors and their concerns about this highway. And I, in finishing, would like to remind everybody, Pete Rahn said that the New Mexico State Highway and Transportation Department does care. Well, an election is coming up and Governor Johnson has always, always said back business growth, not business demise.

Now, we do have an election coming up, maybe if we appoint a new governor, maybe he'll appoint a secretary who really does care. In concluding, I would like to introduce Ken Cassutt, of the Cassutt, Hayes and Friedman Law Firm, and I want you to know, Highway Department, we are not going away.

KEN CASSUTT: Commissioners, Councilors, Mr. Mayor, thank you very much for having this meeting. I'm going to very brief. I do represent the gentleman who just spoke, Bill Cantu and his wife Carol. The statutes that you were handed previously, 67-3-62, and there's actually a subsequent statute. I'm not sure whether you got that, 67-3-63, I think are very important here with regard to the particular issue of pedestrian, equestrian and bicycle access.

We question whether the process has been followed as called for in these statutes.

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The statutes require that the Highway Department have regulations in place that guide its evaluation of the issue of whether or not you put in underpasses, whether you provide for these accesses. I made inquiries with the department this week as to whether those regulations exist and so far I have not gotten a confirmation as to whether or not they do exist.

The statute also requires that a public hearing be held under those regulations to make a determination of whether these accesses get provided for. I question whether that has happened. I question whether that has been part of this process.

The other issue, just to be very brief is that if we have a plan that's proposed that's being reviewed by the Extraterritorial Zoning Commission that shows dedicated public rights-of-way for pedestrian, equestrian uses, why isn't that enough for the Highway Department to create these underpasses? Why are we concerned about legal liability if we have public, dedicated rights-of-way that are in the works? Thank you.

CHAIRMAN TRUJILLO: Ladies and gentlemen, we will continue this public meeting. We will continue this next week and we will schedule it now. We will give two minutes each to Beverly and David Gold to speak because I'm sure that there are going to be some comments by the Councilors and by the Commissioners and we're going to need a lot more time in the next week, so we will reschedule this meeting tonight. As soon as possible, early next week or sometime next week. But we'll close tonight with Beverly Garcia getting two minutes and David Gold two minutes to close.

We've got a regular meeting of the County Commission that we've scheduled and people are waiting at the courthouse so we've got to go there. The Commission will be at that meeting, yes. Oh, the Highway Commission? When do we want to schedule the meeting for? Do we have any dates for the meeting next week that everybody agrees with, that everybody is available for?

COMMISSIONER ANAYA: Mr. Chairman, I just want to remind the Commission, next week we do have a mid-summer conference in Lincoln County, at least I do, starting Tuesday.

CHAIRMAN TRUJILLO: If everybody agrees on Monday, then we'll do it on Monday. We'll schedule it on Monday.

COUNCILOR BUSHEE: I won't be able to attend Monday but it seems like it's the best day. I'll be out of town.

CHAIRMAN TRUJILLO: The Highway Department, can they do it on Monday? So we'll convene on Monday as a public hearing. Same time. Mayor Delgado?

MAYOR DELGADO: Thank you, Mr. Chairman. Just real quick, Dr. Meir, I would like to hold it here where we have room. Also I'm not sure if Sweeney is going to be used that night. Is there anybody here that could speak to that so we make sure that we not only give them a day but a place and a time.

MIKE MIER: If I may, Mayor, let me confirm that before we conclude this meeting.

MAYOR DELGADO: Okay, before we conclude, I'd ask you to do that.

MR. MIER: Thank you.

CHAIRMAN TRUJILLO: Okay Beverly, you have two minutes.

MS. GARCIA: I'll talk very fast. The first think I want to announce is Casa

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Solana is going to change its name to Las Campanas II so that we get more favorable treatment here. But on a serious note here, I wanted to tell you that in the response to comments to the Energy, Minerals and Natural Resources Department comment, the Highway Department had this to say: Because the City is the lead agency for the Santa Fe Relief Route, the open space plan and the Relief Route plans are being reviewed and coordinated with the City between the Public Works Department and the Parks Division, in order to minimize any impact the road might have on the open space plan. These are the Highway Department's words: Landscaping will be included in the plans. The proposed roadway will have ten-foot outside shoulders which will accommodate bicycles.

How can they claim surprise today, and how can they argue against easements when they take property in the condemnation process for the highway, they have to take all of these things into consideration, not just one. They have to take all the requirements into consideration. For people to come before you now and say that they've been damaged with a taking, if property has been damaged and rendered useless, or damaged to the point they can no longer use it after the condemnation proceedings have been completed, they're supposed to be compensated for that in the process.

Anyone who knows the condemnation process knows that. And to have these kind of - I mean, I cannot believe some of the statements I've heard here tonight. I wish we had a chance to respond to all of them. I just want to close by saying, if resolutions are not legal, then why in the world does the City sponsor them? Why do you guys have resolutions? Boards of directors throughout this country memorialize their official actions with resolutions. Those resolutions mean something and they are legal documents until they're changed by a succeeding board or some succeeding entity. But they are legally binding documents.

They're not laws like an ordinance, but you don't want to pass laws to set policy. But those resolutions do mean something and I hope you guys aren't walking away from here with the impression that resolutions are not legally binding documents because they are. Thank you.

DAVID GOLD: I'll also be very brief. Beverly Garcia right now is going to hand out some stuff that I had hoped to comment on which I'm not going to have time. I will be unavailable this Monday but if everybody could just sort of sit and read it over the weekend and absorb it.

Also, I want to thank Beverly Garcia who is an incredible human being and I have the honor of even hopefully still calling her my friend after this meeting. The Highway Department has made a planning decision, a planning decision that you should have made. And that planning decision is to build an interchange at Las Campanas. What that decision does is it uses up four to seven million dollars.

What I'm handing out to you is basically a list of things you could do with that four to seven million dollars that would be a whole hell of a lot better than what they're offering this community. Also, before I start, I want to say that my memory of the meeting that we had at the legislative session concurs with Councilor Martinez' but it does not concur with Charlie Trujillo's particularly.

Anyway, on the shopping list, I include the crossings. Crossings at County Road 70, 62 and I-25 are dangerous. There is a thing called the Uniform Manual of Traffic Control

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Devices that Max Valerio has been kind enough to provide to me sections of. Max Valerio has been cooperative with me, I must say. It says that if there are more than five accidents at a certain crossing, that it's warranted to put in at least a four-way stop sign. Five accidents in one year.

At I-25 there have been like six deaths already. I know, one of my friend's grandmothers was one of those dead people. When we're talking about death, this stuff is real. This is human stuff. It's not an issue of statistics or something. Real people die in these situations. The decisions you make deal with death. As I said, when County Road 70 and 62 open up, they have done no statistical studies to show what's going to be going there. Estimates show that there are probably going to be about 15,000 cars a day and probably about a thousand crossing. That in the Warrants of Uniform Traffic Control Devices, that's enough to have a traffic light or four-way stop sign. I believe if you don't include that, people are going to be killed. And once again, as I've said to the transportation planning board and the County Commission, you can set up a pole and carve notches in it every time somebody's killed, or you can deal with this stuff now.

Traffic lights cost $300,000. The Las Campanas interchange costs $4 million to $7 million. I would propose that some portion of that be used for traffic lights. During the construction it's even worse, because what's proposed is that there be no stop signs along the entire two-lane Relief Route. The two-lane Relief Route was not designed to handle this flow of traffic. It's not even a Relief Route. It's a two-lane frontage road.

Traffic, I've driven on it and I can tell you that people are going to be going 60 miles an hour. I went out and investigated line-of-sight considerations and it turns out I found three places that will not meet line-of-sight considerations, even if traffic is limited to 45 miles an hour. It means people are going to pull out and get killed. That also means that stuff like WIPP trucks, hazardous waste, all that kind of stuff you can just imagine where that's going to go. Even if it's not a WIPP truck, I mean a gasoline truck overturning or ammonia truck, that kind of thing.

So the construction phase is extremely dangerous. We've asked that there be stop signs placed and that speed be limited to accommodate line-of-sight. The other thing has to do with -- and also, I need to point out that several of these crossings, County Road 62 in particular, provides fire protection access to areas north as well as the school bus crossing. So school buses are going to be going across 15,000 cars a day and just sort of taking their chances. My kids here ride these school buses.

The trail crossings that were mentioned, I would have to say are completely inadequate. If there was ever any attempt to make them adequate, it's absurd. The only reasonable trail crossing between Calle Nopal and Airport Road is the one underpass that was designed for vehicles for Pinon Hills. Everything else, right now as it stands, we were supposedly, even without an underpass, they claim that the crossings are adequate. The crossings are two-way stop signs. That means that you're supposed to take your horse, bicycle or walk across a four-lane highway. That's not an appropriate trail crossing, I can assure you.

I would have to point out that this is completely against both the City and County General Plans as well as the County's trails resolution which many of the City Council and the County Commission voted for, which said that any CIP project will accommodate trails

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and -- anyway, Bill Cantu pointed out the meetings -- also, the worse one to me is Cottonwood Mobilehome Park. I'm almost done. The Cottonwood Mobilhome Park, as has been pointed out, that accesses the municipal recreation area. That means that kids, and literally, we play with these kids. I know the kids that are going to be crushed walking across that highway. It's demented to go ahead and do this the way it is right now.

Finally, I'd like to close by saying there's no doubt that the bypass is needed. I completely support it. Everyone in our neighborhood does. What we are against is the fact that it is not being implemented safely and is not being done with a minimum of impact in the community. I would urge you as the County Commission and City Council to take hold of this and deal with it. Protect us all. Thank you very much.

ADJOURNMENT

CHAIRMAN TRUJILLO: Thank you very much for attending tonight. Again, this is a public hearing. We will continue this public hearing on Monday, tentatively at 5:30. So Monday at 5:30 in this building, to continue the public hearing on the bypass. Thank you very much.

Chairman Trujillo declared this meeting adjourned at approximately 8:00 p.m.

Respectfully submitted:

Karen Farrell

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their fight. We elected them. This is our fight. Thanks for coming tonight, but be here every time. Be on their case. Let's not give up. Let's strengthen. The neighbors that aren't here tonight. Talk to them. Get them here. Tell them to turn off Dateline, or whatever and get down here. This is for eternity. Thank you very much.

MOLLY MAHAFFEY: My name is Molly Mahaffey. As a member of the La Nueva Casa Solana Neighborhood Association, I'd really like to thank the Council and the County Commission for sponsoring this meeting. I'd like to make it clear to the public that they agreed to have this meeting at the neighborhoods' request, that it was not a meeting, a public hearing called for by the Highway Department.

I know that we have a long way to go. We have lots of issues, we're taxing your time and your energy and I hope you'll bear with us and allow us to continue to do so. Our concerns our legitimate. Our manners vary, but I hope you will listen to us in the future and to hold meetings, as many and as long as necessary. Thank you.

JOSE VILLEGAS: Buenas tardes. My name is Jose Villegas. I'm a new member of the newly appointed Highway Corridor Planning Committee. I'm so excited. I'm going to be representing La Cieneguilla and La Cienega. I've got some issues. I only have two issues. One that has to do with WIPP on 599. I attended on March 14, 1998 the WIPP tracks 98-1 scenario on 599 and Airport Road. And reviewing in particular the exercise, we're all going to die.

I believe that we don't have the emergency capability or the response to take care of our community big time. The second thing I wanted to talk about was the DOE draft site environmental impact statement. On page S-22, Sections S-3-17 on the environmental justice and transportation it states that the human health impacts associated with these special pathways, which includes 599, also will not present disproportionate high and adverse impacts to minority or low income populations. I disagree.

I want to know what happened to the presidential executive order number 12-898, the enforcement requirement for 599. If the Highway Department receives federal funding to build a highway to accommodate DOE under the mask of national security, then why hasn't the highway department complied with identifying and address any type of disproportionate high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low income populations such as the traditional communities of La Cienega, La Cieneguilla and Agua Fria.

The last thing I want to say is that if the Highway Department really believes that their environmental impact study can truly stand up in court, then I tell you what. I would really love to put that executive order 12-898, which was done February 11, 1994, a challenge to this particular environmental impact study of the Highway Department.

AMY SUMMA: My name is Amy Summa. I'm a resident of Coyote Ridge Road in the county. I have lived there for ten years. We've been using the trails. There's a large network of trails for pedestrians, joggers, horses, cyclists, out in that area, all along. I've heard over and over, I've been to meetings where the College of Santa Fe has said they will grant an easement. I would like to see a trail crossing. It's heartbreaking to have this huge road go in out there but I am wiling to accept it because this is progress. This is the way of the world.

But it seems to me the least that can be done is to not cut us off from this whole

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and -- anyway, Bill Cantu pointed out the meetings -- also, the worse one to me is Cottonwood Mobilehome Park. I'm almost done. The Cottonwood Mobilhome Park, as has been pointed out, that accesses the municipal recreation area. That means that kids, and literally, we play with these kids. I know the kids that are going to be crushed walking across that highway. It's demented to go ahead and do this the way it is right now.

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Chairman Trujillo declared this meeting adjourned at approximately 8:00 p.m.

Approved by:

City of Santa Fe
Larry A. Delgado, Mayor

Approved by:

Board of County Commissioners
Marcos Trujillo, Chairman

Respectfully submitted:
Karen Farrell

ATTEST TO:

REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

1033.021

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)

I hereby certify that this instrument was filed for record on the 16 day of July A.D. 19 98, at 1:31 o'clock PM and was duly recorded in book 1516 page 840 of the records of Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

Deputy

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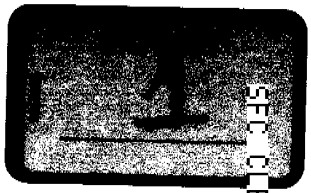

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NEIGHBORHOOD QUESTIONS — SANTA FE RELIEF ROUTE

June 5, 1998

A list of neighborhood concerns have been expressed in the form of questions that follow. This is by no means a comprehensive list of all our neighborhood concerns, but it is offered as the basis for the Highway Department to respond to some of our concerns and to assist city and county governments in understanding some of the issues involved.

1. Please explain the construction and bid-contract schedule for the Relief Route?

2. What portion of the Relief Route will be completed when it is opened to traffic?

3. When is the Relief Route expected to be open to traffic?

4. When will the remainder of the Relief Route be put out to bid and constructed (please explain each phase and the related time schedule)?

5. Please explain the difference between an "intersection," "interchange," and an "at-grade crossing" and how each will be utilized to control traffic?

6. What are the major changes between the Relief Route as presented in the Environmental Assessment and what the Highway Department is constructing?

7. Are the 13-year old Environmental Assessment and FONSI assumptions regarding "no significant impact" from noise, light, visual and air pollution impacts still accurate? If so, what recent studies have been done to support these assumptions?

8. Why hasn't the Highway Department updated its original 1985-1987 environmental impact studies to accommodate the numerous changes that have occurred along the route over the past 13 years (number of residences, noise standards, et cetera)? If not, why not?

9. A traffic study conducted by Las Campanas (predecessor company) in 1985 shows that the traffic that will be generated by Las Campanas from its Santa Fe Center (learning center, 58 offices, resort hotel, pub, two restaurants, retail outlet and residential units at the Buckman-La Tierra intersection) will be directed at Casa Solana, Calle Nopal, Alameda and Agua Fria Streets and have a particularly devastating impact on Alamo Drive and Camino de las Crucitas. Is the Highway Department aware of this study and, if so, why haven't steps been taken to divert traffic away from rather than toward Casa Solana, Calle Nopal and West Alameda?

10. The Finding of No Significant Impact completed 11 years ago asserted no significant impact would occur due to traffic on surrounding neighborhoods. Is it the Highway Department's position that this is still true with respect to Casa Solana, Calle Nopal, Alameda Street and Cottonwood Mobile Home neighborhoods? What traffic studies have been completed to verify that the Finding of No Significant Impact is still true?

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11. Has the Highway Department done anything to mitigate against the impacts of the route on existing neighborhoods and development? If so, what practical measures have been taken for sound, visual, traffic, et cetera?

12. Because the Relief Route will also be the WIPP route for Santa Fe, many residents believe that the construction standards should be RAISED and not LOWERED as the Highway Department is doing. Will you please explain why the Highway Department has refused to apply federal highway construction standards for this project and whether that decision has resulted in a more expensive highway because of the increased number of interchanges being proposed?

13. Is this a federal or a state road? Please elaborate on the differences between a federal highway and a state road as they relate to (a) the placement of interchanges and access points; (b) open space corridors; (c) traffic flows on adjacent and impacted neighborhoods; (d) pavement and asphalt standards; and (e) noise, visual and air pollution impacts?Describe any and all future access points and interchanges being considered by the Highway Department?

14. Will you please explain what highway standards the Highway Department is using to build the Relief Route and where a copy of those standards can be obtained?

15. In the October 2, 1990 Supplemental Draft Environmental Impact Study prepared for the Santa Fe-Los Alamos Corridor Study—a project that would have connected to the Relief Route had it been built—it states at p.I-26, under the heading "Roadway Deficiencies and Safety,":

> "[O]ne of the principal purposes . . . is to provide for an improved highway facility for the transport of low-level nuclear waste from the Los Alamos National Laboratory. The proposed facility for the Santa Fe-Los Alamos Corridor study would be designed and constructed to meet or exceed current AASHTO and [Highway] Department standards to aid in the safe transport of hazardous materials. Truck climbing lanes and escape ramps will be included as required by the terrain. The proposed road would be a limited access facility, thereby reducing the portential for accidents by limiting the number of intersections." (Underlining furnished)

Since the Relief Route is a comparable roadway that will also serve as part of the WIPP route, isn't it reasonable for Santa Fe residents to expect the same precautions to be taken? If so, why isn't this being done (i.e., adhering to AASHTO standards and reducing the number of intersections and interchanges)?

16. At page I-27 of the same EIS, it states that:

> "Current design criteria for a two-lane primary facility require a minimum 24-foot wide paved roadway with 10-foot wide paved outside shoulders."

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Will 10-foot shoulders be constructed along the Relief Route? If not, why isn't this design criteria being met?

17. Can WIPP be transported through a state road without meeting Federal standards?

18. Were the funds received from DOE for the Relief Route conditioned upon any highway safety standards being met in the design and construction of the highway? If so, what construction and safety standards were to be followed?

19. The Environmental Assessment and FONSI (Finding of No Significant Impact) represent that all access points—including interchanges—will be a minimum of 1.2 miles from each other. Plans indicate that the Major US 84-285 Interchange and the Ridgetop Interchange are situated less than 1100 feet from ramp terminals and less than 800 feet from merge lane to exit. Please explain how the various merging and diverging traffic traveling at 65 mph from the main line into a multiple weave section can be accommodated by the close proximity of these interchanges?

20. During the 1998 legislative session, you agreed to the removal of the words "and required interchanges" from the highway funding bill as it pertained to the Santa Fe Relief Route. What was the significance of the removal of that language from the bill?

21. Why has the Highway Department reneged on its agreement to hold public hearings before a decision is made to determine the need for any more interchanges?

22. The 1987 Trails and Open Space Plan for the City of Santa Fe calls for a 1,000 foot open space corridor and multiple trail crossings at the relief route. At what point were there public hearings and amendments to delete these standards--or will the Highway Department honor them?

23. What attempts has the Highway Department made to acquire easements needed to correspond to the City's Trails and Open Space Plan?

24. If the Highway Department made no attempt to acquire trail and open-space easements, did it assign the task to or perceive that as the duty of another cooperating agency?

25. How does the current design correspond to statements in the FONSI regarding the handling of bicycle traffic?

26. Would the need to handle bicycle traffic safely be assisted by the inclusion of periodic underpasses within the highway boundaries?

27. What was the criteria for the culvert design along the Arroyo Trampas as far as accommodating trails?

28. What concerns have been raised regarding trails since the FONSI was completed and what attempts has the Highway Department made to accommodate these concerns?

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29. Why is the Highway Department delaying inclusion of a culvert that could serve as a passageway for horses and pedestrians—even though the property owner, College of Santa Fe has agreed to provide access easement? What additional costs will be incurred by waiting to do this later?

30. Which unused right-of-way parcels has the Highway Department discussed transferring to the city for trails and open space?

31. If $20 million was appropriated for construction of this project and it costs $4 to $7 million for each interchange that is built, what is left in the budget for frontage roads to protect neighborhoods from future interchanges, noise mitigation, berming, pedestrian and bicycle crossings, equestrian crossings, trees, landscaping, et cetera?

32. What type of access structure is planned at Camino de los Montoyas-La Tierra—an interchange, intersection with stop light, intersection without a stop light?

33. Would the Highway Department consider lowering the highway at Camino de los Montoyas-La Tierra Road and providing large berms to shield residents who live within 300 feet and closer from the noise and visual impacts?

34. Residents along Camino de los Montoyas are concerned about the effects of high-level stop-and-start traffic next to their homes. Would it be safer to provide another route for residents who live on the north side of Camino de los Montoyas (maybe a tie-in to Tano) and consider closure of Camino de los Montoyas-La Tierra as a point of access?

35. What is the procedure for neighborhoods to follow to have signal lights installed at proposed "T" crossings along the route?

36. Is there an established procedure for installing interchanges; and, if so, was it followed to obtain the Las Campanas Interchange at Buckman-La Tierra that is now being proposed by the Highway Department?

37. What is the cost of the Calle Nopal-Las Campanas Interchange and who is paying for it?

38. Will there be street lights along the Relief Route; if so, please explain the type and visual impact the lighting will produce?

39. The 1998 Legislature's Senate Memorial 15 calls for landscaped berms to be added within five years of the opening of the Relief Route. Does the Highway Department intend to honor the provisions of SM 15; and, if so, what would be the costs associated with adding these features now by lowering the highway elevation and using excess dirt versus waiting five years and hauling in fill?

40. Pinons and natural vegetation are in the process of being uprooted, bulldozed and razed at this time. Are there any plans by the Highway Department or the City to preserve any of the pinons by replanting them along the highway where residents need noise buffers?

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41. The city and county resolutions that authorized construction of this project limited access to seven initial points along the Relief Route, with interchanges indicated at only two of the seven access points. In addition, the city and county resolutions said that "no other access [would] be provided." Since County Road 87 was not on the list of authorized access points, how do you explain the Highway Department's plans to build a major interchange at or near this location?

42. Please provide projected traffic statistics, correspondence requesting the interchange and other supporting data that resulted in the Highway Department's decision to build the Ridgetop Interchange at or near County Road 87.

43. Has the Highway Department swapped any of the property it acquired for highway right-of-way purposes with private individuals, companies or corporations? If so, please specify who acquired the land, the circumstances surrounding the land swap and whether a public bid process was followed?

44. Without going through the bid process, has the Highway Department deeded land to any individuals, companies or corporations along portions of the relief route where commercial development is known to be contemplated or immediately adjacent to known proposed commercial developments? If so, please name those to whom the land was deeded and the reason for the land transfer?

45. Please provide the latest traffic counts and traffic projections for adjoining roads and neighborhoods for (a) intersections and (b) interchanges, now and in three future years, and in ten future years.

46. Please clarify the Highway Standards Act and AASHTO regulations (American Association of State Highways and Transportation Organizations) for distances between interchanges and why they are not currently being met?

47. How do the interchange designs accommodate nonvehicular traffic?

48. Why are Federal Highway construction standards and AASHTO regulations not being applied by the Highway Department when other aspects of Federal transportation standards are being applied by other state and federal agencies in the transport of low level nuclear waste across the same route?

49. Numerous deaths and injuries occur now at I-25 Frontage. CR70, CR62 and I-25 frontage crossings are scheduled to be built as at-grade, two-way stop sign crossings. Are these crossings safe?

50. Does the Highway Department expect more or less accidents at CR70 and CR62?

51. What traffic studies have been completed to show that they are safe?

52. How will the CR62 crossing affect the safety of current school bus crossings?

53. How will the CR62 crossing affect access for the Agua Fria fire station to areas north of the Relief Route?

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54. Would an extension of the south frontage from CR62 to Cottonwood traffic assist in alleviating traffic on Agua Fria?

55. Is the current frontage road access to the Caja del Rio Municipal Recreation Center sufficient to disburse traffic after soccer and baseball games finish, as well as serve the current and potential future developments?

56. Considering the present highway design, will children who are walking or on bicycles be able to safely cross the highway to get to the Municipal Recreation Center on Caja del Rio? Wouldn't a pedestrian underpass make more sense?

57. Are there plans to upgrade the Airport Road access point? How does the cross traffic at CalleNopal-LasCampanas compare to Airport Road?

58. While the four-lane portion is being constructed, the two lane frontage road bypass will be used as the Relief Route. What is the expected daily traffic count on the two-lane version? What is the expected daily traffic county on the four-lane version?

59. How will the following access be handled during construction (two-way or four-way stop signs):

- Access to the Municipal Recreation area?
- Access to CR62? How will this affect school buses and the Agua Fria Fire Station north access?
- Access crossing West Alameda, since the Puesta del Sol underpass will not be complete?
- CR70 access and surrounding developments. Will all access points have stop signs or be expected to cross heavy traffic?

60. Are the crossings at CR70, CR62 and I-25 Frontage appropriately safe for nonvehicular traffic, including children?

61. What type of access structure is planned at Camino de los Montoyas-La Tierra—an interchange, intersection with stop light, intersection without a stop light?

62. Why is the Relief Route right-of-way within three feet of the Cottonwood Mobile Home Park wall? Doesn't this create some major safety and health problems for the residents of this residential area (i.e.,noise and air pollution, WIPP accident, children crossing to recreation area, etc.)?

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repealed. 1966 Op. Att'y Gen. No. 66-13.

Law reviews. — For comment, "Constitutional Law — Delegation of Power — New Mexico Bypass Law," see 4 Nat. Resources J. 160 (1964).

Am. Jur. 2d, A.L.R. and C.J.S. references. — 39 Am. Jur. 2d Highways, Streets and Bridges § 387.

67-3-62. Provisions for pedestrian, bicycle and equestrian traffic required.

A. No expenditure or contract for the expenditure of state public funds for purposes of constructing highways along new alignments or for purposes of substantially widening highways along the existing alignments shall be made or entered into by the state highway department unless the design and construction of such highways makes provision for pedestrian, bicycle and equestrian traffic along and across such highway, except when the state highway department, after notice and a public hearing, determines, pursuant to its published regulations as provided in Section 67-3-63 NMSA 1978, that:

(1) such provisions for pedestrian, bicycle and equestrian traffic would be contrary to the public safety; or

(2) the cost of such provision would be disproportionate to the need or probable usage.

B. Notice of public hearings shall be required only when:

(1) project plans require acquisition of additional right-of-way for purposes of constructing the project along a new alignment;

(2) the project plans require a substantial widening of the travel lanes for highway reconstruction along an existing alignment; or

(3) the highway department is petitioned by authorized officials of affected pedestrian, bicycle or equestrian associations. If such petition is filed, public hearing shall be held.

For purposes of Paragraphs (1) and (2) of this subsection, the requirement for notice and public hearing may be satisfied by publishing two notices of opportunity for a public hearing and holding a public hearing if written request for such a hearing is received within the time specified in the published notice.

History: 1953 Comp., § 55-2-52, enacted by Laws 1972, ch. 78, § 1; 1973, ch. 21, § 1; 1975, ch. 51, § 1; 1979, ch. 93, § 1.

The 1979 amendment substituted "of constructing highways" for "of construction or reconstruction of highways" and "state highway department" for "state highway commission" in two places and inserted "along new alignments or for purposes of substantially widening highways along the existing alignments" following "constructing highways" in the introductory paragraph in Subsection A and rewrote Subsection B.

Am. Jur. 2d, A.L.R. and C.J.S. references. — 39 Am. Jur. 2d Highways, Streets and Bridges § 195.

State and local government liability for injury or death of bicyclist due to defect or obstruction in public bicycle path, 68 A.L.R.4th 204.

39A C.J.S. Highways §§ 67; 40 C.J.S. Highways § 244.

67-3-63. Construction and maintenance of footpaths, bicycle lanes and bridle paths; expenditure of funds authorized.

A. The state highway commission is authorized to expend as necessary, matching state road funds and federal aid highway funds administered by the state highway department, for the construction and maintenance of footpaths, bridle paths or bicycle lanes along and across state, county and municipal roads, streets or highways.

B. In administering this act [67-3-62, 67-3-63 NMSA 1978] the state highway commission shall promulgate regulations setting forth guidelines by which the state highway commission shall determine whether the establishment of any proposed bicycle lanes, footpaths or bridle paths is contrary to public safety, or the cost thereof is disproportionate to the need or probable usage within the meaning of Section 67-3-62 NMSA 1978. The commission shall [illegible] for footpaths, bicycle lanes and bridle paths and shall

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restrict the use of footpaths, bicycle lanes or bridle paths under their jurisdiction to pedestrian, equestrian or nonmotorized vehicle use.

C. As used in this section, "bicycle lane" means a publicly owned and maintained paved path, way or trail designated and signed as a bicycle route, and "bridle path" includes equestrian trails or ways.

D. In the event that any of the provisions of this section or of Sections 67-3-62 NMSA 1978 or 55-2-52.2 NMSA 1953 conflict with provisions of federal law or regulations relating to highway construction funds, and such conflict jeopardizes the receipt of funds by the state, then the conflicting provisions of the specified sections of state law shall be suspended and not effective.

History: 1953 Comp., § 55-2-52.1, enacted by Laws 1973, ch. 21, § 2.

Compiler's notes. — There is no Section 55-2-52.3 NMSA 1953 as referred to in Subsection D of this section.

Am. Jur. 2d, A.L.R. and C.J.S. references. — 39 Am. Jur. 2d Highways, Streets and Bridges § 195.

State and local government liability for injury or death of bicyclist due to defect or obstruction in public bicycle path, 90 A.L.R.4th 364.

39A C.J.S. Highways § 67; 40 C.J.S. Highways § 244.

67-3-64. Ramps for handicapped required.

Whenever any curbing on a public street, road or highway is constructed, repaired or remodeled to a major degree by the state highway department or the road department of any county or municipality, ramps shall be installed at any intersection having curbs or other barriers to entry onto the street or road from a sidewalk.

History: 1953 Comp., § 55-2-53, enacted by Laws 1973, ch. 151, § 1.

67-3-65. State road fund created.

The "state road fund" is created within the state treasury, to which shall be credited all receipts authorized by law to be paid into it. No income earned on the fund shall be transferred to another fund.

History: 1953 Comp., § 55-2-54, enacted by Laws 1973, ch. 147, § 1, 1980, ch. 34, § 1.

The 1980 amendment, effective July 1, 1980, added the second sentence.

Appropriations. — Laws 1996 (1st S.S.), ch. 4, § 39, effective March 21, 1996, appropriates $1,000,000 from the state road fund to the state highway and transportation department for expenditure in fiscal years 1997 through 2000 for the purpose of completing the Santa Teresa border station in Dona Ana county.

Laws 1996 (1st S.S.), ch. 4, § 40, effective March 21, 1996, appropriates $478,700 from the state road fund to the state highway and transportation department for expenditure in fiscal years 1997 through 2000 for the purpose of installing salt storage domes at patrol yards in the cities of Taos, Chama and Santa Fe.

67-3-65.1. State road fund distribution.

The amounts distributed to the state road fund pursuant to Section 7-1-6.10 NMSA 1978 shall be used for maintenance, construction and improvement of the public highways and to meet federal allotments under the federal-aid road laws, but sufficient money from the state road fund shall be set aside each year by the state treasurer to pay the principal and interest coupons of highway debentures issued to anticipate the collection of this revenue as the principal and interest coupons mature.

History: 1978 Comp., § 67-3-65.1, enacted by Laws 1983, ch. 211, § 40.

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Tuesday, June 9, 1998

Santa Fe County Commissioners
Santa Fe City Councilors

1516840

Dear Commissioners and Councilors:

During the 1998 regular legislative session, it is our recollection that Charlie Trujillo of the New Mexico State Highway and Transportation Department agreed to limit the number of interchanges on the relief route to three: one at the westernmost end of the route at I-25, the second at its easternmost end at US 84-285, and the third at the ridgetop for Santa Fe Estates near US 84-285. Mr. Trujillo also made a commitment that public hearings would be held before any more interchanges were constructed along the relief route.

Had we been unable to enter into this compromise with Mr. Trujillo, our intention was to fully pursue additional amendments to the relief route funding bill. One amendment of significance that was made was the removal of three words: "and required interchanges." The import of the removal of those three little words was that it took away from the Highway Department statutory authorization to arbitrarily use the $20 million appropriation to construct interchanges.

Sincerely,

Cecilia Holmes | Allen Holmes | Charlotte Roybal

Beverly Garcia | S/ | S/

Beverly Garcia | Suby Bowden | David Gold

P.S. from Beverly Garcia: Later in this meeting you will hear from Mr. Trujillo that he agreed to an informational meeting and not a public hearing. I would like you to know that for 20 years of my life I was both a freelance and an official court reporter. As such, I am probably more familiar with the term public hearing and the obligations that attach to that term than most. I was very cognizant of the term that was used when the commitment was made and anything less than that would have been unacceptable to me.

Beverly Garcia

SEC CLERK RECORDING 08/19/2004

Form No. A-822
Revised 5/97

1516840

NEW MEXICO STATE HIGHWAY COMMISSION

Commission Policy

Effective Date: 10/16/97

Chairperson

Vice-Chairperson

Secretary

Member

Member

Member

Number and Subject: CP 65 Interstate Access

Reference: Sections 67-11-4 through 67-11-5 and 67-11-7 through 67-11-9; NMSA 1978

This Commission Policy supersedes Commission Policy No. 65 dated December 3, 1992.

It is the policy of the New Mexico State Highway Commission that new or modified interstate accesses shall be approved provided no impact or minimal impact on public safety can be assured.

A. Local governmental agencies and private interests working with local governmental agencies may request a new or modified interstate access through the Department's Secretary.

1. The requesting local governmental agency shall certify available funding for the feasibility study.

2. The requesting local governmental agency shall execute a memorandum of understanding for design, construction and maintenance funding responsibilities.

a. Design, construction and maintenance for new or modified interchanges determined by systematic traffic engineering studies shall be at the Department's expense.

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b. Design, construction and maintenance for new or modified interchanges requested by a local governmental agency to accommodate new business development shall be at the local governmental agency's expense.

c. Design, construction and maintenance for new or modified interchanges determined by progressive population growth with increased traffic flow and new business development shall be shared proportionately to the increased traffic flow by the Department and the requesting local governmental agency.

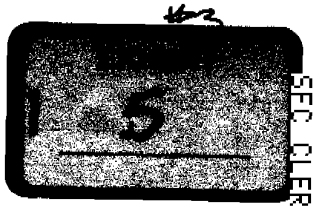
B. The Secretary shall review the request, including the certification and memorandum of understanding, for compliance with applicable rules, regulations and standards.

C. The Secretary shall present the request to the Commission with an analysis and recommendation.

D. Requests approved by the Commission shall be submitted to the Federal Highway Administration for approval and subsequent inclusion in the Department's five year plan.

E. The Secretary is delegated the authority to construct temporary or emergency access points as necessitated.

F. The Secretary shall formulate suitable directives and procedures for the implementation of this Policy.



SEC. CLERK RECORDING 08/19/2004

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Activists claim partial win in bypass battle

FEB 13 1998

By BARBARA FERRY
The New Mexican

A group of westside activists are claiming partial victory in their battle against commercial development along the Santa Fe Relief Route.

"We're not walking away totally happy," said Beverly Garcia. "But when you're facing a huge state highway bill, just getting one concession is a victory."

Garcia and other members of the Westside Vecinos sought amendments to a highway bill that is moving through the House to fund the relief route and four other state highway projects. On Thursday, House Transportation Committee chairman Dan Silva attached language to the bill which Garcia says requires the highway department to hold public hearings before approving the construction of new interchanges along the route.

But earlier in the week legislators backed off from activists' recommendations to require the highway department to address noise, visual and traffic impacts and to require the spacing of interchanges to meet federal highway safety standards.

The bill, which contains $20 million for the relief route — must still go through two more committees before it reaches the House floor.

Some residents of Casa Solana and other westside neighborhoods are worried the relief route will clog their streets with traffic.

And they say the state and city's plan for 12 access points along an 11.2-mile stretch of road will create safety hazards and undermine the original purpose of the long-awaited highway — to provide traffic relief and a safe route for transuranic waste heading to the Waste Isolation Pilot Project near Carlsbad.

"The issue is whether or not the relief route will be commercialized," said Garcia. "We're leading the public to believe it's a relief route from traffic on Cerrillos and other roads, while at the same time we're giving drivers an invitation to stop at all these points."

Using highway department maps, which show areas where the highway department has obtained right-of-way, the activists claim the state plans to build 12 interchanges — with on and off ramps — along the route.

But highway department engineer Charlie Trujillo said the state doesn't necessarily plan to build interchanges at each point.

"We acquired the right-of-ways in order to have the access to build interchanges if and when we need them," Trujillo said.

Trujillo said the planned access points — which would be built as simple intersections — have all been subject to public hearings dating back to the 1980s. "They're all consistent with the long range plans of the city's general plan," he said. Trujillo said the current plan calls for three interchanges, one at each end of the route, I-25 and another at 84/285 as well as an interchange at Santa Fe Estates near Las Campanas.

Trujillo agreed that the language in the bill passed by the transportation committee would require "public involvement" if any other access points are upgraded to interchanges. "We're more than happy to have public involvement if upgrades are planned," he said.

Activists earlier in the week pushed for amendments to the bill assuring that any interchanges would be spaced more than a mile apart, to meet federal highway standards. David Gold, a member of the Westside Vecinos, said spacing interchanges too closely creates dangerous traffic conditions.

But Trujillo said that because the relief route is not an interstate, there are no set distances required. He said space between interchanges is "one thing that can be looked at" in the future.

95-1000

EXHIBIT 6

SFC CLERK RECORDING 08/19/2004

NEIGHBORHOOD REQUESTS

1516840

From: LA NUEVA CASA SOLANA NEIGHBORHOOD ASSOCIATION
BARRIO DE TORREON
BARRIO LA CANADA
LOS LOMAS
RIO VISTA SUBDIVISION
COMMONS ON THE ALAMEDA
WEST SANTA FE ASSOCIATION
PUESTA DEL SOL HOMEOWNERS ASSOCIATION
SIERRA AZUL HOMEOWNERS ASSOCIATION

For ease in understanding how some of our concerns can be addressed, several neighborhoods have joined together. Considering that each interchange costs between $4-$7 million to construct, we propose that for less than the cost of a single interchange all of the solutions we have proposed could not only be easily financed, but they would bring the City of Santa Fe and the Highway Department closer to compliance with representations made in the Environmental Assessment as well as the contractual requirements of the Joint Powers Agreement that pertain to this project.

1. Immediate closure of Camino de las Crucitas where it intersects with Graham Avenue (Graham Avenue residents would access Camino de las Crucitas). Relief Route traffic directed onto Buckman Road, Paseo de las Vistas and Camino de los Montoyas would not access Camino de las Crucitas.

   To support our request, you should know that at peak hours, we have counted an average of 10 cars per minute passing in front of homes on Camino de las Crucitas. These cars come from Las Campanas, Las Tierras, Tano and other points north and they use Casa Solana as a through-street to town. The traffic has become unbearable and we are afraid that our neighborhood will be used as the main line to town not only during construction of the relief route, but after it is completed. In fact, a traffic study done for Las Campanas predecessor company Santa Fe Ranch Resort admits that Camino de las Crucitas will be used as the route to town and discusses the need to widen for its widening to three lanes where it intersects with Alamo Drive and where it intersects with St. Francis Drive behind Gonzales Elementary School. (Accident reports)

2. Closure of Camino de las Crucitas at St. Francis Drive Intersection. If the closure of Camino de las Crucitas at Alamo Drive does not sufficiently reduce the traffic within Casa Solana within a three-month period, then the City Council should take action to direct the closure of this other access point.

3. Enforce AASHTO Highway Design & Construction Standards—which means that interchanges cannot be built any closer than 1.8 miles from each other.

4. Require public hearings before any more interchanges are built.

5. Prohibit Commercial Development along Relief Route and honor the 1,000 foot corridor requirement along the relief route that was approved in the Santa Fe's Open Trails Plan.

6. Impose Maximum of 3 Interchanges and Restrict Access Points to a total of 9.

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7. Reduce Highway Elevation substantially to mitigate against noise and other environmental impacts.

8. Concurrent with No. 7, require berming and landscaping to protect against noise, vehicle headlights and visual impacts.

9. At full buildout, traffic lights or four-way stops at CR 70, CR 62 and I-25 Frontage Crossings

10. Require Bike Paths along the entire length of the relief route, and require bicycle, pedestrian and equestrian crossings or underpasses to be safely constructed.

11. Maintain integrity of relief route as a bypass by restricting number of intersections and interchanges.

12. Request that City Council assert itself as the Lead Agency and protect the rejuvenation of the Santa Fe River Parkway along Alameda by controlling traffic along the parkway.

13. Request that the City Council, as lead agent, work with and direct the State Highway Department to not let significant increases in traffic go through and destroy our neighborhoods and bring an adverse effect on biologically sensitive river restoration.

14. Demand a public hearing to know why the State Highway Department is constructing a massive road bed with a four-lane, box culvert bridge from the to-be bypass aimed at Agua Fria Village and a little further south toward Richards Avenue.. This road was NOT RECOMMENDED by the Arterial Roads Task Force. Is this another road to a "fill-in-the-dots" approach to Richards Avenue? This would have devastating effects on westside neighborhoods.

15. At full buildout, extend CR 62 South Frontage Road to Cottonwood Village

16. During construction, when frontage roads function as bypass, lower speed limits to 40 MPH to allow sufficient driver response time.

17. During construction, when frontage roads function as bypass, install four-way stop signs or traffic lights at crossings, to prevent deaths and injuries from occurring

18. Include trail underpass at Caja del Rio for Municipal Recreation Center access

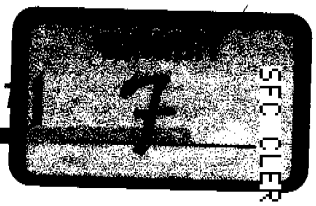
19. Include trail underpass at College of Santa Fe between Calle Nopal and CR 70 access points

20. Include trail underpass at Arroyo Frijoles crossing

21. Include trail underpass at Arroyo Trampas, with full culverts at CR 70 access road with a trail connection to Puesta del Sol underpass

22. Require that all access points accommodate nonvehicular uses safely

23. Construct interchanges to safely accommodate bicycles and pedestrians.



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1. Overview

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Three are broad categories of issues:

- Access Points and Effects
- Trails and Open Space
- Noise, Light and Visual Impacts

In general issues arise because:

- because the interchange layout is over 10 years old
- the basic design is based on an Environmental Assessment which is also 10 years old
- promised elements of design were not included (trails), open space buffer

Most issues can still be solved inexpensively, before the next phase is complete. If they are not, it will be prohibitively expensive later. People will **die** or be maimed unnecessarily as a result of several of these problems.

2. Access Points and Effects

There are several issues the fall under this category:

- Too many north end interchanges - safety and traffic distribution
- Vehicle crossings at CR70, CR62 and I-25 frontage are unsafe
- Inadequate access for south Agua Fria and traffic reduction
- Commercial development reduces traffic flow ... throughout the city

2.1 North End Interchanges.

Too many connections - There are five connections planned in the northern three miles of the Relief Route. This is from Calle Nopal to US-285. The spacing is very close, which increases the likelihood of accidents. I was almost killed in Albuquerque in this type of situation. The interchange designs are theoretically safe. Note the highway carnage at Tano Road/285 and the I-25 Frontage Road/Relief Route. The number of access points needs to be reduced. This will degrade the effectiveness of the Relief Route to reduce traffic.

Traffic Distribution - Three of these connections dump onto small, residential streets in the Casa Solana neighborhood. The other dumps onto Calle Nopal. These streets were never designed to handle this traffic. The increased levels of traffic are dangerous for these residents, as well as degrading their quality of life. At some point backing out of their driveways could be dangerous. Current and proposed northern development has not resolved how the traffic should be handled. The original resolutions adopted by the County and the City regarding location of access points is being violated by the present road design.

Calle Nopal/Las Campanas Interchange $$$ - A group of people met with the Highway Department during the 1998 legislative session. The group included citizens, city staff and

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legislators. At that time we were told that three interchanges were going to be built: I25, Santa Fe Estates, and US 285. We were told that there would be full public hearings before any more access points were upgraded to interchanges. As a compromise the phrase "and required interchanges" was removed from the funding bill, so there would be no other "required" interchanges. The Highway Department has since upgraded Calle Nopal/Las Campanas to an interchange with no hearings.

Some reasons there should be a hearing are:

- **Money/Priority -** Interchanges cost $4-6,000,000. The Highway Department claims there is not enough money to put in trails or noise abatement. This interchange could fund all of the issues raised in this document. Is this the highest priority for the Santa Fe area? There is apparently limited funding. Why not put a traffic light in now for $300,000 and use the money for other issues.
- **Procedure -** There is a lengthy procedure for upgrading a crossing to an interchange. This includes analyzing traffic flows, getting on a list, etc. This was not followed. Why was this interchange and Santa Fe Estates treating specially?
- **Traffic Distribution -** The issue of whether the current Calle Nopal will handle this traffic is undecided. Much talk has been given to an alternate route to protect residents from traffic. This needs to be decided, before an interchange is added.

2.2 Other Crossings

CR70, CR62 and I-25 Frontage Crossings Unsafe - CR70 (formerly Richard Ave), CR62 and I-25 Frontage crossings are programmed or built as at grade, 2-way stop sign crossings. There are no plans to implement these as interchanges.

There have been no traffic estimates of traffic flow when the Relief Route opens. ARTF estimates show 25,000 cars per day at these crossing in the year 2015. Scaling the total estimates for current Santa Fe trips today (300,000 now, 400,000 in 2015) one can estimate 17,500 cars per day. <u>There are many disasters waiting to happen.</u>

At 17,500 cars there is sufficient traffic to warrant 4-ways stop signs or traffic lights according to the Uniform Manual of Traffic Control Signals. Fully functioning traffic lights (not blinking) or four way stop signs need to be in place. Traffic lights are better as this will keep Relief Route traffic flowing. If these ever become interchanges, they should be designed to route cars under the highway, instead of above to minimize visual impact.

- There are already deaths and injuries at I-25 Frontage. This will get worse. The Uniform Manual of Traffic Control Signals states if there are more than 5 accidents in one year, that is potential warrant for a traffic signal or 4-way stop sign. This has been exceeded.
- CR70 and CR62 will probably be worse due to higher cross traffic.
- CR62 is a major school bus crossing.
- CR62 is access for the Agua Fria fire station. This adds additional risk to fire responders and residents waiting for response.

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Agua Fria Traffic - Cottonwood Village pours a huge amount of traffic onto Agua Fria road, which backs up every morning. There is no planned frontage road access to the Relief Route, so traffic will pour onto Agua Fria, then off again at the proposed South Meadows Road. The south frontage road should be extended to Cottonwood and possibly beyond.

Municipal Recreation Area - The Municipal Recreation Area access is a "T" intersection onto a frontage road. When soccer and baseball games finish, there will be large amounts of traffic to disperse safely. Large developments are also served and 8,000 cars/day are estimated. This needs to be looked at closer.

2.3 Crossing During Construction

While the 4 lane portion is being constructed, the two lane frontage road bypass will be used. It is easy to envision 10,000-20,000 cars per day. This issues raised above are worse on this two lane crossing. Imagine Cerrillos traffic at 60 MPH. We request:

- speed limits be lowered to 40-45 MPH to allow sufficient driver response time. There is insufficient time at several of the crossings using AASHTO standards.
- 4-way stop signs or traffic lights are in place at crossings, death and injury will result.

2.4 Commercial Nodes.

There are many good reasons to disallow commercial development along the Relief Route. These include traffic generation, safety and visual impact. If commercial development is ever allowed, the City/County Corridor committee should determine what type of highway corridor we want. Commercial development like Cerrillos Road will negate the traffic relief this road can provide for the whole city. Even commercial nodes at interchanges have this problem. If any commercial development is allowed, require it to decrease local traffic, with businesses that serve the local area. The Relief Route is our only big chance to reduce traffic in Santa Fe.

3. Trails

Bicycle, pedestrian and equestrian trails are the transportation of the future. Trails promote health, and create less traffic and pollution. They provide chances for urban dwellers to tune into nature. The new City and County General Plans both recognize this and encourage their use. At Cottonwood Village there is a major safety issue regarding trail.

The Highway Department uses lack of cross easements and liability as an excuse to not install crossings. Several arguments against that view:

- If the highway itself has trails on the sides, easements become less relevant, as the crossings become internal, instead of external, until easements issues can be resolved.
- Given the cost of upgrade the culverts should be installed at likely place without easements. Easements can be acquired later, even if they are off by a few hundred feet. City/County could work out trail usage and take on easement liability.

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- New Mexico Game and Fish Trail Act and the Equestrian Act protects against accident liability for unauthorized trail usage.

The NM Statute 67-3-62 requires highways have provisions for trails. This also agrees with the proposed City General Plan and the adopted Part I County General Plan Resolution.

3.1 Trail Underpasses and Crossings

The Relief Route design makes trail usage impossible. Highway Department representatives had agreements with equestrian groups to leave trail underpasses. These unfulfilled commitments may put three stables on West Alameda out of business. The Relief Route blocks dozens of trails for hundreds of users. One official explained that culverts are deliberately too low, to discourage trail use and possible lawsuits.

The cost of adding culverts now is $2-300,000. Once the four-lane road opens, it could go up $1,000,000, because traffic will have to be diverted and the asphalt and base course replace. If the City and County are serious about their general plans, this must be done now.

Culverts that should be included now:

- Near Municipal Recreation Area - This is death waiting to happen (see below)
- College of Santa Fe - We have agreements with the College for an easement from West Alameda to Arroyo Frijoles. This serves a large developed trails community including stables, hikers, etc.
- Arroyo Frijoles - Not installed yet, this should go in as a full culverts
- Arroyo Trampas - Both were installed as 5'8" culverts that will fill up. At access road at least this should be upgraded to a full culvert. In that case a trail should be run along the Relief Route.

All crossings need to accommodate non-vehicular uses gracefully. The Santa Fe Estates bridge is narrow.

3.2 Municipal Recreation Area Underpass

There are thousands of children Cottonwood Village, Fairway Village and Tierra Contenta that are within direct biking distance of the Municipal Recreation Area. A BMX bike track is planned. The Relief Route poses blockage. It is very likely children will be squashed riding their bicycles across the highway. It is insane to not include an underpass and safe crossing now.

3.3 Bicycle/Pedestrian/Equestrian Trails

In the future full bicycle/pedestrian/equestrian trails should be installed at the edge of the easements. For now these could be dirt trails.

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3.4 Unused Parcels as Easements

There are some unused parcels that would make excellent trail easements. They should be kept by the city/county and included in future trail systems.

4. Noise, Light and Visual Impact

Highway noise is bad for mental and physical health. Noise also degrades the quality of life and lowers property values. Modern highway designs in urban areas minimize noise, and try to reduce it well below minimum standards. In contrast, the Relief Route will broadcast noise, for miles around. The least expensive remedy is to lower the grade a few feet now, and use the dirt for berms, before it is built. See the accompanying noise analysis. The cost is about $60,000/mile. Lowering is impossible after construction and it is much more expensive to haul dirt or build walls.

The berming proposed would also help the visual impact. This is a small percentage of the project. Revenue from future increased property taxes alone could cover the cost. If we degrade the quality of life and beauty in Santa Fe, economic losses will result from decreased tourism and ability to attract business. All we have to sell is our beauty.

Berming should be included as the Relief Route is constructed.

5. Conclusion

The basic design is 10 years old. The area has changed dramatically. This road could improve traffic relief, WIPP safety and gracefully accommodate growth. Or it could be a nightmare for anyone near it. It will destroy the quality of life, create other traffic problems, and cause death and injury. We must make the right choices now.

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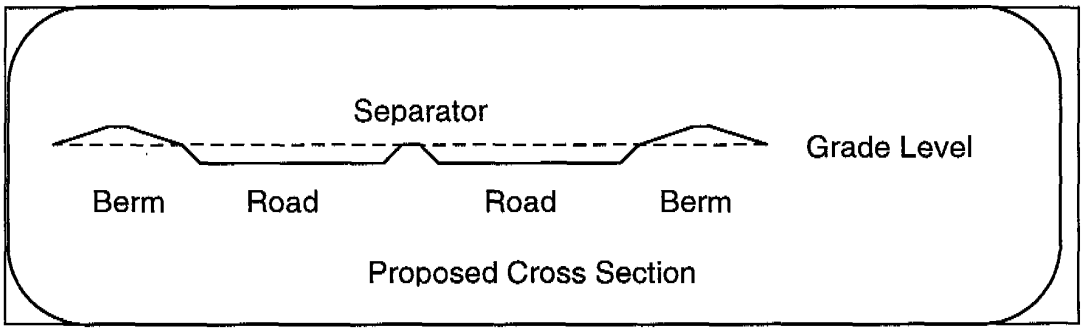
Highway noise is bad for mental and physical health. Noise also degrades the quality of life and lowers property values. Modern highway designs in urban areas minimize noise, and try to reduce it well below minimum standards. It is inexpensive to lower the grade a few feet and use the dirt to create berms.

This document shows cost is about $60-90,000/mile with replanted grass for a 5 1/2" to 8' total berm. This also creates a pleasant visual barrier and allows separation for trails. Waiting until there is enough public outcry and installing concrete barriers is very poor planning and a poor use of public resources.

The drawing below shows a cross section. It is not drawn exactly to scale.



Berming is not a complete solution to the noise problem, but it helps a great deal. It tends to shield higher frequencies better than lower frequencies. The advantage over concrete barriers is dirt absorbs noise, where concrete tends to echo noise. It will not shield houses that overlook a highway and are in the line of sight. It is effective for at grade or below.

The following assumptions are used:

- Above grade the berm has 3:1 sloped sides and a top
- Below grade the berm has 2:1 slope
- Each road bed consists of two 12' lanes, and 5' medians on both sides
- A separator of 2:1 slopes and a top is used for safety. The separator top is at grade.
- Berm top is three feet
- Total Height difference includes 2 feet of base course and asphalt added after dirt is removed for the road. This is sloped for drainage.

The idea is to use the dirt from the road bed to create the berms. A given depth will produce a given berm height. The following variables are used to determine the cost of berming:

D - Depth
BH - Berm Height
BT - Berm top width
RW - Road width
BA - Area of berm
RW - Reseed width

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RA - Reseed Area
V - Volume of dirt removed
TH - Total height

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Volume of Dirt

The berm area is the area of dirt removed. This consists of the road bed which is lowered and the two 2:1 triangular slopes below grade.

```
BA   =    D *  RW    +    D * 2 * D * 2 * 1/2
          Road           Slopes
     =    D *  RW    +    D ** 2 * 2
     =    D * (RW + D * 2)
```

The berm height is a function of the berm area. There are two 3:1 triangular slopes with a square in the center.

```
BA   =    BH * BH * 3 * 2 * 1/2     +    BH * BT
          Slopes                         Top
BA   =    BH ** 2 * 3     +              BH * BT
     =    3 * BH ** 2  +  BH * BT
0    =    3 * BH ** 2  +  BH * BT  - BA

Solving quadratic equation
0    =    (-B +-SQRT( B**2 - 4AC )) / 2A (Quadratic formula)
     =    (-BT +-SQRT( BT**2  +  4 * 3 * BA )) / 2 * 3
Use the positive root
BH   =    (-BT +SQRT( BT**2  +  4 * 3 * BA )) / 2 * 3
```

To determine the volume of dirt needed to be removed this can be multiplied by the length of road * 2 since there are two sides.

```
V    =    BA * Length * 2
```

The total height difference of the berm plus the cut. Two feet of base course and asphalt are added to create the road. This is sloped for drainage:

```
TH   =    D + BH + 2
```

Reseeding Area

The additional area that needs reseeding as a result of berming is a function of the berm height and the depth. The area is the hypotenuse of the slopes. The below ground slopes and median are not included as some reseeding is needed in any construction.

```
RW   =    BT   +    Square Root( BH ** 2 + (BH * 3) ** 2 ) * 2
     =    Top       Two Slopes
RW   =    BT   +    Square Root( BH ** 2 + BH ** 2 * 9 ) * 2
RW   =    BT   +    Square Root( BH ** 2 * 10 ) * 2
```

To determine the area RW can be multiplied by the length of road * 2 since there are two sides.

```
RA   =    RW * Length * 2
```

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Table of Values

To create this table the following assumptions are used. These tend to err on the high side:

- Moving dirt costs $1.40/yard
- Reseed costs $1000/acre
- The costs are figured per mile

Depth (Feet)	Berm Area	Berm Height	Berm Width	Total Height	Dirt Moving Costs	Reseed Width	Reseed Costs	Total Costs Per Mile
0.5	17.5	1.97	14.80	.47	$9,582	15.44	$3,368	$12,950
1	36	3.00	21.00	2.00	$19,712	21.97	$4,794	$24,506
1.5	55.5	3.83	25.98	3.33	$30,389	27.22	$5,940	$36,329
2	76	4.56	30.35	4.56	$41,614	31.83	$6,944	$48,558
2.5	97.5	5.22	34.34	5.72	$53,387	36.03	$7,861	$61,248
3	120	5.84	38.07	6.84	$65,707	39.96	$8,719	$74,426
3.5	143.5	6.43	41.61	7.93	$78,574	43.69	$9,533	$88,107
4	168	7.00	45.00	9.00	$91,989	47.27	$10,314	$102,303

The total height is the depth of the berm plus the cut. It is the amount a car is hidden. Even a 2' cut results in a 6.5' total wall. This is sufficient to hide the noise of cars and small trucks which comprise most of the noise and visual impact. Large trucks require a 4' cut or greater. The total height here assumes 2 feet of base course and asphalt are added after the cut.

The total cost of adding to the whole highway is less than the total number of miles. Many areas require dirt on one side only. In some cases affected houses are on hill sides which cannot be shielded. This lowers the cost.

Drainage might need to be specially handled in certain areas which could add to the cost.

Conclusion

Noise berming could be included in any urban or suburban area for less than 1% of the total project cost. This is a small price to pay for the improved noise and visual characteristics.

RT 10 BOX 94 DG SANTA FE, NM 87501 505-471-3974

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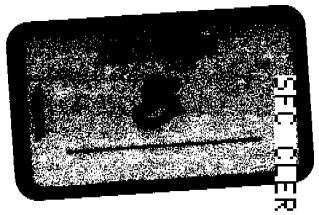

SEC. CLERK RECORDING 08/19/2004

RESOLUTION-APROVED ACCESS POINTS

(Adopted by City in 1985; adopted by County on 1/13/86)

Location	Type of Access	Comment
U.S. 84-285	**Interchange**	Approved
County Road 85 - Camino de los Montoyas	Potential Future Intersection	Requires *public hearing* and *environmental update* **before** significant change is made (i.e., interchange)
County Road 87 Ridgetop (Santa Fe Estates)	None	**Interchange provided** • **without public hearing;** • **without Resolution from City or County;** • **without updating environmental documents.**
Buckman Road	Intersection	Requires *public hearing, resolution* and *environmental update* **before** significant change is made (i.e., interchange)
County Road 70	Intersection	Requires *public hearing, resolution* and *environmental update* **before** significant change is made (i.e., interchange)
County Road 62	Intersection	Requires *public hearing, resolution* and *environmental update* **before** significant change is made (i.e., interchange)
Airport Road	Intersection	Requires *public hearing, resolution* and *environmental update* **before** significant change is made (i.e., Interchange)
Caja del Rio Road	Potential Future Intersection	Requires *public hearing, resolution* and *environmental update* **before** significant change is made
I-25	**Interchange**	Completed
NM-14	Intersection	Completed

Section 5 of the resolution provides:

> "that additional future access be indicated at five points as established by existing City, County and State plans, to be provided only as development warrants."

However, City General Plan 83 provides no additional access points. City General Plan 97-98 is still in its very early review stages, public hearings in December of 1997 resulted in strong objection to an increase in the number of interchanges, particularly the proposed placement of five interchanges within a 2.5 to 3.0 mile span behind Casa Solana. Approval of the General Plan is not expected for at least six months to a year.

Section 6 of the resolution provides:

> "That no other access be provided."

Section 7 of the resolution provides:

> "That right-of-way be acquired for a grade separated interchange at all access points, to be constructed as traffic warrants and to restrict access to crossroads for a minimum of 300 feet from the relief route."

No additional public hearings have been held to present traffic data to justify a grade separated interchange at any of the access points. It would be irresponsible to allocate $4-$7 million for an interchange without solid justification.

Prepared by Beverly A. Garcia, Casa Solana Neighborhood Association, 983-6224 (for 6/9/98 City & Cty Meeting)