

July 24, 2015

FINAL PUSH to Save La Bajada Mesa: Upcoming Vote on Mining Regulation

Last Fall, after massive public outcry over a proposed gravel mine on La Bajada mesa, the county placed a one-year moratorium on certain kinds of “developments of county-wide impact” (DCIs), including sand & gravel operations requiring blasting.

Since then, the county has drafted new regulations to manage future high-impact development. We sincerely appreciate the hard work and good intentions that have gone into this effort. But the draft **regulations still fall short** and **all our work to save La Bajada mesa depends on strong DCI regulations**.

The moratorium expires soon, so the hearings are on an accelerated timeline. The first hearing will be this coming **Tuesday, July 28**. The final hearing (and expected vote to adopt the regulations) will be on **Tuesday, August 11**. There's more detailed information about the regulations below, but **here's how you can help now**.

TAKE ACTION:

- **Attend the hearings** (*If you can only attend one hearing, come on August 11*)
 - First hearing, this **Tuesday, July 28**
 - Final hearing: **Tuesday August 11**
 - The public hearing portions of the BCC will begin sometime after 5:00 PM. See <http://www.santafecountynm.gov/documents/agendas/agendas/BCCAmendedAgenda7-28-2015.pdf> for the 7/28 agenda.
 - The August 11 agenda will be posted through the County's homepage "Calendar of Events" at: <http://www.santafecountynm.gov/>.
- **Write the County Commissioners**
 - Robert A. Anaya: ranaya@santafecountynm.gov
 - Henry Roybal: hproybal@santafecountynm.gov
 - Miguel M. Chavez: mchavez@santafecountynm.gov
 - Kathy Holian: kholian@santafecountynm.gov
 - Liz Stefanics: lstefanics@santafecountynm.gov
- All Commissioners: Robert A. Anaya <ranaya@santafecountynm.gov>, Henry Roybal <hproybal@santafecountynm.gov>, Miguel M. Chavez <mchavez@santafecountynm.gov>, Kathy Holian <kholian@santafecountynm.gov>, Liz Stefanics <lstefanics@santafecountynm.gov>

Please be respectful, sign your name, and give your address. Remember, we're supportive of the county's intentions but need these regulations to be strong enough to do what they're meant to do. Also, these regulations are designed to cover a variety of DCIs. Please do NOT directly reference La Bajada or the prior mining applications.

Below is a sample letter of concerns, but your message will be more effective if you use your own words. For maximum impact, place your commissioner first in the "To" line.

What you need to know about the regulations:

- The regulations divide sand & gravel mining into two categories:
 - Level 1: Mines of less than 10 acres, that extract less than 20,000 tons of material and do not use blasting. Level 1 mines would not be regulated as DCIs and would be subject to less stringent regulations.
 - Level 2: Mines of 10 acres or more, or mines that would extract more than 20,000 tons, or mines that use blasting.
- An in-process draft of the regulations can be found here, on the county web site: http://www.santafecountynm.gov/media/files/DCI_regulations_BCC_071415.pdf

Sample letter to the County Commissioners:

Subject: Please Strengthen the DCI Regulations

Dear County Commissioners,

I can support the new DCI regulations if the following points are incorporated in the regulations:

- Add a new section clearly giving the county authority for site inspections of sand and gravel operations.
- Add the requirement of a Visual Impact Analysis using modern computer-based methods.
- Require that only uniform, downward-directed, low-intensity lighting that avoids high contrast or glare may be used after hours for security purposes. This requirement supports the intent of the dark skies ordinance, helps avoid light spillover, and helps to minimize lighting impacts in visible locations.
- Expand the Regulations for Sand and Gravel Mining to mitigate negative impacts on properties beyond the properties immediately surrounding a mine site.
- Modify Level 1 mine definitions to include other State criteria for “minimal impact” operations. Please add provisions 19.10.1.M.(2).(a) through (c) and (f) through (i) in the NMAC.
- Add a section requiring sand & gravel applicants to document thorough efforts to secure non-potable water for all uses (such as dust control) that do not strictly require the use of potable water.
- Require that any on-site well be approved with water rights for industrial use by the State Engineer and require that any on-site well not contribute to over-allocation of groundwater in the applicable aquifer or basin.
- Explicitly specify that the Land Use Administrator has the authority to designate haul routes and alternative routes as needed.
- Specify that no more than 2 acres of land may be disturbed or remain unreclaimed at any given time. Vegetation removal should not occur more than 30 days before active mining operations are started on a site.
- Require measures to prevent erosion and sedimentation that meet the intent of the NPDES, and that are drawn from the list recognized as best management practices by the International Erosion Control Association.
- Require that crushers, generators and similar equipment be enclosed in a sound-insulated structure, and the layout of any mining site is designed to limit back-up beeper noise from heavy equipment. This will help minimize noise from mining activity and heavy equipment that can otherwise impact areas a mile or more from a site.
- Specify that, when working near any water body, the operation will be conducted in a manner that neither disturbs nor degrades habitat for any native species. This requirement should apply to all rivers, streams, ponds, lakes, seasonal streams and seasonal lakes.
- Require all mining applicants to use a New Mexico approved, professional Reclamation Specialist in to design and oversee reclamation plans and their implementation. Require that all disturbed areas be reclaimed to a condition comparable to, or better than, the vegetative cover and wildlife habitat conditions that existed prior to the gravel operation.

Sincerely,

Name

Street address

City, NM zip

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<http://www.savelabajada.org/>