

## Jose Larranaga

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**From:** Robin Gurule  
**Sent:** Friday, February 07, 2014 11:58 AM  
**To:** Jose Larranaga  
**Subject:** FW: CDRC Case Buena Visla Estates & Rockology Limited LLC

**Categories:** Red Category

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**From:** Ruth Fisher [<mailto:rthfisher4@gmail.com>]  
**Sent:** Saturday, February 01, 2014 7:53 AM  
**To:** Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; Liz Stefanics; Robin Gurule  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

We live not far from where the proposed strip mining project is planned for the La Bajada mesa area and **very much opposed to it.**

- From what we've read, the resources aren't needed and can be procured from the other two mining areas in Santa Fe and this mine is not necessary.
- If water for the project is taken from our water table, we will be short on supply and especially with drought conditions looming, this is a real concern.
- If water is trucked in, the Frontage Road will have too much traffic:
  - added expense of maintenance of the road will be needed
  - noise, exhaust fumes, dust and traffic congestion will increase
  - safety for children let off at the various bus stops on the Frontage Road will be compromised
- Noise from the mining operation will increase

We retired and moved here a few years ago for the peace and quiet, clean water and air, and less congested environment. This mining project will undoubtedly change all that and our friends who are also considering moving to Santa Fe for the same reasons, will probably change their minds.

**Please stop this operation from occurring.**

Ruth & Harry Fisher  
37 Taylor Loop  
Santa Fe, NM

Allan Sindelar  
P.O. Box 696  
Cerrillos, NM 87010  
(505) 780-2738  
als@positiveenergysolar.com

To the Editor with request for publication:

A private mining company named Rockology has applied for permits to create a strip mine near the Waldo I-25 exit at the top of La Bajada hill. The mine would remove up to 60 feet of the volcanic basalt layer from 50 acres of this NM cultural landmark. This rock would be crushed and removed for use in ready-mix concrete, asphalt, and base course for roadbuilding. Rockology has received a permit to haul purchased water by truck from the County facility near the state prison to the site for dust control, but the mine itself has not yet been approved by the County.

The applicants claim that a shortage of these materials necessitates the mine. However, the Caja Del Rio Quarry near the county landfill has a projected ten-year supply of basalt. Unlike the proposed Rockology mine, the Caja Del Rio Quarry is connected to a piped non-potable water system, so there is no need to haul water to the site.

The destruction of the Mesa does not even promise significant economic benefit to the county. Rockology's own study estimates only seven full-time employees, with no promise that these will be new or even local hires. Since there is no proven unmet demand for this gravel, these operations will be undercutting existing businesses and diluting the sales tax that the county is currently collecting.

Most of us have crested La Bajada hill and felt the satisfaction of seeing Santa Fe and the Sangres spread out before us. A strip mine at the entrance to our home region would be an unnecessary and permanent scar on our landscape. Only a substantial and sustained public outcry will stop this. You may add your voice at a County Commission hearing on February 20<sup>th</sup> at 4 pm. Physical presence at the meeting carries a lot of weight with our county officials.

Allan Sindelar

Madrid

NBB-212

## Jose Larranaga

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**From:** Anne Nelson <[annenelson@cybermesa.com](mailto:annenelson@cybermesa.com)>  
**Sent:** Friday, February 07, 2014 4:19 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Eslales & Rockology Limited LLC

CDRC Members,

Please vote NO to the proposed new mining zone at La Bajada Mesa. I have been a resident of the Cerrillos area for 35 years, have raised a family here, driven untold times up La Bajada Hill feeling the majesty of it as a gateway to Santa Fe, remembering the amazing centuries-old history contained there. Pollution of all kinds – visual, noise, dust are not compatible with this pristine “Most Endangered” place. And the newly created Cerrillos Hills State Park deserves to have the area protected.

Thank-you,

Anne Nelson  
505-473-2819  
[annenelson@cybermesa.com](mailto:annenelson@cybermesa.com)

2/7/2014

Matthew Eastwood  
147 Old Windmill Trail  
Cerrillos, NM 87010  
505-467-9140  
meastwood@gmail.com

To Whom It May Concern,

My wife and I moved here three years ago after looking at locations all across the American West. We fell in love with the wide open views, the dark skies and most of all - the silence. We purchased property with a sweeping view of La Bajada Mesa and positioned our home specifically to take in the amazing natural view. Our home is now completed and living here is a dream come true for us.

We feel that the number one most important part of our home is our view and our quiet, open space. When our friends and family come to visit the first thing they all remark on is the beauty of La Bajada Mesa as seen from our back porch. After we finished building our home we refinanced our mortgage. The appraiser that came out to our property agreed, he felt that the view of La Bajada Mesa was instrumental in the strong value of our home and property. We're putting down our roots here, this is our dream come true.

We're now pregnant and expecting our first child this summer. The clean air, quiet evenings and beautiful views we've fallen in love with are our legacy to our child. We've dedicated ourselves as stewards of this land, not as users but as conservators. We have built our home and maintain our property with principles of environmental responsibility toward preserving the land as much as possible in its primitive state. While individual land owners strive to protect and preserve our County, why should corporations be allowed to destroy the air quality, the water quality, and the sound quality of our County in favor of short-term profits for only themselves?

Practical reasons to deny the request by Rockology to mine basalt on La Bajada Mesa include:

- There already exist other readily available sources of road-grade basalt within Santa Fe County.
- The local watershed is not able to sustain the additional usage without long-term detrimental effects to the watershed and its viability to permanent residents.
- Waldo Canyon Road is not a traditional "road" at all. It is a crude dirt and gravel trail passable only by high-clearance 4x4 trucks and acceptable only for ranch access by land owners. It will not support the proposed traffic for long before deteriorating and requiring constant rebuilding by County Transportation services.

NB13-214

- The type of mining Rockology is proposing (surface, open-pit mining) will cause large amounts of dust to become airborne. La Bajada Mesa has some of the highest sustained wind in all of Santa Fe County. These two facts will lead to an overall and measurable decrease in the air quality of Santa Fe County throughout the life of the proposed project.

- The type of mining Rockology is proposing (surface, open-pit mining) will require high-powered lighting which will be visible for miles in every direction, destroying the beautiful dark skies of Santa Fe County.

For the reasons listed above, the proposed mining project on La Bajada Mesa should not be approved. It is our hope that the clean air, quiet evenings and beautiful views afforded to residents and visitors to Santa Fe County shall persevere for decades to come. We look forward to your informed decision on this matter.

Regards,

A handwritten signature in black ink, appearing to be 'M Eastwood', written in a cursive style.

Matthew Eastwood

NBB-215

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Friday, February 07, 2014 4:34 PM  
**To:** Jose Larranaga  
**Subject:** Fwd: La Bajada Mesa

**Categories:** Red Category

*Sent from my Verizon Wireless 4G LTE DROID*

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

**Subject:** La Bajada Mesa  
**From:** JOHNSON SOMATICAN <[jsotican@dishmail.net](mailto:jsotican@dishmail.net)>  
**To:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>  
**CC:**

Dear Ms. Ellis-Green:

My husband and I are residents of Rancho San Marcos on Highway 14 south of Santa Fe city limits. We are aware of the application by Rockology/Buena Vista Estates to obtain water and mining rights for La Bajada Mesa.

We are seriously opposed to approval of these rights for several reasons:

- New Mexico has been under serious drought conditions for several years now. Residents and small businesses along Hwy 14 depend on an aquifer for clean water supply. The La Bajada mining project will consume vast amounts of water which would impact the level of our aquifer. We cannot support a project that would affect our water supply.
- Dust will be created, even if water is used to lessen it. The Hwy 14 areas south of Hwy 599 down through Cerrillos and Madrid are already subject to blowing dust due to high westerly winds. (The winds we experience are predominantly from the west/southwest and higher than those in the City as there are no real wind breaks.)
- Property values will decrease due to the negative impacts of a mine on the mesa and to our water supply.
- The truck traffic will have an impact on the area roads that would likely be used - Hwy 14, Hwy 45 (right through Bonanza Creek Ranch), the East Frontage Rd. and the Waldo/Canyon Rd. interchange at I-25.
- Residents of the Village of La Bajada will also be impacted by the dust, mining operations and truck traffic.
- As there are other gravel mines in the area, there is no necessity to have yet another one.
- The La Bajada mesa is beautiful geologic area, and an attractive visual "entrance" northbound to Santa Fe.

We are hopeful that you support our position regarding the application, and that that it will be turned down.

Thank you for your consideration.

Sincerely,  
John and Diane Somatican

**Jose Larranaga**

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**From:** Penny Ellis-Green  
**Sent:** Friday, February 07, 2014 7:13 PM  
**To:** Jose Larranaga  
**Subject:** Fwd: Please Rejecl Rockology La Bajada Mesa Mining Proposal

**Categories:** Red Category

*Sent from my Verizon Wireless 4G LTE DROID*

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

**Subject:** Please Reject Rockology La Bajada Mesa Mining Proposal

**From:** trevorroche@aol.com

**To:**

**CC:**

Dear Ms. Green (for Santa Fe County Commissioners)

I hope the enclose letter, entitled "Rockology Gravel Mining Proposal for La Bajada Mesa, Santa Fe County" is appropriately expressed for your agency's requirements , and is neither too long nor too short.

What the county commissioners, the final arbitrators, decide about the Rockology mining proposal for La Bajada Mesa could determine the long-term future of the Galisteo Basin of Santa Fe County, as well as the future of the county as a whole.

I sincerely hope that entreaties from four state lawmakers--Sen. Peter Wirth, Rep. Brian Egolf, Sen. Phil Griego, and Rep. Stephanie Garcia--appealing to the commission to reject the La Bajada Mesa mining proposal, will be seriously considered.

I am truly grateful to have lawmakers who are this forward looking and who understand the extraordinary threat to water security faced by our country of Santa Fe and the rest of New Mexico. We need decision makers everywhere to frame development and other programs through the lens of water scarcity. What we call development today is in fact the opposite; it is mainly tearing up the land, spreading dust, increasing traffic, squandering water, wasting energy. True development, IMO, is developing healthy drainage and catchment systems within watersheds while enabling them through ecologically smart means like conservation, cottage industry, horticulture and eco-tourism, etc., to be sustainable and resilient.

Trevor Burrowes

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2836 State Highway 14 N  
Cerrillos, NM 87010  
505-455-7926  
4 February 2014

## Rockology Gravel Mining Proposal for La Bajada Mesa, Santa Fe County

To Whom It Concerns:

Rockology Gravel Mining Proposal for La Bajada Mesa (by Waldo Canyon exit off I-25) should be rejected. With better alternatives elsewhere for mining, the community/state/national treasure that is La Bajada Mesa, being considred for national monument designation, should be exempted from any mining projects. Some major reasons are as follows:

- The Galisteo Basin, to which La Bajada Mesa is the gateway, is a watershed. Our local residents have been attending workshops on the nature of the watershed, and how to benefit from it through catchment and drainage projects of various sorts. Three development projects are proposed at a time well before a coherent plan (see the the Galisteo Watershed Conservation Initiative [GWCI] url link below) for the Galisteo Basin can be worked out. The three endangering projects



within the watershed are: using Lamy as an oil transportation hub; gravel mining at La Bajada Mesa; and gold mining in the Ortiz area along Highway 14.

- There is no way that any gravel operation lasting 25 years (the period proposed) and needing a steady supply of water can be helpful to a drought ridden region, also given the fact that the drought is likely, with increased global warming, to be open ended.
- The prevailing cultural pressures for development are based on an outdated and dangerous assumption that the right of a few to make money outweighs the right of people and animals to a healthy environment. The rights of nature is a concept embraced by aborigines in many places, but only a handful of modern jurisdictions. That makes it incumbent on the community to plead and bargain for rights that should be uncontestable.
- If business-as-usual is based on the notion that growth must be unlimited, then business-as-usual is a destructive and unsustainable paradigm that must be examined.
- The amount of money the county could gain from the project is outweighed by its implied costs to the county. These costs include (but are not limited to) road degradation, water misallocation, air pollution, health costs, property value decline, etc.. There would also be the economic costs of despoiling a potentially enhanced cultural asset known as the Galisteo Basin.
- This project is perhaps universally opposed in our community, and its approval would rob the community of its sense of place, its cultural and economic potential, and, broadly speaking, its quality of life.
- While this project should not be allowed for any number of reasons, it needs, at the very least, to be put on hold pending a comprehensive community plan for the basin being completed (see GWCI url below).
- Rather than constant rearguard action to stave off unwelcome developments, the community now sees the need for proactive planning for the Galisteo Basin, focusing on its assets, requiring asset mapping and coordination. Severe energy shortage (which, barring very harmful last-ditch fossil fuel excavation like fracking, is the situation we actually face today) will require a higher level of conservation for the region, and groups like the Madrid Cultural Project and others are well poised to plan and promote implementation of such needed changes.
- [http://sfct.org/wp-content/uploads/2012/01/Galilsteo\\_WatershedI.pdf](http://sfct.org/wp-content/uploads/2012/01/Galilsteo_WatershedI.pdf)

The Galisteo Watershed Initiative provides a proactive tool for guiding sustainable future development in the Galisteo Basin, a critical point for connecting green infrastructure within the state of New Mexico and beyond. I hope La Bajada Mesa is where we turn from reactive development that is not sustainable to a proactive development that is.

Sincerely,

Trevor Burrowes, MFA

(My wife, Sandra Tacang, of the same address, also endorses this letter.)

PS: An addendum below highlights the prospect for increased recycling of glass and plastic for use as aggregate extender, while reducing the strain on our landfills. This would reduce the need for gravel mining.

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## **Mitigating the Effects of Gravel Mining upon Rural New Mexico by Rural Conservation Alliance (excerpts)**

Resistance to change can be a fatal obstacle in New Mexico, whether the resistance is from the government or private businesses with vested interests in the status quo.

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(Clovis Airforce base): The base could not find a local use for crushed glass that was processed on site, so it donates the glass to a firm in Lubbock, Texas, paying the shipping costs.

Savings in Solid Waste (through Albuquerque's Recycling Program): costs @ \$15.00/ton

● Total savings: \$12,055,300.00

In a scenario directly related to glass reuse, Santa Fe County could use twice as much glass as what is now recycled throughout the County for road projects. Approximately 20,000 tons of gravel are purchased for County road projects. If the solid waste facility could recover the full amount of domestic glass generated, estimated at 5,248 tons (Table 2), it could reduce its purchases of gravel by the 2,000 tons used for county projects (valued at \$38,000) and sell the remaining material to other road construction entities. The facility's recycling coordinator noted in conversation that a business could take the lead in marketing the materials for road projects in the region, thus providing a business opportunity in the private sector.

The NM Recycling Coalition, composed of staff from waste management facilities in New Mexico, works with NMDOT's State Materials Bureau and NMED on a Recycling Team in a joint effort to use recyclable materials. Other organizations may also provide partnership opportunities.

Sustainable Communities/ZERI-NM is a non-government organization that creates environmentally sustainable applications of science and technology.

<http://www.raintreecounty.com/Recycle.html>

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## Jose Larranaga

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**From:** susan selbin <sselbin@hotmail.com>  
**Sent:** Saturday, February 08, 2014 9:49 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Importance:** High  
**Categories:** Red Category

I oppose the proposed mining zone to be located at La Bajada Mesa.

Rather than open the area to mining, the area should be preserved permanently.

The amount of water needed is not clear. The application claims a total of 710,000 gallons a year or 2.19 acre feet, which would not be sufficient to accomplish the suppression of dust.

The submittal does not address water for reclamation. A letter from the Office of the State Engineer notes that since certain documents were not provided, a technical analysis was not performed. And the OSE appears to toss the issue back to the discretion of the county.

The 2008 application, along with theirs of 2005, had been withdrawn because of uncertain water sources and perhaps because County Staff was then recommending (as reported in the New Mexican March 25, '08) "denial of the permit based on a 'cadre' of issues . . . ." These included impacts upon historical and archeological resources.

Opening a mining zone in La Bajada Mesa would be a mistake. Please do not permit this action.

Thank you,  
Susan Selbin  
2431 Northwest Cir NW  
Albuquerque 87104

**Jose Larranaga**

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**From:** Penny Ellis-Green  
**Sent:** Sunday, February 09, 2014 1:11 PM  
**To:** Jose Larranaga  
**Subject:** Fwd: La Bajada Mesa

**Categories:** Red Category

*Sent from my Verizon Wireless 4G LTE DROID*

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

**Subject:** La Bajada Mesa

**From:** carrie <[carrie@sculptures.com](mailto:carrie@sculptures.com)>

**To:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>

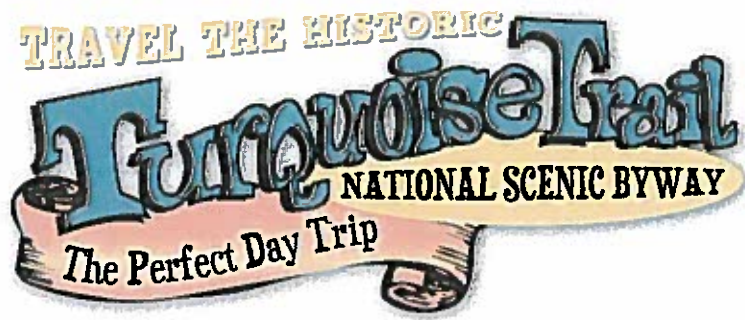
**CC:**

Ms Penny Ellis-Green,

I live in the Rancho San Marcos subdivision of Highway 14 south of I-25, and wanted you to know that I am opposed to the proposed gravel mining at La Bajada. Many of us are concerned about quality of life in our area, the depreciation of our property values, air quality and most importantly, damage to our aquifer and water table. We ask you, please, do not permit this operation.

Thank you,

Carrie Quade  
466 San Marcos Loop  
Santa Fe, NM 87508  
[www.sculptures.com](http://www.sculptures.com)  
[www.nmartspa.com](http://www.nmartspa.com)  
505 474 7333



Turquoise Trail Association  
PO Box 303  
Sandia Park, NM 87047  
[www.TurquoiseTrail.org](http://www.TurquoiseTrail.org)  
[trail@turquoisetrail.org](mailto:trail@turquoisetrail.org)

Thursday, February 6, 2014

Jose Larranaga, Santa Fe County,

The Turquoise Trail Association, (TTA) stewards of The Turquoise Trail National Scenic Byway, also known as State Highway 14, strongly oppose the Buena Vista / Rockology application to mine at La Bajada Mesa!

With tourism maintaining a large part of our state and local economy, this mining operation within another scenic landmark does not fit into our states best interests, long term or short term.

The far reaching La Bajada Mesa viewscape is important to the Turquoise Trail National Scenic Byway and New Mexico tourism and it deserves to be protected. Strip mining of this historic, scenic and culturally significant land should not be allowed. There is already a mine nearby providing similar services and materials. In a time of serious water shortages, droughts and reduced hydrological resources, this operation is wasteful and unsustainable. The proposed trucking of water into this site at the scale of the proposed operation is a grossly inefficient use of our County water resources.

This letter follows our communication sent to Jose Larranaga in April 2008, protesting the 2008 Rockology mining application.

Respectfully,  
Kevin Box  
President of Turquoise Trail Association

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## Jose Larranaga

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**From:** Amanda Bramble <ampersandproject@yahoo.com>  
**Sent:** Sunday, February 09, 2014 5:45 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robin Gurule; Stephen C. Ross; Stephen C. Ross; Daniel Mayfield; Miguel Chavez; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

Dear Jose Larranaga,

Please don't allow a mine to move in on La Bajada Mesa! There is already a great place for gravel with the Caja del Rio gravel mine. My understanding is that Santa Fe wants to be sustainable. Let's go with what we are doing right. If we have to have a landfill, best to focus our extraction in the place we need to dig out anyway. And the existing mine uses reclaimed water. It's a good set up.

Mining on La Bajada will be visible from my property in Cerrillos. The dust will contribute to the already hazardous blowing dust problem around the prison. It's also an important wildlife resource. All the explosions and trucks will destroy the serenity of the mesa. And let's save our water for our community!

Please don't let this happen.

Thanks,

Amanda Bramble

PO box 773 Cerrillos, NM 87010

[www.ampersandproject.org](http://www.ampersandproject.org)

## Jose Larranaga

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**From:** 12stpdish@gmail.com  
**Sent:** Sunday, February 09, 2014 6:50 PM  
**To:** Jose Larranaga  
**Cc:** Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics; Robin Gurule; Penny Ellis-Green  
**Subject:** Re:CDRD Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

Dear Mr. Larranaga,

I am writing to express my personal opposition to the subject application for gravel mining on LaBajada Mesa. I am president of the Amigos de Cerrillos Hills State Park, and am reasonably sure that all the members of the Board of Directors of the Amigos agree with my concerns, but do not have time to get their formal approval before the deadline to get this information to your office.

My concerns relative to the Cerrillos Hills State Park are related to the impact this operation would have on the current and future ability of the Park to meet the needs of our visitors. The dust generated by the mining and crushing of rock would be released directly upwind of the Park and will settle on the Park land and facilities. This will make the Park not only less attractive to visitors, but potentially medically harmful. The proposed hauling of water likely will go through the village of Cerrillos which will pose traffic issues to visitors and make for a less friendly experience. The Board has discussed promoting access to the Park from I-25 since the interstate carries much more traffic than State Route 14. Having a gravel mining and crushing industrial operation as the first thing potential visitors encounter would seriously hamper that method of access. While the application apparently calls for a limited time use of the area, any potential reclamation is likely to leave a large pit for decades since there is no real surface soil to use for fill.

On a more personal level, I am seriously concerned about the proposed continuing use of county water for on-going industrial uses in a for-profit business. Ordinary citizens would obtain valid water rights to provide the necessary water for a business. I also have some doubts that the amount of water requested is anywhere near adequate. If they are only mining one acre at a time, the water would provide something like 0.1 inch of dust suppression per day which would be woefully inadequate in our quite dry climate. This assumes that no water is to be used for dust suppression in the crushing operations which may well generate more dust than the actual mining. The dust suppression plan is inadequate.

I urge the rejection of the subject application for these and other reasons.

Thank you for your consideration.

Boyd Christensen, President  
Amigos de Cerrillos Hills State Park

## Jose Larranaga

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**From:** Thomas Parker <tomparker87@gmail.com>  
**Sent:** Monday, February 10, 2014 3:23 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates, Inc. & Rockology Limited, LLC  
**Categories:** Red Category

Dear Mr. Larrañaga,

This e-mail reflects my concerns about the subject application, why I request that the CDRC reject it.

The development proposal as it now stands involves two substitutions that are of dubious benefit to the residents of Santa Fe County: the replacement of some gravel truck miles with water truck miles; and the replacement of gravel washed with non-potable water with gravel washed with potable water. The applicants assert that the proposed mine will reduce gravel haul distances compared to current sources. Their evidence consists of the locations of the quarries. But even if this is true to some extent, the proposal will require significant water truck traffic, more if the water use estimates are incorrect. Surely the CDRC should require an analysis of these offsetting effects.

Gravel produced by the Caja del Rio quarry is washed with piped non-potable water. Why should the County approve a proposal that would substitute gravel washed with hauled potable water, at least until such time as the Caja del Rio gravel resource is exhausted?

The monthly distribution of water use in the proposal appears to assume significant rainfall for the months June through October (40,000 gallons per month for those months, versus 140,000 gallons per month March through May). If true, certainly the project peak water use (in times of drought) is underestimated. And in times of drought, the surface water component of the County water system supply also can be expected to be diminished. It is not apparent that water required for reclamation has been included. The truck traffic analysis suggested above should consider peak water use during a drought of reasonable severity and duration, unless the applicant is willing to commit to a cessation of operations at such times.

Consideration should be given to the imposition of a reclamation bond to ensure that some rudimentary level of reclamation actually occurs, and it should incorporate realistic costs for hauled water and the possibility of some degree of failure on the initial attempt.

Finally, I am concerned about what appears from the letter to be a cavalier "willing and able" attitude on the part of the County water system. I presume that actually there is some real consideration and analysis behind the County letter. But at the very least, there are the policy questions of whether industrial use should be accorded the same priority as community and residential use, particularly in times of drought; and whether the County should commit to whatever level of supply the project requires over a 25-year time frame. There should be a stated contract amount for a stated short term (e.g, 5 years), subject to renewal by mutual agreement. Does the County really believe that it knows what its water supply situation will be in 25 years?

Thank you for your consideration of this.

Sincerely,  
Tom Parker



## Jose Larranaga

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**From:** Tracy Ragan <tracy.ragan@openmakesoftware.com>  
**Sent:** Monday, February 10, 2014 8:33 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

**This letter expresses my deep concern about the proposed mining of La Bajada Mesa. I do NOT support a mining zone on La Bajada Mesa or mining anywhere along our "tourist" corridor. As a homeowner in the Cerrillos/Madrid area, property values for private homes and ranches is my biggest concern. I'm OK with change, but to re-zone this area to allow industrial activity in an area that supports private homes and heavy tourism is simply the wrong decision for Santa Fe County as a whole, not to mention the water issues that this will cause. Supporting efforts that increase tourism and protects our home values should be the counties primary focus - and this is a BIG diversion from that focus.**

**Please to not support this effort.**

**Tracy Ragan**

**505.424.6437**

**Cerrillos home owner.**



## THE SAN MARCOS ASSOCIATION

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January 9, 2014

To: Santa Fe County CDRC

From: Walter Wait  
President  
San Marcos Association  
P.O. Box 722  
Cerrillos, New Mexico 87010

Dear Sirs:

### **The Proposed La Bajada "Rockology" Gravel Mine is a bad idea for Santa Fe County**

The San Marcos Association opposes the Rockology mining application and recommends that the CDRC either recommend to the BCC that (a) that the rezoning application be denied because of the arguments provided below, or (b) Since the proposed mine clearly falls under the category of "DCI" in the new County Code, any action concerning the application should be delayed until such time as the new rules governing such projects are in place.

Our concerns fall into four general categories (a) water (b) traffic, The County Land Use Code, and (c) view shed.

#### **Water**

The February 3, 2014 New Mexican states that "the proposed mine would have two 10,000 gallon water holding tanks, one for dust control, and one for fire suppression". The water would be supplied through purchase of County water at .02 cents per gallon and would be supplied by the county "tap" on Highway 14.

The 2012 State Engineer Application to transfer three acre feet of water from agricultural use to sand and gravel mining lists the new use as "sand and gravel washing".

NBB-228

If the proposed mine requires water to wash the gravel, this is different from "dust control". Where will this water come from? Also from the County's fragile drinking water supply? How much water would be needed?

Let us assume that the initially requested three acre feet is adequate for the mines proposed activities. Three acre feet equals 978,000 gallons. Assuming that the mine would utilize large tankers, the 8.1 million pounds of water would be divided into 270 30,000 pound loads. 3,500 gallons of water equals a 29,190 lb. load. This equals .73 trucks every day of the year. Assuming that the water trucks would not run every day but five days a week, we can observe that in all likelihood, two trucks would pull up to the pump every work day.

The trucks would take 1.2 hours to fill assuming that the Highway 14 delivery rate is one cubic foot per second or 44.9 gallons. Two trucks would then tie up the highway 14 station for 2.4 hours every day.

How would this affect the County's drinking water haulers? Many resident's of the San Marcos District depend upon this pump to haul drinking water. Would these property tax payers have to line up expecting a one hour delay before they could reach the pump? Too put this industrial use in perspective, it would be the equivalent of 3,260 one ton water hauling pickups.

If these trucks are diverting 3,500 gallons of water per load, what affect will it have on the down stream water pressure? Remember, this is a twenty five year project - well beyond the County's planned build-out of the SDA-2 area. The expected extension of the County water line to points south of the Elementary school, is built into the long term plans of the County water system. Would large scale industrial water use curtail the system's ability to meet domestic demand?

What is to prevent the owners of the property to sell fifty acre plots "with gravel mining potential" once the first mine is brought on line? What would that do over the next 25 years?

In times of drought, would there be a "priority call"? Could the County force industrial accounts to shut down?

Two heavy trucks a day carrying water to the mine must be added to the proposed eight gravel trucks.

The value of the 978,000 gallons per year at .02 cents is \$19,560. Is this sum sufficient to pay for the wear and tear on the County roads that these water trucks would traverse? Clearly the Traffic Impact Analysis did not take into account effects on roads that the gravel trucks and water trucks would have to use once they left the site. Would these trucks all move through Cerrillos? If not, where would they go?

The County should enact legislation to limit water consumption to domestic uses where the proposed end use lies outside of the County Water System's service area. County Residents have paid for the water rights that the County uses for its water system.

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They should not be utilized for for-profit commercial enterprises unless, like new subdivisions, they pay for any infrastructure ( including roads, road repair, pipelines, and water rights) needed for the county to recover its 25 year costs of operation.

### **Development of County Wide Impact**

Since conditions change from year to year, the the County should not enter into any long term agreement with any DCI project. Any mining project should be re-licensed annually, and only after careful inspection and evaluation of it's operation and impacts on the County. The County should be very concerned over the possibility that this 5000 acre entry-way to Santa Fe could become an industrial rubbish bin in twenty years.

Under Santa Fe County's new Land Use Code, The proposed mine falls under Chapter 11, Developments of Countywide Impact,. While the new code has not been put into effect as yet due to the absence of a zoning map, the CDRC should not approve any proposed development with a proposed twenty five year life until these new "DCI" requirements have been put into place.

### **Analysis of the Traffic Analysis Data**

The application states that the "traffic analysis" conducted by the County states that minimal impacts to County Road 57 from 12 to 16 trucks a day. It does not include the number of trucks that would traverse the road from public and private haulers not owned by the mine. The New Mexican stated that the proposed mine would extract 250,000 tons of material every year. If this is the case, and assuming 15 ton loads, then 16,666 trucks would be needed annually to deliver the material. Rather than 12 to 16 trucks a day that figures out to 45.66 trucks per day (if the trucks ran 365 days a year). That is almost 100 trucks per day if you count empty return trips and equally heavy water trucks.

Also, 250,000 tons times 25 years equal 6.25 million tons of material not the 1.26 million tons proposed. If this is true, what effect would there be on reclamation. Would it require bull dozing tthe surface of he entire 5000 acres to fill the three holes? The property is for sale, so in 25 years, there would not be any surface to fill the hole. Does the county want a 5000 acre dust bowl? is there any reclamation plan? Is there any bonding required? Both of these are required in the New County Code.

The application states that between 12 and 16 trucks a day would haul material from the mine. This, I assume does not include return trips. Gravel is often mined and stockpiled. Road Maintenance contractors and County crews use this stockpiled material as purchased. This could require fleets of heavy trucks to traverse not only County Rd 57, but the I-25 frontage road and County Road 45 ( Bonanza Creek Road) for extended periods of time. Since the County is charged with maintaing these roads,

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the Traffic Analysis should have taken into account the costs associated with increased heavy traffic over a twenty five year period. The impact caused by heavy trucks constantly moving along Bonanza Creek Road, for example, would have a great impact on the County Residents living along the road and on the Bonanza Creek Ranch Movie Productions. business. Bonanza Creek Road is already a dangerous road with its many difficult curves. Placing additional heavy vehicles on it would be an accident waiting to happen. The road already has a weight limit on it that is persistently ignored by gravel trucks operators wishing to cut miles and time off their deliveries.

### **View-Shed**

Assuming that 4 cubic yards of Basalt equals apx. one ton, and 250,000 tons x 25 years equals 6,250,000 tons, then a 60 foot deep pit would grow to be 1,350 feet by 600 feet. That could translate into a .37 mile long cut. The question remains, how and with what would such a scar be reclaimed even if reclamation was an on-going condition of the open pit operation. Once a mine is in place, will this become an invitation for other mines to come forward? This would appear to be the historic pattern. The scars left by Gold Field Mining are still clearly visible 25 years after the fact. The Scars left by mining in the 19th century are still visible in the Silver Hills. Do we wish to present another scar to visitors to Santa Fe?

Walter Wait  
President  
San Marcos Association

NBB-231

## Jose Larranaga

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**From:** Pam Gilchrist <pamgilchrist1@gmail.com>  
**Sent:** Monday, February 10, 2014 2:33 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

I do NOT support a mining zone on La Bajada Mesa because, among the many concerns, the amount of water needed is not clear.

Santa Fe County must develop a policy that does not by default provide water to all Developments of Countywide Impact including oil gas, mining, CAFO's etc.. Hauled water is not adequate for long term mining operations. When a proposed mine is sited well (which the Buena Vista / Rockology isn't) it should have its own long-term water supply on site so as to eliminate the impacts of water hauling that includes traffic hazards as well as additional carbonization and infrastructure impacts from heavy trucks. The County must not allow them to evade needed acquisition of commercial industrial water rights.

The application claims a total of 710,000 gallons a year or 2.19 acre feet, which is insufficient to accomplish the suppression of dust. Even this amount would generate thousands of heavy water haul truck deliveries a year and contribute to deterioration of our state and county roads, the repair of which the taxpayer would have to subsidize.

This is also not a good location in regard to the county strategy to allow growth only where it is wanted and timely.

It is not in the public interest to use County water to open up an unsustainable relatively short-term operation that would degrade a long recognized historic and cultural landscape.

Pamela Gilchrist  
Convener Peace and Social Concerns  
Santa Fe Religious Society of Friends (Quakers)  
3466 Cerrillos Rd., C-2  
Santa Fe, NM 87507

## Jose Larranaga

---

**From:** Pam Gilchrist <pamgilchrist1@gmail.com>  
**Sent:** Monday, February 10, 2014 2:33 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

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Pamela Gilchrist  
Convener Peace and Social Concerns  
Santa Fe Religious Society of Friends (Quakers)  
3466 Cerrillos Rd., C-2  
Santa Fe, NM 87507

## Jose Larranaga

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**From:** P. Brown <brownp52@yahoo.com>  
**Sent:** Sunday, February 09, 2014 11:43 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Attachments:** February 8.doc  
**Categories:** Red Category



February 8, 2014

To Jose Larranaga,

There are 25 people in the Las Candelas de los Cerrillos community association. None of us wants this gravel pit put in at the end of CR 57. We want you to know, we strongly oppose disturbing the scenic qualities of La Bajada mesa with a gravel pit. There is already one less than a half-mile away that is an eyesore. We do not want the increased traffic on the road, the light pollution nor the blowing dust pollution. We ask that you do not approve this gravel pit permit. No one in our village wants it.

Thank you,  
Todd Brown, president LCDLC



**Jose Larranaga**

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**From:** Andy Bramble <andybuilds@yahoo.com>  
**Sent:** Sunday, February 09, 2014 11:14 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** I oppose the La Bajada Mesa Mine  
**Categories:** Red Category

**Dear Mr Larranaga,**

**I oppose the La Bajada Mesa mine. It is poorly sited in an archeological/geologically significant area and would be a terrible use of water, especially considering climate change and the drought New Mexico still experiences.**

**Please enact a moratorium for La Bajada Mesa.**

**Thank you,**

**Andrew Bramble  
36 White Wolf  
Cerrillos, NM 87010**

## Jose Larranaga

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**From:** Barbara Layton Rucker <blaytonrucker@cnsr.net>  
**Sent:** Saturday, February 08, 2014 3:29 PM  
**To:** Jose Larranaga  
**Subject:** application for a zone change by Buena Vista Estates, Inc. and Rockology Limited LLC

**Categories:** Red Category

Dear Mr. Larranga,

My husband and I oppose the application for a zone change from residential/agricultural to a zone that would allow strip mining for gravel on the La Bajada Mesa.

. Our primary concern is air quality. All you have to do to see what a difference this kind of mining has on air quality is to drive anywhere near one a typically windy spring day.

. Even if our county had the water resources to support good faith efforts to keep down the dust, the air quality would be diminished.

. In the interests of all our children who will have even less water available than we do today, I think allowing water use for the purpose of the destruction of yet another fragile New Mexico landscape is immoral.

Please convey my wishes to my county commissioner Mr. Robert Anaya and to his colleagues on the board.

Respectfully yours,  
Barbara Layton Rucker  
40 Ron's Road  
Santa Fe, NM 87508

19 Copper Trail  
Santa Fe, NM 87508  
2/10/14

Jose Larranaga  
Case Manager  
Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larranaga:

I live (and am a homeowner) on the north side of the Cerrillos Hills in the sub-division of Rancho Alegre. It is very upsetting to me that the county would even consider this application for mining on La Bajada mesa.

Right off the top of my head, I can think of a few major concerns that I and my neighbors would have, being directly affected by mining in this area:

1. **WATER:** Our water supply is tenuous at best. We all have private wells, and some of these wells have recently gone dry. We certainly don't need a commercial enterprise sucking up more water from the reserves near the prison, where a lot of people in our area already go to get their water.
2. **DUST:** We appreciate the clean air and sky we have out here. The dust blown our way from this facility would be devastating to our area, and ruin our quality of life.
3. **NOISE POLLUTION:** Where we live, it is so quiet, you can hear a pin drop. It's part of the serenity of living here. All we need is the constant sound of mining the rock!
4. **RUINING the LANDSCAPE:** As you drive up I-25 towards Santa Fe, do you really want tourists to see the mauling of the gateway to our city, off La Bajada hill?
5. **TRUCKING:** The amount of trucking needed for this enterprise would greatly affect our roads and traffic. If the trucks go down Bonanza Creek Rd., it would invite disaster. As it is, when the roads are repaired for pot holes there, the repairs hardly last a season. What would happen with a lot more heavy traffic??

I will tell you that my neighbors and I are extremely concerned about this application and vehemently oppose it. And, we will fight to keep our area pristine and without industry. We've rallied against oil and gas in 2007, and against the gold mine in the 1980s, and we will do it again, if we have to.

Please reject this mining application and be good stewards of our land.

Thank you.

Sincerely,

Gail Buono  
Board member of the San Marcos Association

Cc: Penny Ellis-Green  
Steven Ross  
Robert A. Anaya  
Daniel Mayfield  
Miguel M. Chavez  
Kathy Holian  
Liz Stefanics

NBB-237

## Jose Larranaga

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**From:** Michael Madden <mikemadden52@gmail.com>  
**Sent:** Monday, February 10, 2014 6:46 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

CDRC and County Commissioners:

The Turquoise Trail Preservation Trust urges you to vote against the Waldo Canyon (Buena Vista) project.

Preservation of the view shed is THE main element of the Trust's mission. This type of mining would disturb the view shed of the La Bajada escarpment. Gross disturbance to the land will diminish the capacity to appreciate this spacial link to the past. Retaining an undisturbed view shed is essential for preserving this unique historical southwestern gem that lies within Santa Fe County.

In addition, Santa Fe County Water Utilities (SFCU) has expressed a willingness and ability "to provide bulk [hailed] water services for the Waldo Canyon (Buena Vista) project" thus allowing Buena Vista "to pick up water at their discretion, from the Santa Fe County Utility dispensing facility . . . off NM Highway 14." This concerns the Trust because of the draw down of precious ground water for dust mitigation purpose as well as increased truck traffic on our treasured Turquoise Trail National Scenic Byway.

Mike Madden  
President, Turquoise Trail Preservation Trust(TTPT)

## Jose Larranaga

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**From:** Charly Drobeck <kebord1@cybermesa.com>  
**Sent:** Monday, February 10, 2014 7:49 PM  
**To:** Jose Larranaga  
**Subject:** Mining on La Bajada Mesa

**Categories:** Red Category

Hello Mr. Larranaga:

Please take note that I am a citizen of New Mexico, and I have resided here for most of my adult life.

The idea of letting Buena Vista/Rockology LLC strip mine on La Bajada Mesa is against many things I hold dear, and I hope you will consider NOT allowing this to go forward.

The reasons are multiple, among them being the likely degradation of an area that has historical, environmental and cultural value. A basalt gravel mine is redundant, given that there are several in this area to supply these materials, and this mesa should be preserved for its beauty and maintained for future generations.

Given how strongly Santa Fe relies on tourism dollars, imagine the scar a strip mine will leave on this scenic gateway that leads thousands of tourists up this amazing hill from the south. Please know that I, as a citizen, oppose this possibility.

Thank you for taking the time to consider this!

Susan "Charly" Drobeck  
Tesuque, NM

## Jose Larranaga

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**From:** Nomi Green <nomipgreen@gmail.com> on behalf of Nomi Green <nomigreen@msn.com>  
**Sent:** Monday, February 10, 2014 8:20 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Kathy S. Holian; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

**For all the the reason listed below please do not approve mining on La Bajada.**

Thank you,  
Nomi Green

### **PRESERVATION**

--La Bajada Mesa, listed by the New Mexico Heritage Preservation Alliance as a Most Endangered Place, is the gateway to the city of Santa Fe and needs to be a protected cultural landscape. The arts, including paintings, drawings, pottery, photographs and films attest to the profound significance of La Bajada Mesa to New Mexico's culture and economy.

--The current owners have no protected rights to demand a rezoning as they purchased the property with the current agricultural/residential zoning in place. The County has no obligation to enhance the value of the property (which is also for sale) to the detriment of the County and State as a whole.

### **IMPACTS**

--Mining the Mesa would ruin the geological integrity--the grandeur of this oceanic Gateway along I-25 into Santa Fe & Waldo Canyon Road, the road leads into the Galisteo basin park lands, a sustainable and growing economic resource.

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

--Development of such an industry poorly sited on an otherwise open landscape would result in impacts including increased pollution from carbon emissions and fugitive dust from multiple crushers, conveyors and heavy industrial traffic, along with blasting and night lighting.

--Mining in this location would not only negatively impact the Gateway vista from I-25 and Waldo Canyon Road--the western access to the Cerrillos Hills State Park--but would be a blight from the higher elevations of the trails that lead from the Cerrillos Hills State Park on BLM lands up Grand Central Mt. and from other recognized scenic vistas from the south and east.

--No visual impact report has been done for views from I-25, Waldo Canyon Road, the higher trails above the Cerrillos Hills State park, NM 14, and residential areas.

--The New Mexico State Parks, through the "Cerrillos Hills/Galisteo Basin State Park Feasibility Study" in 2006 concluded that the best access to the future state park would be from the I-25 corridor. An intensive expanding mine in this location along Waldo Canyon Road would have a discouraging impact upon a significant number of park visitors encountering unanticipated industrial activities, including the trucks on the road and the visual impacts of the mine itself.

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

--Reclamation would be next to impossible after stripping some 20 feet of basalt. There is little surface topsoil to set aside for reclamation. There are no strong standards to insure that reclamation would be a success and there is the likelihood that what would be left behind would be an endless source of dust.

## **WATER**

--Hauled water should not be considered adequate for long term mining operations. Santa Fe County should develop a policy that does not by default provide water to all Developments of Countywide Impact including oil and gas, mining, CAFO's etc. and not allow them to evade needed acquisition of commercial / industrial water rights. When a proposed mine is sited well (which the Buena Vista / Rockology isn't) it should have its own long-term water supply on site so as to eliminate the impacts of water hauling that includes traffic hazards as well as additional carbonization and infrastructure impacts from heavy trucks.

--Precedence? With a precedent set for mining the Mesa, if a mining company were to buy any or all of the remaining thousands of acres that are for sale on the international market, what then would become the county's obligations in 1) allowing further mining to the new corporate owners and, 2) supplying precious water resources for the extractions?

--Because hauling water for needed dust control is expensive, and because the company may be underestimating the amount needed, it may be they simply will not keep the dust contained, and especially if state air quality enforcement resources prove inadequate in providing oversight.

--Can Buena Vista / Rockology be trusted to spend money on sufficient dust control? Contrary to Rockology's application of 2008 which claimed that the mined materials were needed for the Railrunner construction project, it was revealed by the press that NMDOT already had secured all the materials they would need. Their true intention appeared to be to start a 50 acre operation until at least 2020. Why should we trust them now in 2014 to go to the extra expense needed to haul sufficient water for dust control?

--The acre feet of water suggested by Buena Vista (2.19) is woefully insufficient to accomplish the intended uses, which in their application does not include reclamation.

--The amount of water needed is not clear. The application claims a total of 710,000 gallons a year or 2.19 acre feet, which we think would be woefully insufficient to accomplish the suppression of dust. Even this amount would generate thousands of heavy water haul truck passes a year and contribute to deterioration of our state and county roads, the repair of which the taxpayer would have to subsidize.

--In keeping with the county strategy to allow growth only where it is wanted and timely, this is also not a good location.

--It is not in the public welfare to use County water to open up an unsustainable relatively short-term operation that would degrade a long recognized historic and cultural landscape--a landscape that can otherwise contribute sustainably to the county's economic welfare through the tourist industry.

## **SPECULATION**

--The current owners have no protected rights to demand a rezoning for the extractive industry as they purchased the property with the current agricultural/residential zoning in place. The County has no obligation to enhance the value of the property by shifting its economic worth from the value of an acre to the cubic yard.

--The property is for sale on the international market. Buena Vista is marketing the entire property of approximately 5217 acres and is including in the purpose the mining of basalt and other minerals.

--The applicant is seeking to rezone a portion of La Bajada Mesa from agriculture/residential to mining for its narrowly focused economic interests. Any such mining zone would likely be subject to expansion. The whole mesa is capped by basalt. Example: in 2002 JR Hale Contracting proposed a 500 acre strip-mine there that overlaps the current 50 acres as [diagramed](#).

--County staff in the past (2005 & 2008) recommend denial of the permit based on a "cadre" of reasons including the threat to historical and archeological resources and because they did not want to create a new mining zone. Has anything changed since 2008 that would make gravel mining in this location any more or less suitable? Less, YES! Since then, a State Park has become a reality offering a sustainable resource just east and down wind from the proposed mine site which is incompatible.

Nomi Green MA LPCC  
505-577-2959

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## Jose Larranaga

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**From:** Rebecca <rprocter@msn.com>  
**Sent:** Monday, February 10, 2014 8:25 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

February 10, 2014

Dear Mr. Larrañaga, Mr. Ross, and Honorable County Commissioners:

I am writing to express my deep opposition to the proposal to mine basalt caprock from La Bajada Mesa by Buena Vista Estates and Rockology Limited, LLC. As a professional archaeologist of 35 years and a long-time member of the historic preservation community in New Mexico, I have serious concerns about the negative effects of the proposed development. They include the following:

- La Bajada Mesa contains rich and irreplaceable cultural resources dating from the earliest days of human occupation in New Mexico to the Camino Real and the development of Route 66 in the twentieth century. Both the physical remains and the significant landscape setting of these cultural resources are threatened by the proposed mine and associated roads. It is notable that La Bajada has been named one of the most endangered cultural places in New Mexico by the New Mexico Heritage Preservation Alliance.
- The water required for a 25-year lease for this type of intensive hard-rock mining threatens the water base of our community, one that is already terribly diminished by intense drought, urban development, and increasing demand. It is not clear in the mining proposal exactly how much water would be needed daily to deal with large amounts of airborne dust being generated by mine activities, nor if the water requested would actually be sufficient to suppress that dust. This is not a reasonable risk for a community already facing deep water shortages.
- A 50-acre surface mine, with associated roads, heavy machinery, large vehicles, and inevitable effects on the clarity of the air would destroy the natural beauty and historic meaning of La Bajada as the gateway to Santa Fe County.
- The degradation of local scenery has a significant potential effect on Santa Fe County as a world-class visitor destination, and our tourist industry provides far more jobs in the County than a mechanized surface mine would do.

Thank you for your consideration of my comments. This is an extremely important issue for our county.

Sincerely,

Rebecca Procter, Ph.D.  
21 Aster Way  
Santa Fe, New Mexico 87508

[rprocter@msn.com](mailto:rprocter@msn.com)

Rebecca Procter, 21 Aster Way Santa Fe, NM 87508 505/466-6666 [rprocter@msn.com](mailto:rprocter@msn.com) CONFIDENTIALITY. The information contained in this transmission is advice intended exclusively for the proper use by the intended addressees and may contain confidential and/or privileged material. Any views expressed in this transmission are those of the individual sender, except where the transmission states otherwise and the sender being authorized appropriately. Any review, dissemination and other use of this information, as well as any action in reliance upon this information by persons and/or entities other than the intended addressees is prohibited. If you received this information in error, please note that no confidentiality or privilege is waived or lost by any mis-transmission. You are requested to inform the sender and/or addressee immediately and permanently delete and/or destroy the material.

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, February 11, 2014 8:26 AM  
**To:** Jose Larranaga  
**Subject:** FW: La Bajada Mining

**Categories:** Red Category

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**From:** Kathleen - Michael Casey [<mailto:kbcmbc@hotmail.com>]  
**Sent:** Monday, February 10, 2014 9:33 PM  
**To:** Penny Ellis-Green  
**Subject:** La Bajada Mining

Please halt the plans for mining at La Bajada. We need to respect our beautiful landscape in New Mexico. I do not want these toxic sights using or effecting our precious water and our health.

Thank you.

Kathleen Casey  
49 Goldmine Road  
Cerrillos, N.M.  
Sent from Windows Mail

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, February 11, 2014 9:40 PM  
**To:** Jose Larranaga  
**Subject:** FW: La Bajada Mesa

**Categories:** Red Category

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

**From:** Tom Aageson [<mailto:tom.aageson@gmail.com>]  
**Sent:** Friday, February 07, 2014 9:50 AM  
**To:** Penny Ellis-Green  
**Cc:** Tom Aageson; Tom Aageson  
**Subject:** La Bajada Mesa

Greetings-

Commissioner Liz Stefanics is our representative on the Commission. I am writing as a citizen of the County to state my objection to the mining on La Bajada Mesa.

Whether it is one gallon or one million gallons of water they want from our aquifer, it is wrong to remove it and give it to an outside mining company that wants to extract our natural resources. The Commissioners must know we are in a drought and the use of our water for mining unthinkable. To vote for it would not represent our interests today nor for that alone makes degrading our aquifer unsustainable for our communities that want to have long-term security. Our communities and our homes are of higher value than any water (let alone gold or oil) deal the county would consider. Just looking at the snow levels this year, it is obvious our water resources cannot be replenished.

Equally, the mining would destroy a beautiful mesa over time that makes our landscape drastically less attractive to residents and visitors alike. The value of our landscape, our quality of life and tourism far exceeds to allow outside companies to destroy.

Thank you very much!

Tom Aageson

189 Calle Galisteo

Santa Fe, NM 87508

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[tom.aageson@gmail.com](mailto:tom.aageson@gmail.com) <<mailto:tom.aageson@gmail.com>>

189 Calle Galisteo  
Santa Fe, NM 87508  
Skype: tom.aageson  
Global Center for Cultural Entrepreneurship  
[tom@culturalentrepreneur.org](mailto:tom@culturalentrepreneur.org) <<mailto:tom@culturalentrepreneur.org>>

## Jose Larranaga

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, February 11, 2014 9:40 PM  
**To:** Jose Larranaga  
**Subject:** FW: CDRC Case Buena Vista Estates & Rockology Limited LLC

**Categories:** Red Category

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

**From:** Philip Metcalf [<mailto:pmetcalf@gmail.com>]  
**Sent:** Wednesday, February 05, 2014 1:37 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert A. Anaya; [dmayfield@santafecountynm.gov](mailto:dmayfield@santafecountynm.gov); Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Please oppose the mining of La Bajada. There are other mines nearby that can supply the same material.

LaBajada is the gateway to Santa Fe and should not be reduced to a mining operation.

Santa Fe and the surrounding community depend upon tourism for their livelihood. Tourists don't come to Santa Fe to see mines nor to breath the dust a mine creates — they come to experience the beauty of an unspoiled New Mexico landscape. The City, County, and State should be involved in efforts to protect and enhance the natural landscape, not to mine it.

Most importantly in a community that goes the extra mile to conserve water, it is outrageous to commit water to such an operation when all forecasts say that we will have less water in the future than we do at present.

Philip Metcalf  
Voting Resident of Santa Fe

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, February 11, 2014 9:40 PM  
**To:** Jose Larranaga  
**Subject:** FW: La Bajada Mining

**Categories:** Red Category

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

**From:** stephanie fries [<mailto:stephanie.fries8@gmail.com>]  
**Sent:** Monday, February 03, 2014 5:07 PM  
**To:** Penny Ellis-Green  
**Subject:** La Bajada Mining

Dear Penny, I would be on record in opposition to the Basalt mining on La Bajada Mesa. I live on Camino Cerro Chato and can see thge mesa from my road. I am on oxygen an d fear that mining will send dust in the air which will further compromise my breathing. More dust, less view and as an artist I will find this objectionable as well. I cannot believe that the county is even considering this proposal. It will add few jobs to the workforce and seriously affect realestate values ot all neighboring areas. On that point alone I believe it is not to anyone's benefit to allow this project . Sincerely, Stephanie Fries



## Jose Larranaga

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**From:** Richard Miller <rickymiller@gmail.com>  
**Sent:** Wednesday, February 12, 2014 12:03 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

Please do not let this operation go on, the damage to the environment would be catastrophic and not reversible.  
For what would be gained is not worth the price to this amazing land  
Richard Miller

## Jose Larranaga

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**From:** Pamela G Grob <pam@grobsf.com>  
**Sent:** Wednesday, February 12, 2014 6:46 AM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

**Categories:** Red Category

Dear Sir:

I am writing to oppose the gravel strip project on La Bajada mesa. Please protect the pristine beauty of this area. I am also greatly concerned about the amount of precious water that will be used.

Sincerely,

Pamela Grob

Eldorado resident

## Jose Larranaga

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**From:** Skeniley <skeniley@gmail.com>  
**Sent:** Wednesday, February 12, 2014 8:48 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; murlock@raintreecounty.gov  
**Subject:** La Bajada Strip Mine Application

**Categories:** Red Category

Dear Mr. larranaga

Please note our opposition to the La Bajada Strip Mine application.

Living approximately 20 miles west of La Bajada, in the shadow of the Ortiz mountain, La Bajada has been part of our vista for over 30 years. We appreciate the beauty of New Mexico vistas that also attract tourism and the movie industry which supports our state financially.

Why do we need another aggregate mine? The incredible long ranging hole and dust and noise created by the strip mine on old Highway 22 south of Madrid....is one travesty. We want to repeat this with another eyesore and environmental pollutant to the community? Yes, we are a large group of individuals living west of La Bajada. We are a community against this new application.

And to propose in such a vibrant and obvious area. This hill is our history. Why do we have such short sighted ness?

Water is also a huge concern. Our community wells are cherished and any additional use of water for such purposes....trucked or not.....is a major concern to all of New Mexicans as we face drought and political manoeuvres from other states to divert.

Please do not approve this application.

Thank you for reading our concerns.

Sincerely

Lou and Susanne Keniley

Sent from my iPad

## Jose Larranaga

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**From:** Anne Bence <annebence77@icloud.com>  
**Sent:** Wednesday, February 12, 2014 11:17 AM  
**To:** Jose Larranaga  
**Subject:** La Bajada

Please act in respect for the earth and all those who recognize LaBajada for its power on this earth.

Sent from my iPhone

## Jose Larranaga

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**From:** Lois Lockwood <lokinlo@cybermesa.com>  
**Sent:** Wednesday, February 12, 2014 11:34 AM  
**To:** Jose Larranaga  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr Larranaga,

I am greatly concerned about the possible development of a portion of La Bajada Mesa as a mine to produce gravel. The area is a scenic gateway to Santa Fe, contains cultural resources, and is in proximity to the Cerrillos Hills State Park. It is not in the public welfare to use County water for this project, we are in drought conditions. The amount needed to mitigate dust and for reclamation ( which is probably not possible) is unknown and probably more that proposed. Even though the application is not regulated by the SLDC, the spirit of the SLDP should be considered. I ask the CDRC and The BCC to deny this application.

Sincerely,  
Lois K. Lockwood  
Lamy, NM

February 12, 2014

José Larranaga, Case Manager

Dear Mr. Larranaga :

We are writing this letter to express our opposition to the proposed mining operations by Buena Vista Estates and Rockology Limited LLC on the road to Cerrillos.

We are now residing in the community of La Cienega, after retiring and moving to New Mexico from New Orleans in October of 2012. We love the State and look forward to spending our golden years here.

We are strongly opposed to the mining operations because of the detrimental effects to the environment, the dust created during the operation, the water use to try and control same, and also the noise.

The risks associated with this project far outweighs the rewards. We hope you deny the proposed application for these reasons.

Sincerely,

  
Pamela F Toups

  
R.A. Toups

36 Raven Ravine

Santa Fe, NM 87507

NBB-254

## Jose Larranaga

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**From:** Bradley Gummersall <[bradley@denmansantafe.com](mailto:bradley@denmansantafe.com)>  
**Sent:** Thursday, February 13, 2014 9:05 AM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

Submitting my extreme negative vote for any new mining on the mesa.  
Thanks.

Bradley Gummersall, VP  
Denman & Associates, Inc.  
PH: 505-983-6014  
FAX: 505-986-1419  
CELL: 505-780-1682 e-mail: [bradley@denmansantafe.com](mailto:bradley@denmansantafe.com)

VISIT OUR WEBSITE @ [denmansantafe.com](http://denmansantafe.com)

**Jose Larranaga**

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**From:** Sherill Spaar <spaarsl@gmail.com>  
**Sent:** Thursday, February 13, 2014 10:17 AM  
**To:** Jose Larranaga  
**Subject:** Say NO to Gravel Mining at La Bajada

Dear Sir:

I ask with respect that Santa Fe County reject the proposal for gravel mining at La Bajada based on the amount of water to be used and wasted and on the archaeological, cultural and historical value of the area.

Thank you.

Sherill Spaar  
500 Rodeo Rd., # 210  
Santa Fe, NM 87505



## Jose Larranaga

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**From:** Nmexkenshan@aol.com  
**Sent:** Monday, February 10, 2014 9:56 AM  
**To:** Jose Larranaga  
**Cc:** pengreen@santafecountygov.gov; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; lstepanics@santafecountynm.gov  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Attachments:** Questions for determining quarry viability.wpd  
**Categories:** Red Category

Attached are questions that need to be answered prior to allowing a gravel pit on La Bajada Mesa. Also, I noticed the applying is a LLC. That means he can make a mess, sell all the material, leave the mess, and declair bankrupticy. Then start another company to do the same thing. We end-up with a scar on the land and a lot less water. The corporation ends-up with the money. Not a bad trade-off for the corporation.

## Jose Larranaga

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**From:** Mark M <markmares.mm@gmail.com>  
**Sent:** Thursday, February 13, 2014 11:20 AM  
**To:** Jose Larranaga  
**Subject:** "CDRC Case: Buena Vista Estates & Rockology Limited LLC"

**Categories:** Red Category

Strip Mining our stunning land is a travesty.

- 1) Not enough water to begin with
- 2) \$ millions of dollars are spent by tourists because of our scenery
- 3) DON'T feed the pockets of a few corrupt politicians or the Governor

This is unbelievably that this is even being considered. I am a "Third Generation Santa Fean" thinking that it's the outsiders wanting this; they will leave in a few years after and go home with all the money. These people don't care about our CLEAN AIR and lack of WATER

Don't let them ruin our home!!!! Put this to a public vote and don't line the pockets for the outsiders and greedy politician.

## Jose Larranaga

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**From:** MidbarNM@aol.com  
**Sent:** Thursday, February 13, 2014 12:06 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; murlock@raintreecounty.com; diane.senior@gartner.com; drphilsantafe@aol.com; cdnintxcvm@gmail.com  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga ,

We are writing to express our strong opposition to any mining occurring on La Bajada Mesa.

The bottom line is that there is no need for such an enterprise. There are already sufficient gravel mines in the area to cover the demands of the community. Any additional companies would just compete with those pre-existing ones.

In addition, La Bajada Mesa is a significant historic and cultural site, which deserves to be protected.

Mining in this sensitive area would unnecessarily increase traffic and noise in rural communities, and would use tremendous amounts of increasingly valuable water in an attempt at dust control. We can ill afford such efforts.

Please do everything possible to assure that this ill-conceived initiative does not go through. Thank you.

Sincerely,

Drs. Phil and Karen Milstein  
162 Rancho Alegre Rd.  
Santa Fe, NM 87508

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**From:** [djofm@yahoo.com](mailto:djofm@yahoo.com) [<mailto:djofm@yahoo.com>]  
**Sent:** Monday, January 06, 2014 7:20 PM  
**To:** Jose Larranaga  
**Subject:** Protest: Mining application on La Bajada Mesa

Please, Jose Larranaga,

I do NOT support mining in this location because:

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

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

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

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

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

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

Diana Johnson, 2843 Highway 14, Madrid N.M. 87010, ON THE TURQUOISE TRAIL

## Jose Larranaga

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**From:** Peter Van Ness <pvnrealor@msn.com>  
**Sent:** Thursday, February 13, 2014 9:23 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics  
**Subject:** La Bajada proposed gravel mining project

To all concerned:

I just want to express my opposition to the proposed mining project in the La Bajada area.

A visible blight on the hillsides of our beautiful natural gateway to Santa Fe would be a travesty to all of the residents and visitors to Santa Fe. This is the most traveled entrance to our wonderful city; the formations of these majestic hills must be left alone to greet us all. Please turn down this horrible mining proposal and protect the wonderful majestic natural formations of this area.

Thank you in advance for your opposition to this project.

Peter

Peter D. Van Ness  
4 Little Tesuque Creek  
Santa Fe, NM 87506  
Cell Phone: 505-660-6409  
E-mail: [pvnrealor@msn.com](mailto:pvnrealor@msn.com)  
Website: [www.petervanness.com](http://www.petervanness.com)

## Jose Larranaga

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**From:** Jay Dratler Jr. <jdratler@gmail.com>  
**Sent:** Friday, February 14, 2014 11:59 PM  
**To:** Jose Larranaga  
**Subject:** Buena Vista Estates/Rockology Mine Proposal

Dear Mr. Larra,

We are husband and wife, residents of Rancho San Marcos, writing to urge rejection of the pending application to mine La Bajada Mesa.

The corridor north of Santa Fe, to Tesuque and beyond, is heavily populated. So the City and County have planned to improve areas south of the City, including our own subdivision (Rancho San Marcos), Rancho Viejo, Rancho Allegre, the town of San Marcos and Santa Fe Community College. The new movie studio near the Prison is part of that plan.

The proposed mine/quarry is within sight, hearing and polluting distance of our Subdivision and most of the areas named above. Already we hear jet engines from planes at the Airport. But planes only run a few times a day. A mine or quarry at about the same distance, operating all day every weekday, would destroy the peace and quiet of our home, put dust and exhaust into the near-constant winds in our valley, make our Subdivision a less desirable place to live, and likely lower our property values.

A mine would also use lots of water, much more than homes or people need. It would deplete the precious sweet-water aquifer that supplies our and neighboring subdivisions. For what? Gravel?

Santa Fe City and County already have a brilliant land-use plan. It relies on sources of income that are quiet and don't pollute. These sources include: tourism, art, retirees like us, second-home owners, state and local government, and a newer source of income: the movie locations near the Prison and at Bonanza Creek Ranch.

Except for government, these sources all bring money into Santa Fe from out of state. More important, they all preserve what makes Santa Fe unique: unspoiled natural beauty and rare peace. (According to a recent report, Santa Fe has the world's second cleanest air, after Whitehorse in the Yukon).

Why would the City or County want to ruin this successful history by approving a mine? Would Georgia O'Keefe have come to Northern New Mexico to see plumes of industrial dust spoil her view, or to hear mining trucks and explosions? Are movie makers eager to wait for dust to subside before taking their panoramic views?

The proposed mine is incompatible with the City and County's land use plans and its economic and cultural history, including movie making. We respectfully ask the Committee to reject the application and stick to the plan that has made Santa Fe City and County world famous and prosperous, and one of the most desirable places in our nation to live.

Sincerely,

/jay dratler, jr./

Jay Dratler, Jr., Ph.D., J.D.  
Goodyear Professor of Intellectual Property, Emeritus

/aileen thong/

Aileen Thong, M.D., M.P.H.  
Colonel, US Army Medical Corps (Retired)

127 Calle Galisteo (Rancho San Marcos)  
Santa Fe, NM 87508-1545  
(505) 438-2616

## Jose Larranaga

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**From:** emgraeser@yahoo.com  
**Sent:** Saturday, February 15, 2014 8:17 AM  
**To:** Jose Larranaga  
**Cc:** Robert A. Anaya  
**Subject:** Proposed basalt mining on La Bajada

This proposed mining operation is a terrible idea for many reasons involving desecration of an historically, culturally, geologically and recreationally valuable environment.

But the unconscionable use of water that belongs to all the residents of our county is seriously disturbing. Although drawing our water for this project may be technically legal, in our time of drought it is definitely against the best interests of the county.

What is going to happen when our water starts running out? Will all the rest of us have to be restricted - unable to provide for our livestock, vegetable gardens, family needs - so the mining operation can continue drawing all the water it needs?

Or will this operation also suffer restrictions - thereby leaving the rest of us breathing quantities of injurious-to-our-health dust, and our crops and pasture covered in it?

Twenty-five years of this is totally unacceptable; please do the right thing for all county residents and deny this permit.

Thank you, Emily Graeser

*Sent from my Verizon Wireless 4G LTE DROID*

## Jose Larranaga

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**From:** Patricia Patricia <wingoutwest28@gmail.com>  
**Sent:** Saturday, February 15, 2014 12:31 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; murlock@raintreecounly.com  
**Subject:** CDRC Case: Buena Vista Estates & Rockology Limited LLC

Our majestic and beautiful surroundings make New Mexico a great state for tourists, the film industry, and a home for those who love their land. A strip mine destroying our beloved La Bajada mesa would be an abomination. We don't have the water for it, and we don't want it!

Patricia Wing  
Santa Fe County



**Jose Larranaga**

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**From:** Dorothy Noe <heartsin505@yahoo.com>  
**Sent:** Monday, February 17, 2014 4:30 PM  
**To:** Jose Larranaga  
**Subject:** CDRC Case Buena Vista Estates & rockology Limited LLC

I am emailing to voice my opposition and objection to the proposed gravel operation on La Bajada mesa for the following reasons:

1. the area is of pre-historic (petroglyphs and ruins) and historic (the site of the original road up the incline) significance and should be preserved as such for future generations to appreciate
2. as water supply is an on-going problem for the entire area, who knows what the water availability will be over the next 25 years
3. granting a permit for 25 years worth of digging and crushing seems to be an extraordinarily long time

I hope you take my objections into consideration when making a final decision.

Thank you.

Dorothy Noe  
Placitas, New Mexico

## Jose Larranaga

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**From:** peter r Christensen <prc6955@gmail.com>  
**Sent:** Tuesday, February 18, 2014 2:23 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,

Dear Mr. Jose Larrañaga,

I am writing you to express my opposition to a mining zone located at La Bajada Mesa. I want to make it clear that I do NOT support a mining zone on La Bajada Mesa because La Bajada Mesa, listed by the New Mexico Heritage Preservation Alliance as a Most Endangered Place, is the gateway to the city of Santa Fe and needs to be a protected cultural landscape. The arts, including paintings, drawings, pottery, photographs and films attest to the profound significance of La Bajada Mesa to New Mexico's culture and economy. La Bajada represents a key landscape demarcation between what the Spanish colonial world termed the Rio Abajo and Rio Arriba regions of New Mexico--the lower and upper lands with their distinct ecologies and climates. Reducing La Bajada Mesa to crushed basalt for road base would be a travesty in its own right. Overdrawing the regional water budget - which is already over-committed - for such a destructive purpose would be a double travesty.

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

**There is no need for another basalt gravel mine in the County or another gravel mining operation off of I-25 as there are several existing gravel mines within reasonable proximity that can provide these materials to Rockology itself, an Albuquerque based company.**

**Development of such an industry poorly sited on an otherwise open landscape would result in impacts including increased pollution from carbon emissions and fugitive dust from multiple crushers, conveyors and heavy industrial traffic, along with blasting and night lighting. Mining in this location would not only negatively impact the Gateway vista from I-25 and Waldo Canyon Road--the western access to the Cerrillos Hills State Park--but would be a blight from the higher elevations of the trails that lead from the Cerrillos Hills State Park on BLM lands up Grand Central Mt. and from other recognized scenic vistas from the south and east.**

**The New Mexico State Parks, through the "Cerrillos Hills/Galisteo Basin State Park Feasibility Study" in 2006 concluded that the best access to the future state park would be from the I-25 corridor. An intensive expanding mine in this location along Waldo Canyon Road would have a discouraging impact upon a significant number of park visitors**

encountering unanticipated industrial activities, including the trucks on the road and the visual impacts of the mine itself.

County staff in the past (2005 & 2008) recommend denial of the permit based on a "cadre" of reasons including the threat to historical and archaeological resources and because they did not want to create a new mining zone. Has anything changed since 2008 that would make gravel mining in this location any more or less suitable? Less, YES! Since then, a State Park has become a reality offering a sustainable resource just east and down wind from the proposed mine site which is incompatible.

It is not in the public welfare to use County water to open up an unsustainable relatively short-term operation that would degrade a long recognized historic and cultural landscape--a landscape that can otherwise contribute sustainably to the county's economic welfare through the tourist industry.

The amount of water, our most precious and finite resource, needed for this ill conceived and unnecessary mine is not clear. The application claims a total of 710,000 gallons a year or 2.19 acre feet, which we think would be woefully insufficient to accomplish the suppression of dust. Even this amount would generate thousands of heavy water haul truck passes a year and contribute to deterioration of our state and county roads, the repair of which the taxpayer would have to subsidize.

Hauled water should not be considered adequate for long term mining operations. Santa Fe County should develop a policy that does not by default provide water to all Developments of Countywide Impact including oil and gas, mining, CAFO's etc. and not allow them to evade needed acquisition of commercial / industrial water rights. When a proposed mine is sited it should have its own long-term water supply on site so as to eliminate the impacts of water hauling that includes traffic hazards as well as additional infrastructure impacts from heavy trucks.

In conclusion, for all of these and many more reasons, including detrimental impacts upon wildlife, I implore you to please deny the siting of such an irreversible, ruinous use of this vital, historic New Mexico cultural landscape. The state, the county, the city of Santa Fe and citizens all need to work together to find a way to preserve La Bajada Mesa & Escarpment, which is worthy of being part of a National Monument.

Sincerely,

Peter R. Christensen

## Jose Larranaga

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**From:** ishwari sollohub <ishwarisollohub@yahoo.com>  
**Sent:** Tuesday, February 18, 2014 7:55 AM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

Dear Mr. Larranaga,

Please do not allow the La Bajada Mesa to be developed into more gravel mining. I understand that people want to make money, but we have to prioritize our natural heritage and the environmental integrity of our area, too. As a nation and as a region, we must begin making decisions that have long-term wisdom, rather than short-term satisfaction. It's like growing up into adults who can handle delayed gratification, vs. "acting out" from our child and adolescent impulses, to get what we want (money) NOW, regardless of the long-term cost. You have a chance here to make a stand for environmental and cultural integrity, and to act in a way that has long-term wisdom, rather than short-term indulgence. Please act wisely and show that you can see a longer-term future for our lands and people, for our children and their future. Show that you love this land, and are not willing to contribute to the degradation of it. Please do not allow the Mesa property to be rezoned for mining. Thank you.

Be well,  
Ishwari Sollohub  
505-231-1697

"Accept-then act. Whatever the present moment contains, accept it as if you had chosen it. Always work with it, not against it. Make it your friend and ally, not your enemy. This will miraculously transform your whole life." --Eckhart Tolle

My book, *Rocks and Roses: a Memoir of Love, Loss, and Transformation*, is now available for purchase.  
Paperback - <http://www.amazon.com/dp/B00BPH8G4E>  
Kindle - [http://www.amazon.com/s/ref=nb\\_sb\\_noss?url=search-alias%253Dstripbooks&field-keywords=ishwari+sollohub](http://www.amazon.com/s/ref=nb_sb_noss?url=search-alias%253Dstripbooks&field-keywords=ishwari+sollohub)

Browse my website if you are interested in knowing more about my work: [www.ishwari.org](http://www.ishwari.org). I am accepting new clients for counseling, as well as hospice care. Thank you for referring friends, family members and associates.

## Jose Larranaga

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**From:** trotty broy <trottybroy@hotmail.com>  
**Sent:** Friday, February 14, 2014 1:22 PM  
**To:** Jose Larranaga  
**Subject:** La Bajada strip mine

DO NOT IMPLEMENT THIS PROJECT.

It will be wasteful, ugly, destructive, unsustainable, and nonrecoverable. Do not let greed guide your decisions.

### Dawn Tirschel

FTE: Tue,Thu,Fri 11a-8p, Wed 10a-7p, Sat 9a-6p EST

Primary Account: Milton Secondary Accounts: Piedmont/Glens Falls/Legacy

Email Address: [trottybroy@hotmail.com](mailto:trottybroy@hotmail.com)

Phone: 505-579-9656 *\*Disregard out-of-service message and wait for the beep\**

IM: youlldoitandlikeit (yahoo)

One can never know for sure what a deserted area looks like.  
-George Carlin

## Jose Larranaga

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**From:** Sandrine Gaillard <sandrine.gaillard@gmail.com>  
**Sent:** Tuesday, February 18, 2014 4:55 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Sir, Dear Madam,

I am writing to let you know that I am strongly opposed to the idea of a mining zone on La Bajada Mesa for reasons that should be obvious:

- It is a beautiful sight! Why destroy it? Why not preserve beautiful geological landmarks for generations to come?
- It would waste large quantities of water (for dust control etc). It is needless to say that given the drought conditions that Santa Fe has experienced, that does not seem to be a sound decision, now or ever. The little available water should be there for people, crops and cattle - not for destructive mining operations.
- It is home to hieroglyphs and archaeological sites. Why not preserve those, rather than destroy them?
- It is also home to animals and plants! Why can't these be left alone?

I appreciate your time and help. And I certainly hope that you understand that many of us feel strongly about preserving the local culture, heritage, wilderness and resources for generations to come!

Sincerely,  
Sandrine Gaillard, PhD

## Jose Larranaga

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**From:** alexandra crocker <alexandracrocker@gmail.com>  
**Sent:** Wednesday, February 19, 2014 10:33 AM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa / Stop the Mining!

Stop planned mining of La Bajada Mesa and the degradation of NM cultural landscape. The mesa needs to be preserved . Mining the Mesa would ruin the geological integrity and the grandeur of this oceanic gateway along I-25 into the Santa Fe and Waldo Canyon Road leading to the Galisteo basin park lands .

Do we really need more gravel mining along I-25? Especially since there is no reclamation required .



## Jose Larranaga

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**From:** Ava Fullerton <avafullerton@gmail.com>  
**Sent:** Wednesday, February 19, 2014 1:00 PM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa proposed mine

Dear Friends

I am writing to register opposition to the proposed gravel mine at the top of La Bajada

The water usage of one million gallons per year from our county resources would be irresponsible  
Besides that, there are plenty of gravel mines in the area

Please refuse this request for a variance  
There seems to me no reason for it to even be considered

Thank you

Ava Fullerton  
616 #C Paseo de la Loma  
Santa fe

Ava  
[avafullerton@gmail.com](mailto:avafullerton@gmail.com)

## Jose Larranaga

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**From:** Donna Herring <donnaeherring@gmail.com>  
**Sent:** Wednesday, February 19, 2014 1:26 PM  
**To:** Jose Larranaga  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Donna Herring  
197 Camino Los Abuelos  
Santa Fe, NM 87508

Mr. Jose Larrañaga, Case Manager  
CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga,

I wonder how far 710,000 gallons of water per year ( the figure set forth in the La Bajada Mesa strip mine application) would go towards sustaining the ever-growing number of households in the Highway 14 area whose wells have already been compromised or ruined by development and drought, the households which already depend, to some degree, if not completely, upon water from the Santa Fe County facility in question?

Having lived most of my adult life in this area, I have witnessed the drying-up of many domestic wells. The combination of unbridled development in areas of questionable water supply, our on-going drought and, yes, climate change has contributed to a severe water shortage in our area. In 1978, when the first well was drilled on my property, the depth of the well was 200 feet, with an output of 15 gallons per minute. By 1998, the water table had dropped enough to render that well useless and a new well was drilled. Its depth is 485 feet, the output, 1 gallon per minute when it produces water. Well water is only used for household use and water for my horse, dogs, cats, and wild birds. No well water is used for outdoor vegetation. My daily habits have come to include being very frugal with both my use of water and the disposal of grey water. I would not dream of washing a car on my property and rarely have my vehicle washed in town.

In the last ten years, my well has produced less and less water. It becomes completely dry in the spring, summer and fall months. Thus far, water returns for the duration of the winter. The barren months require that I have water delivered. The water comes from the County facility on Highway 14. Many households depend upon the County for water, even year-round. This is not going to get better. We must conserve our precious water resource, assuring that the water is there for the taxpayers who foot the bill as well as for the area wildlife who drink from windmills in our corridor.

It is incomprehensible to me that any money-making venture has the audacity to request such a handout from the citizens of Santa Fe County, much less that the County would entertain even the ghost of a thought of granting such a request. Must we wait until no water comes out of the tap?

I respectfully ask that the CDRC acknowledge rights and the wishes of the citizens by denying the strip mine application made by Buena Vista Estates and Rockology LLC.

Sincerely,  
Donna Herring

## Jose Larranaga

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**From:** Tony Brown <tbrown@cgres.com>  
**Sent:** Wednesday, February 19, 2014 1:47 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

I have lived here in Santa Fe for almost 6 years now and have always been fascinated by the La Bajada Mesa when driving to and from Albuquerque with its Basalt pillars protruding upward, mud and sandstone sculptured cliffs and the huge variety of rock strata exposing millions of years of history for the Santa Fe area. Recently I learned that a company wants to surface mine the basalt from the top of the mesa and grind it up for road gravel. I also found out Santa Fe County is actually considering allowing this travesty to happen and will be having a public meeting to discuss the permit.

Stripping the La Bajada Mesa of its topsoil and Basalt would require lots of water (2.19 acre feet per year for 25 years) for dust control and mining operations that, with current drought conditions Santa Fe County does not have, nor can we afford to let it be used for such a detrimental project when we have farms and ranchers who desperately need the water to feed our people and animals. The mesa is sacred to many pueblo peoples and petroglyphs and archeological sites litter the cliff faces and canyons along the mesa. These should be located and preserved for our children and their children's children so we do not loose site of our heritage and the history of the Pueblo, Spanish and Mexican peoples that have traveled through the area over thousands of years.

The mesa is home to many animals and plants that make this area unique as a dividing line between the high mountain terrain/deserts of Northern NM and the lower deserts and plains of southern NM. There are many activities along and around the mesa including horse back riding, hiking, mountain biking, bird/animal watching, rock climbing/rappelling, and access to two recreation areas off I-25 consisting of Cochiti Lake at the bottom of La Bajada Mesa and Cerrillos Hills State Park at the top of La Bajada Mesa. Do we really want visitors to NM to see open strip mines at the entrances to 2 of our recreation areas or as a first impression when they drive from Albuquerque to Santa Fe to play in our pristine wilderness and visit our beautiful city?

**I think not!**

**I am sooo against this travesty and would hope the permit will be denied.**

Thanks for your consideration and review of this email.

*Tony Brown, CMCA, AMS, PCAM*

On-site Community Manager

for Aldea de Santa Fe [www.aldeahoa.com](http://www.aldeahoa.com)

Associa - Canyon Gate, AAMC [www.cgres.com](http://www.cgres.com)

Physical - 3 Nuevo Milenio Santa Fe, NM 87507

Mailing - PO Box 93488 Albuquerque NM 87199

Phone - (505) 424 - 3901

Fax - (505) 424 - 3903

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## Jose Larranaga

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**From:** John Eric Rounds <rounds.eric@gmail.com>  
**Sent:** Friday, February 21, 2014 5:33 PM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

I'm very much against more gravel mining on La Bajada Mesa.  
Thanks,  
J. Eric Rounds

## Jose Larranaga

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**From:** Scott S. <scottdas68@hotmail.com>  
**Sent:** Saturday, February 22, 2014 3:34 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; murlock@raintreecounty.com; diane.senior@gartner.com  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Good Day Mr. Larranaga:

Buena Vista Estates /Rockology Limited LLC has applied to the county for permission to mine gravel from a section of La Bajada Mesa – to strip the volcanic basalt layer over 50 acres – which will have impacts including:

- Desecration of a historic and cultural gateway to Santa Fe
- Significant air, noise and light pollution for the surrounding area
- Significant increase in commercial traffic on area roads
- Usage of at least 1M gallons of water yearly for dust control

I wish to express my strong **opposition** to this application. As there really is no unmet demand for this gravel, these operations will be undercutting existing businesses and diluting the sales tax that the county is currently collecting. It There are already 4-5 gravel mines in the area that are more than capable of handling demand; two in particular are the Waldo mine and Caja del Rio.

In addition, contrary to the usual practice of being required to guarantee water for dust control for such extractive projects, BVE /Rockology has simply set up an account to purchase water from the County prison facility – at least 1M gallons a year for 25 years. This begs the question of how this enormous usage will affect water needs by local residents for drinking and their animals – both from the prison water spigot and the aquifer supplying our wells. What route will the company use to haul water to their site – 599 and/or Bonanza Creek Road? What will happen if water becomes scarce due to persistence of the drought?

The proposed mine area is currently zoned residential/agricultural. In order for the mine to proceed, the Board of County Commissioners needs to approve the re-zoning. The first step is a review by County Staff.

Given this threat plus the Santa Fe Gold plan to mine new areas of the Ortiz, will we be affected by increased pollution, traffic, diminished water, and lowered home values if the Galisteo Basin becomes refocused on extractive industries? And how will local businesses be impacted if tourists avoid the scenic Turquoise Trail Scenic Byway?

Please take my comments into consideration for approving this application.

Regards,  
Scott Shuker  
Santa Fe

***Scotdas Design***  
***Graphic Design in All Directions***  
**[www.scotdasdesign.com](http://www.scotdasdesign.com)**

## Jose Larranaga

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**From:** Clinton Anderson <crga@sysmatrix.net>  
**Sent:** Saturday, February 15, 2014 11:10 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga,

I am opposed to the strip-mining of basalt proposed for La Bajada Hill because the mine would be visible from Interstate 25 and from the Rail Runner tracks, adversely impacting tourism and the quality of life of residents traveling between Santa Fe and Albuquerque.

Also, as you are most likely aware, the removal of the basalt from the area would, in the long term, permit rapid erosion of the area, not only further degrading it but also troubling surrounding valleys and lowlands where the eroded material would be deposited.

Yours,  
Clinton Anderson  
[crga@sysmatrix.net](mailto:crga@sysmatrix.net)  
13 Back Road/P. O. Box 872  
Madrid, NM 87010

## Jose Larranaga

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**From:** Gretchen Goff <goffintesuque@comcast.net>  
**Sent:** Friday, February 14, 2014 9:39 AM  
**To:** Jose Larranaga  
**Subject:** LaBajada Mesa

Jose Larranaga

Dear Jose, I am opposed to the strip mine project at LaBajada. I hope you will oppose it too. Please help us preserve this area. As

President of the Tesuque Mutual Domestic Water Association, I see this project is a waste of our precious water in the Santa Fe area. We cannot afford to use our water in this kind of project.

Respectfully yours

Gretchen Goff



## Jose Larranaga

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**From:** Gail Karr <gailkarr2@gmail.com>  
**Sent:** Monday, February 24, 2014 2:32 PM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

Dear Mr. Larranga,

I am writing you from my heart first. You will hear many logical reasons why we shouldn't approve the La Bajada Mesa strip mining, but as a person who is in the neighborhood I must tell you how I feel about the proposed situation.

I bought land and built a house in the area, in the county over 22 years ago. I looked for many years before I bought my land because I specifically wanted something quiet. Now after many years I really don't want my life disrupted or have to move(if I could sell). The impact of the proposed mining would totally upset my life. Also make it next to impossible to sell my house, since I can even hear the train, which I knew about and accepted. The train doesn't run that often and doesn't have the impact(literally) of blasting. I know when to expect it, so I don't feel like I'm having a heart attack or something is drastically wrong.

I work at home and need the peace and quiet to concentrate on being a constructive and creative member of society. Even the increase of air traffic has disturbed me and made me lose time getting to concentrate again, due to the disruption- noise pollution,etc. and check that everything is alright in the area.

This area is very special to me and my neighbors or else we wouldn't have chosen to live without many of the amenities that a more congested area would offer. We put up without many things to have a lifestyle that the proposed mining would threaten.

I know you have probably heard it all re: the water or shall I remind you of that or lack of it. On that I have even installed a cistern to not overwork my well. I am responsible with the water I use and hope that with the drought and all, I have an major issue with you not being a responsible manager of our water. We need it for domestic use first. When you can stop the area's growth and lack of drought maybe that can be revisited again. Flagrant disregard for your planning for the county's water situation, should probably be enough for people to look at maintaining your current position.

I'm sure the current uproar of the waste of water alone would or could be grounds for dismissal.

Do your job on that issue. We all know the statistics and situation on that well, so I don't think I need to go into that again.

The air quality alone and not caring about the health of the citizens should also become clear to you.

There are enough asthma and other related respiratory issues involved, is another no brainer, is to increase that risk to our health is total irresponsible. The people in the area can't afford to have even 1 child die or get respiratory illness. That far offsets the \$122,000.00/year you project this project could bring. Just think of what the health impacts would do to the indigent fund on the county.

Pollution from dust is the #1 polluter already in NM. To add to that is totally irresponsible.

Then there is the toll this project would take on the traffic and road maintenance. Another negative cash flow.

I'm sure everyone in County would rather just pay the extra \$1 that would equal the income received from this project each year rather than put up with the lowering of the quality of life we now enjoy.

The whole thing is just such a bad idea to approve of that I can't believe that somehow the "culture of corruption" hasn't influenced your decision to allow this to go on, except if you want the neighborhood to say NO because you don't want to directly do it.

If you're going to act this way then citizen involvement is necessary, as it is in our back yards.

Sincerely,  
Gail Karr

## Jose Larranaga

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**From:** John Otter <jmotter@q.com>  
**Sent:** Monday, February 24, 2014 3:04 PM  
**To:** Jose Larranaga  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Mr. Jose Larranaga  
Case Manager

Dear Mr. Larranaga,

As one who enjoys hikes up Tetilla Peak, in the Cerrillos Hill State Park's more remote areas and in and around Bajada Mesa and escarpment, I am concerned that the proposed mining projects will seriously degrade the aesthetics of that experience. Some possible undesired effects could be the view of mining pit, the movement and noise of equipment at the site, the dust from trucks bringing water and supplies and personnel to the site and transporting product away.

Of especial concern is any use of water that will reduce the availability of water for domestic purposes, especially considering the predicted extended drought in the region. I understand that very large amounts of water are needed to adequately wash the rock and keep the dust from the project down to a tolerable level.

I understand that the proposed project is in a wildlife migration corridor. Considering the stress on wildlife from increasing temperatures, it is important to preserve any remaining availability of wildlife to migrate to more amenable conditions, not only for the enjoyment of viewing them, their presence maintaining the balance of nature, and that humans a part of the web of life and so can be adversely affected by the extinction of other species.

Also, I understand that the area has important cultural and historical features that would be adversely affected by the proposed mining. I do occasionally find pottery shards in the area and happen across abandoned prospects and mines and native American petroglyphs and those of early non-native inhabitants.

Furthermore, I understand that the product of the proposed mining is in adequate supply for current and projected needs.

The above adverse aesthetic, cultural, historical, and environmental considerations plus the lack of need of the product make it clear that granting of a zoning change or any other accommodation to enable the proposed mining to be approved is unwarranted and highly undesirable for the public good.

I do not support the proposed project and urge you to deny permits for it.

Sincerely,

John Otter 2300 W. Alameda #D3  
Santa Fe NM 87507  
[jmotter@q.com](mailto:jmotter@q.com)

## Stop the proposed Strip Mining on LaBajada Mesa

How many times have you driven North on I 25 up LaBajada Hill and taken a deep breath when you saw the spectacular view of the Sangre de Christos framed by the basalt mesas on both sides of the highway. Priceless right?

Part of the joy of seeing the mountains in the distance is that you are going there---home.

Now imagine that driving up that same hill, but instead of seeing pristine, undisturbed mesas, you are confronted with a gravel mining operation with mining equipment, trucks, dust and lights on the mesa 24/7. Sad, frustration, anger, questioning who did this? Ruin a priceless piece of beauty for a strip mine?? There is one here already. Does money once again trump our love of land, the ecological uniqueness, and special terrain?

The regulations for mining have been met but the cost to the environment would be forever irreplaceable. Hopefully the commissioners will listen and we can stop this senseless destruction. Please lend your voice at the scheduled meeting March 20 in the County Court Commission Chambers 102 Grant Ave.

And please write the case manager to oppose the project immediately, Jose Larranaga at [joselarra@co.santa-fe.nm.us](mailto:joselarra@co.santa-fe.nm.us). Also please look at the web site. [www.SaveLaBajada.com](http://www.SaveLaBajada.com).

NBB-285

Emailed February 10, 2014

To Case Manager: Jose Larranaga  
Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larranaga,

We again wish to reaffirm that the CHPC does not in any manner support the mining of La Bajada, and its mesa. Regardless of where in the mesa Buena Vista chooses to start such an operation, the reasons we have expressed in the past for our opposition remain relevant to the current 2013 application.

As Historian, William Baxter, and long time member of the CHPC recognized in September of 2005 concerning Buena Vista / Buildology application:

There is no more important geographical landmark of our state, and none with more historical significance. The heart of New Mexico has been, since the beginning of time, the Rio Grande, and La Bajada defines the Rio; abajo and arriba. Do not desecrate this vital part of who New Mexicans are by advancing the needless and careless basalt extraction proposal. The mesa of La Bajada is the wrong place for a gravel mine. There are other alternatives. If this proposal is given approval the damage done will be there forever.

We have reviewed this latest application and find it a rather thin and unconvincing summary affair with little to support the many claims made on practically every subject. Agencies's reviews too appear to have glossed over detail. For example, the heavy potable water hauling trucks are not considered, counted in the traffic analysis.

Since 2005, for a host of reasons, we have been expressing our concern for the inevitable permanent impacts that such extraction would bring. These include the visual aspects from I-25 & Waldo Canyon Road and from the higher elevations of the Park itself and Grand Central Mountain. There is no visibility study that might take into account the stockpiles, the 20' pole lights, the paved access road over the mesa, the truck activity on the mesa, the views from tourist buses, and the Railrunner.

Waldo Canyon Road will become increasingly important in the future as the primary access to the Cerrillos Hills State Park.

Above all, such a permanent destruction of this Mesa itself for materials that are available elsewhere is simply not right for New Mexicans and is clearly not economically sustainable.

Although Buena Vista / Rockology has the legal right to submit an application, the county has the right and responsibility on behalf of the county, its citizens and communities, to deny the application as not being in the public interest. All the location standards in Article XI are not met. It is not compatible economically with the growing park that has experienced a substantial 8% yearly growth in visitorship since 2010. This will continue to be the case as the Park receives national publicity and itself grows with the addition of important archaeological sites.

The Rockology application is not compatible with the Potential Gateway Corridor, as recognized in the SGMP, that leads not only to Santa Fe, but into the Galisteo Basin parklands. Recommend again that the Buena Vista / Rockology application be denied.

Sincerely, 

Patrick Allen Mohn, Secretary of the CHPC  
ps. See enclosed photo of La Bajada Mesa

Cc: other staff and members of the BCC

NBB-246







## Jose Larranaga

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**From:** Patsy Rasmussen <ptpanama@gmail.com>  
**Sent:** Wednesday, February 26, 2014 7:03 PM  
**To:** Jose Larranaga  
**Subject:** La Bajada Mesa

Humans over the centuries have ruined the wilderness until many species are gone and going. Let's leave Bajada Mesa in it's natural state and not destroy our natural beauty. Giving much needed water to a commercial enterprise is criminal. Quit playing political games and leave something natural for the future.

--

Patsy Rasmussen  
New Mexico

**Jose Larranaga**

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**From:** Marc Hogenboom <marc.hogenboom@hotmail.com>  
**Sent:** Wednesday, February 26, 2014 8:58 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** La Bajada Mesa

Dear Sir,

As a Santa Fe County resident and taxpayer I feel the need to inform you about my feelings concerning the application for a Basalt strip mine on La Bajada.

The **Sustainable Growth Management Plan**, that was adopted by a unanimous Board of County Commissioners on November 9 2010, states that the area of La Bajada should remain agricultural/residential. There is no allowance for mining in this area, that is designated for sustainable development.

The Sustainable Land Development Code (SLDC) was approved by the Santa Fe Board of County Commissioners by Ordinance at the December 10, 2013 Board meeting. The Code provides a legal framework for implementing land development and growth management policies of the County's Sustainable Growth Management Plan adopted in 2010.

However, the Sustainable Land Development Code will not become effective until the County Zoning Map is adopted. The Public Process for the Zoning map adoption is anticipated to be initiated in early April after the Zoning Map Adoption Draft which is scheduled for release in late March. Public hearings are scheduled for May and June.

In light of this information it seems UNBELIEVABLE to me that the Board of County Commissioners is now considering recommending approval of the mining application, which is obviously in conflict with the intentions of the SGMP.

To have the process for changing the current zoning and the process for the new zoning map to run simultaneously contradicts every form of common sense.

Since the adoption of the new zoning map will probably happen in June of this year it wouldn't be ILLEGAL to vote in favor of the mining activities in March, but this Board of Commissioners would loose all its CREDIBILITY by doing so since it violates the very principles the County spent years crafting into law.

I hope the Board will do the RIGHT thing !!!

Kind regards,  
Marc Hogenboom  
Madrid NM

## Jose Larranaga

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**From:** Brad Tangen <therealcheeseman@yahoo.com>  
**Sent:** Thursday, February 27, 2014 10:27 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Mining La Bajada Mesa, even just a portion of it, goes against all natural and historical protections put into place as an attempt to preserve the area. It is a recognized historical monument, if one section is allowed to be mined that will open the gate for other areas as well. Eventually it will all be reduced to, at best, a very small area still protected with only pictures of the past to show how incredible and ecologically significant the place once was.

There are very few areas in the United States which border so many different ecological extremes, and this one is by far one of the most important. It would be like allowing houses built on the Petroglyphs monument, the cultural significance of the area would be completely lost.

Please reconsider this, and tell the company New Mexico does not support destruction of it's "protected" areas for commercial purposes. If this were to be approved, with the need for water "at their discretion", would New Mexico actually make any money from the company? They will pay tax on their product, but will it cover the water bill, including transporting the water to them? If so, will the gain be worth the ecological damage that is sure to result?

Gravel for road base is important, necessary for building new roads and repairing old ones. However there has got to be a better place to retrieve it, we cannot let people take resources from wherever they want, neglecting where it comes from and the damage, both ecologically and historically, it may create.



## Jose Larranaga

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**From:** Virginia J Miller <vjmopus@cybermesa.com>  
**Sent:** Friday, February 28, 2014 2:37 AM  
**To:** Jose Larranaga; Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; murlock@raintreecounty.com; diane.senior@gartner.com  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

February 27, 2014

**Jose Larranaga, Case Manager  
CDRC Case Buena Vista Estates & Rockology Limited LLC**

**I DO NOT SUPPORT MINING ON LA BAJADA MESA. There is no unmet need for this gravel, as there are several gravel mines in the area more than capable of meeting the demand. It is not necessary to destroy a historic and cultural approach to Santa Fe or the view along the Turquoise Trail. Residents and tourists alike value the beauty and stillness of the land. If tourists avoid the area because of mining, it could negatively impact local businesses.**

**There would be a significant increase in commercial traffic on rural roads in the area making them less safe and harder to maintain, as well as unwanted air, noise and light pollution in the surrounding residential/agricultural area.**

**One million gallons of water would be required annually for dust control which is unacceptable during a time of drought which could become a lot worse over the 25 years the applicants want to purchase water from the county prison facility. This enormous water usage would negatively impact the prison water needs and deplete the aquifer supplying area wells for the water needs of local residents and their animals. We must conserve and prioritize our water usage as water grows more scarce.**

**Please maintain the current residential/agricultural zoning for La Bajada Mesa and do NOT permit the applicants to mine gravel from a section of La Bajada Mesa.  
Thank you for your careful consideration.**

**Virginia J. Miller  
125 Calle Don Jose  
Santa Fe NM 87501**

**Jose Larranaga**

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**From:** Helge & Gull <helgegull@gmail.com>  
**Sent:** Friday, February 28, 2014 3:52 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; sross@santa-fe.nm.us; Robert A. Anaya; Daniel Mayfield; mchavez@santafecounty; kholian@santafecounty.gov; istefanics@santafecounty.gov

**Categories:** Red Category

**Subject: CDRC Case Buena Vista Estates & Rockology Limited LLC**

Dear Mr. Larrañaga, we are opposed to changing the zoning to mining anywhere on La Bajada Mesa.

This important New Mexico landscape is for sale on the international market, via CBRE-Ellis. Buena Vista is marketing the entire property of approximately 5,000 acres and is including in the sale's pitch the mining of basalt and other minerals. If the county were to create a mining zone it would be seen as legitimizing mining as the purpose of the entire acreage. If the property was then bought by a transnational mining corporation, the county might not be able or inclined to limit further mining of the Mesa or anywhere on the 5217 acre parcel.

It is not in the public welfare to use County water to open up an unsustainable operation that would degrade a long recognized historic and cultural landscape--a landscape that can otherwise contribute sustainably to the county's economic welfare through the tourist industry.

Please deny this application for the sake of New Mexico's future.

Sincerely,

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**Subject: CDRC Case Buena Vista Estates & Rockology Limited LLC**

Dear Mr. Larrañaga, we are opposed to changing the zoning to mining anywhere on La Bajada Mesa.

This important New Mexico landscape is for sale on the international market, via CBRE-Ellis. Buena Vista is marketing the entire property of approximately 5,000 acres and is including in the sale's pitch the mining of basalt and other minerals. If the county were to create a mining zone it would be seen as legitimizing mining as the purpose of the entire acreage. If the property was then bought by a transnational mining corporation, the county might not be able or inclined to limit further mining of the Mesa or anywhere on the 5217 acre parcel.

It is not in the public welfare to use County water to open up an unsustainable operation that would degrade a long recognized historic and cultural landscape--a landscape that can otherwise contribute sustainably to the county's economic welfare through the tourist industry.

Please deny this application for the sake of New Mexico's future.

Sincerely,

Subject: CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga, we are opposed to changing the zoning to mining anywhere on La Bajada Mesa.

This important New Mexico landscape is for sale on the international market, via CBRE-Ellis. Buena Vista is marketing the entire property of approximately 5,000 acres and is including in the sale's pitch the mining of basalt and other minerals. If the county were to create a mining zone it would be seen as legitimizing mining as the purpose of the entire acreage. If the property was then bought by a transnational mining corporation, the county might not be able or inclined to limit further mining of the Mesa or anywhere on the 5217 acre parcel.

It is not in the public welfare to use County water to open up an unsustainable operation that would degrade a long recognized historic and cultural landscape--a landscape that can otherwise contribute sustainably to the county's economic welfare through the tourist industry.

Please deny this application for the sake of New Mexico's future.

Sincerely,

Helge Dahl

Gull Dahl

Gull Dahl

**Jose Larranaga**

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**From:** Aimee Rousseau <aimeerousseau@gmail.com>  
**Sent:** Monday, March 03, 2014 9:41 AM  
**To:** Jose Larranaga  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,

**Dear Mr. Larranaga,**

**I am writing today to express my heartfelt disapproval of anyone ever mining La Bajada Mesa. It belongs to everyone and no one and should remain respectfully untouched by man.**

**I'm curious, if being listed as a "Most Endangered Cultural Heritage Site" doesn't afford any actual protection, how are the people with a conscience and forethought supposed to keep anything safe from greed driven wanton destruction? That sounds inflammatory or dramatic, but when I looked for more diplomatic words to substitute sadly there just was no other way to sugar coat that this is the sad bottom line.**

**The First Nation folks indigenous to this state believed a person should never do something without considering the impact those actions would have on the next SEVEN generations. If an idea appeared to have potential negative future repercussions then that bad idea would wisely and unselfishly not be done, end of story. THAT is thinking for the greater good of your people, all people and the planet; and that is sustainable.**

**For the sake of clarity I will state the obvious because its my truth and appears to apply here. There is zero integrity in destroying the world of the many who elected a few decision makers to represent them in good faith by manipulating the rules while in an office so a very few people can make a quick buck.**

**Destroying, consuming and polluting are all unconscionable, unforgivable crimes against this earth and her people; especially when**

**there are already several other mines nearby. This is not to mention the wanton water consumption this project would steal from the people. It cannot be considered in the public's welfare to allocate water to redundant, unnecessary, destruction during a long term DROUGHT.**

**One might muse in disgust "when does the madness stop?" If my opinion is considered then NOW, now is when this wanton destruction stops. This land should remain zoned agricultural, or even better, be added to the nearby State Park.**

**Please think with your heart, seven generations out and see that the only right thing to do is preserve the geological, archeological, natural, scenic, historic and cultural integrity of this mesa.**

**Thank You,  
Aimee Rousseau**

## Jose Larranaga

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**From:** Sarah Bienvenu <sarahbienvenu@comcast.net>  
**Sent:** Monday, March 03, 2014 11:27 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

To those who this concerns:

The mining or quarrying within the La Bajada Mesa would be a travesty. This historic land is fragile and has many ancient ruins. It would be a travesty to destroy its integrity. Santa Feans and New Mexicans alike would lose an important part of our geographical history. Please recognize the importance of this land and protect it.

Thank you,

Sarah Bienvenu

## Jose Larranaga

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**From:** Howard Korder <korder1@msn.com>  
**Sent:** Tuesday, March 04, 2014 12:11 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga:

I'm writing to you regarding the application for a proposed gravel strip mine on La Bajada Mesa, which I understand has received a recommendation from Santa Fe County staff. The environmental, archeological, and scenic concerns that resulted in identical proposals being rejected in 2005 and 2008 have not changed. In truth, as we face extended drought conditions and increasing pressure to develop remaining open spaces in the county, those concerns have only grown more intense. It is highly debatable, in light of mining operations already in existence nearby, whether further exploitation of this resource is necessary. There are also unanswered questions regarding Buena Vista's ability and willingness to address the significant problems of dust control and site reclamation. Additionally, there is the matter of rezoning the land for extractive use, which the county is under no compulsion to authorize.

La Bajada is the grand entry to the uplands of the old Rio Arriba, the heart of New Mexican culture, and rich in its own history and beauty. As a longtime county resident, I strongly support its preservation for generations to come. I urge you to reconfirm the earlier findings regarding the Buena Vista mine, and reject this application.

Yours truly,  
Howard Korder  
124 Duran Street  
Santa Fe, NM 87501

## Jose Larranaga

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**From:** darlaw@spiritone.com  
**Sent:** Wednesday, March 05, 2014 9:20 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Stephen C. Ross; Kathy S. Holian; Liz Stefanics  
**Subject:** La Bajada and mining proposals

I am writing this email in response to hearing about the strip mining proposal affecting the La Bajada area. I grew up in Santa Fe and spent twenty years there; I still have family and friends in Northern New Mexico and visit whenever possible. I have many concerns about the impact this will have on the following: Dust, insufficient dust mitigation, scarce water resources to deal with the same, and defacing of this beautiful and historic area. In a time of drought that has mainly gone unchecked since at least the year 2000 with no end in sight, I am especially concerned about the diversion of needed water resources.

I am also concerned about the accident potential of dust reducing visibility on Interstate 25 depending on wind conditions as well as other roads in the area. Nature has a way of taking things in her own hands despite human efforts at predicting the unpredictable. The fires in the Jemez Mountains in 2000 and 2011 should be a stark reminder of this. Dust cannot be timed in the same way as a controlled burn; the supposedly controlled burns created massive destruction in the wildfires. Lives could easily be lost in this scenario.

I live in the Pacific Northwest and there were incidents of lives lost and people hurt during supposedly controlled grass/field burns in western Oregon when the wind shifted and obscured Interstate 5 freeway traffic.

Finally, my impression is that there is no set policy in place which would create guidelines for when other applications expanding the mining area are filed, and when to approve or disapprove of them. Once the door is opened, there may not be a way to shut it.

Thank you for your consideration in this matter.

Sincerely,  
Darcy J. Scholts  
PO Box 61932  
Vancouver, Washington 98666-1932  
(360) 735-9950



## Jose Larranaga

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**From:** Paula <paula@paulazima.com>  
**Sent:** Thursday, March 06, 2014 1:46 PM  
**To:** Jose Larranaga  
**Subject:** Oppose proposed gravel strip mine, are they crazy?

Dear Case Manger, Jose Larranaga,

I am writing to ask that you please do all you can to deny the proposed gravel strip mine on La Bajada Mesa.

Is the county going nuts?  
Tourism is a huge industry isn't it?  
Isn't Santa Fe called The City Different because of it's history and mysterious beauty? Isn't one of the three MAIN entrances to the city up HWY 25, up La Bajada?

And they propose to use our city water in a documented time of draught?  
And tear up the land to create gravel?

It breaks my heart that callous business people have no regard for natural beauty, let alone the VISUAL IMPACT.

Please suggest that it be purchased as part of a land conservancy.

Thank you,  
Paula Zima  
10 blue raven road,  
santa fe, NM, 87508

"We've always tried to stay sane when other people go crazy"  
-Buffet/Munger

Paula Zima

[paula@paulazima.com](mailto:paula@paulazima.com)  
Painting & Sculpture  
<http://www.paulazima.com>  
505-424-2207  
10 Blue Raven Rd. Santa Fe, NM 87508

[Visit my studio Facebook Page and "Like" it!](#)

## Jose Larranaga

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**From:** Penny Ellis-Green  
**Sent:** Thursday, March 06, 2014 3:23 PM  
**To:** Jose Larranaga  
**Subject:** FW: La Bajada mining --- NO!

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**From:** CindyR [<mailto:croper56@gmail.com>]  
**Sent:** Thursday, March 06, 2014 2:25 PM  
**To:** Penny Ellis-Green  
**Subject:** FW: La Bajada mining --- NO!

Greetings Ms. Ellis-Green,

It was kindly explained to me that the County Commissioners are not the right people to be emailing at this point, and that it would be you, as the Growth Management Administrator. So I am forwarding my email below on to you for your consideration.

Thank you in advance,

*Cindy Roper*  
Española, NM  
(505) 747-8075

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**From:** CindyR [<mailto:croper56@gmail.com>]  
**Sent:** Thursday, March 06, 2014 1:42 PM  
**To:** 'dmayfield@santafecountynm.gov'; ([ranaya@santafecounty.org](mailto:ranaya@santafecounty.org))  
**Cc:** 'mchavez@santafecountynm.gov'; 'lstefanics@santafecountynm.gov'; 'kholian@santafecountynm.gov'  
**Subject:** La Bajada mining --- NO!

*Sent via email and USPS*

Dear Commissioners Mayfield and Anaya,

I am writing to you today to implore you, as a new (and past) constituent, to vote NO on allowing any further consideration of the application for mining La Bajada Mesa.

I've spent the past 7 years living in the Cerrillos area, and am painfully aware of the water issues there. Every year got drier and drier. For the county to be considering a permit allowing the use of 100's of 1,000's of gallons of water is unfathomable. Please do everything in your power to protect our resources.

Although I recently moved to Sombrillo (Commissioner Mayfield's district), I have dear friends in the Cerrillos area. I'm writing for them, and for ALL New Mexicans that understand the value of our dwindling water supply as well as our quality-of-life.

As I drive up the I-25 corridor between Albuquerque and Santa Fe, I'm visually struck with the number of strip mining operations in that 50 mile spans. Please do not allow one more to operate. We simply don't need it!

I plan on attending the March 20<sup>th</sup> hearing, and even though I won't ask to speak, I'll be there in support of the decision I'm asking you to make to stop this insanity.

Sincerely,



Cynthia (Cindy) Roper  
29 Walnut Circle  
Española, NM 87532  
505/747-8075

*"The idea of wilderness needs no defense. It only needs more defenders." -Edward Abbey*

## Jose Larranaga

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**From:** Vicki Lucero  
**Sent:** Friday, March 07, 2014 12:27 PM  
**To:** Jose Larranaga  
**Subject:** FW: "Stop the Strip Mine on La Bajada Mesa" petition

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**From:** Rachel A. Brown  
**Sent:** Thursday, March 06, 2014 5:01 PM  
**To:** Vicki Lucero  
**Subject:** FW: "Stop the Strip Mine on La Bajada Mesa" petition

For the record.

**From:** Leslie Lakind <[leftielakind@gmail.com](mailto:leftielakind@gmail.com)>  
**Date:** March 4, 2014 at 2:12:12 PM MST  
**To:** undisclosed-recipients;;  
**Subject:** Fwd: "Stop the Strip Mine on La Bajada Mesa" petition

----- Forwarded message -----

**From:** evalyn bemis <[evalyn@newmexico.com](mailto:evalyn@newmexico.com)>  
**Date:** Tue, Mar 4, 2014 at 11:29 AM  
**Subject:** "Stop the Strip Mine on La Bajada Mesa" petition  
**To:** evalyn bemis <[evalyn@newmexico.com](mailto:evalyn@newmexico.com)>

Hi,

Help stop a proposal to allow a gravel strip mine on top of La Bajada Mesa, south of Santa Fe along I-25. This gateway to Santa Fe will be desecrated by this strip mine, and use scarce, County-provided, potable water. Moreover, granting this proposal will establish a precedent for future expansion of this new mining zone to adjacent parts of the Mesa, further extending the destructive impact. All this for gravel! Go to [www.savelabajada.org](http://www.savelabajada.org) for further information.

That's why I signed a petition to County Development Review Committee (Santa Fe, NM) and Board of County Commissioners (Santa Fe, NM), which says:

"I urge you to deny the proposed gravel strip mine on the top of La Bajada Mesa, south of Santa Fe near I-25. This is one of the most important historical, cultural, and scenic landmarks in New Mexico. In addition, the County has unconscionably agreed to sell scarce, potable water for mining operations and for dust control. Please stop the destruction of this treasure. Go to [www.savelabajada.org](http://www.savelabajada.org) for further information. "

Will you sign the petition too? Click here to add your name to the 1400+ people who have already signed:

[http://petitions.moveon.org/sign/stop-the-strip-mine-on?source=s.fwd&r\\_by=846711](http://petitions.moveon.org/sign/stop-the-strip-mine-on?source=s.fwd&r_by=846711)

Thanks! And feel free to pass this on to anyone who might be concerned.

Evalyn

Photo courtesy of Don Van Doren, petition creator



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The fundamental cause of trouble in the world today is that  
the stupid are cocksure while the intelligent are full of doubt.  
Bertrand Russell

## Jose Larranaga

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**From:** Mary Peck <mary.peck@rocketmail.com>  
**Sent:** Saturday, March 08, 2014 2:18 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Mr. Larrañaga:

Please note my absolute opposition to any mining on La Bajada Mesa.

My reasons include the importance of preserving this historic landscape and viewscape; the impacts such mining would have, including air pollution; the difficulty in reclaiming the land after such mining and the impossibility of restoring the land after strip mining; and because nothing has changed to improve the viability of this application since it was denied by County Staff in 2005 and 2008.

Thank you for the opportunity to comment, and for your attention to the health and well being of all residents of Santa Fe County.

Sincerely,

Mary Peck  
P.O. Box 1131  
Santa Fe, NM 87504

29 Ranch Alegre Road  
Santa Fe, NM 87508  
March 10, 2014

Mr. Jose Larranaga  
County Development Review Committee  
Santa Fe County

Dear Sir:

Though I have been opposed for some time to the proposal by *Rockology* to mine gravel atop LaBajada Mesa, a conversation with a quite conservation-oriented individual got me thinking recently in more quantitative terms. He wondered if defeat of this proposition might simply lead later to, instead, a large housing development on the Mesa consuming much more water. A housing development on 5,000 acres (say 500 homes) would, even if occupied by conservation-conscious residents, likely consume 25 to 50 times as much water as *Rockology's own estimate* of their dust-control use. Does that make sense, or is that figure estimated by the proponent a reasonable one?

A figure of roughly 750,000 gallons is equivalent to ca.100,000 cubic feet of water, spread over an acreage each year of 200 acres (i.e., a 25-year "exhaustion cycle"), That is equivalent to nearly 9 million square feet of mined area annually. One doesn't have to be very good at math to see that this means *Rockology's* estimate of water use represents roughly one-hundredth of a foot of water annually for dust control . . . . to be both more precise and more meaningful, one-eighth of an inch. I expect you realize that even in Santa Fe County's highest rainfall years (**100 times** that amount of precipitation) dust is often a problem from undisturbed soil!

In other words, the proponent's own estimate of water use for (what on any objective basis would be) dust control is absurdly low. A reasonable extension of my foregoing arguments would be that a 500-home housing development would NOT use any more water than the proposed mine actually would. Furthermore, there would be, at only **one-tenth** the actual dust-control water use which I contend to be necessary, one tank truck every 5 hours picking up 4,000 gallons at the prison, "round-the-clock", to deliver to *Rockology's* proposed operation. The negative logistical implications of this reality need to be considered (whether or not the proponent would truly use the route which he claims between the water pick-up and drop-off points).

I further contend that another gravel mine in this county is necessary only on the basis that our County Commissioners will continue to approve further unrestrained development, including new or improved roads leading to additional water-consuming facilities. I am far from alone in hoping that is not the case. Our current residents' quality of life depends on you and your colleagues acting henceforth on the premise that water in this area is not an infinite, nor is it truly a renewable, resource.

As one whose household uses  $\frac{1}{4}$  of the water it is allowed to use, I urge you to recommend denial of *Rockology's* proposal. Thank you for your consideration.

Respectfully yours,

R. Tobey King

NBB-305

NBB-306



**Jose Larranaga**

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**From:** alice van buren <avb@swcp.com>  
**Sent:** Monday, March 10, 2014 12:34 PM  
**To:** Jose Larranaga  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC,

**Dear Mr. Larranaga,**

Please do everything within your power to put a halt to this terrible proposition. We are in a serious draught already -- with scarcely enough water for own civilian use. Mining the la Bajada Mesa is a ruinous idea, and the noise, dust and pollution would contaminate us for years and years to come. I live on the southside of the city, not terribly far from the proposed scene of damage.

I and everyone I know are vehemently opposed to this plan. I also work on the radio and plan to broadcast the views of the opposition as widely as possible.

Thank you for listening.

Sincerely,

Alice van Buren

## Jose Larranaga

---

**From:** William deBuys <wdebuys@earthlink.net>  
**Sent:** Tuesday, March 11, 2014 11:01 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; murlock@raintreecounty.com; diane.senior@gartner.com  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larra,

The current proposal to mine crusher fines from La Bajada basalt is unwise, especially in its approach to water.

The county should be seeking ways to reduce its water obligations, not expand them. Over the decades ahead, water supply for the Santa Fe area will almost certainly decline. This includes local sources as well as imported San Juan-Chama water. For reference you might find my book, *A Great Aridness: Climate Change and the Future of the American Southwest*, to be useful.

The county needs to focus on building its water resilience. The current proposal would consume a considerable amount of water merely for dust suppression. For a region looking at a substantially drier and warmer future, that's a poor use of a valuable and exceedingly finite resource.

Sincerely,

William deBuys

HC 65 Box 201-A  
Chamisal, NM 87521  
505/689-1021

March 10, 2014

Arnold Valdez  
3225 Louraine Circle  
Santa Fe, New Mexico 87507

Jose Larrañaga  
Commercial Development Case Manager  
Santa Fe County Growth Management Department  
P.O. Box 276  
Santa Fe, New Mexico 87504

**Re: CDRC Case Buena Vista Estates & Rockology Limited LLC**

Dear Mr. Larrañaga:

As a property owner in Santa Fe and former Senior Planner for Santa Fe County I would like to express my objections over the proposed basalt mining operation by Buena Vista Estates and Rockology Limited LLC. In 2008 while working as a planner for Growth Management, I had the responsibility of providing comments and review of the 2008 application. In the 6 years that have lapsed since the 2008 application little has changed with regard of the historic and cultural resources of La Bajada Mesa. I would to briefly reiterate a few key points with regard to the integrity and historical significance of the overall cultural landscape where the mine is being proposed:

❖ Located at the west boundary of Santa Fe County, La Bajada Mesa is considered the gateway to the county and entrance to the Cerrillos Hills/Galisteo Basin State Park via CR 57. Map 5-2 Scenic and Historic Routes from the **2010 Sustainable Growth Management Plan** depicts La Bajada Mesa as a Potential Gateway Corridor and is supported by Goal 21 and Policies 21.2, 21.3, 21.4.

o **Goal 21:** Scenic Viewsheds should be preserved and protected as an important resource.

o **Policy 21.2:** Limit development on steep slopes, visible ridges, and peaks.

o **Policy 21.3:** Limit development near prominent natural features such as distinctive rock and land forms, vegetative patterns, river crossings or other landmarks.

o **Policy 21.4:** Preserve distinctive natural features.

❖ The site of the proposed extraction area for construction aggregates is located on La Bajada Mesa, a key landscape demarcation between the Rio Abajo and Rio Arriba regions of Santa Fe and Sandoval Counties.

❖ La Bajada Mesa is a sacred and significant landscape to Kewa and Cochiti Pueblos.

❖ La Bajada Mesa was listed in 2003 as one of the most endangered places in New Mexico by The New Mexico Heritage Preservation Alliance.

❖ La Bajada Mesa is a significant historic/cultural resource that embodies the early Spanish Colonial historical road alignments amidst a fragile ecological setting.

NBB-309

❖ Historically portions of El Camino Real traversed the landscape north and south of the proposed extraction site area (Map 5, El Camino Real Adentro National Historic Trail-Comprehensive Management Plan/Impact Statement).

❖ "Camino Real -- La Bajada Mesa Section", was listed in the State Register of Cultural Properties on 12/10/2010 & in the National Register of Historic Places on 4/8/2011.

Additionally, Extraction of construction aggregates within La Bajada Mesa would degrade the integrity of the landscape ecology. The removal of basalt would create scars in the surface leading to erosion. Wildlife would also be impacted, as this area is also a migration corridor for various species. Overall, the historic and physical integrity of La Bajada Mesa would no longer announce the transition from Rio Abajo to Rio Arriba, and the wide open expanse or gateway into the Santa Fe County, rather it would be a public eyesore and visible proof that Santa Fe County is more interested in promoting unsustainable development and letting the developers extract profit at the expense of a monumental landscape.

Please exam the potential irreparable loss of a fragile landscape, damage and costs associated with development that has county wide impacts. I hope that Santa Fe County will stand firmly by the SGMP and directives that far outweigh whether this application is in compliance with zoning standards.

Respectfully Submitted,

Arnold Valdez  
Historic Preservation Specialist

NBB - 310

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Ken Gibb <kengibb@gmail.com>  
**Sent:** Tuesday, March 11, 2014 2:55 PM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now

Mar 11, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

In order to mine, they need water, largely to control the dust and air pollution that a strip mine would create. The mine applicants are pursuing at least two avenues.

The first is to secure and transfer water rights from elsewhere in the state. The second, more recent move, proposes to purchase water directly from the county near the prison facility on highway 14 and haul that water to their mining operation on La Bajada Mesa.

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Dr. Ken Gibb  
PO Box 11616  
Zephyr Cove, NV 89448-3616

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Robert Rutkowski <r\_e\_rutkowski@att.net>  
**Sent:** Tuesday, March 11, 2014 4:57 PM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 11, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Mr. Robert Rutkowski  
2527 SE Faxon Ct  
Topeka, KS 66605-2086

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Sandra Haddock <sklenk1@aol.com>  
**Sent:** Tuesday, March 11, 2014 5:57 PM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 11, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

You should absolutely not permit any new mining operations in New Mexico. Provide jobs in solar and wind industries instead. My husband and I are planning to purchase a business and relocate there, but have had second thoughts since learning the governor is now for the first time in history been allowing mining operations to pollute groundwater with impunity. This is very alarming, and quite obviously due to corruption. I understand that 2013 was the biggest year for tourism ever in New Mexico. We feel business prospects looked good based on that, but it seems the goals of your extraction industries, to use aquifers as waste water receptacles, are at direct odds with tourism.

Are you really planning to sacrifice the beloved character of New Mexico to become solely a badwater mining/extraction state? It looks that way. We certainly will not purchase property there until this profound breach of the public trust in allowing industry to deliberately pollute the underground water supply.

Sincerely,

Mrs. Sandra Haddock  
17830 Island Spring Ln  
Tomball, TX 77377-8156

## Jose Larranaga

---

**From:** Julie Weinberg <juliebweinberg@comcast.net>  
**Sent:** Tuesday, March 11, 2014 9:15 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC

Greetings,

I am writing in opposition to the application to mine La Bajada Mesa. My husband and I have lived in La Cieneguilla for 32 years. We are opposed to the mine for the following reasons:

1. Environmental degradation of the beautiful and historic landscape that is the gateway to Santa Fe and its environs.
2. Threatens the water supply whether it is county supplied water or water pumped from wells.

Thank you.

Julie B. Weinberg  
72 Camino Torcido Loop  
Santa Fe, NM 87507



## Jose Larranaga

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, March 11, 2014 9:24 PM  
**To:** Jose Larranaga  
**Subject:** Fwd: CDRC Case Buena Vista Estates & Rockology Limited LLC  
  
**Categories:** Red Category

*Sent from my Verizon Wireless 4G LTE DROID*

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

**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**From:** Julie Weinberg <[juliebweinberg@comcast.net](mailto:juliebweinberg@comcast.net)>  
**To:** Jose Larranaga <[joselarra@co.santa-fe.nm.us](mailto:joselarra@co.santa-fe.nm.us)>  
**CC:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>, "Stephen C. Ross" <[sross@co.santa-fe.nm.us](mailto:sross@co.santa-fe.nm.us)>, "Robert A. Anaya" <[ranaya@co.santa-fe.nm.us](mailto:ranaya@co.santa-fe.nm.us)>, Daniel Mayfield <[dmayfield@co.santa-fe.nm.us](mailto:dmayfield@co.santa-fe.nm.us)>, Miguel Chavez <[mchavez@co.santa-fe.nm.us](mailto:mchavez@co.santa-fe.nm.us)>, "Kathy S. Holian" <[kholian@co.santa-fe.nm.us](mailto:kholian@co.santa-fe.nm.us)>, Liz Stefanics <[lstefanics@co.santa-fe.nm.us](mailto:lstefanics@co.santa-fe.nm.us)>

Greetings,

I am writing in opposition to the application to mine La Bajada Mesa. My husband and I have lived in La Cieneguilla for 32 years. We are opposed to the mine for the following reasons:

1. Environmental degradation of the beautiful and historic landscape that is the gateway to Santa Fe and its environs.
2. Threatens the water supply whether it is county supplied water or water pumped from wells.

Thank you.

Julie B. Weinberg  
72 Camino Torcido Loop  
Santa Fe, NM 87507

# El Vadito de los Cerrillos

## WATER ASSOCIATION

March 11, 2014

Jose Larrañaga  
Development Case Manager  
Santa Fe County Land Use Dept.

CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga:

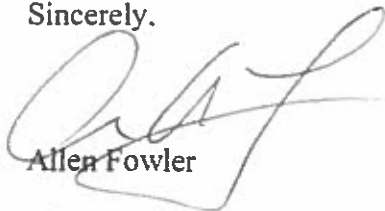
As a water association that provides potable water to people living in the Cerrillos area, we are especially aware of water issues and the ephemeral nature of this vital resource. We recognize that this holds true even with such imported sources as the County now has. In this critical time of drought and reduced aquifer recharge, the County will need to exercise caution in allocating its limited water supplies.

As a matter of fact, El Vadito was dependent on County water for several months in 2003 when our water source failed. We are truly grateful that the County came to our rescue. However, our need was for potable water for the several hundred residents of the Cerrillos area, not for non-potable uses that the Rockology mining company has applied for and is being considered by the County.

We wish to go on record in strong opposition to the proposed use of County water to be hauled to the Rockology mine site on La Bajada Mesa, most of which would be used primarily for non-potable purposes. We believe that the proposed use—heavy industrial mining of a landmark—is not in the best interest of the citizens of Santa Fe County and New Mexico.

The County should have a policy that does not allow such indiscriminate use of its scarce water resources.

Sincerely,



Allen Fowler

# Ecotone

## Conservation Planning for Landscapes in Transition

1413 Second Street, Suite 5  
Santa Fe, New Mexico 87505  
505-470-2531  
jwjansens@gmail.com

March 11, 2014

Jose Larrañaga  
Commercial Development Case Manager  
Santa Fe County Growth Management Department  
P.O. Box 276  
Santa Fe, New Mexico 87504

### Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

Dear Mr. Larrañaga:

I am writing as a Santa Fe County resident and a landscape ecology and planning professional to express my concerns about the proposed basalt mining operation by Buena Vista Estates and Rockology Limited LLC on La Bajada Mesa. I have studied and worked in the area for about 20 years and have (co)authored several reports about landscape values, wetland systems, and watershed restoration strategies for areas ranging from the Galisteo Basin to entire Santa Fe County. Various conclusions from these studies have a bearing on the proposed mine area.

In brief, in my opinion, the proposed mine undertaking would negatively affect landscape quality in an area where the larger Santa Fe community cannot afford this. Chances are too great that the undertaking would create cumulative negative impacts to the local economy, landscape integrity, and ecological conditions and processes throughout a wider region. My concerns comprise:

- **Established community and County planning goals and policies** have documented the importance of a rural landscape that maintain the cultural, historical and ecological values of the place, while the proposed mine appears to negatively affect these treasured values
- **Landscape integrity for wildlife and other ecosystem functions** and risks of fragmentation on the needs for wildlife to roam freely in order to maintain ecological landscape functions and maintain genetic diversity and individual survival over time
- **Surface and groundwater use** with effects on wetlands and on the equitably use of water in the County during times of increasing needs of fair and productive water uses and water sharing
- **Scenic and cultural/historical values** of the area, including visual quality of the landscape, clear skies and night sky qualities
- **Economic benefits** from our cultural and ecological landscape, including scenic landscape values, sense of wildness, and heritage and spiritual qualities of the landscape.

NBB-31

**Established Community and County Planning Goals and Policies**

During visioning sessions in 2004 (documented in “Galisteo Watershed Conservation Initiative – Quality of Life at a Crossroads”, 2010) and again during planning sessions for the Santa Fe County Sustainable Growth Management Plan (SGMP) of 2010, many people living in the Galisteo Basin have expressed what they appreciate about this area. The County’s SGMP adopted a great variety of policy goals and strategies that support the community’s vision. Key points include the area’s rural character, peace and quiet, ecological resources, scenic landscape, night sky, and cultural and historical resources. The proposed mine project is not in line with these treasured community values and with many of the SGMP’s policies and strategies.

**Landscape Integrity for Wildlife and Other Ecosystem Functions**

The La Bajada Mesa is part of a vital wildlife corridor, or rather a large wildlife linkage area, between the Manzano and Sandia Mountains to the south and the Jemez and Sangre de Cristo Mountains to the north. The area is also a pivotal corridor for wildlife traveling from the eastern parts of the Galisteo Basin to the west, across the Rio Grande, to the Jemez Mountains and vice versa. Furthermore, an international consortium of wildlife organizations and conservation biology scientists has identified the Galisteo Basin – also known as the Galisteo Wildway – as one of 20 crucial and endangered areas in the Western Wildway, a chain of wildlife linkages across the spine of the continent between Sonora State, Mexico, and Alaska. Ongoing wildlife and vehicle collisions in the area (and those documented by NM DOT in 2001) and wildlife observations on cameras on Santo Domingo Pueblo have documented this corridor. The corridor was confirmed by the NM Department of Game and Fish as part of the 2009-2010 Western Governors Association’s wildlife corridors initiative and included on the County’s natural resources map of the SGMP of 2010. The corridor is of importance to many species, and especially to large mammals, such as black bear, mule deer, cougar, coyotes, foxes, and many rodents and smaller animals, and possibly pronghorn antelope and elk. The proposed mine undertaking and associated road activity, lighting, noise, and water extraction from a wider area would fragment the landscape and disturb ecosystem functions necessary for shelter, safe passage, and foraging conditions for many animals, effectively threatening the potential for wildlife to freely roam the landscape. Animal movement is essential for their survival and for maintaining ecological resilience on the land with effects on a regional and continental scale.

**Surface and Groundwater Use**

The use of water at a rate of a million gallons a year for 25 years, from County sources along State Highway 14, would likely impact already limited surface and groundwater resources in Santa Fe County. Diversions of water from well fields along Highway 14 would reduce groundwater flows to the north through Alamo Creek and Bonanza Creek, which feed springs and wetlands in the la Cienega area which are of vital importance to ecosystem functions there and to Acequia-fed agriculture in the traditional community of La Cienega. Hence, the undertaking would compete with already stressed water needs for local agriculture and local domestic wells and weaken initiatives by Santa Fe County and the local community to grow and market more local food. If the water were taken from combined sources, such as provided through pipelines and the Buckman Direct Diversion (BDD), the water diversion for the mine

undertaking would further limit water supplies for residential use in parts of Santa Fe County that already experience structural water shortages. Groundwater has been mined for more than 40 years and continues to be mined at low levels, and more so in dry years, despite the BDD and conjunctive use policies. The mechanics for groundwater and surface water flows and depletions in the area are well studied and were recently documented in various reports, such as the NMED document “Exploring Springs and Wetlands and their Relationship with Surface Flows, Geology, and Groundwater in the La Cienega Area of Santa Fe County” by McGraw and Jansens (2012).

**Scenic and Cultural/Historical Values**

The La Bajada Mesa is an area of significant cultural, historical, and scenic importance in the State of New Mexico. The area is well studied, and while there may have been few findings of cultural, historical, or spiritual value at the immediate mining site, the impact of the mine on areas and trails of cultural and historical value in the vicinity of the site will be significant and damaging to the local economy and our community’s wellbeing. Additionally, the visual quality of the La Bajada landscape is of great importance as a gateway to Santa Fe and as a viewshed area of national stature. Coupled with the widely cherished values of clear skies and dark night skies in Santa Fe County, the disturbance of the qualities these values represent would significantly affect the regional economy and the sense of wellbeing in our local community.

**Economic Benefits**

Given the threats the mine undertaking poses to local quality of life, ecological resilience, landscape integrity for wildlife movement, water supplies and associated agricultural and ecological uses, and the tourist-related scenic, cultural and historical qualities our the landscape, approval of the mine would constitute great economic unfairness. There is a great likelihood that many local constituents would personally and in their business endeavors be affected by the mine, while the mining operation itself would not substantially contribute to the local job market and local economy. In fact, many commonly-held landscape commodities with their associated economic values would be sacrificed for the benefit of one single economic endeavor with few beneficiaries who mostly reside outside our local community.

Based on the concerns described above, I strongly urge Santa Fe County’s Development Review Committee and Board of County Commissioners to reject the proposal for mine development on La Bajada Mesa. I thank you for your consideration of my concerns.

Sincerely,



Jan-Willem Jansens

Resident of Santa Fe County  
Owner/Principal of Ecotone

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Lola Misirlic <lmisirlic@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 6:28 AM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 12, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Miss Lola Misirlic  
Brankova 18/2  
Belgrade, None 11000

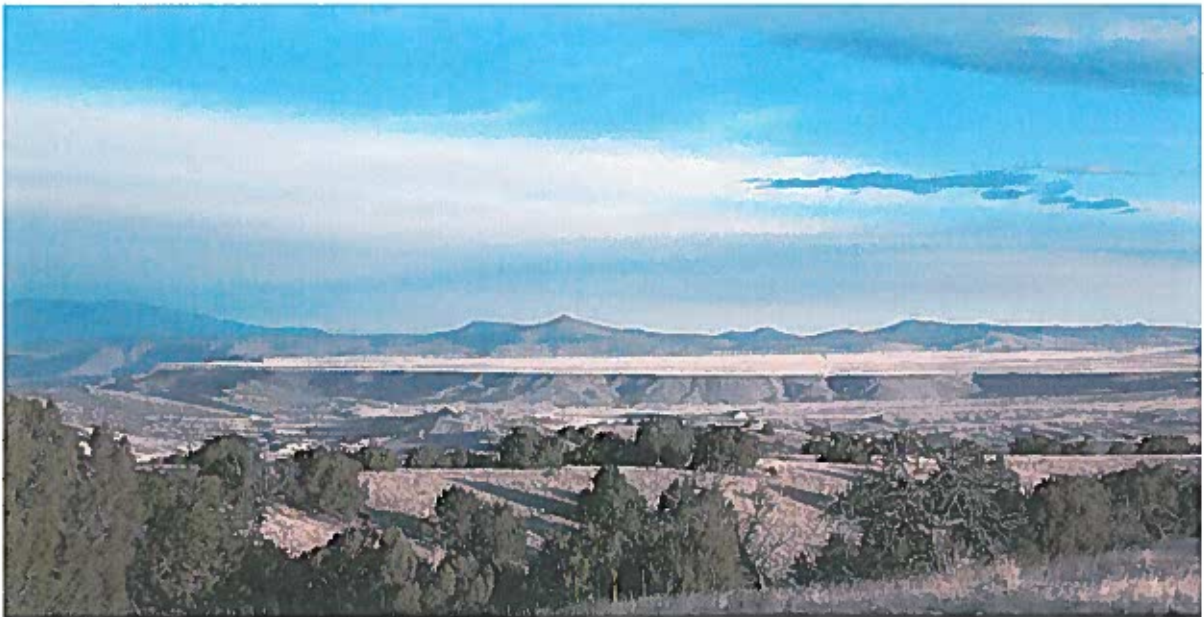
Jose Larrañaga, Case Manager  
Santa Fe County  
POB 276  
Santa Fe, NM 87504

March 12, 2014

Re: CDRC CASE # Z/DMXT 13-5360 Buena Vista and Rockology LLC Application to Mine La Bajada Mesa

As a resident and voter, I write to oppose the application before the County of Santa Fe to permit a gravel strip mine on the top of La Bajada Mesa. Please add this statement to the information being presented to the CDRC.

The picture below shows La Bajada Mesa from a location to the southeast. This historic landmark would be permanently degraded if this application is approved.



Historian William Baxter says about La Bajada, "There is no more important geographical landmark in our State, and none with more historical significance." Yet the proposed mine would defile this historic, cultural, and scenic landmark for gravel. Mining operations would include 25 years of blasting, crushers, screeners, conveyors, truck traffic, and night-time lighting in a currently undeveloped and highly visible location. In return, the application estimates only seven full time jobs and \$122,500 annual gross receipts tax, a number which a leading economist feels is considerably overstated.

Mining requires water. Unconscionably, the County has agreed to sell nearly a million gallons per year of scarce, potable water for mining operations and for dust control. This water would be hauled by truck from the County Water Utilities on Hwy 14 to the mine site on the mesa.

The mining operations would impact near-by wildlife corridors and would be highly visible to local residents and to visitors. Viewscapes affected include dozens of miles surrounding the site, the I-25 "Gateway to Santa Fe", Waldo Canyon Road (the gateway to Cerrillos Hills State Park and the Galisteo parklands), the Turquoise Trail Scenic By-way, and places along the historic Camino Real de Adentro (the Spanish Colonial trade route to Mexico City, now overseen by the National Park Service and BLM. )

NBB-321

Contrast this proposal with the Caja Del Rio Quarry which already produces basalt gravel for the County. That quarry uses piped effluent water, is well-situated near the county landfill, and will create a cavity that might later be filled with county refuse. There simply is no need for another gravel mine. Current supplies of gravel from operations elsewhere in the County far exceed demand. The County should not permit a new strip mine to mar La Bajada Mesa when other, more sensible options, already exist.

Here are some of the factors that make it critical for you to deny this proposed strip mine application:

- The application estimates using 18 million gallons of potable water for mining operations over 25 years. However, this may be a gross underestimate of the amount that would be needed in this windy, dusty place, based on information from other comparable mining operations.
- The sale of potable water for private mining and industrial purposes is an unconscionable precedent for the County to establish. This is not the best use of a diminishing water resource that will be critical to meet the future needs of all residents.
- If the County agrees to rezone these 50 acres for mining, then the adjacent lands on top of the mesa would become undesirable for less intrusive and intensive uses. Approval would establish a precedent to engulf more of the mesa in destructive mining, which is likely the applicants' intent. Previously denied applications sought mining zones up to two miles long on the mesa top.
- This proposal rushes to establish this mining zone use before the new Santa Fe County Sustainable Growth Management Plan takes effect, and before action can be completed on a proposed National Monument status for La Bajada Mesa.
- For 25 years, dust from the mining activities would affect surrounding properties and those downwind for miles. This includes the highly-regarded Cerrillos Hills State Park, from whose planned gateway (Waldo Canyon Road) the proposed operations would be fully visible.
- The ongoing noise from the blasting, digging, grinding, and pulverizing of the basalt cap into gravel would significantly change the pervading quiet in the Cerrillos Hills State Park and for property owners for dozens of miles around this proposed operation. Light pollution from security lights at night will also be an unwelcome intrusion.
- The costs of maintaining County, State, and Interstate roads from the pounding of mine and water trucks for 25 years would be paid by taxpayers for the private benefit of the applicants.
- The benefits to the County and the local economy are minimal. The application estimates only seven jobs, and its estimate of \$122,500 in gross receipts taxes has been challenged as significantly overstated.
- The proposed site borders important wildlife corridors and sits within the Galisteo Watershed. It is flanked by two drainages, with the Galisteo Creek below leading to the Rio Grande.
- Finally, tourism is an important part of our economy. Tourists don't come to see strip mines.

I am asking the County to deny this application. Similar applications have been denied several times previously, and the fundamental issues have not changed. La Bajada Mesa is an important historic, cultural, and natural landmark, prominently visible for miles, that deserves to be protected and preserved for the benefit of all residents and visitors, not strip-mined to enrich a few individuals.

Thank you for your consideration

Don Van Doren  
317B Camino Cerro Chato  
Madrid, NM 87010  
[dvandoren@vanguard.net](mailto:dvandoren@vanguard.net)  
505-216-6612

NBB-322



## Jose Larranaga

---

**From:** Jack Wikselaar <jackwikselaar@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 8:23 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

Mr Larranaga,

My property of 163 acres borders Buena Vista Estates and as an adjacent landowner I take serious exception to their proposed plans for extraction of Basalt. Not only would the presence of a large scale mining operation significantly reduce the value of my property it would forever change the area in a negative way for many reasons some of which are:

1. DUST- Our area is very windy and additional dust would reduce visibility and may create health issues. The amount of water proposed for dust abatement may not be sufficient and my fear is that water would eventually be extracted from our fragile and limited aquifer.
2. DESTRUCTION OF VIEW - The grand and sweeping vista of La Bajada Mesa would be blighted by a large scale mining operation. The natural beauty of the Mesa would be lost.
3. NOISE - Already I must contend with the noise generated by the current mining operation in this area. The addition of a second operation would I fear significantly increase the noise level and echo throughout Waldo Canyon.

Finally, while I understand Buena Vista Estates desire to maximize the value of their property I contend that a basalt mine is not the highest and best use for this property. With its grand views, location within the I-25 Rio Grande corridor and the Rail Runner passing through the middle of their property, clearly a residential development would be of greater value and one that the property is already zoned for.

Regards,  
Jack Wikselaar

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Sandra Jackson <kayaker2wa@gmail.com>  
**Sent:** Wednesday, March 12, 2014 8:28 AM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 12, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Ms. Sandra Jackson  
4 Antigua Rd  
Santa Fe, NM 87508-2200

## Jose Larranaga

---

**From:** Claudia LeSueur <mspoppersalpacafun@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 9:37 AM  
**To:** Jose Larranaga  
**Subject:** STOP Mining proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Red Category

Dear Mr. Larranaga,

I'm a property owner off Hwy 14 and a tax payer and I am against the proposed strip mining for basalt gravel in La Bajada Mesa.

Aside from the mine being an unnecessary business (there are several gravel pits in the area already), the amount of water this project would use would deprive about 250 families of much-needed water (average home with family of four uses 3000 gallons/month) in this DROUGHT-STRICKEN area.

We need this water to survive or families and businesses will move away - and then what will you have?

Let's use our time and money to develop renewable resources - wind or solar power - and stop acting like the environment doesn't matter.

Please DO NOT APPROVE this measure! Buena Vista/Rockology LLC knew how this land was zoned when they bought it and must assume responsibility for that. Let's leave it as it stands and find other ways to bring in prosperity to Santa Fe County.

Sincerely,

Claudia LeSueur  
Mrs. Poppler's Alpaca Ranch  
18B Cedar Rd.  
Santa Fe, NM 87508

P.S. My Alpaca are a perfect example of sustainable agriculture - they provide fiber for flame-retardant and hypo-allergenic clothing while they are very gentle on the environment. Let's encourage sustainability!

**Jose Larranaga**

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**From:** Tara Bloyd <tabloyd@quotidian.com>  
**Sent:** Wednesday, March 12, 2014 11:23 AM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

**To Whom It May Concern:**

**I am writing in opposition of the proposed basalt gravel mine on La Bajada Mesa. Not only is the mesa listed as one of New Mexico's most endangered places, and thus inherently worth saving, but there are many other issues with the proposed mine that also make refusing it simply the only logical choice.**

**Mining in this site would result in environmental and cultural degradation of a landscape that has been historically, culturally and environmentally significant to New Mexico for hundreds of years. Reclamation would be next to impossible after stripping some 20 feet of basalt. There is little surface topsoil to set aside for reclamation. There are no strong standards to insure that reclamation would be a success and there is the likelihood that what would be left behind would be an endless source of dust. As those of us who live here know, we've already got plenty of dust!**

**The mine (or any similar industry), poorly sited on an otherwise open landscape, would result in impacts including: increased pollution from carbon emissions; fugitive dust from multiple crushers, conveyors and heavy industrial traffic; and blasting and night lighting. That would make living and/or driving anywhere in the vicinity significantly less pleasant than it is now. And for what, gravel? There is no need for another basalt gravel mine in the County or another gravel mining operation off of I-25. There are several existing gravel mines within reasonable proximity that can provide these materials to Rockology.**

**I haven't even touched upon the impact on the Cerrillos Hills State Park, the area's already incredibly limited water supply, the county's growth strategy, and the many other reasons that declining the mine is simply the only choice.**

**Please do the right thing and deny this mine.**

**Thank you,**

**Tara Bloyd  
PO Box 818  
Cerrillos, NM 87010  
505-473-5714**

--

Good mothers let their children lick the beaters.  
Great mothers turn the mixer off first.

## Jose Larranaga

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**From:** Senior, Diane <Diane.Senior@gartner.com>  
**Sent:** Wednesday, March 12, 2014 11:38 AM  
**To:** Penny Ellis-Green; Robin Gurule; Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; Jose Larranaga  
**Cc:** Don Van Doren; 'Ross Lockridge'; 'Kim Sorvig'; Matthew McQueen  
**Subject:** CDRC CASE # Z/DMXT 13-5360 Buena Vista and Rockology LLC Application to mine La Bajada Mesa  
**Attachments:** RCA\_Submittal\_Final.pdf  
**Importance:** High  
**Categories:** Red Category

Dear Mr. Larrañaga,

Attached is a letter from the Rural Conservation Alliance in opposition to the proposed mining operations on La Bajada mesa. This letter details many of the issues that we and other citizens have with this application.

We understand that you have received many letters about this issue, and that you are assembling a package to go to the CDRC members. We ask that the attached letter be prominently featured, as this was planned to be the most comprehensive review of the issues.

Please share the letter with the CDRC Commissioners and include it in the case file. Thank you.

Sincerely,

Ross Lockridge, Ann Murray, Kim Sorvig, Don Van Doren and Diane Senior for the RCA

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**Rural Conservation Alliance, POB 245, Cerrillos, NM 87010**

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Jose Larrañaga, Case Manager  
Santa Fe County  
POB 276  
Santa Fe, NM 87504

March 12, 2014

Re: CDRC CASE # Z/DMXT 13-5360 Buena Vista and Rockology LLC Application to mine La Bajada Mesa—Reasons for our opposition to this application.

Dear Mr. Larrañaga,

The Rural Conservation Alliance (RCA) is an unincorporated association of community organizations and individuals dedicated to the preservation and protection of the natural resources and rural character of the Galisteo Basin area of Santa Fe County, New Mexico.

We request that County Staff recommend denial of the 2013 Buena Vista /Rockology application to locate a mining zone on a significant New Mexico cultural landscape, for many of the same reasonable and legal rationales that Staff recommended denial of the applicant's two previous applications in 2005 and 2008. In addition to reasons for denial that Staff recognized in the prior applications, we believe that this application should also be denied based on:

- Inadequate water budgeted for mining operations and dust control
- Incompatibility with other land uses
- Negative economic impact for the County
- An irresponsible use of water that sets inappropriate precedents for the future
- Degradation of important ecological and wildlife areas
- Threats to the health and welfare of County residents
- Application deficiencies, and inaccurate, incomplete or misleading statements

The following report addresses these issues in detail. We urge the County of Santa Fe to carefully consider these issues and issue a recommendation to deny the application to strip mine this precious natural, historic and cultural resource.

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## Rationale for Prior Denials Remains Unchanged

### **County Staff recommends denial, 2005**

When a 108 acre site was requested in approximately the same location as the current application, the New Mexican reported that Case Planer Dominic Gonzalez's memorandum advised, "this location is not compatible or suitable for mining" and that the "1,060-acre tract . . . is too close to the county's Cerrillos Hills Historic Park [previous name] and to Buffalo Head Mountain." The article noted that both La Bajada Mesa and Buffalo Mountain are recognized by the New Mexico Heritage Preservation Alliance as being among the state's Most Endangered Places. This memo is evidently missing from the County case file. However, a copy of the draft, dated 9/18/2005, with the language as quoted, is located in the Appendix, pp. 18-24.

### **County Staff recommends denial, 2008**

When an "initial" 50 acre mine zone was requested in exactly the same location as the current application, Staff again recommended denial, stating: "[W]hen considering the criteria set forth in Article XI, Section 1.2.2 the proposed location is not reasonably compatible with the area and is not particularly suitable for mining as required by Article XI, Section 1.2.4." [Emphasis in original] And: "The reclamation needs associated with a project of this magnitude, landscaping needed to buffer the visibility of the project, and water required for long-term dust control requires a sustainable water supply..." "[S]taff does not support the use of trucked in water".

## Water Issues

### **Unsupported Estimates of Water Usage**

The applicant has provided no support for their calculation that 2.19 acre feet per year (713,615 gallons) would be sufficient for dust suppression. As Mining Engineer Jim Kuipers has written, "Under moderate duty approximately 20 gpm [gallons per minute] would be consumed per crusher and associated drop points (e.g., conveyor transfer points). Depending on the spray system, material properties, wind, shrouding and other factors this can be as low as 10 gpm and as high as 50 gpm or more." In dry, windy conditions this could be even more, and the mesa top is notoriously windy.

The application's statement of 5 crushers and 4 screeners implies that two systems will be in operation. If we assume that these are used 40 hours per week, then the actual water required is shown in the following table:

	Usage rate	Gal / min	Gal/ year *	Applicant's estimate	Discrepancy in Gal
One system	low	10	1,248,000	713,614	534,386
	high	50	6,240,000	same	5,526,386
Two systems	low	10	2,496,000	same	1,782,386
	high	50	12,480,000	same	11,766,386

Gal/year per system = Gal/min x 60 min/hr x 40 hrs/week x 52 weeks/year.

Even under the most conservative estimates (10 gallons per minute, 40 hours per week excellent shrouding, and for one system), falls short of engineer Kuiper's calculations by over a half-million gallons, requiring 75% more water than estimated in the application. Two systems (as implied by the quantity of equipment listed) will use **three times more water than stated in the application**. In addition, there is no estimate for other ancillary needs for water. For example, dust control of dry, disturbed soil at the mine site, or the water required to establish vegetation to reclaim a wind-scoured and deeply pitted mesa. The applicant's estimates are merely the water requirements for the crushing equipment alone.

### **Implications of County-provided Potable Water Industries Not Requiring Drinkable Water**

The application states that the water for mining operations will be provided by the County potable water dispensary on NM I4. This water has been acquired and treated at public expense, and this operation has absolutely no need for water meeting drinking standards. However, the idea that the County would provide millions of gallons of water – especially drinking water – for this purpose in these times of water shortage is unconscionable. In addition, we believe that, in doing so, the County would establish a poorly-considered precedent. In the future, any industrial applicant could demand a similar accommodation.

The application's approach to obtaining water also impacts households and other water-users who will have to wait at the County facilities to obtain water. The County facility can deliver water at 185 gpm. Assuming a 2,000 gallon capacity, the applicant's water trucks would block access to other vehicles for almost estimated two hours each day including hookup, dispensing, and disconnect time.

The way the water agreement was documented is also problematic. The County acknowledges that "...this project is outside of our service area." The "willing and able" letters to provide bulk water services were signed by an Accountant and affirmed by an Engineering Associate. There is no indication that there was any substantive analysis of this request or its implications. The letter is unconditional; There is no acknowledgement of the mine's 25 year timeline, nor limits, such as in times of drought when water shortages could demand that scarce water resources be reserved for higher priority uses such as the household requirements of residents.

If dust is to be adequately controlled, monthly usage of water would go up, above the applicant's estimates, during hot or dry months and any other times of drought, and are thus under-estimated in their table on p. 19 of the application, which shows water usage in the hot, dry months of summer months to be less than a quarter of what would be used in the spring. Amplifying the problem, during these same hot or dry periods, surface water supplies would diminish overall, and demand from other users would increase.

## Application Deficiencies

### **Location Standards for Article XI, Section 1.2 Have Not Been Met**

Article XI, Section 1.2 requires the applicant to demonstrate evidence that the proposal meets four criteria. The application adequately addresses only the first of these, 1.2.1, and even on that criterion questions remain. Article XI requires that all four criteria be met.

#### *1.2.1 Evidence of significant mineral resources.*

The application presents core sample analysis showing the presence of basalt that will be crushed into aggregate. There is some question about the quality of the basalt and whether it will be the most suitable product for its stated purposes. The specific gravity of the material shown in the application is 2.69, which is less dense than typical basalt measurements of 2.8-3.0<sup>1</sup>

#### *1.2.2 Mining use is reasonably compatible with existing uses*

Mining use of this land is diametrically opposed to and incompatible with historical, cultural and recreational uses. Among those are the historical and cultural significance of the site and the area's status as a gateway to both Santa Fe and to the Galisteo Basin parklands. Published comments by two historians characterize the mesa this way:

“La Bajada Mesa in northern New Mexico contains cultural, historical, environmental, and scenic features of considerable significance, all worthy of permanent preservation.”  
--Marc Simmons, Ph.D. (U.N.M., ret.), July 4, 2012.

“There is no more important geographical landmark of our state, and none with more historical significance.” --William Baxter, Sept. 4, 2005.

In 2003, the New Mexico Preservation Alliance ranked La Bajada Mesa as one of its Most Endangered Places, a list which included such landmarks as Chaco Canyon.

This Mesa also gives context to El Camino Real Historic Trail. One of the best preserved remnants of this federally-designated National Historic Trail is located on land directly adjacent to the proposed mine site. Previous reports that the pit would be invisible are based on extremely limited analysis from a very small number of viewpoints. More comprehensive analysis shows that a SE branch of this historic trail, the Juana Lopez segment, passes directly within view of the proposed 50 acre pit. (Appendix Figure 2, p.26.)

"A portion of the newly federal-designated Camino Real de Tierra Adentro National Historic Trail either passes directly over land within the mining project or over adjacent lands. The escarpment itself has a long history associated with early travel, and the massive earth removal, as proposed, threatens to seriously compromise not only the viewscape from Interstate 25, but also the cultural and natural integrity of the La Bajada feature." --Historian, Marc Simmons, Ph.D, Nov. 12, 2002

The Camino Real de Tierra Adentro National Historic Trail is part of the historic Spanish colonial route that linked Mexico City to Santa Fe and beyond.

Further, in spite of the applicant's attempt to paint a picture of an area rampant with mining, the proposed mining zone is not located in an established mining zone but is adjacent to the historic Cerrillos Mining District, a NM State Cultural Property. The historic 1880s "Cerrillos Mining District" (CMD) was placed on the State Register of Cultural Properties in 1973, due to its association with a historic precedent of the California Gold rush.. It is NOT a mining zone and has no legal status as such. See "*Historic CMD, A New Mexico 'Cultural Property'--not a mine zone*" at <http://www.raintreecounty.com/CMD.html>

Land use for mining here is incompatible with historical, cultural and recreational uses in the adjoining areas. As such, the application can and should be denied under Article XI, 1.2.2. This was part of the rationale for denial in 2008 and it remains unchanged today.

### *1.2.3 History of significant mining in the area*

As stated above, there is no such history for this area of La Bajada. Permitting this application would entail the creation of a completely new mining zone without a history of mining. While legally possible under The Land Development Code, the applicants have no protected right to demand such a zoning change, and such a zone is as stated incompatible with surrounding land uses, as well as with virtually all strategic visions produced by the County in long-term planning.

### *1.2.4 Particularly suited for mining uses compared to other areas*

This area is particularly *not* suited for mining, as discussed above under 1.2.2. Moreover, there are many other areas far more suitable for mining basalt-based aggregate. In particular, the Caja Del Rio mine currently operated by Delhur Industries already produces basalt gravel within the County. That quarry uses piped (not truck-hauled) effluent water, is well-situated near the county landfill, and its mining cavity might later be filled with county refuse. According to its manager, (See A. Murray letter, 1/15/2014) this quarry contains approximately 3.5 million cubic yards of basalt or a projected ten-year supply.

There is no need for additional production of gravel. Figures from the New Mexico Department of Energy, Minerals Natural Resources show that Santa Fe County alone produced an oversupply of more than 107,000 tons of gravel and base course over the past five years. It is worth noting that these over-production figures do not include the additional production and stockpiles at the Caja de Rio quarry.

These figures contradict Buena Vista's claim that a shortage of aggregate sources in the area necessitates aggregate being "hailed in [to the Santa Fe area] from outlying sources to meet market demand". If materials are being hauled in from elsewhere, it is likely a price consideration rather than one of availability.

Slow construction across all sectors since 2008 has decreased demand for aggregate and related materials, and is likely to remain depressed for several more years. Industry estimates in some cases are still using figures from before 2008, over-stating demand. In addition, mobile on-site crushing and recycling of old road surfacing for use as new aggregate is becoming an increasingly widespread and economically viable practice, especially by reducing the volume of demolition rubble, which is a concern for Santa Fe County like all other landfill operators. (See

recycledaggregateproducts.com for a nearby example.) Such concrete recycling further reduces demand for new-mined aggregate, and is likely to continue to do so in the foreseeable future.

In addition, the applicant claims, without substantiation, that the “quality of the aggregate pits in the Santa Fe area generally does not meet the requirements for these types of construction projects” (p.1 of application). Nor do they offer any evidence that the basalt they propose to mine is itself suited to meet those requirements. In fact, the application states that the specific gravity the basalt they would be mining (2.69) to be less dense than typical ranges for basalt (2.8-3.0)<sup>2</sup>.

### **Application Lacks a Visibility Study**

The application, at this writing, lacks a credible study of the visual impact of the mining operations, including equipment, piles of material, dust, and lights. Visibility is of critical importance because of its impacts on Santa Fe's existing economic bases of tourism, the arts, real estate, film-making, and on air quality regularly listed as among the nation's highest. Dust has impacts on visibility and health, night and day.

Visibility from Waldo Canyon Road, the Turquoise Trail National Scenic Byway, and locations to the south of the mesa must be assessed along with views from I-25, the Railrunner, and the SE branch of the Camino Real de Tierra Adentro. Each of these, except Waldo, is a major gateway for any of the 5 million or more Albuquerque airline passengers annually who visit Santa Fe, as well as motorists not arriving by air.<sup>3</sup> Waldo Canyon Road is designated to be the gateway to the acclaimed Cerrillos Hills State Park and the Galisteo Parklands.

### **Application Lacks a Blasting Impact Study**

The application lacks any site-specific study on blasting but simply includes a brochure from the blasting subcontractor. There is no consideration or analysis of site-specific impacts of noise upon neighboring uses or wildlife, for whom this area is an important migration corridor. (The Sustainable Growth Management Plan (SGMP) displays “Conceptual Major Wildlife Corridors” provided by NM Game & Fish Dept. that show the area of Applicant’s site surrounded by the corridors.<sup>4</sup> In addition, the upper Rio Grande watershed area including the Galisteo Basin and La Bajada is designated by Wildlands Network as one of the twenty most important wildlife linkages on the North American continent. (Appendix Figure 1, p.25.) This impact study should also include consideration of the detrimental effects that noise pollution and dust would have on tourism and park visitation.

### **Reclamation Plan is Insubstantial**

The reclamation plan refers only to 4-6 inches of topsoil to be put aside in stockpiles, much of which will have been lost over the years to wind. As the archeological survey notes, “in some places the soils are eroding away, revealing cobbly basalt intrusions through the thin surface soils”. Elsewhere in this report it is noted that “the location is exposed to scouring winds blowing across La Bajada Mesa.”

The application states that “Finished stockpile material will be located in an area that is protected as much as possible from the prevailing winds.” This is entirely unrealistic and inadequate. How

can stockpiles be protected from the scouring winds, and seasonal winds that blow above the open mesa and through an open pit? Where is there such a protective place? The plans to use retention blankets on the seeded areas does not apply to stockpiles. Even if the pile(s) were eventually placed in the pit, the wind would be drawn through the pit carrying the topsoil dust with them.

The amount of topsoil needed for reclamation is not addressed. There is no assessment of what amount might be sufficient for reseeded. But in any estimation, the small amount of topsoil put aside seems woefully insufficient to the task at hand and draws into question the probable success of reclaiming a 60' deep mine site.

Best practices in the landscape construction industry<sup>5</sup> discourage soil stockpiling for more than one month; piles must be no deeper than four feet, covered, and kept moist. Soil is a living material, and the microbes that give it the ability to support vegetation and retain water and nutrients die if these guidelines are not followed. The application does not take any of these issues into account. It is highly unlikely that the applicant would follow these guidelines, nor could do so without additional water and other investments. As such, stockpiling is offered as a gesture, but would fail to protect the site. In fact, it would increase dust problems when incorrectly attempted.

### **Erosion Is Not Adequately Addressed**

The question of erosion also needs critical consideration. The application says on p.15 that a "borrow ditch will be cut on each side of the road to manage storm water." With only 4 to 6 inches depth to basalt surface, borrow ditches would either be inadequate for the volume of runoff, or would have to be blasted from rock. Inadequate stormwater management will create serious problems on and off the mine site, potentially including siltation increases in the Galisteo Creek and Rio Grande. Erosion and Sedimentation control is required by Federal law (NPDES) for every site over 1 acre in size.

### **Application Lacks a Dust Mitigation Plan**

Fugitive dust is a particular issue in the proposed area but no mitigation plan has been presented.

According to OSHA, "crystalline silica has been classified as a human lung carcinogen. Additionally, breathing crystalline silica dust can cause silicosis, which in severe cases can be disabling, or even fatal. The respirable silica dust enters the lungs and causes the formation of scar tissue, thus reducing the lungs' ability to take in oxygen. There is no cure for silicosis. Since silicosis affects lung function, it makes one more susceptible to lung infections like tuberculosis."

Dust production in this dry, windy, exposed location is a public health hazard and the County has an obligation to require substantial dust mitigation measures that will protect the health of its residents.

## **Economics**

### **Questionable Economic Benefits**

Under Economic Benefits, the application claims it will sell 250,000 tons of material and generate \$122,500 in gross receipts tax. Yet later, on p. 11 of the application, it states, "886 thousand cubic yards will be exported from the site and sold on the open market." Since only retail sales at the mine would be taxable, the county would not recognize the benefits originally stated. Further, under a later section entitled Operation Plan/Time Frame, we will show that the application's production figures themselves do not add up, further diminishing the County's prospects of realizing any significant economic benefit from the proposed mine.

Within today's aggregate industry, "local" can easily encompass several counties. When NMDOT needed base course for a Turquoise Trail reconstruction project (Madrid to Lone Butte), it came from outside of Santa Fe County. That was because Lafarge North America underbid others, including the Waldo Quarry, located 2 miles ESE of the applicant's proposed site. Evidently the Lafarge source was local enough for NMDOT. The applicant's implication that "local" sources would reduce costs for County Public Works and for contractors is unfounded, since out-of-county and even out-of-state suppliers, whose costs include *more* transport, are regularly able to outbid local sources.

Other mines on Buena Vista's list reinforce the point that another aggregate mine in this location is not needed, as do the excess production figures noted earlier.

Since the applicant has not clearly established the need, or economic demand for another quarry, the application's "Economic Benefits" (p. 2) become questionable. Another mine in an undemanding market would simply undercut the business of existing mines and, as a result, contribute little economic benefit to the State and County. The same applies to jobs, since jobs threatened at existing operations would cancel out the already small number of estimated new jobs.

### **Negative Impact on Neighboring, Sustainable Economic Activities**

Siting a mine in as prominent a location as La Bajada Mesa threatens the local tourist industry and the Cerrillos Hills State Park. The "Cerrillos Hills/Galisteo Basin State Parks Feasibility Study", 2006, indicates that "the best access [to the Cerrillos Hills State Park] would be from the I-25 corridor", i.e. via Waldo Canyon Road. This new and growing sustainable parkland resource needs to be protected and nourished, not burdened with a strip mine on its gateway access road.

In addition, the arts economy, film-making, and the property value and tax base derived from quality real-estate with clear air and vistas are essential parts of the Santa Fe economy which would be diminished by a large mining operation on this major gateway.

Recreation impacts are also important to our economy. Visitors to NM national parks and monuments spend millions of dollars, both in the parks and surrounding communities<sup>6</sup> and this revenue supports a thousand jobs in the state. Recognition of the value of Cerrillos Hills State

Park is growing on a national scale. The park was recently listed in The Guardian, US as one of New Mexico's top 10 national and state parks. <sup>7</sup>

Since the mining application on La Bajada in 2005, the County Park has become an acclaimed State Park. This makes it all the more important to reaffirm Staff's recommendation on earlier applications and to deny this current application.

La Bajada Mesa itself contributes to the landscape that attracts millions annually to this state and specifically to Santa Fe. Strip mining would permanently end that contribution and any future sustainable development in the mesa area.

### **Questionable Estimate of Jobs**

The application claims their operation will generate 7 full-time jobs. Yet a comparable gravel operation near Cerrillos employed only 3 persons full time with 2 more part time.

BV/Rockology's estimate of seven jobs appears to assume boom times. No assurance has been made that these are new jobs, nor that hiring preference would be given to County residents. Even seven jobs are a poor trade-off when weighed against the long term damage that a poorly sited mining operation would do present and future sustainable economic benefits.

### **Potential Expansion of Mining**

The current application is the third such proposal from these owners for a strip mine on the top of La Bajada Mesa, by the same owners (operating under two different corporate names.) The proposed site is "surrounded by land owned by the co-applicant for the project." Buena Vista claims 1,358 acres. This land is part of a 5,421 acre parcel currently up for sale by CBRE, marketed as including "5,200 +/- acres of rich aggregate deposits for possible mining."<sup>8</sup>

Thus, if mining were to be permitted now, future expansion requests would be likely under such a precedent. Note that in the 2005 application, these same owners were clear that what was then a ~108 acre site was an "initial site."<sup>9</sup>

Granting this mining application would make surrounding land much less attractive for less intensive and more sustainable uses., Moreover, the existence of this mine would make it easier to extend mining operations to the surrounding acres, since a key consideration in the Code is whether there is nearby mining. These factors almost guarantee that this 50 acre site would eventually be expanded to include strip mining on a much greater scale, likely similar to the initially proposed two-mile long swath on the Mesa top. The County cannot allow this to happen.

The landowners purchased the property with the current agricultural zoning and they have no protected rights to enforce a rezoning for extraction.

### **National and Regional Significance**

#### **SGMP Recognizes the Need to Protect La Bajada**

The Sustainable Growth Management Plan envisions less intensive use for La Bajada and the surrounding area. Under planned SGMP the mesa top would be even more protected (160 acre



agricultural/ranch) than it is today (40 acre residential/agricultural.) Clearly, the County itself recognizes the importance of minimizing developmental impacts to this important gateway. The County is under no obligation to now rezone this land for mining and permit the applicants to subvert the County's own Sustainable Growth Management Plans.

### **Nationally Significant with Extensive Natural, Cultural, and Recreational Resources**

The application describes the surrounding land as "vacant." Yet, as cited earlier under the heading *Location Standards for Article XI Have Not Been Met, 1.2.2*, the area has profound cultural and historical significance, as further shown by these resources:

- New Mexico Heritage Preservation Alliance, Most Endangered Places in New Mexico, 2003 listing of La Bajada Mesa and Escarpment  
<http://www.nmheritage.org/wp/wp-content/uploads/2011/04/2003-Most-Endangered.pdf>
- La Bajada 'Official Scenic Historical Marker'  
<http://www.raintreecounty.com/LaBmarkr.html>

### **Gateway to the City of Santa Fe and to the Galisteo Basin Parklands**

The Mesa is located at the Southern "gateway" to Santa Fe and the Galisteo Basin State parklands. "The Galisteo Basin is a nationally significant area with extensive natural, cultural, and recreational resources." <sup>10</sup>

The "Potential Gateway Corridor" designated by the SGMP<sup>11</sup> completely encompasses the proposed mine site and all of the Mesa that is currently for sale by the applicant. Recognition of this area as a Gateway rather than a mine zone is testimony to the wisdom of Santa Fe County, its Staff, elected officials and residents.

### **SGMP Conceptual Major Wildlife Corridors Nearby**

The SGMP displays Conceptual Major Wildlife Corridors showing the area of Applicant's site surrounded by such corridors. Wildlife Network lists the Upper Rio Grande Watershed (including La Bajada) as one of the twenty priority wildlife corridors in all of North America. (Appendix Figure 1, p. 25) Other resources confirm the importance of this specific part of the mesa to be crucial to local ecology and wildlife, as shown in Appendix Figure 3 (p.27) and Figure 4 (p.28.)

### **Sustainable Cultural Resource**

La Bajada Mesa is a NM landscape that sustains artists, photographers, film makers and travelers. It is a frequent subject for artists and photographers alike. Movies (including "No Country for Old Men") are filmed here. It embodies the spirit of the place.

"La Bajada Hill . . . is still one of those approaches, those arrivals, that seems mythical, impossibly grand . . . a place that could change not only one's external life but also one's inner, spiritual life . . . 'You will never be the same again.' "

-- Henry Shukman, *The New York Times*, February 7, 2010.

## **Environmental and Social Welfare Considerations**

### **Air Quality Issues**

Below is a partial list of the potential cumulative impacts from the development of a typical sand and gravel mine.

- Dust and diesel fumes generated on the haul road to and from the mine.
- Fugitive dust blowing from the uncovered or partially covered dump trucks.
- Fugitive dust from poorly monitored crushers and out-of-compliance operations.
- Increased traffic (highways) . . . with a concomitant increase in air pollution from more vehicles (highways and rural roads) and more disturbed land (building construction).
- Increased air pollution from some sand and gravel mines *after* they are abandoned and until natural re-vegetation stabilizes the surface soil.

“Each of the impacts listed above produces real-world effects that are difficult to measure.”

*--Steve Blodgett, M.S.*

The Cerrillos Hills State Park and villages of Cerrillos and Madrid are downwind from this proposed site with La Cienega just to the north. As has been previously stated, OSHA recognizes airborne silica as a carcinogen, capable of causing disability or death. The County has an obligation to do everything in its power to protect the health and welfare of its residents. One way to do that is to deny this application for another unneeded mine that will only exacerbate the air quality issues and endanger residents.

### **Traffic Impacts**

Increased heavy truck traffic, both for crushed rock and for water haulage, will increase wear on County, State, and Federal roads in the area. This will result in costs for upgrading and maintenance of these roads. Under the SGMP, any developer would be required to pay impact fees to cover these costs before receiving any permit. The current applicant would "externalize" these costs, meaning that they would be born, involuntarily, by county taxpayers.

Similarly, increased heavy truck traffic increases the risks of accidents, and specifically of passenger vehicle collisions with heavy trucks, which are usually deadly. This means that the mining permit should (as under SGMP) be conditional on increased funding and training for emergency responders. In Santa Fe, most such responders are volunteer fire departments, and may not have the training or equipment to respond in a car/truck accident. Once again, the applicant, if permitted to mine, will successfully externalize these costs onto the taxpayers.

### **Light Pollution**

The application proposes to mitigate night lighting impacts on County Road 57 by angling the lights southward. However, this exacerbates the problem for those residents south of the mine site, and potentially for travelers on I-25. The inclusion of night lighting suggests that the applicants intend to operate at night, raising an entirely new level of potential impacts that are ignored in the application, as well as further underestimating the water use calculations above.

Further, the County's dark sky ordinance allow exceptions for safety and security – exceptions which the applicants clearly plan to use, stating that “lighting will be used at the tool and administrative trailers to provide the necessary security to avoid vandalism at the site.”

### **Visibility and Viewshed**

What the application calls "vacant" land is a profound panoramic open space with the proposed mine zone visible from portions of I-25, the I-25 frontage road, Waldo Canyon Rd (CR 57), the Turquoise Trail National Scenic Byway, and many roads and homes to the south.

The potential visibility impacts would be apparent upon what has been long recognized as the gateway area to Santa Fe. This area is also the scenic gateway to the Galisteo basin via Waldo Canyon Road that leads to the Cerrillos Hills State Park lands and on to the Ortiz Mountain Educational Preserve.

La Bajada Mesa is the major feature at the Western entrance to the Galisteo Basin. The vistas of the Mesa from the Park, especially from Buffalo Mountain and other areas in and above the Park, sight directly upon the Mesa.

Steve Blodgett, M.S., a mining engineer and author of "Environmental Impacts of Aggregate and Stone Mining in New Mexico" writes about the Cumulative and Associated Environmental Impacts of such mining as proposed in this mesa vicinity.<sup>12</sup>

After having walked over the Mesa, in a letter to Ross Lockridge (Aug. 15, 2005), Mr. Blodgett wrote, “Even though the crusher will be out of sight in the bottom of one of the cells once the mine is developed, there will always be a dust plume emerging from this property, especially during the spring winds.” Adding, “Again, you won't have to see the actual mine to know it's there because there will be a dust plume marking its location.”

In addition to the ever-enlarging pit itself, would be all the structures mentioned on p. 10 of the application, including several trailers, screening and several pieces of crushing equipment with belt conveyor systems, water and fuel tanks, several dozers, pole-mounted lights, porta toilets, storage piles and the trucks.

The application says that the “crusher will be located in the excavated cell with limited visibility from public roadways, once the cell is excavated.” But then there is the visible pit itself and the stockpiles. What do they plan to locate in front of the stockpiles in order to minimize visibility from I-25 and the frontage road, Waldo Canyon Road, and the rural population to the south?

In their 2008 application the crusher was to be located “behind the finished stockpiled materials, in order to minimize visibility....” Stock piles by nature are in a state of flux as they are first added to and then loaded onto trucks and transported from the site. Both the pit and the stockpiles would be themselves visible components from the roadways and both would be visible dust sources in the panorama.

There is an unconvincing attempt to spin the visibility issue by emphasizing the "distance from I-25 and CR57" as *minimizing* the visibility from the roadways, but the distances from these roads

are modest, and sight lines are generally unimpeded. Visibility always implies a viewing angle, not merely distance, and depends on the specific topography between the viewpoint and the mine or equipment. There are standard methods, developed by the US Park Service and others and widely used both as manual and electronic processes. It is clear that this standard type of analysis was ignored in preparing the application.

However, outside analysis shows that the surface of the mine site itself to be clearly visible from sections of the historic Camino Real de Tierra Adentro. (Appendix Figure 2, p.26.)

Considering the importance of this area to New Mexicans, both as entrance to Santa Fe and via CR57 to the Park lands, the views from all directions should have been assessed along with the visual impacts of dust and the impacts to the night sky.

## **Issues of Trust**

### **False Claims in Previous Applications**

We wish to point out a matter of questionable trust. There are several claims, in both the prior and current applications, that are so questionable and so unsupported that they call into question the trustworthiness of the applicants. If a mining company is not trustworthy how can they be trusted, for example, to invest to keep the dust under control knowing that such requirements are difficult to enforce?

The application claims that the basaltic material is needed because the “quality of the aggregate pits in the Santa Fe area generally does not meet the requirements for these types [roads, bridges, etc.] of construction projects.” Yet no evidence has been submitted to support that claim.

In 2008, Rockology similarly proclaimed a need “to provide for railroad ballast...for Railrunner...and for subsequent removal of similar material.” However, in March of 2008 we learned from “County spokesman Stephen Ulibarri . . . that county staff has no evidence that the materials mined on the mesa would be used in the train project.”<sup>13</sup> Later it was revealed that the materials claimed by Rockology as needed for the Railrunner had already been acquired by NMDOT from another source, at Pena Blanca. Their claim of need for their material was purely wishful thinking. The claim of “need” for basaltic material implies that it is *absent* in the Santa Fe area. But the applicant omits mention of the on-going basalt operation at Caja del Rio in this instance, only to later reference Delhur when touting the experience of their blasting contractor.

The substantial source of basalt at Caja del Rio clearly demonstrates that a need for additional extraction materials, local or otherwise, is not established. Further, their omission of this significant competitor must call into question the completeness of any other assertions made by the applicants.

The omission of Delhur Industries is reminiscent of a similar omission in their 2008 application. Espanola Mercantile, a major competitor, was curiously omitted from both the "Vicinity Map" and from the Cover Sheet images in that application. Rockology's representation of Espanola

Mercantile on the Cover Sheet, was mis-located and displayed as a relatively small square on flat land away from the Cerrillos Hills where EM's Waldo Mine is located.

"A railroad siding was constructed by the Atchison, Topeka and Santa Fe Railroad line for the purpose of loading aggregate ballast material to be used for bedding of the railway."

–*Buena Vista*, --p. 7

Applicants note the location of one such RR siding to the west. They don't note the siding along CR57 at Waldo near to Cerrillos. We know from a past JR Hale Contracting 2002 proposal to strip a ~2 mile stretch of the mesa, that a railroad siding was being considered to play a role in exporting materials out of the county.

In all these cases, the applicant's documentation is misleading. What other information is missing, and what other false assertions are masquerading as fact?

### **Missing, Misleading and Erroneous Information in Current Application**

#### ***Crushers***

"The air quality plan will comply with the requirements for the permit issued by the New Mexico Environment Dept. for the crusher that was previously located at another location." –*Buena Vista*

However, even if the crushers (& piles) were eventually placed in the pit, the open mesa affords no protection on the site from scouring winds. These winds would be drawn through the un-reclaimed pit carrying fugitive dust with them.

In addition, the permit noted is for one crusher, whereas the project lists several others: 2 primary jaw crushers with feeders, a vertical shaft impact crusher, and 2 cone crushers.

#### ***Hauling Considerations***

Applicants claim the proposed mine would shorten the distances in hauling as compared with currently available sources of aggregate. Their rationale identifies a limited number of quarries in operation with simple unsubstantiated claims of aggregate scarcity. Yet their proposal would demand considerable water truck traffic even if the amount of water needed is underestimated.

If saving haul truck distances is to be a consideration in the siting of this proposed mining zone, surely the *water* haul truck miles, daily, yearly, must be added in to any analysis. Aggregate vs. water hauling distances must be honestly counterbalanced in this comparative location assessment.

#### ***Operation Plan / Time Frame***

Another unsubstantiated claim is the "25 years" time frame of the mining operation on this 50 acre tract. In 2008 Rockology had planned to strip the same 50 acres of basalt in 12 years, not 25. For a further note of comparison, in 2002 J.R. Hale proposed to strip 500 acres in 50 years, equating to 50 acres in 10 years. In Buildology's application of 2005, the years thought required for stripping 108 acres, was estimated as "15 - 20".

Once again, the applicant's math does not seem to add up. Under Economic Benefits, sales are estimated at 250,000 tons. Under Volumetric Calculations, we learn that 886,000 cubic yards of finished material will be produced for sale over 25 years of operation. According to the Caja del Rio quarry manager, a cubic yard of basalt gravel weighs 1.4 tons.

$886,000 \text{ cubic yards} \times 1.4 \text{ tons per cubic yard} = 1,240,200 \text{ tons of material available for sale.}$

$1,240,200 \text{ tons of material for sale} \div 250,000 \text{ tons sold per year} = 4.96 \text{ years of available material, NOT 25 years.}$

Further, the application states that "a total of 3.36 million cubic yards of materials will be excavated over a 25 year time frame." Yet the "estimated amount of material to be processed through the crusher is 1.26 million cubic yards." They do not account for more than 2 million cubic yards of excavated material which, if piled with 45 degree slopes, would be a whopping 132 ft high mountain of rock somewhere.

Lastly, they estimate that 1.26 million cubic yards of material will be processed through the crusher, yet only 886,000 cubic yards of material will be available for sale. Since processed basalt such as gravel includes air pockets, it is less dense than the original material and should result in more volume (cubic yards), not less. But if 1.26 million cubic yards goes in and only 886,000 cubic yards comes out, that means 374,000 cubic yards of material are unaccounted for. The most reasonable (if environmentally disturbing) assumption is that this is the amount of dust produced by the operation – dust for which insufficient water has been budgeted to control, and dust that exposes the citizens of Santa Fe County to the carcinogenic hazards documented by OSHA.

What we can deduce is that with modern mining techniques, the acreage has the potential to expand very quickly and the applicant is downplaying a foot-in-the-door approach. Experience would suggest that if a mine of any size were permitted, future expansions could be expected along with applications for extended mining zones, along with the precedent-setting use of County water on the adjacent land

#### ***Misleading Traffic Impacts***

Adding additional industrial traffic onto Waldo Canyon Rd (CR57) both gravel haul trucks and water tankers along with that of the Waldo Quarry is not in the public welfare and would further impact the intersection and merging lanes onto I-25. Such traffic might also use Waldo Canyon road through Cerrillos to access NM 14 if they find markets in Eastern NM. Impact on both the village and NM 14, which is a listed Scenic Byway, would be extremely negative.

Both the traffic impacts and number of jobs are questionable. The application claims that 12 trucks will haul materials from the site on a daily basis. It is also claimed that 7 persons will be working full time at the site.

But that is hard to reconcile when, in 2008 at a public meeting held in La Cienega, applicants estimated that the truck *loads* per day were thought to be up to "100 to 150 a day." With 12 trucks, this would require each truck to make 12.5 loaded trips per day. In an 8-hour day, this

would mean each round-trip could take no more than about 38 minutes. At 40 mph (.66 miles per minute) this would limit the radius of the trip to about 12 miles.

Further, there is no mention of the number of tanker truck trips that hauled water would add to the site traffic.

**Conclusion**

We ask that Staff, the CDRC and the Board, recognize that a mine site in this historic area, known to thousands of county, state, national and international travelers—at the southern gateway to the city of Santa Fe and likewise as envisioned into the Galisteo Basin & Cerrillos park lands—is contrary to **Article XI, Section 1.2** and would be an irreversible mistake.

For the many reasons above, along with the illustrious cultural histories of this area to New Mexicans, please vote to deny this application. It cannot be modified into compliance, and is not in the public interest.

Sincerely,

Ross Lockridge, Ann Murray, Kim Sorvig, Don Van Doren and Diane Senior for the RCA

Cc.

Encl.

**Appendix:**

**2005 County Staff Memorandum Recommending Denial of Mining Application, p.1**

**MEMORANDUM**

**DATE:** August 18, 2005  
**TO:** County Development Review Committee  
**FROM:** Dominic T. Gonzalez, Development Review Specialist II  
*Current Contact*  
**VIA:** Vicki Lucero, Zoning Review Division Director  
Charlie D. Gonzalez, Permits and Inspections Division Director  
Dolores I. Vigil, Land Use Administrator  
**FILE REF:** CDRC CASE # MIS 05-5230 Buena Vista Mine

**ISSUE:**

Buildology, Inc. (Steve Hooper), applicant, James Siebert, agent, requests approval for the creation of a mine zone to allow the extraction of aggregates for construction materials, to be used in ready-mix concrete, asphalt, landscaping, and base course, on 108.5 acres, as set forth in Article XI of the Land Development Code.

The property is located east of Interstate 25 & south of Waldn Canyon, North of the Village of Cerrillos, within Section 22,26,27, Township 15North, Range 7 East, (Commission District 3).

**SUMMARY:**

The applicant is requesting approval to create a mine zone for the extraction of aggregates for construction materials on 108.5 acres within a 1,060-acre tract. *Acres?*

The applicant estimates that it will take approximately 15 to 20 years to complete the mining process, which will be conducted in three phases. The mining for each cell phase will occur over an approximate five-year period, with each cell phase to be reclaimed and revegetated after the mining of the cell phase is complete.

The applicant states that during the warmer months (April to September) the site will operate from 7:00am to 5:00pm on weekdays, with Saturday operations to be from 7:00am to 12:00pm.

*Are Quality Plans?*



## 2005 County Staff Memorandum Recommending Denial of Mining Application, p.2

CDAC  
August 18, 2005  
Boona Vista Mine  
Page 2

From October till March the hours of operation will be from 9:00am to 4:00pm, with no weekend hours anticipated.

The applicant states that no permanent structures will be constructed on-site, and that the project will utilize temporary and portable structures, to include a tool trailer, administrative trailer, screening and crushing equipment and associated belt conveyor systems, water and fuel storage tanks, and a weigh scale. The structures will be relocated at next phase once the previous phase has been completed.

### Phasing

The proposed mine is designed for a 15-year life expectancy to be completed in three 34.5 to 36.9-acre phases.

Phase I of the mining operations will start on a 34.5-acre cell located at the west of the property. Phase II, a 36.9-acre cell, will be located between Phase I and III, and Phase III will be on a 36.8-acre cell located at the east of the property.

The processing and handling of materials for each of the three phases will be done in three sub-phases; Pit Operations, Plant Processing and Product Loading and Distribution:

### Pit Operations

Pit operations will consist of the preparation of each cell with the removal of natural soils (overburden). A track dozer will be used to expose the basaltic rock formations. The overburden will be stock piled outside the excavation cell and will be used as topsoil in the reclamation of the site following the completion of each phase. Rock drilling will follow the removal of the overburden, drilled in accordance with the written and approved blasting plan. The applicant states that blast operations will be conducted in compliance with Santa Fe County and Federal ATF regulations, and blasting will only take place during daytime hours. Blasting materials will not be stored on site.

### Plant Processing

A front-end loader will feed the blasted material into a feed hopper, followed by crushing, screening, and stockpiling of finished material. The applicant states that the crusher will be located in the excavated cell, with limited visibility of public view. Unusable material will be returned to the excavation area for use in reclamation.

### Product Loading and Distribution

A front-end loader will place the finished aggregate products into the haul trucks. All trucks will be required to be compliant with New Mexico Department of Transportation and New Mexico Public Regulation Commission requirements. The applicant states that all loads will be weighed to ensure that the trucks are within legal weight limits, and properly covered to secure the load.

## 2005 County Staff Memorandum Recommending Denial of Mining Application, p.3

CDRC  
August 18, 2005  
Buenos Vistas Mine  
Page 3

### Existing Development

The property is currently vacant. The co-applicants own the vacant properties surrounding the proposed project.

### Public Concerns/Issues

The Land Use Department has received numerous telephone calls in opposition of the proposed project. No letters of support have been received. (Exhibit "I").

### Access

Access to the property is from County Road 57 (Waldo Canyon Road). The site will have a single driveway, located to the south of the property.

The proposed haul route for aggregate hauling from the site will be northward for approximately one mile along County Road 57 to the I-25/Waldo Interchange. County Road 57 is currently paved from the I-25/Waldo interchange to the driveway turn off this project will be utilizing.

The Public Works Department has reviewed this application and recommends that a 40' paved apron at the intersection of the proposed driveway and CR57 be constructed. (Refer to "Exhibit-B" reviewing agency responses)

### Water

The applicant proposes to utilize non-potable water from the City of Santa Fe Water Treatment Plant for dust control purposes. Water will be hauled by truck from City of Santa Fe Sewer Treatment Plant located at Airport Road, to the site. The applicant states that the water will be stored in a 10,000-gallon tank located onsite. The applicant also states that truck will shuttle water during off peak hours. Drinking water will be purchased in twenty-gallon containers for daily use. (Exhibit "J")

The County Hydrologist has reviewed this application, and commented that even though the applicant states that the proposed project is to utilize City effluent, no letter of commitment from the City was included with the submittal. The County Hydrologist states that for the applicant to meet the water availability requirements, the applicant must provide documentation from the City committing to supplying water to this project for the time period the expect to run this operation. Also the water budget did not reflect whether any water would be needed in the utilization of the crusher and conveyor systems.

The Office of the State Engineer deferred its review to the County.

### Liquid and Solid Waste

The applicant states that portable toilets will be brought onsite for the sanitary purposes of the employees, and a specified maintenance period will be included in the contract for service of the portable toilets.

The Environment Department is currently reviewing this application.

## 2005 County Staff Memorandum Recommending Denial of Mining Application, p.4

CDRC  
August 18, 2004  
Bureau Versa Mine  
Page 4

Common trash, generated by employees, will be collected in a solid waste container and periodically hauled off site by the applicant for disposal at the Bulkology Offices located in Albuquerque. The solid waste container shall be screened on all four sides and top.

### Terrain Re-management

The proposed project is relatively flat, with no slopes exceeding 20%. Water retention ponds are being proposed capture storm water run-off from the site, and will be located through each phase of the project.

A Storm Water Pollution Prevention Plan, as required by the E.P.A will be prepared prior to the issuance of a building permit.

### Air Quality

A permit from the New Mexico Environmental Department has been issued for a crusher that was previously located at another location. An updated permit or a Relocation permit from NMED will be required prior to the issuance of a Development Permit.

### Fire Protection

The applicant states that the 10,000-gallon water tank will be available on site as fire water supply. All mobile equipment and scale house/office will be equipped with fire extinguishers.

The Fire Marshall is currently reviewing this project.

### Archaeological

The applicant states that prior to the issuance of a Development Permit that an archeological report will be submitted for the proposed project.

This application has been reviewed by the State Office of Cultural Affairs Historic Preservation Division (Exhibit "B "). The Historic Preservation Office concurs that an archeological survey is needed.

The New Mexico Heritage and Preservation Alliance recently recognized Buffalo Mountain as one of New Mexico's most endangered places.

Article VI, Section 3.3 (Location of Historic or Cultural Sites, Landmarks and Archaeological Districts) lists the Cerrillos Mining District as a Historic or Cultural Site or Landmark (Exhibit "F").

### Location/Performance Standards

Article XI of the Land Development Code requires that locational criteria be met for the creation of a mine zone (Exhibit E). Article XI, Section 1.2 requires the demonstration of the existence of resources, that the mining use be compatible with other uses in the area and that the area is suited for mining uses in comparison with other areas of the County.

2005 County Staff Memorandum Recommending Denial of Mining Application, p.5

CDRC  
August 18, 2005  
Barrax Vista Mine  
Page 5

The applicant addresses Significant Mineral Resource, Mining Use Compatibility, History of Significant Mining Activity in the Area, and Area Suitable for Mining Uses. (Refer to applicant's Report "Exhibit - C"). The applicant states that a soils investigation of the site was conducted using an excavator to determine the type and depth of the material.

Basaltic material was found at approximately 20 feet, and the basaltic material was relatively constant for the entire depth.

During the construction of I-25, a mine construction site was located directly east of the subject proposed development, which was used for the purpose of loading aggregate ballast materials to be used for the making of base course and asphalt aggregates for the interstate highway construction. A gypsum mining plant was located on Santo Domingo Pueblo property, located to the south and west of the proposed development. The aggregate ballast material was used for the bedding of the railway located to the south and west of this proposed project.

Article XI, Section 1.6 (Performance Standards) of the Land Development states "no mining use activity will be permitted if it is determined that the use will have a significant adverse affect on health, safety, morals or general welfare of the County or its residents."

Reclamation

The applicant states that reclamation will take place upon the completion of each phase of the operation. The sides of the excavation will be cut at a ratio not to exceed 3:1, which will allow for the revegetation of the disturbed sites. The stock piled overburden will be returned to the site and will be used as the base for reseeding. The applicant also states that where the terrain contours are susceptible to erosion, furrows will be created to prevent soil erosion.

REQUIRED ACTION:

The CDRC should review the attached material and consider the recommendation of staff; take action to approve, deny, approve with conditions or table for further analysis of this request.

RECOMMENDATION:

Staff's position is that this location is not compatible or suitable for mining. The cultural significance of the Los Cerrillos Mining District, and without a Archeological Report to address the potential of any significant archaeological sites, and Buffalo Mountain recently being recognized as one of New Mexico's most endangered places, demonstrates the cultural significance and importance of protecting this area.

Handwritten notes: "Not in this application due to", "Due to", "Please Note that Barrax Vista".

Staff is concerned about the potential impacts of this project on adjacent lands in this area. There is a Public Open Space Park and residential developments in close proximity to the proposed mine. Also, Staff has major concern regarding the applicant's water supply plan. Staff recommends denial on the application based on the reasons stated above.

If the application is approved, staff recommends the following conditions:

## 2005 County Staff Memorandum Recommending Denial of Mining Application, p.6

CDRC  
August 18, 2005  
Bears Vista Mine  
Page 6

1. The applicant shall return to the CDRC and BCC for approvals of future phases, if applicable. The proposed phasing plan for Phases I, II, and III shall be complied with.
2. All water for dust control and irrigation shall be treated effluent unless the applicant amends this application for the use of a well and provides proof of water right and availability; any such amendments shall be reviewed by the CDRC and BCC.
3. If at any time sufficient treated effluent is not available and an amendment for the use of a well has not been approved, all mining shall cease. If mining operations cease for a period of 6 months, the applicant shall reclaim the disturbed areas or the County file a demand on the letter of credit.
4. Compliance with applicable review comments from the following:
  - a) State Engineer
  - b) State Environment Department
  - c) Soil & Water District
  - d) State Department of Transportation
  - e) County Hydrologist
  - f) Zoning Review Director
  - g) County Fire Marshal
  - h) County Public Works
  - i) State Historic Preservation Office
  - j) County Technical Review Division
5. The applicant shall submit for an updated Air Quality permit, and shall be in compliance with the condition of the Air Quality Permit, Relocation Permit and siting permit.
6. The applicant shall submit a cost estimate and financial surety for completion of required improvements as approved by staff.
7. Compliance with minimum standards for outside lighting, and submit cut sheet prior to the issuance of a Development Permit. All outside lighting shall be shielded.
8. The applicant shall address all staff redlines comments, original redlines shall be returned.
9. All trucks shall have tarps completely covering and securing their loads as they leave the loading area.
10. The Final Plan will be recorded with the County Clerk's Office.

## 2005 County Staff Memorandum Recommending Denial of Mining Application, p.7

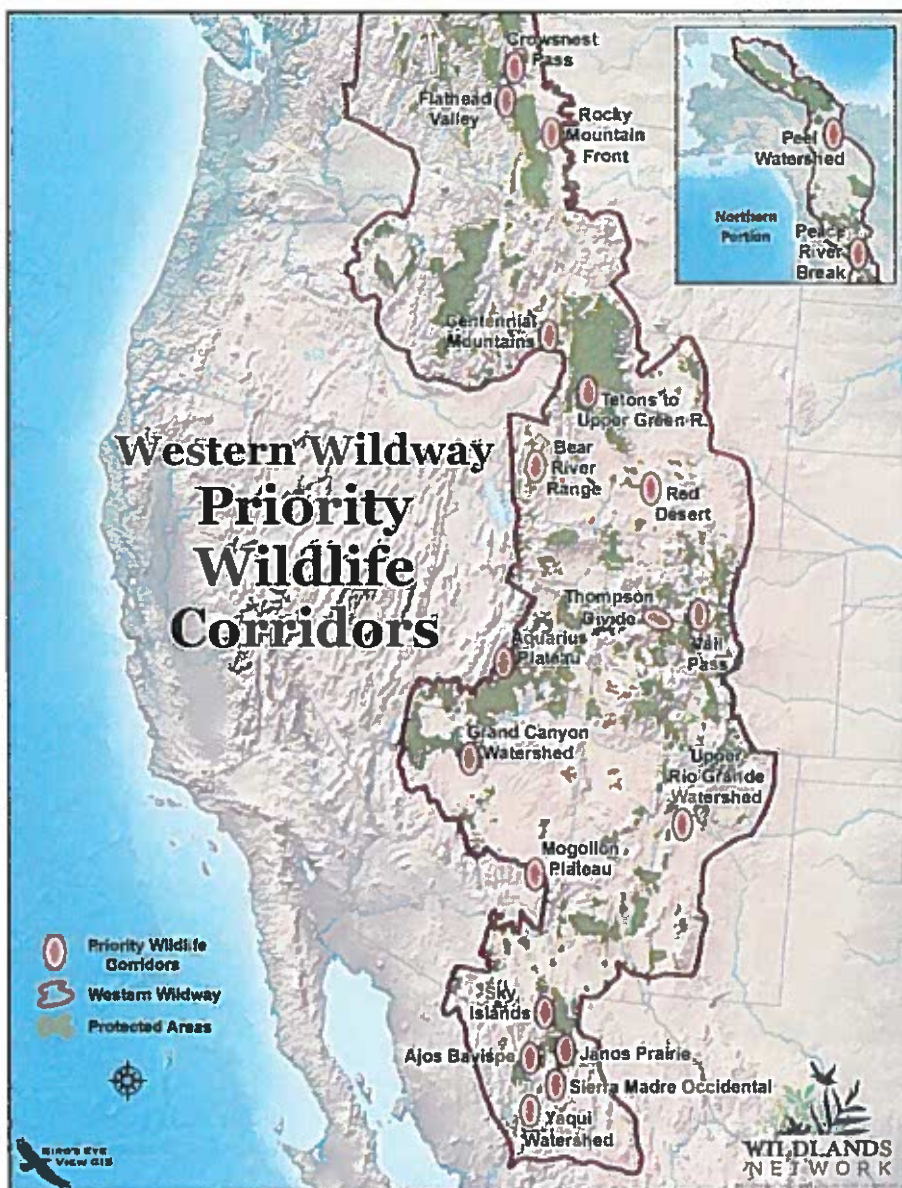
CDRC  
August 18, 2005  
Buena Vista Mine  
Page 7

11. The applicant shall submit a financial guarantee for all regarding, revegetation and cost of treated effluent prior to mining of each phase. The financial guarantee will be held until successful revegetation has been accepted by staff, for a minimum of one year, after reseedling.
12. Development Permits for mining and reclamation will be required for each phase. A final closure inspection will be required by the Permits and Inspections Director, upon completion of reclamation of each phase.
13. Each phasing area shall be defined by a licensed Land Surveyor, highly visible (PVC pipe) markers will be set to define the permitted areas. All future mining and operations shall be confined to the working areas permitted in this application.
14. Buildology/ Buena Vista shall grant enforcement/inspection access to the County throughout the duration of this operation.
15. A pre-construction conference shall be held with County Staff prior to any field activity and prior to issuance of a development permit.
16. Buildology/ Buena Vista will keep the access road and mine operations area watered to control dust as needed.

### ATTACHMENTS:

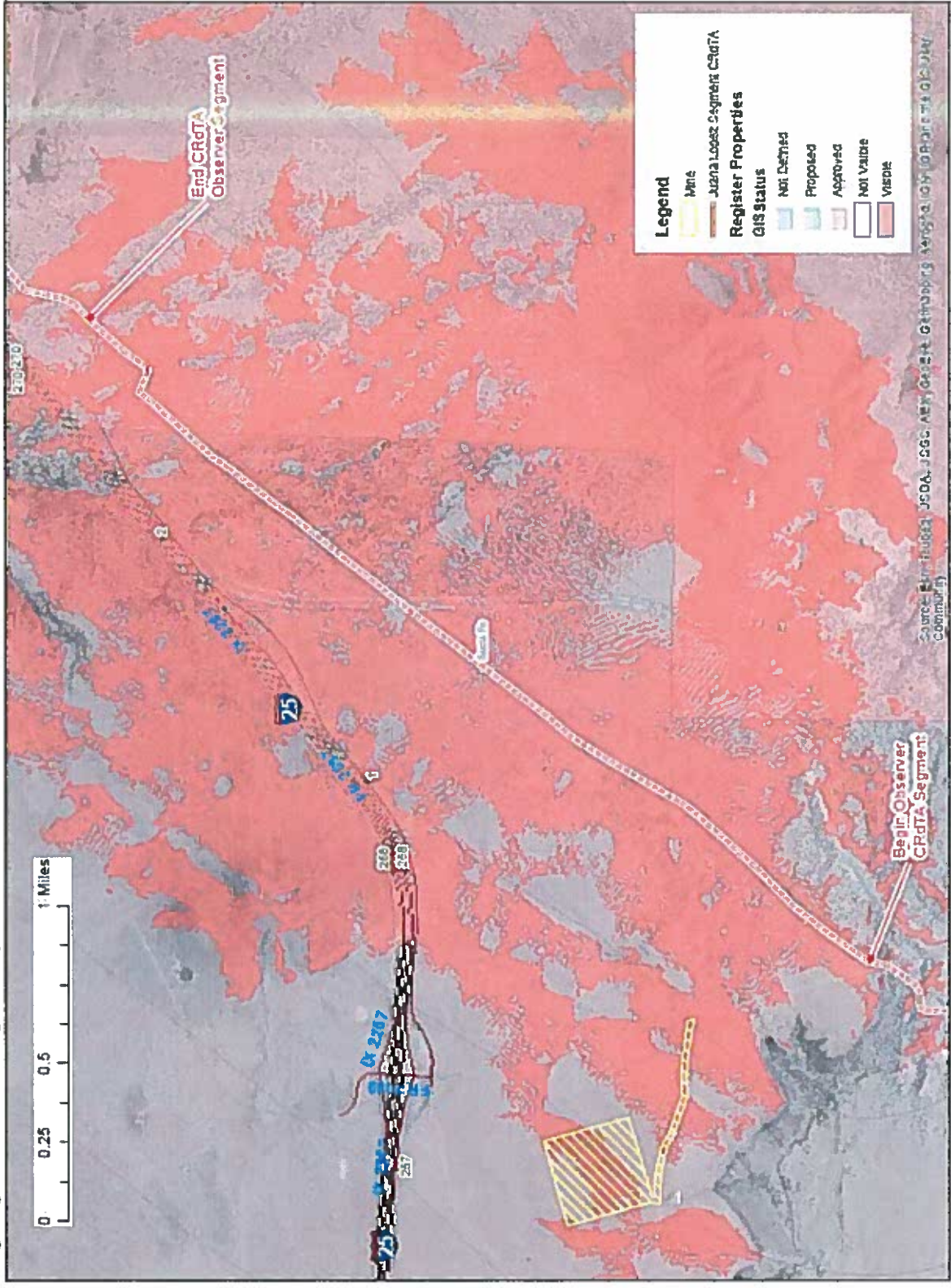
Exhibit "A" - Applicant's Letter of Request  
Exhibit "B" - Reviewing Agencies Responses  
Exhibit "C" - Applicant's Report  
Exhibit "D" - Applicant's Plans  
Exhibit "E" - Article XI of the Land Development Code  
Exhibit "F" - Article VI, Section 3.3 of the Land Development Code  
Exhibit "G" - Article VII, Section 3.4.1.c.1.1 and Section 3.4.1.c.1.e of the Code  
Exhibit "I" - Public Concerns/Issues  
Exhibit "J" - Vicinity Map

Figure 1: Wildlands Network map of Priority Wildlife Corridors





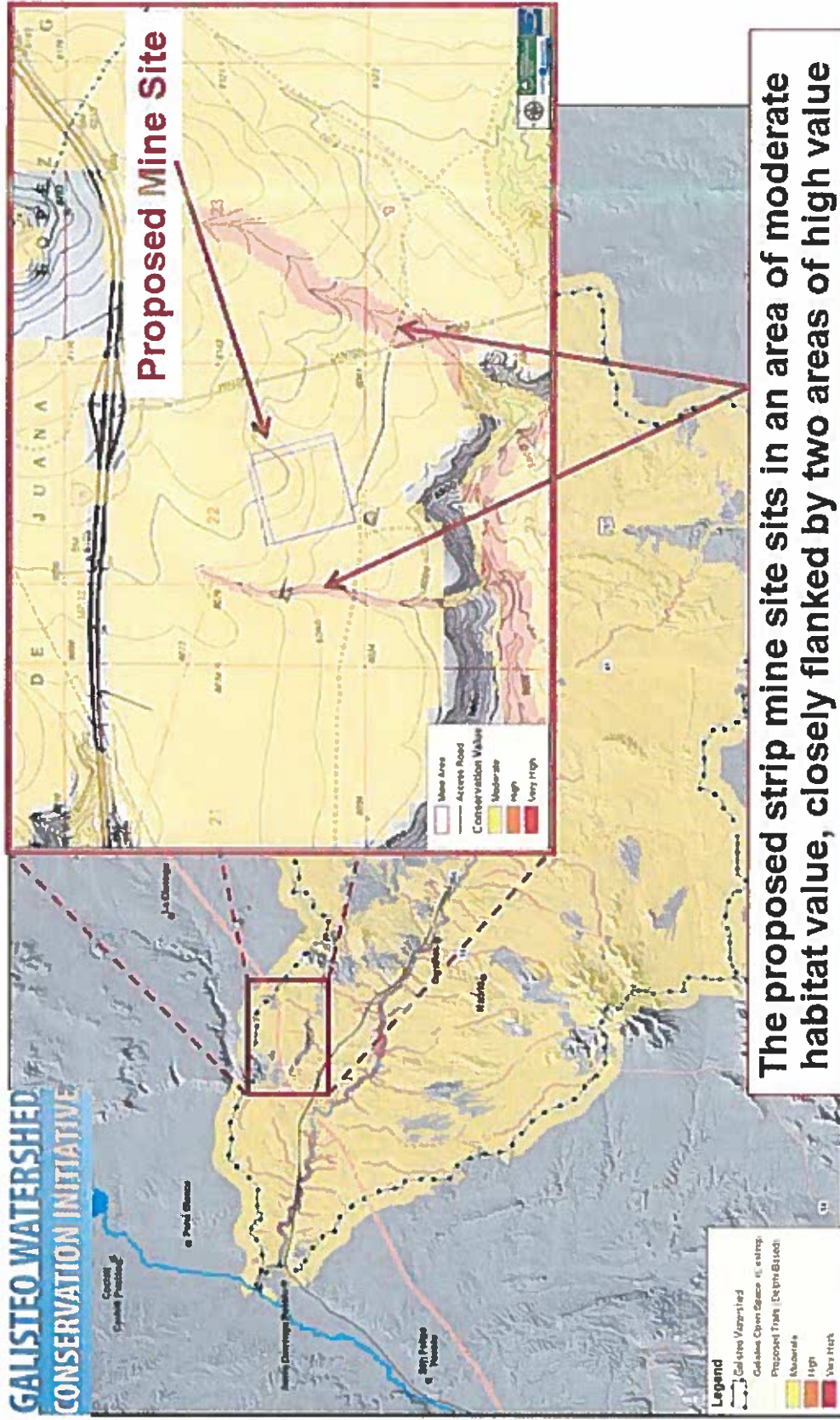
**Figure 2: Viewshed Analysis from the Juana Lopez section of the Camino Real de Tierra Adentro**  
*Using a digital elevation model generated from the National Elevation Dataset and a vertical offset of 1.5 meters to represent a liker a bit over five-foot tall*



Viewshed from Juana Lopez Road Segment of Camlin Realds Tierra Adentro and Buena Vista & Rockology Mining Site

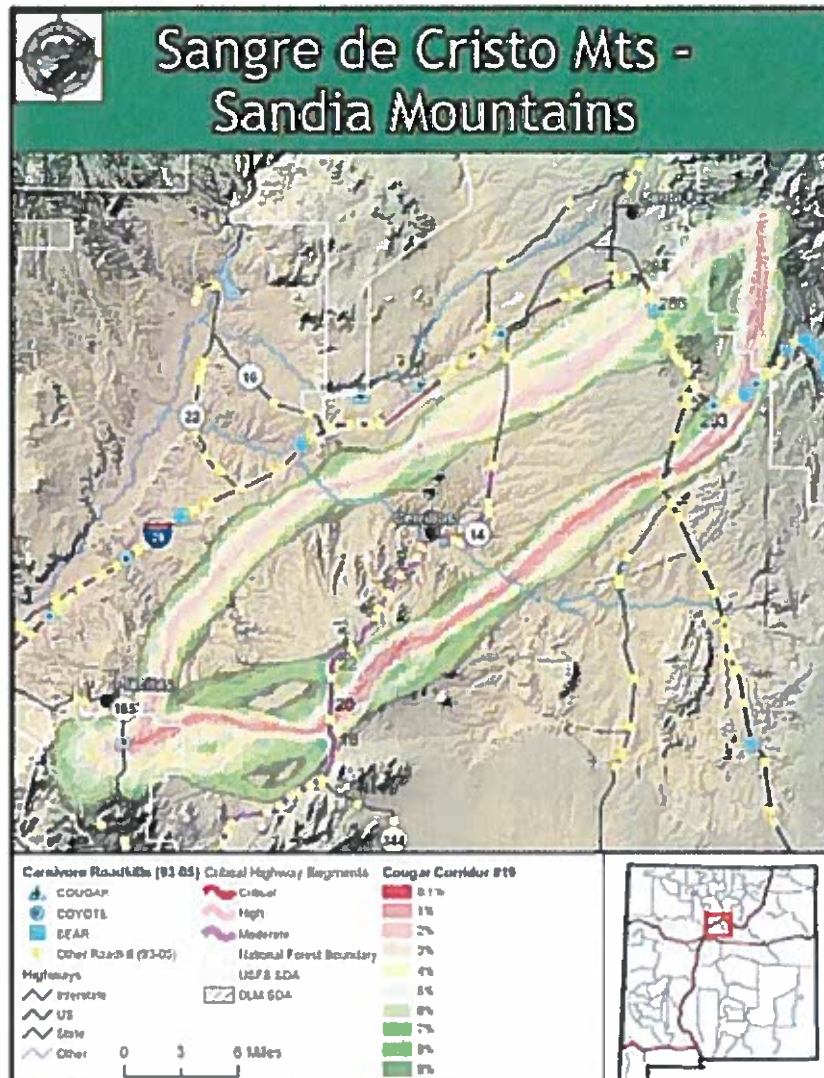


Figure 3: Habitat Value of the Proposed Mine Site Area



The proposed strip mine site sits in an area of moderate habitat value, closely flanked by two areas of high value

Figure 4: Potential Cougar Corridor Map (Share with Wildlife Final Report)



## Citations

<sup>1</sup> <http://www.edumine.com/xtoolkit/tables/sgtables.htm>

<sup>2</sup> <http://www.edumine.com/xtoolkit/tables/sgtables.htm>

<sup>3</sup> See <http://nmindustrypartners.org/wp-content/uploads/2011/09/NMTD-Quarterly-Report-January-2012.pdf>

<sup>4</sup> 2010 Santa Fe County Growth Management Plan, p. 51

<sup>5</sup> Thompson & Sorvig, Sustainable Landscape Construction, 2nd Edition, 2007, Island Press; p 88.

<sup>6</sup> Reported 2.28/2012, Associated Press

<sup>7</sup> <http://www.theguardian.com/travel/2014/jan/23/new-mexico-top-10-national-parks>

<sup>8</sup> [http://www.cbre.us/services/industrial/AssetLibrary/LandServices\\_NM\\_LaBajada.pdf](http://www.cbre.us/services/industrial/AssetLibrary/LandServices_NM_LaBajada.pdf)

<sup>9</sup> Buildology, 2005, 3.1 Time Frame, CDRC CASE # MIS 05-5230 Buena Vista Mineral Extraction, p. 4

<sup>10</sup> State Parks Feasibility Study 2006 "Potential Gateway Corridor" in the SGMP.

<sup>11</sup> SGMP Map 5-2 "Scenic and Historic Routes", p. 99

<sup>12</sup> See <http://www.rainreecounty.com/Blodgett.html#anchor923126>.

<sup>13</sup> New Mexican, P. Haywood, 3/23/08

March 11, 2014

FROM: Kim Sorvig MLA, DHonKew  
Research Assoc. Professor & George Pearl Fellow, UNM School of Architecture & Planning  
Contributing Editor, Landscape Architecture Magazine, Wash. DC  
NM and PA licensed Landscape Architect (inactive status)  
103c Camino los Abuelos, Santa Fe NM 87508

TO: Jose Larrañaga, Case Manager  
Santa Fe County  
POB 276  
Santa Fe, NM 87504

via e-mail

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**Re: CDRC CASE # Z/ DM XT 13-5360**

**OPPOSED to Buena Vista and Rockology LLC Application to mine La Bajada Mesa**

The referenced proposal is very nearly identical to two previous instances (2005 and 2008), from the same applicants under different corporate identities. I reviewed at least one of these previous versions in detail. In my professional judgment (as a licensed NM landscape architect and UNM researcher and teacher in this subject area) I found that those applications failed to address critical issues of public health and safety including dust control, water supply, stormwater management, and revegetation. In addition, those applications ignored the historic, cultural, and ecological value of the site, values recognized in County long-term planning over the past decade or more. Furthermore, those earlier applications gave misleading emphasis to questionable economic analysis. The County staff and citizens raised enough objections on both previous occasions that the applications were rejected or withdrawn.

The current application is effectively identical in its defects to the 2005 and 2008 versions. It differs primarily in reducing the footprint of the mine, while also making it abundantly clear that this would be just Phase One of an expanding operation that would ultimately be exactly as large as the first application, which requested permission to strip over two miles of the mesa. It also differs in using the county water utility as a means of avoiding the rightful jurisdiction of the State Engineer over issues of water rights, especially at this scale.

Details of these inadequacies and concerns with the current and previous proposals are documented in the letter submitted by the Rural Conservation Alliance, signed by Ross Lockridge on behalf of the RCA. I am a signatory to that document. It is in my professional opinion accurate and even understated in pointing out the serious problems with Buena Vista/Rockology and their application.

**As a county resident and as a land-use and sustainable construction expert, I strongly urge the County Development Review Committee (CDRC) to deny this proposal on March 20th because:**

1) La Bajada Mesa is a cultural and historic treasure – often overlooked as we sail up I-25 or the Railrunner. It has sacred sites connected to the long history of the Pueblos. It was the last challenge on the Camino Real from Mexico City. On its face, a segment of old Route 66 can still be hiked. For Santa Fe residents, it is the threshold that tells us we're home. It is worth far more to us as a landmark than as road-base.

2) The proposal asserts a "need" for a new mine. Apparently based on dreams of a captive market during Railrunner construction, this need is entirely private, and mostly imaginary. Within Santa Fe County, we already have Caja del Rio Quarry producing these products, with decades of reserves.



The CdR Quarry uses effluent, not drinking water; its excavations will be reused by the landfill where it is located. Permitting a new mine would undercut the CdR operation, cancelling out economic benefits. Even proponents estimate only seven new jobs; good pay or preferential local hiring are not assured. Besides, demand for virgin gravel is decreasing; construction is slow, and recycling old roads by crushing them for aggregate is increasingly cost-effective.

3) La Bajada provides regional "environmental services." Its geology influences surface and subsurface water: the Santa Fe River and La Cienega springs support traditional agriculture, and La Bajada pushes groundwater into Rio Grande Basin aquifers, which supply water to over 50% of New Mexico's population. The Rio Grande valley, which La Bajada helps define, is one of the top twenty wildlife and migratory bird corridors in the US. And as you know if you've driven up from Albuquerque with the top down, La Bajada buffers local climate by about ten degrees -- an increasingly important function.

4) Last but far from least, the County utility wants to sell drinking water, treated at public expense, to an operation that doesn't need potable water. Indefensible in itself, this is a terrible precedent. The County and City of Santa Fe share water-sources and treatment plants -- the County's taxpayer-funded distribution lines are separate. Water sold by either utility comes out of the same pot. This proposal would deprive residents of City and County alike of a million gallons a year. That's water the mine would continue buying when the rest of us are under Drought Restrictions.

By permitting this inappropriate and unnecessary use of drinking water, saying no to other industries becomes much harder. Oil and gas drillers use several million gallons of water per well, and in Texas have hoarded potable water while livestock and crops died of thirst. In the desert Southwest, we cannot afford to set such a precedent.

In addition to these major areas of concern, the present application is rife with inaccuracies, unsupported assertions, and outright misstatements, all of which conveniently distort the facts in a way that would be favorable to the applicants. Not only are the facts which are addressed mis-represented, but there are a significant number of procedural requirements that have not been addressed at all. These are not minor technicalities, but critical matters such as dust control, accurate traffic impact and infrastructure costs that the applicant expects to foist onto County taxpayers, stormwater compliance with the National Pollutant Discharge Elimination (NPDES) statutes, and requirements under the same statute for revegetation. Far from being procedural oversights, these form a pattern of indifference to public health and safety issues, which are the basis for the County's mandate to enforce appropriate land-use. These inaccuracies and incomplete documentation or plans are, by themselves, more than enough reason that the application must be rejected.



## Jose Larranaga

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**From:** Darshan F Jessop <fjessop514@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 1:38 PM  
**To:** Jose Larranaga; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

Please do not allow the proposed mine on La Bajada Mesa. New Mexico's limited water supply simply can't afford it.

Hauled water should not be considered adequate for long term mining operations. Santa Fe County should develop a policy that does not by default provide water to all Developments of Countywide Impact including oil and gas, mining, CAFO's etc. and not allow them to evade needed acquisition of commercial/industrial water rights. When a proposed mine is sited well (which the Buena Vista/Rockology mine isn't) it should have its own long-term water supply on site so as to eliminate the impacts of water hauling that includes traffic hazards as well as additional carbonization and infrastructure impacts from heavy trucks.

With this precedent set for mining the Mesa, if a mining company were to buy any or all of the remaining thousands of acres that are for sale on the international market, what then would become the county's obligations in 1) allowing further mining to the new corporate owners and, 2) supplying precious water resources for the extractions?

We simply can't afford this mine, and count on you to deny it.

Thank you,

Ms. D Jessop  
PO Box 5504  
Santa Fe NM 87502

**"Be kind whenever possible. It is always possible." - Dalai Lama**

**Jose Larranaga**

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**From:** Janiece Jonsin <jjonsin@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 3:28 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** CDRC Case Buena Vista Estates & Rockology Limited LLC  
**Categories:** Red Category

**Dear Jose Larranaga, Case Manager,**

**I urge you to deny the proposed gravel strip mine on the top of La Bajada Mesa, south of Santa Fe near I-25. This is one of the most important historical, cultural, and scenic landmarks in New Mexico. In addition, the County has unconscionably agreed to sell scarce, potable water for mining operations and for dust control. Please stop the destruction of this treasure.**

**The acre feet of water suggested by Buena Vista (2.19) is woefully insufficient to accomplish the intended uses, which in their application does not include reclamation.**

**The amount of water needed is not clear. The application claims a total of 710,000 gallons a year or 2.19 acre feet, which we think would be woefully insufficient to accomplish the suppression of dust. Even this amount would generate thousands of heavy water haul truck passes a year and contribute to deterioration of our state and county roads, the repair of which the taxpayer would have to subsidize.**

**Sincerely,  
Janiece Jonsin  
Santa Fe, NM  
505-501-1779**

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of James Mulcare <xsecretsx@cableone.net>  
**Sent:** Wednesday, March 12, 2014 6:41 PM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 12, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Mr. James Mulcare  
1110 Benjamin St  
Clarkston, WA 99403-2576



## Jose Larranaga

---

**From:** Elissa Heyman <elissaheyman@earthlink.net>  
**Sent:** Wednesday, March 12, 2014 8:17 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Robin Gurule; Stephen C. Ross; Robert A. Anaya; Daniel Mayfield; Miguel Chavez; Kathy S. Holian; Liz Stefanics  
**Subject:** Re: CDRC Case Buena Vista Estates & Rockology Limited LLC,  
**Categories:** Red Category

Dear Jose and others involved in the decision to stop the strip mining on La Bajada Mesa,

As visitors and locals alike come from the south to the entrance of Santa Fe, they could be met by industrial noise, pollution, dust, bright night lights, and other ugly developments if this mining goes through. It is the most short-sighted development project Santa Fe County has ever considered, just when Santa Fe is about to blossom as a forward-thinking, beauty-oriented, culturally rich Southwest city.

If this mining is allowed, the Santa Fe County residents' water supply will be endangered, so that a few people can make money by uglifying and degrading the landscape.

This travesty of nature and culture will be irreversible, it will be a ruination forever.

Do not allow this to take place! Stop this crazy plan, it will destroy so much for so little.

Sincerely,

Elissa Heyman

Santa Fe, NM

## Jose Larranaga

---

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

**Categories:** Red Category

**Subject:** Protest: Mining application on La Bajada Mesa  
Please, Jose Larranaga, AND OTHERS

I do NOT support mining in this location because:

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

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

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

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

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

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

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

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

**Jose Larranaga**

---

**From:** Carl Dickens <cedickens2@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 9:51 PM  
**To:** Jose Larranaga  
**Cc:** Penny Ellis-Green; Stephen C. Ross; Robin Gurule; Robert A. Anaya; Kathy S. Holian; Daniel Mayfield; Liz Stefanics; miguelmchavez@msn.com; Kathryn Ken Becker; Keir Careccio; Paul Murray; Mary Winter; JJ and Dolores; Robert-Patricia Romero; Judith Hands; Tom Mary Dixon  
**Subject:** CDRC Case Buena Vista Estates and Rockology Limited LLC  
**Attachments:** LCVA Letter Rockology Mine 3-14.docx  
**Categories:** Red Category

Dear Mr. Larranaga,

Please see the attached letter from the La Cienega Valley Association opposing the proposed Buena Vista Estates and Rockology LLC sand and gravel operation.

The LCVA has a number of concerns with an emphasis on water usage. In a time of drought and diminishing water sources this doesn't make sense.

Thank you,

Carl Dickens, President  
La Cienega Valley Association

CC: LCVA Board

**La Cienega Valley Association**  
PO Box 23554  
Santa Fe, New Mexico 87502  
**Preserving Our Rural Way of Life**

March 12, 2014

Jose Larranaga, Case Manager  
Santa Fe County  
102 Grant Avenue  
Santa Fe, New Mexico 87501

Re: CDRC Case Buena Vista Estates and Rockology Limited LLC

Dear Mr. Larranaga,

The La Cienega Valley Association (LCVA) voices its opposition to the proposed Buena Vista Estates and Rockology Limited LLC sand and gravel mine on La Bajada Mesa. The LCVA opposes the proposed sand and gravel operation for the following reasons;

1. The certain and lasting damage to a historic landscape
2. The increase traffic of large trucks in and around La Cienega
3. Concerns regarding dust from mining operations
4. Water issues

The last reason is our community's greatest concern. In an area experiencing the sustained effects of a long-term drought and diminished water sources allowing a mining operation to use water "at their discretion" for this purpose from the County Utility Dispensing Facility is simply not right and does not reflect responsible water planning.

As noted the LCVA does not support the Buena Vista Estates and Rockology LLC's application for a sand and gravel operation and mine.

Thank you,

Carl Dickens, President  
La Cienega Valley Association

NBB-361

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Gábor Major <gabor.86@citromail.hu>  
**Sent:** Thursday, March 13, 2014 12:28 AM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 13, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Mr. Gábor Major  
Jozsef Attila 34/2  
Los Angeles, CA 90211

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of Lilit Margaryan <lilith.margaryan@gmail.com>  
**Sent:** Thursday, March 13, 2014 4:59 AM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 13, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Ms. Lilit Margaryan  
A. Kachatryan 1/4, app.38  
Yerevan, None +374

## Jose Larranaga

---

**From:** WildEarth Guardians <action@wildearthguardians.org> on behalf of AniMaeChi drabic <sioux.01@bigpond.com>  
**Sent:** Thursday, March 13, 2014 7:29 AM  
**To:** Jose Larranaga  
**Subject:** Block Gravel Strip Mining on La Bajada Mesa Now  
**Categories:** Red Category

Mar 13, 2014

Case Manager Jose Larrañaga  
NM

Dear Case Manager Larrañaga,

Re: CDRC Case Buena Vista Estates & Rockology Limited LLC

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

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

The mining application proposes to use almost a million gallons of our increasingly scarce water per year for 25-years, while destroying an iconic landmark and diminishing the quality of life for all county residents and visitors.

Sincerely,

Ms. AniMaeChi drabic  
40S North Arnaz Street  
Ojai, CA 93023 1509



State of New Mexico  
House of Representatives  
Santa Fe

**BRIAN F. EGOLF, JR.**  
D - Santa Fe  
District 47

128 Grant Avenue, Suite 301  
Santa Fe, NM 87501  
Phone: (505) 986-9641  
E-Mail: Brian@BrianEgolf.com

**COMMITTEES:**  
Chair: Energy & Natural Resources  
Printing & Supplies  
Judiciary

**INTERIM COMMITTEES:**  
New Mexico Finance Authority Oversight  
*Advisory Member:*  
Legislative Council  
Courts, Corrections & Justice  
Land Grant  
Water & Natural Resources  
*Designee:*  
Legislative Finance

The Honorable Kathy Holian  
Board of County Commissioners  
Commission District 4  
P.O. Box 276  
Santa Fe, New Mexico 87504-0276

31 January 2014

Dear Chairwoman Holian,

We write today regarding the pending application of Buena Vista Estates, Inc. and Rockology Limited, LLC to open and operate an aggregate mine on La Bajada Mesa. This letter may serve as notification of our strong opposition to the project as well as a request from us to the Board of County Commissioners to take swift and strong action to prevent serious and permanent harm from coming to this important area of the County and the State of New Mexico.

We understand that the applicants' propose to operate a basalt surface mine on a site that is initially planned to be fifty acres for a period of at least twenty-five years. Unfortunately, the site is one that lacks its own source of water, is along a narrow and aging road, and is highly visible from I-25. The visual impact can hardly be overstated, and the inevitable deleterious effect on the landscape (and the subsequent negative impact on tourism) can easily be imagined. Residents near to the mine are rightly concerned about the impact of dust, truck traffic, and noise on their lives. Road safety, already a serious problem in southern Santa Fe County, will be worsened by the new presence of large numbers of gravel trucks on the area's narrow roads.

The water situation in this area of the County is serious. We understand that the applicants have either abandoned or temporarily postponed their attempt to move water rights to the area from elsewhere and are now pursuing an effort to become customers of the County's water utility. Given the distance to the mine from the nearest County water hook-up and the large amounts of water that are required for a mine of this size, we think it unwise for the County

NBB-370




to provide water to this project. This is especially true in light of our recent successful effort to add the Penitentiary of New Mexico to the County's water utility and to have the Penitentiary stop pumping their old water wells.

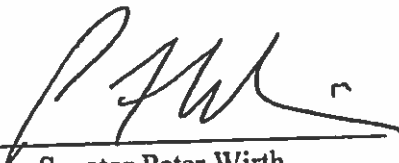
The potential economic benefits of this project will be far outweighed by the costs. Under the applicants' own estimates, the project will send far less than \$100,000 to the County each year, an amount that will be easily surpassed in the event the County is required to upgrade roads, provide additional public safety coverage as a result of the project, or upgrade water utility infrastructure. Furthermore, the economic benefits have virtually no possibility of benefitting the communities that are immediately impacted by the project.

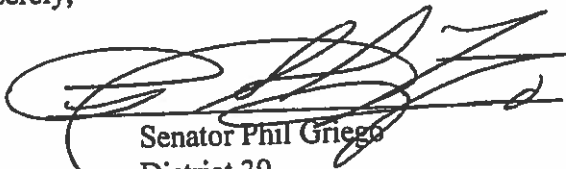
We request that the Board of County Commissioners initiate a process similar to the one initiated in 2007-08 to respond to the possibility of expanded oil and gas exploration in Santa Fe County. By imposing a moratorium for the purpose of adopting new sensible rules and regulations to protect public health, safety and welfare, the County will be taking a strong step in the right direction. There are a great many issues beyond the few mentioned in this letter that require serious consideration and debate. We hope that the Board of County Commissioner, with your leadership, will take appropriate action to protect the interests of all who will be impacted by this proposed mine.


Please do not hesitate to contact us if there is any way in which we may help you in this process.

Sincerely,

  
Representative Brian Egolf  
District 47

  
Senator Peter Wirth  
District 25

  
Senator Phil Griego  
District 39

  
Representative Stephanie  
Garica Richard  
District 43

NBB-371

**Daniel "Danny" Mayfield**  
Commissioner, District 1

**Miguel M. Chavez**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Kathy Holian**  
Commissioner, District 4

**Liz Stefanics**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**DATE:** March 20, 2014

**TO:** County Development Review Committee

**FROM:** John Lovato, Development Review Specialist Sr. *JL*

**VIA:** Penny Ellis-Green, Land Use Administrator *PEG*  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CDRC CASE # V 14-5020 Dennis & Lynne Comeau Variance

**ISSUE:**

Dennis and Lynne Comeau, Applicants, request a variance of Article VII, Section 3.4.1.c.1.c.i (No Build areas) of the Land Development Code, to allow 30% slope disturbance for an existing driveway to access a buildable area on a 66.52 acre parcel.

The property is located at 191 County Road 74 in the vicinity of Tesuque, within Section 20, Township 18 North, Range 10 East, (Commission District 1).

**Vicinity Map:**



## **REQUEST SUMMARY:**

The Applicants request a variance to allow disturbance of 30 % slope for a driveway to access a parcel totaling 66.52 acres. The driveway has been previously cut and was not permitted through the Santa Fe County Building and Development Services Department. The existing access contains grades greater than 11% which exceeds access requirements for Fire and Emergency vehicles.

Article VII, § 3.41.c.c.i (No Build Areas) of the Land Development Code states: “access for corridors, utility corridors and landscape areas proposed on natural slopes in excess of thirty percent (30%) that disturb no more than three (3) separate areas of no more than one thousand (1,000) square feet each provided the Applicant demonstrates that no alternative development location is available”

The previously cut driveway requires a variance of Article VII, § 3.4.1.c.1.c.i (No Build areas) to allow 30% slope disturbance. The first occurrence is 28,572 square feet, and the second occurrence is 2,568 square feet. The total combined disturbance is 31,140 square feet. The Land Development Code allows up to three isolated occurrences each not to exceed 1,000 square feet for access.

The Applicants state the driveway was created before the purchase of the property, and they have no other route to the only buildable site on the property. Therefore, they are asking for a variance to allow the disturbance of 30% slope. Staff has confirmed that this area is the only buildable site on the property. The driveway was cut without approved plans. The Applicant has submitted plans sealed by a Professional Engineer that identify a total of 31,140 square feet of slope disturbance with 443 linear feet of retaining wall.

Article II, § 3 (Variances) of the County Code states: “Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance.” This Section goes on to state “In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified”. **(The Variance Criteria does not consider financial or medical reasons as extraordinary hardship).**

**This Application was submitted on January 21, 2013.**

**On February 20, 2014 The CDRC Met and acted on this case. The CDRC recommended tabling of the case to allow the Applicant to meet with the adjacent property owner to try to come to an agreement for shared access which would minimize slope disturbance that would be created by having two totally separate driveways.**

On February 25, 2014, staff met with the two parties and recommended sharing the existing driveway to reduce further scarring of an additional access. The Applicants have agreed to share a portion of the existing driveway with the adjoining property owner. Letter Attached as (Exhibit 9)

Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the request meets the intent of the variance criteria of the Code, due to unusual topography of the site and the limited buildable area.

**APPROVAL SOUGHT:** Approval for previously cut driveway to access a building site on a parcel containing 66.52 acres, which due to site conditions would require a variance of Article VII, § 3.4.1.c.1.c.i (No Build Areas) to allow two (2) separate areas of 30% slope disturbance totaling 31,140 square feet.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-2

**VARIANCES:** Yes

**HYDROLOGIC ZONE:** Mountain Hydrologic Zone, minimum lot size per Code is 80 acres per dwelling. Lot size can be reduced to 20 acres per dwelling with signed and recorded water restrictions.

**ACCESS:** County Road 74.

**FIRE PROTECTION:** Tesuque Fire District.

**WATER SUPPLY:** Domestic Well

**LIQUID WASTE:** Conventional Septic System

<b>AGENCY REVIEW:</b>	<u>Agency</u>	<u>Recommendation</u>
	County Fire	Approval
	Public Works	Conditional Approval

**STAFF RECOMMENDATION:** Staff acknowledges this request does not meet Code requirements. This driveway accesses the only buildable area on the property. The cut was done prior to the Applicants owning the property. Staff feels this could be considered an easing of Code requirements due to the driveway being previously cut. The Applicant proposes to make the driveway more accessible for emergency vehicles, meeting life safety concerns, and fire Code requirements. It also meets the intent of the Code criteria for variances due to the unusual topography of

**the site. Therefore, Staff recommends approval of the Applicants request.**

If the decision of the CDRC is to recommend approval of the Applicant's request for a variance, staff recommends imposition of the following conditions:

1. The Applicant must obtain a development permit from the Building and Development Services Department for construction of the driveway. (As per Article II, § 2).
2. The Applicant shall submit a grading plan. Any further disturbance shall be marked before any grading is done. (As per Article VII, § 3.4.3.c).
3. The Applicant shall comply with all Fire Prevention Division requirements at time of development application (As per 1997 Fire Code and 1997 Life Safety Code).

**EXHIBITS:**

1. February 20, 2014 CDRC Minutes
2. Letter of request
3. Review Agency Comments
4. Article VII, § 3.4.1.c.c.i (No Build Areas)
5. Article II, § 3 (Variances)
6. Applicant's Plans
7. Site Photographs
8. Aerial of Site and Surrounding Area
9. Letter of Agreement

There was no one from the public wishing to speak.

Based on the testimony heard Member Katz moved to approve Case #C 13-5400 with two staff conditions. He noted many people used the road. Member Anaya seconded and the motion carried by 6-0 voice vote.

- VII. E. **CDRC CASE # V 14-5020 Dennis & Lynne Comeau Variance. Dennis and Lynne Comeau, Applicants, request for a variance of Article VII, Section 3.4.1.c.1.c.i (No-Build areas) of the Land Development Code, to allow 30 percent slope disturbance for an existing driveway to access a buildable area on a 66.52-acre parcel. The property is located at 191 County Road 74 in the vicinity of Tesuque, within Section 20, Township 18 North, Range 10 East, (Commission District 1)**

Mr. Lovato read the caption and gave the following staff report:

“The Applicants request a variance to allow disturbance of 30 percent slope for a driveway to access a parcel totaling 66.52 acres. The driveway has been previously cut and was not permitted through the Santa Fe County Building and Development Services Department. The existing access contains grades greater than 11 percent which exceeds access requirements for Fire and Emergency vehicles.

“The previously cut driveway requires a variance of Article VII, § 3.4.1.c.1.c.i (No Build areas) to allow 30 percent slope disturbance. The first occurrence is 28,572 square feet, and the second occurrence is 2,568 square feet. The total combined disturbance is 31,140 square feet. The Land Development Code allows up to three isolated occurrences each not to exceed 1,000 square feet for access.

“The Applicants state the driveway was created before the purchase of the property, and they have no other route to the only buildable site on the property. Therefore, they are asking for a variance to allow the disturbance of 30% slope. Staff has confirmed that this is the only buildable site on the property. The driveway was cut without approved plans. The Applicant has submitted plans sealed by a Professional Engineer that identify a total of 31,140 square feet of slope disturbance with 443 linear feet of retaining wall.

“Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the request meets the intent of the variance criteria of the Code, due to unusual topography of the site and the limited buildable area.”

Mr. Lovato indicated Staff acknowledges this request does not meet Code requirements. This driveway accesses the only buildable area on the property. The cut was done prior to the Applicants owning the property. Staff feels this could be considered an easing of code requirements due to the driveway being previously cut. The Applicant



proposes to make the driveway more accessible for emergency vehicles, meeting life safety concerns, and fire code requirements. It also meets the intent of the Code criteria for variances due to the unusual topography of the site. Therefore, Staff recommends approval of the Applicant's request.

If the decision of the CDRC is to recommend approval of the Applicant's request for a variance, staff recommends imposition of the following conditions:

1. The Applicant must obtain a development permit from the Building and Development Services Department for construction of the driveway. (As per Article II, § 2).
2. The Applicant shall submit a grading plan. Any further disturbance shall be marked before any grading is done. (As per Article VII, § 3.4.3.c).
3. ~~The driveway grade shall not exceed 11%. (As Per Article V, § 8.1.3 (Legal Access) [Removed at staff report.]~~
4. The Applicant shall comply with all Fire Prevention Division requirements at time of development application (As per 1997 Fire Code and 1997 Life Safety Code).

Member Katz noted that since there is only one buildable site, denial of this variance could constitute a taking. Ms. Brown said that was a nuanced legal determination but it was a possibility.

Member Booth asked for clarification on the grade percentage allowed for the driveway. Mr. Lovato said up to 15 percent is allowed and this driveway has a maximum of 13 percent. She asked if the people who created the driveway were fined and Mr. Lovato said they were not. The situation did not become clear into a residence permit was requested.

Deb Short, under oath and the builder for the property, stated the problem was discovered in the course of permitting. They have worked to comply with all the conditions recommended by Land Use and the Fire Marshal. The house will be sprinklered and there are staging and passing areas for emergency vehicles. They are trying to avoid disturbing any more of the land.

Member Gonzales ascertained that the lot was 66 acres and there was no plan to subdivide further. Ms. Short said there is very little buildable land. They have a private well.

Chair Drobni asked if there would be additional grading and retaining walls. Ms. Short said there would be.

Fire Marshal Patty indicated that the property is very steep and the route they anticipate appears to be the only possible access. It is impossible to get the slope less than 13 percent.

Henry Carey, duly sworn, provided maps and supporting materials. [Exhibit 4] He said he owns the property to the east and demonstrated his easement, which goes along the northern boundary on the map. The road as built does not follow the easement as drawn. His concern was that the Comeau's driveway would form a stair-step with his planned driveway and in places intersect with it. Some of the slopes are at around 40 percent. He asked that there be an accurate survey and an engineering study of the driveways being so close to one another. He has spoken with Mr. Comeau and he is open to a common solution.

Member Katz asked how Mr. Carey intends to build his driveway. He said he would have the same problems. The easement dates back to the time of the Pacheco Family. The land under the easement belongs to the Comeau's.

Member Gonzales asked what the effect of the new code would be. Mr. Lovato said there would be minimal or no difference.

Duly sworn, Engineer Morey Walker used a map to show the difficulties involved. The Comeau property is much closer to the road so they have to start the slope sooner. A shared driveway would require an additional variance since it would have to be 20 feet wide instead of 14 feet and disturb more slopes.

Chair Drobni asked if they would be willing to delay a month in order to work for a common solution. Ms. Short said they've already delayed three months.

Mr. Carey expressed his concern that he would be prevented from building his driveway in the future.

Member Booth asked if they were ones who put the driveway in originally. Mr. Walker said they were not but they're attempting to fix it. Member Booth said she didn't want to encourage people to put in illegal roads. Mr. Walker said his clients were unaware of the problems when they purchased the property. Ms. Brown said she was unaware of any effective remedy against the people who originally put in the driveway at this point.

Mr. Walker explained the grading they were planning.

There was no one else from the public wishing to speak.

Member Katz moved to postpone the case for a month in order to allow a consolidation of the two plans to minimize slope disturbance. Member Booth seconded and to motion carried 4-2 with Members Anaya and Gonzales voting against.

Ms. Lucero said the case would be placed on next month's agenda.



# Vineyard Homes LLC

## LETTER OF INTENT RE: APPLICATION FOR VARIANCE FOR COMEAU DRIVEWAY

January 10, 2014  
Santa Fe County  
Variance Hearings  
102 Grant Ave. Santa Fe, NM 87504

This letter is written to provide an explicit statement as to the nature and intent of the variance that is being requested by Vineyard Homes LLC (the contractor). The size of the property is 48 acres. The owners, Dennis and Lynne Comeau wish to build their home on a ridge top in Tesuque County. We are asking for a variance on a driveway that is on a hill that in sections exceed 30% slope.

Vineyard Homes LLC along with the Tesuque Fire department, Santa Fe Public Works and the Department of Land Use have determined that this driveway is the only route to the building pad of the home from SF County Road 74.

Buster Patty with the Tesuque fire department has requested a "pass by" and a "turn around" area for emergency vehicles. This will be satisfied with a "turn around" area at the top of the driveway near the home and a "pass by"  $\frac{3}{4}$  of the way up the driveway. He also is requesting a staging area at the bottom of the driveway for emergency vehicles. We have been granted permission by the owner of the property where the community well is located to use his property as a staging area for emergency vehicles. This property is located at the base of the driveway on the other side of SF County Road 74.

We respectfully request relief from the strict letter of the ordinance requirements prohibiting driveways built on slopes equaling or exceeding 30%. The owners of the property have no other options for a driveway to their building site other than through this existing route. Disallowance of this variance would create an insurmountable hardship to the owners towards the construction of their personal residential property.



We trust you will concur with the Tesuque Fire Department, Santa Fe Public Works and the Department of Land Use that this driveway should be permissible as the access route of the owners to their future residence. The owners have no intention of deviating from the natural motif and architectural harmony of the existing surroundings.

Respectfully Submitted,

Deborah Short, Managing Member  
Vineyard Homes LLC

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Submittal Review

Date	1/9/14		
Project Name	Comeau, Dennis and Lynne		
Project Location	191 Santa Fe County Road 74, West of the trailer park		
Description	Single Family Residence	Case Manager	C. Mente
Applicant Name	Dennis and Lynne Comeau	County Case #	13-675
Applicant Address	5820 4 <sup>th</sup> St. NW Albuquerque, NM 87107	Fire District	Tesuque
Applicant Phone	505-235-5225 (Vineyard Homes)		
Review Type	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input checked="" type="checkbox"/>
	Wildland <input type="checkbox"/>	Variance <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
		Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>
Project Status	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/>	Denial <input type="checkbox"/>

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*):

#### Fire Department Access

*Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal*

#### ▪ Roadways/Driveways

*Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.*



The proposed driveway and emergency vehicle turn around has been approved with the addition of a vehicle pull-out and the installation of an Automatic Fire Suppression System meeting NFPA 13D requirements. The roads shall meet the minimum County standards for fire apparatus access roads of a minimum 14' wide all-weather driving surface and an unobstructed vertical clearance of 13' 6" within this type of proposed development.

▪ **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

▪ **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

There is a portion of the driveway that cannot meet the 11% requirement, due to topography. The homeowner has agreed to install an Automatic Fire Suppression system meeting NFPA 13D requirements (per UFC Article 9, Section 9.2.2.1).

▪ **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

To prevent the possibility of emergency responders being locked out, all access gates should be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

**Automatic Fire Protection/Suppression**

All Automatic Fire Protection systems shall be developed by a firm certified to perform and design such systems. Copies of sprinkler system design shall be submitted to the Fire Prevention Division for review and acceptance prior to construction. Systems will not be approved unless tested by the Santa Fe County Fire Department. Fire sprinklers systems shall meet all requirements of NFPA 13-D Standard for the Installation of Sprinkler Systems.

All sprinkler and alarm systems as required shall be tested and approved by the Santa Fe County Fire Department, prior to allowing any occupancy to take place. It shall be the responsibility of the installer and/or developer to notify the Fire Prevention Division when the system is ready for rough-in and final testing.

The requirement for residential fire protection sprinkler systems shall be recorded on the plat and in the covenants at the time of filing or as otherwise directed by the County Fire or Land Use Department.

## **Life Safety**

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a private occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

## **General Requirements/Comments**

### ▪ Inspections/Acceptance Tests

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

### ▪ Permits

As required

**Final Status**

Recommendation for Final Development Plan approval with the above conditions applied.

*Victoria DeVargas, Inspector*

Victoria DeVargas  
Code Enforcement Official

1/9/14  
Date

Through: David Sperling, Chief  
Buster Potty, Fire Marshal *HP*

File: NorthReg/DevRev/Tes'ComeauDennisLynneSFR.doc

Cy: C. Mente, Land Use  
Applicant  
District Chief  
File

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Liz Stefanics  
Commissioner, District 4

Kathy Holian  
Commissioner, District 5

Katherine Miller  
County Manager

**PUBLIC WORKS DIVISION  
MEMORANDUM**

**Date:** January 8, 2014

**To:** Caleb Mente, Plans Examiner, Land Use Department

**From:** Paul Kavanaugh, Engineering Associate Public Works *PK*  
Johnny P. Baca, Traffic Manager Public Works *JPB*

**Re:** Development Permit # 13-674 Comeau Driveway Construction.

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads)**. The referenced project is located south of County Road 74 and East of Camino Tres Cruces within Section 20, Township 18 North, Range 10 East. The applicant is requesting an administrative approval to allow construction of a fourteen foot (14') driveway to a 44.512 acre parcel as shown as Tract 4-D, on Plat of Survey Dated June 18, 2009, and titled "LOT LINE ADJUSTMENT PLAT FOR RUDY ANAYA AND EDNA MAE ANAYA" Book 704 page 014.

**Access:**

The applicant is proposing to modify an existing fourteen (14') foot driveway accessing the 44.512 acre tract off County Road 74. Note 14) on the Plat of Survey titled "LOT LINE ADJUSTMENT PLAT FOR RUDY ANAYA AND EDNA MAE ANAYA" Book 704 page 014, states *New driveway/roadway access from County Road #74 is subject to approval by the County Public Works Director.*

**Conclusion:**

Prior to an approval from the Public Works Department the following shall be addressed;

- Applicant shall provide a proof that a Development Permit was obtained for the driveway prior to Public Works acknowledging that it is an existing permitted driveway, as stated note 14 of the plat.
- Applicant shall provide drainage plans that will address post development runoff onto County Road 74. Santa Fe County will not accept drainage liabilities created by storm water runoff created from a private property.

b. **Buildable Areas.** Each lot shall have a Buildable Area which shall meet the following criteria:

- 1) The natural slope is less than thirty percent (30%);
- 2) New lots shall contain an area suitable for building, including areas suitable for access corridor and utility sites and corridors which can be developed in accordance with these terrain management regulations and other requirements of the Code.
- 3) Meet all required setback standards for ridgetops, drainage ways, etc.
- 4) Contain a site with slope of less than fifteen percent (15%) and soils adequate by type and thickness in order for installation of a septic tank with leach field to be approved. In all other cases, alternative liquid waste disposal will be required.

c. **No Build Areas**

- 1) The following areas shall be set aside from use for development:
  - a) areas of rock outcropping, wetlands, arroyos and natural drainage ways,
  - b) A minimum of twenty-five feet (25') set back is required from the natural edge of streams, waterways, drainage ways or arroyos that may convey a discharge ("Q") of one hundred cubic feet per second (100 cfs) or more, generated by a design storm (100 year recurrence, 24 hour duration); the required setback may be increased if the Code Administrator determines that a clear hazard exists because of slope stability and hydrologic/hydraulic conditions. In evaluating the need to increase the setback, the Code Administrator shall consider property and channel slope, velocity of channel flow, hydraulic radius, roughness coefficient and sectional area of the particular drainage way. A requirement for increased setback imposed by the County shall not be interpreted to be an engineered development plan for development or encroachment to any FEMA designated 100 year floodplain or significant tributary thereof.
- c) Natural slopes of thirty percent (30%) or greater. Exceptions may be approved by the Code Administrator for :
  - i. access corridors, utility corridors and landscape areas proposed on natural slopes in excess of thirty percent (30%) that disturb no more than three (3) separate areas of no more than one thousand (1000) square feet each, provided the applicant demonstrates that no alternative development location is available; and
  - ii. arroyo crossings may be approved which disturb more than one thousand (1000) square feet in each instance provided that slope stability and hydrologic/hydraulic conditions are not changed from pre-development values; and
  - iii. siting of structures to preserve remaining traditional agricultural lands and uses.
  - iv. The applicant shall demonstrate that crossing such slopes has minimal impact to terrain or to visual quality and otherwise would conform to the purposes and standards set forth in Article III, Section 2.3 and Article VII, Section 3.4. See the Guidelines for Site Planning and Development in Santa Fe County.
- 2) No Build Areas may be used as part of the dedicated open space or may be included in lots as conservation easements or may be platted as common area within a subdivision or land division.

EXHIBIT

4.



**2.5 Zoning**

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

**2.6 Subdivisions**

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

**2.7 Other Requirements**

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.


**SECTION 3 - VARIANCES**
**3.1 Proposed Development**

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking of property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

**3.2 Variation or Modification**

In no case shall any variation or modification be more than a minimum easing of the requirements.

**3.3 Granting Variances and Modifications**

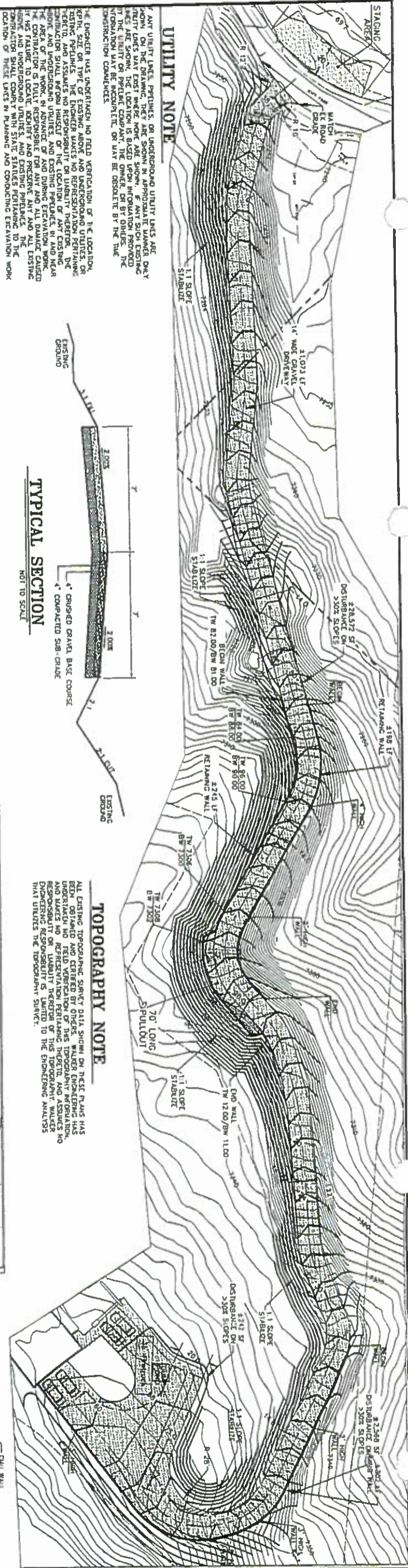
In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

**3.4 Height Variance in Airport Zones**

All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the

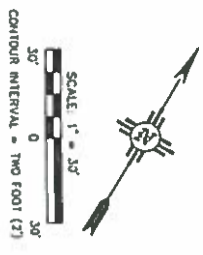






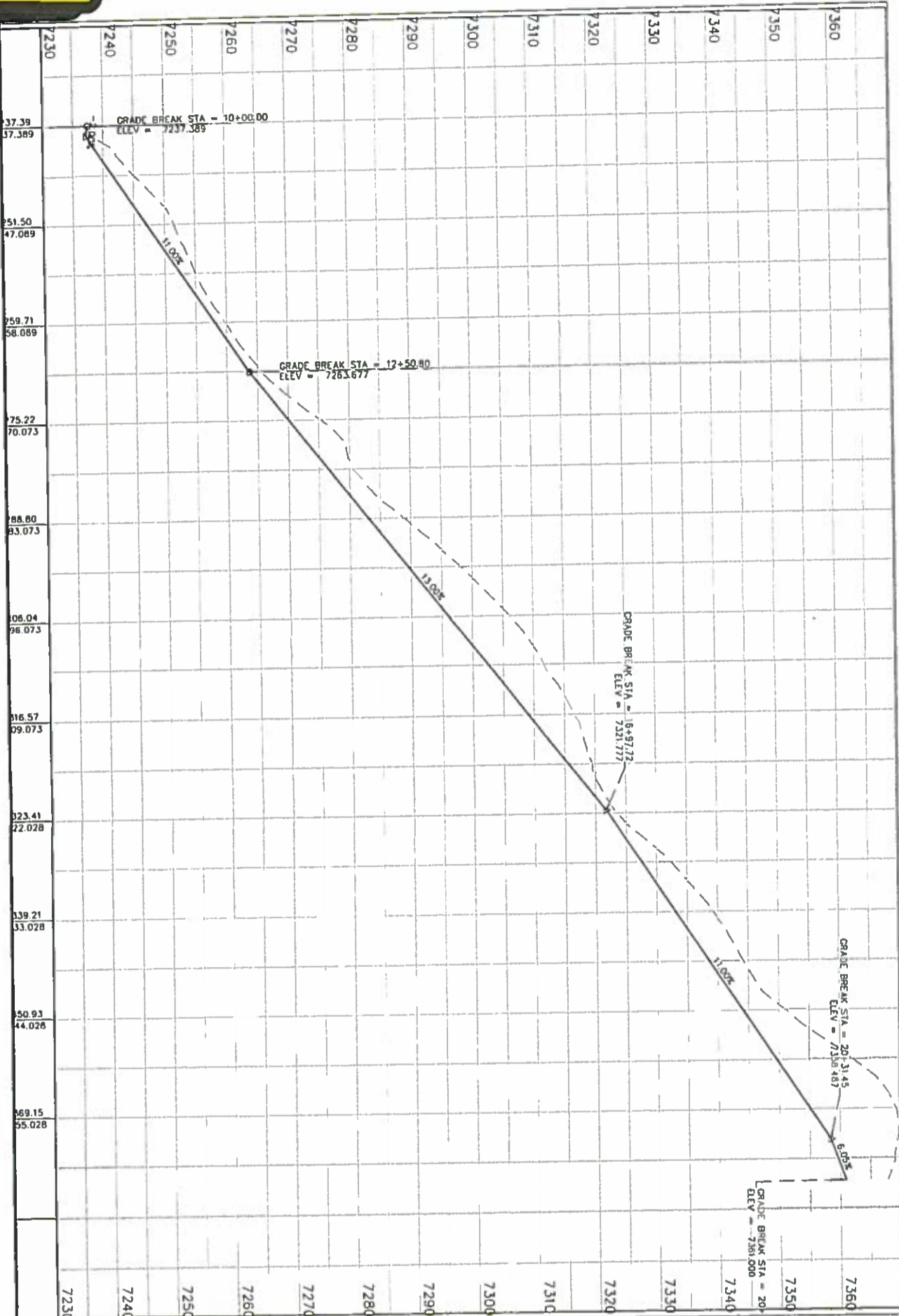
**EARTHWORK**

CUT: 0.120 CY  
 FILL: 4.871 CY (0.999)  
 CONTRACTOR SHALL MAINTAIN  
 COMPACTOR FACTOR NOT HIGHER THAN 95%



**STAKING NOTE**

INFORMATION SHOWN IS FOR GRADING AND DRAINAGE ONLY AND IS NOT TO BE USED FOR STAKING PURPOSES. SET SITE PLAN FOR ACTUAL LOCATION OF IMPROVEMENTS.

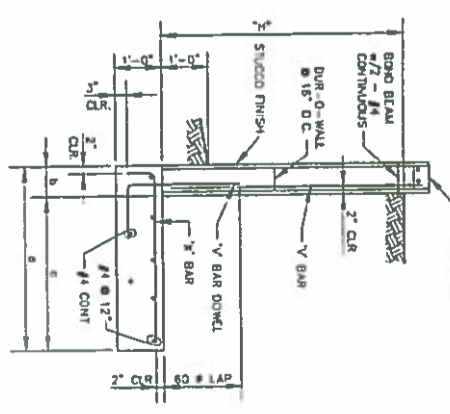


**TOPOGRAPHY NOTE**

ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS HAS BEEN CHECKED AND FOUND TO BE CORRECT. THE ENGINEER HAS CONDUCTED FIELD VERIFICATION OF THIS TOPOGRAPHY INFORMATION, AND MAKES NO REPRESENTATION PERTAINING THEREIN. THE ENGINEER'S RESPONSIBILITY FOR THE TOPOGRAPHY INFORMATION IS LIMITED TO THE INFORMATION SHOWN.

**TYPICAL SECTION**

NOT TO SCALE

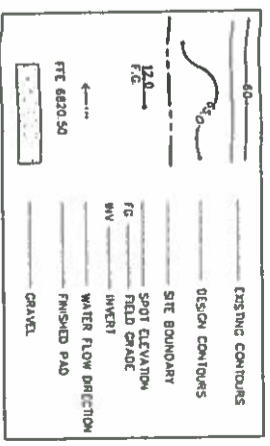


**CMU CANTILEVER RETAINING WALL SCHEDULE**

H	D	B	C	V	X
8'-0" to 10'-0"	8'-0"	12"	4'-0"	#5 @ 24"	#3 @ 24"
8'-0" to 10'-0"	8'-0"	8"	3'-4"	#3 @ 18"	#1 @ 18"
4'-0" to 8'-0"	4'-0"	8"	2'-4"	#4 @ 18"	#1 @ 18"
4'-0" to 8'-0"	4'-0"	8"	1'-4"	#1 @ 32"	#1 @ 32"

REBAR  $f_y = 80,000$  psi  
 CONCRETE  $f_c = 3,000$  psi  
 CMU  $f_c = 1,500$  psi  
 MODULAR TRENCH OR S  
 NOTE: V-BAR DIMENSIONS, SPACING AND CLEARANCE AS V-BARS

**LEGEND**



**COUNTY REVIEW**

DEPARTMENT	SIGN-OFF	DATE
SF COUNTY WATER RESOURCES DEPT.		
SF COUNTY FIRE DEPARTMENT		

COUNTY USE ONLY

PROJECT: **TESUQUE HOUSE**  
 SHEET TITLE: **GRADING AND DRAINAGE PLAN**



No.	REVISION	BY	APP.	DATE

PROJECT: 13-140 DESIGNED BY: P.L.B.  
 FILE: 140 GRADE DRAWN BY: P.L.B.  
 DATE: 8/9/2019 CHECKED BY: M.E.W.  
 SCALE: AS NOTED

Civil Engineering • Water Resources • Traffic Engineering

**W. E. Walker Engineering**  
 905 Camino Sierra Vista, Santa Fe, NM 87501

505-820-7000  
 FAX 505-820-3630  
 E-MAIL: civil@walkerengineering.net

C-2

C-1



**UTILITY NOTE**

IF ANY UTILITY LINES, PERMITS OR UNDERGROUND UTILITY LINES ARE SHOWN ON THE DRAWING, THEY ARE SHOWN IN APPROXIMATE LOCATIONS ONLY. UTILITY LINES MAY EXIST WHERE NOT SHOWN. INFORMATION CONCERNING THE LOCATION OF UTILITY LINES SHOULD BE OBTAINED FROM THE UTILITY OR PERMIT COMPANY. THE OWNER OR OTHERS. THE INFORMATION MAY BE INCOMPLETE, OR MAY BE OBSOLETE BY THE TIME CONSTRUCTION COMMENCES.

THE ENGINEER HAS SUPERVISED NO FIELD INSPECTION OF THE LOCATION, DEPTH, SIZE OR TYPE OF EXISTING ABOVE AND UNDERGROUND UTILITIES OR EXISTING PERMITS. THE ENGINEER MAKES NO REPRESENTATION PERTAINING HERETO, AND ASSUMES NO RESPONSIBILITY OR LIABILITY THEREFOR. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND PERMITS BEFORE ANY EXCAVATION OR CONSTRUCTION WORK. THE CONTRACTOR IS FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE CAUSED BY HIS FAILURE TO LOCATE, IDENTIFY AND EXISTING UTILITIES AND PERMITS. THE CONTRACTOR SHALL COMPLY WITH STATE STANDARDS PERTAINING TO THE LOCATION OF THESE LINES IN PLANNING AND CONDUCTING EXCAVATION WORK.

**TOPOGRAPHY NOTE**

ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THIS PLANS HAS BEEN OBTAINED FROM THE U.S. GEOLOGICAL SURVEY. THE ENGINEER HAS SUPERVISED NO FIELD INSPECTION OF THE TOPOGRAPHY INFORMATION, AND MAKES NO REPRESENTATION PERTAINING HERETO, AND ASSUMES NO RESPONSIBILITY OR LIABILITY THEREFOR. THE CONTRACTOR SHALL VERIFY THE TOPOGRAPHY SURVEY DATA TO THE ENGINEERING ANALYSIS THAT SHOWS THE TOPOGRAPHY SURVEY.

**STAKING NOTE**

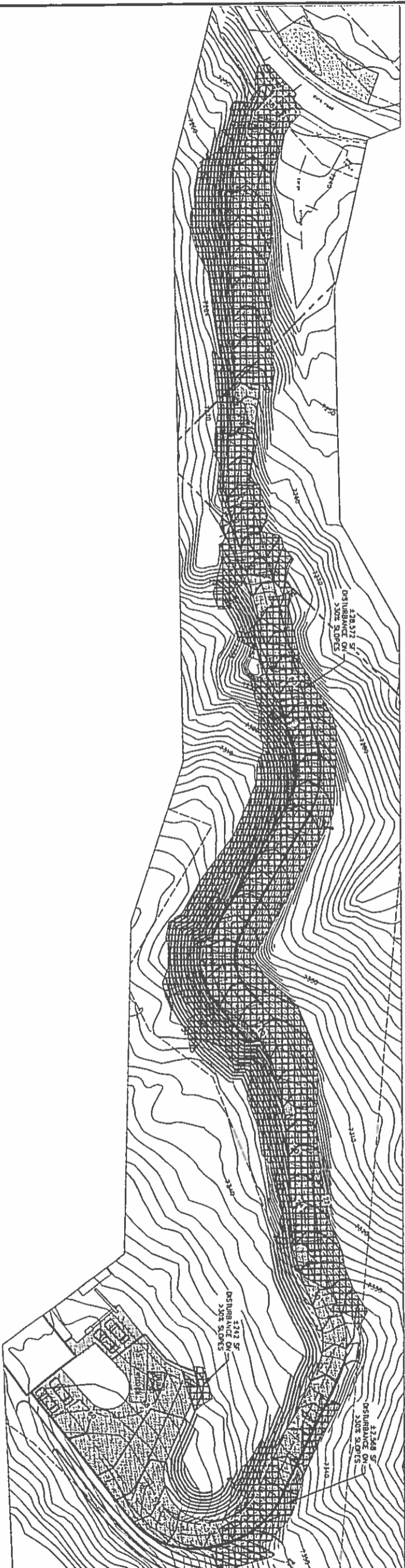
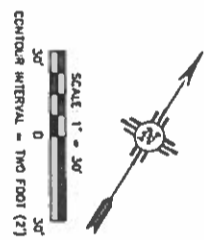
INFORMATION SHOWN IS FOR GRADING AND DRAINAGE ONLY AND IS NOT TO BE USED FOR STAKING PURPOSES. SET SILE PLAYS FOR ACTUAL LOCATION OF IMPROVEMENTS.

**DISTURBANCE**

DISTURBANCE ON 3:0% SLOPES 31,328 SF

**LEGEND**

	EXISTING CONTOURS
	EXCISE CONTOURS
	SITE BOUNDARY
	SPOT ELEVATION
	FIELD GRADE
	WATER
	WATER FLOW DIRECTION
	PAVED PAD
	GRAVEL



COUNTY REVIEW		
DEPARTMENT	SIGN-OFF	DATE
SF COUNTY WATER RESOURCES DEPT.		
SF COUNTY FIRE DEPARTMENT		
COUNTY USE ONLY		

PROJECT:	<b>TESUQUE HOUSE</b>
SHEET TITLE:	<b>EXISTING SLOPE ANALYSIS</b>



No.	REVISION	BY	APP.	DATE

PROJECT: 15-140 DESIGNED BY: P.L.B.  
 FILE: 140 GRADE DRAWN BY: P.L.B.  
 DATE: 8/8/2013 CHECKED BY: M.E.W.  
 SCALE: AS NOTED

Civil Engineering • Water Resources • Traffic Engineering

**W. E. Walker Engineering**

905 Camino Sierra Vista, Santa Fe, NM 87501

505-820-7990  
 FAX 505-820-3639  
 E-MAIL civil@walkerengineering.net

C-1

C-1



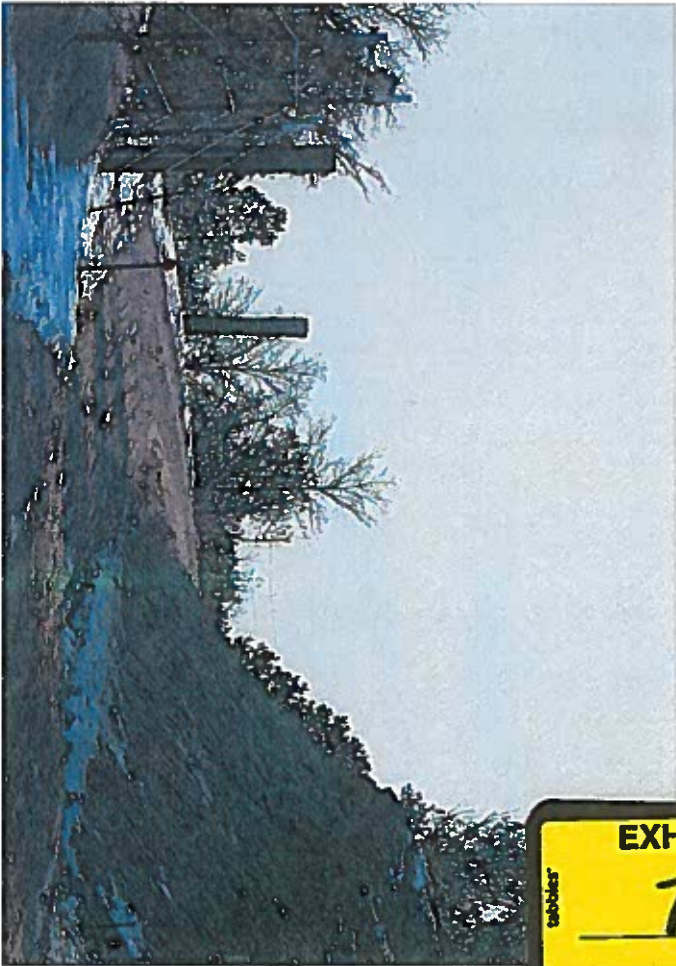
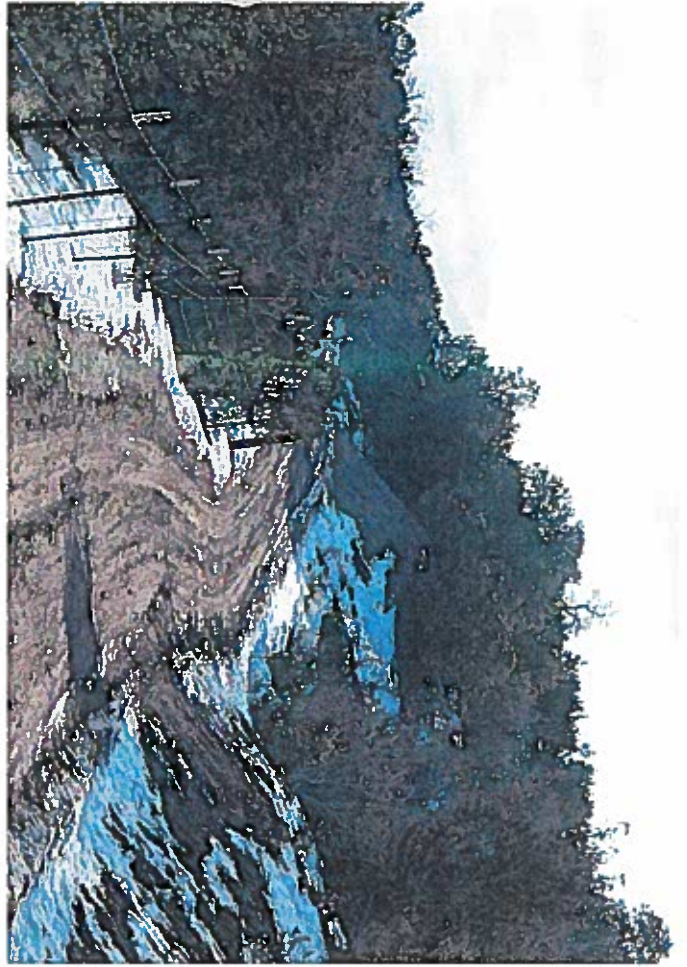
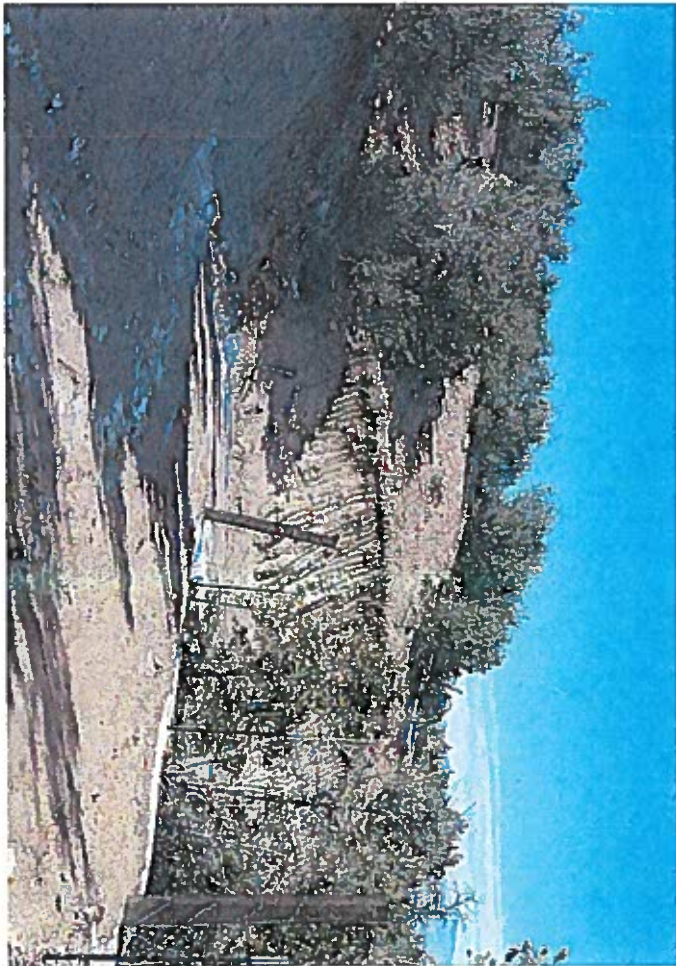
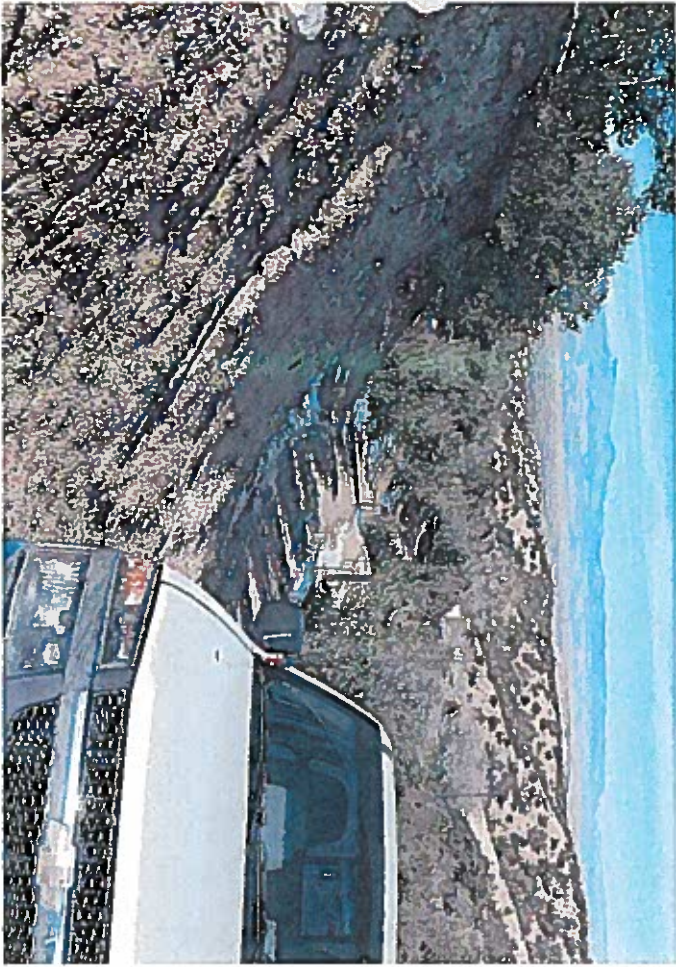
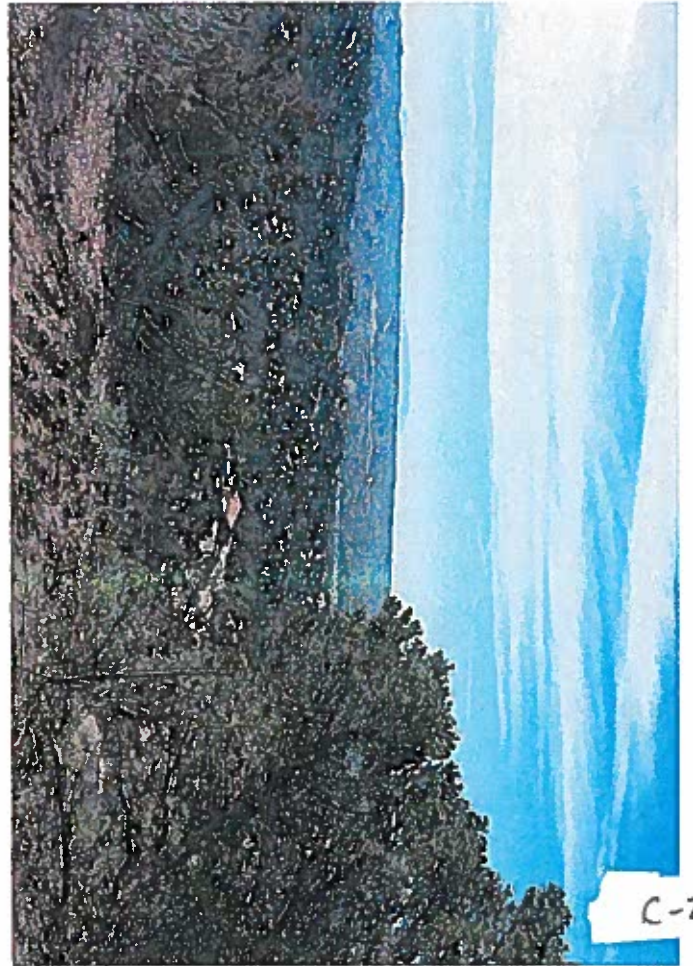
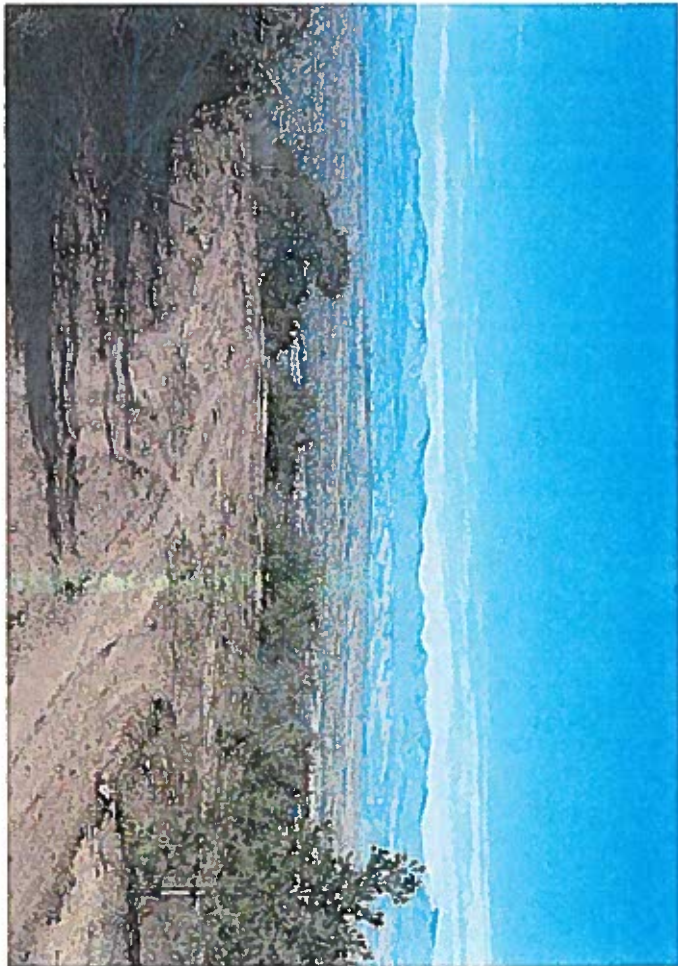


EXHIBIT  
7.

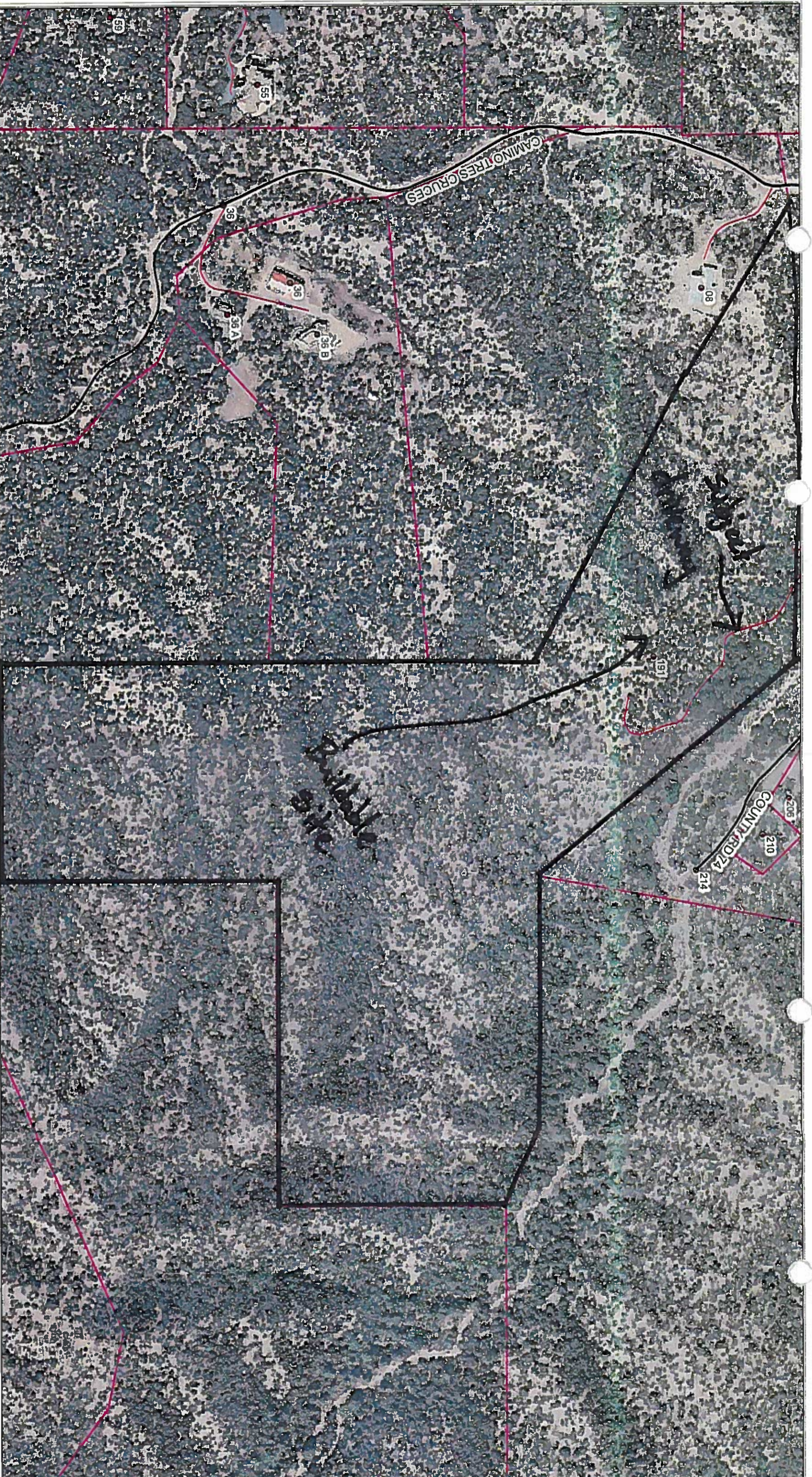








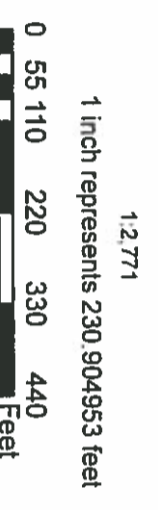




**Legend**

-  ROADS
-  DRIVEWAYS
-  Parcels

**EXHIBIT**  
**8.**



2008 Orthophotography  
2 FOOT CONTOURS

This information is for reference only.  
Santa Fe County assumes no liability for  
errors associated with the use of these data.  
User are solely responsible for  
confirming data accuracy.



IF A  
SHEET  
LINE  
IS  
CUT  
BY  
THE  
BOUNDARY  
LINE  
OF  
THE  
LOCAL



**John F. Lovato**

**From:** Dennis Comeau <shoedesignstudio@gmail.com>  
**Sent:** Wednesday, March 12, 2014 4:17 PM  
**To:** John F. Lovato  
**Cc:** Deb Short  
**Subject:** Driveway

Hi John,

I just wanted to confirm to you that I have accepted a resolution from Henry Carey to use part of my driveway for him to access his property.

Please call or email me if you have any questions.

Regards,

Dennis Comeau

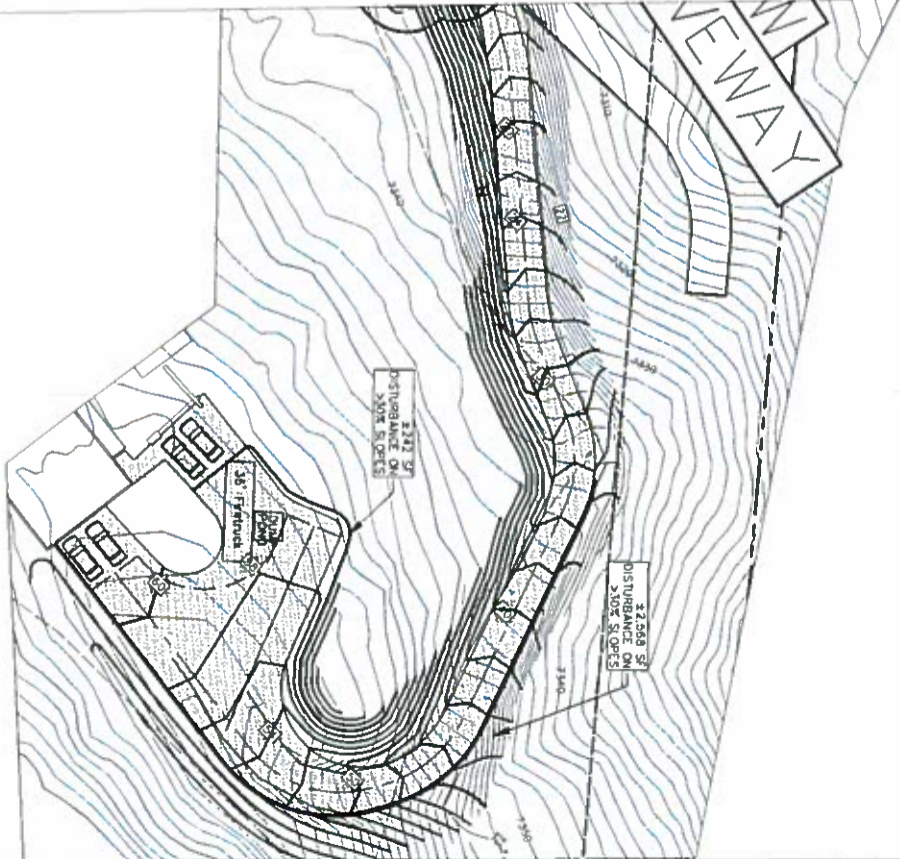
dennis & lynne comeau  
 p.o. box 202  
 tesuque, nm 87574  
 c 505-946-7901  
 italy cell +39-348-1605865  
 dlcomeau@me.com  
 ranchomaremma@me.com



C-23

**LEGEND**

	EXISTING CONTOURS
	DESIGN CONTOURS
	SITE BOUNDARY
	SPOT ELEVATION
	FIELD GRADE
	INVERT
	WATER FLOW DIRECTION
	FINISHED PAD
	GRAVEL



<b>COUNTY REVIEW</b> DEPARTMENT: SF COUNTY WATER RESOURCES DEPT., SF COUNTY FIRE DEPARTMENT SIGN-OFF: _____ DATE: _____ COUNTY USE ONLY	PROJECT: <b>TESUQUE HOUSE</b> SHEET TITLE: <b>EXISTING SLOPE ANALYSIS</b>	<table border="1"> <thead> <tr> <th>No.</th> <th>REVISION</th> <th>BY</th> <th>APP.</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	REVISION	BY	APP.	DATE						Civil Engineering • Water Resources • Traffic Engineering <b>W. E. Walker Engineering</b> 905 Camino Sierra Vista, Santa Fe, NM 87501 505-820-7890 FAX 505-820-3539 E-MAIL: civil@walkerengineering.net
	No.	REVISION	BY	APP.	DATE								
PROJECT: 13-140 FILE: 140 GRADE DATE: 8/8/2013 SCALE: AS NOTED	DESIGNED BY: P.L.B. DRAWN BY: P.L.B. CHECKED BY: M.E.W.												

C-24



**Daniel "Danny" Mayfield**  
Commissioner, District 1

**Miguel M. Chavez**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Kathy Holian**  
Commissioner, District 4

**Liz Stefanics**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**DATE:** March 20, 2014

**TO:** County Development Review Committee

**FROM:** John M. Salazar, Development Review Specialist *JMS*

**VIA:** Penny Ellis-Green, Land Use Administrator *PEG*  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CDRC CASE #A 14-5030 Maurilio & Amanda Calderon Appeal

**ISSUE:**

Maurilio and Amanda Calderon, Applicants, are appealing the Land Use Administrator's decision to deny a home occupation business registration for a welding business located on 2.48-acres.

The property is located at 8 Ernesto Road, off of Rabbit Road, within Section 10, Township 16 North, Range 10 East, (Commission District 4).

**Vicinity Map:**



*NDD-1*

## **REQUEST SUMMARY:**

On November 5, 2013, the Applicant applied for a home occupation business registration. The Applicant requested permission for a welding business. The Santa Fe County Fire Prevention Division along with the Santa Fe County Sheriff's Office conducted reviews and inspections, there are no code violations.

The Land Use Administrator reviewed the Application as it relates to the Home Occupation requirements listed in the Land Development Code in Article III, Section 3. The Land Use Administrator has determined that the subject Application does not conform to Code requirements and has denied the request per the following sections:

Article III, Section 3.2.2 states: "The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation."

**The Applicant proposed to use 832 square feet of his 1,950 square foot metal garage. He is allowed to use 832 square feet for business operations, office work, material and vehicle storage since his residence is 1,664 square feet. The Land Use Administrator has concerns that he will be unable to keep his business operations within the 832 square feet he has proposed. Upon conducting a site visit, staff observed that there was no clear distinction between the area used for business and the area used for personal use.**

3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

**The Applicant proposed to contain all business activity within his insulated metal garage. Corporal Michael Delgado with the Santa Fe County Sheriff's Office along with Growth Management staff conducted a site inspection in which sound measurements were taken. Corporal Delgado took various readings from different areas of the property and concluded "that the property owner is in compliance with the Santa Fe County Noise Ordinance (Ordinance No. 2009-11) while conducting his daily/routine business at his shop." However, Growth Management staff noted that while the sound generated from the business operations did not violate Public Nuisance levels, the sound does carry out to neighboring properties at a level that would not be expected among single family homes as this area is primarily residential with few businesses around.**

The Applicant has submitted petitions to the County from various neighbors in support of the home occupation (Exhibit 6).

The County has also received petitions from various neighbors throughout the Rabbit Road area in opposition of the home occupation stating the noise and fumes generated from the business as their objection (Exhibit 7).

Article II, Section 2.3.4 (Appeals) of the Code states: "Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 (Administrative Procedures) may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within

sixty (60) days of the date the appeal is filed. The County Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.”

**This Application was submitted on January 17, 2014.**

**Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds no evidence that would justify overturning the Land Use Administrator’s decision.**

**APPROVAL SOUGHT:** To overturn the Land Use Administrator’s decision to deny application #AHBL 13-4076.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-1

**STAFF RECOMMENDATION:** Staff recommends that the CDRC uphold the Land Use Administrator’s decision to deny the home occupation by denying the appeal.

**EXHIBITS:**

1. Letter of Appeal
2. Growth Management File #AHBL 13-4076
3. Article III, Section 3 (Home Occupations)
4. Article II, Section 2.3.4 (Appeals)
5. Petitions in Support for Home Occupation
6. Petitions in Opposition for Home Occupation
7. Photos & Letter of Explanation from Opposition

January 13, 2014

Land Use Administrator:

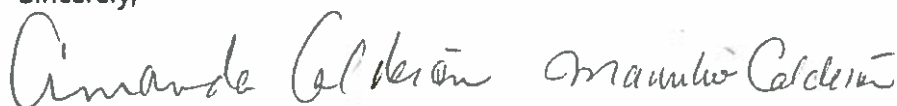
Have you ever had your hopes and dreams crushed? Well we have! My name is Amanda Calderon I am a state employee and have been a Santa Fe resident for 12 years. My Husband Maurilio Calderon has lived in Santa Fe for 19 years, and we have a small welding company, Adonai Custom Iron Works, Inc. We have three small children who we love dearly. Our company has helped the community be a safer place with our security doors and windows, hand and wall rails, etc.

We have been denied a home occupation license at our residence at 8 Ernesto Rd. We are going to appeal this decision. We are crushed by this decision made by the land use department based on the land development code. The odd thing about everything is that we passed every inspection that was conducted. The inspector Rick Lovato, Code enforcement inspector came out and took pictures and gave us a passing inspection. The Fire department came out and conducted an inspection that we also passed. The county Sheriff deputy and John Salazar with business licenses came out and performed a noise ordinance inspection that we also passed. We received signatures from thirty neighbors who are supporting our home occupation. I am confused as to why we are not given the opportunity to have a home occupation. There are four other companies in our same area.

We have heavily insallated the garge. This was just done recently in November 2013. We propose to conduct business with the garaje doors closed at all times ( all seasons). Meaning that this will make dramatically less noise. Noise should not be a factor because we passed the noise ordinance inspection for our area given by the Sheriff Deputy. The garaje is also fenced in with latillas, and behind that fencing we have built a block fence to cover the garage and our residence. We did this in consideration of the neighbors. We would also like to propose instead of the latillas fence we can put another block fence. We have no plans to bother or inconveince our neighbors.

Welding is what my family lives from. My husband is a welder and has been working in this occupation for 19 years. We purchased this land two years ago and all of our hopes and dreams and money have gone into this land. We only want the chance to make a living and bring up our children on this residence. We do not want to bother or be an inconvenience to anyone. Thank you for your time and consideration. We are looking to receive a helping hand.

Sincerely,



Amanda and Maurilio Calderon



NBD-4

# SANTA FE COUNTY BUSINESS REGISTRATION APPLICATION

NAME OF BUSINESS: Adonai Custom Iron Works Inc. PHONE NO: 505-204-9995  
BUSINESS ADDRESS: 8 Ernesto Rd Santa Fe Nm 87508  
MAILING ADDRESS: 4 Sunset Canyon Ln Santa Fe Nm 87508  
NAME OF PRINCIPAL BUSINESS OWNER: Maurilio Calderon  
HOME OCCUPATION:  COMMERCIAL:   
NEW MEXICO GROSS RECEIPTS TAX NUMBER: 03-212226-00-8  
DESCRIPTION OR NATURE OF BUSINESS: Welding

A business registration fee of \$35.00 will be assessed at time of approval, and thereafter, before March 15 of each calendar year. A late fee of \$10.00 will be assessed on ANY untimely payment. Business Registrations are effective from date of issuance through the end of the calendar year. Thereafter, registrations are effective from January 1 through December 31 of each year.

Maurilio Calderon  
SIGNATURE OF APPLICANT

10/4/13  
DATE OF APPLICATION

## FOR OFFICIAL USE ONLY

Location ID: 99304725 UPC: 1-052-095-151-022  
DEVELOPMENT PERMIT NO: 13-4076 BUSINESS REGISTRATION NO: \_\_\_\_\_

TOWNSHIP 16 RANGE 9 SECTION 10 COMMISSION DISTRICT 4

FEE PAID \$35.00 \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_ PROCESSED BY John M. Salazar

FIRE HAZARD POTENTIAL: HIGH \_\_\_\_\_ MEDIUM  LOW \_\_\_\_\_

LAND USE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY FIRE MARSHAL \_\_\_\_\_ DATE \_\_\_\_\_

TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

FINANCE \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS: \_\_\_\_\_



NBOS



**BUILDING AND DEVELOPMENT SERVICE AND  
SANTA FE COUNTY FIRE PREVENTION DIVISION  
DEVELOPMENT PERMIT APPLICATION**



Applicant Name: (Present &/or Former Names) Maurilio Calderón Development Permit Number 13-4076 Project Manager/Type/Date Received JMS/11-5-13

Development Fees Paid  Y  N Amount: 350 Fire Impact Fee Paid  Y  N Amount: 50 Total Fees Paid: 400.00  
 Additional Fire Inspections will be charged a minimum \$25.00 fee.  
**For official use only**

**Type of Development Permit:**  
(Indicate all that apply)

Master Plan  Prelim. Plan  Final Plan  Family Transfer  Driveway  Lot Line Adj.  Land Div.  Accessory Structure

Residential Bldg. Plan  Commercial Bldg. Plan  Res. Sub.  Com. Sub.  Sprinkler/Alarm  Mobile Home Other Home Occ.

Wildland Hazard Rating:  Moderate  High  Very High  Extreme  N/A Fire District Hondo

Fire Protection Water Source:  Fire Hydrant  Draft Hydrant  Pond  Other \_\_\_\_\_ Driveway length: 329' Width: 25'

PROPERTY OWNER INFORMATION: First Name: Maurilio + Amanda Last Name: Calderon

Mailing Address: 4 Sunset Canyon Ln #149 Santa Fe NM Zip: 87508

Rural address of Project: 8 Ernesto Rd Santa Fe NM Zip: 87508

Written Directions to Project Site: see attached

Cell Phone: 505-231-5805 Home Phone: 505-982-3293 Email address: amcalderon@live.com

Contractor / Company Name: Lobo Construction Address: 41 Sunrise Rd Santa Fe NM 750'

Cell Phone: 505-609-4756 Work Phone ( ) \_\_\_\_\_ Contractor's License # 85180

PROJECT DESCRIPTION: Home Occupation

Section: 10 Township: 110 Range: 9 Commission District 4 Parcel ID: 99304725

UPC Number: 1-052-095-151-022 Plat Book: 737 Page: 3 Date Recorded: 9-27-11

Warranty Deed Instrument #: 1648133 Date Recorded: 10/14/11 Subdivision Name: \_\_\_\_\_

Acreage: 2.48 Estimated Completion Date: \_\_\_\_\_ Valuation: \_\_\_\_\_

Proposed Number of Dwellings Onsite: 0 Existing: 1 Total: 1

Proposed Number of Lots Onsite: 0 Existing: 1 Total: 1

Proposed Roofed Area Sq. Ft.: \_\_\_\_\_ Existing Roofed Area Sq. Ft.: 1664 Total Roofed Area Sq. Ft.: 1664

Lot Number: A2 Phase: \_\_\_\_\_ Affordable Unit:  Yes  No All Weather Access:  Yes  No (\* Access improvements required)

County Road:  Yes\*  No (Access Permit DPW required) Legal Access:  Yes  No

FEMA 100-year floodplain:  Yes\*  No Zone \_\_\_\_\_ Panel Number: \_\_\_\_\_ D (\* Floodplain Dev. Permit required)

NMED Septic Permit:  Yes  No Community Sewer System  Yes  No Water Restrictions:  Yes\*  No Book \_\_\_\_\_ Page \_\_\_\_\_

Shared Well:  Yes\*  No \*Share Agreement Inst. # N/A Well Meter Reading: N/A

Well Permit # N/A Well Meter Serial Number: \_\_\_\_\_ Meter Type \_\_\_\_\_ Unit of Measure: \_\_\_\_\_

Community Water System:  Yes\*  No (\* Water Service Lener Required) Cistern Required:  Yes  No Rainbarrels Required:  Yes  No

Proof of Taxes:  Yes  No Hydrologic Zone:  Basin  B. Fringe  Homestead  Mountain  Traditional  Metro  Geohydro Req'd  TIA Req'd

Owner Acknowledgment or Authorized Representative: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*By signing I acknowledge all information is true and accurate, and I authorize Santa Fe County staff to conduct necessary inspections on my property as related to this permit application. I agree and I understand that the issuance of any subsequent permits does not prevent the Santa Fe County Fire Prevention Division from requiring additional compliance with the provisions of the Santa Fe County Fire Code as adopted by the Board of County Commissioners.*

Type of Permit Issued: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Redlines  Yes  No Inspections Conducted:  Initial  Pre-Final  Final Certificate of Completion  Yes  No

November 4, 2013

Santa Fe County

We, Maurilio and Amanda Calderon would like to take the opportunity to apply for a home occupation permit for 8 Ernesto Rd in Santa Fe New Mexico for our off-site welding company Adonai Custom Iron Works, Inc. We have been given the opportunity to make the city of Santa Fe a safer place with our security doors, windows, handrails, and wall rails. We propose to help the residents and companies of Santa Fe to feel and be a safer place. The principal materials used for welding are metal square tubing and metal piping. We propose to have one or two employees one of the employees will be Rutilio Rodriguez, 3531 Cerrillos rd #71 Santa Fe NM 87507, 505-310-4316. We do not plan to put a sign on the property for the business or have people at the garage. We do not want to cause traffic at our home occupation or cause any disturbances. Thank you for your consideration.

Sincerely,

Maurilio and Amanda Calderon

*Maurilio Calderon*  
*Amanda Calderon*

NRD-7

## HOME OCCUPATION APPLICATION PACKET

AS PER THE COUNTY LAND DEVELOPMENT CODE, ARTICLE III, SECTION 3, AND THE EXTRATERRITORIAL ZONING ORDINANCE, SECTION 5-B-4-d, HOME OCCUPATIONS ARE PERMITTED ANYWHERE IN THE COUNTY, PROVIDED THE FOLLOWING STANDARDS HAVE BEEN MET:

- Not more than six (6) persons other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) nonilluminated name plat sign not more than nine square feet in area;
- The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes of its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation.
- The home occupation shall not involve operations or structures not in keeping with the residential character of the neighborhood.
- No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area (e.g. Noise vibration, glare, fumes, odors, electrical interference).
- No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the residential neighborhood area.
- Parking for employees and for customers or clients of the home occupation shall be provided off the street (one (1) parking space per employee plus one (1) per 400 sq. ft. to be used for the home occupation).
- The home occupation shall be located on the same lot as the permitted principal use of structures or on a contiguous lot in the same ownership.
- Primary sale of goods in connection with the home occupation shall be that which is prepared or produced upon the premises.

### ACKNOWLEDGMENT

I hereby acknowledge that I have read the above standards and fully understand what is required of me to operate a home occupation business.

  
Signature

11/4/13  
Date



## HOME OCCUPATION

### Questionnaire

#### PLEASE DESCRIBE THE FOLLOWING

- 1) WHAT ARE THE ACTIVITIES INVOLVED?

Welding metal

- 2) WHAT TYPES OF MATERIALS AND EQUIPMENT ARE TO BE USED?

metal square tubing, metal piping. Equipment used are welding machine, and a band cutter.

- 3) WHAT PROCEDURES ARE USED IN CONDUCTING YOUR DAILY BUSINESS OPERATIONS?

To use and enforce the use of welding mask, eye protection and any other safety precautions.

- 4) OTHER THAN MEMBERS OF YOUR FAMILY, HOW MANY EMPLOYEES WILL BE ENGAGED IN THE HOME OCCUPATION?

One or two employees.

- 5) WHAT IS THE TYPE OF PRODUCT TO BE PRODUCED, SERVICED OR REPAIRED?

Producing metal products and repairing them.

- 6) WILL THERE BE ANY MECHANICAL AND/OR ELECTRICAL EQUIPMENT NECESSARY TO THE CONDUCT OF THE HOME OCCUPATION? IF SO, PLEASE DESCRIBE.

welding machines are electrical equipment.

- 7) DESCRIBE THE AMOUNT, LOCATION AND METHOD OF STORAGE OF SUPPLIES AND/OR EQUIPMENT.

Supplies and equipment are stored on safety racks.

- 8) DESCRIBE THE LOCATION OF PARKING FOR THE HOME OCCUPATION?

on the north side of the garage.

- 9) WHAT TYPE AND AMOUNT OF TRAFFIC DO YOU ANTICIPATE TO BE GENERATED PER DAY? WILL THE BUSINESS BE CONDUCTED ON AN APPOINTMENT BASIS?

no traffic. We do not plan to have people at the location.

- 10) WILL THERE BE A SIGN POSTED ON THE PREMISES? IF SO, PLEASE STATE SIZE & LOCATION. (ATTACH A SKETCH OF THE SIGN SHOWING DIMENSIONS AND WHAT LOGO IT WILL HAVE ON IT.)

We do not plan to put a sign.

After recording return to:  
Rio Grande Title Company, Inc.

File No. 60100631 Tish F. Trujillo

SEC. CLERK RECORDED 10/14/2011

**WARRANTY DEED (JOINT TENANTS)**

XLR, LLC, a New Mexico limited liability company, for consideration paid, grants to Maurilio Calderon and Amanda Calderon, husband and wife as joint tenants, whose address is 4 Sunset Canyon Lane #149, Santa Fe, NM 87506, the following described real estate in SANTA FE County, New Mexico:

Tract A-2, all as shown on plat of survey entitled "Land Division for XLR, LLC Tract A within the S.E. 1/4 of S.W. 1/4 of Section 10, T. 16N., R. 9E., N.M.P.M., Santa Fe County, New Mexico" all as shown on plat of Survey dated May 5, 2010 and recorded September 27, 2011 in Plat Book 737, Page 3, as Instrument No. 1646366, records of Santa Fe County, New Mexico.



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
WARRANTY DEED  
PAGES: 1

I Herby Certify that This Instrument Was Filed for Record On The 14TH Day Of October, 2011 at 04:09:12 PM and Was Duly Recorded as Instrument # 1648133 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Valerie Espinoza  
Deputy County Clerk, Santa Fe, NM

**SUBJECT TO** reservations, restrictions and easements of record, and taxes for the year 2012 and subsequent years, with warranty covenants.

WITNESS my hand and seal this 14th day of October, 2011.

XLR, LLC, a New Mexico limited liability company  
Gerald Medina  
By: Gerald Medina, Member

**ACKNOWLEDGMENT FOR NATURAL PERSONS**

STATE OF NEW MEXICO  
COUNTY OF SANTA FE } SS

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_  
(Name or Names of Person or Persons Acknowledging)

My commission expires: \_\_\_\_\_  
Notary Public

**ACKNOWLEDGMENT FOR LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF NEW MEXICO  
COUNTY OF SANTA FE } SS

This instrument was acknowledged before me this 14th day of October, 2011,  
By Gerald Medina  
(Name of Officer)  
Member  
(Title of Officer)  
XLR, LLC  
(Name of Limited Liability Company Acknowledging)

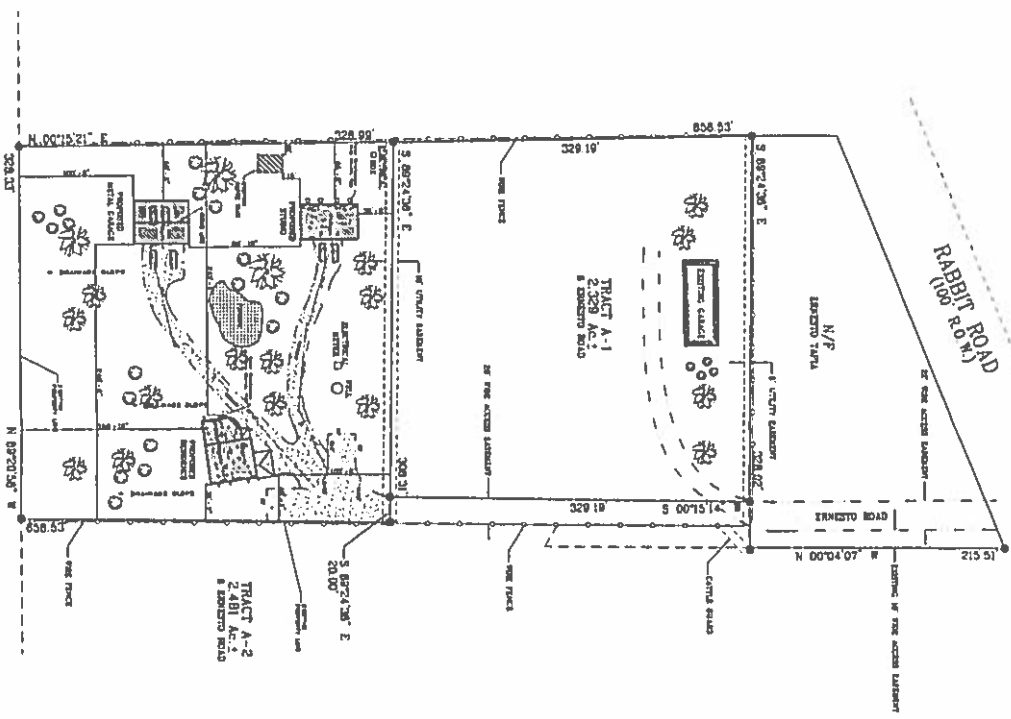
a New Mexico limited liability company, on behalf of said L.L.C.  
(State of L.L.C.)

My commission expires: \_\_\_\_\_  
Notary Public Leticia F. Martinez



NBD-10





Site Plan

SCALE: 1" = 50'-0"

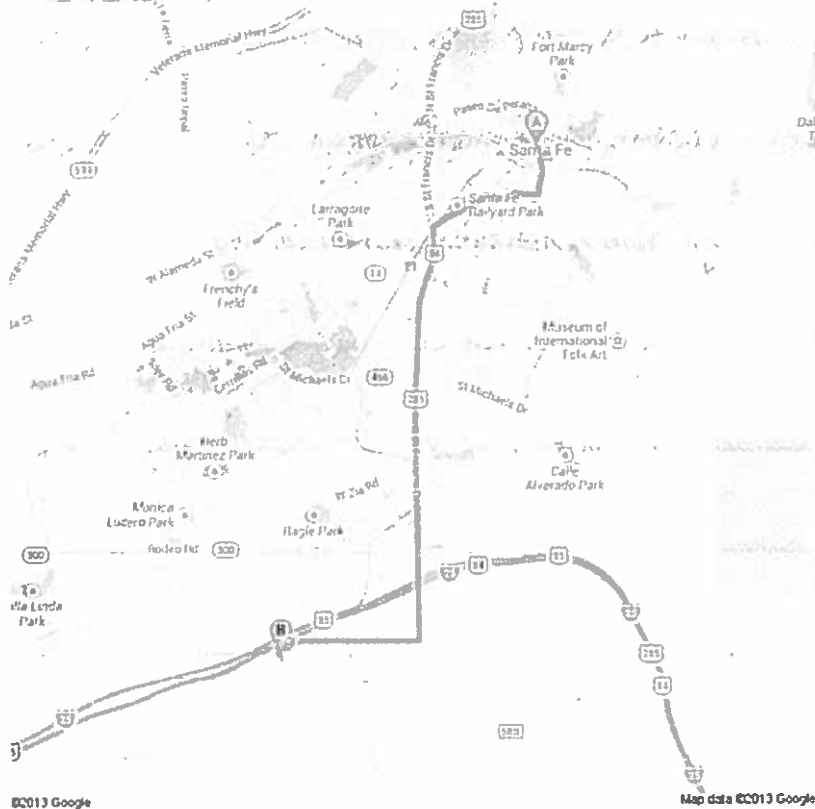
	<b>SHEET TITLE</b> Site Plan	<b>BUILDING PERMIT FOR NEW RESIDENCE</b> <del>5110 RABBIT ROAD</del> <b>8 Ernesto</b> SANTA FE, N.M. 87508		
			DATE 07/11/11	

NBD.-K



Google

Directions to 8 Ernesto Rd, Santa Fe, NM 87508  
6.3 mi - about 15 mins



NBD-14

**A** Santa Fe Plaza  
80 E San Francisco St, Santa Fe, NM 87501

- 1. Head east on E San Francisco St toward Old Santa Fe Trail go 456 ft  
total 456 ft
- ➡ 2. Turn right onto Cathedral Pl go 262 ft  
total 0.1 mi
- ➡ 3. Take the 1st right onto E Water St go 427 ft  
total 0.2 mi
- ⬅ 4. Take the 1st left onto Old Santa Fe Trail  
About 2 mins go 0.3 mi  
total 0.5 mi
- ➡ 5. Turn right onto Paseo De Peratta  
About 2 mins go 0.5 mi  
total 1.0 mi
- ⬅ 6. Turn left onto Cerrillos Rd  
About 2 mins go 0.5 mi  
total 1.5 mi
- ⬅ 7. Turn left onto S St Francis Dr  
About 6 mins go 3.5 mi  
total 5.0 mi
- ➡ 8. Turn right onto Rabbit Rd  
About 2 mins go 1.2 mi  
total 6.2 mi
- ⬅ 9. Turn left onto Ernesto Rd  
Destination will be on the right  
About 50 secs go 495 ft  
total 6.3 mi

**B** 8 Ernesto Rd, Santa Fe, NM 87508

JBD-15

TX400I01

Santa Fe County  
Account History Inquiry

11/05/13  
12:07:07

Account ID, location ID : 99304725 99304725  
Parcel Code (Map Code) . : 1-052-095-151-022|000-000  
Pending . . . . . : .00  
Account balance . . . . . : 1,911.35  
Current due . . . . . : 955.68

Type options, press Enter.

5=View detail

Opt	Date	Type	Code	Year	Roll	Period	Amount	Tax receipt
-	11/01/13	BILL		13	R	2	955.67	0978774
-	11/01/13	BILL		13	R	1	955.68	0978774
-	5/09/13	PAYMENT	TX				610.20-	0138673
-	3/12/13	TRF ADJ	XFER	12	R	1	12.20	A13-164
- >	3/08/13	PAYMENT	TX				610.20-	0097514
-	2/07/13	CR BASE	CORR	12	R	2	801.56-	CA-0032
-	2/07/13	CR BASE	CORR	12	R	1	801.57-	CA-0032
-	2/07/13	DR BASE	CORR	12	R	2	610.20	CA-0032
-	2/07/13	DR BASE	CORR	12	R	1	610.20	CA-0032

More...

F3=Exit F5=Valuation inq F6=Year summ inq F8=History print  
F10=View 2 acct data F12=Cancel F18=Freeze inq



PZ821U01

Santa Fe County  
Payment Due Selection

11/05/13  
12:15:16

Project nbr/desc . . : 13 00004076 ADONAI CUSTOM IRON WORKS INC. / HOME  
Project type . . . : HOME OCCUPATION BUSINESS LICENSE

Select fees due, press Enter.  
1=Select entire amount

Opt	Amount to apply	Bal Due	Fee Description	Trans amt
-	50.00	50.00	FIRE REVIEW BUSINESS LICENSE	50.00
-	75.00	75.00	INSPECTION - INITIAL	75.00
-	100.00	100.00	APPLICATION FEE	100.00
-	175.00	175.00	HOME OCCUPATION/BUSINESS REVIE	175.00

Total 400.00

F3=Exit F5=Select all fees F12=Cancel

NBD-17



Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Fire apparatus road, driveway, turnouts and turnarounds shall have an approved, all weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

The driveway shall incorporate a turnaround area for emergency vehicle purposes conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

Driveway/fire access shall not exceed 11% slope and shall have a minimum 28' inside radius on curves. (1997 UFC, Section 902.2.2.6)

**Storage and Accumulation of Rubbish and Vegetation (1997 Uniform Fire Code 1103.2 – 1103.2.4):**

Combustible rubbish kept or accumulated within or adjacent to buildings or structures shall be stored in approved containers or in rooms or vaults constructed on non-combustible materials. Cut or uncut weeds, grass, vines, and other vegetation shall be removed when determined to be a fire hazard.

**Storage of Combustible Materials (1997 Uniform Fire Code 1103.3.2.2):**

All combustible storage shall be a minimum of 24 inches (2 feet) from the ceiling. If sprinklered, there shall be a minimum of 18 inches from the sprinkler head deflector to the top shelf.

**Fire Protection Systems (1997 Uniform Fire Code 1001.5):**

Any sprinkler, fire hydrant, or fire alarm systems, smoke or heat detectors and ventilators, smoke removal systems and other fire protective systems or extinguishing systems or appliances shall be maintained in an operative condition at all times and shall be replaced or repaired when defective. (1997 Uniform Fire Code 1001.5)

**Fire Extinguishers (1997 Uniform Fire Code 1001 and 1002):**

This business requires two, 5 lb. ABC Class fire extinguishers.

All fire extinguishers shall have a current service tag and shall be serviced annually by a qualified fire extinguisher company (NFPA 10) and inspected monthly by your staff.

Extinguishers shall be installed/mounted in conspicuous locations and be readily accessible. The top of the extinguisher shall not be higher than 48 inches from the floor. A recommended method to confirm if extinguisher(s) is at the right height is to try to reach the extinguisher from a sitting position (ie: wheel chair accessibility).

**Heat Producing Devices:**

The clearance between stored materials and unit heaters, radiant space heaters, duct furnaces, and flues shall not be less than 3 feet in all directions and the device shall be in good working order. (NFPA 231-4.2.4)

Hot water heaters must be kept free from combustible storage. Clearance from electric water heaters is no less than 24 inches and gas water heaters no less than 36 inches.

Chimneys and fire boxes shall be inspected and cleaned annually to prevent the build-up of creosote.

**Storage and Handling of Combustible Materials (1997 Uniform Fire Code 1103.1):**

Combustible materials shall not be stored in exits, exit enclosures, equipment rooms, attics, under floors and in concealed spaces.

**Exits and Aisles:**

All exits shall remain free of any material or matter (1997 Uniform Fire Code 1203).

Exit doors shall be maintained in an operable condition. Exit doors shall be able to be opened from the inside without use of a key or any special knowledge or effort. They shall not be locked, bolted, barred, latched, or otherwise rendered unusable (1997 Uniform Fire Code 1207).

Aisles and stairs must be maintained open, continuous and unobstructed.

Fire doors shall not be blocked open or obstructed.

**Extension Cords and Multi-plug Adapters:**

Multi-plug adapters shall be UL listed (1997 Uniform Fire Code 8507).

Extension cords shall not be used as a substitute for permanent wiring (1997 Uniform Fire Code 8506).

Extension cords cannot run through walls, ceilings door jams, window casings, or under carpets. They shall not go through suspended ceiling grids or be attached to window casings or steel posts with tape or string.

**Flammable Liquid Storage (1997 Uniform Fire Code Article 79):**

Flammable liquids shall be stored in approved tanks, closed containers, safety cans, flammable storage cabinets or H-2 rooms.

Storage containers: No container over 5 gallons, maximum of 120 gallons per cabinet of which not more than 60 gallons to be class 1 or class 2.

LP Gas – provide 10 feet clearance from weeds and combustibles (*1997 Uniform Fire Code 8209*).

Cleaning rags or cloths soiled with flammable or combustible liquids must be kept in a metal container with a tight fitting or spring loaded lid.

Flammable liquids cannot be stored near heating appliances or near exit passages, exit doors or stairways.

**Storage of Stock or Trash:**

Stock piles shall be orderly. Aisles are to be maintained throughout the stock room (*1997 Uniform Fire Code 1103.3.2.1*).

Storage of stock is not allowed in exit passages or under stairways.

Combustible trash must be removed from buildings daily (*1997 Uniform Fire Code 1103.2.1.5*).

Fireplace ash must be placed in noncombustible, covered containers and kept at least 24 inches from any combustible surfaces (*1997 Uniform Fire Code 1109.6*).

**Meters, Motors, Compressors and Electrical Panels:**

Meters shall be kept clear, accessible and protected from vehicular damage.

All working motors and compressors shall be maintained in a clean manner.

Electrical breakers or fuses must be marked. Taped open breakers are prohibited. Breakers are not to be used as switches. All empty breaker spaces shall be covered with a blank cover. Panel doors and covers shall be kept closed and accessible at all times.

Storage is not permitted within 30" from the operating face of electrical panels (*1997 UFC, Section 8509.2*).

**General Requirements/Comments**

▪ **Inspections/Acceptance Tests**

The fire prevention bureau shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provision of this code and of any other law or standard affecting firesafety. (*1997 UFC Article 1, Section 103.3.1.1*).

When any work is being done or a condition is being established contrary to the provisions of this code, the fire chief may order the work stopped by notice in writing served on any persons

engaged in doing or causing the work to be done. Such work shall stop until continuation is authorized by the chief. (1997 UFC Article 1, Section 103.3.2.1).

This business shall be required to have an annual fire inspection completed by the Santa Fe County Fire Prevention Division. A copy of the Pre-Inspection checklist was provided to the property owner at the time of the initial inspection. If you have any questions, please contact the Fire Prevention Division office or visit the Fire Department web site at [www.santafecountynm.gov/fire](http://www.santafecountynm.gov/fire).

▪ **Permits**

As required

**Final Status**

Recommendation for Business Registration approval with the above conditions applied.


*Tim Gilmore, Inspector*

  
Code Enforcement Official

11-14-13  
Date

Through: David Sperling, Chief

File: DevRev/BusReg/H/Adonai/111313

Cy: Buster Patty/Fire Marshal   
John M. Salazar, Land Use Office  
Applicant  
District Chief  
File

Enclosed: (applicant only) Fire Department Access Requirements

Official Submittal Review  
5 of 5

NBD-22

received  
11-7-13 *Elana*

### SANTA FE COUNTY BUSINESS REGISTRATION APPLICATION

NAME OF BUSINESS: Adonai Custom Iron Works Inc. PHONE NO: 505-201-9995  
BUSINESS ADDRESS: 8 Ernesto Rd Santa Fe Nm 87508  
MAILING ADDRESS: 4 Sunset Canyon Ln Santa Fe Nm 87508  
NAME OF PRINCIPAL BUSINESS OWNER: Maurilio Calderon  
HOME OCCUPATION:  COMMERCIAL:   
NEW MEXICO GROSS RECEIPTS TAX NUMBER: 03-212226-00-8  
DESCRIPTION OR NATURE OF BUSINESS: Welding

A business registration fee of \$35.00 will be assessed at time of approval, and thereafter, before March 15 of each calendar year. A late fee of \$10.00 will be assessed on ANY untimely payment. Business Registrations are effective from date of issuance through the end of the calendar year. Thereafter, registrations are effective from January 1 through December 31 of each year.

Maurilio Calderon  
SIGNATURE OF APPLICANT

11/4/13  
DATE OF APPLICATION

#### FOR OFFICIAL USE ONLY

Location ID: 993 04 725 UPC: 1-052-095-151-022  
DEVELOPMENT PERMIT NO: 13-4076 BUSINESS REGISTRATION NO: \_\_\_\_\_

TOWNSHIP 16 RANGE 9 SECTION 10 COMMISSION DISTRICT 4  
FEE PAID \$35.00 RECEIPT NO. \_\_\_\_\_ PROCESSED BY John M. Salazar  
FIRE HAZARD POTENTIAL: HIGH \_\_\_\_\_ MEDIUM  LOW \_\_\_\_\_

LAND USE DIRECTOR _____	DATE _____	COUNTY FIRE MARSHAL _____	DATE _____
TREASURER _____	DATE _____	FINANCE _____	DATE _____

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

**BUILDING AND DEVELOPMENT SERVICES AND  
SANTA FE COUNTY FIRE PREVENTION DIVISION  
DEVELOPMENT PERMIT APPLICATION**



**Applicant Name: (Present &/or Former Names)** Maurilio Calderón     
**Development Permit Number** 13-4076     
**Project Manager/Type/Date Received** JMS / 11-5-13  
**Development Fees Paid**  Y  N Amount: 350     
**Fire Impact Fee Paid**  Y  N Amount: 50     
**Total Fees Paid:** 400<sup>00</sup>  
Additional Fire Inspections will be charged a minimum \$25.00 fee.  
**For official use only**

**Type of Development Permit:**  
(Indicate all that apply)

Master Plan    Prelim. Plan    Final Plan    Family Transfer    Driveway    Lot Line Adj.    Land Div.    Accessory Structure  
 Residential Bldg. Plan    Commercial Bldg. Plan    Res. Sub.    Com. Sub.    Sprinkler/Alarm    Mobile Home   Other: Home Occ.  
**Wildland Hazard Rating:**    Moderate    High    Very High    Extreme    N/A   **Fire District:** Hondo  
**Fire Protection Water Source:**    Fire Hydrant    Draft Hydrant    Pond    Other \_\_\_\_\_     
**Driveway length:** 329'      **Width:** 25'

**PROPERTY OWNER INFORMATION:**    **First Name:** Maurilio + Amanda      **Last Name:** Calderon

**Mailing Address:** 4 Sunset Canyon Ln #149 Santa Fe NM      **Zip:** 87508  
**Rural address of Project:** 8 Ernesto Rd Santa Fe NM      **Zip:** 87508  
**Written Directions to Project Site:** See attached

**Cell Phone:** 505-231-5805      **Home Phone:** 505-982-3293      **Email address:** amcalderon@live.com  
**Contractor / Company Name:** Lobo Construction      **Address:** 41 Sunrise Rd Santa Fe NM      **Zip:** 87508  
**Cell Phone:** 505-189-4756      **Work Phone:** \_\_\_\_\_      **Contractor's License #:** 85180

**PROJECT DESCRIPTION:** Home Occupation

**Section:** 10   **Township:** 116   **Range:** 9   **Commission District:** 4      **Parcel ID:** 99304725  
**UPC Number:** 1-052-095-151-022      **Plat Book:** 737      **Page:** 3      **Date Recorded:** 9-27-11  
**Warranty Deed Instrument #:** 1648133      **Date Recorded:** 10/14/11      **Subdivision Name:** \_\_\_\_\_  
**Acres:** 2.48      **Estimated Completion Date:** \_\_\_\_\_      **Valuation:** \_\_\_\_\_  
**Proposed Number of Dwellings Onsite:** 0      **Existing:** 1      **Total:** 1  
**Proposed Number of Lots Onsite:** 0      **Existing:** 1      **Total:** 1  
**Proposed Roofed Area Sq. Ft.:** \_\_\_\_\_      **Existing Roofed Area Sq. Ft.:** 1664      **Total Roofed Area Sq. Ft.:** \_\_\_\_\_  
**Lot Number:** A2      **Phase:** \_\_\_\_\_      **Affordable Unit:**  Yes  No      **All Weather Access:**  Yes  No\* (\*Access Improvements required)  
**County Road:**  Yes\*  No (\*Access Permit DPW required)      **Legal Access:**  Yes  No  
**FEMA 100-year Floodplain:**  Yes\*  No Zone \_\_\_\_\_ **Panel Number:** \_\_\_\_\_  N (\*Floodplain Dev. Permit required)  
**NMED Septic Permit:**  Yes  No      **Community Sewer System:**  Yes  No      **Water Restrictions:**  Yes\*  No      **Book:** \_\_\_\_\_ **Page:** \_\_\_\_\_  
**Shared Well:**  Yes\*  No \*Share Agreement Inst. # N/A      **Well Meter Reading:** N/A  
**Well Permit #:** N/A      **Well Meter Serial Number:** \_\_\_\_\_      **Meter Type:** \_\_\_\_\_      **Unit of Measure:** \_\_\_\_\_  
**Community Water System:**  Yes\*  No (\*Water Service Letter Required)      **Cistern Required:**  Yes  No      **Rain barrels Required:**  Yes  No  
**Proof of Taxes:**  Yes  No      **Hydrologic Zone:**  Basin    B. Fringe    Homestead    Mountain    Traditional    Atrevo    Geohydro Req'd    TIA Req'd

**Owner Acknowledgment or Authorized Representative: Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

By signing I acknowledge all information is true and accurate, and I authorize Santa Fe County staff to conduct necessary inspections on my property as related to this permit application. I agree and I understand that the issuance of any subsequent permits does not prevent the Santa Fe County Fire Prevention Division from requiring additional compliance with the provisions of the Santa Fe County Fire Code as adopted by the Board of County Commissioners.

**Type of Permit Issued:** \_\_\_\_\_      **Date:** \_\_\_\_\_  
**Approved By:** \_\_\_\_\_      **Date:** \_\_\_\_\_  
**Revisions**  Yes  No      **Inspections Conducted:**  Initial    Pre-Final    Final      **Certificate of Completion**  Yes  No

NBD-24



Robert A. Garcia  
Sheriff  
986-2455

[ragarcia@santafecountynm.gov](mailto:ragarcia@santafecountynm.gov)

SANTA FE COUNTY SHERIFF'S OFFICE



Ron E. Madrid  
Undersheriff  
986-2455

[rmadrid@santafecountynm.gov](mailto:rmadrid@santafecountynm.gov)

35 Camino Justicia – Santa Fe, New Mexico 87508

## MEMORANDUM

**To:** John M. Salazar

**Fr:** Corporal Michael Delgado

**Date:** 01-07-14

**Subject:** Sound measurement reading at 8 Ernesto Road

---

Mr. Salazar in reference to the sound measurement reading I took back in November at 8 Ernesto Road, none of the readings taken throughout the property exceeded the Santa Fe County Noise Ordinance levels. The readings were taken with a calibrated 3M Quest Technologies SOUNDPATROL DP SOUND LEVEL METER. Again readings were taken at different areas of the property while the property owner was grinding metal, hammering metal, moving and dropping metal etc., all in the front driveway of the large metal shop on the property. My findings were that the property owner is in compliance with the Santa Fe County Noise Ordinance while conducting his daily/routine business at his shop.

NBD-25

**PUBLIC NOTICE**

Notice is hereby given that an application has been filed with Santa Fe County for **REQUEST TO ALLOW A HOME OCCUPATION BUSINESS REGISTRATION FOR A WELDING BUSINESS**

Name of Applicant: MAURILIO CALDERON  
Address of Request: 8 ERNESTO RD  
Legal Description: Section 10 Township 16 NORTH  
Range 9 EAST NMPM Santa Fe County, New Mexico.  
AN ADMINISTRATIVE DECISION will be held/made at the Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on/after the 20<sup>th</sup> day of JANUARY 2003, at before the  
LAND USE ADMINISTRATOR.  
Further information can be obtained by contacting the Land Use Department, P.O. Box 276, Santa Fe, NM 87504  
Phone (505) 986-6225 | Development Permit # D-4076

NRD-26

## PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for A REQUEST TO ALLOW A HOME OCCUPATION BUSINESS REGISTRATION FOR A WELDING BUSINESS

Name of Applicant MAURILIO CALDERÓN  
Address of Request 8 ERNESTO RD Township 16 NORTH  
Range 9 EAST NMPM Santa Fe County, New Mexico.  
AN ADMINISTRATIVE DECISION will be held/made at the Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on/after the 20<sup>th</sup> day of NOVEMBER, 1975, at \_\_\_\_\_ before the

LAND USE ADMINISTRATOR

Further information can be obtained by contacting the Land Use Department, P.O. Box 276, Santa Fe, NM 87504  
Phone (505)986-6225 Development Permit # 13-4076



from off-site road improvements for the first lot, the person transferring the lot shall file an affidavit as described in Article II, Section 4.3.2b.v.

- (d) Water Conservation. All lots created in accordance with Sections 2.3.1a.ii(b), (d), (f), (g) and (h), which are less than ten (10) acres in size shall be subject to water conservation covenants as set forth in Article VII, Section 6.6.2.

History: Sections 2.3 and 2.4.1 of Section 2 were amended by County Ordinance 1996-3, providing for site planning standards, required submittals and a review procedure regarding terrain management. Section 2.4.2 was amended by Ordinance 1996-8 to include summary review subdivisions, update road and access requirements, clarify provisions for family transfers and add water conservation requirements for some land divisions.

### **SECTION 3 - HOME OCCUPATIONS**

The requirements of this Section 3 of Article III apply to home occupations.

#### **3.1 Location of District**

Home occupations are allowed anywhere in the County, provided all of the requirements of the Code are met.

#### **3.2 Performance Standards**

A development permit involving a home occupation may be approved only if the following standards are met:

- 3.2.1 Not more than six (6) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- 3.2.2 The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation;
- 3.2.3 There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) non-illuminated name plate sign not more than nine square feet in area;
- 3.2.4 Parking for employees and for customers or clients of the home occupation as required by Section 9 of this Article III shall be provided off the street;
- 3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

#### **3.3 Submittals**

The application shall be submitted on a form provided by the Code Administrator which shall include a description of:

- 3.3.1 Activities involved;
- 3.3.2 Materials and equipment used;
- 3.3.3 Methods of operation;
- 3.3.4 Number of employees;
- 3.3.5 Type of product to be produced, serviced or repaired;

EXHIBIT

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- 3.3.6 Mechanical and electrical equipment necessary to the conduct of the home occupation use;
- 3.3.7 Amount, location and method of storage of supplies and/or equipment;
- 3.3.8 Location of parking;
- 3.3.9 Type and amount of traffic generated.

## SECTION 4 - COMMERCIAL AND INDUSTRIAL NON-RESIDENTIAL DISTRICTS

### 4.1 Purpose and Intent

Commercial and industrial non-residential land uses are permitted only in zoned districts of various sizes and locations in the County of Santa Fe. Non-residential districts specifically for commercial or industrial land uses are established in order:

- 4.1.1 To permit intensive development of selected land uses at designated locations.
- 4.1.2 To avoid strip commercial and industrial patterns of development along highways, arterials, collectors, and local roads of the County;
- 4.1.3 To protect the function of the County's highways, arterials, collectors, and local roads by controlling the number of access locations to commercial and industrial use areas;
- 4.1.4 To prevent the preemption of prime areas for commercial or industrial development by residential development;
- 4.1.5 To protect existing and future residential development from encroachment of non-residential uses;
- 4.1.6 To provide the opportunity to master plan non-residential use areas, so that adequate fire and police protection may be provided and appropriate infrastructure constructed.

### 4.2 Types and Locations of Commercial or Industrial Districts

#### 4.2.1 Types of Districts and Location Criteria

- a. There are four types of commercial or industrial non-residential districts which may be established at specific qualifying intersections of various types of roads in the County:
  - 1) Regional or major center districts, which are established or may be established, shall be located at intersections of major arterials and major highways. The purpose of major center or regional districts is to concentrate extensive regional non-residential activities. Section 4.3.1 infra, defines uses which may be established.
  - 2) Community center districts, which are or may be located at intersections of arterial and/or collector roads for the purpose of concentrating community oriented commercial uses, shopping, offices and service businesses, including travelers services, light industry, research and development complexes and other similar uses. Sub-section 4.3.1, defines uses which may be established.
  - 3) Local or village center districts, which are or may be located at intersections of collector and local roads and in traditional community areas for the purpose of concentrating activities which serve such neighborhood areas for shopping, travel, and personal services. Section 4.3.2, lists suggested uses.
  - 4) Neighborhood or small scale center districts, which are or may be located at intersections of local roads or in traditional community areas. Uses similar to those which may be established in local or village center districts may be established.

for compliance with the requirements of the Code, and shall make and file a report to the County Development Review Committee evaluating the application and recommending that the County Development Review Committee approve, disapprove, or approve the application with modifications and/or conditions or recommending that the County Development Review Committee recommend the same to the Board depending on which body has final authority pursuant to Section 2.3.2e.

- 2.3.2b The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his recommendation. The Code Administrator shall give at least three (3) working days' notice, either orally or in writing, to the applicant or any interested person who has requested in writing that he receive notice of any informal conference held under this Subsection b.
- 2.3.2c At least twenty one (21) calendar days prior to any public meeting at which an application will be heard, the applicant shall post notice of the filing of the application prominently on the land, building, or other structure which is the subject of the application in such a way as to give reasonable notice to persons interested in the application and shall provide written verification of the posting of the notice to the Code Administrator.
- 2.3.2d For development other than subdivisions under the New Mexico Subdivision Act (which shall comply with the public agency review process as set forth in Article V, Section 5.3.3d.), the Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application would be disapproved or approved with conditions or modifications. Unless otherwise required by law, the opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his recommendation for up to sixty (60) calendar days to await the opinion if he believes that such a delay is in the public interest.
- 2.3.2e The County Development Review Committee has final approval authority on preliminary and final development plans and on appeals of the Code Administrator's decisions and has recommendation authority on variances, preliminary and final plats, and all master plans, including zoning, for which the Board shall have final approval authority. Plats for Type V subdivisions containing six (6) or more parcels go directly to the Board for review and approval, in accordance with Article V, Section 5.5.4b.

#### 2.3.4 Appeals

##### 2.3.4a Filing an Appeal

All appeals under the Code shall be filed in writing with the Code Administrator.

##### 2.3.4b Appeal of Code Administrator Decision under Section 2.3.1 to the County Development Review Committee

- i. Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within sixty (60) calendar days of the date the appeal is filed. The County



Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.

- ii. A decision of the County Development Review Committee on an appeal shall become final thirty (30) calendar days after the decision is filed, unless within that month an appeal of the decision has been filed by an interested person including the Code Administrator, pursuant to Section 2.3.4c of this Article or the Board on its own initiative has decided to review the decision.

2.3.4.c Appeal of Development Review Committee Decisions to the Board

- i. Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Code Administrator within thirty (30) calendar days of the date of the decision of the Development Review Committee. The Board shall hear the appeal within sixty (60) calendar days after the date the appeal is filed. The Board shall timely make and file its decision approving or disapproving the application or approving the application with conditions or modifications.
- ii. The decision of the Board shall become final on the date when the decision is filed.

2.4 Notice and Conduct of Public Hearing

2.4.1 Notice by County

Notice of a public hearing to be held by a Development Review Committee or the Board, shall be given as provided by resolution of the Board and as otherwise required by law. Copies of the public notice policies shall be posted in the Code Administrator's office. Public hearings shall be conducted as provided by policies established by the body holding the hearing or as required by law. All interested persons shall be allowed a reasonable opportunity to be heard at a public hearing held under the Code.

2.4.2 Notice by Applicant

2.4.2a For all zoning cases, master plans, development plans, variances, preliminary and final subdivision plats, Type V subdivisions containing six (6) or more parcels and appeals of these matters, the following public notice requirements shall be completed by the applicant at least twenty one (21) calendar days prior to the public meeting:

- i. A notice shall be published in the legal section of the daily newspaper which covers the area in which the project is located;
- ii. Certified letters, prepared by the Code Administrator, shall be mailed return receipt requested to all property owners within one hundred (100) feet (excluding rights-of-way) of the subject property;
- iii. The subject property shall be posted, in the manner outlined in Section 2.3.2c of this Article II.

2.4.2b For all summary review subdivisions containing five (5) or fewer parcels, Sections 2.4.2a.ii. and iii. Shall be completed by the applicant at least fifteen (15) calendar days prior to the administrative decision.

History. Section 2.4 was amended by Ordinance 1996-8 to include notice requirements for most projects.

**John M. Salazar**

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**From:** Richard Young <rmyoung@cybermesa.com>  
**Sent:** Monday, November 11, 2013 5:55 PM  
**To:** John M. Salazar  
**Subject:** Santiago Subdivision - Adonai-Custom-Iron-Works-

Mr. Salazar,

I own my family house in the Santiago subdivision at 10 west Traviesa De Camilo,

I am just west of Iron Works Shop and I have no problem with them having their business there. 80% of the subdivision is further from the work shop than my home.

I hope that you will consider that it is far more important that a family can work from their home by not incurring the cost of a home and the added expense of a business property (leased or mortgaged) as to better provide for their family during this economic down time.

They work during normal business hours and have not bothered me.

I hope that you will grant them their permit, if you have any questions,  
Call me at 505.470.0030, thanks, Richard Young



NED-32



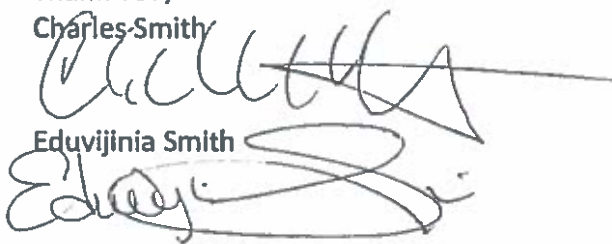
November 21, 2013

To whom it may concern,

We are Charles & Eduvijinia Smith we reside at 2 Entrada de Santiago. In regards to the complaint that was made towards our neighbor Maurilio Calderon. We have no complaints about noise, building, or any other disturbances that might have brought this complaint on. He has been a good, respectable, and decent neighbor.  
If you have any questions concerning this matter I can be reached at 505-479-3718 / 505-920-4449.

Thank You,  
Charles Smith

Eduvijinia Smith

The image shows two handwritten signatures. The first signature is for Charles Smith, written in black ink with a stylized, cursive script. The second signature is for Eduvijinia Smith, also in black ink, with a more fluid and somewhat abstract cursive style. Both signatures are positioned below their respective printed names.

NBD-33

November 18, 2013

I, Neighbor of Maurilio and Amanda Calderon support them that they have a home occupation, Adonai Custom Iron Works, Inc. a welding company at their residence at 8 Ernesto Rd in Santa Fe, New Mexico. Please use my signature as support and approval for them.

Name:	Address:	Phone#:
1. Gloria Tapia	45-A Los Tapia Ln	471-8286
2. Vincent Gallegos	6 Ernesto Rd	231-6342
3. Paul M. Gallegos	6 Ernesto Rd	316-1350
4. Brett Hunt	308 RABBIT Rd.	507-4350
5. Brett Hunt	308 RABBIT RD	507-4350
6. Ruby A. Carlson	306 Rabbit Rd	577-1626
7. Julio Rodriguez	306 Rabbit Rd	690-1819
8. Jose J. Lopez	34 Los Tapias Ln	490 3017
9. E. Jim Muel	02 ENTERADA DE COLORES	474-0340
10. R. J. G. O.	7 TRAVIESA DE Camilo E.	471-8329
11. Marcela O. Gonzalez	7 TRAVIESA DE Camilo E SF 87508	471-8329
12. Matt G. G.	316 A Rabbit Rd	920-8615
13. Paula B.	# 3 + ADIA ESTATES	670-4996
14. V. MATE	# 3 TARIA ESTATES	699-7682
15. Keith Varela	# 6 Tapia Estates	501-3339
16. Angelina Cano	# 10 Tapia Estates	501-4379
17. Mike Laccanaga	37 Los Tapia	505-471-7401
18. Joe Laccanaga	37 Los Tapia Ln	505-471-8361
19. Mary Laccanaga	37 Los Tapias Ln	505-471-8361
20. J. Lopez	45 B Los Tapias Ln	505-660-9449
21. Gustavo Polst	38C LOS Tapias Lane	629-8976
22. D. O. S.	38 c Los TAPIAS Ln	505-501-4443
23. Adnan Mohamed	10 Entrada de Colores	(505) 577-2176

I support the home Occupation Adunai  
Custom Iron Work, Inc. at Ernesto Rd.

505 438 3370

- |     |                         |  |                    |
|-----|-------------------------|--|--------------------|
| 24. | <u>Anna Lawson</u>      | <u>10 Entrada Colores</u>                                  | <u>Santa Fe NM</u> |
| 25. | <u>John Nini</u>        | <u>33 B old Galisteo Rd</u>                                | <u>795-8884</u>    |
| 26. | <u>Andy Vigil</u>       | <u>33 B old Galisteo Rd</u><br><small>SF, NM 87508</small> | <u>715-8884</u>    |
| 27. | <u>Theresa Sandoval</u> | <u>1117 Harrison Rd</u>                                    | <u>473-5920</u>    |
| 28. | <u>Keith Sandoval</u>   | <u>1117 Harrison Rd</u>                                    | <u>204-1796</u>    |
| 29. | <u>CHARLES SMITH</u>    | <u>#2 ENTRADA DE SANTIAGO</u>                              | <u>970-4449</u>    |
| 30. | <u>[Signature]</u>      | <u>2 ENTRADA DE SANTIAGO</u>                               | <u>413-318</u>     |

November 17, 2013

Mr. John M. Salazar  
Development Review Specialist  
Santa Fe County Land Use Department  
Santa Fe, New Mexico

Dear Mr. Salazar,

We, the undersigned, would like to register our opposition to the granting of a Home Occupation Business License that would allow Adonai Custom Iron Works, Inc. to operate its commercial welding business on a residentially zoned lot at 8 Ernesto Road.

We live in the neighborhood that borders 8 Ernesto Road. The residential property on which Adonai Custom Iron Works, Inc. proposes to place its commercial operation overlooks our homes from atop a hill.

We oppose the application for the following reasons:

1. **Fire danger.** Welding is a commercial activity that involves use and storage of compressed, flammable gases. To locate such a business in a residential lot that is 6.4 miles from our local volunteer fire department would be extremely dangerous to the homes of all of the families who live here.
2. **Noise.** Adonai Custom Iron Works, Inc. proposes to conduct welding, which is a noisy, high-impact industrial activity, in a quiet, rural, residential neighborhood. This is totally out of character for our neighborhood.
3. **Fumes.** Welding generates fumes, smoke, and heat. Further, painting of welded items involves use of solvents, which generate fumes and represent an additional fire danger.
4. **Appearance.** The heavy equipment needed to handle the large metal items made by Adonai Custom Iron Works, Inc. is unsightly and has no place in a residential neighborhood.
5. **Traffic.** The heavy equipment used to move the large metal items made by Adonai Custom Iron Works, Inc. will increase traffic on our local roads.

In summary, this application should be denied by the County.

Sincerely,

The undersigned:



NBD-36

Name	Address	Signature
Blouin Bacon	48 Entrada de Santiago	Blouin Bacon
Jacob Bacon	48 Entrada de Santiago	Jacob Bacon
Jerome Bacon	44 Entrada de Santiago	Jerome Bacon
Brian Bachicha	6 Calle Jacinta	Brian Bachicha
Michael Gonzalez	16 Calle Jacinta	Michael Gonzalez
Jenny Armijo	7W TRAVIESA DE CARIL	JENNY ARMISO
Justin Sanchez	7W TRAVIESA DE CARIL	Justin Sanchez
Kinsey Brown	13 Entrada de Santiago	Kinsey Brown
Douglas Brenner	15 Entrada de Santiago	Douglas Brenner
Bill Beacham	39 Entrada Santiago	Bill Beacham
Oahow de Vigil	38 Entrada de Santiago	Oahow de Vigil
Mary Alice V.	"	Mary Alice Vigil

