



Board of County Commissioners

Meeting Agenda

San Miguel County Planning & Zoning Commission
Public Hearing & Regular Meeting

Thursday, October 12, 2023
2:00 p.m.

San Miguel County Administration Building
500 West National Ave., Las Vegas, NM 87701



ZOOM Link: <https://us02web.zoom.us/j/87960020962>

Harold M Garcia
Chair-District 1

Janice C. Varela
Vice-Chair-District 2

Max O Trujillo
Commissioner- District 3

Martin Sena
Commissioner-District 4

Kenneth C. Medina
Commissioner- District 5

Joy Ansley
County Manager

Jesus Romero
Deputy County Manager

Opening Business

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Salutation of the New Mexico State Flag
 - “I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures.”
5. Approval of the Agenda
6. Approval of Minutes – August 29, 2023
7. Public Input
8. Public Hearing:
 - Enter into Public Hearing
 - Application of Requested Extension to CU-0266-Temporary Conditional Use Permit Fisher Sand & Gravel – New Mexico, INC- *Amanda C. Salas, Planning & Zoning Director*
 - Public/Agency/Applicant Comments
 - Exit Public Hearing
9. Approval/Disapproval of Requested Extension to Application CU-0266 for Temporary Conditional Use Permit Fisher Sand & Gravel-New Mexico, INC (Discussion/Action)
10. New Possible Regular Meeting Date: Thursday, November 30, 2023
11. Adjournment

Administration Complex

500 West National Avenue, Suite 203 Las Vegas, New Mexico 87701 (505) 454-1074 phone



Planning & Zoning Division

Planning & Zoning Commission

Special Meeting Minutes

Tuesday August 24, 2023

2:00 p.m.

San Miguel County Administrative Building
500 West National Ave. Suite 200, Las Vegas, NM 87701

Harold M Garcia
Chair-District 1

Janice C. Varela
Vice-Chair-District 2

Max O Trujillo
Commissioner- District 3

Martin Sena
Commissioner-District 4

Kenneth C. Medina
Commissioner- District 5

Joy Ausley
County Manager

Jesus Romero
Deputy County Manager

The San Miguel County Planning & Zoning Commissioner held a Special Meeting on Tuesday August 24, 2023. The meeting convened at the San Miguel Administrative Complex located at 500 West National Avenue, Suite 200 Las Vegas New Mexico 87701

1. Call to Order

San Miguel County Planning and Zoning Chairman Kenny Lujan called the Meeting to order at 2:00 p.m.

2. Roll Call

Upon Roll Call Chairman Kenny Lujan-present, Vice-Chair Sean Medrano-absent, Commissioner Eva Artschwager-present, Commissioner Macario Gonzales-present, Commissioner Phillip Warfield-present. A quorum was duly established.

3. Pledge of Allegiance

Planning & Zoning Chairman Kenny Lujan led the Chamber in the pledge, and

4. Salutation to the New Mexico State Flag:

"I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among the United Cultures".

Administration Complex

500 West National Avenue, Suite 201 Las Vegas, New Mexico 87701 (505) 425-9333 phone (505) 425-7019 fax



Board of County Commissioners

5. Approval of Agenda

No changes to the Agenda.

Motion made by Commissioner Phillip Warfield to approve the minutes for April 6, 2023. Second by Chairman Macario Gonzales. Motion Carried.

6. Approval of Minutes

Motion made by Commissioner Phillip Warfield to approve minutes for April 6, 2023. Second by Commissioner Macario Gonzales. Motion Carried.

7. Public Input

No Public Input

8. Robert's Rule of Order-Parliamentary Procedure for Meetings County Commission Chair: Harold Garcia (Discussion Only)

San Miguel County Chairman Harold Garcia stated for the record he is in attendance per the request of San Miguel County Attorney Chico Gallegos. Mr. Garcia informed the Planning & Zoning Commission procedures for a meeting. Mr. Garcia went over the agenda step by step on how a commission meeting is held. Mr. Garcia mentioned that the county manager will email the Chairman and Vice-Chair a proposed agenda for review and to make any changes or add additions. Once it is reviewed the Chair will email the manager back letting them know that everything is good and to go ahead and proceed with the agenda. At that point the agenda is sent out to the rest of the commission. Next Mr. Garcia stated that he will ask the commission if they have anything they would like to add or delete or modify on the agenda. At that point Mr. Garcia will ask the county manager if she is okay with those changes and if so he will go on and ask for approval of the agenda. Mr. Garcia mentioned that anyone talking for public input should only be allowed 3 minutes to talk. He also mentioned that public input is not allowed in a special meeting. Mr. Garcia said that if a constituent is interrupting the meeting and you felt necessary, kindly ask them to be quiet.



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9. Role of the Planning & Zoning Commission Counselor Chico Gallegos, County Attorney (Discussion Only)

San Miguel County Attorney Chico Gallegos spoke to the Planning & Zoning Commission about using their best judgment and to be transparent disclosing information. Mr. Gallegos mentioned that you have to be very careful when having conversations that perhaps are intervenient. Mr. Chico Gallegos stated if you need to tell them that your attorney said "I can't have this conversation."

10. Refresher: Planning & Zoning Commission Duties, Variances, Conditional Use Amanda C. Salas, Planning & Zoning Director (Discussion Only)

San Miguel County Planning & Zoning Director Amanda Salas went over duties as a Planning & Zoning Commission:

Planning & Zoning also serves as the Board of Adjustment also known as Zoning Board.

- Conducts public hearings, studies reports and can make recommendations on the Land Development Standards ordinance.
- Hear and decide on conditional use permits, where the Planning & Zoning Commission does not serve as advisory to the SMC Board of Commission.

Subdivision Regulations Ordinances SMC-06-25-96-ORD

- Wind Energy Facilities Resolution No. 02-08-11
- Hard Rock Mining Ordinance
- SMC-05-10-11 Solar Ordinance
- Signs, Bill Board Signs and Bill Board Facilities Ordinance No. 05-25-04-PZ
- Cell Tower Ordinance No. SMC-10-09-2001-PZ

Variances:

- A variance is a request to deviate from current zoning requirements. If granted, it permits the owner to use the land in a manner not otherwise permitted by the zoning ordinance because of undue hardship. It is not a change in the zoning law. Instead, it is a specific waiver of requirements of the zoning ordinance.
- Safety Issues-public health, safety and welfare to be considered; should not be harmful



Board of County Commissioners

- Equity and Consistency to the Ordinance- minimum action necessary to preserve the intent of the ordinance.

Conditional Use Permits

- A use that is permitted subject to compliance with a set of conditions or requirements set forth in the zoning ordinance; may have special impact that can affect the surrounding environment and cannot be determined in advance.
- The Land Development Standards Ordinance does list specific uses for each zone that are to be considered as conditional use. (Example: dance halls, rodeos, airports etc.)

The Planning & Zoning Commission will look at such issues to determine and outcome to determine findings of fact:

- General Welfare-to ensure that the proposed use doesn't damage public interests, property, health, safety, and overall general welfare.
- Nuisance Concerns-whether proposed use likely to cause excessive traffic, noise, odors, glare, dirt, or other problematic features
- General Comprehensive plan for the community-the Planning & Zoning Commission will generally not want to approve uses that conflict with the overall direction that the community is moving.

Adding Conditions

- Acting within its powers
- The condition must substantially further a legitimate public purpose
- Conditions should be able to be monitored, enforced and reasonably applied per current ordinance.

Examples of Conditions

- Setbacks from property lines/buildings/use-usually provided at a minimum in ordinance
- Buffers-can temper possible adverse impacts between incompatible adjacent land uses
- Ex: A six foot high solid wooden fence, trees/bushes
- Set times of operation



Board of County Commissioners

Commissioner Eva Artschwager asked if they could ask expertise for additional advise when a Conditional Use Permit application is issued. San Miguel County Director Amanda Salas mentioned that she asks all entities for any concerns or recommendations to an application.

11. Possibility of upcoming applications (Discussion Only)

Recreational business (Airbnb's), Rebuilds, Solar Update

12. Next Possible Regular Meeting Date: Thursday, September 21, 2023 or 28, 2023 (Discussion/Action)

Upon discussion the Commission will have the next Planning and Zoning meeting on Thursday September 21, 2023.

13. Adjournment

Motion to adjourn meeting made by Commissioner Philip Warfield. Second by Commissioner Macario Gonzales, Motion Carried. Adjourned at 3:35 PM.





Board of County Commissioners

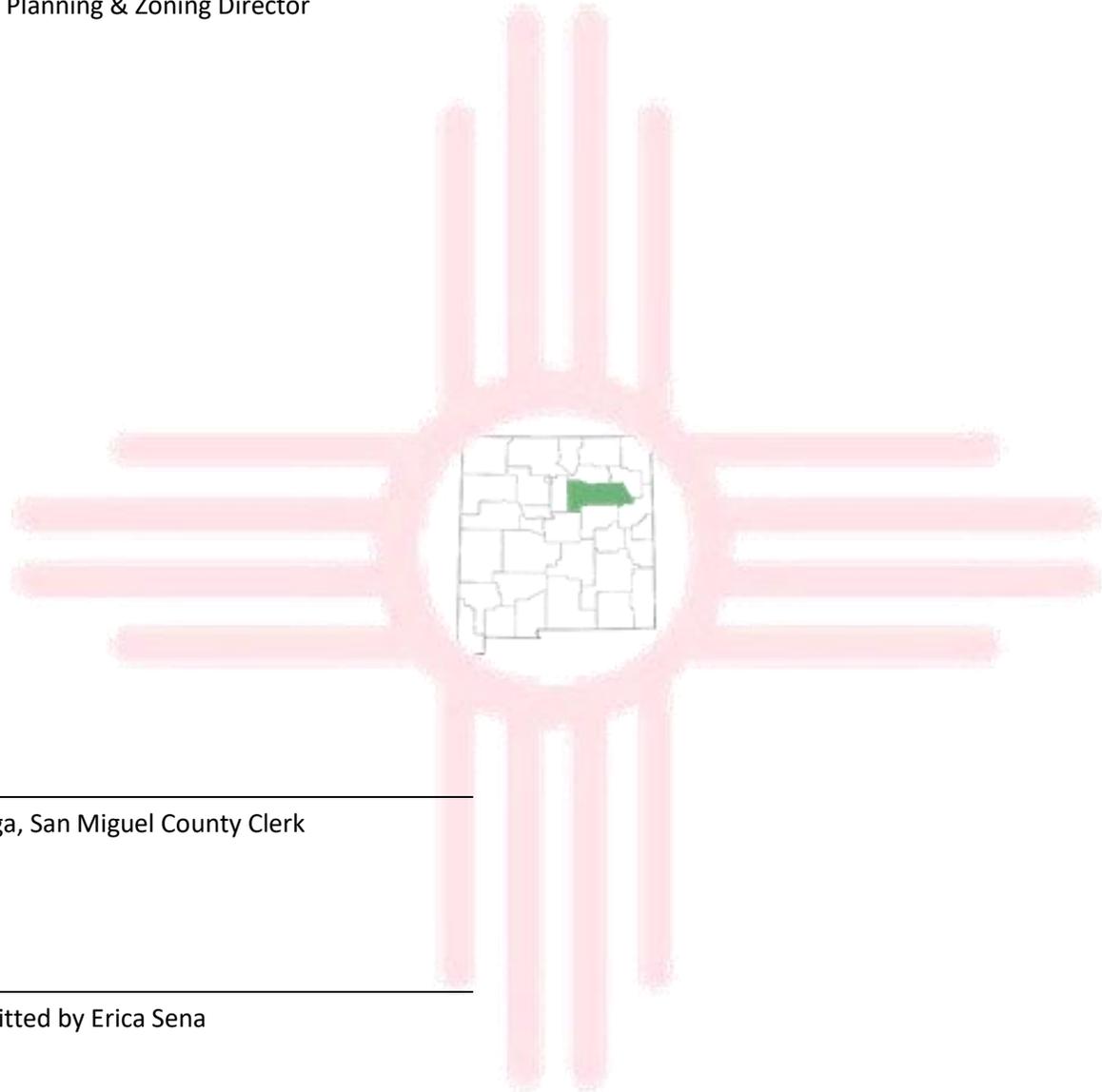
Chairman Kenny Lujan

Amanda Salas, Planning & Zoning Director

ATTEST

Louanna Ortega, San Miguel County Clerk

Minutes submitted by Erica Sena





San Miguel County Planning & Zoning

TYPE OF APPLICATION:

ONE (1) MONTH EXTENSION REQUEST

Temporary Conditional Use Permit- Temporary Hot Mix Asphalt Plant

File Number : CU-0266

Resolution : 04062023-P&Z

Public Hearing to be held on October 12, 2023 at 2:00 p.m. at County Commission Chambers

Petitioners/Applicants

Fisher Sand & Gravel-New Mexico, INC
30A Frontage Road East/P.O Box 2340
Placitas, NM 87043

Current Property Owners

Agnes CdeBaca/Paul CdeBaca-Agua Bendita Corp.
Off of County Road B35A – Rencona Area

Name of Contractor

Fisher Sand & Gravel-New Mexico, INC
30A Frontage Road East/P.O Box 2340
Placitas, NM 87043

Currently has a business license with San Miguel County (SMC) to operate

Fisher Sand & Gravel – New Mexico, INC is requesting extension of Conditional Use Permit (CU-2066) for an additional month from October 31, 2023 to November 30, 2023. Hours will remain the same as previously approved from 6:00 a.m. – 6:00 p.m.—7 days a week.

Applicant also requested an extension for Ortiz Yard as well for same time frame which will be with a Temporary Use Permit done administratively in the Planning & Zoning Division.

As provided under San Miguel County Ordinance 86-2, Administrative Process for Planning & Zoning Director per Section 5470- Temporary Uses

Current Status of the Project

- Ongoing at this time.
- New Fence install is complete.
- Cold Milling/Cold Insitu Recycling will be completed by September 22, 2023

- Bridge Rehab is complete.
- HMA operation have begun Northbound
- Drainage Structure Improvement has paused due to a pending change order from NMDOT (waiting on direction from NMDOT due to change in design)
-

Reason for the Extension:

- Bad weather days (rain) have caused delays
- Change to Drainage Structures will cause a delay. (Change in design)

Plan for Roadway due to inclement weather:

- By requesting extension through November 30, 2023, Fisher will complete HMA operation before snow, icy road conditions begin.
- Suspend project though Winter Months.
- Complete project in the Spring.

CHANGES FROM FIRST APPLICATION

Water Use

Plans changed since original application.

- Applicant has commercial water usage permission with the Village of Pecos from April 1, 2023 to November 1, 2023 for a daily limit of 6,000 gallons maximum, which Mayor can limit at his discretion. Will need to update if continuing to utilize in November 2023.
- Applicant has a water agreement with Glorieta 2.0 with an unknown limit of water allowed and no expiration date as of this time.

APPLICATION FILING DATE

Received 02-14-2023; Accepted 03-13-2023

PUBLICATION NOTICE OF P&Z MEETING

September 26, 2023, SMC Website

September 29, 2023 Las Vegas Optic

PUBLIC NOTICE MAILING LIST

Mailing out on Friday September 29, 2023

PUBLIC NOTICE SIGN

Posting no Later than Monday October 2, 2023

1st Application Information Relevant to Project- Only Changes were to Water Usage

SITE INFORMATION	
<u>Location:</u>	Off of County Road B35A – Rencona area <ul style="list-style-type: none"> Coordinates: 35°18'56.70"N 105°38'39.67"W Located on the southern end of Hogback Hill ridgeline. Head North on County Road B35A toward State Rte 34 for 0.9 miles and turn right onto State Rte for about 11 miles to get to Frontage Rd 2116.
<u>Legal Summary</u>	S: 26 T: 13 R: 12 384.570 acres
<u>Site of Acreage Used</u>	Three (3) acres being used of approximately a 385 acre parcel per applicant
<u>SMC Tax Parcel #</u>	1-071-074-145-185
<u>Account#</u>	R0293715
<u>Current Land Use</u>	Agricultural
<u>Current Land Structures</u>	Grazing land

ADJACENT PROPERTY ZONING and CURRENT LAND USE	
<u>North</u>	Unknown; likely state/federal land
<u>East</u>	0400 Agricultural
<u>South</u>	0400 Agricultural
<u>West</u>	County Road B35A, 0400 Agricultural and 0200 Non-Residential Land

UTILITIES WITHIN PROXIMITY OF SITE/PUBLIC SAFETY	
<u>Water Use</u>	<ul style="list-style-type: none"> Crusher to use 8,000 gallons a day for 25 days – 200,000 gallons Roadways and HMA will use 8,000 gallons for 30 days – 240,000 gallons <p>Plan was to get with City of Las Vegas Wastewater Treatment plant as they have been getting such water from them for another project north of Las Vegas. Changes have occurred since first application</p>

	which are listed on page 2.
<u>Liquid Waste Disposal</u>	Portable toilets will be utilized; provided by Roybal's Septic Service
<u>Gas</u>	Gas is not being utilized on site; both the crusher and the HMA plant have 10,000 gallon diesel tank per site map.
<u>Solid Waste</u>	AAF Hauling will bring in a dumpster for trash and dispose of. Will not be using a county landfill.
<u>Electricity</u>	Portable electric generators for electrical power
<u>Cable</u>	N/A
<u>Telephone</u>	N/A
<u>Internet</u>	N/A
<u>Public Safety</u>	Fire Protection: Rowe Fire Department, Police Protection: State Police, San Miguel County Sheriff Department Rowe Fire Station is approximately 12 miles from the location

GENERAL PLAN CONFORMANCE	
<u>Land Use Designation</u>	Rural Holding Zone – The purpose of this zone is to permit in appropriate areas a lower density of population than in residential agricultural zones and still maintain an environment supporting large farms and ranches.
<u>Intended Use Interpretation:</u>	Industrial - Temporary
<u>Proposed Land Use Designation</u>	Temporary Industrial Use – Temporary Hot Mix Asphalt (HMA) Plant
<u>Conditional Use Permit Defined</u>	Implemented when use may have a special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.
<u>Conditional Use Permit Implemented</u>	CONDITIONAL USE: As provided under San Miguel County Ordinance 86-2, Section 3620(P) and Section 5130- Asphalt Batching and Cement Plants, Permanent and Temporary

<u>Setback Requirement:</u>	
A. 100 feet to the nearest road B. 60 feet to any perimeter property lines C. No less than 200 feet to an existing residential dwelling	A. Approximately 800 feet to County Road B35A B. Plant will be 200 feet to the south, 750 feet to the west, 4500 feet to the east and 6300 feet to the north.
<u>Street Access :</u>	Private roadway to County Road B35A
<u>Clearview of Intersecting Streets:</u>	Yes
<u>Proposed Building:</u>	N/A

<u>Landscaping:</u>	No landscaping is proposed.
<u>Flood Plain Review</u>	Not in a floodplain per NFHL Viewer
<u>Steep Slope:</u>	N/A
<u>Erosion Hazard Area:</u>	N/A
<u>Drainage/Stormwater Runoff</u>	Stormwater Pollution Prevention Plan (SWPPP) is in place; United States Environmental Protection Agency (EPA) requirements <ul style="list-style-type: none"> • NOI was provided to receive National Pollutant Discharge Elimination System (NPDES) Permit coverage • An NOI for a general permit is a notice to the NPDES permitting authority of an Operator's intent to be covered under a general permit, and typically contains basic information about the Operator and the planned discharge for which coverage is being requested.
<u>Assets and Constraints:</u>	Property has been previously and currently being used for gravel extraction.
<u>Any Item Waived:</u>	None Section 5130, Paragraph G, provides for a performance bond or surety bond for the restoration of the site to an acceptable condition.

	The property is currently disturbed area as gravel extraction has occurred at the Agua Bendita Gravel Pit on the same parcel. The gravel pit was previously approved by a conditional use permit in 1997 with San Miguel County Planning & Zoning Division. Continuous extraction will be used. Fisher Sand & Gravel does plan to place unusable sand and material back to the pit, contour existing terrain, including natural drainage.
Grading:	None required.
Lot Width:	2700 feet
Fire Vehicle Access:	Determination will be made by San Miguel Fire Chief if needed. Fire plan also submitted by Fisher Sand and Gravel.
Cultural, Historic or Archaeological:	None known per Environmental Assessment done in 1996 when Corn Construction sought the development of the gravel pit along with the property owner.

Public Notices	
APPLICATION FILING DATE	Received 02-14-2023; Accepted 03-13-2023
P&Z MEETING	Thursday, April 6, 2023
PUBLICATION NOTICE OF P&Z MEETING	March 22, 2023, SMC Website March 24, 2023 Las Vegas Optic
PUBLIC NOTICE MAILING LIST	Completed with adjacent property owners
PUBLIC NOTICE SIGN	Posting no later than Monday March 27, 2023

Sent for Initial Review to the following departments and agencies for comment on March 22, 2023; Extension Review sent on September 27, 2023	
Agency & Contact(s)	Response & Date Received
SMC Planning & Zoning Division Amanda C. Salas, Planning & Zoning Director asalas@co.sanmiguel.nm.us	1 st Review Concerns could be noise, road damage to county and state roads, traffic control If conditional use application is approved, a

	<p>temporary permit will also be required for a temporary construction yard.</p> <p>The location will be 83 NM 63 in Rowe for the sole purpose to have a portable office at the size of 8x20. Signs and bases, barrels, arrow boards, message boards, trash dumpsters and portable toilets. Heavy equipment will not be stored there. Noise and traffic will also have to be considered for this area. Noise and traffic is not going to be an issue as per applicant for this use. No concerns for the temporary permit at this time.</p> <p><i>Administrative Process for Planning & Zoning Director per Section 5470- Temporary Uses</i></p> <p>Extension Review: Temporary Construction Yard extension can be granted for an additional month. No concerns regarding a one month extension as no significant changes are to occur.</p>
<p>SMC Planning & Zoning Division Nanette Knox, Land Use Compliance Specialist nknox@co.sanmiguel.nm.us</p>	<p>1st Review : None at this time; building is not occurring</p> <p>Extension Review: I do not see any issues with this project continuing</p>
<p>SMC Public Works Division Benito Romero, Public Works Director bromero@co.sanmiguel.nm.us</p>	<p>1st Review: No issues or concerns at this time.</p> <p>Extension Review: I approve this request.</p>
<p>SMC Fire Division Chief Andrew Duran, SMC Fire Chief aduran@co.sanmiguel.nm.us</p>	<p>1st Review: Fire protection would be provided by Rowe Fire Station. Knowing the location, the site is adjacent to the county road. I do not see fire access to be an issue. I have reviewed their fire safety plan and have no concerns.</p>

	<p>Extension Review: I do not see any reason not to extend their permit, nothing has changed in the operations.</p>
<p>NM Environment Department Kenny Santiestevan, Environmental Scientist Kenny.Santiestevan@state.nm.us</p>	<p>1st Review: I don't see any problems with this application as all the proper permits meet the Air Quality and NMDOT regulations. NMED is only concerned about meeting the setbacks from property lines and waterways. Based on the photos submitted, it can be determined that the proper setbacks are met.</p> <p>Extension Review: The Environmental Health Bureau (EHB) has reviewed the relevant information and has determined that the project meets all of the criteria to grant extension of the project for an additional month. EHB's main concern is that all setbacks from water ways and property fence lines can be achieved.</p>
<p>City of Las Vegas Wastewater Division Maria Gilvarry, Utilities Director gilvarrym@lasvegasnm.gov</p>	<p>1st Review: At this time our comment is that we cannot guarantee water availability. Effluent may be made available. At this time I cannot commit to its availability. The volume available will be based on the amount already committed and in accordance with our permit. Pending</p> <p>Extension Review: Not needed since they are no longer using the services of the City of Las Vegas</p>
<p>NM Department of Transportation Veronica Lovato-Lerma, District Traffic</p>	<p>1st Review: Veronica Lerma- Fisher's access point to the proposed plant is located of a</p>

<p>Engineer Veronicar.lovatoler@state.nm.us Gabriel Lucero, Assistant District Engineer Gabrielm.lucero@state.nm.us</p>	<p>county road, therefore does not require anything from my shop as far as permitting. We do expect them to have ‘Trucks Turning’ signs on NM 34 as well as FR 2116.</p> <p>Extension Review:</p> <p>-----</p> <p>1st Review: Gabriel Lucero- I believe we have two main concerns. The first concern we have is the impact the heavy vehicles will have on the pavement of NM 34. We have had similar cases where the haul route suffers severe damage due to the additional traffic. The second concern we have is the increase in the volume of traffic, specifically the commercial traffic. NM 34 is a very narrow roadway and we have concerns with the commercial vehicles and passenger cars on the road. The portion of NM 34 as you climb to the top of the mesa is very narrow and lacks guardrail.</p> <p>Extension Review:</p> <p>Veronica Lovato Lerma-No response</p> <p>Gabriel Lucero- The Department does not see an issue with the extension request and recommend that the extension be granted.</p>
<p>Department of Cultural Affairs Historic Preservation Division Bob Estes Ph.D.</p>	<p>1st Review : Bob Estes- Historic Preservation Specialist/Archaeology-- My review shows that the project area of potential effects has not</p>

<p>Historic Preservation Specialist/Archaeology Bob.Estes@dca.nm.gov</p>	<p>been surveyed to identify and evaluate historic properties. However, the addition of hot mix plant to the quarry is unlikely to affect any unidentified historic properties. The State Historic Preservation Office has no concerns and no additional work is needed.</p> <p>Extension Review:</p>
<p>Dennis J. Esquibel San Miguel County/City of Las Vegas Office of Emergency Management desquibel@co.sanmiguel.nm.us</p>	<p>1st Review: Does not have any Concerns</p> <p>Extension Review: Good morning ma'am, I have no reservations on extending their permit.</p>
<p>Office of the State Engineer Christopher Thornburg Water Rights Director</p>	<p>1st Review: Was not applicable</p> <p>Extension Review: No Concerns regarding water usage of Glorieta 2.0 as they are permitted for such use.</p>
<p>Village of Pecos Mayor Telesfor (Ted) Benavidez MayorT@villageofpecos.com</p>	<p>1st Review: Was not applicable</p> <p>Extension Review: No comment recieved</p>
<p>Did received public comments via phone as well from two concerned residents:</p>	<p>1st Review Concerns Via Phone: Concerns are:</p> <ul style="list-style-type: none"> • Jake brakes being used down the hill by semis • The poor current condition of NM 34 • Concerns NM 34 will be left in worse condition • Fire concerns for the location <p>Extension Review: No new information</p>

	regarding the extension received by the office
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Additional Items:	Fire Protection and Exhibit Plan Facility Layout Map- Air Quality Permit GCP2-2981R1 Certificate of Liability Insurance Material Agreement with Property Owner Construction Permit Nm:GCP-3-Rev.1 for Hot Mix Plant SWPPP-EPA NOI (Notice of Intent) San Miguel County Business License- Fisher Industries Construction Permit No:GCP-2-Rev.3- Registration 3618 Temporary Use Permit Application for Temp Construction Yard BLM Contract
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EXTENSION

REQUEST

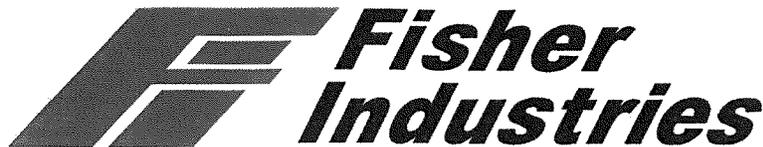
**Additional Documents
(New)**

Extension Request Letter

Commercial Water Use from Village of
Pecos

Water Agreement with Glorieta 2.0

Extension Request



PO Box 2340 | 30A Frontage Rd East | Placitas, NM 87043-2340
(866) 460-7927 | (505) 867-2600 | Fax: (505) 867-1609 | www.fisherind.com

Fisher Sand & Gravel Co.
Arizona Drilling & Blasting
Fisher Grading & Excavation
Fisher Ready Mix
Southwest Asphalt
Southwest Asphalt Paving
Fisher Sand & Gravel - New Mexico, Inc.
General Steel and Supply Company
Southwest Concrete Paving Co.

September 18, 2023

RE: San Miguel County (Conditional Use Permit) for NMDOT Project 4101370 I-25 MP 305.00 to 309.00.

Dear Ms. Salas,

Enclosed you will find information needed for Conditional Use Permit to support Fisher's road project in San Miguel County. The permit is for an aggregate pit with a crusher with (HMAP) Hot Mix Asphalt Plant.

Project name; Rowe.
NMDOT Control #; 4101370
NMDOT Project #; 4101370
Highway; I-25 MP 305.0 to 309.0.
NMDOT District; 4
NMDOT Project Manager; Joseph Leger 505-617-5251.
Federal Project; Yes
Location; San Miguel County
Land Owner; Aqua Bendita Corp: Agnes CdeBaca, Paul CdeBaca 505-470-0542

Project Description: Roadway Rehabilitation, fencing, paving, guardrail, etc.

Cost Estimate: Bid price was \$15,150,000.00

Requested Time Frame: May 1, 2023 to November 30, 2023, **Hours of operation:** 6:00 am to 6:00 pm 7 days a week.

Operations Tonnages: **Crushing/Screening** 200 TPH/2000 TPD, **HMA** 350 TPH/2800 TPD, 120 Truck Round Trips.

Employee's on site: Crusher 6 employees, HMA 4 employees, (**Subcontractor Trucking Company**), Trucking 15 Drivers.

Need for Proposed Action:

Fisher Sand & Gravel-New Mexico, Inc. (Fisher) has requested a Conditional Use Permit for the removal of sand and gravel. The material would be used for HMA (hot mix asphalt) pavement



PO Box 2340 | 30A Frontage Rd East | Placitas, NM 87043-2340
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Southwest Asphalt
Southwest Asphalt Paving
Fisher Sand & Gravel - New Mexico, Inc.
General Steel and Supply Company
Southwest Concrete Paving Co.

material on a Federal Aid Highway construction project (CN 4101370) for Interstate 25 near Rowe. Fisher has contracted with Aqua Bendita Corp for the purchase of the aggregate materials.

Description of Proposed Action:

Fisher proposes to mine 40,000 tons of aggregate material, primarily sand and gravel from an existing pit located in the N1/2 NW1/4 of Section 35, T. 13 N., R. 12 E., NMPM, comprising of 20 acres, the haul road comprises of .85 acres. The surface estate is owned by Agnes CdeBaca of Pecos NM. Fisher has already entered into a Material Owner's agreement with the Aqua Bendita Corp. The highway project is expected to start in early May with the crushing, then continuing with the HMA paving.

Operations would begin with moving in the crusher. Then the rock would be removed from the pit using a Dozer and front-end loader. The depth of the mining would be 20 feet. The rock would be run through the crushing plant in order to reduce it to the required gradations and then screened to removed unwanted sand. The remaining sand material, which is unusable for the project would be put back into the pit area. The gravel would be stockpiled for the HMA plant to mix into asphalt material. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the site.

Upon completion of the mining, the pit walls would be sloped 3:1 (horizontal to vertical). The entire site would be contoured to the existing terrain as much as possible, including restoring natural drainage.

Environmental Impacts:

The pit is located on the southern end of the Hogback Hill ridgeline. The ridgeline trends northwest-southeast at an elevation between 7,110 and 7,220 feet msl. Annual precipitation is 18 inches. The tanks being used for liquids will be with lined containment berms, A trash dumpster will be brought in for all trash and portable toilets will be utilized. Any solid waste not being retained by the land owner, will be hauled off and disposed of.

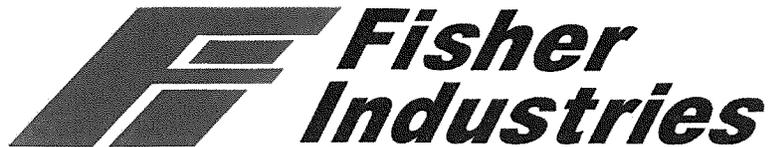
Mineral Resources:

The primary impact to the mineral resources would be the complete removal of all gravel material from the top 20 feet from the surface. Any remaining sand would still be available, as would any mineral resources below the 20 foot level.

Electrical Power:

Fisher will utilize portable electric generators for electric power.

Fire Prevention Plan: See Attached.



PO Box 2340 | 30A Frontage Rd East | Placitas, NM 87043-2340
(866) 460-7927 | (505) 867-2600 | Fax: (505) 867-1609 | www.fisherind.com

Fisher Sand & Gravel Co.

Arizona Drilling & Blasting
Fisher Grading & Excavation
Fisher Ready Mix
Southwest Asphalt
Southwest Asphalt Paving

Fisher Sand & Gravel - New Mexico, Inc.

General Steel and Supply Company
Southwest Concrete Paving Co.

Current Status of Project:

Project is ongoing at this time.

New fence install is complete.

Cold Milling/Cold-Insitu Recycling will be completed by September 22, 2023.

Bridge Rehab is complete.

Drainage Structure Improvement has paused due to pending change order from NMDOT.

HMA operations have begun Northbound.

Reason for Extension:

Bad weather days have caused delays.

Changes to Drainage Structures will caused a delay.

Plan for Roadway due to inclement weather:

By requesting extension thru November 30, 2023, Fisher will complete HMA operations before snow, icy road conditions begin.

Suspend project thru Winter months, Complete project in the spring.

Water Plan:

Attached are water agreements.

Requested Date of Extension:

October 31, 2023 to November 30, 2023, Hours of operation: 6:00 am to 6:00 pm 7 days a week.

Felipe Tenorio

FISHER SAND & GRAVEL-NM, INC.



THE VILLAGE OF PECOS
P.O. DRAWER 337
PECOS, NEW MEXICO 87552
PHONE (505) 757-6591
FAX (505) 757-2833

Mayor "Ted" A. Benavides
MAYOR

William Croyde
TREASURER

Ann W. Vail
CLERK

Caroline N. Vanda
Wanda S. Lopez
DEPUTY CLERK

BOARD OF TRUSTEES

Marion Colgan

Ralph Lopez

Brian Goodrod

Armand Galatin

COMMERCIAL WATER USAGE FORM
\$35.00/5,000 gallons (or any fraction thereof)
\$5.00/1,000 gallons after 5,000 gallons (or any fraction thereof)

DAILY LIMIT OF 2 TRUCKLOADS (3,000 each) OR 6,000 GALLONS MAXIMUM

NOTE: Mayor may make the discretion to limit Daily Max Truckloads or Gallons

Date: 04/04/2023

Name of Company: Fisher Sand & Gravel - New Mexico, Inc.

Address: P.O. Box 2340, Placitas, NM 87043

Phone Number: 505-867-2600

Location of Service: I25, MP 305.000 to MP 309.000

Date of Service: From: April 1, 2023 To: November 1, 2023

Authorized Signature: *Sped Miller*

DEPOSIT OF \$500 IS REQUIRED

Maintenance and Front Office will be monitoring the meter readings. They will turn in the meter reading records after construction is complete. The Contractor will be charged accordingly for water usage as per meter reading. Once project is complete and invoice(s) are paid in full, your deposit will be returned within 30 days.

Authorized Signature: _____

Date: 04/04/2023

Check or Money Order # _____

Receipt # _____

"Work Safely Today, Remember Someone Expects You Home Tonight!"

WATER AGREEMENT

This usage agreement is made this 29th day of June 2023 by and between Fisher Sand & Gravel – New Mexico, Inc., a corporation of Placitas, N.M., the Lessee and Glorieta 2.0 (505-428-6424) (ext.708) Steven Rasmussen (928-444-7730 C), PO Box 8 Glorieta, New Mexico 87535 the water owner, the Lessor.

RECITALS:

1. Lessee obligates the purchase from the Lessor of water from the property at Glorieta, New Mexico 87535, the approximate amount being unknown.

AGREEMENT:

- A. Lessor hereby grants to the Lessee, its agents, and employees the right to set up and operate such equipment to purchase water.
- B. Lessor represents and warrants that it is well seized of good and merchantable title to the Property, including water rights and has the lawful right to sell water.
- C. Lessee shall use its own equipment (Trucks, meter and tank) for the purpose of removing and hauling of water.
- D. Lessee shall pay a royalty of \$12.00 per 1000 gallons for all water taken from the property.
- E. A statement showing proper quantity valuation for the period of payment shall be issued with payment. Lessee shall release payment on a corporate check on the fourth Friday of each month following the receipt of the quantity payment from the contracting agency. Lessee shall make its books and records reasonably available to Lessor for the purpose of calculating the Lessee's payment, which is based upon the load counts of the water removed from the Lessor's property.
- F. No liabilities associated with the water removal process are due concern of the Lessor. Lessee shall provide Workmen's Compensation Insurance and such other insurances to cover personnel and all of its operations upon the premises in the amount and form as may be required by law. Lessee assumes full and sole responsibility for the operation and direction of the work done under this Lease on the Property and no employee or agent furnished by Lessee shall under any circumstances be deemed an employee of the Lessor.
- G. This Agreement shall be construed in accordance with the laws of the State of New Mexico. This Agreement shall bind the heirs, successors, and assigns of the both parties.
- H. Lessee shall indemnify Lessor and hold Lessor harmless from and against any and all losses, costs and liabilities, joint or several and all expenses (including legal fees and other expenses reasonably incurred in investigating or defending against litigation or in connection herewith or as a result of the presence or required cleanup of

Hazardous federal, relating to Hazardous Materials which are deposited on the premises by Lessee. Upon receiving knowledge of any suit, claim or demand asserted by a third party that Lessor believes is covered by this indemnity, Lessor shall give Lessee notice of the matter and opportunity to defend it, at Lessee's sole cost and expense, with legal counsel satisfactory to Lessor.

- I. Unless otherwise incorporated in this document, no agreements or understandings expressed or implied shall be binding to either party. This agreement shall be binding upon all heirs and/or successors and assigns in interest.

LESSOR:


Owner (date)

SSN or Fed ID# 46-2719381

LESSEE:

Brian J Gambrel 6/29/2023
Fisher Sand & Gravel-NM, Inc. (date)

NOTICE OF REGULAR MEETING AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the San Miguel County Planning & Zoning Commission, pursuant to the Open Meetings Act, Section 10-15-1.1, NMSA 1978, will hold a regular meeting and public hearing on Thursday, October 12, 2023 at 2:00 p.m. in the San Miguel County Commission Chambers, County Courthouse 2nd Floor, 500 W. Nat'l Ave., Suite 200, Las Vegas, NM, for the purpose of regular business and considering the application set forth hereunder. Any protests and objections may be made by interested persons.

APPLICATION: Extension of Temporary Conditional Use Permit CU-0266–
Temporary Hot Mix Asphalt Plant (HMA) for NMDOT Project #4101370 on NM HWY
I-25 MP 305.0 to 309.0

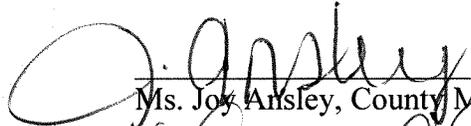
APPLICANT: Fisher Sand & Gravel – New Mexico, Inc.

PLACE OF PROPOSED USE: Agua Bendita Gravel Pit site within a parcel of land comprised of 385 acres, more or less, off of County Road B35A and NM State Route 34, located within San Miguel County near Rowe, projected Section 26, Tract 13, Range 12.

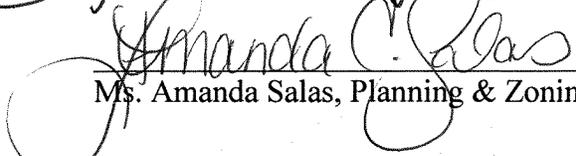
ACTION REQUESTED OF THE PLANNING & ZONING COMMISSION:
Permit a one (1) month extension of Conditional Use Permit CU-0266 currently ending October 31, 2023 to be extended to November 30, 2023 to continue the operation of the Temporary Hot Mix Asphalt Plant due to weather-related delays interrupting project.

Adjournment

Further details regarding this request may be examined at the aforementioned hearing or by contacting the Planning & Zoning Division, 500 West National Avenue, Suite 203, Las Vegas at 505-454-1074.



Ms. Joy Ansley, County Manager



Ms. Amanda Salas, Planning & Zoning Director

Publish: September 26, 2023
San Miguel County Website
September 29, 2023
Las Vegas Optic

Initial
Application
Packet for
CU-0266

APPLICATION FOR CONDITIONAL USE PERMIT

**PLANNING & ZONING DIVISION
SAN MIGUEL COUNTY ADMINISTRATION COMPLEX
500 W. NATIONAL, SUITE 203
LAS VEGAS, NEW MEXICO 87701
(505) 454-1074 Fax: (505) 454-9728
Email: pandz@co.sanmiguel.nm.us**

Application File No. CU-0266 Date Submitted: 2/23/2023

Name of Applicant: Fisher Sand & Gravel - New Mexico, INC.

Address: 30 A Frontage Rd East / PO Box 2340 Placitas NM 87043

Telephone Number: 505-867-7600

Property Interest of Applicant: Purchase + Process Sand & Gravel for

Name of Property Owner: Agnes C de Baca - Agua Bendita Corp
NM DOT Project

Location of Property: Rencong

Legal Description of Property: N 1/2 NW 1/4 Sec 35 T13N R12E NMPM

Copy of Deed or Survey Attached: Yes X No

Present Use and Character of Property: Sand & Gravel Pit - Disturbed

Intended Use of Property: Crush Gravel + Mix material in HMA plant

New Mexico Tax ID Number: 03-042187-000

Applicant San Miguel County Business License: Yes X No

Use of Existing Structure. Date Established: N/A No structures

Applicant Signature: [Signature]

Date: 2/23/2023

Property Owner Signature: Agnes B. C de Baca

Date: 2/23/2023



PO Box 2340 | 30A Frontage Rd East | Placitas, NM 87043-2340
(866) 460-7927 | (505) 867-2600 | Fax: (505) 867-1609 | www.fisherind.com

Fisher Sand & Gravel Co.
Arizona Drilling & Blasting
Fisher Grading & Excavation
Fisher Ready Mix
Southwest Asphalt
Southwest Asphalt Paving
Fisher Sand & Gravel - New Mexico, Inc.
General Steel and Supply Company
Southwest Concrete Paving Co.

February 23, 2023

RE: San Miguel County (Conditional Use Permit) for NMDOT Project 4101370 I-25 MP 305.00 to 309.00.

Dear Ms. Salas,

Enclosed you will find information needed for Conditional Use Permit to support Fisher's road project in San Miguel County. The permit is for an aggregate pit with a crusher with (HMAP) Hot Mix Asphalt Plant.

Project name; Rowe.
NMDOT Control #; 4101370
NMDOT Project #; 4101370
Highway; I-25 MP 305.0 to 309.0.
NMDOT District; 4
NMDOT Project Manager; Joseph Leger 505-617-5251.
Federal Project; Yes
Location; San Miguel County
Land Owner; Aqua Bendita Corp: Agnes CdeBaca, Paul CdeBaca 505-470-0542

Project Description: Roadway Rehabilitation, fencing, paving, guardrail, etc.

Cost Estimate: Bid price was \$15,150,000.00

Requested Time Frame: May 1, 2023 to October 31, 2023, **Hours of operation:** 6:00 am to 6:00 pm 7 days a week.

Operations Tonnages: **Crushing/Screening** 200 TPH/2000 TPD, **HMA** 350 TPH/2800 TPD, 120 Truck Round Trips.

Employee's on site: Crusher 6 employees, HMA 4 employees, (**Subcontractor Trucking Company**), Trucking 15 Drivers.

Need for Proposed Action:

Fisher Sand & Gravel-New Mexico, Inc. (Fisher) has requested a Conditional Use Permit for the removal of sand and gravel. The material would be used for HMA (hot mix asphalt) pavement



PO Box 2340 | 30A Frontage Rd East | Placitas, NM 87043-2340
(866) 460-7927 | (505) 867-2600 | Fax: (505) 867-1609 | www.fisherind.com

Fisher Sand & Gravel Co.
Arizona Drilling & Blasting
Fisher Grading & Excavation
Fisher Ready Mix
Southwest Asphalt
Southwest Asphalt Paving
Fisher Sand & Gravel - New Mexico, Inc.
General Steel and Supply Company
Southwest Concrete Paving Co.

material on a Federal Aid Highway construction project (CN 4101370) for Interstate 25 near Rowe. Fisher has contracted with Aqua Bendita Corp for the purchase of the aggregate materials.

Description of Proposed Action:

Fisher proposes to mine 40,000 tons of aggregate material, primarily sand and gravel from an existing pit located in the N1/2 NW1/4 of Section 35, T. 13 N., R. 12 E., NMPM, comprising of 20 acres, the haul road comprises of .85 acres. The surface estate is owned by Agnes CdeBaca of Pecos NM. Fisher has already entered into a Material Owner's agreement with the Aqua Bendita Corp. The highway project is expected to start in early May with the crushing, then continuing with the HMA paving.

Operations would begin with moving in the crusher. Then the rock would be removed from the pit using a Dozer and front-end loader. The depth of the mining would be 20 feet. The rock would be run through the crushing plant in order to reduce it to the required gradations and then screened to removed unwanted sand. The remaining sand material, which is unusable for the project would be put back into the pit area. The gravel would be stockpiled for the HMA plant to mix into asphalt material. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the site.

Upon completion of the mining, the pit walls would be sloped 3:1 (horizontal to vertical). The entire site would be contoured to the existing terrain as much as possible, including restoring natural drainage.

Environmental Impacts:

The pit is located on the southern end of the Hogback Hill ridgeline. The ridgeline trends northwest-southeast at an elevation between 7,110 and 7,220 feet msl. Annual precipitation is 18 inches. The tanks being used for liquids will be with lined containment berms, A trash dumpster will be brought in for all trash and portable toilets will be utilized. Any solid waste not being retained by the land owner, will be hauled off and disposed of.

Mineral Resources:

The primary impact to the mineral resources would be the complete removal of all gravel material from the top 20 feet from the surface. Any remaining sand would still be available, as would any mineral resources below the 20 foot level.

Electrical Power:

Fisher will utilize portable electric generators for electric power.

Fire Prevention Plan: See Attached.



February 16, 2023

Cynthia Vigue
 Division Administrator
 Federal Highway Administration
 4001 Office Court Dr., Suite 801
 Santa Fe, NM 87507

District: 4
 Control No.: 4101370
 Project No.: 4101370
 Contractor: Fisher Sand & Gravel

SUBJECT: Programmatic Categorical Exclusion

Dear Ms. Vigue:

The New Mexico Department of Transportation (NMDOT) Environmental Bureau staff has reviewed the following project. The project meets the conditions stipulated in the agreement approved March 30, 2021 for completing the requirements of 23 CFR § 771 and it qualifies for the NMDOT and Federal Highway Administration Programmatic Categorical Exclusion.

<u>District</u>	<u>County</u>	<u>Project Number</u>	<u>Termini Description</u>
4	San Miguel	CN 4101370	I25 Pavement Rehabilitation MP 305 to MP 309
Project Scope:			
The contractor proposes to use a 1.2-acre previously disturbed privately owned lot for a construction yard for temporary vehicle parking as well as the storage of equipment and materials. The contractor also proposes to use an existing 14.9-acre borrow pit with private surface and BLM mineral rights for a borrow source and hot-mix asphalt plant.			
Certification is based on information provided by contractor and only applies to the action and lands described herein. Any modifications to scope of work or expansion of lands used shall be submitted to the NMDOT Project Manager and Environmental Development Bureau for approvals per Standard Spec 107.14.			

In addition, a review of the project has been completed in accordance with the requirements of the National Historic Preservation Act of 1966, as amended through 1992 and 36 CFR 800 (August 5, 2004). The proposed project does not include any activities or programs that can result in changes in the character or use of historic properties.

NMDOT files contain documentation supporting this determination. The files are available for FHWA review. We will continue to monitor project design and development to ensure the applicability of the Programmatic Categorical Exclusion.

The proposed contractor located activity meets all the conditions stipulated in the Programmatic Categorical Exclusion under CFR § 771.117(c). No further coordination is necessary for environmental approval.

Sincerely,

DocuSigned by:

2C407E2EBFCB4A2...

Trent Botkin, Acting Manager

2/16/2023

Date

**Michelle Lujan
 Grisham**
 Governor

Ricky Serna
 Cabinet Secretary

Commissioners

Jennifer Sandoval
 Commissioner, Vice-Chairman
 District 1

Bruce Ellis
 Commissioner
 District 2

Hilma E. Chynoweth
 Commissioner
 District 3

Walter G. Adams
 Commissioner, Chairman
 District 4

Thomas C. Taylor
 Commissioner
 District 5

Charles Lundstrom
 Commissioner, Secretary
 District 6

Location/Labeling of Fire Extinguishers

Fire extinguishers are to be mounted in easily accessible locations, and strategically located in close proximity to flammables according to specific regulations. No equipment, boxes, or product may be placed (even temporarily) in the way of a fire extinguisher.

Maintenance

All fire extinguishers, where possible, shall be mounted so they are visible and easily accessible. All fire extinguishers shall be maintained as follows:

- Fully charged and in operable condition.
- Clean and free of defects.
- Readily accessible at all times.

Inspection, Maintenance and Testing

All fire extinguishers are to be visually inspected by employees on a monthly basis, and receive an annual maintenance check by certified personnel from a fire extinguisher supplier. Extinguishers shall be inspected and recharged by certified personnel after any use, or when an extinguisher shows a loss of pressure during monthly inspection. Fire extinguisher inspection tags will be attached to each extinguisher and marked accordingly.

Use

In the event of a fire, one employee will get the nearest fire extinguisher and use it to attempt to put out the fire. All other employees in the immediate area will prepare to evacuate, if needed. All other employees in the building need to be advised that a fire is in progress. The employee attempting to extinguish the fire will break the safety seal on the handle and pull the pin. He will then aim his extinguisher at the base of the fire and discharge it with a sweeping motion from side to side; continuing until the fire is out or the extinguisher is emptied.

Remember that a standard fire extinguisher will be emptied in about 10 to 15 seconds. If the fire is not out when the extinguisher has been completely discharged, the employees must evacuate the area.

TRAINING

The purpose of this section is to establish the training procedures necessary to ensure the proper use and understanding of a fire extinguisher and incipient stage firefighting. Training will occur prior to initial assignment, and at least annually thereafter.

Retraining

Retraining shall re-establish employee proficiency and introduce new or revised control methods and procedures, as necessary. Retraining shall be provided for all authorized and affected employees as follows:

- On an annual basis, or when there is a change in job assignment.
- Fisher Industries has reason to believe that there are deviations from, or inadequacies in, the employee's knowledge or use of fire extinguishers or fire prevention procedures.

PURPOSE

To provide fire extinguisher procedures that ensure equipment is operable, and that employees have the knowledge necessary to safely operate the equipment in case of a fire incident.

RESPONSIBILITY

Safety Department

Develop procedures for the use and care of fire extinguishers, and a training program for the proper use of these devices.

Supervisor

Implement fire extinguisher training at their location. Ensure that all employees have a clear understanding of, and comply with, all aspects of the program.

Employees

Comply with all aspects of the program.

PROGRAM and PROCEDURE

Selection and Distribution

Portable fire extinguishers shall be provided for employee use. They will be selected and distributed based on the classes of anticipated workplace fires, and on the size and degree of the hazard which would affect their use. Fire extinguishers used by this company are for **four** classes of fires.

Class A Fire Extinguishers

For use on ordinary combustibles or fibrous materials, such as wood, paper, cloth, rubber, and some plastics. Travel distance for employees to any extinguisher is 75 feet (22.9 m) or less.

Class B Fire Extinguishers

For use on flammable or combustible liquids, such as gasoline, kerosene, paint, paint thinners, and propane. Travel distance from the Class B hazard area to any extinguisher is 50 feet (15.2 m) or less.

Class C Fire Extinguishers

For use on energized electrical equipment, such as appliances, switches, panel boxes, and power tools. Travel distance from the Class C hazard area to any extinguishing agent is 50 feet (15.2 m) or less.

Class D Fire Extinguishers

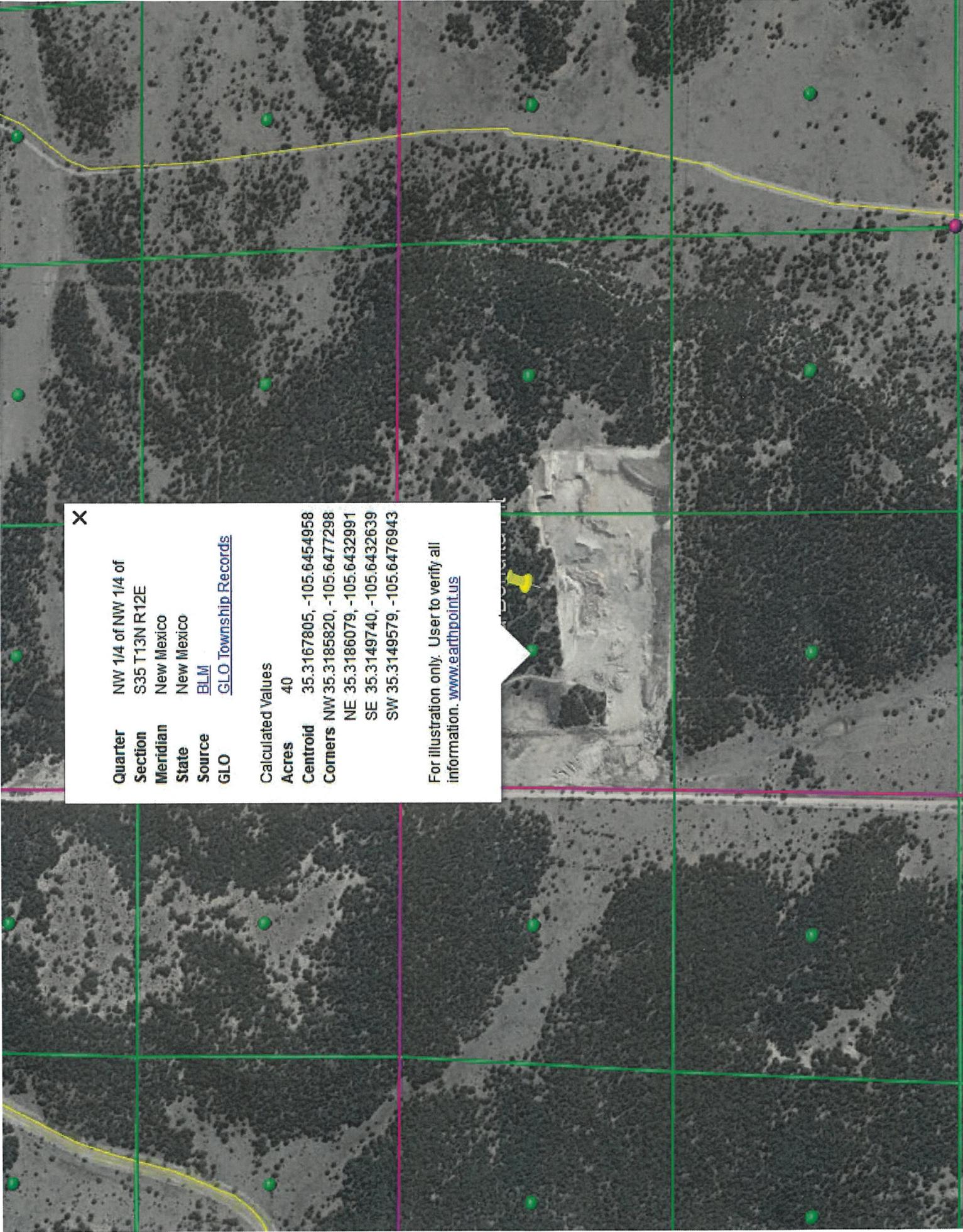
For use on combustible metals, such as magnesium, titanium, potassium, and sodium. Travel distance from the combustible metal working area to any extinguishing agent is 75 feet (22.9 m) or less.

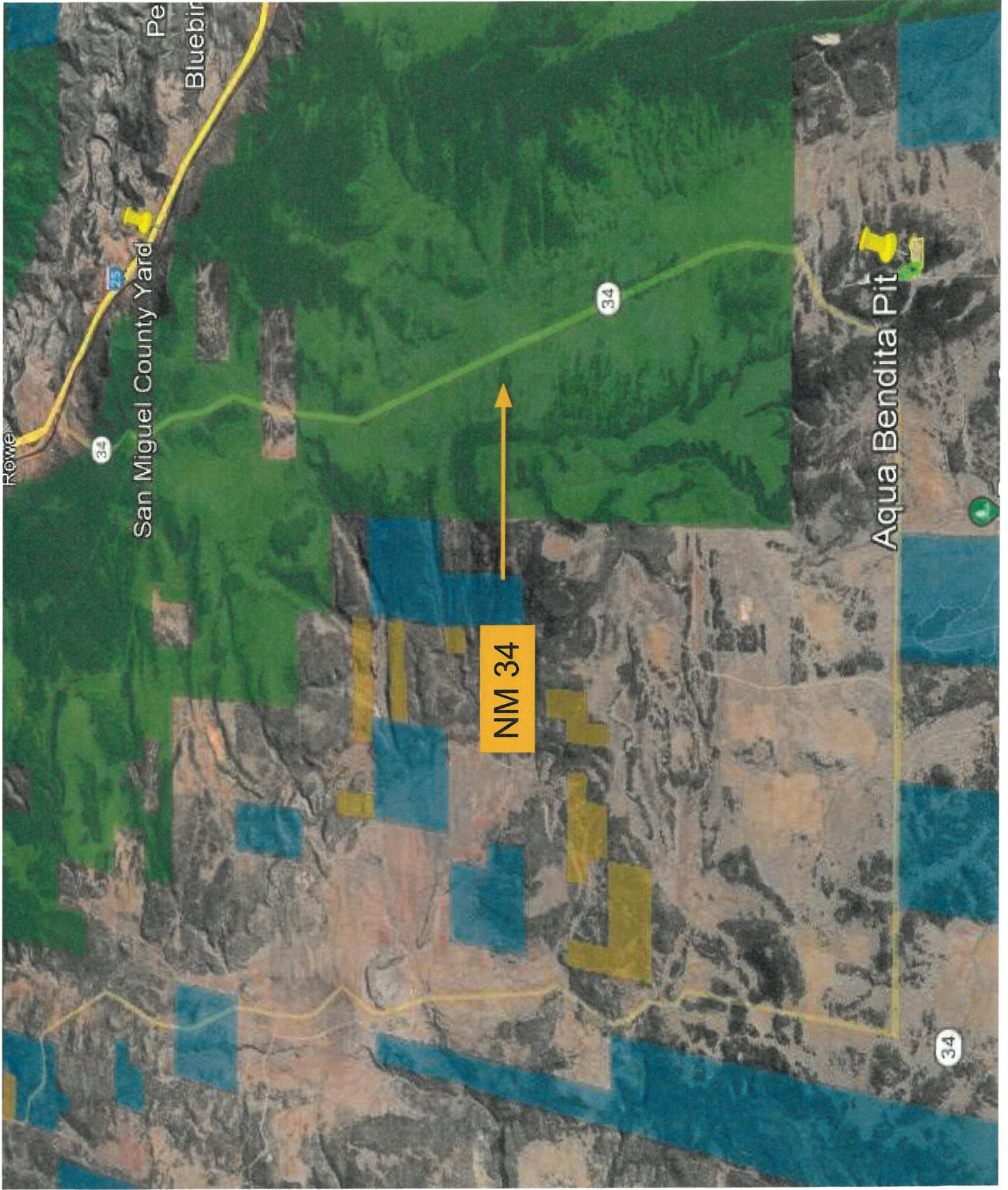
X

Quarter NW 1/4 of NW 1/4 of
Section S35 T13N R12E
Meridian New Mexico
State New Mexico
Source BLM
GLO GLO Township Records

Calculated Values
Acres 40
Centroid 35.3167805, -105.6454958
Corners NW 35.3185820, -105.6477298
NE 35.3186079, -105.6432991
SE 35.3149740, -105.6432639
SW 35.3149579, -105.6476943

For illustration only. User to verify all information. www.earthpoint.us





San Miguel County Yard

Aqua Bendita Pit

NM 34



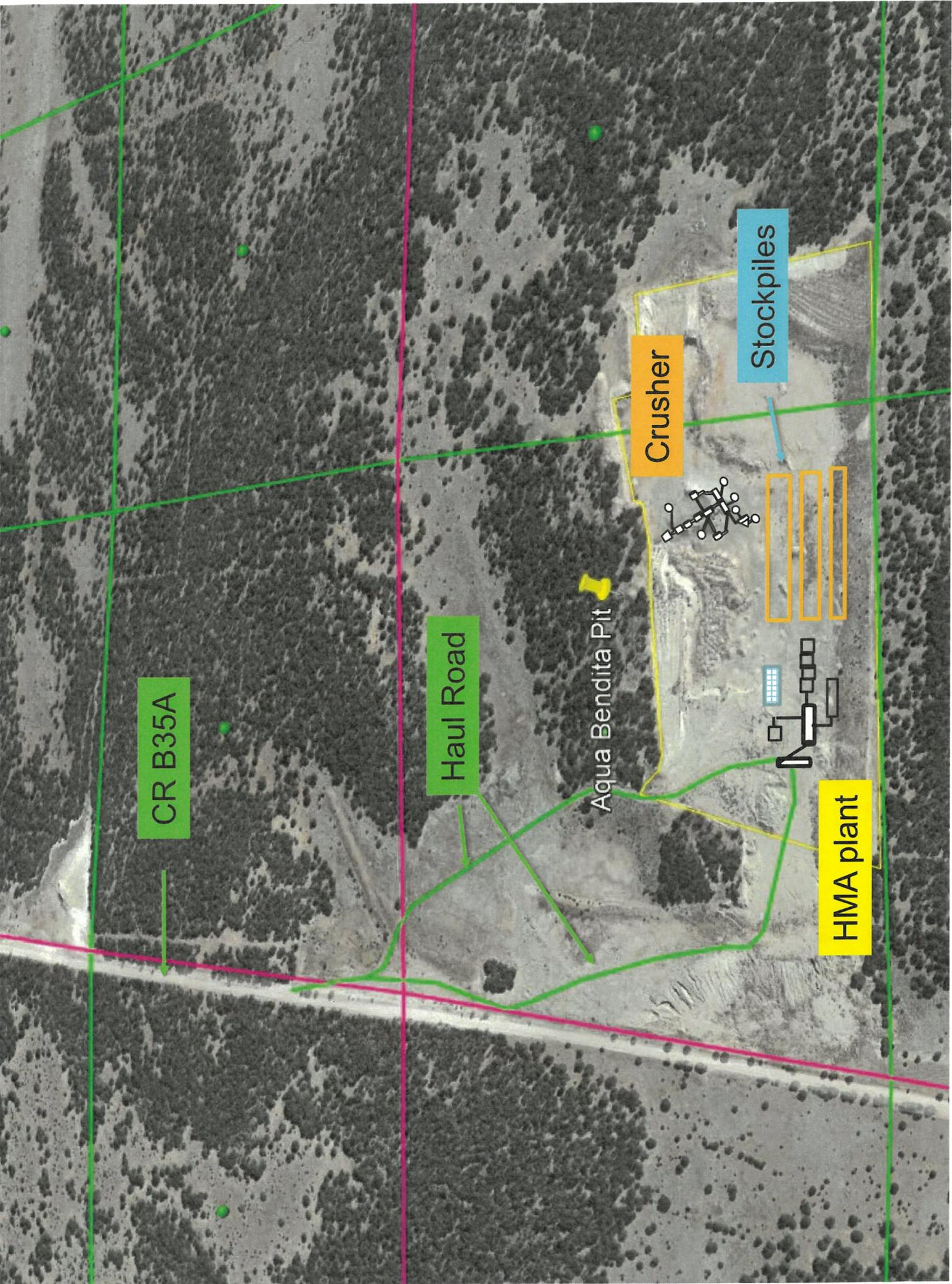
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Pe
Bluebir

Rowe



CR B35A

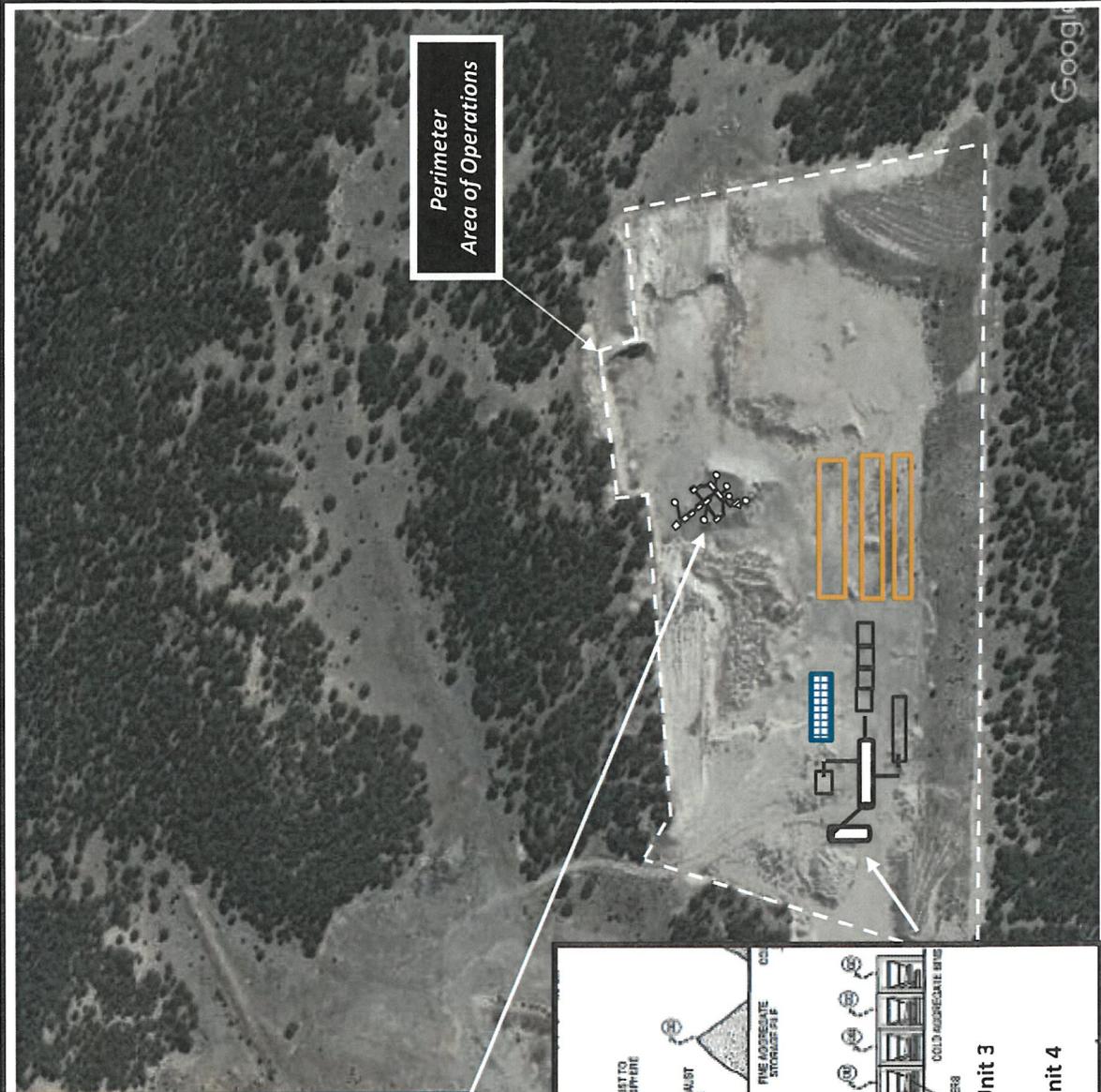
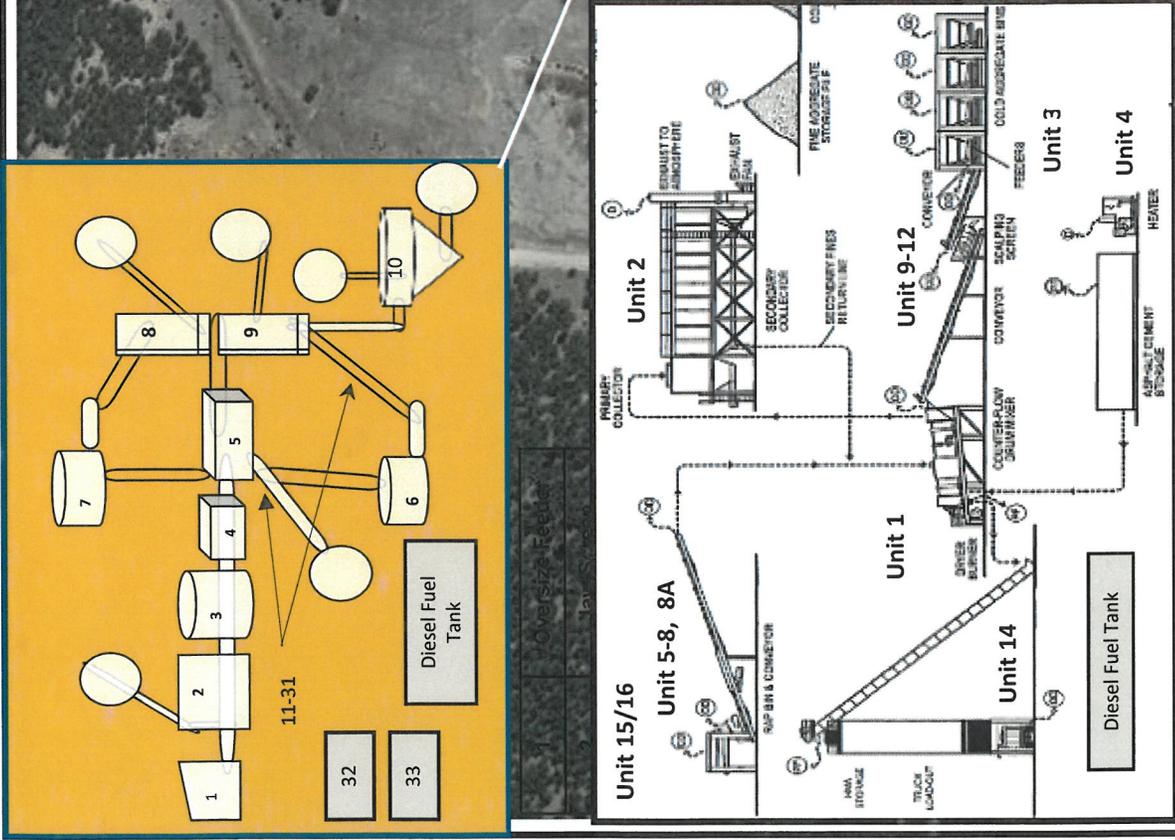
Haul Road

Aqua Bendita Pit

Crusher

Stockpiles

HMA plant

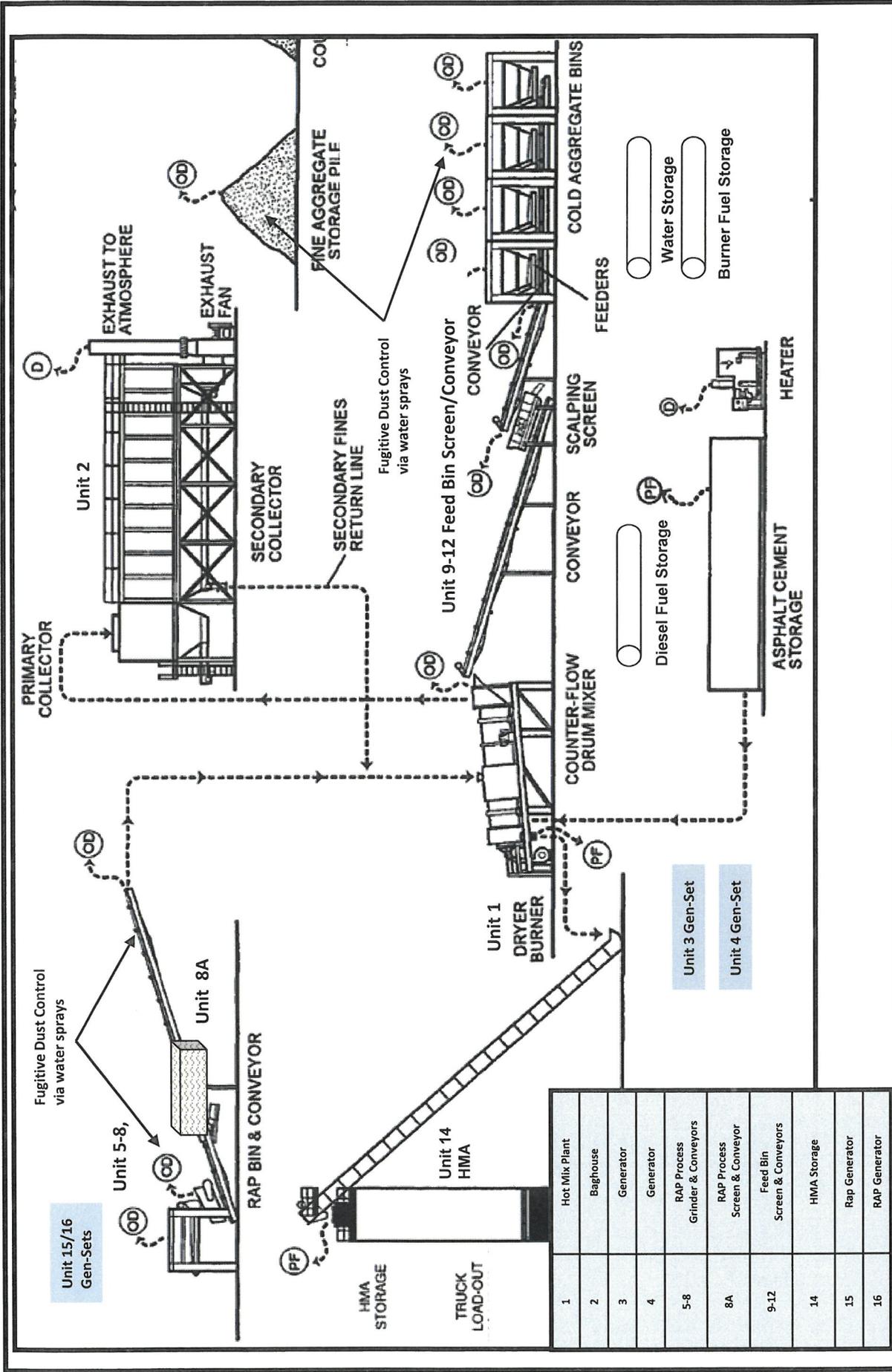


Fisher Sand & Gravel-NM, INC.
Date: March 2023

Attachment 2
Facility Layout Map
Air Quality Permit GCP2-3981R1
San Miguel County, New Mexico

Fisher Sand & Gravel-
NM, Inc.
P.O. Box 2340
30A Frontage Road East
Placitas, NM 87043





1	Hot Mix Plant
2	Baghouse
3	Generator
4	Generator
5-8	RAP Process Grinder & Conveyors
8A	RAP Process Screen & Conveyor
9-12	Feed Bin Screen & Conveyors
14	HMA Storage
15	Rap Generator
16	RAP Generator

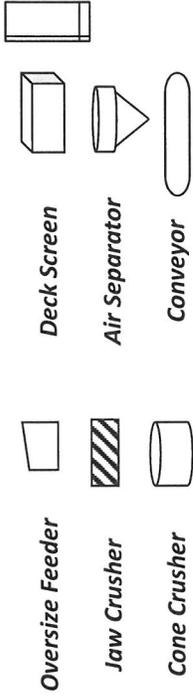


Fisher Sand & Gravel-NM, Inc.
 P.O. Box 2340
 30A Frontage Road East
 Placitas, NM 87043

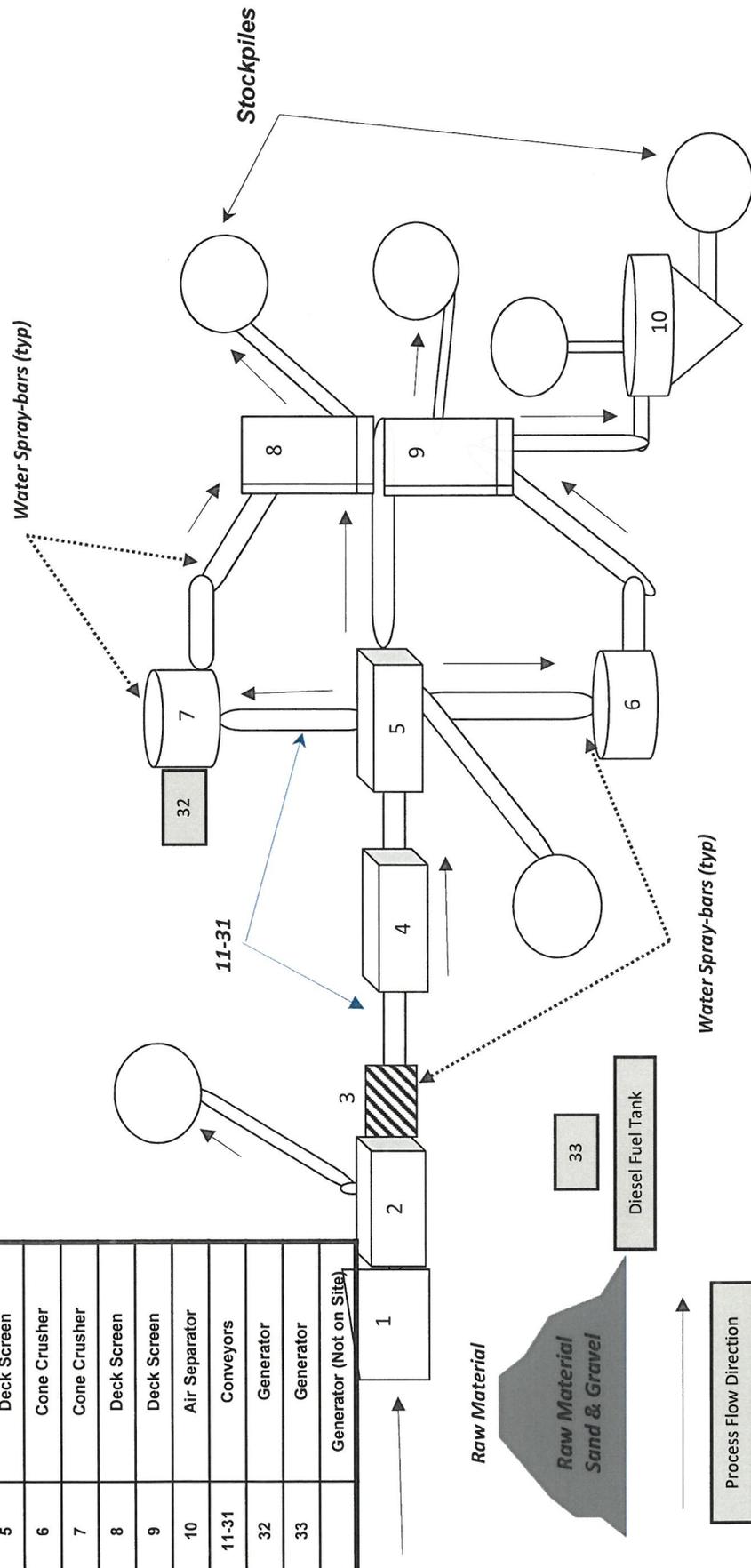
Attachment 1
 Process Flow Sheet –
 Air Quality Permit GCP 3-3601R1
 Mora County, New Mexico

Fisher Sand & Gravel-NM, INC.
 Date April 2021

EQUIPMENT SCHEMATIC KEY



1	Oversize Feeder
2	Deck Screen
3	Jaw Crusher
	Deck Screen (Not on site)
	Cone Crusher (Not on site)
4	Feeder
5	Deck Screen
6	Cone Crusher
7	Cone Crusher
8	Deck Screen
9	Deck Screen
10	Air Separator
11-31	Conveyors
32	Generator
33	Generator (Not on Site)



Fisher Sand & Gravel-NM, Inc.
 P.O. Box 2340
 30A Frontage Road East
 Placitas, NM 87043

Attachment 1
 Process Flow Sheet
 Air Quality Permit GCP2-3981R1
 San Miguel County, New Mexico

Fisher Sand & Gravel-NM, INC.
 Date: March 2023

PERSONAL REPRESENTATIVE DEED

THOMAS E. TAPIA, Personal Representative of the Estate of RUFINA T. MARTINEZ, deceased, appointed on June 25, 2008, in cause No. 2008-0029 by the Probate Court, County of San Miguel, New Mexico, and transferred by Order to the District Court of San Miguel County as Probate No. D-412-PB-2010-0020 grants to AGNES C de BACA, a married person, as her sole and separate property, whose address is P.O. Box 193, Pecos, New Mexico 87552, all the interest of the estate of RUFINA T. MARTINEZ, deceased, in and to the real estate located in San Miguel County, New Mexico, and described as follows:

Lands within Section 26, T13N R12E NMPM described as follows:

The N1/2 of the NW1/4, excluding the lands of Huddleston as the same appears and is depicted in that certain plat of survey dated August 26, 1988 and recorded as Instrument No. 3334 in the land records of the San Miguel County Clerk, San Miguel County, New Mexico;

The N1/2 of the NE1/4, excluding that portion of the N1/2 NE1/4 of Section 26 previously deeded by Pablo Martinez, Jr., and Rufina T. Martinez to James L. Padilla and Leon J. Padilla by Warranty Deed recorded in Book 239, Page 6426; records of the San Miguel County Clerk described as "the NE1/4 of Section 26 Township 13 North Range 12 East measuring 800 feet from West to East and 1262.5 feet from North to South and containing 23.185 acres.

ALSO INCLUDED ARE:

The SW1/4 of the NW1/4;

Also that portion of the SE ¼ of the NW1/4 deeded by Leon J. Padilla and James L. Padilla to Pablo Martinez and Rufina T. Martinez, and being more particularly described as follows:

A certain tract of land lying and being situated in a portion of Township 13 North Range 12 East, County of San Miguel, State of New Mexico and better described as follows:

Beginning at the NW corner of Section 26 thence S 20 chains, thence East 20 chains to the NW corner and true place and point of beginning, measuring 1,000 feet East to West and 1010 feet from North to South and measuring 23.185 acres, more or less, as the same appears in that certain deed of conveyance recorded in Book 237 Page 8094, records of the San Miguel County Clerk.

ALSO: The SW 1/4 of Section 26.

ALSO: Lands within Section 35, T13N R12E, NMPM

The N/2 of the NW/4 of Section 35.

Together with all rights of ingress and egress thereto and all easements of record and subject to the same.

Any mineral interests and contractual rights that the Estate may own are conveyed hereunder by quitclaim only.

with warranty covenants.

DATED: January 13, 2012.

The Estate of RUFINA T. MARTINEZ .
Deceased

By: [Signature]
THOMAS E. TAPIA, Personal Representative

STATE OF NEW MEXICO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing instrument was acknowledged before me this 13 day of Jan, 2012, by THOMAS E. TAPIA, Personal Representative of the Estate of RUFINA T. MARTINEZ, deceased.

[Signature]
Notary Public

My commission expires:
6-22-14



COUNTY OF SAN MIGUEL)
STATE OF NEW MEXICO) ss PERSONAL REPRESENTATIVE
PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 20TH Day Of January, 2012 at 01:05:15 PM And Was Duly Recorded as Instrument #201200249 Of The Records Of San Miguel

Witness My Hand And Seal Of Office
Deputy [Signature] Melanie Y. Rivera
County Clerk, San Miguel, NM

MATERIAL AGREEMENT

This material agreement is made this 13th day of February 2023 by and between Fisher Sand & Gravel – New Mexico, Inc., a corporation of Placitas, N.M., the Lessee and Aqua Bendita Corp, Paul CdeBaca (505-470-0542 C), PO Box 455, Pecos New Mexico 87552, the material owner the Lessor

RECITALS:

1. Lessor has property located in Sec35 T15N R12E in San Miguel County New Mexico.
2. Lessee obligates the purchase from the Lessor approximately 40,000 tons of rock, sand, and gravel material from the property.
3. Lessee shall pay an advanced royalty of \$2300.00.

AGREEMENT:

- A. Lessor hereby grants to the Lessee, its agents, and employees the right to set up and operate such mining and related equipment on the above-described property as is required to suitably mine and process material, to blend or enhance the finished product and free ingress and egress to and from the points where such rock, sand, and gravel material is to be so removed.
- B. Lessor represents and warrants that it is well seized of good and merchantable title to the Property, and has the lawful right to lease the Property.
- C. Lessee shall use its own equipment, and that of its subcontractors, for the purpose of removing, crushing, screening, and hauling the sand and gravel material. Lessee shall utilize the site for a crushing plant, stockpile area for materials and HMAP. All site areas shall be kept in clean condition and used only for equipment of Lessee and its subcontractors.
- D. Lessee shall pay a royalty of \$2.00 per ton for all aggregate materials mined and removed from the property. Lessor agrees to permit the Lessee to mine and remove materials from said land for the period extending until December 31, 2023, any and all rock, sand, and gravel material it may so desire to take and remove, the same to be paid for at the rate set forth, materials will be weighed at the HMAP with a negative weigh scale and be removed at the expense of the Lessee. Any materials mined and stockpiled will become the Lessor's property after this agreement expires, unless another agreement has been made.
- E. Payments shall be made to Lessor based on payments made to Lessee by the contracting agency. A statement showing proper quantity valuation for the period of payment shall be issued with payment. Lessee shall release payment on a corporate check on the last Friday of each month following the receipt of the quantity payment from the contracting agency. Lessee shall make its books and records reasonably available to Lessor for the purpose of calculating the Lessee's payment, which is based upon the actual weight of the real material removed from the Lessor's property. The Lessee shall use platform scales to get the actual weight of the material.
- F. Upon completion of the mining and processing operation, the Lessee shall restore such areas, which are disturbed during the mining process to a generally smooth condition and neat

appearance at no expense to the Lessor. Excavated areas will be contoured, sloped and seeded to the Lessors specifications. The roads on Lessor's property will be dust controlled and maintained during operations and left in a condition as good as or better than at the present.

- G. Lessee shall provide all mining permits, utility locates, all necessary air quality permits for the purpose of removal of materials including Stormwater Protection (SWPPP). No liabilities associated with the mining process are due concern of the Lessor. Lessee shall provide Workmen's Compensation Insurance and Liability Insurance naming the Lessor and such other insurances to cover personnel and all of its operations upon the premises in the amount and form as may be required by law, to protect the Lessor from any liability due to the operations of the Lessor. Lessee assumes full and sole responsibility for the operation and direction of the work done under this Lease on the Property and no employee or agent furnished by Lessee shall not under any circumstances be deemed an employee of the Lessor.
- H. This Agreement shall be construed in accordance with the laws of the State of New Mexico. This Agreement shall bind the heirs, successors, and assigns of the both parties.
- I. Lessee shall indemnify the Lessor and hold the Lessor harmless from and against any and all losses, costs and liabilities, joint or several and all expenses (including legal fees and other expenses reasonably incurred in investigating or defending against litigation or in connection herewith or as a result of the presence or required cleanup of Hazardous federal, relating to Hazardous Materials which are deposited on the premises by Lessee. Upon receiving knowledge of any suit, claim or demand asserted by a third party that Lessor believes is covered by this indemnity, Lessor shall give Lessee notice of the matter and opportunity to defend it, at Lessee's sole cost and expense, with legal counsel satisfactory to Lessor.
- J. Unless otherwise incorporated in this document, no agreements or understandings expressed or implied shall be binding to either party. This agreement shall be binding upon all heirs and/or successors and assigns in interest.

LESSOR:

Paul L. [Signature] 2-13-23
Landowner/Representative (Date)

LESSEE:

[Signature] 2/13/23
Fisher Sand & Gravel NM, Inc. (Date)

SSN or Fed ID# _____

WATER AGREEMENT

This usage agreement is made this 16th day of December 2022 by and between Fisher Sand & Gravel – New Mexico, Inc., a corporation of Placitas, N.M., the Lessee and Glorieta 2.0 (505-428-6424) (ext.708) Brad Ashwell (360-518-3443 C), PO Box 8 Glorieta, New Mexico 87535 the water owner, the Lessor.

RECITALS:

1. Lessee obligates the purchase from the Lessor of water from the property at Glorieta, New Mexico 87535, the approximate amount being unknown.

AGREEMENT:

- A. Lessor hereby grants to the Lessee, its agents, and employees the right to set up and operate such equipment to purchase water.
- B. Lessor represents and warrants that it is well seized of good and merchantable title to the Property, including water rights and has the lawful right to sell water.
- C. Lessee shall use its own equipment (Trucks, meter and tank) for the purpose of removing and hauling of water.
- D. Lessee shall pay a royalty of \$12.00 per 1000 gallons for all water taken from the property.
- E. A statement showing proper quantity valuation for the period of payment shall be issued with payment. Lessee shall release payment on a corporate check on the forth Friday of each month following the receipt of the quantity payment from the contracting agency. Lessee shall make its books and records reasonably available to Lessor for the purpose of calculating the Lessee's payment, which is based upon the load counts of the water removed from the Lessor's property.
- F. No liabilities associated with the water removal process are due concern of the Lessor. Lessee shall provide Workmen's Compensation Insurance and such other insurances to cover personnel and all of its operations upon the premises in the amount and form as may be required by law. Lessee assumes full and sole responsibility for the operation and direction of the work done under this Lease on the Property and no employee or agent furnished by Lessee shall under any circumstances be deemed an employee of the Lessor.
- G. This Agreement shall be construed in accordance with the laws of the State of New Mexico. This Agreement shall bind the heirs, successors, and assigns of the both parties.
- H. Lessee shall indemnify Lessor and hold Lessor harmless from and against any and all losses, costs and liabilities, joint or several and all expenses (including legal fees and other expenses reasonably incurred in investigating or defending against litigation or in connection herewith or as a result of the presence or required cleanup of

Hazardous federal, relating to Hazardous Materials which are deposited on the premises by Lessee. Upon receiving knowledge of any suit, claim or demand asserted by a third party that Lessor believes is covered by this indemnity, Lessor shall give Lessee notice of the matter and opportunity to defend it, at Lessee's sole cost and expense, with legal counsel satisfactory to Lessor.

- I. Unless otherwise incorporated in this document, no agreements or understandings expressed or implied shall be binding to either party. This agreement shall be binding upon all heirs and/or successors and assigns in interest.

LESSOR:

LESSEE:

Bradley Ashwell c/o Glorieta 2.0 Jan 12, 2023

Bradley Ashwell c/o Glorieta 2.0 (Jan 12, 2023 09:16 MST)

Owner (date)

Brian J Gambrel 12/16/2022

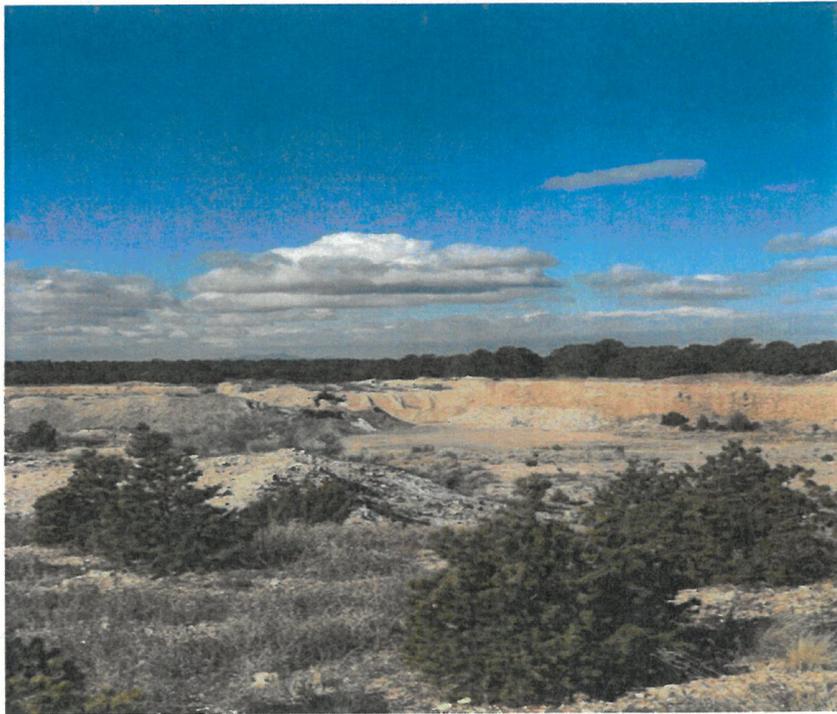
Fisher Sand & Gravel-NM, Inc. (date)

SSN or Fed ID# _____

Photos for CN 4101370



CdeBaca Pit

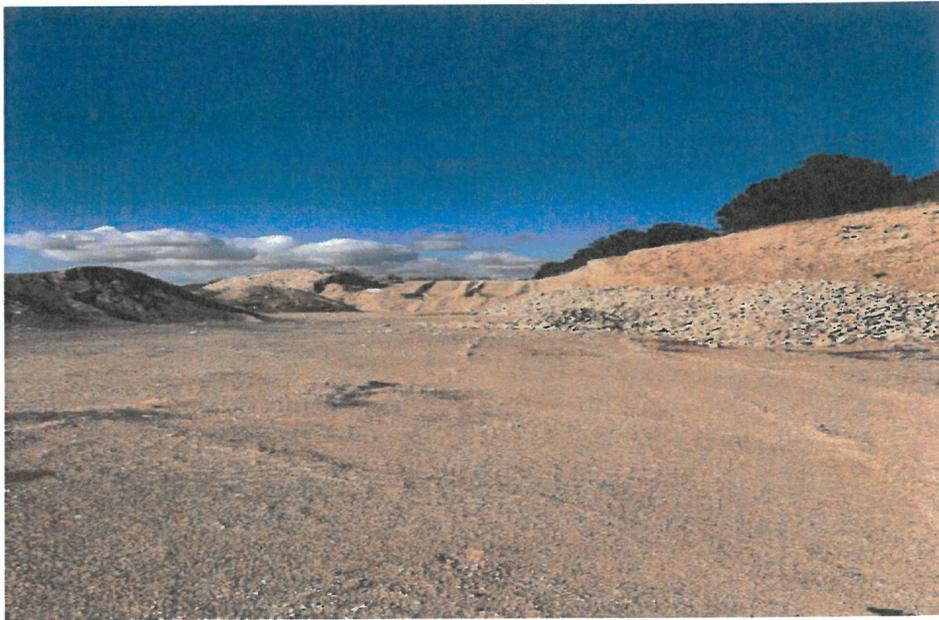


CdeBaca Pit

Photos for CN 4101370



CdeBaca Pit



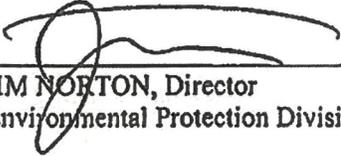
CdeBaca Pit

CONSTRUCTION PERMIT NO: GCP-3-Rev.1

Registration No.
(For NMED use only) 3601

GENERAL PERMIT CATEGORY: Hot Mix Asphalt Plants

ISSUED BY: New Mexico Environment Department



JIM NORTON, Director
Environmental Protection Division

9/12/06

Date of Issuance

Air Quality Permit No. GCP-3-Rev.1 for Hot Mix Asphalt Plants (Permit) is issued by the Air Quality Bureau (aqb) of the New Mexico Environment Department (Department) under Title 20 Chapter 2 Part 72 of the New Mexico Administrative Code (20.2.72 NMAC) – Construction Permits, Section 220 – General Permits. The Department issues general permits in order to register groups of sources that have similar operations, processes, and emissions and that are subject to the same or substantially similar requirements. [20.2.72.220.A(1) NMAC] General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements. [20.2.72.220.C(1) NMAC]

This Permit authorizes the owner or operator to construct, modify, and operate a Hot Mix Asphalt Plant (Facility) in New Mexico (excluding Bernalillo County and Tribal lands) under the conditions set forth herein as long as all conditions of this Permit are continuously met.

An owner or operator, who registers for and receives approval to construct under this Permit, will have satisfied the State of New Mexico's requirement for obtaining an air quality permit prior to constructing, modifying, or operating a source of air pollutants. However, other federal, state, or local agencies may have additional requirements such as zoning restrictions.

The GCP-3-Rev.1 revisions require action by facilities currently registered under this permit; therefore, a transition schedule, for those facilities that have an earlier version of GCP-3, is available on the New Mexico Environment Department's web page at <http://www.nmenv.state.nm.us/aqb>

All terms written with initial capital letters are defined in Section VII – Acronyms and Definitions, of this Permit. Regulatory authority, if applicable, is cited in brackets. Please refer to the guidance document for this Permit for details, descriptions, and registration instructions. Questions regarding eligibility for this Permit can be directed to the Air Quality Bureau of the Environment Department at (505) 827-1494, or visit the New Mexico Environment Department Web Site at <http://www.nmenv.state.nm.us/AQB>.



Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

Permit Information

NPDES ID: NMR1005FB

State/Territory to which your project/site is discharging: NM

Is your project/site located on federally recognized Indian Country lands? No

Are you requesting coverage under this NOI as a "Federal Operator" or a "Federal Facility" as defined in Appendix A (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-a-definitions.pdf>)? No

Have stormwater discharges from your current construction site been covered previously under an NPDES permit? No

Will you use polymers, flocculants, or other treatment chemicals at your construction site? No

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required? Yes

Are you able to demonstrate that you meet one of the criteria listed in Appendix D (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-d-endangered-species-protection.pdf>) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

Yes

Have you completed the screening process in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) relating to the protection of historic properties? Yes

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Operator Information

Operator Information

Operator Name: Fisher Sand and Gravel of NM, Inc

Operator Mailing Address:

Address Line 1: 30A Frontage Road

Address Line 2:

City: Placitas

ZIP/Postal Code: 87043

State: NM

County or Similar Division: Sandoval

Country: US

Operator Point of Contact Information

First Name Middle Initial Last Name: Brian Gambrel

Title: Manager

Phone: 505-876-2600

Ext.:

Email: bgambrel@fisherind.com

NOI Preparer Information

This NOI is being prepared by someone other than the certifier.

First Name Middle Initial Last Name: Len Horan

Organization:

Phone: (505) 699-5913

Ext.:

Email: lenhoran@rocketmail.com

Project/Site Information

Project/Site Name: CN4101370 San Miguel County

Project/Site Address

Address Line 1: I25 MP305 to 309

Address Line 2:

City: Rowe

ZIP/Postal Code: 87552

State: NM

County or Similar Division: San Miguel

Latitude/Longitude: 35.53183°N, 105.69162°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

Types of Construction Sites:

- Highway or Road

Will there be demolition of any structure built or renovated before January 1, 1980? No

Will you be discharging dewatering water from your site? No

Was the pre-development land use used for agriculture? No

Are there other operators that are covered under this permit for the same project site? No

Have earth-disturbing activities commenced on your project/site? No

Is your project/site located on federally recognized Indian Country lands? No

Is your project/site located on a property of religious or cultural significance to an Indian tribe? No

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? No

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? No

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Resources, Tools and Templates (<https://www.epa.gov/npdes/construction-general-permit-resources-tools-and-templates>)

No

001: Drainage to Glorieta Creek

Latitude/Longitude: 35.534328°N, 105.691633°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? Yes

Impaired Pollutants:

- Nutrient/Eutrophication
- Flow rate

Has a TMDL been completed for this receiving waterbody? No

Stormwater Pollution Prevention Plan (SWPPP)

Will all required personnel, including those conducting inspections at your site, meet the training requirements in Part 6 of this permit? Yes

First Name Middle Initial Last Name: Len Horan

Title: Engineer

Phone: 505-699-5913

Ext.:

Email: lenhoran@rocketmail.com

Endangered Species Protection Worksheet: Criterion E

Determine ESA Eligibility Criterion

Are your discharges and discharge-related activities already addressed in another operator's valid certification of eligibility for your "action area" under the current 2022 CGP? No

Has consultation between you, a Federal Agency, and the USFWS and/or the NMFS under section 7 of the Endangered Species Act (ESA) concluded? Yes

The result of the consultation was:

Option ii. Written concurrence (e.g., letter of concurrence) from the applicable Service(s) with a determination that your site's discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. The concurrence letter must have included the effects of your site's discharges and discharge-related activities on all the ESA-listed species and/or designated critical habitat on your species list(s) acquired from USFWS and/or NMFS as part of this worksheet.

The consultation does not warrant reinitiation under 50 CFR §402.16; or, if reinitiation of consultation is required (e.g., due to a new species listing, critical habitat designation, or new information), the federal action agency has reinitiated the consultation and the result of the consultation is consistent with the statements above. Include any reinitiation documentation from the Services or consulting federal agency with your NOI.

True

You are eligible under Criterion E.

Identify the federal action agency or agencies involved (i.e. the federal agencies seeking coverage):

US Dept of Interior - USFWS

Identify the Service(s) field or regional offices providing the consultation:

USFWS - New Mexico Service

Identify any tracking numbers associated with the consultation (e.g., IPaC number, ECO number):

2023-0047054

Provide the date the consultation was completed: 2023-02-17

Attach correspondence with USFWS and/or NMFS documenting the Biological Opinion, conference opinion (IPaC or ECO tracking number) or concurrence.

Name	Uploaded Date	Size
 project Species List_ New Mexico Ecological Services Field Office.pdf (attachment/1637233)	02/17/2023	247.42 KB

Historic Preservation 

Are you installing any stormwater controls as described in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) that require subsurface earth disturbances? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 1)

No

Certification Information 

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

Certified By: David Olson

Certifier Title: Vice President

Certifier Email: dolson@fisherind.com

Certified On: 02/20/2023 5:11 PM ET



NM Gross Receipts Tax Number: 03-042187-000

MTD : 1063

WEIGHT DISTANCE TAX ID – 07-000128-00-6

No. 1070

\$36.00

County Business License Registration

STATE OF NEW MEXICO



COUNTY OF SAN MIGUEL

WHEREAS, Fisher Sand & Gravel-New Mexico, Inc. an agent, person, firm, corporation or association known as

Fisher Sand & Gravel-New Mexico, Inc.

engaged in a business or occupation within the unincorporated area of San Miguel County, New Mexico, has made application for a business license registration as an Highway Construction and has paid to the Collector of aforesaid County the fee of (\$36.00), the amount required by law.

THEREFORE, license has been granted to the said Fisher Sand & Gravel-New Mexico, Inc. ending December 31, 2023 under the provisions of the law in such case made and provided.

IN WITNESS WHEREOF, said business license registration approved at Las Vegas, San Miguel County, New Mexico,



Received of the sum of THIRTY-SIX AND 00/100 in full payment of the above license.

[Signature] on this 17th day of February 2023
Planning and Zoning Director
Date 02/17/23

[Signature]
Collector
Date 2-17-23

2023



Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Knox, Nanette <nknox@co.sanmiguel.nm.us>
To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>

Wed, Sep 27, 2023 at 2:19 PM

I do not see any issues with this project continuing

[Quoted text hidden]

--

Nanette M Knox
San Miguel County Planning and Zoning
Land Use Specialist





Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Romero, Benito <bromero@co.sanmiguel.nm.us>
To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>
Cc: "Sena, Erica" <esena@co.sanmiguel.nm.us>

Wed, Sep 27, 2023 at 12:11 PM

I approve this request.

Thank you,

Benito Romero
San Miguel County Public Works Director
10 Airport Rd.
Las Vegas, NM 87701
(O) 505-425-3664
(C) 505-718-0884



[Quoted text hidden]



Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Duran, Andrew <aduran@co.sanmiguel.nm.us>
To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>

Wed, Sep 27, 2023 at 12:46 PM

Amanda,

I do not see any reason not to extend their permit, nothing has changed in the operations.

Kind Regards,

Andrew J. Durán
San Miguel County Fire Chief
518 Valencia St.
Las Vegas, NM 87701
o: (505) 425-2855
c: (505) 429-4836



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act (§ 14-2-1 et seq NMSA 1978). If you are not the intended recipient, contact the sender and destroy all copies of this message.

[Quoted text hidden]



Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Santistevan, Kenny, ENV <Kenny.Santistevan@env.nm.gov>
To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>

Tue, Oct 3, 2023 at 2:01 PM

Good afternoon, Amanda,

The Environmental Health Bureau (EHB) has reviewed the relevant information and has determined that the project meets all of the criteria to grant extension of the project for an additional month. EHB's main concern is that all setbacks from water ways and property fence lines can be achieved.

Kenny Santistevan BBA, CHSO

Environmental Scientist

Environmental Health Bureau

Las Vegas Field Office

2538 Ridgle Runner Road, Las Vegas, NM 87701

Cell: (505) 231-7044

Email: Kenny.santistevan.env.nm.gov

www.env.state.nm.us

[Quoted text hidden]



Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Lucero, Gabriel M, DOT <GabrielM.Lucero@dot.nm.gov>

Wed, Sep 27, 2023 at 11:30 AM

To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>

Cc: "Lovato-Lerma, Veronica R, DOT" <VeronicaR.LovatoLer@dot.nm.gov>, "Urioste, Chris, DOT" <Chris.Urioste@dot.nm.gov>, "Quintana, Joseph J, DOT" <JosephJ.Quintana@dot.nm.gov>, "Romero, Adam, DOT" <Adam.Romero@dot.nm.gov>

Good Morning Amanda,

The Department does not see an issue with the extension request and recommend that the extension be granted.

[Quoted text hidden]



Salas, Amanda <asalas@co.sanmiguel.nm.us>

RE: Fisher Sand & Gravel – NM Inc.- Application for a Temporary Hot Mix Asphalt Plant

Esquibel, Dennis <desquibel@co.sanmiguel.nm.us>

Wed, Sep 27, 2023 at 12:47 PM

To: "Salas, Amanda" <asalas@co.sanmiguel.nm.us>

You are welcome ma'am, Have an amazing day.

Dennis J. Esquibel

Emergency Manager

San Miguel County/City of Las Vegas Office of Emergency Management

518 Valencia Street

Las Vegas, NM 87701

Phone 505 425-6190

Cell Phone 505 429-6805

desquibel@co.sanmiguel.nm.us

[Quoted text hidden]