

40+ YEARS LATER
... an end in sight

Eastern Sandoval Citizens Association
Land Use Protection Trust

AGENDA

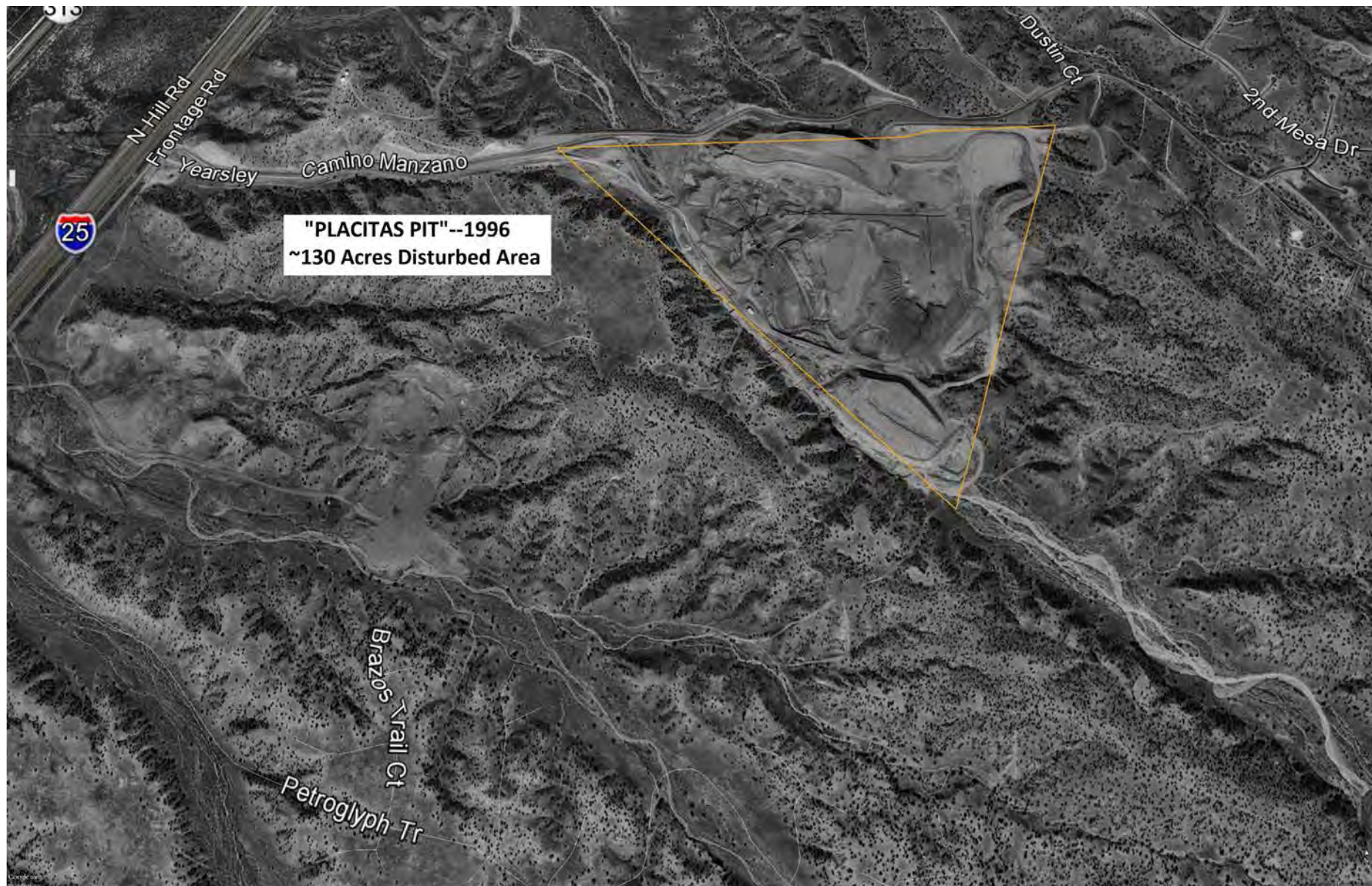
- Quick background review
- Key Terms and Maps
- Next Steps

Land Use Protection Trust (LPT)

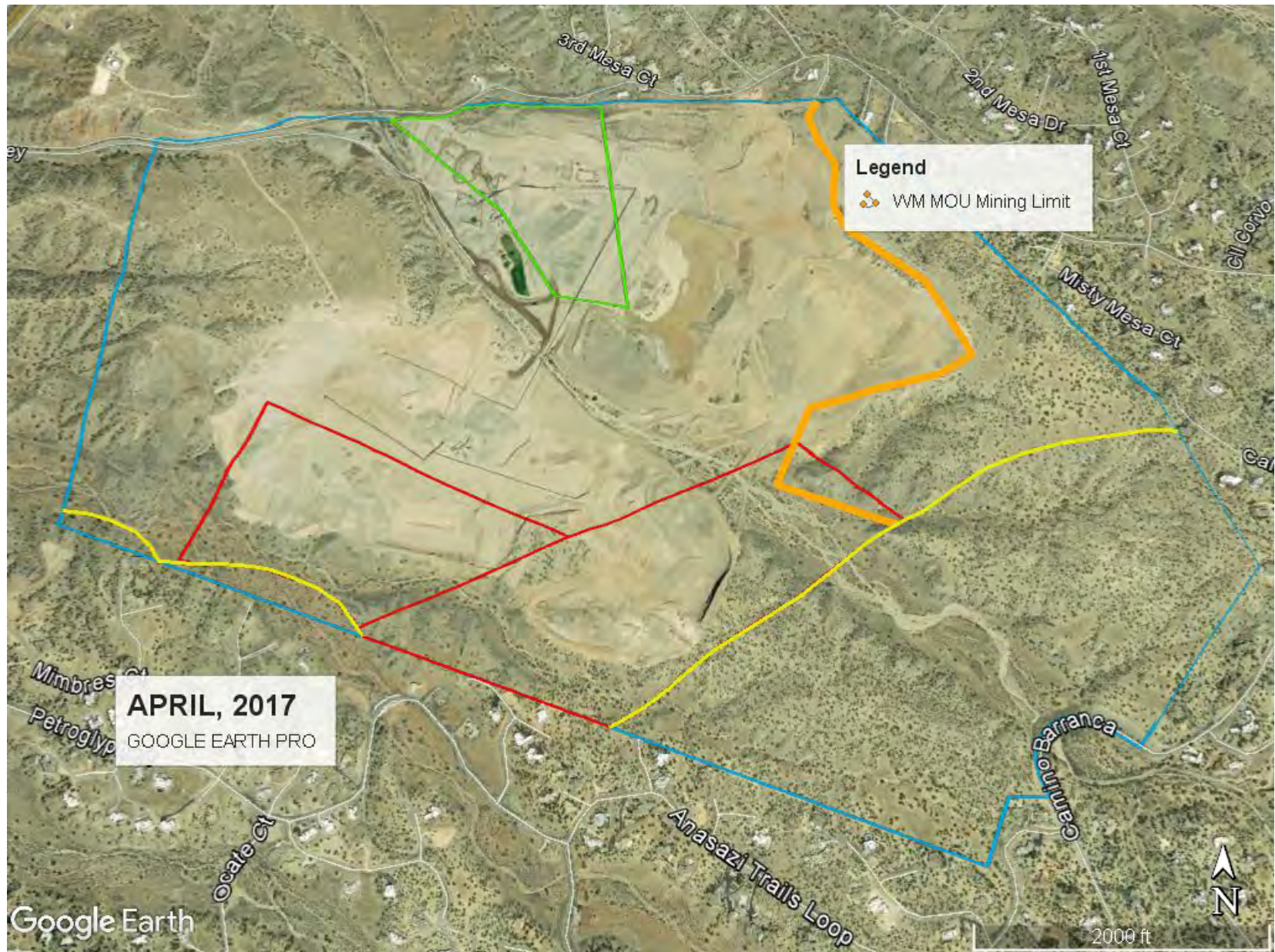
--commissioned by ES-CA March, 2014

- LPT Board of Directors
 - Tom Ashe
 - Bob Byrd
 - George Franzen (La Mesa HOA Representative)
 - Diane Pellechio (Sundance Mesa HOA Representative)
 - Steve Vaughan (Anasazi HOA Representative)
 - Dick Ulmer, LPT Chair
- A Community effort—both in financial support and in voting with your presence when we asked
- We thank the current Chair, Don Chapman and the rest of the Commission who “kept us in play”

The Placitas Pit—Then . . .



The Placitas Pit—... & Now



1999 Sundance Buffer Agreement

17938

Memorandum of Understanding

1. Western Mobile New Mexico, Inc. (WMNM), a subsidiary of Lafarge Corp., and Sundance Mesa Homeowners Association (KGA) hereby agree that WMNM will provide additional limits to its mining area at the Placitas Aggregate Facility. These limits, as shown on the attached exhibit "A", are the culmination of meetings and correspondence between representatives of the Sundance Mesa Subdivision, KGA and WMNM.
2. The provision for and existence of these additional limits are for the strict purpose of restricting mining operations, including sand and gravel mining, by WMNM, its assigns and successors, to areas south and west of these additional mining limits. The intent is to protect, as possible, the views of area residents and to provide a buffer region wherein the natural landscape separating residential areas and mining areas is preserved. This memorandum in no way is meant to restrict, bind or encumber the owners of the property or other lessees of the property.
3. The term for providing these mining limits is through the end of the current mining lease.
4. The points comprising these additional limits are identified in a metes and bounds physical survey (see attached exhibit "B") and exist as metal fence posts in the field.
5. The attached exhibit is part of this agreement.

Subscribed before me this 9th day of July, 1999.

Capital
Steve Borden and Matt Cornahan.

Approved on this 30th day of June, 1999

Kathleen Ann Murphy
Notary Public

WESTERN MOBILE NEW MEXICO, INC.

By: *[Signature]*

Matt R. Carnahan, Aggregate Operations Manager

8-30-02
My commission expires

SUNDANCE MESA HOMEOWNERS ASSOCIATION (KGA)

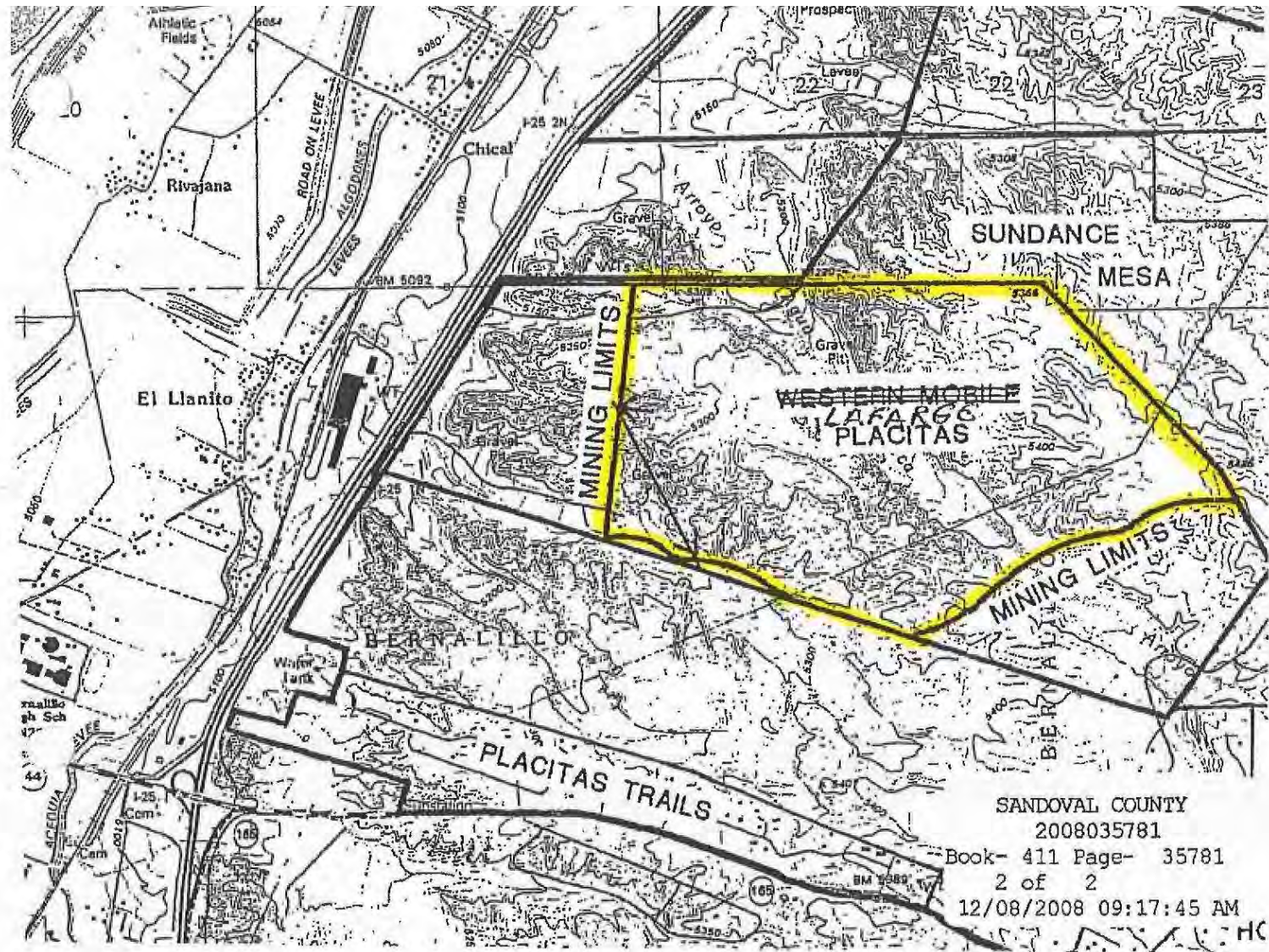
By: *[Signature]*

[Signature] President KGA Corp.
Vice President Sundance Mesa
Homeowners Assoc. KGA

The Sundance Buffer Issue

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2008 “Grandfathered” Map



Settlement History

- January 2017—unsolicited offer from Vulcan, et al
 - 15 years including reclamation—mine to 2008 map limits
 - Phasing of reclamation
 - 8 years to complete current areas (south of arroyo)
- Formal Mediation--in our room we heard
 - 13 years including phased reclamation
 - Mine to 2008 map limits with 25 foot buffer in NE corner (after hours wasted discussing alternatives)
 - We left the negotiations as we felt they were not serious about negotiating with us, but only with County
- We appealed to Commission to reject the mediation proposal and be willing to go to court—they did that!

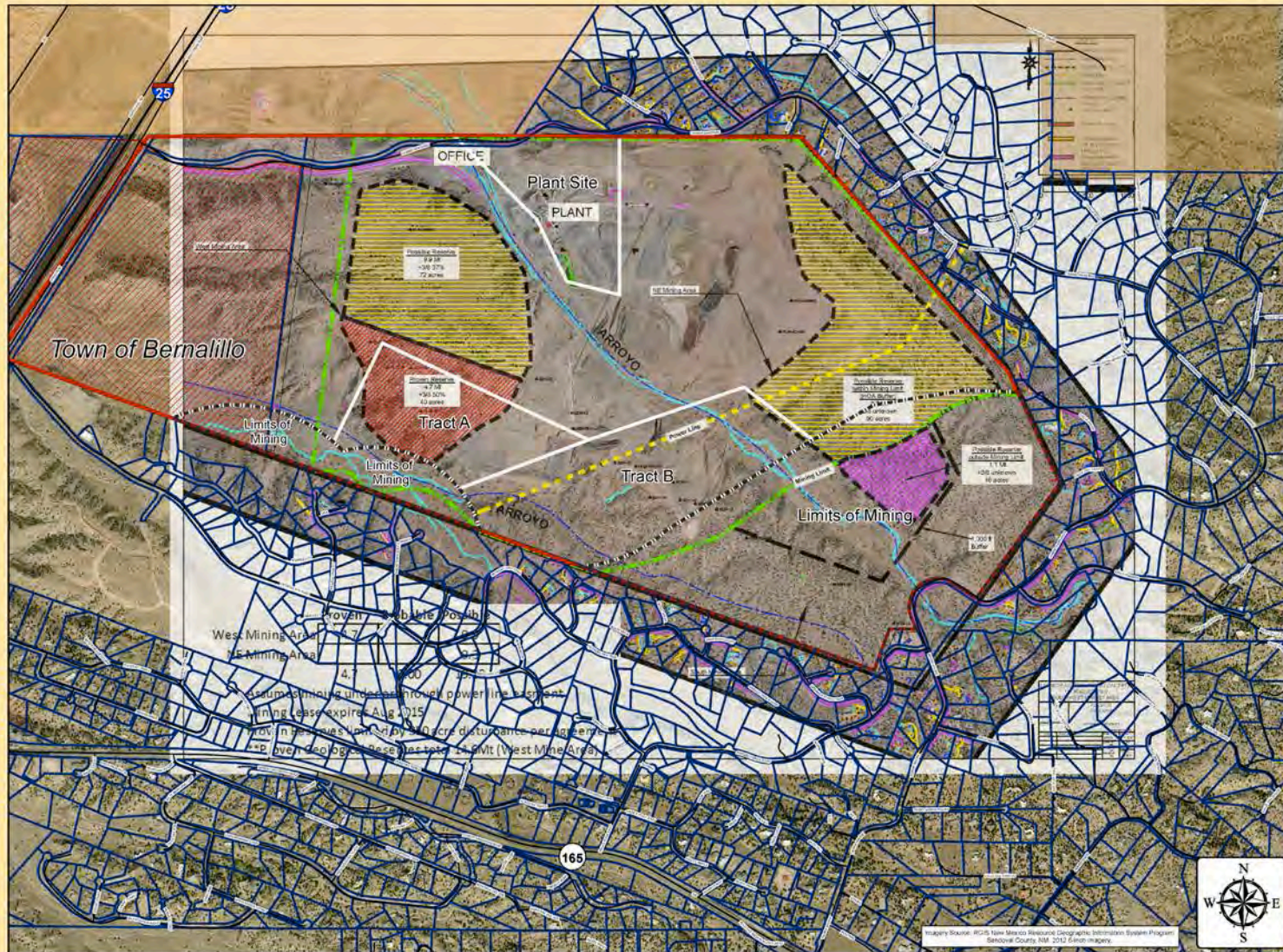
Last Week

- The County outside counsel contacted the parties and proposed a face-to-face negotiation between the principals to the suit—without our lawyers
- Senior officials from Vulcan & Mt Adams, as well as Commission Chair Chapman & Vice Chair Heil
- Dick Ulmer & Steve Vaughan of the LPT had been appointed to represent ES-CA and are named parties as individual homeowner intervenors
- Chair Chapman made it clear, that settlement must include terms acceptable to intervenors (us)
- Meeting was totally different (positive) than prior attempts with knowledgeable participants wanting to find a reasonable settlement



La Farge Gravel Mining Site Draft 1 - Sandoval County, NM

May 17, 2016



Location:

Southeast Sandoval County
Village of Placitas

Legend:

- Limits of Mining
- La Farge Boundary
- Residential Properties
- Sandoval County Municipalities
- Indian/Tribal
- National Park Service
- New Mexico State Game and Fish
- New Mexico State Park
- Other Federal Agency
- Private
- State of New Mexico
- US Bureau of Land Management
- US Department of Defense
- US Department of Energy
- USDA Forest Service

Key Map:



Disclaimer/Contact Information

The information on this map is for reference purposes only. This is not an official document. All information should be independently verified.

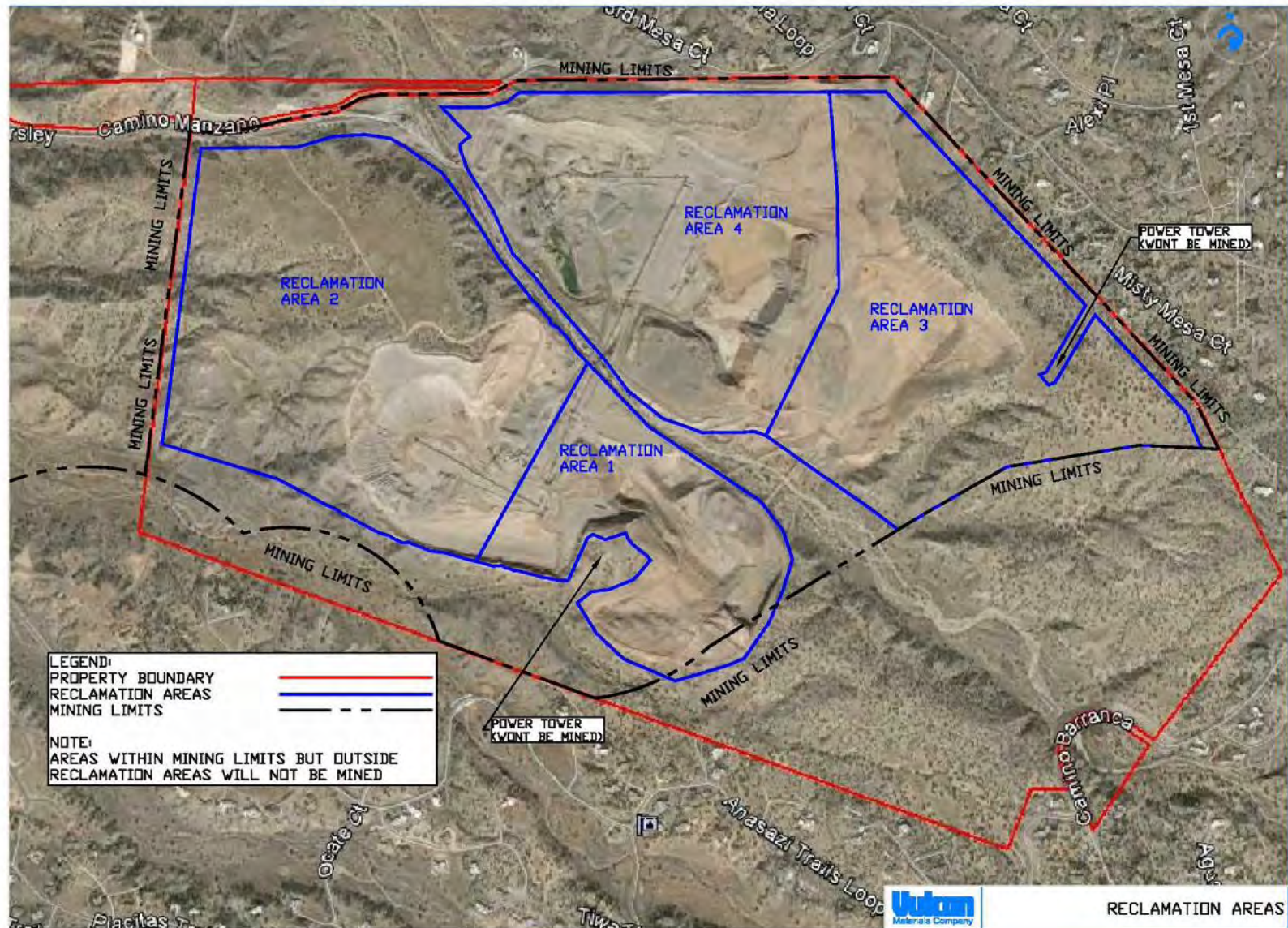
Website: sandovalcountynm.gov

Map prepared by: Jeff Epler
GIS Section
Planning and Zoning Division
1500 Idalia RD Building D
Bernalillo, New Mexico 87004

Key Terms

- 9 years additional mining (reclamation completed in 9.75 years)
 - Last area of mining in NE, will have a 100' buffer and 10' berm to mitigate noise
 - Portable plant will not be sited in this area
- Current mining area (south of arroyo) reclaimed in 6 years (mining completion expected in 4)

Mining/Reclamation Phasing



Site Clearing & Re-vegetation Standards

1. Retain all vegetative cover in those areas not involved in mining activities.
2. Preserve existing grade and native vegetation in and around arroyo/wash. Maintain a 25-foot buffer required from the arroyo/wash seasonal high water elevation.
3. All Final Condition shall be:
 - a) Re-vegetated in such a way as to establish a diverse, effective, and long-lasting vegetative cover that is capable of reseeding itself and spreading.
 - b) Re-vegetated to an extent at least equal in cover to that of the natural vegetation of the non-disturbed surrounding area.
 - c) Replanted with a seed mixture the largest proportion of which is native species.
 - d) Re-planted where plants die or are not established within a two year period.
4. Re-vegetation shall be deemed successful if 80% or greater vegetation coverage is obtained within two seasonal cycles from the time of planting.

Next Steps

- Currently working the final agreement to ensure it represents the term sheet and agreed intent
- Commission will vote on motion to approve final agreement this coming Thursday if lawyers done Monday
 - Steve & I expect to attend to support its passage
 - We understand that some may disagree
 - This was the “best deal we could afford to negotiate” and should improve property values for the majority of owners
 - Surrounding residents finally have a definitive end date to communicate when trying to sell
- Clock begins on date of last signature

Q & A