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HOUSE JOINT MEMORIAL 59

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

James Roger Madalena

A JOINT MEMORIAL

**REQUESTING THE STATE LAND OFFICE TO ESTABLISH A TASK FORCE TO
STUDY THE RECLAMATION OF CONSTRUCTION MATERIALS MINING
OPERATIONS.**

**WHEREAS, the extraction of construction materials,
including sand and gravel, is an important activity and
necessary for maintaining our communities and promoting
economic development across New Mexico; and**

**WHEREAS, the energy, minerals and natural resources
department estimates that over two hundred construction
materials mining operations may exist across New Mexico; and**

**WHEREAS, unlike coal and hard rock minerals, there is no
statewide law requiring the reclamation of all construction
materials mining operations; and**

WHEREAS, the operators of construction materials mining

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1 operations are subject to vastly different reclamation
2 requirements, if any, depending on the nature of the
3 landowner, the requirements of the customer and the county
4 where the operation is located; and

5 WHEREAS, some communities across the state have absorbed
6 considerable negative impacts from the location and operation
7 of some construction materials mining operations; and

8 WHEREAS, land left unreclaimed by construction materials
9 mining operations can cause erosion, damage water quality and
10 discourage future economic development on or near the
11 unreclaimed land; and

12 WHEREAS, the state land office has initiated a process
13 for establishing a statewide standard for the reclamation of
14 construction materials mining operations;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that the state land office be requested to
17 establish a task force to study the reclamation of
18 construction materials mining operations and draft possible
19 legislation for consideration by the legislature; and

20 BE IT FURTHER RESOLVED that the task force have a
21 balanced membership of government, industry and community
22 representatives, and that representatives of the energy,
23 minerals and natural resources department, the state highway
24 and transportation department, the department of environment,
25 local governments, the New Mexico mining association, the New

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1 Mexico association of general contractors, small construction
2 materials mining operators, environmental organizations and
3 communities impacted by construction materials mining
4 operations be invited to participate in the task force; and

5 BE IT FURTHER RESOLVED that the task force report its
6 findings, and any proposed legislation, to an appropriate
7 interim committee of the legislature prior to the second
8 session of the forty-fifth legislature; and

9 BE IT FURTHER RESOLVED that copies of this memorial be
10 transmitted to the commissioner of public lands, the New
11 Mexico legislative council, the secretaries of environment,
12 energy, minerals and natural resources and highway and
13 transportation, the New Mexico association of general
14 contractors, the New Mexico municipal league and the New
15 Mexico association of counties.