

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

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

WHEREAS, land left unreclaimed by construction

materials mining operations can cause erosion, damage water quality and discourage future economic development on or near the unreclaimed land; and

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

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

BE IT FURTHER RESOLVED that the task force have a balanced membership of government, industry and community representatives, and that representatives of the energy, minerals and natural resources department, the state highway and transportation department, the department of environment, local governments, the New Mexico mining association, the New Mexico association of general contractors, small construction materials mining operators, environmental organizations and communities impacted by construction materials mining operations be invited to participate in the task force; and

BE IT FURTHER RESOLVED that the task force report its findings, and any proposed legislation, to an appropriate interim committee of the legislature prior to the second

session of the forty-fifth legislature; and

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