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## **APPENDIX 1**

### **Best Available Control Method Letters from the City of Las Cruces, Doña Ana County, and Primary Stakeholders**



# Doña Ana County

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## COMMUNITY DEVELOPMENT DEPARTMENT

Dona Ana County Annex Building ■ 430 South Main Street, Room 120  
Las Cruces, New Mexico 88001-1205 ■ (505) 647-7237 ■ FAX (505) 647-7255  
[www.co.dona-ana.nm.us](http://www.co.dona-ana.nm.us) toll free: 1-877-827-7200 ext.7237

June 7, 2001

Gail Cooke, Environmental Scientist  
NMED/Air Quality Bureau  
P.O. Box 26110  
Santa Fe, NM 87502-6110

Dear Ms. Cooke:

This letter is in response to your inquiry regarding the implementation of Ordinance No. 194-2000, Doña Ana County's Erosion Control Regulations. As a part of the County's Natural Events Action Plan, Doña Ana County has been actively enforcing and implementing this Ordinance on a daily basis and ensuring that the best available control measures (BACM) are in place at the construction site.

The Ordinance was adopted by the Board of County Commissioners on December 19, 2000 and went into effect on January 19, 2001. During this time the Planning Division of the Community Development Department held a training session with all affected departments and discussed the elements of the Ordinance.

Currently, an erosion control plan is submitted with a building permit application, and is reviewed and approved by our department. When the building inspector goes to the construction site, one of items on their checklist is to ensure that the specified erosion control measure(s) is in place before a "due pass" is issued.

The Code Enforcement personnel respond to complaints concerning blowing fugitive dust. This department is attempting to correct violations and limit the number of complaints related to the Erosion Control Ordinance. Since the Ordinance has been adopted, I believe the amount of airborne PM10 has been reduced. Through proper implementation and education of this newly adopted Ordinance, we expect to see a significant decrease in PM10 within the next few years.

If you have any questions or need additional information, please don't hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Janine Divyak".

Janine Divyak  
Senior Planner



# City of Las Cruces

May 25, 2001  
L-01-435

Gail Cooke, Environmental Scientist  
NMED/ Air Quality Bureau  
PO Box 26110  
1190 St. Francis Dr.  
Santa Fe, NM 87502-6110

Dear Gail:

This letter is in response to your letter dated May 22, 2001 requesting confirmation of the City of Las Cruces's effort to implement and enforce its Ordinance 1789. The City of Las Cruces, as part of the Natural Events Action Plan, has been aware of and has been actively enforcing its Ordinance 1789, Erosion and Dust Control, since its effective date of April 14, 2000.

Specific training sessions were provided to the Utilities, Engineering, Parks and Recreation, and Codes Enforcement Departments. The Planning Department has provided the necessary training and guidance to the respective City Department and citizens as it relates to this Ordinance. Additionally, the City Parks and Recreation, Traffic Operations, and Support Services (Construction) Departments have submitted and received approval of Dust Control Plans for their various dust generation activities. These dust control plans were reviewed and approved by the City's Planning Department. The City's Engineering Department is requiring review, approval and implementation of Dust Control Measures (BACM's) on all of its construction projects, whether they are completed by City staff or by outside contractors.

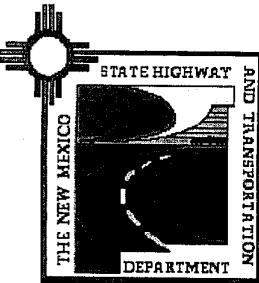
The Codes Enforcement Department has received numerous letters and phone calls concerning violations to the Erosion and Dust Control Ordinance. They have been continuously addressing and enforcing corrective actions with each of the individual violations. Additionally, the City Planning Department has implemented procedures and actions necessary to ensure, that privately constructed projects and business activities that are subject to the ordinance, are taking the necessary steps to implement the control measures.

Should you have any questions or need any documentation, please feel free to contact me. The Planning Department would gladly coordinate the gathering and specifics as it relates to our efforts in the enforcement and implementation of this vital ordinance.

Sincerely,

David Carpenter, AICP  
Senior Planner

cc:  Brian Denmark, Planning Director  
Jim Ericson, City Manager



**NEW MEXICO STATE HIGHWAY  
AND TRANSPORTATION DEPARTMENT  
AN EQUAL OPPORTUNITY EMPLOYER**

**GARY E. JOHNSON**  
GOVERNOR

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**DEPARTMENT**

Secretary  
Pete K. Rahn

General Office  
PO Box 1149  
Santa Fe, NM  
87504-1149  
505-827-5100

District One Office  
PO Box 231  
Deming, NM  
88031-0231  
505-546-2603

District Two Office  
PO Box 1457  
Roswell, NM  
88202-1457  
505-624-3300

District Three Office  
PO Box 91750  
Albuquerque, NM  
87199-1750  
505-841-2700

District Four Office  
PO Box 30  
Las Vegas, NM  
87701-0030  
505-454-3600

District Five Office  
PO Box 4127  
Coronado Station  
Santa Fe, NM  
87502-4127  
505-827-9500

District Six Office  
PO Box 2159  
Milan, NM  
87021  
505-285-3200

June 12, 2001

Gail Cooke  
Environment Scientist  
NMED/Air Quality Bureau  
P.O. Box 26110  
Santa Fe, New Mexico 87502-6110

**SUBJECT: Best Available Control Measures for PM 10**

Dear Ms. Cooke:

This letter is in regards to your May 22, 2001 request for documentation that best available control measures (BACM) were required and in place for anthropogenic dust sources. Mr. Paul Little, Assistant District Engineer for District 1 in Las Cruces, New Mexico, was consulted to verify that BACM are in place. Mr. Little confirmed that BACM have been implemented in all required instances as per the stakeholder agreement between New Mexico State Highway and Transportation Department (NMSHTD) and New Mexico Environment Department. This agreement was signed by NMSHTD on December 21, 2000.

Please consider this letter as documentation that BACM have been implemented as required. Thank you for your attention to this matter and please contact Jeff Fredine at (505) 827-5232 if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Reed".

Steve Reed  
Acting Environmental Program Manager

/jlf

VICE PRESIDENT FOR FACILITIES

MSC 3545  
New Mexico State University  
P.O. Box 30001  
Las Cruces, NM 88003-8001  
(505) 646-2101  
Fax: (505) 646-1460



June 5, 2001

Ms. Gail Cooke  
Environmental Scientist  
New Mexico Environment Dept.  
Air Quality Bureau  
PO Box 26110  
Santa Fe, NM 87502-6110

RE: New Mexico State University National Events Action Plan

Dear Ms. Cooke,

Pursuant to your letter dated May 22, 2001, wherein you requested that New Mexico State University provide your office with relevant documentation that the Best Available Control Measures (BACM) have been implemented per our stakeholders agreement. Please accept the following responses:

1. NMSU's Office of Facilities and Services (OFS) has implemented a policy of dust control measures. These measures include periodic watering of high traffic areas without pavement and cessation of any earthwork operations when winds exceed 15 mph.
2. OFS has budgeted approximately \$80,000 for FY 2001/2002 to close and revegetate Standley Drive from Locust Street to Triviz Drive. This is priority #1 in our NEAP Agreement. This project will be accomplished by July, 2001.
3. OFS has budgeted approximately \$140,000 to pave Geothermal Road from the end of the existing pavement to the Driving Range. This is priority #2 in our NEAP Agreement. This project is scheduled for completion by December, 2001.
4. OFS has undertaken an \$80,000 project to install windbreaks and ground cover to protect Lot 30 from dust storms. Lot 30 is located east of the Pan Am Center and is subject to periodic heavy traffic. This was priority #4 on our NEAP Agreement.

Each of these projects will provide an immediate and noticeable decrease in fugitive dust emissions. These projects were selected and scheduled so that in the spring, our neighbors to the east can witness the results of our efforts.



**DEPARTMENT OF ARMY  
U.S. ARMY WHITE SANDS MISSILE RANGE  
100 HEADQUARTERS AVENUE  
WHITE SANDS MISSILE RANGE, NEW MEXICO 88002-5000**

REPLY TO  
ATTENTION OF

June 6, 2001

Environment and Safety Directorate

Ms. Gail Cooke  
Environmental Scientist  
New Mexico Air Quality Bureau  
New Mexico Environment Department  
Harold Runnels Building  
P.O. Drawer 26110  
Santa Fe, NM 87502-6110

Dear Ms. Cooke:

White Sands Missile Range actively controls dust generating activities. These activities are implemented as stated in the agreement with your office except where they are in conflict with our primary mission of testing.

Please contact Mr. Robert J. Andreoli, Environmental Compliance Division, if you have any questions. He can be reached at (505) 678-7926/2224.

Sincerely,

*Thomas A. Ladd*  
Thomas A. Ladd  
Director, Environment and  
Safety Directorate