Case # SD16-001: Submitted by Tierra Del Sol Housing Corporation, an Amendment to the previously approved Preliminary Plat to change the acreage and number of lots within each Phase for a Type Two Subdivision known as Vado New Horizons. A three phase residential subdivision located on 23 acres. Phase 1 consisted of 51 lots, Phase 2, 29 lots and Phase 3, 17 lots. The amendment will consist of 42 lots on Phase 1. The property is identified as being within the NW1/4 of Section 21, Township 25 South, Range 3 East, in the community of Vado, NM. As recorded in the Office of the Doña Ana County Clerk on December 26, 2017 with Instrument #1729946. The subject parcel can be further identified by Parcel Acct. # R1902247.
BACKGROUND
Existing Conditions and Zoning

On March 9, 2017, the Planning and Zoning Commission (P&Z) recommended Approval to the Board of County Commissioners (BOCC) for a three phase Type Two Subdivision Preliminary Plat known as Vado New Horizons, submitted by Tierra Del Sol Housing Corporation. On April 11, 2017 the BOCC approved the Vado New Horizons Preliminary Plat. On July 12, 2016 the BOCC, under the previous Code, Chapter 250, approved a Zone Change Case # CZ16-001 from CC-1 (Community Commercial: Neighborhood Commercial) to CR-1 (Community Residential: Single-family residential) and recognized a thirty-five (35) acre development concept to be known as Vado New Horizons Master Plan, Case # MP16-001. The Vado New Horizons Master Plan consists of 25 acres for CR-1, and 10 acres zoned CC-1. All lots within the subdivision range in size from 0.138 to 0.301 acres. The Preliminary Plat for Vado New Horizons Subdivision and the Phase amendments conforms to the previously recognized Master Plan and Preliminary Plat. This Preliminary Plat amendment is meeting the requirements of the UDC.

In keeping with the previously approved Preliminary Plat, ingress and egress to the subdivision will remain the same, it consists of two 50’ roadways intersecting Vado Drive. The roadways within the subdivision Highline Road, Arroyo Vista Loop, Calle Entrada, Camino Azul, and Arroyo Bueno will be built to County standards and dedicated to Doña Ana County except for a portion of Highline Road and Arroyo Vista Loop. Those roadway portions will be within Phase 2 and will be maintained and remain as private easements until submittal of the Final Plat for Phase 2 to be approved by the BOCC.

The Request:
Submitted by Tierra Del Sol Housing corporation to change acres and number of lots within each phase of a Type Two Subdivision Preliminary Plat known as Vado New Horizons. The proposal for Vado New

<table>
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<th>SITE</th>
<th>ZONING</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>D1, D1L</td>
<td>Residential, site-built &amp; mobile homes</td>
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<tr>
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<td>C1</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>C1, C3</td>
<td>Vacant, Truck Stop</td>
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<tr>
<td>West</td>
<td>C1</td>
<td>Vacant</td>
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</tbody>
</table>
Horizons Preliminary Plat Amendment consist of: Phase 1: 42 lots on 10.170 acres, Phase 2: 38 lots on 8.353 acres, Phase 3:17 lots on 5.022 acres. The previously approved Preliminary Plat is: Phase 1 consisted of 51 lots on 12.020 acres, Phase 2: 29 lots on 6.503 acres, and Phase 3: 17 lots on 23 acres. Approval of the request will meet financial obligations.

**BOCC APPROVAL**

On April 11, 2018 the Board of County Commissioners approved the Preliminary Plat for Vado New Horizons, the Preliminary Plat has not expired, and therefore the following applicable plans, policies, criteria and agency comments for approval are current:

**APPLICABLE PLANS, POLICIES, AND CRITERIA FOR APPROVAL**

Chapter 350 Unified Development Code Article IV Subdivisions

§ 350-104.C.9 Duties of the Planning and Zoning Commission
§ 350-212 Subdivision Procedures:
§ 350-212.A General Rule
§ 350-212.B Pre-application Conference
§ 350-212.C Pre-engineering Conference
§ 350-212.D Agency Review
§ 350-212.E General Notice Requirements
§ 350-212.G Preliminary Plat Review
§ 350-212.Q (3) Amendment Plats and Re-plats

Article IV Subdivisions
§ 350-401 P&Z Review
§ 350-402 Development Review Committee
§ 350-407 Subdivision Data Requirements

**AGENCY COMMENTS:**

**Development Review Committee:** Recommendation to approve the Preliminary Plat Amendment with the understanding that only Phase 1 will be started at this point.

**County Fire Marshall:** The fire protection plans shall be submitted along with the final plat and shall be stamped by a registered engineer indicating the fire plans meet the specifications of 1,000 G.P.M for a duration of 2 hours.

**County Engineering Department:** A positive recommendation is provided. It is understood all internal and offsite improvements will be depicted in future final plat submittals based on sewer availability for approximately 52 lots per DAC Utilities.

**County Flood Commission:** Construction design details will be addressed during approval of final construction drawings.

**DAC Utilities:** Final Plat approval to connect to the County waste system has been approved for Phase 1 of the Preliminary Plat.
State Engineer, Santa Fe: A positive opinion is issued.

NMED, Santa Fe: Comments from Air Quality, Drinking Water, Ground Water Quality, Liquid Waste Program, Solid Waste and Water Quality Bureaus, reported no negative commentary.

NMDOT, Santa Fe: The NMDOT does not have any issues with the proposed development and obtaining an access permit for the two proposed access points. NMDOT has comments on the proposed Traffic Impact Analysis that will be addressed prior to the issuing of an access permit.

SHPO, Santa Fe: There are no cultural properties listed in the state register of cultural properties within the proposed subdivision area.


Lower Rio Grande Public Works Authority: A letter of commitment to provide water services is within Item 17 of the Disclosure Statement.


El Paso Electric: Positive opinion issued.

DAC Addressing: No comments.

NOTICE/NOTIFICATION

- 34 letters of notification were mailed to the property owners within the area of notice on October 17, 2018.
- Legal Ads were placed in the Las Cruces Sun-News on October 17, 2018.
- Signs were placed on the property in a timely manner.
- Agenda was posted on the County Web site.

STAFF ANALYSIS

The proposal for Vado New Horizons Preliminary Plat Amendment, a three phase residential subdivision located on 23 acres will consist of: Phase 1: 42 lots on 10.170 acres, Phase 2: 38 lots on 8.353 acres, Phase 3:17 lots on 5.022 acres. The previously approved Preliminary Plat is: Phase 1 consisted of 51 lots on 12.020 acres, Phase 2: 29 lots on 6.503 acres, and Phase 3: 17 lots on 23 acres. The phase amendments do not increase or decrease the number of lots, the amendments do not change the proposed internal roadway configuration, but simply change the number of lots and acreage within each phase. Total acreage remains the same. In addition, the previously approved Preliminary Plat has not expired, therefore all applicable plans, policies and criteria under Chapter 350 Unified Development Code Article IV Subdivisions are current. Approval of the request will meet financial obligations.
FINDINGS:

Pursuant to UDC §1.4.3.i, the Planning and Zoning Commission being duly authorized to make recommendations for approval, approval with conditions or denial of Preliminary Plats to the Board of County Commissioners.”

1. The Planning and Zoning Commission has jurisdiction to review this application. The property is located outside of any incorporated municipal zoning authority and is within Doña Ana County.

2. The previously approved Preliminary Plat approved the Board of County Commissioners on April 11, 2017 has not expired, therefore all applicable plans, policies and criteria under Chapter 350 Unified Development Code Article IV Subdivisions are current.

3. The phase amendments do not increase or decrease the number of lots, the amendments do not change the proposed internal roadway configuration, but simply change the number of lots and acreage within each phase. Total acreage remains the same.

4. Approval of the Preliminary Plat Amendment for Vado New Horizons Subdivision maintains and does not affect the following:
   a. Water quantity is sufficient to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses, per the Office of the State Engineer.
   b. Water is of an acceptable quality for human consumption and measures are taken to protect the water supply from contamination, per NMED requirements.
   c. There is a means of liquid waste disposal for the subdivision, per NMED requirements.
   d. There is a means of solid waste disposal for the subdivision, per NMED requirements.
   e. There are satisfactory roads to each parcel, including entry and exit for emergency vehicles, and there are appropriate utility easements to each parcel, per DAC Fire Marshal’s Office and DAC Engineering.
   f. Terrain management protects against flooding, inadequate drainage, erosion and meets the requirements of the Design and Construction Standards, per DAC Flood Commission and the Doña Ana Soil and Water Conservation District.
   g. There are protections for cultural properties, archaeological sites and unmarked burials that may be directly affected by the subdivision, as required by the Cultural Properties Act, per New Mexico SHPO.
   h. The subdivider can fulfill the proposals contained in the disclosure statement for the subdivision.
   i. The subdivision will conform to the New Mexico Subdivision Act and these Regulations.

3. The Preliminary Plat Application is consistent with the UDC:
   a. § 1.4.3 Duties of the Planning and Zoning Commission.
   b. § 2.12 Subdivision Procedures of the Unified Development Code.
   c. § 2.12.7 Preliminary Plat Review.
   d. § 2.2.2 General Notice Requirements and Section 2.12.5 Public Hearings on Preliminary Plats and Finals Plats.
   e. § 4.1 P&Z Review.
   f. § 4.7 Subdivision Data Requirements.
g. § 4.2 Development Review Committee.

**STAFF RECOMMENDATIONS:** Staff recommends approval of the amendments to the Preliminary Plat as the Preliminary Plat has not expired. In addition, the phase amendments do not increase or decrease the number of lots, the amendments do not change the proposed internal roadway configuration, but simply change the number of lots and acreage within each phase and total acreage remains the same.
PROPOSED PHASE AMENDMENTS

SKETCH SHOWING THE AMENDMENTS TO PHASE BOUNDARIES FOR
VADO NEW HORIZONS SUBDIVISION, PHASES 1, 2, & 3
WITHIN THE 35.32 ACRES TRACT AS DESCRIBED IN BOOK 204, PAGES 155-166,
WITHIN THE SEAL 10% OF SECTION 21, 7255, SIE, SNEP,
EAST OF VADO, DOÑANA COUNTY, NEW MEXICO
SCALE: 1"=100'  OCTOBER 17, 2018

PHASE 1
12,020 AC
AMENDED PHASE 1
10,170 AC

PHASE 2
8,353 AC
AMENDED PHASE 2

PHASE 3
5,022 AC
(NO CHANGE)

(NOT A PART OF VADO NEW HORIZONS)

(NOT A PART OF VADO NEW HORIZONS)

VICINITY MAP
SCALE 1:2000

LEGAL
BLUE LINE BOUNDARY LINE MARKED
RED LINE BOUNDARY LINE MARKED

TOTAL	87 133.894 429

PLANNING AND ZONING COMMISSION
SD16-001 PHASE AMENDMENTS  *  11/8/18
PROPERTY NOTIFICATION
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<td>NM STATE HWY DEPT</td>
<td>3870 BATAAN MEMORIAL EAST</td>
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</tbody>
</table>
Disclosure Statement

For

Vado New Horizons

A Type 2 Subdivision

Located Near Vado
In Doña Ana County, New Mexico

October 4, 2018

Presented by:

Tierra del Sol Housing Corporation,
A New Mexico Non-Profit Corporation
210 E. Idaho Avenue
Las Cruces, New Mexico 88005

Prepared by:

UNDERWOOD ENGINEERING
1430 W. Amador Avenue Las Cruces, NM
88005 Phone: (575) 647-4329
Project No. 1857
Disclosure Statement for Subdivisions Containing Six Parcels or More

YOU SHOULD READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING.

This disclosure statement is intended to provide you with enough information to make an informed decision on the purchase, lease or acquisition of the property described in this statement. You should read carefully all of the information contained in this disclosure statement before you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions on both the subdivision proposal and the information contained in this disclosure statement. Summaries of these opinions are contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Board of County Commissioners recommends that you inspect the property before buying, leasing or otherwise acquiring it.

If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six months from the time of purchase, lease or other acquisition so personally inspect the property. After inspecting the parcel within the six months period, you have three days to rescind the transaction and receive all your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction you must give the subdivider written notice of your intent to rescind within three days after the date of your inspection of the property.

County regulations require that any deed, real estate contract, lease or other instrument conveying an interest in a parcel in the subdivision be recorded with the County Clerk.

Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits before you purchase, lease, or otherwise acquire an interest in the land. You should also determine whether such permits are requirements for construction of additional improvements before you occupy the property.
1. NAME OF SUBDIVISION (name of subdivision)

Vado New Horizons.

2. NAME AND ADDRESS OF SUBDIVIDER (name of subdivider) (address of subdivider)

Tierra Del Sol Housing Corporation, A New Mexico Non-Profit Corporation 210 E. Idaho Avenue
Las Cruces, NM 88005

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES, LEASING OR OTHER CONVEYANCE IN NEW MEXICO (name of person in charge of sales, leasing or other conveyance) (address of person in charge of sales, leasing or other conveyance) (telephone number of person in charge of sales, leasing or other conveyance)

Rose Garcia, Executive Director
Tierra Del Sol Housing Corporation
210 E. Idaho Avenue
Las Cruces, NM 88005
(575) 541-0477

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

Present (Phase 1)  Anticipated (Phase 2 and Phase 3)
42 Lots  97 Lots
10.19 Acres  23.546 Acres

5. SIZE OF LARGEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION (size of largest parcel in acres)

The size of the largest parcel is 0.251 acres.

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION (size of smallest parcel in acres)

The size of the smallest parcel is 0.138 acres.

7. PROPOSED RANGE OF PRICES FOR SALES, LEASES OR OTHER CONVEYANCES

Lowest amount: $ 31,000.00 for a 0.138 acre parcel.
Highest amount: $ 34,000.00 for a 0.251 acre parcel

8. FINANCING TERMS (interest rate) (term of loan or contract) (minimum down payment) (service charges and/or escrow fees) (premium for credit life or other insurance if it is a condition for giving credit) (closing costs) (any other information required by the Truth in Lending Act and Regulation Z if not set forth above)

To be determined at time of sale.

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE (name of person who is recorded as having legal title) (address of person who is recorded as having legal title)

Rose Garcia, Executive Director
Tierra del Sol Housing Corporation, A New Mexico Non-Profit Corporation
210 E. Idaho Avenue
Las Cruces, NM 88005
NOTE: If any of the holders of legal title named above is a corporation, list the names and addresses of all officers of that corporation.

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE (name of person who is recorded as having equitable title) (address of person who is recorded as having equitable title)

This Item 10 is not applicable to this development.

NOTE: If any of the holders of equitable title named above is a corporation, list the names and addresses of all officers of that corporation.

11. CONDITION OF TITLE include at least the following information where applicable (number of mortgages) (name and address of each mortgagee) (balance owing on each mortgage) (summary of release provisions of each mortgage) (number of real estate contracts on the subdivided land for which the subdivider is making payments as a purchaser) (name and address of each person holding a real estate contract as owner of the subdivided land for which the subdivider is making payments as a purchaser) (balance owing on each real estate contract) (summary of default provisions of each real estate contract) (summary of release provisions of each real estate contract) (statement of any other encumbrances on the land) (statement of any other conditions relevant to the state of title)

Mortgage 1: Rural Community Assistance Corporation (RCAC)
3120 Freeboard Drive, Suite 201
West Sacramento, California 95691
Balance owing on Mortgage 1: $300,100.00
Release per lot: $6,253.00

Proposed Mortgage 2: New Mexico Mortgage Finance Authority
3444 4th St. SW
Albuquerque, NM 87102
Proposed Balance on Mortgage 2: $500,000.00

12. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD THAT SUBJECT THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OR OCCUPANCY (state here all deed and plat restrictions affecting the subdivided land)

There are no known restrictions or reservations of record other than those shown on the subdivision plat for this development.

13. ESCROW AGENT (name of escrow agent) (address) (statement of whether or not the subdivider has any interest in or financial ties to the escrow agent)

To be determined at time of sale.

14. UTILITIES (name of entity providing electricity, if available) (name of entity providing gas service, if available) (name of entity providing water, if available) (name of entity providing telephone, if available) (name of entity providing liquid waste disposal, if available) (name of entity providing solid waste disposal, if available)

Buyer to make arrangements for service to these utility services; Call for pricing

Electric service provided by El Paso Electric Company.
Gas service provided by Zia Natural Gas.
Water service provided by Lower Rio Grande Public Water Works Authority.
Telephone service provided by Qwest Corporation, d/b/a CenturyLink QC.
Liquid waste disposal provided by Dona Ana County.
Solid Waste Disposal provided by Mesilla Valley Disposal.
15. INSTALLATION OF UTILITIES

The following utilities are available on site.

Electricity, purchaser to make arrangements for service.
Gas, purchaser to make arrangements for service.
Water, purchaser to make arrangements for service.
Telephone, purchaser to make arrangements for service.
Liquid waste disposal, purchaser to make arrangements for service.
Solid waste disposal, purchaser to make arrangements for service.

16. UTILITY LOCATION (If all utilities are to be provided to each parcel in the subdivision, please state here) (If utilities are to be provided to some but not all parcels in the subdivision, state which utilities will be provided to each parcel) (State whether each utility will be above ground or underground)

The developer is obligated to make the following utilities available to all Lots in the subdivision. Each of the following utilities will be provided either above ground or below ground as indicated.

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<th>Proposed Above-ground</th>
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<tbody>
<tr>
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<tr>
<td>Liquid waste disposal</td>
<td>X</td>
</tr>
<tr>
<td>Solid waste disposal</td>
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</tr>
</tbody>
</table>

17. WATER AVAILABILITY (describe the maximum annual water requirements of the subdivision including water for indoor and outdoor domestic uses) (describe the availability and sources of water to meet the subdivision's maximum annual water requirements) (describe the means of water delivery within the subdivision) (describe any limitations and restrictions on water use in the subdivision) (summarize the provisions of any covenants or other restrictions requiring the use of water saving fixtures and other water conservation measures) (describe what measures, if any, will be employed to monitor or restrict water use in the subdivision)

Water is provided by the Lower Rio Grande Public Water Works Authority.
325 Holguin Road
Vado, NM 88072
Office: 575-233-5742
Monday - Friday
08:00 a.m. - 05:00 p.m.

See Attachment 17 for Letter of Commitment by LRGPPWA. See Attachment 17-2 for the maximum annual domestic water requirements. Water delivery within the subdivision is by water utilities infrastructure serving the property.

Outdoor water use is limited to 30 gallons per day to an irrigated area not to exceed 800 square feet per parcel. The 800 square feet may be planted in any combination of trees, shrubs, annuals and perennials, grasses, and garden. Grasses should be selected that are well adapted to local climatic conditions, and non-native grasses are discouraged. Low-water use landscaping techniques applying the principles of xeriscape shall be utilized. Drip irrigation is encouraged whenever possible. Water will not be provided for other outdoor uses such as swimming pools, hot tubs, water fountains, and decorative ponds.
18. **FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS** (name and address of entity providing water) (source of water and means of delivery) (summary of any legal restrictions on either indoor or outdoor usage) (statement that individual wells are prohibited, if such is the case)

See Item 17.

19. **FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS** (state whether wells will be provided by the subdivider or by the prospective purchaser/lessee/conveyee) (if wells are provided by purchaser/lessee/conveyee, state the estimated cost to complete a domestic well, including drilling, pressure tank, control devices, storage and treatment facilities) (if wells are provided by the subdivider, state the cost, if any, to the purchaser/lessee/conveyee) (summary of legal restrictions on either indoor or outdoor usage) (average depth to groundwater and the minimum and maximum well depths to be reasonably expected) (recommended total depth of well) (estimated yield in gallons per minute of wells completed to recommended total depth)

This Item 19 is not applicable to this development.

20. **LIFE EXPECTANCY OF WATER SUPPLY** (state the life expectancy of each source of water supply for the subdivision under full development of the subdivision)

The life expectancy of water supply is 40 years. See Attachment 20.

21. **SURFACE WATER**

This Item 21 is not applicable to this development.

*Not applicable where subdivider intends to provide water for domestic use. (Provide a detailed statement the source and yield of the surface water supply and any restrictions to which the surface water supply is subject)

22. **NEW MEXICO STATE ENGINEER’S OPINION ON WATER AVAILABILITY** Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico State Engineer regarding: (whether or not the subdivider can furnish water sufficient in quantity to fulfill the minimum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses) (whether or not the subdivider can furnish water adequate in quality) (whether or not the subdivider can fulfill the proposals in this disclosure statement concerning water, including water quality)

The Office of the State Engineer has issued a favorable opinion. See Attachment 22.

23. **WATER QUALITY** (describe the quality of water in the subdivision available for human consumption) (describe any quality that would make the water unsuitable for use within the subdivision) (state each maximum allowable water quality parameter that has been exceeded with the approval of the Board of County Commissioners and the name of the element, compound or standard that has exceeded that parameter)

See Attachment 23 (Water Quality Report).

24. **NEW MEXICO ENVIRONMENT DEPARTMENT’S OPINION ON WATER QUALITY** Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on: (whether or not the subdivider can furnish water of an acceptable quality for human consumption and measures to protect the water supply from contamination in conformity with state regulations) (whether or not the subdivider can fulfill the water quality proposal made in this disclosure statement) (whether or not the subdivider’s proposal for water quality conforms to the County’s water quality regulations)

The Environmental Department issued a favorable opinion. See Attachment 24.

25. **LIQUID WASTE DISPOSAL** (describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Board of County Commissioners for use within the subdivision)

There are no new liquid waste disposal systems proposed. This property is to be served by the existing
connections to a public sewer system provided by the Doña Ana County Utilities Department.

NOTE: NO LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN THIS SUBDIVISION OTHER THAN A SYSTEM APPROVED FOR USE IN THIS SUBDIVISION BY THE BOARD OF COUNTY COMMISSIONERS. PRIOR TO OCCUPANCY, ALL LOTS MUST HAVE EVIDENCE OF A FUNCTIONING LIQUID WASTE DISPOSAL SYSTEM INSTALLED BY A LICENSED CONTRACTOR OR PLUMBER IN ACCORDANCE WITH PERMITS ISSUED BY THE NEW MEXICO ENVIRONMENT DEPARTMENT, INSPECTED BY THE CONSTRUCTION INDUSTRIES DIVISION, AND VERIFIED BY THE OFFICE OF BUILDING INSPECTION.

26. N.M. ENVIRONMENT DEPARTMENT’S OPINION ON LIQUID WASTE DISPOSAL
Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on: (whether there are sufficient liquid waste disposal facilities to fulfill the requirements of the subdivision in conformity with state regulations) (whether or not the subdivider can fulfill the liquid waste proposals made in this disclosure statement) (whether or not the subdivider’s proposal for liquid waste disposal conforms to the County’s liquid waste disposal regulations)

The NM Environment Department has issued a favorable opinion. See Attachment 24.

27. SOLID WASTE DISPOSAL (describe the means of solid waste disposal that is proposed for use within the subdivision)

Solid waste will be collected by a private contractor and delivered to the Las Cruces-Doña Ana County Solid Waste Facility. Company providing service on site is:

Mesilla Valley Disposal Ltd. Co.
1200 Ft. Fillmore Road
Mesilla Park, NM 88047
Phone: (575) 647-9094

28. NEW MEXICO ENVIRONMENT DEPARTMENT’S OPINION ON SOLID WASTE DISPOSAL
Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on: (whether or not there are sufficient solid waste disposal facilities to fulfill the needs of the subdivision in conformity with state regulations) (whether or not the subdivider can fulfill the solid waste proposals made in this disclosure statement) (whether or not the subdivider’s proposal for solid waste disposal conforms to the County’s regulations on solid waste disposal)

The NM Environment Department has issued a favorable opinion. See Attachment 24.

29. TERRAIN MANAGEMENT (describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resource Conservation District’s soil survey for Doña Ana County) (describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures) (identify by lot and block numbers all parcels within the subdivision that are subject to flooding) (identify by lot and block number all parcels within the subdivision located in whole or in part on slopes in excess of 8%) (describe the surface drainage for all lots in the subdivision) (describe the subsurface drainage for all lots in the subdivision) (describe the nature, location and completion dates of all storm drainage systems constructed or required to be constructed in the subdivision)

The soil in this subdivision is identified as Bm and Bn; Bluepoint loamy sand. See Attachment 29. These soils are very similar and consist of a "loamy sand for the top 18 inches and below that is a loamy fine sand". They are so sandy in nature that they have "severe limitations" for dwellings and small commercial buildings, however if the dwellings and small commercial buildings are constructed according to the County specified building code there will be no problem. These soils have severe limitations for use as sewage Lagoon areas and they have "moderate limitations" for septic tank leach fields, however there is no need to construct either of these facilities in this subdivision. Because of the excess sodium and the fast rate of percolation, these soils are poor as topsoil as it is, however if the owner blends this soil with other soils and/or supplements, this soil can become a good topsoil. The surface drainage inside this development is moderate and is suitable for dwellings.
This subdivision is located in Zone ‘X’ (unshaded), areas determined to be outside the 500-YR floodplain, as shown on FEMA FIRM No. 35013C1525G, effective July 6, 2016. Parcels are outside the 500-year flood zone. See Attachment 29-2. Prospective buyers should check with the Dona Ana Flood Commission Office for the latest flood information for this area. There are no areas within this subdivision that are in the FEMA Flood Zone A.

This subdivision is not located in an area in which there are slopes in excess of 8%. The surface drainage for this subdivision shall be collected by the access streets and conveyed to the regional pond. The site is relatively flat. Construction of a regional drainage pond is proposed for this subdivision. This regional pond is for lot and street runoff. On-lot ponds are not proposed for residential lots. Tracts E1 & D1 will have ponding and shall retain on-lot runoff.

Tierra Del Sol Corporation is the responsible maintenance party for Tracts ‘A’, ‘B’, ‘C’, ‘D1’, ‘D2’, ‘E1’, ‘E2’, ‘F’, the regional pond and the 10-foot drainage easement that is located along the south line of Lots 1-13, Block F of Phase 2. The drainage pond embankments will be seeded with a New Mexico native grass for erosion protection.

There is a short storm sewer proposed which will be constructed during Phase 1 of this project.

This development will be constructed in three phases and between Phases 1 and 2 as well as between phases 2 and 3 there will be constructed temporary drainage interceptor berms and ditches which will protect Phases 1 and 2 from upstream storm water from causing damage to Phases 1 and 2. For each phase an Erosion Protection Plan will be designed according to Dona Ana County requirements and be included along with the construction drawings.

30. NATURAL RESOURCE CONSERVATION DISTRICT’S OPINION ON TERRAIN MANAGEMENT
Include here the approved summary of the opinion received by the Board of County Commissioners from the Soil & Water Conservation District on: (whether or not the subdivider can furnish terrain management sufficient to protect against flooding, inadequate drainage and soil erosion) whether or not the subdivider can satisfy the terrain management proposals made in this disclosure statement (whether or not the subdivider’s terrain management proposals conform to the County’s regulations on terrain management)

The Natural Resource Conservation District issued a favorable opinion. See Attachment 30.

31. SUBDIVISION ACCESS (name of town nearest to subdivision) (distance from nearest town to subdivision and the route over which that distance is computed) (describe access roads to subdivision) (state whether or not subdivision is accessible by conventional vehicle) (state whether or not subdivision is ordinarily accessible at all times of the year and under all weather conditions) (describe the width and surfacing of all roads within the subdivision) (state whether the roads within the subdivision have been accepted for maintenance by the County) (if the roads within the subdivision have not been accepted for maintenance by the County, state how the roads will be maintained and describe lot owners’ responsibilities and obligations with respect to road maintenance)

The nearest town to the subdivision is Anthony, NM, which is located approximately 10 miles south along Vado Drive, Interstate 10 and NMSR 460 (Anthony Drive).

Access to the subdivision is from Vado Drive which is a paved road maintained by the NMDOT. The subdivision is ordinarily accessible by conventional vehicle at all times of the year and under all weather conditions. Vado Drive is an improved road consisting of two 12’ wide drive lanes. When complete, a portion of Vado Drive will have a 16’ median turn lane. Phase 1 will have two paved road accesses to Vado Drive and subsequent phases will continue to use this dual access.

The phasing of this development is such that Phase 1 will include the drainage pond and the lowest roads draining into the drainage pond. Subsequent phases will merely extend the road system upgrade so that no generated drainage will have to drain onto the sandy soil.
All roads are designed to comply with all County standards for vehicular use as well as for a storm drain system. See revised drainage report.

32. MAINTENANCE (state whether the roads and other improvements within the subdivision will be maintained by the county, the subdivider or an association of lot owners, and what measures have been taken to make sure that maintenance takes place)

The access streets are proposed to be offered for dedication to the public. After successful completion of the warranty period the Board of County Commissioners shall accept the dedication and maintenance of these roads.

33. STATE HIGHWAY DEPARTMENTS OPINION ON ACCESS. Include here the approved summary of the opinion received by the Board of County Commissioners from the State Highway and Transportation Department on:
(whether or not the subdivider can fulfill the state highway access requirements for the subdivision in conformity with state regulations) (whether or not the subdivider can satisfy the access proposal made in this disclosure statement) (whether or not the subdivider's access proposals conform to the County's regulations on access)

The NMDOT has issued a favorable opinion. See Attachment 33.

34. CONSTRUCTION GUARANTEES (describe any proposed roads, drainage structures, water treatment facilities or other improvements that will not be completed before parcels in the subdivision are offered for sale) (describe all performance bonds, letters of credit or other collateral securing the completion of each proposed improvement)

NOTE: UNLESS THERE IS A SUFFICIENT BOND, LETTER OF CREDIT OR OTHER ADEQUATE COLLATERAL TO SECURE THE COMPLETION OF PROPOSED IMPROVEMENTS, IT IS POSSIBLE THAT THE PROPOSED IMPROVEMENTS WILL NOT BE COMPLETED, CAUTION IS ADVISED.

The developer shall complete all infrastructure improvements for substantial completion prior to the sale of any lot.

35. ADVERSE OR UNUSUAL CONDITIONS (state any activities or conditions adjacent to or nearby the subdivision, such as feed lots, dairies, cement plants or airports, that would subject the subdivided land to any unusual conditions affecting its use or occupancy)

This Item 35 is not applicable to this development. Although a truck stop to the east and dairy to the southeast exist near the proposed subdivision there are no known adverse or unusual conditions regarding this property subjecting the land to any negative or unusual conditions for the area.

36. RECREATIONAL FACILITIES (describe all recreational facilities, actual and proposed in the subdivision) (state the estimated date of completion of each proposed recreational facility) (state whether or not there are any bonds, letters of credit or other collateral securing the construction of each proposed recreational facility and describe any such bond, letter of credit or other collateral)

There is a 0.456 acre open space area (Tracts ‘E1’ & ‘E2’) that has been left in its natural state as open space for recreational use. See the development site plan. There are no recreational facilities such as buildings or other structures proposed on the open space area. The open space area is for the preservation of natural habitat for native animal and plant life to provide residents and their pets an area in which to walk and enjoy.

37. FIRE PROTECTION (distance to nearest fire station from subdivision) (route over which that distance is computed) (state whether the fire department is full-time or volunteer)

Fire protection will be provided by the La Mesa Volunteer Fire Department located west of the subdivision at 117 East San Miguel St, La Mesa, NM 88044, phone (575) 233-3535.

From the intersection of Vado Drive (NMSR 227) and Highline Road proceed southwest on Vado Drive approximately 1.1 miles to Esquina Road; thence turn south (left) onto Holguin Road and proceed.
approximately 0.3 miles to NMSR 189; thence proceed west on NMSR 189 approximately 1.2 miles to NMSR 28; thence proceed on NMSR 28 approximately 1.8 miles to San Miguel Street; Thence turn east (right) onto San Miguel Street and proceed approximately 250 feet to the fire station.

38. POLICE PROTECTION List the various police units that patrol the subdivision, (sheriff's department, if applicable) (municipal police, if applicable) (state police, if applicable) The subdivision is served by the Doña Ana County Sheriff’s Department and the New Mexico State Police.

39. PUBLIC SCHOOLS (name and address of nearest public elementary school serving the subdivision) (name and address of nearest public junior high or middle school serving the subdivision) (name and address of nearest public high school serving the subdivision)

Vado Elementary School is located approximately 1.1 miles from the subdivision.
Gadsden Middle School is located approximately 11.4 miles from the subdivision.
Desert Pride Academy (High School) is located approximately 7.4 miles from the subdivision.
Gadsden High School is located approximately 10.8 miles from the subdivision.

40. HOSPITALS (name of nearest hospital) (distance to nearest hospital and route over which that distance is computed) (number of beds in nearest hospital)

Memorial Medical Center, at 2450 South Telshor Boulevard, Las Cruces, NM 88011, (575) 522-8641, has 298 beds (as posted in http://www.lifepointhealth.net/serving-communities/our-communities/memorial-medical-center) located approximately 13.8 miles from the subdivision.

From the intersection of Vado Drive (NMSR 227) and Highline Road proceed east on Vado Drive approximately 0.9 miles and proceed north on Interstate 10 (west) for approximately 11.4 miles to the Interstate 25 junction; thence proceed east (right) on Vado Drive approximately 0.4 miles; thence proceed north (left) on Telshor Blvd. Memorial Medical center is on the left.

41. SHOPPING FACILITIES (description of nearest shopping facilities including number of stores) (distance to nearest shopping facilities and route over which that distance is computed)

There is a Dollar General located near the subdivision. From the intersection of Vado Drive (NMSR 227) and Highline Road proceed east on Vado Drive approximately 0.2 miles, Dollar General is located to the right. There are also numerous shopping facilities in Anthony, NM located approximately 9 miles south of the subdivision; from the intersection of Vado Drive and Anthony Drive proceed south on Anthony Drive approximately 5.5 miles to Union Avenue; thence proceed south on Anthony Drive approximately 3.5 miles. Also, there are numerous shopping facilities in Las Cruces, NM located approximately 12.9 miles north of the subdivision; from the intersection of Vado Drive and Stern Drive proceed north on Stern Drive approximately 12.9 miles to Union Avenue.

42. PUBLIC TRANSPORTATION (describe all public transportation that serves the subdivision on a regular basis)

South Central Regional Transit provides public transportation near the proposed subdivision. Information can be obtained at http://www.serid.org/Routes-Schedules/Schedules. See Attachments 42 and 42-2.

43. AGRICULTURE New Mexico law includes statute (NMSA 47-9) cited as the "Right to Farm Act." According to this law, "any agricultural operation or facility is not, nor shall it become, a private or public nuisance by any changed condition in or about the locality of the operation or facility, if the operation was not a nuisance at the time it began and has been in existence for more than a year." The Right to Farm Act includes, but is not limited to, operations and facilities within the farm or ranch such as: chemical application, field preparation, irrigation, cultivation, conservation practices, pruning, plowing, planting, roadside market or any other use of the land for the production of plants, crops, trees, forest products, orchard crops, livestock, poultry or fish.
The land is not being farmed. The soil is not farm-compatible.

44. CULTURAL AND HISTORIC PROPERTIES PROTECTION

There are no known properties within the boundary of this subdivision that have been entered into the New Mexico Register of Cultural Properties. Any such properties entered in the Register must comply with the requirements of the Cultural Properties Act 18-6-1 through 18-6-17 NMSA 1978 and all applicable laws regarding cultural properties and archeological sites. No investigation into unmarked burials has been made. During construction, it is the buyer's responsibility to report any unmarked burials that are discovered to the State Medical Investigator or to the State Historic Preservation Office.

See Attachment 44

CERTIFICATION AND NOTARY

I certify that the information provided by me in this disclosure statement is true and correct.

__________________________________________
Signature

__________________________________________
Address

__________________________________________
City, state, and zip code

__________________________________________
Telephone number(s)

__________________________________________
Corporation or Partnership

ACKNOWLEDGEMENT

State of New Mexico) ) ss
County of Doña Ana )

SUBSCRIBED AND SWORN to before me this____day of______________________, 20___.

__________________________________________
Notary Public

My commission expires:______________________
This page is intentionally left blank.
August 10, 2016

Ms. Rose Garcia
Executive Director
Tierra Del Sol Housing Corp.
P.O. Box 3676
Anthony, NM 88021

RE: Letter of Commitment to Provide Water Service to Vado New Horizons Subdivision Phase I

Dear Ms. Garcia:

The Authority is ready, willing, and able to provide residential water service, as well as fire flows to the residential subdivision as necessary, subject to the following conditions:

1) Applicant shall provide a final plat with easements and a final set of construction drawings to be approved by the Authority's engineer and operations staff, and only after approval may the water system improvements be installed. The Authority’s engineer and operations staff shall be provided prior to construction, copies of all permits, easements, and other documents required by regulatory agencies, for review by the Authority’s attorney.

2) Applicant shall construct at its own cost all necessary on-site and off-site facilities to connect to the subdivision to the Authority’s existing infrastructure and to upgrade any portion of the Authority’s system to accommodate the water demands of the Applicant’s subdivision, including storage tanks for fire flow protection if required. All valves, fire hydrants, meter setters, meters, and other materials utilized shall be of the same quality as those used by the Authority and must be approved by the Authority’s engineer and operations staff prior to installation.

3) Applicant agrees that all related distribution water lines, including services lines, fire hydrants, valves and related fittings, and meter yoke assemblies, excluding metering devices with the subdivision, hydrant, etc. are to be constructed and installed by a licensed utility contractor, to meet the Authority’s specifications. Any contractor hired by the Applicant is also responsible for coordinating the inspection, pressure test, and microbiological tests with the Authority.

4) The Applicant will be responsible for all maintenance or repair on the distribution water lines, including service lines, fire hydrants, valves and related fittings, and meter yoke assemblies, excluding the metering device within the distribution system, for a warranty period of one (1) year after
acceptance of the water facilities construction by the Authority. During this one year period, the Applicant shall perform all maintenance and repairs promptly on the water facilities and be responsible for insuring against any liability. Should the Authority be required to perform any repairs due to failure of the Applicant to do so within a reasonable time, the Applicant shall be required to reimburse the Authority for any costs incurred for any time, equipment, and materials expended.

5) One (1) calendar year from acceptance by the Authority of the construction of the water facilities, the water distribution infrastructure system, including storage tanks if required, but excluding that portion on the user side of the meter, shall be transferred by the Applicant and become the property of the Authority, at which time maintenance on the water infrastructure up to and including the water meter shall become the responsibility of the Authority.

6) Payments under the customer policies of the Authority, such as hookup fees, assessments, membership fees, and other charges or impact fees shall be determined at a later date based on the then existing rates, charges, and necessary assessments of the Authority shall include such information in the subdivision’s disclosure statement.

7) Both Applicant and the Authority acknowledge that connecting the subdivision to the Authority’s system to enable the Authority to sell water to the residential lot owners will require the Applicant to construct and/or pay for all off-site improvements, if any, which have not yet been identified.

8) The commitment becomes void six (6) months from the date of this approval, if Count approval for subdivision has not been obtained by Applicant within the six month period.

9) The entitlement of the residential lots to receive domestic water from the Authority shall terminate if there is any attempt to place non-residential uses on the lots or any portion of the subdivision presently identified as open spaces, parks, agriculture, or used for other purposes apart from placement of a residence.

10) Applicant acknowledges and agrees that it shall comply with the Authority’s Water Rights Acquisition Policy, which will require the Applicant to acquire and transfer ownership of groundwater rights sufficient to serve the residential lots, or in whatever amount the Office of State Engineer determines is required to serve the residential subdivision or payment in lieu of water rights transfer. Applicant will meet this requirement at the time of entering into a formal Agreement to Provide Water Service after the subdivision has received County approval. At that time, Applicant agrees it will provide and transfer sufficient water rights to the Authority to comply with the required acre feet of water right per lot. The Applicant has selected the payment option.
11) Upon approval of the Applicant's proposed subdivision by the County and after acquiring all other required governmental approvals, if any, the Authority and Applicant shall enter into a formal Agreement to Provide Water Service.

Regards,

[Signature]

Martin G. Lopez, GM
LRGPWWA
Attachment 17-2

The domestic need for this development is based on Table 1. Indoor Water Use for Single and Multi-family Dwelling Units, page 22 of New Mexico State Engineer Office Technical Report 48 dated February 1996 for Subdivisions, by Brian C. Wilson, P.E.

W = the total indoor water requirement

W = (CPU) (GPCD) (365 days/year)

CPU = the number of capita per dwelling unit

GPCD = gallons per capita per day

\[
W = (97 \text{ Lots}) \times (3 \text{ capita per dwelling unit}) \times (75 \text{ gallons}) \times (365 \text{ days}) = 7,966,125 \text{ gallons/year}
\]

\[
\text{Total } = \frac{7,966,125 \text{ gallons}}{(7.48 \text{ gallons/CF}) \times (43,560 \text{ CF/AF})} = 24.4 \text{ AF}
\]

24.4 AF is for the additional lots being created or 0.252 AF per lot.

* This 75 gallons per day per capita is limited to the following uses. Any water use not included in this table is not permissible.

Table 1. Indoor water use in single and multi-family dwelling units with water conserving plumbing fixtures and appliances, in gallons per capita per day (gcpd). The prototype for this table is based on data published in a report prepared by Brown and Caldwell (1984) for the U.S. Department of Housing and Urban Development, Washington, DC.

<table>
<thead>
<tr>
<th>Item and Assumptions</th>
<th>GPCD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toilets (1.6 gal/flush x 6 flush capita day)</td>
<td>9.6</td>
</tr>
<tr>
<td>Toilet leakage (0.17 x 24 gal/capita day)</td>
<td>4.1</td>
</tr>
<tr>
<td>Showers (2.5 gpm x 4.8 minute)</td>
<td>12.0</td>
</tr>
<tr>
<td>Baths (50 gal/bath x .14 baths/capita day)</td>
<td>7.0</td>
</tr>
<tr>
<td>Faucets (Estimated)</td>
<td>9.0</td>
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<tr>
<td>Dishwasher (13 gal/load x .17 load/capita day)</td>
<td>2.2</td>
</tr>
<tr>
<td>Washing machine (50 gal/load x .30 load/capita day)</td>
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</tr>
<tr>
<td>Subtotal</td>
<td>58.9</td>
</tr>
<tr>
<td>Evaporative cooling (statistically)</td>
<td>11.1</td>
</tr>
<tr>
<td>Water softening</td>
<td>5.0</td>
</tr>
<tr>
<td>Total</td>
<td>75.0</td>
</tr>
</tbody>
</table>
RE: Vado New Horizons

Martin Lopez <martin.lopez@lrgauthority.org>

Wed 12/14/2016 4:49 PM
Inbox

to: 'Sergio Suarez' <sergio@underwoodengineering.com>
Categories: sergio@underwoodengineering.com

Sergio,

It would be perpetual, but for accounting purposes it is 40 years. As you make improvements to different components you can extend it.

Martin G. Lopez, GM
Lower Rio Grande PWWA
575-571-3628
martin.lopez@lrgauthority.org

From: Sergio Suarez [mailto:sergio@underwoodengineering.com]
Sent: Wednesday, December 14, 2016 1:26 PM
To: Martin Lopez
Subject: Vado New Horizons

Martin,

Good afternoon. We've received comments from Dona Ana County Engineering. I need your input for Item 20 of the Disclosure Statement.
What is the life expectancy of the water supply?

Sergio Suárez
Underwood Engineering
PO BOX 646
Doña Ana, New Mexico 88032
575-647-4329 (o)
575-523-5286 (f)
October 17, 2016

TOM BLAINE, P.E.
STATE ENGINEER

Luis Marmolejo
Dona Ana County
845 N. Motel Blvd.
Las Cruces, NM 88007

Mailing Address:
P.O. Box 25102
Santa Fe, NM 87504-5102

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Re: Vado Horizons Subdivision Submittal

Dear Mr. Marmolejo:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Dona Ana County Subdivision Regulations and the New Mexico Subdivision Act.

Based on the information provided, this office has determined that the subdivider is capable of furnishing water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. Accordingly, a positive opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Chuck Lawler at 505-827-6664.

Sincerely,

Molly Magnuson
Molly Magnuson, P.E.
Water Use and Conservation Bureau Chief

cc: OSE Water Rights Division, Las Cruces Office
MEMORANDUM
New Mexico Office of the State Engineer
Water Use and Conservation Bureau

DATE: October 17, 2016
TO: Molly Magnuson, P.E., Water Use and Conservation Bureau Chief
FROM: Chuck Lawler, Senior Water Resource Specialist
SUBJECT: Vado New Horizons Subdivision, Dona Ana County

SUMMARY

On September 23, 2016 the Office of the State Engineer (OSE) received a request to review the application for the Vado New Horizons Subdivision, a Type Two subdivision. The submittal received was incomplete and Disclosure Statement Attachment 17-2 detailing indoor water use was subsequently received on October 11, 2016.

The proposal is a request to subdivide a 23.546 acre parcel into 97 lots with sizes ranging between 0.138 acres and 0.301 acres. The water supply is to be provided by the Lower Rio Grande Public Works Water Authority (LRGPWWA). The subject property is located on the southeast edge of Vado, adjacent to and southeast of State Road 227 within Section 21, Township 25 South, Range 3 East, NMPM.

The water supply documents submitted to this office consist of a Disclosure Statement, Plat Maps, a Water Budget and a Commitment Letter.

The proposal was reviewed pursuant to the Dona Ana County Subdivision Regulations - Ordinance No. 166-96 (Regulations) and the New Mexico Subdivision Act (Act). The County requirements are specified in Section 14.3 of the Regulations. The water supply proposal is in compliance with the requirements of the Regulations and the Act. Accordingly, a positive opinion should be issued.

WATER DEMAND ANALYSIS AND CONSERVATION

Section 14.3.2 (B) of the Regulations state “The subdivider, may at his/her option, prepare a detailed water demand analysis using the step by step computational procedure presented in the relevant State Engineer Technical Report”. The developer quantified the maximum water demand as 27.7 acre-feet per year (afy) for the entire subdivision or 0.286 afy per lot assuming 3 persons per dwelling (at 75 gpcd) and an outdoor water use limit of 30 gallons per day.

No requirements for water conservation measures are identified in the Disclosure Statement although Item No. 17 limits outdoor use to 30 gallons per day and Attachment 17-2 specifies that “Any water use not included in this table is not permissible.”

With regard to outdoor use, this office recommends that the subdivider limit the total irrigated area to 800 square feet per parcel. This restriction may be stated as follows: “The 800 square feet
may be planted in any combination of trees, shrubs, annuals and perennials, grasses, and garden. Grasses should be selected that are well adapted to local climatic conditions, and non-native grasses are discouraged. Low-water use landscaping techniques applying the principles of xeriscape shall be utilized. Drip irrigation is encouraged whenever possible. Water will not be provided for other outdoor uses such as swimming pools, hot tubs, water fountains, and decorative ponds.”

WATER AVAILABILITY ASSESSMENT

The proposed water supply for this subdivision is the LRGPWWA. A letter from the utility, stating that the utility is ready, willing, and able to provide water service for the subdivision is included in the proposal as required by Section 14.3.5.A.2 of the Regulations. The commitment extends six (6) months from the date of the approval letter but is then voided if approval for the subdivision has not been obtained by the Applicant.

Section 47-6-11.F (1) of the Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. The OSE reviews the water rights and the physical water availability when issuing an opinion. Based on OSE records, the LRGPWWA currently holds sufficient water rights to provide service to the proposed development.

Based on the information provided, this office has determined that the subdivider can fulfill the proposals in the Disclosure Statement concerning water availability at this time.
Lower Rio Grande PWWA South Valley
CCR 2015

Spanish (Espanol)

Este informe contiene informacion muy importante sobre la calidad de su agua beber. Tradusco o hable con alguien que lo entienda bien.

Is my water safe?

We are pleased to present this year’s Annual Water Quality Report (Consumer Confidence Report) as required by the Safe Drinking Water Act (SDWA). This report is designed to provide details about where your water comes from, what it contains, and how it compares to standards set by regulatory agencies. This report is a snapshot of last year’s water quality. We are committed to providing you with information because informed customers are our best allies.

Do I need to take special precautions?

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Water Drinking Hotline (800-426-4791).

Where does my water come from?

Your ground water comes from eight deep, good producing Wells located in the Lower Rio Grande Basin.

Source water assessment and its availability

Information can be found at www.lrgauthority.org
Why are there contaminants in my drinking water?

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency’s (EPA) Safe Drinking Water Hotline (800-426-4791). The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity: microbial contaminants, such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife; inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban stormwater runoff, industrial, or domestic wastewater discharges, oil and gas production, mining, or farming; pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses; organic Chemical Contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities. In order to ensure that tap water is safe to drink, EPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

How can I get involved?

The Lower Rio Grande PWFA Board meets every third Wednesday of every month. Either at the La Mesa or the Butterfield Park Offices. Information can be found at www.lrgauthority.org

Water Conservation Tips

Did you know that the average U.S. household uses approximately 400 gallons of water per day or 100 gallons per person per day? Luckily, there are many low-cost and no-cost ways to conserve water. Small changes can make a big difference - try one today and soon it will become second nature.
• Take short showers - a 5 minute shower uses 4 to 5 gallons of water compared to up to 50 gallons for a bath.
• Shut off water while brushing your teeth, washing your hair and shaving and save up to 500 gallons a month.
• Use a water-efficient showerhead. They’re inexpensive, easy to install, and can save you up to 750 gallons a month.
• Run your clothes washer and dishwasher only when they are full. You can save up to 1,000 gallons a month.
• Water plants only when necessary.
• Fix leaky toilets and faucets. Faucet washers are inexpensive and take only a few minutes to replace. To check your toilet for a leak, place a few drops of food coloring in the tank and wait. If it seeps into the toilet bowl without flushing, you have a leak. Fixing it or replacing it with a new, more efficient model can save up to 1,000 gallons a month.
• Adjust sprinklers so only your lawn is watered. Apply water only as fast as the soil can absorb it and during the cooler parts of the day to reduce evaporation.
• Teach your kids about water conservation to ensure a future generation that uses water wisely. Make it a family effort to reduce next month’s water bill!
• Visit www.epa.gov/watersense for more information.

Cross Connection Control Survey

The purpose of this survey is to determine whether a cross-connection may exist at your home or business. A cross connection is an unprotected or improper connection to a public water distribution system that may cause contamination or pollution to enter the system. We are responsible for enforcing cross-connection control regulations and insuring that no contaminants can, under any flow conditions, enter the distribution system. If you have any of the devices listed below please contact us so that we can discuss the issue, and if needed, survey your connection and assist you in isolating it if that is necessary.

• Boiler/ Radiant heater (water heaters not included)
• Underground lawn sprinkler system
• Pool or hot tub (whirlpool tubs not included)
• Additional source(s) of water on the property
• Decorative pond
• Watering trough

Source Water Protection Tips
Protection of drinking water is everyone's responsibility. You can help protect your community's drinking water source in several ways:

- Eliminate excess use of lawn and garden fertilizers and pesticides - they contain hazardous chemicals that can reach your drinking water source.
- Pick up after your pets.
- If you have your own septic system, properly maintain your system to reduce leaking to water sources or consider connecting to a public water system.
- Dispose of chemicals properly; take used motor oil to a recycling center.
- Volunteer in your community. Find a watershed or wellhead protection organization in your community and volunteer to help. If there are no active groups, consider starting one. Use EPA's Adopt Your Watershed to locate groups in your community, or visit the Watershed Information Network's How to Start a Watershed Team.
- Organize a storm drain stenciling project with your local government or water supplier. Stencil a message next to the street drain reminding people "Dump No Waste - Drains to River" or "Protect Your Water." Produce and distribute a flyer for households to remind residents that storm drains dump directly into your local water body.

Additional Information for Lead

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Lower Rio Grande PWRA South Valley is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at http://www.epa.gov/safewater/lead.

Additional Information for Arsenic

While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems.
Water Quality Data Table

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of contaminants in water provided by public water systems. The table below lists all of the drinking water contaminants that we detected during the calendar year of this report. Although many more contaminants were tested, only those substances listed below were found in your water. All sources of drinking water contain some naturally occurring contaminants. At low levels, these substances are generally not harmful to our drinking water. Removing all contaminants would be extremely expensive, and in most cases, would not provide increased protection of public health. A few naturally occurring minerals may actually improve the taste of drinking water and have nutritional value at low levels. Unless otherwise noted, the data presented in this table is from testing done in the calendar year of the report. The EPA or the State requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants do not vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. As such, some of our data, though representative, may be more than one year old. In this table you will find terms and abbreviations that might not be familiar to you. To help you better understand these terms, we have provided the definitions below the table.

<table>
<thead>
<tr>
<th>Contaminants</th>
<th>MCLG or MRDLG</th>
<th>MCL, TT, or MRDL</th>
<th>Year</th>
<th>Range</th>
<th>Sample Date</th>
<th>Violation</th>
<th>Typical Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disinfectants &amp; Disinfection By-Products</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chlorine (as CIE) (ppm)</td>
<td>4</td>
<td>4</td>
<td>.78</td>
<td>487</td>
<td>78</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>Halogenated Acids (HAA5) (ppb)</td>
<td>NA</td>
<td>60</td>
<td>11</td>
<td>5.7</td>
<td>11</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>TTHM (Total Trihalomethanes) (ppb)</td>
<td>NA</td>
<td>80</td>
<td>51</td>
<td>39</td>
<td>51</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>Inorganic Contaminants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arsenic (ppb)</td>
<td>0</td>
<td>10</td>
<td>7.6</td>
<td>6.4</td>
<td>7.6</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>Barium (ppm)</td>
<td>2</td>
<td>2</td>
<td>0.55</td>
<td>0.04</td>
<td>0.55</td>
<td>2014</td>
<td>No</td>
</tr>
<tr>
<td>Fluoride (ppm)</td>
<td>4</td>
<td>4</td>
<td>2.5</td>
<td>.3</td>
<td>2.5</td>
<td>2014</td>
<td>No</td>
</tr>
<tr>
<td>Nitrate (measured as)</td>
<td>10</td>
<td>10</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2015</td>
<td>No</td>
</tr>
</tbody>
</table>
### Contaminants

<table>
<thead>
<tr>
<th>Contaminants</th>
<th>MCLG or MRDLG</th>
<th>MCL, FT, or MRDL</th>
<th>Year</th>
<th>Range</th>
<th>Date</th>
<th>Sample Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen (ppm)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Selenium (ppb)</td>
<td>30</td>
<td>50</td>
<td>7.6</td>
<td>0</td>
<td>7.6</td>
<td>2014 No</td>
</tr>
<tr>
<td>Microbiological Contaminants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fecal coliform/E. coli - in the distribution system (positive samples)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NA</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>Total Coliforms (positive samples/month)</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>NA</td>
<td>2015</td>
<td>No</td>
</tr>
<tr>
<td>Radioactive Contaminants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alpha emitters (pCi/L)</td>
<td>0</td>
<td>15</td>
<td>3.2</td>
<td>NA</td>
<td>3.2</td>
<td>2014</td>
</tr>
<tr>
<td>Radium (combined 226R/228Ra) (pCi/L)</td>
<td>0</td>
<td>5</td>
<td>.5</td>
<td>NA</td>
<td>.5</td>
<td>2014</td>
</tr>
<tr>
<td>Uranium (ug/L)</td>
<td>0</td>
<td>30</td>
<td>2</td>
<td>NA</td>
<td>2</td>
<td>2014</td>
</tr>
<tr>
<td>Volatile Organic Contaminants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Xylenes (ppb)</td>
<td>10</td>
<td>10</td>
<td>.00005</td>
<td>NA</td>
<td>.0005</td>
<td>2014</td>
</tr>
<tr>
<td>Inorganic Contaminants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copper - action level at consumer taps (ppm)</td>
<td>1.3</td>
<td>1.3</td>
<td>.005</td>
<td>2014</td>
<td>0</td>
<td>No</td>
</tr>
<tr>
<td>Lead - action level at consumer taps (ppb)</td>
<td>0</td>
<td>15</td>
<td>2.4</td>
<td>2014</td>
<td>0</td>
<td>No</td>
</tr>
</tbody>
</table>

### Typical Source
- Leaching from septic tanks, sewage; Erosion of natural deposits
- Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines
- Human and animal fecal waste
- Naturally present in the environment
- Erosion of natural deposits
- Discharge from petroleum factories; Discharge from chemical factories
- Corrosion of household plumbing systems; Erosion of natural deposits
- Corrosion of household plumbing systems; Erosion of natural deposits

---

### Undetected Contaminants

The following contaminants were monitored for, but not detected, in your water.
<table>
<thead>
<tr>
<th>Contaminants (ppb)</th>
<th>MCL or MRDLG</th>
<th>MCL, TT, or MRDL</th>
<th>Year or Season</th>
<th>Violation</th>
<th>Typical Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antimony</td>
<td>6</td>
<td>6</td>
<td>ND</td>
<td>No</td>
<td>Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder; test addition.</td>
</tr>
<tr>
<td>Cyanide</td>
<td>200</td>
<td>200</td>
<td>ND</td>
<td>No</td>
<td>Discharge from plastic and fertilizer factories; Discharge from steel/metal factories</td>
</tr>
</tbody>
</table>

### Unit Descriptions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ug/L</td>
<td>ug/L: Number of micrograms of substance in one liter of water</td>
</tr>
<tr>
<td>ppm</td>
<td>ppm: parts per million, or milligrams per liter (mg/L)</td>
</tr>
<tr>
<td>ppb</td>
<td>ppb: parts per billion, or micrograms per liter (μg/L)</td>
</tr>
<tr>
<td>pCi/L</td>
<td>pCi/L: picocuries per liter (a measure of radioactivity)</td>
</tr>
<tr>
<td>positive samples/month</td>
<td>positive samples/month: Number of samples taken monthly that were found to be positive</td>
</tr>
<tr>
<td>NA</td>
<td>NA: not applicable</td>
</tr>
<tr>
<td>ND</td>
<td>ND: Not detected</td>
</tr>
<tr>
<td>NR</td>
<td>NR: Monitoring not required, but recommended.</td>
</tr>
<tr>
<td>positive samples/yr</td>
<td>positive samples/yr: The number of positive samples taken that year.</td>
</tr>
</tbody>
</table>

### Important Drinking Water Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCLG</td>
<td>MCLG: Maximum Contaminant Level Goal: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.</td>
</tr>
<tr>
<td>MCL</td>
<td>MCL: Maximum Contaminant Level: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close as feasible to the MCLGs using the best available treatment technology.</td>
</tr>
<tr>
<td>TT</td>
<td>TT: Treatment Technique: A required process intended to reduce the level of a contaminant in drinking water.</td>
</tr>
<tr>
<td>AL</td>
<td>AL: Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.</td>
</tr>
<tr>
<td>Variance and Exemption</td>
<td>Variance and Exemption: State or EPA permission not to meet an MCL or a treatment technique under certain conditions.</td>
</tr>
<tr>
<td>MRDLG</td>
<td>MRDLG: Maximum residual disinfection level goal. The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.</td>
</tr>
<tr>
<td>MRDL</td>
<td>MRDL: Maximum residual disinfectant level. The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.</td>
</tr>
<tr>
<td>MNR</td>
<td>MNR: Monitored Not Regulated</td>
</tr>
<tr>
<td>MPL</td>
<td>MPL: State Assigned Maximum Permissible Level</td>
</tr>
</tbody>
</table>
For more information please contact:

Contact Name: Michael P. Lopez
Address: P.O. Box 2646
Anthony, NM 88021
Phone: (575) 233-5742
February 15, 2017

Email: luism@donaanacounty.org

Mr. Luis Marmolejo
Dona Ana County
Community Development Department
845 N. Motel Blvd.
Las Cruces, NM 88007

RE: Tierra del Sol Housing Corporation; Vado New Horizons Subdivision
NMED EIR 5399

Mr. Marmolejo:

Your letter regarding the above named project was received by the New Mexico Environment Department (NMED) and comments were provided by the Air Quality, Drinking Water, Ground Water Quality, Liquid Waste program, Solid Waste, and Surface Water Quality Bureaus.

Tierra del Sol Housing Corporation proposes to develop a three phase residential subdivision located on 23 acres in the community of Vado, New Mexico. Phase 1 will consist of 51 lots, Phase 2, 29 lots, and Phase 3, 17 lots.

Air Quality
The NMED Air Quality Bureau has evaluated the information submitted with the subdivision disclosure statement and provides comment that the use of Federal funds for the project in New Mexico will likely require that an air quality analysis and evaluation must be performed by the Environment Department. Please check with the funding source to ascertain whether an environmental report is needed and what types of analyses will be required.

In general, construction activities identified in this proposal will create temporary increases in pollutant emissions due to combustion-related construction equipment usage, demolition, debris removal and earth excavation and movement. Care should be taken to minimize fugitive dust and equipment emissions.

To further ensure air quality standards are met, applicable local or county regulations requiring noise and/or dust control must be followed; if none are in effect, controlling construction-related
air quality impacts during projects should be considered to reduce the impact of fugitive dust and/or noise on community members.

All asphalt, concrete, quarrying, crushing, and screening facilities contracted in conjunction with the proposed project must have current and proper air quality permits. For more information on air quality permitting and modeling requirements, please refer to 20.2.72 NMAC.

If air quality permits are required for the proposed action, permits will need to be administered by the New Mexico Environment Department (NMED).

Drinking Water Bureau
The Drinking Water Bureau (DWB) provides comment that Item 14 of the Subdivision Disclosure Statement shows that drinking water will be provided by the Lower Rio Grande Public Water Works Authority (Lower Rio Grande). The Lower Rio Grande Public Water Works Authority is a public water system that is regulated by the New Mexico Environment Department (NMED) Drinking Water Bureau (DWB). NMED DWB records show no active violations of any health based drinking water standard. The attached letter of commitment from Lower Rio Grande was referenced in Item 17 of the Disclosure Statement, but not included. The letter requires facilities to be constructed by a licensed contractor to the Lower Rio Grande Public Water Works Authority standards. Item 23 of the Disclosure Statement referenced a water quality report that was not included. These items should be attached to the statement.

The Disclosure Statement, Letter of Commitment and NMED DWB water quality records support a determination that the project can provide water of an acceptable quality for human consumption and that measures will be taken to protect the water supply from contamination.

Groundwater Quality
Ground Water Quality Bureau (GWQB) staff reviewed the above-referenced project focusing specifically on the potential to affect groundwater resources in the area.

Implementation of the project will involve the use of heavy equipment, thereby leading to a possibility of contaminant releases (e.g., fuel, hydraulic fluid, etc.) associated with equipment malfunctions. The GWQB advises all parties involved in the project to be aware of notification requirements for accidental discharges contained in 20.6.2.1203 NMAC. Compliance with the notification and response requirements will further ensure the protection of groundwater quality in the vicinity of the project.


Liquid Waste Disposal
The District III Liquid Waste program has evaluated the action submitted by Tierra Del Sol Housing Corporation regarding the development of the Vado New Horizons Subdivision. The subdivision area can be identified by the uniform property code 4-015-148-196-200 and is
located in Township 25S Range 3 East and Section 21. The lots range in size from 0.138 to 0.301 acres. The subdivision is within a sewer service area provide by the County of Dona Ana and the homes will be required to connect to the sanitary sewer system at the time of construction. No septic system will be allowed within the subdivision as per Sections 201 and 301 C of 20-7.3 NMAC.

Solid Waste
The Solid Waste Bureau provides comment that any excavated solid waste, including any special waste such as regulated asbestos waste, must be properly managed, containerized, transported and disposed in accordance with the New Mexico Solid Waste Rules 20.9.2-10 NMAC. Upon discovery of any single area requiring excavation of more than 120 cubic yards of solid waste, excavation shall cease and a Waste Excavation Plan in accordance with 20.9.2.10(A) (15) NMAC shall be prepared and submitted to the SWB for review and approval prior to continuing with excavation operations.

Excavation or maintenance activities sometimes results in the knowing or inadvertent generation of regulated asbestos waste as there is the potential to excavate or otherwise impact asbestos cement pipes (sewer, water, or conduit). Suspect pipes, fragments or soils contaminated with related fragments or fines shall be sampled and analyzed by Polarized Light Microscopy (“PLM”) to determine if the material contains greater than one percent (1%) asbestos. If any of the pipes, fragments, and/or contaminated soils require management as regulated asbestos waste, in accordance with the New Mexico Solid Waste Rules, 20.9.2-10 NMAC, including proper containerization, labeling, manifesting, transport by an approved commercial hauler, and disposal at a permitted solid waste facility.

Surface Water Quality
The Surface Water Quality Bureau provides comment that the U.S. Environmental Protection Agency (EPA) requires all “operators” (see Federal Register/ Vol. 63, No. 128/Monday, July 6, 1998 pg. 3659) obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for storm water discharges from construction projects that will result in the disturbance or re-disturbance of one or more acres, or smaller sites that are part of a larger common plan of development. The total area of disturbed soil and the area where the material removed is placed are included in the total disturbed soil footprint.

EPA requires that all operators (see Appendix A of the 2012 CGP) obtain NPDES permit coverage by submitting a Notice of Intent (NOI) for construction projects. Generally, this means that at least two parties will require permit coverage: the owner/developer of the construction project who has operational control over project specifications, the general contractor who has day-to-day operational control of those activities at the site which are necessary to ensure compliance with the SWPPP and other permit conditions; and, possibly other operators.

Part 9 of the 2012 CGP includes permit conditions applicable to specific states, Indian country lands, or territories. In the State of New Mexico, except on tribal land, permittees must ensure that there is no increase in sediment yield and flow velocity from the construction site (both
Tierra del Sol Housing Corporation, Vado New Horizons Type 2 Subdivision, Vado, NM
NMED EIR #5399
February 15, 2017

during and after construction) compared to pre-construction, undisturbed conditions (see Subpart 9.4.1.1 of the 2012 CGP).

The CGP was re-issued effective February 16, 2012. The CGP, NOI, Fact Sheet, and Federal Register notice is available at:
http://cfpub.epa.gov/nepdas/stormwater/cgp.cfm

The NPDES Storm Water permit requires that a Storm Water Pollution Prevention Plan (SW/PPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil and grease and construction materials from construction sites) in storm water runoff from entering waters of the United States (U.S.). This permit also requires that permanent stabilization measures (revegetation, paving, etc.) and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters.

If construction activity or disturbances are to take place in a river, including river banks and wetlands, a 404 dredge and fill permit issued by the U.S. Army Corps of Engineers (USACE) is required.

If you have any questions, please contact me at (505) 222-9552 or by email at thomas.skibitski@state.nm.us

Sincerely,

Thomas Skibitski

Environmental Impact Review Coordinator
NMED File Number: EIR # 5399

Email: luism@donaanacounty.org
**MAP LEGEND**

- **Soil Area**
- **Very Sandy Soil**
- **Wet Soils**
- **Other**

**Water Features**
- **Streams and Canals**
- **Reservoirs**

**Special Point Features**
- **Rocks**
- **Trees**
- **Roads**
- **Buildings**

**Vegetation**
- **Wooded Area**
- **Open Grassland**
- **Open Field**

**Soil Map—Doña Ana County Area, New Mexico**

**MAP INFORMATION**

The soil maps are typically compiled in the following:

- **At a scale of 1:24,000.**

Please note the bar scale on the map sheet for correct measurements.

- **Source of Maps:** Natural Resources Conservation Service

- **Web Soil Survey URL:** http://websoilsurvey.nrcs.usda.gov

- **Coordinate System:** Web Mercator WGS 1984

- **Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area can be used for calculating the area of small objects. For accurate calculations of distance or area are required.**

- **This product is generated from the USDA-NRCS certified data set in the vector format listed below.**

- **Soil Survey Area:** Doña Ana County Area, New Mexico

- **Survey Area Data:** Version 12, Sept 20, 2014

- **Scale:** 1:24,000 or larger.

- **Data:** Aerial photography: Jan 19, 2011—Nov 19, 2011

The orthophoto or other base maps on which the soil lines were overlaid and digitized probably offer the best accuracy displayed on these maps. As a result, some minor shifting of map unit boundaries may be noticed.

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**Web Soil Survey**

**Natural Resources Conservation Service**

**01/12/2015**

**Page 2 of 3**