

BOOK# 253 --



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
District III Office
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DEC 26 1995
XC: Dccc
MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

December 22, 1995

410

3014

Ms. Dolores Dominguez
Office of the Grant County Commissioners
P.O. Box 898
Silver City, NM 88062

Dear Ms. Dominguez:

We have reviewed the revised liquid waste management plan for Dos Griegos Subdivision. It is our opinion that the proposal does not conform to County regulations. A community liquid waste treatment and disposal system is required for this subdivision, the proposed systems, although owned by the Homeowner's Association do not meet the definition of a community system. In order to allow the proposed systems, a variance will have to be issued by the County.

Sincerely,

Gabriel Garcia, P.E.
District Engineer.

xc: David Rees, Health Program Manager, NMED, Silver City



GARY E. JOHNSON
GOVERNOR

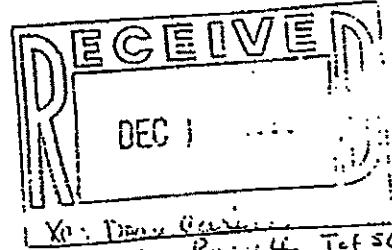
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3015
411

MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

November 30, 1995



Xc: David Rees
Rita Russell, Tel SC
Dori

Ms. Dolores Dominguez
Office of the Grant County Commissioners
PO Box 898
Silver City, NM 88062

Dear Ms. Dominguez:

We have reviewed the material submitted by your office regarding the proposed Dos Griegos Subdivision. It is our opinion that:

1. If the Town of Silver City provides wastewater treatment than the liquid waste disposal proposal conforms to County Regulations. If Silver City does not provide this service, then an opinion on liquid waste disposal cannot be given since no information on the type of treatment system was provided.
2. The quality of the proposed water supply conforms with County Regulations.
3. The solid waste disposal proposal conforms with County Regulations.

Thank you for the opportunity to review this proposed subdivision. If you have any questions or I can be of any help please let me know.

Sincerely,

Gabriel Garcia, P.E.
District Engineer

/GG

xc: David Rees



Gary E. Johnson
Governor

ENVIRONMENT DEPARTMENT

Silver City Field Office
1302 E. 32nd Street
Silver City, New Mexico 88061
Phone (505) 388-1934
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Peter Maggiore
Secretary

301

BOOK# 2 53 --

Dolores Dominguez, Ordinance Officer
Grant County Commission
P.O. Box 989
Silver City, NM 88062

Dear Dolores:

This letter is to inform you that I have received and reviewed the sampling results for the Dos Griegos Subdivision.

The samples collected were from liquid waste treatment units designed and installed by Bioclere of New Mexico. The primary factor we had asked to be tested for was fecal coliform bacteria. This is the biggest concern in determining a public health hazard. All samples collected show a count of less than 1 colony per 100mls of water. The State requirement allows up to 200 colonies per 100mls.

Other parameters tested for included pH, Total Dissolved Solids, and Nitrate. All samples for these parameters are well within State requirements. The Nitrate sampling was not required by the Department for this subdivision. Mr. Summers included this because he felt that it was important to demonstrate that his system is also capable of removing Nitrogen. Nitrogen is the primary contaminant on which the Liquid Waste Disposal Regulations are based.

In conclusion, I have inspected and reviewed every installation of these systems. I have made several follow-up inspections on the Olson system since it was installed approximately one year ago. There were some minor nuisance difficulties initially with this system; however, I believe these have been satisfactorily corrected. The testing and maintenance is being performed as required, and all systems appear to be operating satisfactorily.

Please feel free to contact me if you have any questions.

Sincerely,

Rock L. Vendrely
Environmentalist

RLV:prc

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June 30, 1999

Dolores Dominguez, Ordinance Officer
County of Grant
P. O. Box 898
Silver City, NM 88062

Subject: Dos Griegos Subdivision – Unit 1 (EI #GNT9901L)

Dear Ms. Dominguez:

In accordance with your request, we have reviewed the performance of the wastewater disposal system for the Dos Griegos Subdivision, Unit 1. This review is required by the stipulations of the Disclosure Statement #29 which is a condition of the variance to the subdivision ordinance when the subdivision was approved.

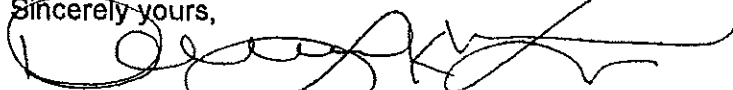
Documents submitted to us for review include the original Disclosure Statement [Book 234, ppg. 5524-5534], manufacturer's information on the "Bioclere" trickling filter sewage treatment system, and a review of sample results from NMED, Rock L. Vendrely. It is my understanding the Bioclere units are being maintained by Link Summers of Bioclere New Mexico.

Based on the information provided to us, and on the NMED review, it appears that the Bioclere wastewater treatment systems are performing as required by Article #29 of the Disclosure Statement and the Subdivision agreement. Since these systems conform to the required stipulations, they can be used in Unit 2 of the Dos Griegos Subdivision.

It should be noted that the Disclosure Statement requires that the Homeowners' Association is responsible for maintenance of the wastewater treatment systems. It is my understanding that Bioclere New Mexico is contracting directly with the individual homeowners for maintenance of these systems. If this is in fact the case, there is no method to verify that all systems are continuing to be maintained. The County should obtain verification that the Homeowners' Association is actually assuming responsibility for maintenance in accordance with the stipulated requirements.

If you have any questions please do not hesitate to contact me.

Sincerely yours,



Douglas K. McLeod, P.E., C. Eng.
Engineers Inc.

Cc: New Mexico Environment Department, Rock L. Vendrely

DOS GRIEGOS SUBDIVISION

**LIQUID WASTE MANAGEMENT
AND DISPOSAL PLAN**

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B. Engineering Report

**Dos Griegos Limited Partnership
7 Avenida Vista Grande
Suite B7-103
Santa Fe, NM 87505
(505) 466-4122**

LIQUID WASTE MANAGEMENT PLAN FOR DOS GRIEGOS SUBDIVISION

Submitted by: Dos Griegos Limited Partnership.
7 Avenida Vista Grande
Suite B7-103
Santa Fe, NM 87505

The liquid waste system designed by Dos Griegos is a community maintained advanced waste treatment system. This system is overdesigned and all precautions have been taken to make it environmentally conscious, water conserving and odorless.

PROCESS

The design of this system is disclosed herein. As sewage runs out of the house and into the system it enters an initial septic tank where sludge is collected. This tank shall be periodically pumped as needed. The remaining effluent then runs through a waste treatment tank and is re-circulated and processed.

Finally, the remaining effluent which at this point is relatively clean water, is chlorinated in another septic tank and can then be used for irrigation.

SOLUTIONS

The biggest problems with any sewage system are maintenance and water discharge. Thus, we have designed a system which addresses both concerns.

Maintenance

The waste treatment system will be maintained by contract by the Dos Griegos Grant County Homeowners' Association II. The recommended design of the system shall be given to a lot purchaser and all pertinent information will be disclosed to him/her in the Disclosure Statement and the Subdivision Covenants. Prior to construction, the lot owner must seek and obtain approval of the system from the Architectural Review Board, Grant County, the local office of the New Mexico Environmental Department before it is installed, and a licensed engineer. The Association will be responsible to maintain every system within the subdivision by hiring a Level One licensed inspector to maintain, test and enforce the liquid waste disposal requirements. Lot owners will be assessed on a quarterly basis for the contracting of this professional. Thus, ultimate responsibility of the environmental safety of the system lies with the Homeowners' Association. Any equipment shall be paid for by the lot owner. Likewise, in the event of any liquid waste disposal negligence on the part of a lot owner, the Association shall have recourse over the lot owner by the ability to levy fines and/or liens against his property. The Association shall also have

the right to repair a problem and seek reimbursement from the lot owner in the event said owner does not comply.

Water Discharge

Any remaining water running out of the system must be used for irrigation on each particular lot and cannot be released onto another lot or into the arroyos.

Additional Benefits

WATER CONSERVATION: Because all lot owners will be required to use the water for irrigation within their lot, a substantial amount of water will be saved from the present system. Especially in a desert climate such as ours, the decreased level of consumption is an extremely valuable water conservation tool.

LESS TERRAIN DESTRUCTION: By building each system within a particular lot near the building site of a house, the amount of terrain destruction will be greatly reduced as compared to installing piping throughout the subdivision and collecting the water in a central location. Said water collection creates a water disposal problem instead of a water irrigation solution as our system would accomplish.

Since this community maintained system will not burden the present collection system of any municipality, a provision addressing its maintenance, supervision, operation and reconstruction has been made by trust agreement in the deed restrictions, covenants and the disclosure statement.

DISCLOSURE STATEMENT

With regards to the disclosure statement, the following language is incorporated:

29. A community maintained underground waste treatment system must be installed by a lot owner prior to construction on a lot within the Dos Griegos Subdivision. The design of this system is described herein and must be followed. Prior to construction a lot owner must submit to the Architectural Review Board, established as per the covenants of the Homeowner Association, all plans for the structure, including but not limited to, the liquid waste system described therein. All submissions and approvals will be made pursuant to the covenants of the Association set forth therein. In addition, the lot owner must contact and receive approval from the New Mexico Environmental Department, Grant County, and from a licensed engineer. Once the system is approved and installed, the owner stipulates and agrees that the Homeowners' Association will assume the maintenance of the system. The owner shall provide for an easement to operator for maintenance. A level one licensed inspector will be contracted with by the Association to maintain, inspect and repair the system. The

normal maintenance charges associated with the system shall be billed to the Association and paid for through a quarterly assessment fee charged to each homeowner in addition to a 15% management fee. Any replacement of equipment will be billed to each particular homeowner and be due within 30 days from receipt of said invoice. In the event a homeowner does not timely pay said invoice, the Homeowners' Association may levy a late fee in the maximum amount allowed by law, pay such invoice and exercise its rights to collect from the homeowner through any and all remedies available at law or in equity including but not limited to any lien and foreclosure rights which shall include fees and costs associated therewith.

The rules and covenants regarding this system are not to be amended by the Homeowners' Association without the express approval of the Grant County Board of Commissioners. The subdivider has also placed as security with the county a \$10,000.00 escrow for the sole purpose of guaranteeing the maintenance of the individual system in the event of default on the part of the Homeowners' Association. This security does not release the Homeowners' Association or individual owners from their obligations stated herein.

SUMMARY

Conventional individual liquid waste systems generally are insufficient in two areas, maintenance and water discharge. Since this community maintained liquid disposal system places the burden of maintenance onto a central and strong Homeowners' Association, negligence on the part of an individual homeowner will be thwarted. Also, since a licensed Level One inspector will be maintaining the system, treatment and water disposal will be left in the hands of an expert. In using this system, the owners within the Dos Griegos Subdivision will be contributing to a cleaner and safer environment as well as protecting the terrain and conserving water.