



Memorandum

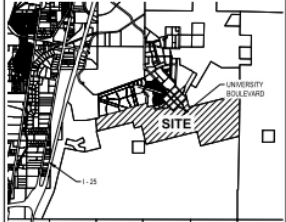

To: City of Albuquerque Planning Department

From: Jim Strozier, Consensus Planning, Inc. 

Date: January 10, 2024

Re: Sensitive Lands Analysis for BULK LAND PLAT in support of Maxeon (Golden Eagle project)

This memo responds to the Sensitive Lands criteria in IDO Section 14-16-5-2. The subject properties are legally described as *Bulk Land Plat Tracts 1 through 18, Artiste, Innovative Park III Tract A-M*. The purpose of the bulk land plat is to provide for rights-of-way and larger development tracts within the Community Center, Residential Village, and Employment Center portions of the Mesa del Sol Planned Community. This plat will create the parcel that is proposed to accommodate a site plan for the development of a large solar manufacturing facility (Golden Eagle – Maxeon) within the Employment Center portion of the Mesa del Sol Master Planned Community. A separate Sensitive Lands Analysis has been prepared for the Golden Eagle – Maxeon project will be included with the Site Plan application materials.

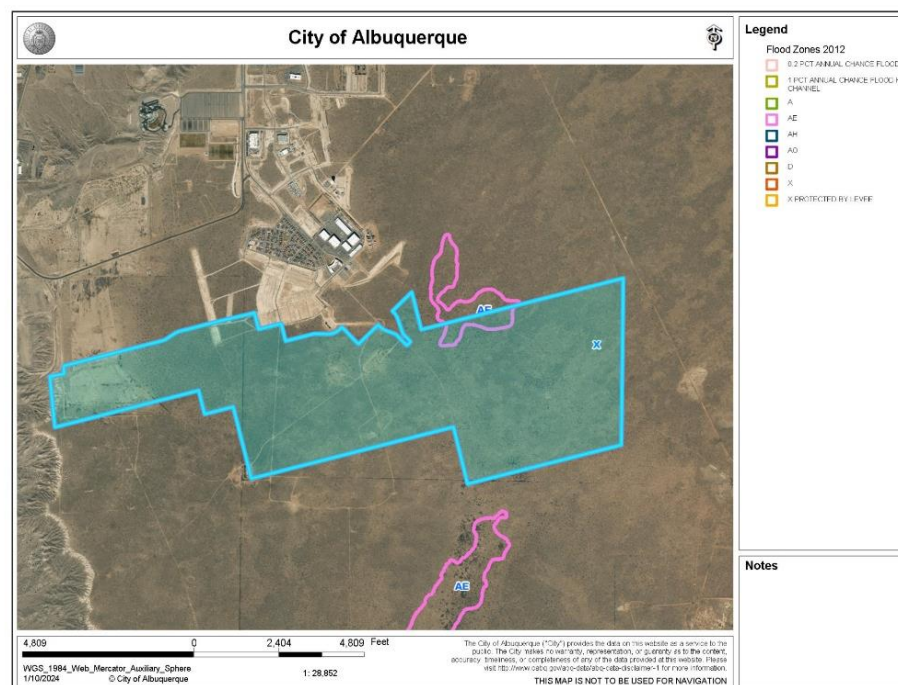
BULK LAND PLAT INNOVATION PARK III TRACTS A-M (BEING A REPLAT OF TRACT 18 ARTISTE CITY OF ALBUQUERQUE BERNALLILLO COUNTY, NEW MEXICO JANUARY, 2024	
	
BULK LAND NOTE Future subdivision of the lands within this plat, zoning Site Development Plan approvals, and development permits may be conditioned upon dedication of rights-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading and parks in accordance with current resolutions, ordinances and policies in effect at the time for any specific proposal. The City and AMAFCA, (with reference to drainage) may require and/or permit easements to be added, modified, or removed when future plats and/or Site Development Plans are approved. By its approval of this subdivision the City makes no representation or warranties as to availability of utilities, or final approval of all requirements including but not limited to the following items: water and sanitary sewer availability, future street dedications and/or improvements, and/or easements, filling or grading requirements. Any person intending development of lands within this subdivision is cautioned to investigate the status of these items. At such time as all such conditions have been satisfactorily met, the City Engineer shall approve a recordable document, removing such conditions from all or from a portion of the area within the subject subdivision.	
FREE CONSENT AND DEDICATION The report shown herein is made with free consent and in accordance of the desires of the undersigned owner(s), the execution of this plat is their free act and deed and said owner(s) do grant all public roadway and easements shown hereon. Those signing as owner(s) warrant that they hold among them, complete indefeasible title in fee simple to the land shown on this plat. Owner(s) hereby affirm that the described property shown on this plat lies within the platting and subdivision jurisdiction of City of Albuquerque, New Mexico.	
Subdivision Data 1. DNR No. 2. Zone Atlas Index No.: S-14, S-15, S-16, T-15, T-16 and T-17. 3. Gross Subdivision Acreage: 1,210.9594 Acres, more or less. 4. Number of Existing Tracts: 1. Tracts Created: 18 Tracts, one (1) partial width right-of-way, one (1) full width right-of-way, 0.50 partial width miles, 0.83 full width miles. 5. Plat is located within Sections 26, 27, 28, 29, 33, 34 and 35, T16N, R09E, N.M.P.M. 6. Zoning: PC 7. Date of Survey: DECEMBER, 2023.	
PURPOSE OF PLAT The purpose of this Plat is to Subdivide Tract 18, Artiste, BULK LAND PLAT, TRACTS 1 THROUGH 18, ARTISTE, as the same is shown and designated on the plat thereof filed 02/11/2022, Plat Book 2022C, Page 12, as Document No. 2022014343, into Subdivided (14) tracts, one (1) partial width right-of-way, one (1) full width right-of-way and grant easements as shown.	
DOCUMENTS 1. Plats of record as noted hereon.	
LEGAL DESCRIPTION Tract 18, Artiste, BULK LAND PLAT, TRACTS 1 THROUGH 18, ARTISTE, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on February 11, 2022 in Book 2022C, Page 12 as Document No. 2022014343. Tract contains 1,210.9594 acres more or less.	
NOTES 1. Tract is located in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain, with Zone AE (EL. 5250) located in the northwestern portion as shown on National Flood Insurance Program Flood Insurance Rate Map Number 35051C069H, Map Revised August 15, 2012. 2. Bearings are New Mexico State Plane Old Bearings (Central Zone) NAD 1983. Basis of Bearings is between City of Albuquerque Geographic Control stations "1, R16" and "3, Q16" Bearing = N12°15'03"E. 3. Record Bearings and distances are the same as shown on this plat and the same as shown on the plats shown hereon. 4. Distances are ground distances "AS SURVEYED". 5. Record easements taken from record data as shown hereon. 6. Pursuant to Section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "no property within the area of this Plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting water collectors from being installed on buildings or erected on the lots of parcels within the area of proposed Plat. The foregoing requirement shall be a condition to approval of this plat." 7. All corners created with this plat will be monumented with a #5 rebar and plastic survey cap stamped "PHILLIPS PS 15517" or nail and washer stamped "PHILLIPS PS 15517". 8. Tract "C", Tract "F" and Tract "N" are intended to be used for regional utility facilities.	
LANDFILL DISCLOSURE STATEMENT The subject property is located near or is a former landfill site. Due to the subject property being on or near a former landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the "Interim Guidelines for Development within 1000 feet of Landfills") shall be consulted prior to development of the site.	
JURISDICTIONAL AFFIDAVIT I, Barry S. Phillips, a registered Professional New Mexico Surveyor, hereby affirm that the property described does lie within the platting and subdivision jurisdiction of the City of Albuquerque. Barry S. Phillips New Mexico Professional Surveyor 15517	
SURVEYOR'S CERTIFICATION I, Barry S. Phillips, a Registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all existing easements, as shown on the plat of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and is true and accurate to the best of my knowledge and belief. Barry S. Phillips New Mexico Professional Surveyor No. 15517 Date: 	
PROJECT NUMBER: _____ Application Number: _____ PLAT APPROVAL Utility Approvals: PNM Electric Services _____ Date _____ New Mexico Gas Company _____ Date _____ Century Link _____ Date _____ Comcast _____ Date _____ City Approvals: City Surveyor _____ Date _____ Traffic Engineering, Transportation Division _____ Date _____ ABCWUA _____ Date _____ Parks and Recreation Department _____ Date _____ AMAFCA _____ Date _____ City Engineer/Hydrology _____ Date _____ Code Enforcement _____ Date _____ DRB Chairperson, Planning Department _____ Date _____ City Engineer _____ Date _____	
TAX CERTIFICATION THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON TRACT 18, ARTISTE: UPC #101605028290201 PROPERTY OWNER OF RECORD: TRACT 18, ARTISTE: MDS INVESTMENTS, LLC BERNALLILLO COUNTY TREASURER'S OFFICE _____ DATE _____	

We have analyzed the project site for the presence of sensitive lands and any constraints related to such lands. The following analysis examines each of the Sensitive Lands elements as defined by the IDO and evaluates their potential impact on the proposed project.

1. Arroyos: Using data provided by AMAFCA's Interactive Facilities Map, it shows no arroyos or drainage facilities located on the site. The image below shows the subject sites shaded in blue and outlined by a blue line.



2. Floodplains and Special Flood Hazard Areas: The map below the subject area is shaded blue and outlined by a blue line. FEMA's National Flood Hazard Layer projected by the CABQ Advanced Map Viewer is within an unshaded Flood Zone X. Unshaded Flood Zone X is described as an area of minimal flooding. Unshaded Flood Zone X is outside of the 500-year flood and protected by levees from the 100-year flood. Certain areas include AE flood zones that present a 1% annual chance of flooding. The AE areas shall be avoided and no development is proposed in that area.

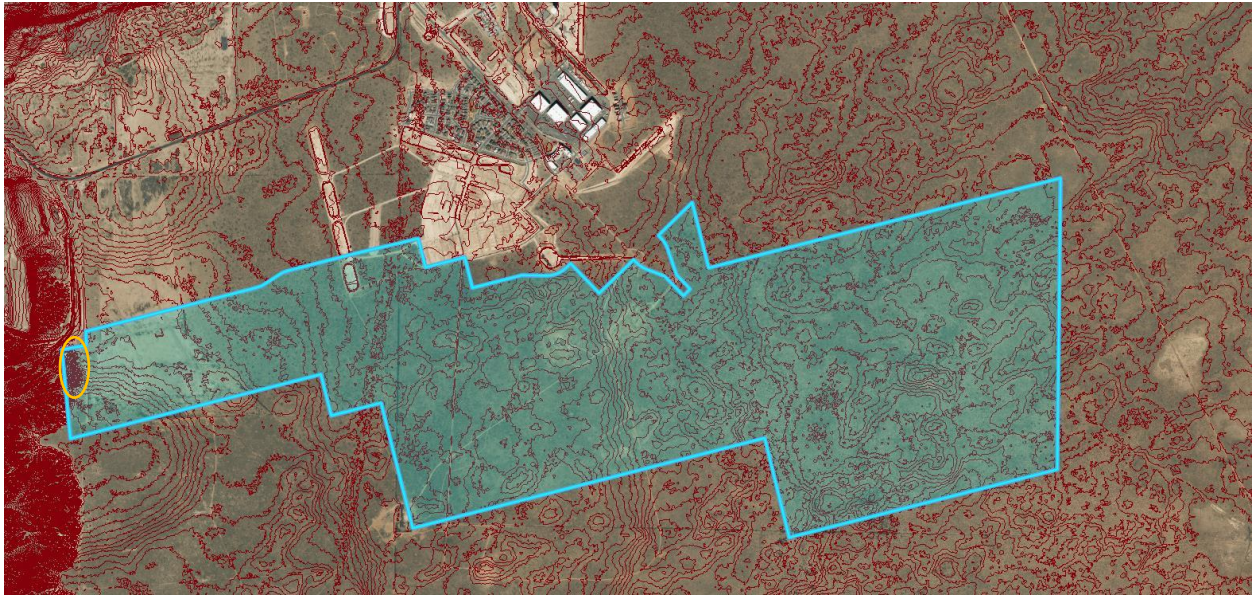


3. Irrigation facilities (acequias): Due to the subject site's location and distance from the Rio Grande there are no irrigation facilities or acequias on or near the site. Data provided by Middle Rio Grande Conservancy District confirms that the subject property is outside of the MRGCD jurisdiction.
4. Large stands of mature trees: The subject sites are vacant parcels with nominal vegetation. There are no large stands of mature trees on either parcel. The image below depicts the subject sites facing east.



5. Riparian areas: Data provided by the National Wetlands Inventory shows the subject site is not within a riparian area.
6. Rock outcroppings: There are no rock outcroppings on or adjacent to the site.
7. Significant archaeological sites: Only 160 acres of the entire 1,210.9594 acres site have been surveyed and reported on. Within the Maxeon Golden Eagle project site, LA 203524 is located and found to have 17 pieces of flaked stone, mostly obsidian flakes. In terms of its NRHP and New Mexico Historic Register eligibility, the criteria of no effect have been applied to LA 203524. Although test excavations did not reveal evidence of buried in-situ cultural deposits, it is recommended that the site vicinity be monitored by an archaeologist during initial grubbing (vegetation removal) activities to ensure there are no significant buried cultural deposits.

The Archaeological Certificate has been submitted to the City of Albuquerque staff archaeologist and they have issued a certificate of no effect.
8. Steep slopes and escarpments: Data provided by the CABQ Advanced Map Viewer 2-foot contour layer shows that the subject site has a small area that meets the IDO definition of steep slopes, which is over 9%. The steep slope area is located on the very west side of the parcel, closer to the northwest corner, shown with an orange outline. The map below depicts the subject site is shaded blue and outlined with a blue line. The small area with steep slopes shall be avoided and no development is proposed in this area of the site.



9. Wetlands: Data provided by the National Wetlands Inventory shows the subject site is not within a wetland area.

Conclusion

Based on the analysis of the subject property, there are sensitive lands that impact the entire bulk land plat property, but do not impact the current Golden Eagle – Maxeon project proposed for proposed Tract K (125 acres). The two regulated sensitive land criteria referenced above (steep slope and flood hazards) are not proposed for any development, will be avoided, and do not impact the proposed Bulk Land Plat.