TORRANCE COUNTY
COMMISSION MEETING
October 14, 2026
9:00 A.M.

For Public View
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TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 1

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 2



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 3



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 4-A

Torrance County
Board of County Commissioners

NAMING OCTOBER
"BREAST CANCER AWARENESS MONTH"

WHEREAS, *October is National Breast Cancer Awareness Month; and*

WHEREAS, *National Breast Cancer Awareness Month is an annual campaign to increase awareness of this disease and increase public knowledge about the importance of early detection of breast cancer diagnosis and treatment; and*

WHEREAS, *today, there are more than four million breast cancer survivors in the U.S. (more than any other group of cancer survivors). The American Cancer Society estimates there will be more than five million breast cancer survivors by 2035; and*

WHEREAS, *while breast cancer is most common among women, but about 1 in 833 men will also be diagnosed in their lifetime; and*

WHEREAS, *early detection is the strongest defense. If found before spreading, the 5-year survival rate is over 99%. The American Cancer Society recommends annual mammograms starting at age 40, a 15-minute screening could save your life; and*

WHEREAS, *the Torrance County Board of Commissions acknowledges the profound impact breast cancer has had on our workforce and community, some are actively fighting, some have survived, and others are remembered. We honor the strength of survivors, stand beside those currently in treatment, and extend our compassion to families who have lost loved ones; and*

WHEREAS, *the Torrance County Board of Commissioners affirm the commitment to support every member of the county, women and men by encouraging screening, providing education, and offering compassion to all touched by this disease;*

NOW, THEREFORE, *the Torrance County Board of Commissioners, do hereby proclaim October 2026 as: "Breast Cancer Awareness Month" in Torrance County*

Signed and Sealed in the Torrance County Seat,
Estancia, New Mexico,
on October 14, 2026

_____
Ryan Schwebach, Chair, District 2

_____
Linda Jaramillo, Vice Chair, District 3

_____
Kevin McCall, Member, District 1

_____
Sylvia Chavez, Torrance County Clerk



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 4-B

Torrance County
Board of County Commissioners

NAMING OCTOBER AS
" DOMESTIC VIOLENCE AWARENESS MONTH"

WHEREAS, *domestic violence is a serious crime that affects individuals of all ages, races, genders, socioeconomic backgrounds, and education levels, shattering families and straining community resources; and*

WHEREAS, *domestic violence can take many forms, including physical abuse, emotional coercion, economic deprivation, and psychological intimidation, leaving deep and lasting trauma on victims, their children, and the community at large; and*

WHEREAS, *the Torrance County Domestic Violence Program works tirelessly alongside local law enforcement, healthcare professionals, and community advocates to provide safety, support, and vital resources to survivors in their time of greatest need; and*

WHEREAS, *October is nationally recognized as Domestic Violence Awareness Month, a time dedicated to honoring survivors, mourning those who have lost their lives to abuse, and connecting those who work to end violence; and*

WHEREAS, *breaking the cycle of domestic abuse requires a coordinated community response built on public education, strict legal accountability for offenders, and robust, accessible resources for victims seeking safety; and*

WHEREAS, *the Torrance County Board of County Commissioners is dedicated to building a safe, supportive, and healthy community where every resident can live free from fear, intimidation, and violence within their own homes.*

NOW, THEREFORE, BE IT RESOLVED *that the Board of County Commissioners of Torrance County, New Mexico, does hereby proclaim the month of October as DOMESTIC VIOLENCE AWARENESS MONTH throughout Torrance County, and urges all citizens, local businesses, schools, and community organizations to support the efforts of the Torrance County Domestic Violence Program, learn the signs of abuse, and work together to eliminate domestic violence from our community.*

Signed and Sealed in the Torrance County Seat,
Estancia, New Mexico,
on October 14, 2026

_____
Ryan Schwebach, Chair, District 2

_____
Linda Jaramillo, Vice Chair, District 3

_____
Kevin McCall, Member, District 1

_____
Sylvia Chavez, Torrance County Clerk



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 5-A



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 6



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 7-A

DRAFT COPY
Torrance County Board of Commissioners
Regular Commission Meeting
September 9, 2026, 9:00 AM

Commissioner's Present:

RYAN SCHWEBACH – COUNTY CHAIRMAN
KEVIN MCCALL- COUNTY COMMISSIONER
LINDA JARAMILLO – COUNTY VICE-CHAIR

Others Present:

STEPHANIE REYNOLDS- COUNTY MANAGER
MICHELLE JONES-DEPUTY COUNTY MANAGER
MICHAEL GARCIA- COUNTY ATTORNEY
SYLVIA CHAVEZ-COUNTY CLERK
JANELLE POTTS- ADMINISTRATIVE CLERK
DON GOEN – PLANNING & ZONING DIRECTOR

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1. Call to Order: Chairman Schwebach called the meeting to order at 9 AM.

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2. Pledge of Allegiance and Invocation: pledge led by Chairman Schwebach; Invocation led by Commissioner Jaramillo.

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3. Changes to the Agenda: No changes to agenda.

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4. Proclamations: Proclamation is attached to the packet; during meeting it was read by County Clerk Sylvia Chavez

A. Perpetual Tears Memorial Inc.; Proclamation naming September as "Suicide Prevention Month" in Torrance County

Debbie Ortiz

- Thanked the Commission and acknowledged that mental health and suicide-related challenges are a significant concern in the community.
- Requested a moment of silence for:
  - Community members who are currently struggling.
  - Families who have lost loved ones.
  - Individuals and families dealing with difficult circumstances.

        - Those affected by suicide and the need for continued suicide prevention efforts in the county.
    - Offered condolences and support to affected families.
    - Explained that the organization is scheduled to provide additional information on the services available throughout the county as part of the meeting agenda.

Crisis Hotlines and Public Awareness

- **Chairman Schwebach** asked where residents can find information about available crisis hotlines and assistance.
- Ms. Ortiz explained that information is being distributed through multiple community channels:
    - Social media/Facebook pages.
    - Local schools, which are provided with hotline information.
    - Community events and outreach activities, where informational materials are distributed directly to residents.
    - Upcoming community events, including the Sunflower Festival, Pinto Bean Festival, and Pumpkin Chunkin, where the organization plans to continue providing crisis-resource information.
- The goal is to ensure that residents have access to crisis and support resources before they need them.

Emergency Assistance

- Commissioner Jaramillo asked whether someone experiencing an immediate crisis can call 911.
- Representative confirmed that 911 should be called when someone is experiencing an immediate emergency or is in immediate danger.
- The 988 Suicide & Crisis Lifeline is also available nationwide by call or text for people experiencing emotional distress or a mental-health crisis. It is available 24 hours a day, 7 days a week, and is free and confidential. 988 Lifeline+1

Commissioner's Response

- **Commissioner Jaramillo** expressed being deeply saddened by the situation and the impact on families and the community.
- The discussion reflected the Commission's recognition of the importance of:
    - Suicide prevention
    - Accessible crisis services

- Community awareness
- Early access to support
- Ensuring residents know where to turn during a crisis

Chairman Schwebach motions to declare month of September suicide prevention month; Seconded by Vice- Chair Jaramillo

- **Roll call vote;**
  - Schwebach – yes
  - Jaramillo – yes
  - McCall – yes

Motion Carried

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5. <u>Awards and Recognitions: -County Manager; Stephanie Reynolds</u>

A. Announcement of employee years of service

Roads- Heath Lloyd (1)

EMS/Fire- Brandon Myers (1)

EMS/Fire- Lorraine Dean (1)

Sheriff- Robert Michell (2)

Animal Services- Tanisha Starr (3)

Dispatch- Heather Costa (5)

Finance- Franchesca Archuleta (6)

Roads- Stetson Lujan (7)

Finance- Joanna Romero (8)

Manager- Juan Morales-Casas (12)

Roads- Charmen Padilla (13)

Sheriff- Kent Ballard (19)

Clerk- Sylvia Chavez (21)

Dispatch- Julissa Tucker (25)

6. Public Comment:

Andy Chavez – County Resident:

- Addressed the commissioners in a friendly and constructive manner, emphasizing the importance of public trust and accountability.
- Encouraged commissioners to work toward regaining the confidence, support, and trust of their constituents amid recent concerns and dissatisfaction.
- Urged commissioners to:
    - Look more deeply into issues being brought forward by members of the community.
    - Continue asking questions and investigating concerns rather than accepting information at face value.
    - Demonstrate that they care about the people they represent.
    - Put the interests of their constituents ahead of personal interests.
    - Remain independent and not allow outside individuals or influences to sway them away from what they believe is right.
- Specifically acknowledged that commissioners have already demonstrated positive behavior, noting that the speaker had observed them asking questions and showing concern about community issues.
- Expressed confidence that commissioners could perform well in their roles if they continue to prioritize their constituents and exercise independent judgment.
- Addressed individuals in the audience who may be seeking to become commissioners, encouraging them to follow the same principles:
    - Serve the people who elected them.
    - Prioritize community needs over personal interests.
    - Remain focused on their responsibility to constituents.
- Addressed Commissioner Jaramillo directly, thanking her for her service and contributions.
    - Encouraged Commissioner Jaramillo to remain level-headed.
    - Advised her to maintain a professional and respectful demeanor when constituents approach her, particularly avoiding appearing defensive or confrontational.

- Emphasized that constituents should be able to approach their elected representatives openly and respectfully.

George Hyatt– County Resident:

- Raised concerns that some recent county business and decision-making has not appeared as transparent or "above board" as it should be.
- Encouraged members of the community to speak up and ask questions regarding county activities and decisions.
- Specifically expressed concerns about:
  - The use of non-disclosure agreements (NDAs) and whether they may be limiting transparency.
  - A perceived lack of communication and coordination among commissioners'/county officials.
  - Whether commissioners are adequately informing one another and the public about significant developments.
- Referenced the upcoming approximately $2 billion project/development, expressing concern about the lack of publicly communicated information regarding community involvement.
- Asked how the local community will participate in and benefit from the project.
- Specifically questioned whether the County is:
  - Hiring local companies and contractors to perform work associated with the project.
  - Creating opportunities for county-based businesses and residents to participate economically.
- Expressed concern that significant portions of the work or business appear to be coming from outside the county, rather than being directed toward local businesses.

Darrell Fixler– County Fire Department:

- Addressed the Chairman and Commissioners and expressed appreciation for the opportunity to serve Torrance County and its Fire Department.
- Explained that he joined the county in July 2024 with the goals of:
  - Serving the local community.

        - Supporting firefighters and EMS personnel.
        - Maintaining his paramedic skills.
    - Stated that past Chief Wyndham recognized his experience and provided him with an opportunity to serve as Assistant Chief of Training.
    - Accepted the position despite what he described as significant limitations:
        - No dedicated training budget.
        - Lack of equipment.
        - No established training program.
    - Reported that he used personal resources and obtained donations to help provide personnel with necessary training and equipment.

Training and Department Accomplishments

- Reported significant progress in firefighter and EMS training during his tenure:
    - Eight firefighters graduated from the New Mexico Fire Academy in 2024.
    - An additional eight firefighters graduated in 2025.
    - Seven EMTs graduated the week before the meeting.
- Credited Chief Smith, department crews, and himself with working to improve:
    - Training.
    - Certifications.
    - Operational readiness.
    - Overall preparedness of department personnel.

Concerns Raised

- Fixler stated that he could no longer continue working under the current environment, citing:
    - Ongoing conflict.
    - Division within the department.
    - What he characterized as dishonesty.
    - Lack of accountability.
    - Conditions that he said were interfering with his mission and the department's mission.
- Reported that he had previously raised concerns involving:

- Equipment accountability.
- Operational readiness.
- The concentration of critical responsibilities within certain positions.

- Emphasized that these concerns were raised from the standpoint of employee and public safety, accountability, and protection of the county and its employees.

Resignation

- Fixler stated that the return of the Deputy Chief, combined with the decision to allow what he described as the circumstances contributing to the department's hostile and dysfunctional environment to continue, led him to conclude that he could no longer remain in the position.
- Said he was unwilling to compromise:
  - His personal values.
  - His professional standards.
  - Standards important to the well-being of his family.
- Submitted his resignation from the Torrance County Fire Department, effective September 11.

Future Employment

- Fixler announced that he has accepted a new position with the Department of Defense.
- Stated that he has been promoted to serve as a training chief overseas, where he will continue developing and training firefighters in a different capacity.
- Described the new role as an opportunity to continue serving and contributing to the war effort.

Personal Acknowledgment

- Expressed special appreciation to his wife and son for supporting him through the long hours, nights, and personal sacrifices associated with his work.
- Reiterated that his efforts were intended to make the Fire Department stronger, safer, and better prepared.
- Thanked the Commission and Torrance County for allowing him to serve.
- Concluded by expressing his hope that the department and its personnel can move forward.

Nathan Dial– County Resident:

- Appeared before the Commission to continue raising concerns regarding EMWT Regional Water Association (EMWT) and its relationship with EMW Gas Association.
- Clarified that his concerns were directed at the structure, governance, accountability, and documentation surrounding the organizations, rather than at the individual employees carrying out assigned duties.

EMW Gas Administrative Support to EMWT

- Mr. Dial stated that EMW Gas invoices EMWT on a monthly basis for:
  - Office space.
  - Up to 80 hours of administrative work.
- He questioned whether it is appropriate for a full-time position associated with one public utility to spend a substantial portion of its time handling paperwork for another utility.
- He also questioned the governance arrangement under which EMW Gas has a voting representative on the EMWT board.
- Mr. Dial characterized these as questions of public-utility accountability and organizational structure, rather than criticism of the employee performing the administrative work.
- Current EMWT information confirms that the organization has a nine-member board, with the ninth member appointed by the EMW Gas Association.
- EMWT's January 2026 agenda also specifically included an item concerning "Sharing a EMW Gas Employee and Keeping the Estancia Office for the Water Company," indicating that the shared-employee/office arrangement has been an item of board discussion.

Previous Presentation to the Commission

- Mr. Dial said that in 2023 he previously appeared before the Commission regarding his concerns about EMWT.
- He stated that he provided the Commission with a substantial amount of supporting documentation.
- He contrasted that documentation with what he described as a much smaller amount of documentation presented by the then-chair of the EMWT board.
- Mr. Dial said that, after continued disagreement over the issue, he was approached by members of the Commission in his capacity as mayor and asked what would resolve his concerns.

EMWT Mission vs. Governing Documents

- Mr. Dial stated that he supports the underlying mission of EMWT.
- He referenced the concept of developing a regional water system that could move water between communities, including a proposed Willard-to-Moriarty trunk line, as a concept he believes can benefit residents.
- However, he argued that there is a disconnect between what is publicly presented as EMWT's mission and what its governing documents and actions permit.
- EMWT's current stated mission is to supply safe water to the Estancia Valley through a regional distribution system, protect groundwater resources, and "keep the water in the Valley."
- EMWT's published history states that the organization was formed in 2014 through a Joint Powers Agreement involving Estancia, Moriarty, Willard, and Torrance County and that it was incorporated as an inter-community water supply association.

Letter of Incorporation / Governing Document

- Mr. Dial identified the letter/articles of incorporation as his primary concern.
- He stated that, in his view, the document was improperly signed by the Town of Mountainair and needs to be reviewed.
- He proposed that the governing document be:
    - Rewritten.
    - Reviewed for language concerning the ability to move water outside Torrance County.
    - Revised to remove language that he believes permits water to leave the county.
    - Revised to remove the EMW Gas voting representative from EMWT's governing structure.
    - Returned to the participating governmental entities for new votes and signatures.
- Mr. Dial said he first proposed this approach approximately three years ago and believes the requested changes have not been adequately addressed.
- He emphasized that, in his view, the governing document is more important than public presentations or statements because it is the legally binding document governing the participating entities.

Water Leaving Torrance County

- Mr. Dial expressed particular concern about provisions that he believes could allow water to be transferred outside Torrance County.
- He referenced ongoing issues involving water rights and State Engineer actions, including water being converted or transferred for sale.
- He argued that public statements indicating water will remain within the county should be consistent with the actual language contained in EMWT's governing documents.
- His central point was that he wants the Commission and participating entities to review the actual governing documents rather than relying solely on public statements, presentations, or mission statements.

EMWT Administration and Staffing

- Mr. Dial questioned why EMWT does not have its own dedicated administrator, particularly given the level of funding and projects he believes the organization is receiving.
- He suggested that EMWT should:
    - Hire its own administrator.
    - Avoid relying on county resources to perform administrative functions.
    - Establish clear responsibility for water-system operations.
- He also raised a question about the status of the water operator, stating that he understood the operator may be working under contract rather than as an EMWT employee.
- He argued that EMWT should have clearly defined staffing and operational responsibilities as it expands its water-system activities.

Safety, Accountability, and Liability Concerns

- Mr. Dial stated that he was raising these issues because he believes future problems could create significant accountability or liability concerns if the governing structure is not clarified.
- He stressed that his objective is to ensure that:
    - The governing documents accurately reflect the organization's stated mission.
    - Responsibilities between EMWT, EMW Gas, the county, and participating municipalities are clearly defined.
    - Water resources are managed consistently with the commitments made to residents.
    - Administrative and financial responsibilities are properly assigned.

- He offered to provide the Commission with documentation supporting his concerns and indicated that he was willing to discuss the matter further.
- Mr. Dial specifically asked the Commission to consider:
    - Reviewing the EMWT letter/articles of incorporation.
    - Determining whether revisions are necessary.
    - Reviewing the role of the EMW Gas voting member on the EMWT board.
    - Considering whether EMWT should employ its own administrator.
    - Clarifying EMWT's water-operator arrangement.
    - Reviewing provisions concerning water leaving Torrance County.
    - Comparing EMWT's governing documents with its public mission and stated objectives.
    - Addressing the issues before they result in future operational, legal, or accountability problems.

Linda Gallegos, Chief Deputy Assessor:

- Announced an East Mountains Veterans Services Fair taking place today from 11:00 a.m. to 2:00 p.m.
- The event is being held at the Village of Tijeras Council Chambers, located at 12 Camino Municipal, Tijeras.
- Explained that representatives will be available to assist veterans with several benefits and services, including:
    - Lifetime Park passes.
    - Disability-related property tax exemptions and waivers.
    - Hospital/VA-related benefits.
    - GI Bill information.
    - Benefits for surviving spouses.
- Advised veterans to bring:
    - VA award letter
    - DD-214
    - Proof of residency

- For surviving spouses, she advised bringing:
    - Marriage certificate
    - Death certificate
- Additional resources available at the fair include:
    - Healthcare.
    - Housing assistance.
    - Mental-health resources.
    - Education.
    - Service-dog programs.
    - Food assistance.
    - Business and entrepreneurship mentorship.
    - Other veteran-support services.
- Torrance County Assessor's Office will also be present to assist veterans with applicable property-tax questions and benefits.

*Zoom

No Comment

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7. <u>Approval of minutes:</u>

A. COMMISSION: Request approval of August 26, 2026, regular meeting minutes of the Board of County Commissioners

Motion; Chairman Schwebach motioned to approve the minutes; seconded by **Commissioner McCall**

- **Roll call vote;**
    - Schwebach – yes
    - McCall- yes
    - Jaramillo- yes

Motion Carried

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8. Consent Agenda

A. FINANCE: Request approval of payables with a date range of August 20, 2026, through September 1, 2026

Motion; Chairman Schwebach motioned to approve payables; Seconded by **Vice-chair Jaramillo**

- **Roll call Vote;**
  - Schwebach – yes
  - McCall - yes
  - Jaramillo – yes

Motion carried

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9. Presentation:

A. PERPETUAL TEARS MEMORIAL INC. (PTMI) OFFICE OF SUBSTANCE ABUSE PROGRAM (OSAP) PUBLIC HEALTH TORRANCE COUNTY (HEALTH COUNCIL) **(PHTC)** DEBBIE ORTIZ, PREVENTION COORDINATOR, COMMUNITY UPDATE:

Debbie Ortiz, representing the Partnership for Healthy Torrance Community: provided an overview of countywide prevention, health, and behavioral-health initiatives.

- Debbie introduced Angela Zamora, Community Health Worker, who works with the organization out of the Memorial of Perpetual Tears.
- Debbie also introduced Judy Zamora Gutierrez, the newly hired Torrance County Teen Court Coordinator, and welcomed her to the county team.

Prevention and Youth Outreach

- The Partnership for Healthy Torrance Community works on prevention initiatives throughout Torrance County, including:
  - School-based prevention education.
  - Youth education regarding the risks of drugs, alcohol, tobacco, vaping, and other substances.
  - Tobacco cessation and vaping cessation programs.
  - Red Ribbon Week activities promoting drug-free lifestyles.
- Debbie reported increasing concern about the ways youth are concealing and using vaping products, noting that vaping devices can be disguised as ordinary items such as pens and other everyday objects.
- The organization recently attended a CADCA convention in Florida, where they learned about emerging methods youth are using to conceal and access vaping products.

THC Products and Merchant Education

- Debbie expressed significant concern regarding THC-infused products that are readily available in convenience stores, particularly products that are attractive to youth.
- Examples discussed included:
  - THC-infused drinks.
  - Gummies and candy resembling well-known youth-oriented brands.
  - Snack products designed to resemble familiar foods.
- The Partnership conducts merchant education and sign-on efforts, encouraging retailers to comply with laws prohibiting tobacco sales to individuals under 21.
- Debbie stated that merchants themselves are increasingly asking for assistance in addressing the availability and marketing of THC products.
- The organization is working to make schools, parents, merchants, and the community more aware of these products and the potential risks to youth.

Narcan Distribution and Fentanyl Awareness

- Debbie reported that the organization is actively distributing Narcan (naloxone) to anyone who wants to carry it.
- Torrance County serves as a regional/southeastern distribution hub for Narcan in New Mexico.
- More than 1,000 Narcan packets were distributed during the previous month.
- The organization worked closely with Mountainair during its fentanyl crisis, including providing:
  - Narcan training.
  - Narcan distribution.
  - Community education regarding overdose response.
- Debbie emphasized that carrying Narcan should be destigmatized, noting that an overdose can affect individuals who may not use illicit drugs, including someone who accidentally takes too much prescribed pain medication.
- Narcan is available through the organization at the Memorial of Perpetual Tears and can be:
  - Picked up.
  - Mailed.
  - Delivered.
  - Accompanied by training on proper use.
- Debbie explained that Narcan is administered nasally and stated that, when an overdose is suspected, community members should:
  - Attempt to rouse the person.
  - Call 911.
  - Administer Narcan.
  - Stay with the individual.
  - Administer a second dose if necessary while awaiting emergency responders.
- It was explained that administering Narcan to someone who is not experiencing an opioid overdose is not expected to harm them.

Fentanyl Test Strips

- Debbie discussed the availability of fentanyl test strips but expressed concerns about their effectiveness because illicitly manufactured pills can contain highly variable amounts of fentanyl.
- She explained that one pill may contain a potent amount while another pill from the same source may contain little or none, making testing less reliable as a complete safety measure.

Narcan Vending Machines

- Debbie reported that Narcan vending machines are being placed throughout the state.
- Some locations are using repurposed newspaper boxes to distribute Narcan without requiring individuals to provide personal information.
- Mary Anfield has requested a Narcan vending machine for Mountainair, and the organization is working toward obtaining one.
- Debbie emphasized that fentanyl is a communitywide concern and that no one should assume they are immune to the problem.

Vaccination Clinics

- The organization works with the New Mexico Department of Health (DOH) to provide vaccination clinics throughout Torrance County.
- Special attention is given to outlying communities such as Mountainair and Estancia, helping residents who may have difficulty traveling to larger population centers.
- Clinics and outreach support vaccination for:
    - Flu.
    - COVID-19.
    - Recommended childhood vaccinations.
- The goal is to improve access to vaccines for residents throughout the county.

Cannabis Lock-Up Program

- Angela Zamora explained the organization's work with local cannabis dispensaries.
- The organization previously worked with all three Torrance County dispensaries and currently plans to work with the Moriarty dispensary and begin working with the Pecos dispensary in Edgewood.
- The program provides free lock bags and lock boxes to parents and guardians who have cannabis in their homes.
- The materials carry the message "Lock It Up. Let's Be Blunt," encouraging adults to securely store cannabis away from children and youth.
- Each lock bag or box contains a QR code linking to a survey.
- The survey is intended to collect information regarding:
    - Cannabis use.
    - Parents' and guardians' perceptions of cannabis-related risks.

    - Community attitudes toward potential harm associated with cannabis.
- Angela encouraged anyone interested in the materials to contact the organization because the lock bags and boxes are provided free of charge.

Youth and Teen Mental Health First Aid

- Angela Zamora stated that she is a certified Youth and Teen Mental Health First Aid instructor.
- The organization provides mental-health first-aid training for:
    - Youth.
    - Teachers and school personnel.
    - Parents.
    - Community members.
    - Nearby communities and organizations.
- Angela encouraged schools, organizations, and community members interested in training to contact her or the Memorial of Perpetual Tears.

Red Ribbon Week and National Guard Partnership

- Debbie discussed upcoming Red Ribbon Week activities focused on drug prevention.
- The organization is working with Mountainair and Estancia schools.
- The National Guard is expected to participate in prevention activities, including:
    - An interactive rock-climbing wall.
    - Youth engagement activities.
    - Drug-free prevention messaging.
- Debbie acknowledged that "just say no" is an older prevention message but stated that the underlying message remains important.

Behavioral Health / SB 3 Funding

- Commissioners asked about the implementation of SB 3 behavioral-health funding available to New Mexico counties.
- Debbie explained that the funding is distributed through the judicial districts and that Torrance County is part of Judicial District 7 / Region 7, along with surrounding counties.
- Socorro County has taken a coordinating role in receiving requests for the available funding.
- Debbie stated that requests have been submitted through Jackie Muncy for potential behavioral-health support in Torrance County.
- Proposed uses discussed included:
    - Support for senior centers.
    - Services and resources for seniors experiencing behavioral-health challenges.
    - Equipment for the Silver Sneakers exercise program held at the Memorial of Perpetual Tears in Moriarty.
- The Silver Sneakers program meets Mondays, Wednesdays, and Fridays.

- Debbie estimated the available funding at approximately $67,000 annually for three years.
- Debbie has invited Ms. Muncy to attend a future commission meeting to explain:
    - SB 3.
    - Available funding.
    - How Torrance County can access the funds.
    - Potential uses for youth and behavioral-health services.
- A community meeting related to the Behavioral Health Reform Investment Act was announced for October 26, from 12:00–1:00 p.m., at the 6th District Court, 903½(?) [address as read during meeting]. The exact address should be verified against the official meeting announcement before inclusion in the final official minutes.

Mental Health Services in Torrance County

- Debbie expressed concern about the lack of permanent mental-health providers located within Torrance County.
- She stated that providers have expressed interest in serving the county but often propose:
    - Telehealth-only services.
    - Limited days of in-person service.
    - Services restricted to Medicaid patients.
- Debbie emphasized that residents with private insurance or other coverage also need access to local mental-health services.
- She encouraged behavioral-health providers to establish a permanent presence in Torrance County, rather than requiring residents to travel outside the county.
- Commissioners discussed the possibility of transportation assistance for residents who must travel to Socorro or Albuquerque for behavioral-health services.
- Debbie stated that, when local services are unavailable, transportation to available services may be the next-best option, but the preferred solution is to establish services within Torrance County.

Potential Behavioral-Health Provider

- A commissioner reported being in contact with a provider located in Edgewood who is interested in establishing services in the area.
- The provider appears particularly interested in drug- and alcohol-rehabilitation services.
- The commissioner offered to connect the provider with Debbie and the Partnership for Healthy Torrance Community.
- Debbie noted that the organization has previously used grant funding to provide gas cards to families who needed assistance transporting individuals to mental-health appointments in Edgewood or elsewhere.
- The program has also worked with school districts to identify families who may need transportation assistance.

Teen Court Program

- Judy Zamora Gutierrez, newly appointed Torrance County Teen Court Coordinator, provided an update on the program.
- Judy reported that she has been in the position for approximately one month and has already begun outreach to local schools and administrators.
- She has contacted representatives at:
    - Moriarty Middle School.
    - Edgewood Middle School.
    - Moriarty school administration.
    - Estancia school administration.
- Judy has also introduced herself to Superintendent Bibiano and Estancia Superintendent John Maldonado.

Purpose of Teen Court

- Judy explained that Teen Court is a restorative-justice and intervention/diversion program serving youth generally between ages 12 and 18, and in some circumstances 19-year-olds who are still attending school.
- The program is designed to:
    - Avoid simply punishing youth for mistakes.
    - Provide resources and tools.
    - Encourage accountability.
    - Help youth make better choices and decisions.
    - Develop coping and problem-solving skills.
- Referrals may come from:
    - Juvenile Probation/JPO.
    - Schools.
    - Law enforcement.

Peer-Based Approach

- Judy emphasized the importance of youth interacting with their peers during the Teen Court process.
- Youth may feel more comfortable discussing their actions, experiences, and emotions with peers than with adults.
- The program seeks to create an environment where youth can openly discuss what happened while learning healthier ways to respond to difficult situations.
- For example, youth involved in school conflicts or fights can learn coping strategies and hear from peers who have faced similar circumstances and achieved better outcomes.

Teen Court Referrals

- Judy stated that Moriarty/Edgewood schools are currently providing more referrals than Estancia.
- She would like to increase referrals from Estancia and other local schools.

- Judy has spoken with school resource officers (SROs) about their ability to make referrals and plans to continue working with school leadership to strengthen the referral process.

Teen Court Community Service Opportunities

- Judy requested assistance from the county, local organizations, businesses, and community groups in identifying community-service opportunities for youth ages 12–18.
- She specifically noted that younger youth, including ages 12–16, need appropriate opportunities that they can safely and meaningfully complete.
- Judy has already established one opportunity with Stacy Leslie, Estancia agriculture teacher, who has allowed Teen Court participants to perform community service at the Estancia Garden.
- Judy would like to develop opportunities throughout:
    - Edgewood.
    - Moriarty.
    - Mountainair.
    - Estancia.
- Community organizations with possible service opportunities were encouraged to contact Judy directly.

Commission Discussion / Follow-Up

- Commissioners expressed appreciation for learning about the wide range of services being provided through the Memorial of Perpetual Tears and the Partnership for Healthy Torrance Community.
- The discussion indicated a need for continued coordination among:
    - Torrance County.
    - Schools.
    - Law enforcement.
    - Behavioral-health providers.
    - Community organizations.
    - Teen Court.
    - New Mexico Department of Health.
- Commissioners expressed interest in continuing discussions regarding:
    - SB 3 behavioral-health funding.
    - Establishing local mental-health services.
    - Transportation for residents needing behavioral-health care outside the county.
    - Potential teen-center programming.
    - Narcan access and education.
    - Community-service opportunities for Teen Court participants.
- Ms. Muncy is expected to attend a future commission meeting to provide additional information about SB 3 funding and implementation.
- The Partnership for Healthy Torrance Community offered to return to a future commission meeting to provide additional updates and answer questions.

B. **FIRST AMERICAN FINANCIAL ADIVSORS, INC. COUNTY MUNICIPAL ADVISOR-** ROBERT BURPO, PRESIDENT. PRESIDENT. PRESENTATION OF PALOMAS ENERGY INDUSTRIAL REVENUE BOND (IRB) PILOT PAYMENTS AND SCHOOL DISTRACT ALLOCATIONS:

Robert Burpo Municipal Advisor, First American Financial Advisors, Albuquerque:

- Presented an overview of the proposed **Pattern Energy wind project in Torrance County**, including turbine locations, projected generation, payments in lieu of taxes (PILOT), distribution of revenues, water use, eminent domain, and end-of-project requirements.
- The presentation was made in connection with the Commission's consideration of the project and anticipated public hearing.
- Pattern currently identifies **Palomas Wind** as an 800-MW project under development in San Miguel and Torrance Counties and separately identifies other Pattern projects in the region.

Project Location and Turbines

- Mr. Burpo explained that the portion of the project within the Moriarty School District is located near the I-40/US-285 area.
- The portion associated with the Vaughn School District is located farther south near Highway 60.
- The proposed project discussed in the presentation consists of 50 wind turbines:
  - 7 turbines (14%) in the Moriarty School District.
  - 43 turbines (86%) in the Vaughn School District.
- Assuming each turbine produces 4.5 megawatts, the presenter calculated total project capacity at approximately 225 MW.
- The presenter stated that the project documentation structure is similar, but not identical, to an arrangement used in 2022.

PILOT Payment Structure

- Mr. Burpo explained that the proposed payment in lieu of taxes (PILOT) is calculated based on the project's megawatt capacity.
- Initial rate:
  - $2,800 per megawatt for the first five years.
  - The rate then increases by 5% annually for the following 30 years, according to the presentation.
- Using the stated 225-MW capacity:
  - 225 MW × $2,800 = $630,000 annually during the initial period.
- Mr. Burpo said these payments would be distributed between Torrance County and the affected school districts.
- New Mexico legislation has established statutory formulas governing the distribution of PILOT payments associated with renewable-energy projects and industrial revenue bond arrangements.

County vs. School District Distribution

- Mr. Burpo stated that the statutory formula allocates:
  - 39.19% to the school districts.
  - 60.81% to Torrance County.
- Based on the $630,000 initial annual payment, the presentation calculated approximately:
  - $246,897 to the school districts collectively.
  - $383,103 to the County.
- The school-district portion is then divided according to the statutory formula.

Distribution Among School Districts

- Mr. Burpo explained that the school-district allocation is determined using three factors:
  - 50% based on the location of the turbines.
  - 40% based on the acreage of each school district.
  - 10% based on school enrollment/membership.
- Mr. Burpo emphasized that the enrollment calculation is based on enrollment in each school district, rather than the number of students who live specifically within Torrance County.
- The acreage information was provided by the Torrance County GIS Department.
- The presentation identified the relative acreage and enrollment of the five districts, with Moriarty having the largest enrollment and Vaughn the smallest.

Projected School District Shares

- Applying the statutory formula, the presenter gave the following projected percentages of the school-district portion:
  - Estancia – 8.74%
  - Moriarty – 15.13%
  - Mountainair – 19.08%
  - Corona – 12.12%
  - Vaughn – 44.93%
- Mr. Burpo stated that these percentages are dictated by state statute rather than discretionary decisions by the county or project developer.

Construction-Period Payments

- Mr. Burpo explained that PILOT payments are also required during the three-year construction period, although the statute does not specify the precise amount.
- Under the negotiated arrangement described:
  - Pattern would pay $100,000 during each of the first two construction years.
  - The $100,000 payments would be divided between the school districts and county using the same 39.19% / 60.81% allocation.
- For the third construction year, the presenter described a "make-up" payment:
  - $630,000 × 3 years = $1.89 million.
  - Less the $200,000 already paid during the first two years.
  - Resulting third-year lump-sum payment: approximately $1.69 million.
- That payment would then be divided between the school districts and county.

Long-Term PILOT Escalation

- The presentation showed the PILOT rate increasing over time.
- Examples given:
  - First five years: $2,800/MW
  - Next five years: $2,940/MW
  - Continued annual escalation thereafter.
- Mr. Burpo said the structure produces an average rate of approximately $3,174/MW over 30 years, incorporating an inflation-related increase.
- The presenter estimated the total PILOT payments over the 30-year period at $21,426,025.

Comparison With Existing Property Taxes

- Mr. Burpo said he requested an analysis comparing:
  - Property taxes currently generated by the land where the project would be developed.
  - Payments expected under the PILOT arrangement.
- He credited Linda Gallegos, Cassie, and Ruben in the Assessor's Office with assisting in preparing the analysis.
- According to the presentation:
  - Existing properties currently generate approximately $2,243.36 per year in county property taxes.
  - The presenter attributed the low existing amount partly to state-owned land and land held by tax-exempt foundations.
- He calculated that the initial $630,000 PILOT would represent approximately $627,756 more annually than the current property-tax revenue.
- Mr. Burpo gave projected 30-year average figures of approximately:
  - School districts: $279,898 per year
  - County: $434,302 per year
- He characterized this as approximately a 280% increase in property-tax-equivalent revenue compared with the existing tax base.
- These figures were presented as the speaker's analysis; the underlying calculations and assumptions would be contained in the presentation/documentation referenced during the meeting.

Water Use

- Mr. Burpo addressed questions previously raised regarding water consumption by the project.
- He said he had spoken with a company that supplies water to Pattern.
- His explanation was that water suppliers have limits on the amount of water they can withdraw under applicable State Engineer regulation.
- He gave an example that if a supplier has 100 gallons available for authorized use and sells 50 gallons to Pattern, the remaining 50 gallons cannot simply be used for another purpose beyond the supplier's authorized allocation.
- Based on his discussion with the supplier, he stated that supplying water to Pattern could result in less water being withdrawn from the aquifer than if the water were used for agricultural purposes.

- He indicated that Pattern representatives would be better positioned to address the technical and contractual details of water use.

Eminent Domain

- Mr. Burpo specifically addressed concerns about whether eminent domain could be used to obtain access to project sites.
- He said he consulted:
    - The New Mexico State Land Office.
    - An attorney with the State Land Office.
    - Bond counsel for Pattern.
    - Bond counsel for Torrance County.
- According to his presentation, those reviews found no provision authorizing eminent domain to obtain access to the project lands.
- He stated that the State Land Office attorney confirmed that eminent domain was not being used to access State Land Office property for the project.
- He characterized eminent-domain concerns as resolved based on the documents and discussions he reviewed.

Decommissioning and Repowering

- Mr. Burpo explained the distinction between decommissioning and repowering:
    - Decommissioning: Removing the project infrastructure at the end of its authorized life and restoring the land as nearly as practicable to its prior condition.
    - Repowering: Negotiating a new project that could replace older turbines/equipment with newer, more efficient technology.
- Under the documents described in the presentation:
    - Pattern would have 18 months after the end of the 30-year term to remove the facilities and restore the property as nearly as practicable to its prior condition.
- Mr. Burpo noted that wind projects in other states have sometimes been repowered rather than completely removed.
- He stated that any future repowering would require a new arrangement with the County, rather than simply occurring automatically under the current 30-year agreement.

Turbine Siting

- Mr. Burpo stated that most of the proposed turbines are adjacent to existing wind turbines.
- He said his review of the maps indicated that the project is generally being developed in an area that is already established for wind-energy facilities, rather than introducing turbines into an entirely undeveloped wind-energy area.
- Pattern's existing regional projects include substantial wind development in Torrance and neighboring counties

Commission / Staff Comments

Stephanie Reynolds, County Manager: Informed members of the public and people participating through Zoom that the full presentation is included in the Commission packet available on the county website.

- Encouraged interested residents to review the presentation after the meeting.

- **Chairman Schwebach**
  - Asked whether the presenter would be available for the upcoming public hearing.
  - Mr. Burpo confirmed that he would attend.

- **Commissioner Jaramillo**
  - Asked for clarification regarding the large dollar figure discussed in connection with the project.
  - Mr. Burpo confirmed that the referenced amount was strictly attributable to Torrance County, with the remaining amount associated with San Miguel County.
  - The transcript's spoken dollar figure appears inconsistent with the other amounts discussed; the official presentation/documentation should be used to verify the exact figure before recording it as a final financial amount.

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10. <u>Adoption of resolution/Ordinance:</u>

A. **Manager/Commission:** (Public Hearing) Motion to adopt Bond Ordinance 2026-03 authorizing the issuance and sale of Torrance County, New Mexico, Taxable industrial Revenue Bonds (Palomas Power LLC Project), Series 2026, in maximum aggregate principal amount of $1,221,075,000 and approving associated documents, (Rob Burpo, Frist American Financial Advisors, Inc. and Jill Sweeney, Taft Stettinius & Hollister LLP)

Motion; Chairman Schwebach motioned to begin public hearing; seconded by Commissioner McCall

- **Roll call vote;**
  - Schwebach – yes
  - McCall- yes
  - Jaramillo- yes

Motion Carried

Public Hearing began at 10:10 AM

Jerri Pohl; sworn in by County attorney

"Good morning, Chairman, Commissioners. I want to start by saying something very clearly that I am not opposed to wind energy, and I'm not opposed to economic development. I'm asking a very simple question: Are we getting a fair deal for the public? We're talking about a project with a 1.221 billion dollars in industrial revenue bonds in a potential of a 30-year term, I've been trying to find a simple side-by-side comparison of what this project would generate under ordinary property taxes versus what the county and schools will receive through the PILOT. Mr.

Burpo had provided what it is currently being taxed at, but. I'm more curious of what the project would be taxed if it were to be completed. So, I came to the county clerk or manager's office, and I told that there wasn't one, and that concerns me because according to the numbers presented, the PILOT starts at approximately $630,000 a year and increases 5% every five years, until it's approximately 21.426 million over 30 years. That math actually gives us an average of about 714,200 per year. So, my question is simple: What would the ordinary property taxes revenue be over those same 30 years, and what is the difference? Because that difference represents the value of the tax that is being benefit being provided, and this isn't just a question that I'm raising here in Torrance County. In July, the New Mexico Legislative Finance Committee, our legislature's financial watchdog, reported that the state and local governments do not require sufficient reporting to determine whether the trade-off from the industrial revenue bonds actually pays off. So, what that means is we have an opportunity here to do something very basic to show our citizens the map. I would respectfully ask that the commission provide one the projected ordinary property taxes over 30 years to the. pilot payments over 30 years, and three, the dollar difference between the two. And finally, I would like to know what the additional public benefit the county receives in exchange for that difference. I'm not asking you to stop development. I'm asking you to know the value of what you're giving away before we give it away, you don't. We don't have to be anti-development to insist on a fair deal for the people of Torrance County. Thank you for your time"

Kim Ortiz: sworn in by County Attorney

"Here this morning is a concerned rancher and citizen of Torrance County who is against the erection of more wind turbines in our area.
They are detrimental to our New Mexico rangeland, our wildlife, our lives, and are fundamentally changing the appearance of our rural and beautiful landscape. Our open views, the wildlife, and the scenery are all part of the character and value of Torrance County, New Mexico.
The wind turbines are destroying our land. The roads, the easements, and the mass amounts of trees, soil, and vegetation that are just pushed to the outside of the construction are left to be a major fire hazard and eyesore.
The massive concrete pads and longevity of the turbines and roads will impact our county for decades.
Wildlife is moving. We have witnessed elk in the lower grasslands. We have seen bird mortalities. Research shows the impacts on cattle rangelands that are taken.
The water consumption is taking our precious, life-sustaining commodity for construction.
But what I'm here to ask is, after last meeting, recognizing the fact that you were fixing to try to pass this without public comment. It was on the agenda, but due to the people that were in here to witness the fact that you were fixing to try to vote on something that had no public hearing, and you publicly announced that it was brought to your attention that there was no legal notice or no public comment, it just goes in the same line as what you were fixing to do with Project Mars. So, what I'm here to do is mostly try to hold you accountable for being transparent and to note the fact that after public comment at the last meeting, things were renegotiated.

Many minds are much better than three, and I feel like you guys could again renegotiate to make sure that what we are giving is a fair trade for what we are getting.
The money Mr. Burpo went on and on about last meeting—he was very proud of. It didn't impress most of us, mostly because our lives are not going to be bought by what the wind turbines are going to bring us.
And the wind turbines are only step one. The transmission lines, the substations, and the ugliness of the wind turbines are going to last for decades."

Laurette Montoya; sworn in by County Attorney

"Thirty years is a long time to have to look at a wind turbine that's going to produce what they said, 800 megawatts of power. It was my understanding that a lot of this power isn't even going to serve New Mexico.
To reiterate what Ms. Ortiz said, you know, we all came out to Torrance County because we love the landscape. We love the land. We love the animals here, and I know for a fact that wind turbines are detrimental to our wildlife.
I know for a fact that there are migratory birds—the birds that live in Mexico and travel from, I believe, in a north-south direction—that are going to be affected. We're going to affect our elk, our deer, and other land animals.
And not only that, but we're also going to impact our cattle ranchers. What's going to happen if there is a wind turbine and there's equipment failure? It's my understanding they consume at least 800 gallons of oil, petroleum oil. We're going to have an oil spill.
Anyone remember the Exxon Valdez in the early 1980s? If you were around and you heard about it, I know that was an oil tanker, but it lost numerous, numerous amounts of oil.
I know they're talking about filling wells and using water. You can add water to the landscape any day of the week, but we don't want it to evaporate. So then they have to use more and more and more.
What is going to happen in 30 years with the equipment if it does fit? What are they going to do with it? Where are they going to put it? Where is it going?
Because this is not just a Torrance County thing; it's a nationwide issue. We live here in Torrance County. How many of these individuals live here? We are the ones that are going to see this every single day.
I wake up every day looking at these bright lights, going, "Where did this come from?"
I hope that you all can reconsider this project.
And one of the other ladies brought up a comment about getting a fair shake. I know money looks good on paper. It's projected. Okay, we can project things all day long.
I know the schools are always hurting for money, but there are other ways that we can get revenue.
Building wind generators, solar plants, AI data centers—you know, these are, yes, very futuristic, but it all affects our heat dome that we're all under right now.
How many of you have experienced over 100-degree temperatures this year? I have.
How many of you have gone to your vehicle in the afternoon, or gotten, you know, now we have a hot, smoking body because we're in over 100-degree weather?
We didn't used to have this, but I strongly believe that having these generators—they all generate heat. They all generate so much heat. This is why we're having such adverse weather. It may be raining here, but it's not going to be raining somewhere else.

I strongly would advise this council to reconsider this project. Please look at the detriment to our landscape, to our people.
You know, a lot of this stuff causes cancer. You know, if anyone knows anyone that's had cancer, it's an awful thing to watch happen.
You know, we talk about bringing revenue to our county. We can do this through job training programs. We can do this through funding our schools, work programs, work-study programs. We don't have to have this, what they call renewable energy.
I'm not opposed to development. Believe me, I was a job developer in schools with my work-study students. We had programs.
But if you're going to take away from our beautiful landscape out here, this is why people come here.
Our agriculture—you know, let's look at some other ways of developing Torrance County. Not taking all our trees away and not just dumping water on the ground just because there's dust. Now, if we could plant these areas, have them reseed everything, maybe some of these dust-control issues will be addressed.
But I implore you to please reconsider this bond.
Thank you."

Nathan Dial; Sworn in by County Attorney

"Yeah. Half-truth is not necessarily a lie, but it's not the truth.
Like when the school board says, "If you vote for this bond, your tax won't go up." They won't say, "If you don't vote for this borrowing, your tax is going to go down." But they're not saying yes for a fact.
If the State Engineer, that's an agricultural trade, changes rights, they only can sell half the water, so on and so forth.
What they're not telling you is these companies are actually paying people to install the equipment that they need so they can pump the water out of the ground, so they can change the—get the water sold to them.
So, the part they're leaving out is, yeah, the half that they're not using. Well, none of it was being used before.
You don't believe me? Go to Jacob Sarno's house, where they spent hundreds of thousands of dollars putting equipment in so he could sell them water.
So, yes, the statement of if they do it for industrial versus agriculture, you only use half the water. But the part they're not saying is a lot of these guys don't have the money or the ability to use water in the first place.
So that's half-truth.
And if they're going to come here and give you half-truth on one thing, how can you believe it on anything else?
And it's that simple.
And you don't believe me? Drive out to Jake's. I brought this up. I brought up State Engineers. I've been threatened with lawsuits over making these statements, but it's fact.
They are paying people and putting equipment in to take water out of the ground that was never being touched."

Jeremy Turner; sworn in by County Attorney

"Jeremy Turner with Pattern Energy.
There is no Environmental Impact Statement required for this project, as it is not on federal lands. It is entirely located on private or state lands.
We do follow all laws, though, and in addition to that, Pattern voluntarily performs environmental studies on all of this.
We voluntarily set back two miles from any raptor nests that are identified, where industry standards and requirements are one mile.
We also, in the event that there are bat species in the area, Pattern, as a company, voluntarily shuts our wind turbines off in low wind speeds, around four miles an hour, so that there's no effect on the bat population in the area.
We do full cultural studies, even though it is entirely on private land. We have also sent out letters to a number of the potentially affected tribal nations. One of those has come back and has interest in the area. We are actively working with them and their cultural department to work on the cultural report.
We are not allowed by law to share any of the cultural studies. We, as Pattern, don't see those. Our cultural consultants are required to find, if they find something, and register it with the state, and they are the only ones that know where it's at.
What we are given is simply a no-go area where we are not allowed to build because they don't want people to know where cultural sites are, so that people don't go steal things.
So, we do those.
We do Waters of the U.S. We abide by all of the applicable federal laws, even though people don't believe there are flowing streams and waters. You still have to look at Waters of the U.S. as part of those studies.
And again, since this is entirely on private land, we are not obligated to share that.
Again, this is not a full-blown EIS. And as part of the Planning and Zoning Department, the application that comes before this body, a number of those requirements, including that environmental study that we do and that we have shared, is part of those applications.
It is also at the Public Regulation Commission when we go and seek approval from the PRC.
Again, those are not requirements; those are voluntary documents that we provide to those regulatory bodies."

Mellisa Johnson: sworn in by County Attorney

"Good morning, commissioners.
My name is Mellisa. I think many of you know me. I used to be the County's Operations Manager. I've now moved down to Pattern Energy. I'm their Site Logistics Coordinator for Western Spirits, so that takes care of Duran, Corona, and the Encino area.
I want to give you a little backstory.
My family has been ranching for generations from Guadalupe County, Villanueva area, Milagro, and Corona. My family was part of the whole wind tower generation on our property there on our state land.
We also had multiple businesses in Corona prior to wind energy coming into Corona.

We, as you know, Corona is a town of 100 people, so it's hard to sustain a business relying on the locals. Our convenience store went from making $2 million to $5 million-plus with these folks coming in every day, purchasing gas, purchasing groceries, and homemade burritos.
We work as a family, so they have been great to us.
I will testify to you guys: We still run 350 head of cattle. We have more elk than ever on our place.
Are they an eyesore at times? Absolutely.
When you're trying to sit out to drink a cup of coffee and all you see are flashing lights, it's certainly different, right? It's different than what we grew up with, what we knew the land was. But as a landowner, you cannot make sort of a profit."

Jacob Sarno; sworn in by County Attorney

"So, I want to start off first with a response to the statements by Mr. Dial.
That is my property, number one.
Number two, the hundreds of thousands of dollars he's talking about is completely incorrect. So that was a lie, under oath. I just want to put that out there.
Number three, it gave me the opportunity to actually have wells that will run per capita, which I still don't have yet because I'm working my way towards that. A three-horsepower pump at 75 gallons a minute is not what all the farms are putting out in the valley, or what he claims is happening on my property.
I was harassed. There were pictures taken while on my property, and never once did that man approach me and have a discussion. To me, that is completely unfair and dishonest.
Now I'm going to talk about Pattern, what they've done for me in the county.
I've worked as a journeyman lineman for most of my career. I have traveled up and down the highway in this state, Texas, all the way to Florida, to chase work.
Pattern has given me the opportunity to come back to this town, stay here, live here, live within the vicinity of my children, and not miss out on the things that I've missed out on for years because I was chasing that dollar down the highway.
Right here is my son, and he's going to speak as well. He also works for the wind farms and graduated high school without an opportunity to go on. He didn't want to do college, and GE offered him an opportunity.
He has traveled the U.S. He's been in New York for training. They've taken care of these kids. A lot of these kids weren't sure what they were going to do after they graduated high school.
So, I know that everybody here may be upset about the landscape, but there's a lot of kids that we're looking at having to leave their homes to go find work.
So, before we sit here and think about, "Well, this is unfair to us," think about the kids understanding and going, "Well, what would we be doing if we didn't have this opportunity?"
I thank you all for your time."

Crystal Forni; sworn in by County attorney

"I thank you for this opportunity to come to speak before you today, as well as to my fellow community members.
I am a local resident here in Torrance County, a graduate of Moriarty High School. I still have two kids in Moriarty High School to this day.

I'm here on behalf of, to speak in favor of Pattern and these projects.
Before I was given the opportunity to work for Pattern, I was a stay-at-home mom for 13 years. Due to the price of childcare and gas to commute into Albuquerque to be able to work, the price didn't compare. So I stayed home for 13 years.
Western Spirit comes in, projects—I'm offered an opportunity to actually be able to work from home. I took the opportunity and was paid more working from home than I ever was working in Albuquerque.
Fast-forward to Sun Zia, I got a pay increase. Now I've got an additional—not only a pay increase, but I got promoted. I'm the Community Engagement Coordinator. I'm over all of our community giving here in New Mexico, as well as our workforce development.
You can see this whole back section from here. The back section there is all Native New Mexicans that have been hired.
I pulled some reports in March before Sun Zia started. Of the 60 direct hires for Pattern in New Mexico, 49 of them were already living here. They were direct hires from New Mexico.
This is something I am proud of and continue to work for as a Pattern employee, to continue building that workforce development.
But the opportunity for the giving program that they allow—not just the site operators, but I myself—to be able to go out and give back to the communities where not only are we working, but we are living.
So, to date, just this year, to date, it has been over $30,000 here in just Torrance County alone. That's outside of IRBs, outside of any of that.
Pattern has been able to give back to the community through these giving programs that they offer, so that us local employees can not only donate our time, but we have a bigger way to impact these communities and where we live.
Thank you for your time."

Lane Sarno; sworn in by County Attorney

"I just want to talk about how, with the wind turbines being out here and all of them being built out here in the last five years, that has opened up a lot of opportunities for us young kids.
A bunch of kids that I graduated with, a bunch of kids that are under my class have seven kids that graduated from Estancia that are working on the wind turbines out there.
I want to talk about how much it's helped out our community with funds and things and such like that.
And another thing I wanted to touch on is the wildlife stuff, and cattle and things like that out on the turbines.
I've been out on that site for five years. I haven't seen anything different. I've been around cattle and wildlife all my life, and there's nothing different out there.
They haven't moved. They haven't swayed from the turbines. They haven't done anything out in the flatlands, where there's actually not much vegetation.
A lot of them like to use the turbines as shade. It's good for them. They like to lay under it and use it as shade. Thank you."

Isidro Astorga; sworn in by the County Attorney

"I work at the wind turbines out there in Western Spirit.
I'd like to say it gives a way better option than commuting to Albuquerque. I mean, the price of gas now, diesel, whatever you guys do—you guys know. You travel to Albuquerque, you're paying no less than $200, $300 a day.
These turbines come here, like they said, and it brings them out here in Torrance County and gives kids graduating from high school that don't want to go to college, don't want to travel to Albuquerque, the opportunity to just go down the street, go to work, have a good-paying job, and have a house.
And again, like they said, it doesn't affect cattle. It doesn't affect the vegetation.
I heard someone say that it messes up the grass, or they don't plant the seeds. They plant the seeds. We plant.
If you go up to the towers, it's planted all the way up till basically the tower—20 feet, maybe 15 feet away from the tower. It doesn't affect much.
I'd just like to say that we should give more options than our schools.
We've been trying to fund our schools for, since I was born, 23 years—23 years and nothing. This gives us more. Okay, you saw the numbers. It gives us way more—280% increase in Torrance County and the schools. Thank you."

Shannon Johnson; sworn in by County Attorney

"I hear a lot of this, but I want to give you my personal experience.
My name's Shannon Johnson. I was born and raised in Lincoln County. Although I don't live in Torrance, we're really similar, you know. There's not a lot of opportunities for kids.
I graduated in 1995. The day after I graduated, I left and went to work in the oil field. I spent 30 years traveling in the oil field.
I have a 29-year-old daughter. I have a 23-year-old daughter.
I went to work for Pattern Energy in August of last year, I believe the fourth.
In the last year, I got to watch my daughters, and I got to watch my grandson progress, grow up, and do things that I wouldn't have been afforded in the first 30 years after I got out of school, because I couldn't make a living. I couldn't afford to stay in Lincoln County, so I traveled.
There was some stuff said a while ago about Pattern and their contractors using outside labor.
I found out about Pattern because during COVID and the shutdown in the oil field, I had come back to Lincoln County. I lived in a fifth wheel because I didn't have anything because of the COVID shutdown.
Luckily, I've got family property that's been there since 1881. That's how long my family goes back now.
But anyway, back to when I came back. I was still traveling, doing what I could in the oil field. I ran into a gentleman who worked for Blattner Energy, and we kept talking. I told him what I did. I spent 30 years welding. I still weld today.
I wasn't given the opportunity, but they needed a welder to do some stuff, so I went to work contracting with them as a welder. They used local people to do things once they found out what was available.
Through that, I was able to find out about Pattern Energy and the opportunities that they were bringing to our communities.

I put my hat in the ring, and fortunately, they hired me.
I make an exceptional living working for Pattern Energy, and I work for an exceptional company.
We give back to the community in more ways than just the IRB.
We found out that Capitan High School Junior Varsity Girls Volleyball Team needed their uniforms. They couldn't afford them. The school couldn't afford them.
One of the guys I work with, his daughter, is on the Junior Varsity team. He came and told us, and as a group, we figured out how to donate that and get them some new balls, and their uniforms."

Jeremy Black; sworn in by County Attorney

"Good morning, everybody.
So, I am an Assistant Facility Manager for the Western Spirit Project. I've been out here since the beginning.
So, you know, I hear a couple of comments. You know, I just want to put the facts straight.
You know, there is, in a wind turbine, roughly about 110 gallons of oil. You know, just put that out there.
We talk about eyesores with the flashing lights. Pattern has invested millions into a system called ADLS, and basically what that does is, if there is no plane or any aviation within a certain height near the wind turbines, those red flashing lights will stay off.
I can't talk about La Joya or any of the older wind farms because they were designed and built years ago, but that is what Pattern is doing for the high soreness of the red lights.
When we talk about the community, you know, Pattern buys all of our work trucks, even for the Sun Zia way down there by Capitan.
We buy all our grill guards out of Moriarty. We have a company out of Moriarty that installs most of them.
You know, we try to invest into the local communities, their stores, or their businesses.
We look at all these young men out of here. You know, I asked them this morning. You know, I thought most of them looked so young to me. I thought most of them graduated last year, and I'm getting older.
We look at Sun Zia. The amount these kids are coming straight out of high school and making more money an hour or yearly than what I did working in an oil field 20 years ago.
You know, they don't have to have a degree in wind energy. Yes, there are certifications that these young men can go get. Young women—we have women in the industry.
My son followed my footsteps. He is now Assistant Manager for a solar farm.
You know, we've been living in New Mexico for the last 26 years. He graduated high school and earned his way into Assistant Manager for a solar farm in Texas.
We need a lot of solar over here in this area.
I hate to probably stay home, so—but that's all I want to say.
Thank y'all. Thank you for your time."

Jose Galleogos; sworn in by the County Attorney

"I work for Pattern Energy. I'm a Lead Tech out in Corona.

I grew up out in Moriarty and graduated in 2008. I went to that wind school in Tucumcari. Luckily enough, I've been able to stay local and worked for several different outlets out here. This just brings in all these guys out here that just graduated. It just keeps everybody local. I'm raising my kids out here in Moriarty. If this opportunity wasn't here, I probably wouldn't have stayed in that community.
Also, Pattern really does like to contribute to the community outside of these bonds, helping 4-H programs, FFA, everything like that.
So just think about that whenever you guys are voting on this.
I appreciate the time."

Andy Chavez; sworn in by County Attorney

"So, one thing I want you guys to know: I used to run the landfill out in Moriarty, off the 203 Exit. I also operated the Vaughn landfill.
We took in 300 wind turbine blades, cut up into pieces, and they sat there for over eight years. Look at the amount of towers going up right now. EVSWA is talking about opening up a facility to recycle said turbine blades. Not a good idea.
One, the amount of problems it's going to create with shredding those things—fiberglass flying everywhere. The water usage that's going to have to go into controlling dust in that facility is going to be horrible.
The other thing I have an issue with is you have this company. You have all these people that work for this company. Not local people working there are local—they want to say that they're making all this money. They're making good money.
Why is it that our facilities here, the people working here, that are started here and for our community, can't make the same amount of money, if not more?
My highest-paid equipment operator was only making $18 an hour in our facility.
You have these guys putting up wind turbines. Cool, they're making good money. They're contributing while they're here, but they're not here all the time. They're not going to be here all the time.
Our facilities can't even pay, and our county won't even adjust to pay wages for our facilities here.
There are multiple people here who have sat on the board, who were involved with EVSWA, who have been against this project from the get-go when it's—when EPS gets away. I can't say why they were even thinking about getting this project going or letting this happen.
And anybody local knows those red lights blink all night long.
I'm in McIntosh, and I can see those lights all night long. There is no—they turn off in the middle of the night if there's no planes. Those red lights go all night long.
I mean, we as a community need to stand up, put our foot down, not hold this in, and not allow this to happen."

Tom Carter; sworn in by County Attorney

"I will admit this may not feel very polished because I wasn't going to speak until about a couple of minutes ago. So, forgive me if this sounds terrible, but I'm going to stay in my lane as best I can here.

This is a little thin ice for me. If you're not familiar, I'm running for sheriff here in Torrance County, and so I'm going to stick to what's important to what I know, which is law enforcement and government.
But if you guys could confirm that board over there is projects that the counties are trying to build for ICIP, right? So that's to serve the citizens of Torrance County, right?
What I'm hearing is a lot of different issues on both sides, which is incredible that we're exercising our First Amendment right here. But what I'm concerned is that we're talking about a lot of issues, but nobody's really bringing up any solutions to these issues.
I'm concerned that we're not talking about other ways to bring money into this County to support what we're trying to do for our citizens.
The reason I wanted to talk is because I have a big vision for the Sheriff's Office. I think I can make it a lot better to serve the county, the citizens of this county, and that costs some money. It's going to cost some change to serve the citizens. Does that make sense?
I just want to caution everybody that I understand the concerns. It makes a lot of sense. I support ranchers.
You can look at me and tell that I love a good burger, right? And I want to support that industry. I'm not going to speak on that because I don't know. I don't know what your concerns are or what your strategies are.
But I do know that Torrance County needs some gross receipts tax money. We need some funds to keep moving forward and to be able to serve our citizens.
I have guys right now who are on a call about a vehicle that ran through a rancher's fence, and so they're trying to find a solution to help that rancher fix that.
So, law enforcement does have a purpose in helping ranchers here, right?
So how are we going to keep those guys funded and paid, and how am I going to build an agency if we don't have money coming into this county?
That's my concern.
Lastly, I'll say I currently live in the middle of wind farms. I'm within a mile in all directions of a turbine, and I can tell you 100%, I've had migration birds all over my house all summer, and I've got several inches of bird crap all over my house.
So, if you can find a solution to keep the migratory birds out, please let me know. Thank you."

Todd Bibiano: sworn in by County Attorney

Superintendent of Moriarty-Edgewood School District.
It's nice to see a lot of faces, people I grew up with, and I know the topics and the sides that people have on the wind farms, renewable energy, and I absolutely respect it and appreciate it.
You know, I was sitting there, and I did want to come up and speak on behalf of the Moriarty-Edgewood School District.
We've talked about the wind farms, solar farms, for many years, many years.
If anybody has ever been to the Moriarty-Edgewood School District offices, the old Mountain View Elementary, we have solar panels that were put up years ago, and we were excited about those solar panels in the sense of our IRB PILT money.
Because it was mentioned earlier, you know, looking for other funding and other ways to help out the school districts, we're always doing that.
And we did get some money from them, the company and PNM—a pretty small amount. And then we started seeing these windmills coming up, and it went beyond the PILT money.

And, you know, I decided, you know, I can come up here and tell you how we intend, or what our vision is, for the IRBs for the Moriarty-Edgewood School District.
If you take the payments, they're a little different today than what we have proposed or that was proposed to us. Not much. That's about 1% in IRBs compared to our total operations budget—about 1%.
It's going to—we'll see how much it ends up, but it's not going to be more than 1.5%.
That's money that we can use to absolutely deepen the collapse of our operational money.
We just had—and we're talking about water issues—Estancia, John, we've got to be dealing with the schools and everyone else.
The day before school started, we had a well-go out, and we had to cancel our first few days of school for some of our students.
We called the water company; they hauled water for us. We got our well company. They worked on it.
You know, now we're talking $50,000, $60,000—money that we can use our PILT money or IRB money for. We don't have a lot of money to buy supplies and materials for kids.
So I wanted to come up and—I mean, we can go and use money that we are giving kids as incentives.
There was mention of other ways of finding money for students. There's an attendance grant that we apply for on a regular basis. You have to have an attendance plan. We want to get kids in school. We want to get them excited.
And when we go to try to spend that money, the state says, "No, you can't buy them incentives. You can only use it for A, B, C, and maybe D."
So now we can use some of our PILT money or our IRB money, and we can send kids, we can get books, we can.
I mean, as silly as it sounds, right? To get third graders to show up to school on a regular basis and give them a dozen donuts.
And we're talking big money when we're talking about our personal bank accounts. But when it comes to the schools, it's not a lot of money. But it's money that we can use for our kids and for our staff.
For the first time in a very long time, as superintendent, I was able to allocate money to our principals, and the principals were saying, "Okay, give us the stipulations."
There was hardly any, other than, "Make sure that you're staying within procurement laws," and we want you to reward your staff members and your students.
I know today the vote is on Palomas. That's more money that we would welcome.
And whether it's passed or not, you know, I again respect everyone's opinions on the environment and renewable energy and whatever side you land on.
But we have the opportunity now, thanks to Pattern and the SunZia project, to enhance—to be able to pay for things on an emergency basis without pulling money out of our classrooms for our students.
Because if we pull money out of operation, that's money that doesn't go directly into the classroom.
And the last thing I guess I'll say is—and it was said that the gentleman that we're speaking about job opportunities—as one of our focus areas for the Moriarty-Edgewood School District in our strategic plan was to enhance our work-based learning and our career technical education.
Yes, we still have work-study, and we've had business owners that are in this audience today that have really supported and helped our students to learn how to be good employees.

Now we have a true industry partner who is coming to the Moriarty-Edgewood School District that is helping us to get kids to the technical skill levels, to the trades.
Our students are going out and they're looking at these windmills.
Pattern Energy is coming into the schools and talking to students not just about, "Are you going to be a welder, a pipefitter, an electrician, all the construction things that we've done?"
But how about this? How about the electrical engineer, the mechanical engineer, the opportunities to go to college?
And so, Pattern is helping us with our strategic plan, not only for technical, but also college and career readiness.
So, I want to thank all of you for your support, always supporting the Moriarty-Edgewood School District.
And this is just a portion of continued support that will definitely be helpful for our students in the future.
Thank you."

Gloria Lovato-Zamora; sworn by County Attorney

"Good morning to all of you.
With all due respect to the Commissioners and to the public, I would just like to congratulate all those people who have a job. Congratulations to you!
But my most congratulations are to the two women who stood up to protect the land and the environment.
I am from the Manzano Land Grant. If you know your history, most of you know that there are a lot. There are over 29 land grants in New Mexico.
The land grants were prior to federal government, prior to state government, prior to county government.
We believe in protecting the land, the water, the environment, the people, the animals, the herbs—everything that is of nature from God.
We are servants of this earth.
And congratulations to you, ladies, for being only two of you here. Not that they're all—they probably aren't against us either, but we need to have some studies on what megawatts do to people, water, and animals.
Where's your study? Where's your study?
Do you have a study? That is the question. Where is it? I didn't see it.
Has the public seen that study? Have you seen the study of what megawatts cost the environment, the people, the animals, and the plants?
Have you seen the study?

Commissioner Jaramillo- "No."

Ms. Lovato-Zamora- "Why not?"

Commissioner Jaramillo- "But I will."

"Thank you, Linda. You need to see that study.

The H2O company was passing—I can't remember the 2000 and something. We also stood up and thought that that was toxic for our state, for our environment.
They have eminent domain, saying that the public needed this.
Do we really need things like this? Is it a common need that we have, that we can't survive without it?
I truly believe that our existence here is to protect one another with our waters, our foods, and anything that we can survive from.
I want to thank you for doing your job as you are told to do.
Thank you, young men, for having a job. I wish everybody had a job.
I have lived in the Land Grant traditionally, culturally poor, but I have succeeded, and I will continue to succeed without anything else except what I have succeeded with, and that is culture, tradition, and environment.
That's it.
So, I want to thank you for listening. I wasn't prepared to speak on this behalf, but with all my heart, thank you, ladies, and I just congratulate you so much.
And I hope that there are others.
And I ask that—I can't remember the name of the man, but anyway, because I'm just new to this—that you visit our land grants.
There's one in Chilli, and you need to come and present yourself.
There's one in Manzano; you need to come and tell us what you're doing.
There's one in Tajique; you need to come.
We're entities too. We're recognized.
And then there's Torreon. You need to come and present your plan to those people, and then we'll come back and see how many people three ladies are here besides.
Thank you."

Ida Lucero; sworn in by County Attorney

"I spoke at the last meeting last month, so you have my views on how I feel about this. A lot of the community that are up here as well.
The best thing I heard Mr. Turner say, I believe that was today, was that they want to consider using wastewater for dust control and the concrete use.
First, I feel it's a shame we're using our valuable water for wastewater and to control that dust. I mean, not the wastewater, but the water that's so valuable to us.
And could this study have been done before? The wind turbines are already up; they've already used the water. It's the water that we barely have.
We don't even get rains anymore the way that we used to get the rains.
And I just want to say, before this is even passed, could they even consider doing a study on using that wastewater for these projects before?
As the lady stated earlier, why are the studies—and why, you know, why couldn't this have been done before, before this project went up?
They're already at the end of the project, so everything else I said was in the last meeting, but I did want to add that today to possibly reconsider if the Commissioners even pass this until maybe the consideration of even using the wastewater as an option.
Thank you."

*Zoom

David Heddens; sworn in by County Attorney

"So again, thank you for the opportunity to speak.
It looks like at the conclusion of this meeting, a vote for approval of the issuance of the bonds will take place. Is that correct?
Okay.
So, just some findings that I've reached during kind of the process.
There's been no Environmental Impact Statement available. I searched for NEPA records and just kind of extensive online searching, and I found no documentation attributable to the wind project or the tangentially related transmission line. I understand those are separate projects.
It seems remarkably insufficient to have unavailable data on environmental impact of the Columbus project, as well as, again, tangentially related, the Mid-State Transmission Project.
So it does sound like the public has an opportunity to read up on at least the studies that the company itself did for the environmental impact, presuming, as was just—if I heard correctly, those are available to the public.
Do we know when those became available?
Another question that comes to mind is: Where can we access the environmental studies that have been conducted for the impact of these projects?
Can they be?
Okay.
Just as in my meager attempts to be an informed citizen, I definitely feel like I haven't had an opportunity to learn about the impacts of this project.
You know, ignorance is no defense, but with that said, I just do want to put it on the record that I am opposed at this point due to feeling insufficiently informed of the project to go forward with it.
And so, certainly, if I had to say, it would be no to the bond issuance at this time. I realize that's superfluous because I do not have that decision to make.
But thank you for the opportunity to speak. I appreciate it, and thanks again."

Robert Burpo; sworn in by County Attorney

"Thank you, Mr. Chairman and Commissioners.
A question was asked about how much property taxes would be received if we didn't do the IRB, and basically, the IRB is collecting about 40.5%. The county will be collecting about 40.5% of what it would have collected if the IRB wasn't in place.
Now, that also assumes that the project would have been built in the first place, because one of the conditions that must be in place for the Industrial Revenue Bond is a "but-for" clause, which basically says if we don't do the IRB, the project wouldn't be built.
And I can tell you, based on negotiations, and I'm sure Commissioners would agree with this, there are sometimes when projects go away because of the lack of support.
The other thing I would mention is that if Pattern were to petition the New Mexico Taxation and Revenue Department for a 30% investment tax credit, upfront write-down of their capital costs of $1.002 billion, the amount of PILOT being received by the county would become 58% of what the county would have gotten without the IRB.

So, you're getting a substantial amount of the property taxes that you normally would have gotten had the IRB not been in place.
This is very high. Normally, these projects are in the 25% to 35% range statewide.
So, you're at 40.5% right now, or 58% if Pattern were to be successful in petitioning the Taxation and Revenue Department—and Taxation and Revenue always gives that write-off.
So, figure 58% as the real number.
Thank you."

Chairman Schwebach- "Mr. Turner, I have a question for you.
Any Commissioner, if you have other questions.
So, as far as there was a question that Rob was trying to address, and I think the question about the IRBs are: Are these projects feasible?"

Jeremy Turner- "Mr. Chairman, Commissioner, the IRBs are instrumental in making sure that the economics of these projects work.
We have, in other states—not New Mexico, but in other states—where IRBs were not issued, have walked away from projects.
Again, as I described, all 800 megawatts of this power will be utilized in the state of New Mexico by use of PNM.
PNM's entire system is about 2,300 megawatts. So, 800 of that will supply literally a third of PNM's entire usage and their needs.
Without the IRBs, because our ratepayers—these rates are locked in. PNM cannot just increase rates without the IRBs.
It fundamentally changes the economics and results in likelihood of the project not being built here, or, as an alternative, it instead incentivizes a company to move to another county that is willing to consider the issuance of IRBs."

Chairman Schwebach- "Talk a little bit about the studies, and, well, how many projects have been signed within this county?"

Jeremy Turner- "Mr. Chairman,
What we have done at this point in time is the Western Spirit Wind Project consists of four separate wind farms. We look at it as an aggregate, but it is four separates. There's Klein's Corners, Tecolote, Red Cloud, and Duran.
There were environmental studies—biological, cultural—on all of those projects.
That project is spread out across 125,000 acres. About 14,700 of it is on state trust land.
On Sun Zia, it's 528,000 acres. 171,000 is state trust land. They have their own requirements that we are obligated to abide by in their leases, but we do perform environmental studies.
Again, all of this is voluntary because this is not on federal land. There is not a mandated requirement for those. These are things that Pattern is willing to do to be a good neighbor and a good partner in the community.
We are going to be here for a long period of time, and so we want to make sure that we are having a positive impact.
Of all of that acreage that we are talking about, the wind farms utilize less than 3% of the entire land mass for the roads, the underground collection, and the wind turbines themselves.
So, the reality is, even though we lease that amount of acreage, we use less than 3% of it for this.

So, when you look at environmental impacts, we do a large number of avian studies. We do nesting surveys. We do all of that.
When we were constructing a portion of the Sun Zia transmission line across the river, we did environmental studies that said we couldn't build during nesting season because there are important avian species in that area.
In addition to that, we put on that transmission line a first-of-its-kind ultraviolet technology that was being tested at an avian sanctuary up in Nebraska, and it was producing 98% efficiency in eliminating bird collisions and bird strikes with transmission lines.
We implemented that on Sun Zia as well.
In addition to that, we also aligned that corridor with other existing infrastructures, which the avian species are already aware of.
So, we do a number of environmental studies. It is not a requirement under this Commission, under the Industrial Revenue Bonds, to share those studies. We're happy too.
Again, cultural is one thing that we are not allowed to do, but again, we do those as a voluntary measure that Pattern Energy does as a company."

Commissioner McCall – "Mr. Turner, would you address the issues with the red lights?"

Jeremy Turner- "Absolutely.
As Mr. Black mentioned, we have implemented on Western Spirit. It was at a cost of $12 million for the Aviation Detection Lighting System. Sun Zia was a $30 million investment.
The lights are on right now. We are in the process of trying to finalize commissioning. We just went to COD on the wind farm, as the Commission and residents know. We just finished construction. We're finishing up reclamation.
The ADLS system is online. We anticipate it will be in early October, and then that system should be on and working.
It is not 100%. It operates on Western Spirit at about 83% to 86% efficiency.
The other—the big thing is, though, once the lights come on, by federal law, by FAA requirements, those lights have to stay on for a minimum of 30 minutes.
In Europe, you can turn them off within three to five minutes.
There was an attempt, or there was a desire by the industry to do the same thing here in the U.S. Under the current administration and the views on renewable energy that has not been pursued, and we don't anticipate the industry pursuing a change for a period of time.
But if you look at even a small aircraft traveling 130, 170 miles an hour, by the time 30 minutes down the road, they are a long way out of the airspace.
So, if there is a change, again, that is federal law. That is not something that we can change.
Now, we have to abide by laws, so those lights must stay on once activated for a minimum of 30 minutes across the entire facility, until that aircraft leaves the airspace. And that is just a mandate by federal law.
But on this, we do expect them to be operational here sometime in October.
And again, until a wind farm is fully constructed and operational, you can't turn that system on, so those lights have to remain on by federal law.
That's not an industry choice. That is federal law."

Commissioner McCall- "Mr. Turner, I also wanted to tell you that I had a conversation with our fire chief back this summer when we were fighting those fires around Klein's Corners, and he

made a comment that the fire was fought much easier, better, and quicker because of the amount of roads that are in that area due to the wind farms.
So, I wanted to let you know that roads do help us fight fires when it's a grass fire, a wildfire."

Jeremey Turner- "And thank you, Mr. Chairman, Commissioner.
In addition to that, the on-command representative from the Forest Service that was out there at that time also put in their command report that the roads from the wind farms actually allowed them to attack that fire with greater efficiency and to access areas that they previously wouldn't have been able to.
And so, I appreciate that."

Commissioner McCall- "Mr. Turner.
While you're at the podium, I also want to bring back some dates.
There was a comment made that we—that you and I—have negotiated since the last meeting, and I went back and I looked at our emails.
So, myself and the Chairman from the San Miguel Commission sent you a letter on August 14."

Jeremy Turner- "That's correct."

Commissioner McCall- "Asking for a very, very lucrative deal that you countered back on August 18 in a letter that was "take it or leave it," more or less—when you're not going to get to where we asked.
Is that correct?"

Jeremy Turner- "That's correct, Mr. Chairman, Commissioner."

Commissioner McCall- "And on August 20, you and I had a verbal commitment that we came to an agreement, and the negotiation was finalized, and then we put it into final.
Is that correct?"

Jeremy Turner- "Mr. Chairman, Commissioner, that's correct. We did execute that in writing. Yes."

Commissioner McCall- "Verbally on the 20th. Yes, sir.
And our last Commission meeting was on August 26, when we deferred this to this meeting, so negotiations were done prior to the last meeting."

Jeremy Turner- "Thank you, Commissioner Chairman, Commissioners.
That's correct. I apologize. I did not have those dates off time."

Vice-Chair Jaramillo- "So, in my district, District Three is where most of these wind farms are, I think.
So, have you exhausted all locations for any more wind farms in District Three?"

Jeremy Turner- "Mr. Chairman and Commissioner I don't know the exact boundaries, but what I can say is that we do have additional land leased in Torrance County for future development

that we are in consideration right now. We also have significantly more land leased in Guadalupe and Torrance County than in San Miguel County than what's remaining in Torrance. So, most of these, as you know, are on the eastern side of the county, just like this project. That other remaining land is located on the site as well. What again? These are voluntary agreements. We do not have eminent domain. These are landowners that own those properties and have decided and elected to sign up for the potential to have wind farm development done on their lands."

Vice-Chair Jaramillo- "And it's their choice?"

Jeremy Turner- "It's their choice. Yes, ma'am."

Vice-Chair Jaramillo- "So, I have lived here in Torrance County for 72 years. I've watched this County.
When I was a young girl, there were all these municipalities that were vibrant. We had schools in Willard. Actually, there was a hospital in Mountainair.
I've lived throughout this county. I am very—I have a personal relationship with a lot of people in Torrance County. I worked for Dr. Saul in Mountainair here for 15 years. I was County Clerk for 26 years.
I care about the people in our county, but we have to provide services for all of us.
There's law enforcement, fire and rescue, medical care, senior services, our departments, our salaries, roads, and emergency services. There's all kinds of services that we have to provide for our citizens, and I take that very seriously.
I would like to say that this money would be used in the future for those services for all of us.
Sometimes we have to make decisions for the good of everyone.
And I really, our kids are in dire need of a place to be here. I have my kids, my grandkids in Mountainair, and my great-grandkids in Mountainair. I have all my family that still lives here in Torrance.
So, as Commissioner, this is a hard place to be.
As County Clerk, in my office, I dealt with just my office, and I did a good job. People reelected me for 26 years, and I was concerned about the citizens then, and I am concerned about you now.
So just trust me that this money will be put to good use for the people of Torrance.
Thank you."

Chairman Schwebach - "Do you have any more questions for Mr. Turner?"

Commissioner McCall- "no"

Vice-Chair Jaramillo- "no"

* On Augst 26th 2026 the following people made a public comment regarding the public hearing

Ida Lucero:

Swearing-In and Purpose of Testimony

County Attorney Mike Garcia explained that the testimony was being taken under oath because the County intends to incorporate the testimony into the official record for a future public hearing concerning the agenda item.

- Mr. Garcia asked the witness to:
    - State their name.
    - Swear to tell the truth in their testimony.
- Ms. Lucero affirmed that they would tell the truth.

Public Notice and Publication

- Ms. Lucero asked how the upcoming public hearing would be communicated to the public.
- Chairman Schwebach explained that the item would be published in the County's agenda in the same manner as other public-hearing items.
- The item is expected to identify:
    - The ordinance under consideration.
    - The action being considered—whether to approve or not approve the ordinance.
    - The fact that the matter is a public hearing and action item.
- The information will be published in the same location where County agendas are normally posted, so the public can review the matter in advance.

Timing of the Public Hearing

- Ms. Lucero asked whether the public hearing would occur in the near future.
- Chairman Schwebach stated that the matter is scheduled for the next regular County meeting on September 9, 2026.
- The public will be notified through the posted agenda and public-hearing notice.
- At the future meeting:
    - The matter will be brought forward as a public hearing.
    - Individuals wishing to speak for or against the matter will be sworn in.

- Members of the public will have an opportunity to provide comments and express their views.
- After public testimony is received, the hearing will be formally closed.
- The matter may then proceed as an action item for consideration by the County.

Status of Approval

- Ms. Lucero asked whether the underlying matter had already been approved.
- Chairman Schwebach clarified that the matter itself has not yet been approved.
- Commissioner McCall distinguished this from the inducement resolution, which has already been approved.
- The approved inducement resolution allows the process to move forward but does not constitute final approval of the matter currently scheduled for public hearing/action.

Audra Tapia, Resident:

- Audra Tapia provided comment concerning the proposed project and the process by which affected landowners and residents were informed.
- Ms. Tapia expressed concern that:
  - It was difficult to obtain information about when the meeting would occur and when residents could provide public comment.
  - Landowners were not adequately consulted before the project moved forward.
  - Residents were not allowed to provide their opinions or indicate whether they wanted the proposed project on or near their properties.
- She stated that affected property owners should have a voice and a choice regarding projects proposed for their property or surrounding area.
- Ms. Tapia stated clearly that she is opposed to the project being located on or around her property.
- At the Commission's request, Ms. Tapia affirmed under oath that her testimony was truthful so it could be included in the official record.

Art Tapia, Resident:

- Art Tapia, a lifelong resident, addressed the Commission regarding the same agenda item.

- Mr. Tapia explained that information about the matter had been provided to residents late the previous evening, leaving him and other community members with little time to understand the issue.
- He stated that several residents were present and wanted clarification regarding:
    - What the project involves.
    - What the agenda item concerns.
    - How the project could affect the community.
- Mr. Tapia clarified that he was not requesting to testify at that time but was seeking information about the proposal.
- The Commission advised him that a representative, Mr. Burpo, would provide a presentation later in the meeting explaining the project in greater detail.
- Mr. Tapia was informed that the presentation would occur that day.

Public Access to Agendas and Minutes

- **Vice-Chair Jaramillo** asked Stephanie to explain how members of the public can access meeting agendas and minutes.

Stephanie Reynolds, County Manager: explained that:

- Meeting agendas are available on the County website.
- Agendas are also posted at the County building, including locations outside and inside the building.
- Residents may request to have agendas emailed directly to them.
- For this particular project, the County planned additional public notice through the Independent and potentially the Mountainair Dispatch to reach residents who obtain local information through those publications.

- Regarding minutes:
    - Meeting minutes are available on the County website and through the Clerk's Office.
    - Minutes remain draft documents until approved by the County Commission.
    - Once approved, the minutes become the official legal record of the Commission's proceedings.

Motion; Chairman Schwebach makes motion to close the public hearing; Seconded by Commissioner McCall

- **Roll call Vote;**
  - Schwebach – yes
  - McCall - yes
  - Jaramillo – yes

Motion carried

Public hearing ended at 11: 36 AM.

Motion; Chairman Schwebach makes motion to approve Ordinance 2026-03; **Seconded by Commissioner McCall**

- Schwebach – yes
- McCall - yes
- Jaramillo – yes

Motion carried

Recess 11:38 AM

Back from recess 12:05 PM

B. Assessor: Request approval of Resolution 2026-28 approving the Mill Rates for 2027 and the signing the order to submit to the State if New Mexico Department of Finance and Administration

- **Linda Gallegos, Torrance County Chief Deputy Assessor**
  - Presented an analysis of the 2026 Certificate of Property Tax Rates and accompanying taxable-value and mill-rate spreadsheets.
  - Explained that the information was based on the certificate received from the New Mexico Department of Finance and Administration (DFA) and valuation information certified by the Assessor's Office to the New Mexico Property Tax Division.
  - Stated that her presentation and letter were prepared to help the Commission and future officials understand how property valuations, mill rates, debt service, and taxable values interact.

- Noted that the presentation was not required by statute, but that the Assessor's Office has historically provided this type of information to help explain the county's tax situation.
- Linda emphasized that she was relying on DFA and other taxing entities for portions of the data and therefore could not independently attest to every underlying calculation, particularly factors such as collection rates, yield control, and inflation adjustments.

2026 Taxable Value Increase

- Linda reported the following figures from the county's comparison spreadsheet:
  - 2025 net taxable value: approximately $592.0 million.
  - 2026 net taxable value: approximately $630.0 million.
  - Increase: approximately $37.0 million.
- She explained that taxable value is an important component in determining property-tax revenue, but that the actual tax generated also depends on the applicable mill rate.
- New Mexico's Property Tax Code defines taxable value and establishes the framework for setting property-tax rates. DFA applies statutory rate limitations, including yield-control provisions, when setting rates.

Assessor's Review and Limitations

- Linda explained that the Assessor's Office:
  - Verified that the valuations shown on the certificate were consistent with the values previously certified by the office.
  - Contacted school districts and soil-and-water conservation districts regarding their rates.
  - Received confirmation from Moriarty School District regarding its rates.
  - Received responses from the soil-and-water conservation districts approving their respective rates.
- She noted that some rates appeared to differ by approximately one thousandth of a mill, but she could not determine whether those differences resulted from:
  - Rounding.
  - Yield-control calculations.
  - Other information used by DFA in establishing the rates.
- Linda emphasized that she is not an economist or accountant and was analyzing information supplied by other governmental entities to the best of her ability.
- New Mexico's Taxation and Revenue Department explains that state-assessed property information is incorporated into county tax rolls and that the resulting property-tax base is certified to DFA for use in determining tax rates.

County Debt Service and Mill Rate

- Linda identified a significant change in the county debt-service mill rate:
  - The county's debt-service rate decreased by approximately 0.8183 mills.
  - She said this appeared to be associated with an expiring bond, although she characterized that conclusion as an assumption pending confirmation.
  - She researched county records back to approximately 2015 and found that the county had historically carried a debt-service mill rate.

    - According to her review, 2026 was the first year in that period without a county debt-service mill rate appearing on the certification.
- In response to a Commissioner McCalls question, Linda explained that the county's general mill rate is approximately 11.85 mills for 2026.
- She explained that previous overall county rates had been higher because a debt-service mill was added to the general rate to pay bond obligations.
- The discussion clarified that when a governmental entity issues bonds requiring repayment, a corresponding debt-service tax rate may be imposed to generate the funds needed to service that debt. New Mexico law provides that DFA sets property-tax rates based on statutory requirements and approved governmental budgets.

School District 16 / Encino Area

- Linda identified School District 16, covering the Encino area, as having one of the most significant changes in the comparison.
- She reported:
    - A substantial increase in taxable value.
    - An increase of nearly one mill in school-district debt service.
    - An increase of approximately $26.02 million in taxable value associated with Blattner Energy business personal property reported to the Assessor's Office.
- She explained that the reported business personal property could include equipment, furniture, fixtures, and similar taxable property.
- After accounting for approximately $767,224 in protested state-assessed value, she calculated a remaining increase of approximately $25.28 million in the non-residential valuation category.
- This amount was highlighted on the spreadsheet provided to the Commission.

Other County and School-District Changes

- Linda reported that other school districts generally experienced smaller changes in taxable value and/or mill rates.
- She said reductions in adjusted values in some districts resulted from property-value protests that were resolved during the county's protest process.
- She also noted that livestock mill rates decreased, with an exception for dairy cattle.
- The spreadsheet provided to the Commission showed changes in both residential and non-residential classifications.

Moriarty School District

- Linda discussed changes in the Moriarty School District as an example of how valuation changes can affect school districts.
- She cited increases in several categories, including:
    - Moriarty residential property.
    - Moriarty non-residential property.
    - Other residential/non-residential classifications within the district.
- She estimated that the Moriarty School District was experiencing several million dollars in increased valuation, potentially approaching approximately $8 million across the categories discussed.

- She noted that the mill-rate changes in the district were relatively small in comparison with the valuation changes, with examples of changes around 0.014 to 0.055 mills.
- Her explanation emphasized that a district could experience a significant increase in taxable valuation without experiencing a similarly large increase in its mill rate.

How Valuation and Mill Rates Affect Taxes

- A Commissioner asked whether the county's overall mill rate had decreased.
- Linda confirmed that the county rate decreased, primarily because the debt-service mill was no longer included.
- The discussion then focused on the relationship between:
    - Property valuation
    - Net taxable value
    - Mill rates
    - Budgetary requirements
    - Actual tax dollars collected
- Linda explained that, generally, taxable value multiplied by the applicable mill rate determines the tax amount.
- Therefore:
    - Higher property values do not automatically mean proportionally higher taxes.
    - A lower mill rate can offset some or all the effects of a higher valuation.
    - Mill rates are tied to the revenue requirements and statutory limitations applicable to the taxing entity.
- New Mexico's Property Tax Code specifically provides for maximum rates and limitations, with local governments imposing general-purpose rates through the budget process and DFA applying applicable statutory limitations.

Role of Property Valuation in County Finances

- Linda emphasized that increasing taxable valuations can expand the tax base available to support public services, including:
    - County government.
    - Schools.
    - Higher education.
    - Fire services.
    - Sheriff's services.
    - Other taxing entities.
- She noted that the effect is not limited to county government because property taxes are distributed among the various governmental and special taxing entities with authority to receive them.
- She also cautioned that valuation increases are not necessarily positive for individual property owners because higher assessed values can affect individual tax obligations, depending on the applicable mill rates and other factors.

Relationship with PILOT Payments and County Projects

- Commissioners connected Linda's presentation to the earlier discussion of payments in lieu of taxes (PILOT) and county finances.

- A Commissioner credited the county's conservative and frugal financial management, as well as PILOT revenue, with helping the county move forward with construction of a proposed county administration building without issuing a bond.
- The Commissioner stated that the building is expected to cost approximately $17 million and emphasized that avoiding additional borrowing can prevent additional debt-service obligations.
- The Commissioner also pointed to the county's lower mill rate as an important consideration for constituents.

Assessor's Office Responsibilities and Staff

- Linda strongly emphasized the amount of work performed by the Assessor's Office to produce the valuation information used in the tax process.
- She explained that the figures are the result of numerous staff functions, including:
    - Data entry.
    - Report generation.
    - Field inspections/checks.
    - Ownership research.
    - Property valuation.
    - Certification and related administrative work.
- She described the Assessor's Office staff as working together as a "well-oiled machine."
- Linda emphasized the importance of:
    - Hiring experienced employees when possible.
    - Providing training and education for staff.
    - Maintaining specialized expertise within county departments.
- She pointed to the office's annual certification of values to DFA as an example of the importance of trained personnel and accurate data.

Discussion of DFA Responsibilities

- Linda expressed concern that DFA's request for the Assessor's Office to independently review additional information could effectively require the county office to perform work that she believes belongs to DFA or other taxing entities.
- She explained that the Assessor's Office does not have access to every piece of information needed to independently reproduce the state's mill-rate calculations, including information relating to:
    - Governmental budgets.
    - Collection rates.
    - Yield control.
    - Inflation factors.
    - Other financial assumptions.
- She said county managers, assessors, and the New Mexico Counties organization had raised concerns about shifting this responsibility to county assessors.
- Linda stated that the various taxing entities know their own budgets and are responsible for providing the relevant information needed for the rate-setting process.
- Under New Mexico law, DFA is responsible for setting property-tax rates by written order, based on the Property Tax Code and approved governmental budgets.

Commission Discussion and Appreciation

- Commissioners expressed appreciation for Linda and the Assessor's Office for providing detailed analysis.
- Commissioner Jaramillo acknowledged that they had previously spent several hours with Linda in her office to better understand the property-tax process.
- Commissioner Jaramillo remarked that Linda's explanation helped make the Commission's financial responsibilities easier to understand despite the complexity of the subject.
- Linda responded that the Assessor's Office has specialized personnel and reiterated her belief that proper training and education allow county employees to perform their responsibilities effectively.
- Commissioners also recognized that other county departments and offices have specialized responsibilities and work hard to serve the county.

Motion; Chairman Schwebach motioned to approve Resolution 2026-28; Seconded by Vice-chair Jaramillo

- **Roll call Vote;**
  - Schwebach – yes
  - McCall - yes
  - Jaramillo – yes

Motion carried

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11. APPROVALS/ACTION ITEM:

A. **Manager:** Request approval of MOA between Presbyterian Medical Services and Torrance County concerning the allocation of funds to offset the increased expenses of cleaning and meals for Torrance County senior citizen centers

Presentation and Request
Stephanie Reynolds, County Manager:

- presented **two Memorandums of Agreement (MOAs)** involving **Presbyterian Medical Services (PMS)** and senior services in Torrance County.
- Staff explained that county representatives met with PMS directors several weeks earlier to discuss renewal of the existing agreement.
- Under the current arrangement:
  - **$10,000** is provided for cleaning/maintenance-related services at senior facilities.
  - **$40,000** is provided toward senior meals and meal delivery.

- She noted that the actual cost to operate approximately one month of senior meal services is estimated at roughly $70,000, highlighting the significant gap between operational costs and available funding.
- The two MOAs presented different funding levels:
    - Option 1: Continue FY 2026 comparable amount of $10,000 for cleaning and $40,000 for meals.
    - Option 2: Maintain the $10,000 cleaning allocation while increasing meal funding from $40,000 to $60,000, representing a $20,000 increase.

Budget Discussion

- County staff clarified that the $60,000 meal amount is already included in the FY 2027 budget.
- The higher amount was included during the budget process in anticipation of the potential increase.
- Therefore:
    - No additional budget amendment would be required if the Commission approves the $60,000 amount.
    - If the Commission ultimately chooses to remain at $40,000, the budget can simply be adjusted downward.
- The senior-services funding is maintained in a separate fund rather than the General Fund.
- The county acts in part as a fiscal agent for senior-services funds, with county contributions and in-kind services such as building maintenance and utilities reflected in the senior-services budget.

Commission Discussion Regarding Senior Needs

- Commissioners recognized the growing need for senior services as the county's population ages.
- The discussion emphasized that meal funding supports both:
    - Meals served at senior centers.
    - Home-delivered meals for seniors who cannot travel to a senior center.
- Commissioners noted that some seniors have limited or no regular social interaction outside of the senior centers and that the daily meal may be one of the few consistent supports they receive.
- Rising costs for food, labor, and fuel were identified as factors increasing the cost of providing meals and deliveries.
- Commissioner Jaramillo shared personal experience participating in senior meal deliveries and described the appreciation expressed by seniors receiving the service.
- Commissioners generally expressed support for helping senior citizens and acknowledged that additional funding may be justified.

Concerns Regarding the Proposed $20,000 Increase

- Commissioner McCall expressed concern about approving a recurring increase without first reviewing current PMS financial information and operational costs.

- Commissioners emphasized that the concern was not opposition to PMS or to providing senior meals, but rather the need to understand the full financial picture before committing county funds.
- Specific information requested included:
    - PMS financial statements/financials.
    - Overall operating costs are associated with Torrance County senior meal services.
    - A clearer breakdown of the costs of meals and delivery.
    - How county funds are allocated and tracked.
    - Information regarding PMS administrative and executive expenses.
    - How much of the additional $20,000 would specifically remain in and benefit Torrance County.
    - Whether other counties provide similar subsidies and how PMS allocates its overall funding among counties.
- Commissioner McCall noted that PMS operates across multiple counties and receives federal funding, creating a need to understand how county dollars fit into the organization's broader funding structure.
- Chairman Schwebach stressed the difference between approving a one-time increase to address an immediate cost issue and establishing a recurring $60,000 annual commitment without knowing the long-term financial implications.

Accountability and Use of County Funds

- Chairman Schwebach requested greater assurance that any additional county funding would directly support **Torrance County senior meal services and deliveries**.
- Chairman Schwebach stated that, because the county does not directly control PMS operations, they need sufficient documentation to understand how the additional funds will be used.
- The discussion focused on establishing a more transparent and comprehensive understanding of:
    - PMS's overall senior-services operation.
    - Torrance County's specific needs.
    - PMS's contribution and other funding sources.
    - The county's appropriate level of financial participation.

PMS Attendance at Future Meeting

- Staff clarified that PMS had **not been formally asked to attend the current meeting**.
- The county representative who met with PMS had told them the funding issue would first be brought before the Commission.
- Commissioners agreed that PMS representatives should be invited to a **future Commission meeting** to present the requested information directly.
- Staff agreed to contact **Angie** and PMS representatives to arrange their attendance.
- Commissioners indicated they would like PMS representatives, including **Greg if available**, to participate so the Commission can work through the financial and operational questions.

Facility Maintenance Concerns

- Commissioner McCall raised a separate concern regarding reports that PMS has experienced frustration with the county's maintenance of senior-service facilities.
- Examples referenced included concerns involving a freezer and other facility maintenance issues.
- County staff stated that this had not been the understanding from their most recent conversation with PMS, indicating that PMS had described the county's maintenance as generally adequate and was seeking clarification on certain matters.
- Commissioners agreed that the maintenance concerns should also be addressed with PMS at the next meeting.
- The Commission expressed interest in hearing about both sides of the issue before deciding regarding increased meal funding.

Commission Direction / Follow-Up

- No final decision was made on the proposed $20,000 increase at this meeting.
- The Commission's general position was that it is willing to consider additional funding for senior meals and delivery but needs more detailed information before approving the recurring increase.
- Staff were directed to:
    - Contact PMS and arrange for representatives to attend the next Commission meeting.
    - Request and provide PMS financial documentation.
    - Obtain a detailed explanation of the senior meal and delivery operation.
    - Clarify how county funding is allocated specifically to Torrance County.
    - Address facility maintenance concerns and outstanding questions.
- The matter is expected to be returned to the Commission at the next meeting for further discussion and possible action.

Motion; Chairman Schwebach motioned to table; seconded by Commissioner McCall

- **Roll call vote**;
    - Schwabach – yes
    - McCall – yes
    - Jaramillo - yes

Motion carried

B. **Manager;** review, discussion and request approval for the PMS Mountainair Clinic Lease and Slide letter of leases with PMS

Presentation of Lease Agreement

Stephanie Reynolds, County Manager:

- presented an existing lease agreement between Torrance County and Presbyterian Medical Services (PMS) concerning the Mountainair Clinic / Esperanza medical building.
- She explained that the requested changes to the agreement were limited to:

- Updating the dates to reflect the current year.
- Correcting several typographical errors.
- No other substantive changes were proposed.

- The agreement is structured as a 10-year lease, which would run for the next 10 years if approved.
- She reported that the lease agreement had lapsed and had not been renewed for some time, creating some urgency to reinstate the agreement.
- PMS provided the agreement following review by its attorney, and the county's legal counsel also reviewed the document.

Lease Payments

- A schedule of historical lease payments was included with the agreement.
- The documentation provided historical payment information dating back to approximately 2010, with additional schedules covering later years.
- Commissioners noted significant fluctuations in the annual lease payments, including:
  - Approximately $176,000 in 2017.
  - Approximately $113,000 in 2025.
- Commissioners requested an explanation of why the lease payments have changed substantially over time.
- County manager Reynolds agreed to request from PMS:
  - The proposed lease-payment schedule for 2026 and future years.
  - A historical explanation of the changes in lease rates.
  - Additional details regarding how the current and future lease amounts were established.

Ownership of the Property

- Commissioner McCall requested clarification regarding ownership of the building and property.
- She clarified that Torrance County owns the property/building, while Presbyterian Medical Services is the tenant.
- The agreement specifically identifies the Mountainair parcel as being owned by Torrance County.
- The facility was identified as the Esperanza building / Mountainair Clinic.

Historical Background of the Building

- Commissioners discussed the history of how Torrance County acquired the medical building and property.
- The discussion indicated that the county acquired the property and that portions of the facility were subsequently renovated or expanded.
- Commissioners recalled that the medical facility may have been constructed or expanded during an earlier period associated with Dr. Saul, but the exact history was not immediately clear during the meeting.
- There was discussion about whether the county originally financed the acquisition or construction through bonds or another financing mechanism; this was not established during the meeting.

- Commissioners agreed that additional historical research was necessary rather than relying on recollection.

  Relationship Between Medical and Senior Services
- Commissioners requested clarification regarding the relationship between:
  - The medical portion of the Esperanza/Mountainair facility.
  - The senior-center portion of the facility.
  - PMS's role in each area.
- The Commission indicated that a clearer understanding of the county's historical relationship with PMS would help determine how the current lease should be handled.
- Chairman Schwebach noted that the property and agreements appear to have a long history and that the Commission should have a complete understanding before approving a renewed 10-year agreement.

Commission Concerns and Direction

- Chairman Schwebach expressed that he was not prepared to approve the lease solely based on the information currently available.
- The Commission requested a more complete historical and financial explanation, including:
  - How Torrance County acquired the building and land.
  - The history of construction, renovation, and expansion.
  - The history of the county's relationship with PMS regarding the property.
  - Historical lease rates and the reasons for changes.
  - Current and proposed future lease payments.
  - The relationship between the medical clinic and senior-center operations at the facility.

- Stephanie Reynolds, County Manager, agreed to conduct additional research, including reviewing prior Commission meeting minutes and county records, to reconstruct the history of the property and agreement.
- Stephanie Reynolds, County Manager will also seek additional information from PMS regarding the lease-payment schedule and historical rate changes.
- The matter will be returned to the Commission after the requested research and clarification have been completed.

C. **Manager;** Request approval to pay prior year invoice from the FY27 budget to The Master's Touch in the amount of $3,325.78 and $133.54. Purchases are for contracted services for printing and mailing statutorily required delinquent property tax notices.

Stephanie Reynolds, County Manager

- She presented two invoices received on May 31, 2026, for Commission consideration.
- She requested approval to pay the invoices from the FY 2027 budget.

- She confirmed that funding has already been appropriated in the FY 2027 budget to cover both invoices.
- No additional budget adjustment was requested.
- The Commission was asked to approve payment of the two invoices from the appropriate FY 2027 budget appropriations.

Motion; Chairman Schwebach made a motion to approve request; seconded by **Vice-Chairman Jaramillo**

- **Roll call Vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion carried

D. **Fire/Ems/Union;** Requested approval of MOU as discussed in the 8/26/2026 meeting. The MOU did not reflect the CAP for the compensatory (comp) tine as discussed with the commission for an increase from 160hours CAP to 232hours CAP

Stephanie Reynolds, County Manager

- Stephanie Reynolds, County Manager, presented a corrected Memorandum of Understanding (MOU) for Commission review and signature.
- She explained that the MOU reflects the terms discussed and agreed upon during the previous Commission meeting.
- The version presented at the prior meeting incorrectly continued to reflect 160 hours.
- The current MOU corrects that provision to accurately reflect the terms previously discussed by the Commission.
- Stephanie Reynolds, County Manager, characterized the change as a document correction for signature, with no other substantive changes identified.
- The Commission was asked to approve the corrected MOU for execution

Motion; Chairman Schwebach made a motion to approve the MOU; seconded by **Commissioner McCall**

- **Roll call vote;**
  - Schwebach – yes
  - McCall – yes

- Jaramillo – yes

Motion carried

E. **Finance/Human Resources;** Request approval to pay Peavey Performance Systems in the amount of $2,1500.00. Purchase of safety cards made prior to the appropriate procurement processes.

Stephanie Reynolds, County Manager

- presented an invoice from PV Performance Systems in the amount of $2,150 for approval.
- The purchase relates to the County's Safety Committee, including the safety "scratch cards" distributed to employees.
- She explained that the purchase resulted from a communication breakdown between departments:
  - One department directed another department to make the purchase.
  - Each department believed the other had completed the required purchasing procedures.
  - As a result, the required requisition/procurement process was not completed before the order was placed.
- Stephanie Reynolds, County Manager, presented an invoice from PV Performance Systems in the amount of $2,150 for clarified that the invoice has not been paid and is being brought before the Commission for approval of payment.

Procurement and Finance Clarification

- Chairman Schwebach questioned how the purchase proceeded without the required procurement process.
- Stephanie Reynolds, County Manager, clarified that Finance identified the issue before payment was made.
- Historically, the Human Resources Department oversaw the Safety Committee and related purchases.
- Over the past several years, other departments have assisted with or assumed responsibility for various Safety Committee functions and purchases, contributing to confusion over who was responsible for completing the procurement process.
- Stephanie Reynolds, County Manager, stated that the issue was addressed during the most recent department-head meeting and that procedures have been clarified to prevent a recurrence.

- Stephanie Reynolds, County Manager, requested approval to pay the $2,150 PV Performance Systems invoice.
- The discussion established that Finance caught the procurement issue before payment and that the invoice is being submitted to the Commission for proper approval and payment.

Motion; Chairman Schwebach made a motion to approve this invoice; Seconded by **Vice-Chair Jaramillo**

- **Roll call vote**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion carried

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12. DISCUSSION:

CLERK'S REPORT:

Sylvia Chavez, County Clerk:

- Provided an update on preparations for the upcoming 2026 General Election, emphasizing that election preparations are already underway even though Election Day is not until November.
- Reported that election worker training is scheduled to begin the following week.
- Said the County Clerk's Office is targeting September 29–30 for tabulator/machine certification, although those dates remain tentative pending receipt of required cards and materials.
- Explained that the certification process will occur shortly before early voting begins. The Secretary of State's published 2026 schedule confirms that early in-person voting begins October 6, 2026, with the General Election scheduled for November 3, 2026.
- Reported that the office had already begun receiving absentee/mailed-ballot requests.
  - At the time of the report, approximately 406 voters were on the permanent absentee list.
  - Additional requests are being received daily, either online or by phone from voters requesting applications.
  - The Secretary of State confirms that New Mexico voters can voluntarily enroll in the permanent absentee list and request mailed ballots through the state's election system.

Commission District 1 Candidate Update

- Madam Clerk apologized for not previously providing the Commission with an update regarding an independent candidate for Commission District 1.
- She reported that the Secretary of State's Office had qualified the candidate.
- As a result, she stated that there will be three candidates on the Commission District 1 ballot:
    - Nathan Schaffer
    - Stephen Garrett
    - Albert Chavez
- Sylvia clarified that Stephen Garrett will appear as an independent candidate rather than a write-in candidate.
- She explained that there had previously been campaign-finance reporting matters that needed to be resolved before the Secretary of State's Office could complete the qualification process.
- Sylvia said her office is already conducting election checkpoints to verify that:
    - All races are correct.
    - District assignments are correct.
    - Election materials and preparations are on schedule.

Election Preparation and Public Participation

- Sylvia emphasized that election administration begins well before most voters start thinking about the election.
- She stated that the County Clerk's Office is already preparing in September for the November election.
- Once the tabulator certification date is finalized, Sylvia said she will:
    - Notify the Commission.
    - Contact the candidates.
    - Invite candidates to attend the certification process.
- She noted that the machine/tabulator certification is open to the public, allowing candidates and members of the public to observe and become familiar with how the equipment is certified.
- The Secretary of State confirms that New Mexico uses paper ballots scanned on optical-scan tabulating systems, including for early voting, mailed ballots, and Election Day voting.

Absentee Voting / Election Law Questions

- Commissioner Jaramillo questioned whether there had been changes to absentee-voting law, particularly concerning the processing of absentee ballots.
- Sylvia responded that she was not aware of any changes affecting this election and said the process remains the same.
- She indicated that she expects the upcoming General Election to generally follow the established election process.
- Sylvia noted that there is no write-in candidates expected to create an issue for this election.
- She also discussed voters who are declined-to-state/unaffiliated, explaining that they will be able to participate in the General Election.

- For context, the Secretary of State currently identifies New Mexico's primary system as semi-open, under which unaffiliated voters may select a major-party ballot in a primary without changing their registration.

Potential 2028 Presidential Primary Issue

- Sylvia raised a significant issue concerning a potential change to the timing of the 2028 presidential primary.
- She explained that the National Democratic Party is seeking a February presidential primary in New Mexico.
- According to Sylvia, the proposed change would create a significant administrative burden for the state's 33 county clerks.
- She explained that county clerks would potentially be dealing with:
    - Completion of the November election.
    - December runoff or recount-related responsibilities.
    - Preparation for a February Democratic presidential primary.
    - Another primary election in June for other offices.
- Sylvia stressed that the compressed schedule could create challenges involving:
    - Staffing
    - Election administration
    - Tabulator certification
    - Election equipment availability
    - Election financing
    - Voter education and confusion
- She specifically noted that election equipment must remain secured/intact for a required period after an election, which could create additional scheduling complications if another election follows closely afterward.
- Sylvia said the proposed February election would be an actual election rather than an all-mail election, meaning the county would potentially need polling locations, election workers, equipment, and other standard election infrastructure.
- She explained that the proposed February election would be specifically for the presidential race, while the regular June primary would still occur for other candidates/offices.

Funding and County Clerk Concerns

- Chairman Schwebach asked whether the state would pay for the additional election.
- Sylvia responded that the state would fund it.
- She said the 33 county clerks had been asked to provide estimated costs for conducting the additional election.
- Sylvia acknowledged that the clerks had intentionally provided higher estimates as part of their effort to communicate the administrative and financial burden associated with adding another election.
- She said county clerks generally have concerns about:
    - The additional workload.
    - Financial demands.
    - Staffing requirements.
    - Voter confusion.
    - The compressed election calendar.

- Sylvia also noted that the state is already reducing some election funding allocations, making the prospect of an additional election particularly challenging from the county-clerk perspective.

Legislative Process / Next Steps

- Chairman Schwebach asked whether changing the election schedule would require state legislation.
- Sylvia indicated that state legislation would be required.
- She said she plans to contact local legislators and representatives to explain the county clerks' concerns.
- Her communication would address:
    - The administrative impact.
    - Staffing requirements.
    - Election equipment and certification schedules.
    - Financial implications.
    - Potential voter confusion.
- Commissioner Jaramillo asked whether Sylvia had anything in writing about the proposed February 2028 presidential primary.
- Sylvia said she did not have documentation immediately available but would ask for written information and provide it to the Commission.

A. **MANAGERS REPORT;**

1. Review, discussion of amendment to County Ordinance 2003-01 the Economic Development Ordinance.

Stephanie Reynolds, County Manager:

- presented two ordinances for discussion:
    - The existing Torrance County Economic Development/LEDA ordinance approved in 2003.
    - A newer, previously unnumbered proposed version containing redlined amendments.
- Stephanie Reynolds, County Manager, explained that the proposed revisions originated from a request by Commissioner McCall to review and update the County's economic development ordinance.
- Michael Garcia, County Attorney, reviewed the ordinance and explained the purpose of the proposed amendments.
- The primary issue identified was that the existing ordinance references the Estancia Valley Economic Development Association (EVEDA), which is no longer in existence.
- County attorney Michael proposed relatively minor amendments rather than a complete rewrite of the ordinance.

Proposed Changes

- The proposed revisions would:
    - Remove reliance on a specific economic development organization that is no longer operating.
    - Give the Commission greater discretion to work with an appropriate economic development agency, authority, association, or other entity.
    - Provide flexibility regarding representation and participation with the selected economic development organization.
    - Avoid tying Torrance County to one specific organization in perpetuity.
- Michael Garcia, County Attorney, noted that the changes are primarily located in Sections 6.1, 6.2, and 8.2.
- The proposed changes are shown in redline in the draft ordinance.
- Michael Garcia, County Attorney, emphasized that the amendments were intentionally kept narrow to avoid unintentionally affecting other provisions of the ordinance.

Current Economic Development Support

- Commissioner McCall discussed the County's current relationship with AREA and economic-development organizations.
- Michael Garcia, County Attorney, clarified that Torrance County has an agreement with AREA to provide certain economic-development support, although the County does not currently have a contractual relationship with a specific organization for the purposes addressed by the existing LEDA ordinance.
- The existing ordinance continues to reference the former Estancia Valley organization, creating a need for an update.

Immediate Economic Development Opportunity

- Commissioner McCall explained that the New Mexico state economic development team has contacted the County regarding a potential company interested in locating at the greenhouses south of Estancia.
- The proposed project could potentially bring approximately 50 jobs to the area.
- State economic-development officials indicated that LEDA funding may be available to assist with bringing the company to Torrance County.
- However, the County's current LEDA ordinance needs to be updated because it references an organization that is no longer operating.
- Commissioners recognized the importance of updating the ordinance proactively so that the County is prepared if the project or another economic-development opportunity moves forward.

Economic Development Contractor

- Commissioner McCall asked how the proposed ordinance would interact with the $100,000 previously budgeted for an economic-development contractor.
- The Commission discussed whether a contractor hired directly by Torrance County could operate under the County's economic-development efforts without being specifically named in the LEDA ordinance.
- Legal counsel indicated that directly contracting with an individual or firm for economic-development services is permissible and is not necessarily the same issue as the County's relationship with an economic-development agency under the ordinance.

- Commissioners agreed that the ordinance should be written broadly enough that the County does not have to amend the ordinance every time its economic-development contractor or partner changes.
- Staff and legal counsel indicated that the proposed revised language is intentionally broad enough to provide that flexibility.

Commission Discussion

- Chairman Schwebach expressed general support for moving forward with the ordinance update.
- The Commission emphasized the importance of having the ordinance in place before an economic-development opportunity arises, rather than waiting until a specific project requires it.
- Chairman Schwebach also indicated that the revised ordinance should:
    - Remain flexible.
    - Allow the County to work with different economic-development entities or contractors.
    - Avoid requiring repeated ordinance changes whenever the County's economic-development arrangements change.

Direction / Next Steps

- No final adoption of the ordinance occurred at this discussion.
- Commissioners were asked to review the redlined draft and provide any additional comments or concerns.
- Commissioner McCall indicated its desire to move the ordinance forward toward public hearing.
- Staff/legal counsel will prepare the proposed ordinance for the required public-hearing process.
- The anticipated timeline discussed was to bring the matter forward at the second upcoming Commission meeting, allowing the required notice/public-hearing period to be satisfied.
- The proposed amendments will remain focused on updating the outdated economic-development references while providing the County with broader flexibility to pursue future economic-development opportunities.

2. Discussion reallocation of current county administration building after new county administration building is operational.

- The Chair requested that the future use of the existing County administration building remains a standing discussion item for future Commission meetings.
- The discussion arose following conversations between County leadership and staff regarding the anticipated construction of a new administration building.
- Commissioners agreed that planning should begin now because the new administration building could take approximately two years, and decisions about the current building will affect:
    - Future maintenance expenditures.

- Capital improvements.
- Department locations.
- Long-term facility planning.
- Capital Improvement Plan (CIP/ICIP) priorities.

Potential Public Safety Complex

- Stephanie Reynolds, County Manager, reported that preliminary discussions have begun with department heads regarding potential future uses of the existing building.
- One concept under consideration is converting the current building into a public safety complex housing some combination of:
  - Sheriff's Office.
  - Fire/emergency services.
  - Other public-safety functions.
- Stephanie Reynolds, County Manager, noted that public-safety departments currently have significant space needs and are, in some respects, outgrowing or lacking adequate space.
- Commissioner Jaramillo discussed the potential benefit of placing law enforcement and emergency services in the same facility because the departments work closely together.
- Stephanie Reynolds, County Manager, noted that similar public-safety complexes exist in other Counties.

Heating, Cooling, and Building Improvements

- Commissioner McCall discussed the need to determine whether the existing building is worth investing in or whether it should eventually be repurposed or retired.
- Heating and cooling were identified as significant considerations if additional departments move into the building.
- Stephanie Reynolds, County Manager, reported that Maintenance is developing preliminary cost information for three separate heating/cooling units, potentially serving:
  - The south portion of the building.
  - The center portion.
  - The north portion.
- Separate systems could allow portions of the building to be heated or cooled independently depending on occupancy.
- Chairman Schwebach emphasized that a decision about future building use should be made before committing substantial funds to major HVAC or other improvements.

Potential Department Relocations

- Commissioners discussed identifying all County departments that may not have space in the planned new administration building.
- Departments/functions mentioned for further consideration included:
  - Sheriff's Office.
  - Fire/emergency services.
  - Extension Office.

    - DWI Coordinator and other smaller functions.
    - Dispatch, depending on future space requirements.
- The Code Department was noted as already having a planned location and therefore not necessarily part of this relocation discussion.
- The goal is to develop a comprehensive list of departments, determine their space requirements, and identify where each function could ultimately be housed.

Sheriff's Office and Related Facilities

- Chairman Schwebach identified the Sheriff's Office as a priority because of its need for additional space and better separation of functions.
- The Sheriff's Office's current facilities and the red building in Moriarty were discussed as part of a potentially larger relocation plan.
- Under one concept, moving public-safety operations could free the red building for:
    - Sheriff's storage.
    - Vehicles.
    - Evidence and other secured functions.
- Stephanie Reynolds, County Manager, also discussed the possibility that the CID building could become available if the Sheriff's Office is relocated, potentially allowing that facility to be repurposed as an Emergency Operations Center (EOC).

Red Building in Moriarty

- Chairman Schwebach revisited the history and potential uses of the red building in Moriarty.
- The County acquired the building during the COVID-19 period with an initial concept of using it for vaccination operations.
- Since then, several possible uses have been discussed, including:
    - Emergency operations.
    - Youth-center activities.
    - Other County/community functions.
- Chairman Schwebach noted that the building has continued to be considered for multiple purposes without a definitive long-term plan.
- Chairman Schwebach expressed a desire to move from preliminary ideas toward a coordinated facilities plan.

Extension Office / Fairgrounds

- County manager Reynolds noted that the Extension Office could potentially relocate to an office at the fairgrounds if the County is awarded a pending grant.
- Chairman recognized that several potential projects and grants could affect the ultimate configuration of County facilities.
- The Commission discussed the importance of coordinating these projects so that departments are placed in facilities that best meet their operational needs.

Existing Building vs. New Construction

- Stephanie Reynolds, County Manager, suggested that investing some funds into the existing building could potentially be more cost-effective than constructing one or more entirely new facilities for departments that need additional space.

- Commissioners agreed that the question is not simply whether to spend money, but how much investment is appropriate based on the building's long-term purpose.
- Chairman Schwebach noted that the County should first determine:
    - How the building would be laid out.
    - Which departments would occupy it.
    - How much space does each department require.
    - Which restrooms and areas need to remain accessible to the public.
    - Which areas can be restricted.
    - What heating, cooling, electrical, and other infrastructure upgrades would be necessary.
- These determinations would provide a basis for deciding what improvements are financially justified.

New Administration Building

- Stephanie Reynolds, County Manager, reported ongoing discussions with Wilson & Company regarding the proposed new administration building.
- Stephanie Reynolds, County Manager, stated that they have asked whether completing the project within approximately two years is realistic.
- Wilson & Company reportedly indicated that a two-year timeline is ambitious but potentially achievable if the County and project team remain committed and move quickly.
- Stephanie Reynolds, County Manager, indicated that additional information is being developed before proceeding to an RFP.
- Chairman Schwebach discussed the possibility of planning for approximately two years while recognizing that the actual schedule could be extended to three years.

Long-Term Facilities Planning

- Chairman Schwebach agreed that the County needs a comprehensive plan for its facilities, rather than continuing to address buildings on a case-by-case basis.
- The discussion is intended to help determine:
    - Which buildings should the County retain.
    - Which buildings should be repurposed.
    - Which buildings may eventually be retired.
    - Where each department should be located.
    - What capital improvements should be included in the ICIP/CIP.
    - How future funding should be prioritized.
- Chairman Schwebach expressed a desire to have a clear plan before the new administration building is completed so that departments can transition efficiently.

Commission Direction / Next Steps

- The matter will remain a standing discussion item on future Commission agendas.
- Stephanie Reynolds, County Manager, will continue preliminary conversations with affected department heads.
- Stephanie Reynolds, County Manager, will develop additional information regarding:
    - Current and future department space requirements.
    - Potential public-safety complex configurations.
    - HVAC and other infrastructure needs.

- Estimated improvement costs.
- Potential uses for the red building and CID building.
- The relationship between the existing facilities and the future administration building.

- Stephanie Reynolds, County Manager, will continue working with Wilson & Company toward the new administration-building project and anticipated RFP process.
- The Commission will continue evaluating whether to invest in, repurpose, or eventually retire the existing building based on the County's long-term facility needs.
- No specific funding allocation or construction project was approved during this discussion.

B. COMMISSIONER REPORT:

Kevin McCall, County Commissioner: No update

Ryan Schwebach, County Chairman:

- Reported that He did not have any updates or additional business to present at this time.
- Expressed appreciation to the members of the public who have been attending and participating in county meetings.
- Specifically welcomed new attendees and new faces, encouraging continued community participation.

Linda Jaramillo, County Vice Chair:

- The Commissioner provided a report on several recent community events and activities attended in Moriarty, Mountainair, and Estancia.

August 29 — Veterans Memorial Ceremony, Moriarty

- Attended a ceremony at the Veterans Memorial Wall in Moriarty commemorating local veterans.
- The event included a veterans' motorcycle/bike ride honoring and remembering veterans.
- Mayor Anaya and members of the VFW were also in attendance.
- The Commissioner expressed appreciation for the opportunity to participate in an event honoring area veterans.

August 29 — Mountainair Sunflower Festival

- Following the veteran's ceremony, the Commissioner traveled to Mountainair to attend the Sunflower Festival.
- The festival was described as a great success, with:
  - A large attendance.
  - Numerous vendor booths.
  - Food.
  - Music.

- Community activities.
- Commissioner Jaramillo noted the strong community participation and turnout.

St. Alice Parish Bingo

- The Commissioner also attended a bingo fundraiser hosted by St. Alice Parish at the Dr. Saul Community Center.
- The event was described as very well attended and packed.
- The Commissioner participated in support of the parish, although she jokingly noted that they did not win at bingo.
- It was noted that St. Alice Parish serves several regional mission churches, including communities in:
  - Abo.
  - Punta de Agua.
  - Manzano.
  - Torreon
  - Willard.

September 3 — Town of Estancia Water Update

- On September 3, Commissioner Jaramillo attended a special meeting of the Town of Estancia concerning the community's ongoing water situation.
- An update was provided regarding planned water-system improvements.
- One well was scheduled for an upgrade during the week, with additional projects to follow once the necessary requirements and compliance measures with the Water Board are completed.

Community Engagement

- The Commissioner emphasized the importance of attending community events as an elected official and being personally involved in the communities served by Torrance County.
- Having lived in the area throughout their life, the Commissioner stated that attending local functions provides an opportunity for residents to approach elected officials directly and discuss their concerns.
- Vice-Chair Jaramillo acknowledged that elected officials cannot always directly resolve residents' concerns because of laws, regulations, and other governmental limitations.
- However, Commissioner Jaramillo emphasized that residents often appreciate simply having someone willing to listen to them and hear their concerns.
- The Commissioner expressed a commitment to continuing this type of community engagement and constituent outreach.

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13. EXECUTIVE SESSION: None

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14. CONSIDERATION OF ACTION(S): None

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15. Announcement of the next regular Board of County Commissioners Meeting:

September 23, 2026 9:00 AM

16. Signing of official documents

17. Adjournment

Motion; Chairman Schwebach motions to adjourn; seconded by Vice-chairman Jaramillo

- **Roll call vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Meeting adjourned at 1:24 PM.

Ryan Schwebach - Chairman

Janelle Potts– Admin Assistant

Date

Sylvia Chavez – County Clerk

*The video and audio of this meeting are available upon request



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 7-B

DRAFT COPY
Torrance County Board of Commissioners
Regular Commission Meeting
September 23, 2026, 9:00 AM

Commissioner's Present:

RYAN SCHWEBACH-COUNTY CHAIRMAN
KEVIN MCCALL- COUNTY COMMISSIONER
LINDA JARAMILLO - COUNTY VICE-CHAIR

Others Present:

STEPHANIE REYNOLDS- COUNTY MANAGER
MICHELLE JONES-DEPUTY COUNTY MANAGER
MICHAEL GARCIA- COUNTY ATTORNEY
SYLVIA CHAVEZ-COUNTY CLERK
JANELLE POTTS- ADMINISTRATIVE CLERK
DON GOEN - PLANNING & ZONING DIRECTOR

1. Call to Order: Chairman Schwebach called meeting to order at 9:02 AM

2. Pledge of Allegiance and Invocation: Pledge led by Chairman Schwebach; Invocation led by Vice-Chair Jaramillo

3. Changes to the Agenda: Remove item 9B

4. Public Comment:

Bill Peifer;

- Mr. Peifer addressed the Commission regarding economic development planning in Torrance County.
- Mr. Peifer opened his comments with the statement, "When you fail to plan, you plan to fail," emphasizing his concerns regarding the County's lack of a current and effectively implemented economic development plan.
- Mr. Peifer referenced Torrance County Ordinance No. 2003-1, adopted in 2003 and entitled "An Ordinance Relating to Economic Development Planning. "

- He explained that the ordinance tasked an entity identified as the Estancia Valley Economic Development Association (EVEDA) with assisting in the implementation of an economic development plan for Torrance County.
- Mr. Peifer stated that, to his understanding, EVEDA no longer exists, and questioned whether the organization ever fully existed or functioned as intended.
- Mr. Peifer expressed his belief that the apparent absence of EVEDA is also representative of what he considers to be the lack of a functioning Torrance County economic development plan.
- He noted that, although the matter was not on the current meeting agenda, a public hearing is scheduled for two weeks later regarding a proposed amendment to Ordinance No. 2003-1.
- He stated that the proposed amendment would remove the reference to EVEDA and replace it with a new economic development association, which is to be named later.
- Mr. Peifer acknowledged that Ordinance No. 2003-1 dates to 2003 and noted that Commissioners Schwebach and McCall were not serving on the Commission at that time and therefore were not responsible for the original ordinance or its shortcomings.
- However, Mr. Peifer questioned the current Commission regarding whether Torrance County currently has a formal economic development plan and whether such a plan has been effectively implemented.
- He concluded by reiterating his opening statement, "When you fail to plan, you plan to fail," and expressed his view that the County's lack of planning has contributed to shortcomings in economic development efforts.
- Mr. Peifer thanked the Commission and concluded his public comment.

Zoom

Tracey Master

- Ms. Master addressed the Commission regarding several concerns involving county services, contracts, financial administration, and employee resources.

Domestic Violence Services Contract:

- Ms. Master stated that the domestic violence contract is scheduled to end September 30 and expressed concern that the matter was not included on the current meeting agenda.
- She questioned whether the Commission would hold a special meeting to address the contract or whether essential domestic violence services would be interrupted beginning the following week.

Domestic Violence Program Vehicle:

- Ms. Master expressed concern that the domestic violence program vehicle still does not have a license plate, despite her stating that she has asked about the matter several times.
- She noted that the vehicles license plate was stolen approximately nine months ago and questioned why the licensing issue remains unresolved.

Moriarty Foods and County Accounts Payable:

- Ms. Master reported that she spoke with the store manager at Moriarty Foods that morning and was informed that the store would no longer extend credit to Torrance County because of delays in receiving payment.
- She stated that the store reportedly would no longer wait approximately six months for payment.
- Ms. Master expressed frustration with the situation and stated that she had personally picked up invoices and hand-delivered them to the Finance Department.
- She asked the Commission to investigate the county's payment process and the reported delays.

Food Assistance for Residents:

- Ms. Master questioned how the director of the program is expected to assist residents with food if local businesses will not extend credit to the County.
- She expressed concern that the director should not have to personally pay for food or other necessary items and then wait to be reimbursed.
- Ms. Master described the situation as unacceptable and stated that she had personally become frustrated with the issue.

DWI Program:

- Ms. Master asked about the status of the County's DWI program, stating that the coordinator position has been vacant for much of the time since she retired in 2023.
- She expressed concern about the absence of a designated driving program, supporting law-enforcement activities, and prevention efforts.
- Ms. Master credited the National New Mexico DWI Memorial of Perpetual Tears with helping to fill gaps in services that she believes have resulted from the County's lack of program staffing and activities.

Fire Chief Office Space:

- Ms. Master also questioned whether the County has secured office space for the Fire Chief, indicating that she considers appropriate workspace an important resource.

- Ms. Master concluded by stating that Torrance County residents and county employees deserve better services and resources than she believes they are currently receiving.

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5. Approval of minutes:

A. COMMISSION: Request approval of September 9, 2026, regular meeting minutes of the Board of County Commissioners

Motion; Chairman Schwebach made a motion to table; Seconded by Commissioner McCall

- **Roll call Vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

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6. Consent Agenda:

A. **FINANCE:** Request approval of payables with a date range of September 3, 2026, through September 14, 2026

Motion; Chairman Schwebach made a motion to approve payables; Seconded by Commissioner McCall

- **Roll call Vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

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7. PRESENTATION

A. **Jackie Muncy, Program Manager/Region 7,** Behavioral Health Reform and Investment Act (BHRIA) Program Update / Region 7

- Jackie Muncy thanked the Chair and Commissioners for the opportunity to provide an update on Senate Bill 3 (SB 3) and the status of the regional behavioral health planning and funding process.
- SB 3 establishes the Behavioral Health Reform and Investments Act and takes a regional approach to behavioral health services involving multiple state agencies and branches of government.
- Ms. Muncy identified the primary entities involved as the Health Care Authority (HCA), Behavioral Health Services Division, Medical Assistance Division, Administrative Office

of the Courts (AOC), Legislative Finance Committee, and the Behavioral Health Executive Committee (BHEC).

- The BHEC includes representatives from HCA and AOC and two behavioral health providers. The committee has been meeting approximately monthly to approve regional plans, with meetings expected to move to a quarterly schedule after the first of the year.
- The Region 7 behavioral health plan was approved August 14. Ms. Muncy stated that the region is now awaiting the release of funds.

Funding and IGA:

- Early funding was made available beginning in late 2025 to help behavioral health organizations remain sustainable while awaiting the larger funding allocations.
- Although the early funds were expected in February, the presenter reported that the funds were not received until June, illustrating the delays that can occur in the funding process.
- Socorro County is the most accountable entity for region 7 and must request the funds.
- The region is still waiting to receive the Intergovernmental Agreement (IGA) from the state. Once the IGA is signed and an invoice is submitted, Ms. Muncy stated that funds generally move relatively quickly.

RFP and Distribution:

- Ms. Muncy is preparing an RFP for the first year of funding.
- She does not intend to release the RFP until the funds are available in the county because she does not want organizations to believe funding will be immediately available when there may be additional delays.
- Ms. Muncy is also reviewing the applicable procurement requirements to ensure the process complies with state and local requirements.

Three-Year Funding:

- The program is structured around a three-year funding period.
- An extension is being pursued because of delays in the implementation process.
- Ms. Muncy stated that, based on current information, funding for all three years may be released at once.

Behavioral Health Credentialing:

- Ms. Muncy discussed the proposed universal behavioral health credentialing process being developed through HCA.
- She explained that behavioral health providers can currently wait approximately three to six months to become credentialed with Medicaid and managed care organizations before they can bill.
- She stated that these delays place a significant financial burden on smaller rural organizations.
- SB 3 funds may be used to help support providers during the credentialing period, although the presenter hopes the statewide credentialing process will be streamlined.

Regional Funding Formula:

- Ms. Muncy explained that the statewide formula considers population, service gaps, and disproportionate service needs.
- She reviewed concerns regarding approximately $708,401 originally allocated for the Alamo Reservation through Region 7.
- Ms. Muncy stated that the funding formula was later changed, resulting in the Alamo allocation no longer flowing through region 7 and instead being directed through the Navajo Nation.
- She expressed concern that this could affect Socorro County and the Alamo Reservation's ability to directly access the funds.
- Ms. Muncy stated that she has continued to communicate her concerns to HCA and other state officials and intends to continue advocating for the Alamo Reservation.
- She noted that the state had not yet provided a clear explanation of how the funds will be tracked to ensure that the designated New Mexico funds reach the appropriate communities.

Region 7 County Allocations:

- Ms. Muncy developed a proposed regional funding formula using the same general factors applied by the state.
- She explained that the goal is to ensure that each county within region 7 receives an opportunity to access funding based on its population, service gaps, and needs.
- Up to 15% may be available for administrative costs associated with Socorro County serving as the accountable entity. The presenter stated that she does not anticipate using the entire amount for administration and hopes some funds can remain within the region for services.

Torrance County Projects:

- Ms. Muncy stated that Torrance County was included in the regional planning process and submitted two projects for consideration.
- Those projects will likely be considered during the first round of RFP funding.
- She encouraged continued participation from communities throughout Torrance County, including Estancia, Mountainair, and other communities, rather than relying solely on participation from one area.

Five Regional Priorities:

1. Housing, transportation, and basic needs
2. Behavioral health service expansion
3. Community wellness, prevention, and stigma reduction
4. Youth engagement, mentoring, and access to school-based health services
5. Workforce development, particularly related to behavioral health providers

- The presenter explained that these priorities were developed during a three-day workshop in Socorro in March, with participation from each county.

Community Health Workers (CHWs):

- Ms. Muncy explained that CHW means Community Health Worker.
- CHWs can assist individuals in navigating services, connecting with resources, addressing barriers, and helping individuals feel more comfortable accessing behavioral health services.
- She stated that CHWs can be particularly useful in rural communities where there may be limited access to behavioral health professionals.
- Ms. Muncy explained that CHWs can complete approximately 40 hours of training and must complete continuing education to maintain certification.
- She stated that the approximate salary for a CHW position discussed in the presentation is $60,000 annually.
- Ms. Muncy identified CHW development as an opportunity for Torrance County to build local workforce capacity and potentially encourage individuals to pursue additional education and behavioral health careers.

Torrance County Wellness Hub:

- Ms. Muncy discussed a potential wellness hub in Torrance County.
- The concept would involve utilizing an available building as a safe location where residents could connect with services, receive assistance, and potentially access counseling or telehealth services.
- Ms. Muncy also discussed the possibility of blending SB 3 funding with other funding sources, including housing and opioid settlement funds, to expand services.

Regional Collaboration and Additional Funding:

- Ms. Muncy stated that she is exploring opportunities to blend SB 3 funding with housing and opioid response funds.
- She described potential projects involving transitional housing and support for individuals returning to the community following treatment or incarceration.
- A potential tiny-home community was discussed as a transitional housing model intended to provide individuals with temporary housing while they reconnect with services and transition back into the community.
- Ms. Muncy emphasized that she does not want Socorro County to become the only service hub and stated that services should be developed within Torrance, Sierra, Catron, and Socorro Counties according to each community's needs.

Stakeholder Committee and Local Representation:

- Ms. Muncy explained that a regional stakeholder committee includes individuals from each County.
- The committee intends to help ensure that county needs are heard and that funding is distributed appropriately.

- Because some stakeholder committee members may also apply for funding, Ms. Muncy stated that additional individuals from each county would be selected to participate in the RFP review process to help avoid conflicts of interest.
- Chairman Schwebach discussed the importance of having adequate Torrance County representation and ensuring that local needs and accountability are incorporated into the process.

Torrance County Committee Discussion:

- Chairman Schwebach discussed establishing a more formal Torrance County stakeholder committee.
- The proposed committee would help identify local needs, provide community input, assist with gathering information, and communicate Torrance County's priorities to the regional program.
- It was discussed that the Commission would first need to establish and approve the makeup of the committee, after which individuals could be considered and appointed.
- Vice-Chair Jaramillo expressed interest in serving on the committee, subject to the Commission determining the appropriate structure and membership.

Accountability and Local Control:

- Chairman Schwebach expressed concerns regarding how Torrance County can ensure that behavioral health funds allocated through a regional structure are used to address Torrance County's specific needs.
- Ms. Muncy explained that she intends to work directly with organizations receiving funding and require documentation and invoices demonstrating that funded services are being provided.
- She emphasized that she is employed by Socorro County as the regional program manager but stated that her responsibility is to support all counties within region 7 and to ensure equitable treatment.

Grassroots Planning:

- Chairman Schwebach discussed the importance of developing services from the community level upward, rather than simply receiving funding and determining afterward how it should be spent.
- Ms. Muncy acknowledged that the program remains in an early developmental stage and stated that the goal is to continue receiving input from each community.
- She stated that she holds monthly community meetings in the counties to continue gathering public input and determine how the program should evolve.

Public and Stakeholder Participation:

- Commissioner McCall noted that representatives from behavioral health, the courts, law enforcement, and community organizations were present at the meeting.

- Ms. Muncy encouraged additional Torrance County residents and organizations to participate in future meetings so that planning reflects the needs of the entire county.

Next Steps Discussed:

- Continue working toward receipt and execution of the IGA.
- Finalize the first-year RFP once funding is available.
- Continue monitoring the statewide behavioral health credentialing process.
- Continue advocating regarding the Alamo Reservation funding allocation.
- Explore opportunities to blend SB 3, opioid settlement, housing, and other available funds.
- Expand Torrance County stakeholder representation.
- Consider establishing and formally approving a Torrance County behavioral health stakeholder committee.
- Continue collecting local data and developing a regional behavioral health dashboard to identify service gaps and measure outcomes.
- Ms. Muncy offered to add interested Torrance County representatives and community members to her regional email distribution list and continue communication regarding meetings, funding opportunities, and behavioral health initiatives.

B. **Juvenile Justice (EVYFC), Rebecca Armstrong, Continuum Coordinator,** Annual update and board member renewal

- Rebecca Armstrong provided the Torrance County Commission with the annual update for the Torrance County Juvenile Justice Board, also known as the Estancia Valley Youth and Family Council (EVYFC).
- Ms. Armstrong explained that the presentation covered:
    - The purpose and structure of the Juvenile Justice Board.
    - The youth and families served.
    - Community partnerships.
    - Programs provided throughout Torrance County.
    - Fiscal Year 2026 program participation and expenditures.
    - Board membership updates.

Mission and History

- Ms. Armstrong stated that EVYFC's mission is to develop a community network to serve and support the success of youth and families in a positive, professional, and organized manner.
- The organization's vision is to positively impact and enhance the lives of youth and prepare them for productive adulthood.
- Ms. Armstrong reported that the Juvenile Justice Board was originally established around 2011, experienced a period of inactivity, and was reestablished in 2014. She stated that it has continued operating since that time.

Juvenile Justice Board Structure

- Ms. Armstrong explained that there are 17 Juvenile Justice Boards throughout New Mexico.
- CYFD serves as the primary state partner and funding source through State Juvenile Justice Advisory Committee funds.
- Torrance County serves as the fiscal agent, handling contracts, hiring, payroll, and other fiscal responsibilities.
- The EVYFC meets monthly and is responsible for determining:
    - Programming needs.
    - Funding priorities.
    - Program direction.
    - Services needed by local youth and families.
    - Programs that will provide the greatest benefit to the community.

Board Membership

- Ms. Armstrong explained that the board has statutorily required representation from several areas, including:
    - Courts, with Judge Murdock serving as Chairperson.
    - Torrance County schools, including representation from all three public schools and one charter school.
    - Torrance County government.
    - Local law enforcement agencies.
    - Public Defender's Office.
    - District Attorney's Office.
    - Juvenile Probation.
    - CYFD Protective Services.
    - Office of Substance Abuse.
    - A youth representative.
- Ms. Armstrong noted that local law enforcement agencies try to attend regularly, although officers may occasionally be unable to attend because they are responding to calls.
- She highlighted the participation of the youth members, describing the current youth representative as an excellent addition to the board.

Community Partnerships

- Ms. Armstrong discussed additional community organizations that participate in the board's work even though they are not statutorily required members.
- Community partners have included:
    - DWI Program.
    - Santa Fe Juvenile Probation.
    - CYFD Behavioral Health.
    - New Mexico Department of Health.
    - Waves Behavioral Health.
    - Valencia Shelter Services.

- Wings for Life.

- Ms. Armstrong explained that Santa Fe Juvenile Probation participates because the Edgewood School jurisdiction extends into the area. Youth from that area can sometimes receive services through Torrance County programs rather than traveling to Santa Fe.

Teen Court Program

- Ms. Armstrong reported that the Teen Court Program served 64 youth in Torrance County during Fiscal Year 2026.
- She reviewed the offenses and stated that many of the referrals involved vaping, THC possession, and other drug-related issues occurring at school.
- The program served both boys and girls, with boys representing the larger share of Teen Court referrals.
- Sentencing and intervention activities can include:
  - Community service.
  - Smoking cessation programs.
  - Drug cessation and educational programs.
  - Other interventions are intended to educate youth and encourage better decision-making.
- Ms. Armstrong stated that most referrals come from schools and Juvenile Probation.
- She emphasized that Teen Court is intended primarily for first-time offenders, allowing the program to intervene early, provide consequences, involve families, and help prevent youth from becoming more deeply involved in the juvenile justice system.

Boys Council and Girls Circle

- Ms. Armstrong reported that the Boys Council Program operated in five schools during FY26 and provided approximately 315 sessions.
- The Girls Circle Program also operated in approximately five schools and provided approximately 315 sessions.
- Programs are conducted during the school day, with participating schools providing time for the contractors to work with students.
- Ms. Armstrong stated that the programs have been well received by both schools and students.
- Sessions address issues affecting youth, including:
  - Bullying.
  - Vaping.
  - Attendance and being late to school.
  - Personal and social challenges.
  - Communication and decision-making.
- Ms. Armstrong explained that program contractors can incorporate current issues students are experiencing into their sessions, allowing the programming to address immediate needs.

Fiscal Year 2026 Financial Report

- Ms. Armstrong reported that the total FY26 grant award was $261,602.
- The programs served 193 youth during the fiscal year.
- Total expenditure was $260,797.
- The board reverted approximately $805 in unused funds.
- Ms. Armstrong explained that most of the reversion was associated with a single Girls Circle session. The session had been completed, but a billing and payment-schedule discrepancy between CYFD and Torrance County resulted in the session being unable to be paid within the fiscal year.
- Additional unspent funds included approximately $500 in travel funds and a small amount of program support funding.
- Ms. Armstrong emphasized that essentially all available funding was utilized for youth programming.

Monthly Program Activity

- Ms. Armstrong reviewed monthly spending and explained that spending was highest during the school year, when Boys Council and Girls Circle programming is active.
- Spending decreased during the summer and holiday periods because fewer school-based sessions are conducted during those times.

Youth Demographics

- Ms. Armstrong reported that, among the youth served:
    - 54% were girls.
    - 45% were boys.
- She explained that the gender distribution was not intentional and largely reflected the composition and participation of the classes receiving services.
- Ms. Armstrong also reviewed race and ethnicity information collected from participating youths and noted that 44% of Torrance County youth reported that they did not know their race when completing the program's information forms.
- She stated that the programs serve youth from a variety of racial and ethnic backgrounds.

Survey and Program Accountability

- Ms. Armstrong highlighted the board's survey completion rate as an area of success.
- She explained that statewide survey data is reviewed by the Juvenile Justice Advisory Committee when evaluating the performance of local programs and determining continued funding.
- Torrance County achieved a 100% survey completion rate for FY26, meaning all required surveys were completed.
- Ms. Armstrong stated that only one or two counties statewide achieved a comparable 100% completion rate.
- She credited the contractors working with the board for diligently completing and submitting the required surveys.
- Ms. Armstrong also noted that Torrance County is regarded highly by the Juvenile Justice Advisory Committee for its attention to fiscal requirements and reporting.

Commission Discussion

- Vice-Chair Jaramillo asked Ms. Armstrong about the success rate of the programs, specifically whether youth who participate in Teen Court are less likely to repeat the behavior.
- Ms. Armstrong responded that some youth occasionally return to the program, but she believes repeat participation is relatively minimal.
- She explained that she does not have specific recidivism statistics, because Juvenile Probation does not currently track recidivism specifically for the Teen Court program in a way that provides her with those numbers.
- Ms. Armstrong stated that the board instead relies on:
    - Feedback from schools.
    - Information regarding the issues being addressed.
    - Youth surveys and participant feedback.
- Based on that information, Ms. Armstrong stated that the board believes the programs are having a positive and effective impact.
- Vice-Chair Jaramillo expressed support for the program and thanked Ms. Armstrong for the presentation.
- Chairman Schwebach shared a personal perspective regarding the Boys Council Program, explaining that the Commissioner's son participated through his school and looked forward to the sessions.
    - Chairman Schwebach stated that the program helped youth understand that everyone experiences challenges and that it is appropriate to talk about those experiences and emphasized that the program provides more than recreational activities and contributes to the youth's personal growth and maturity.
- He also commented on Ms. Armstrong's observation regarding students having difficulty spelling local community names and questioned whether the schools were aware of the issue.
- Ms. Armstrong acknowledged the comment.
- Chairman Schwebach expressed appreciation for Armstrong's attention to detail, organization, and management of the program and stated that the program appeared to be one of the better-run programs in the state and encouraged Armstrong and the board to continue their work.

Board Member Renewals

- Ms. Armstrong also presented the annual board member renewal/update.
- She reported that there were only a few changes from the previous year's membership list, primarily due to changes in school administration.
- John Maldonado, the new Superintendent of Estancia Schools, will replace the previous school representative and is expected to begin attending board meetings.
- Josh McLeve, representing EVCA, will replace Jennifer Rivera.
- She also added the youth representative, Stormi, to the current board list.

- Ms. Armstrong stated that the remainder of the board membership remains substantially unchanged from the previous year.
- Ms. Armstrong concluded her presentation by thanking the Commission for the opportunity to provide the annual update and offered to answer additional questions.

C. **FIRST AMERICAN FINANCIAL ADVISORS, INC. County Municipal Advisor** - Robert Burpo, President. Presentation and introduction of Exus Renewables Battery Energy Storage System and potential Industrial Revenue Bond

- Rob Burpo, First American Financial Advisor, presented a potential renewable energy project for the Commission's consideration.
- Mr. Burpo explained that in 2019, Public Service Company of New Mexico (PNM) and American Electric Power, operating as New Mexico Renewable Development, approached the City of Moriarty and Torrance County regarding development of a solar farm.
- The original project was structured through two Industrial Revenue Bond (IRB) transactions, with approximately 75% of the facility located in Torrance County and 25% within the City of Moriarty.
- Axis Renewables recently acquired the facility, along with other renewable energy projects previously developed by PNM and American Electric Power.
- Axis is proposing to add a $150 million utility-scale battery energy storage facility within the existing fenced area of the current renewable energy facility.
- The proposed battery project would be located entirely within the portion of the existing facility located in Torrance County, rather than within the City of Moriarty, which is why the proposal was brought in before the County Commission.

Axis Renewables

- Mr. Burpo introduced Brian Reindel, Vice President of Development for Axis Renewables.
- Mr. Burpo described Axis as a large international renewable energy development company with projects in the United States and internationally.
- Axis has offices in New York City, Pittsburgh, and Albuquerque.
- The company is backed by Partners Group, a Swiss financial group that is investing more than $1 billion in renewable energy development with Axis.
- Mr. Burpo noted that Axis has acquired and manages multiple renewable energy assets, including solar and wind projects.
- Axis is also developing a large renewable energy project in Sandoval County, which Mr. Burpo referenced as an example of the company's work in New Mexico.

Proposed Battery Storage Facility

- The proposed project would be a 60-megawatt utility-scale battery storage facility.
- The project would occupy approximately 7.69 acres within the existing renewable energy facility.
- Because the battery facility would be constructed on property already included in the 2019 IRB, Burpo stated that the project would have no additional effect on property taxes.
- The proposed IRB structure would be like the 2026 Pattern IRB previously considered by the County.
- The proposed Payment in Lieu of Taxes (PILOT) would begin at $2,800 per megawatt for the first five years, with the payment increasing by 5% annually thereafter.
- Based on the 60-megawatt size, the initial PILOT payment was estimated at approximately $168,000 annually during the first five years.

Distribution of PILOT Revenue

- Mr. Burpo explained that state law establishes how PILOT revenue from renewable energy projects is distributed.
- Approximately:
  - 60.81% of the PILOT payment would go to Torrance County.
  - 39.1819% would be distributed among the five Torrance County school districts.
- Because the proposed project is located entirely within the Moriarty Municipal School District, the school allocation would be distributed according to the statutory formula.
- Mr. Burpo explained that the school allocation is divided based on:
  - 50% according to the location of the project.
  - 40% according to school district acreage.
  - 10% according to school district enrollment.
- The estimated percentage distribution among the school districts was presented as:
  - Estancia – 8.74%
  - Moriarty – 58.13%
  - Mountainair – 19%
  - Corona – 12%
  - Vaughn – slightly under 2%
- Mr. Burpo stated that the distribution is established by statute and is not discretionary.
- The presentation showed projected PILOT payments over the proposed 30-year period, beginning at approximately $168,000 annually during years 1–5 and increasing according to the applicable formula.

Community Investment and Economic Impact

- Brian Reindel, Vice President of Development for Axis Renewables, addressed the Commission regarding Axis's approach to community involvement.
- Mr. Reindel stated that Axis operates in 12 states and has approximately 6,000 megawatts of projects in operation or development nationwide, with approximately 2,500 megawatts located in New Mexico.

- He explained that New Mexico is a significant focus for the company and noted that Axis has an office in Albuquerque with approximately six employees.
- Mr. Reindel stated that Axis allocates a portion of the capital expenditure for its projects toward community investments.
- He provided examples of community partnerships in Sandoval County, including:
    - Supporting home construction and repairs through a local organization.
    - Supporting programs that provide meals to senior centers.
- Mr. Reindel said Axis has had preliminary conversations with organizations in Torrance County regarding potential community partnerships but did not want to announce specific commitments before agreements are finalized.
- He stated that Axis is interested in making additional investments in Torrance County and expanding an existing renewable energy project that has operated in the county for nearly 10 years.

Construction and Employment

- Mr. Reindel stated that Axis typically partners with Gridworks, a local Albuquerque-based engineering, procurement, and construction company, on New Mexico projects.
- He noted that when the existing solar project was constructed in 2018, local outreach was conducted regarding construction employment opportunities.
- The proposed battery storage project is expected to generate approximately 100 construction jobs during the construction period.
- Once operational, the facility would require relatively little ongoing maintenance.
- Mr. Reindel estimated that approximately one additional permanent employee would be needed for the facility once operational.

Commission Questions Regarding the Batteries

- Chairman Schwebach asked for additional information about the battery system and its potential effects and benefits to the community.
- Mr. Reindel explained that the project would use utility-scale batteries housed in structures resembling shipping containers.
- Approximately 60 battery units, each representing about one megawatt, would occupy the proposed area of less than eight acres.
- Mr. Reindel identified the primary direct community benefit as the PILOT payments to the County and school districts, along with construction employment and potential community investment.

Battery Lifespan and Replacement

- Vice-Chair Jaramillo asked how long the batteries are expected to last.
- Mr. Reindel stated that the project is designed around an approximately 20-year operating life.
- He explained that the batteries will gradually degrade over time.

- The project design anticipates adding or "augmenting" additional battery units approximately every seven years throughout the project's operating life to maintain the required capacity.

Battery Recycling and Disposal

- Vice-Chair Jaramillo asked about the eventual disposal and recycling of the batteries.
- Mr. Reindel explained that lithium battery recycling is an active and developing industry.
- He stated that utility-scale battery storage is still relatively new, with the first large-scale projects in the United States beginning around 2021.
- Reindel indicated that the company plans for the project to be decommissioned at the end of its useful life.
- He stated that the materials, particularly lithium, have value for recycling and that recycling infrastructure is expected to continue developing as more batteries reach the end of their useful lives.

Purpose of the Battery Storage

- Vice-Chair Jaramillo asked where the energy currently goes when battery storage is not available.
- Mr. Reindel explained that as renewable energy becomes a larger portion of the electricity supply, there is an increasing need for energy storage to help maintain a reliable electric grid.
- He stated that the proposed battery facility would be integrated into the PNM system rather than functioning solely as a storage system for the adjacent solar facility.
- During periods when excess electricity is available, the system can store energy in the batteries.
- When additional electricity is needed, energy can be released from the batteries back into the grid.
- Mr. Reindel explained that the purpose is to provide a more resilient electricity system and support additional renewable energy development in New Mexico.

School District Outreach and PILOT Negotiations

- Commissioner McCall asked Mr. Burpo whether the County Commission was the first governmental body to receive the presentation and whether the school districts had already been contacted.
- Mr. Burpo confirmed that Torrance County was the first presentation regarding the proposed project.
- He stated that Axis and its representatives planned to prepare a separate presentation for the five school districts.
- The school presentation would provide each district with a detailed breakdown of its anticipated PILOT revenue over the life of the project.
- Commissioner McCall asked whether there would be an opportunity to negotiate the proposed $2,800-per-megawatt PILOT amount.

- Mr. Burpo indicated that the structure was intended to follow the approach used for the Pattern project because of the timing of the projects.
- Commissioner McCall specifically asked whether the County could still negotiate the PILOT amount.
- Mr. Burpo stated that negotiations would be conducted with Axis representatives.
- Commissioner McCall referenced the previous Pattern project and noted that the County had requested approximately $3,000 per megawatt, although that amount was not ultimately obtained.
- Commissioner McCall indicated that the same level should remain a consideration for the proposed project.

***Recess 10:35 AM**
*** Back from Recess 10:50**

8. **ADOPTION OF RESOLUTION/ ORDINANCE:**

A. **Assessor**: Request approval of Resolution 2026-29 approving the AMENDED Mill Rates for 2027 and signing the order to submit to the State of New Mexico Department of Finance and Administration.

- Michelle Jones, Deputy County Manager, presented an amended Certificate of Tax Rates for Fiscal Year 2027 for Commission approval.
- She explained that Linda Gallegos, Chief Deputy Assessor, had presented the original certificate at the previous Commission meeting for approval.
- After the previous presentation, Ms. Gallegos identified an error in the tax-rate certificate and contacted the New Mexico Department of Finance and Administration (DFA) to verify the information.
- DFA confirmed that an error had been made with the certificate and provided a revised certificate.

Corrections to the Certificate

- Michelle Jones, Deputy County Manager, stated that the primary correction involves the County Debt Service Rate, which was incorrectly listed as 0 mills.
- DFA confirmed that the correct County Debt Service Rate is 0.171 mills.
- She also noted the following corrections:
    - School District 16 – Residential and non-residential: reduction of 2 mills under the School Capital Improvements Levy (Senate Bill 9).
    - School District 16 – Outlying Residential and Non-Residential: corresponding 2-mill reduction.
    - School Capital Improvements/Senate Bill 9 levy: should be 0 mills.

- County Debt Service: should be 0.171 mills, rather than 0 mills.

- Michelle Jones, Deputy County Manager, stated that DFA immediately issued a revised Certificate of Tax Rates after confirming the error.
- The Commission was provided with:
  - A copy of the revised certificate.
  - A spreadsheet showing the specific changes, including the corrected 0.171-mill County Debt Service Rate.

Commission Action Requested

- Michelle Jones, Deputy County Manager, requested that the Commission approve the resolution adopting the amended Certificate of Tax Rates for Fiscal Year 2027.
- She concluded her presentation and stated that she was available to answer questions.
- Commissioners had no questions.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-29; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

B. **Manager**: Request approval of Resolution 2026- 30 approving budget adjustments as follows: Increase expenditures by $100,000.00 to County Infrastructure for repairs and upgrades to the Judicial Complex, Increase expenditures by $300,000.00 to Capital Infrastructure for the Roads Department for road repairs, Increase expenditures by $50,000.00 to the Election Fund for Election costs and the addition of re-authorized grant to the Legislative Appropriations fund budget in the amount of $115,713.08.

- Michelle Jones, Deputy County Manager, presented several requested adjustments to the FY 2027 County budget and noted that representatives from the affected departments were present to answer questions from the Commission.

Judicial Complex

- Requested an increase of $100,000 to County Infrastructure for repairs and upgrades to the Judicial Complex.
- Mrs. Jones explained that members of the judiciary previously appeared before the Commission to discuss the needed improvements, and the Commission approved the expenditure.
- The $100,000 was inadvertently not included in the FY 2027 budget and is now being requested as a budget adjustment.

Roads

- Requested an increase of $300,000 to Capital Infrastructure for roads.
- Mrs. Jones explained that Mr. Luján completed his FY 2026 project, but the project was paid from FY 2027 funds when it should have been paid from FY 2026 funds.
- Approximately $400,000 remained unspent in FY 2026.
- The requested $300,000 adjustment would allow the Roads Department to have funding available for its FY 2027 road project.

Elections

- Requested an additional $50,000 for the Election Fund to cover election-related costs.
- Mrs. Jones explained that the County has conducted several special elections, resulting in additional expenses for the Clerk's Office.
- During the budget review, the County had approximately $150,000 in budgeted election revenues, while only approximately $94,000 in expenditures had originally been budgeted.
- The additional $50,000 expenditure is intended to better align the election budget with the anticipated costs and available revenues.

Water Project Grant

- Mrs. Jones reported that a water project grant originally awarded in FY 2022 was reauthorized for FY 2027, but the grant was not included in the final FY 2027 budget.
- The requested budget adjustment would add $150,713.08 to both budgeted revenues and expenditures for the water project.
- Jones noted that representatives from the applicable departments were available to provide additional information and answer questions regarding the requested adjustments.

Judicial Complex

- Dorela Molina, CEO of the Seventh Judicial District Court, addressed the Commission regarding needed repairs at the courthouse serving Torrance, Cibola, Socorro, and Catron Counties.
- Ms. Molina explained that representatives previously appeared before the Commission in May to request funding for necessary courthouse repairs and maintenance.
- Two contractors have since inspected the building and provided repair estimates, which were included in the Commission packet.
- Ms. Molina reported that the total estimated cost of the needed work exceeds $100,000.
- The State has indicated that it will provide $100,000 in matching funds, contingent upon the County committing its $100,000 first.
    - Ms. Molina explained that the State needs documentation of the County's commitment before releasing its matching funds.
    - She noted that additional State funding may be available, up to $300,000, if the project requires more funding.

Courthouse Roof and Water Damage

- Ms. Molina described continuing problems with the courthouse roof and water intrusion.
- She reported that the roof has been patched multiple times, but leaks continue.
- During a recent significant rain event, water reportedly came through the ceiling and onto Judge Murdock's desk through a light fixture, with additional leaks occurring throughout the judge's office.
- Photographs documenting the recent leaks and damage were provided to the Commission.
- Ms. Molina reported that contractors have identified several areas requiring attention, including damage to the building's walls and stucco caused by water intrusion.

Priority of Repairs

- Ms. Molina explained that not all proposed work is considered equally urgent and that the courthouse would need to prioritize the repairs based on need.
- Denise Lujan, Court Manager, explained that when contractors were asked to prepare bids, they were asked to identify work according to priority.
- Ms. Lujan stated that the roof is the highest priority, because continued water intrusion is contributing to additional damage to the stucco and other portions of the building.
- The contractors also provided estimates for flooring replacement, as portions of the existing flooring are cracking and lifting and have become a safety hazard.

- Ms. Lujan emphasized that the goal is to address the major problems before cosmetic improvements.
- Potential priorities discussed included:
    - Roof repairs;
    - Drainage issues;
    - Water-related damage;
    - Stucco repairs where deterioration and mold are creating health and safety concerns; and
    - Flooring repairs.
- Ms. Lujan suggested that if the insurance claim covers the roof and related water damage, the combined $200,000 from the County and State could potentially be used for other necessary repairs and improvements.

Insurance Claim Discussion

- The Commission discussed a recently submitted insurance claim involving the courthouse roof and stucco.
- Victoria Archuleta, Operations Manager, explained that she submitted the claim specifically for repairs to the roof and stucco.
- She stated that the insurance company requested photographs, which were provided, and that an inspector/adjuster will be sent to evaluate the property.
- Commissioner McCall questioned whether the claim was based on a specific covered event, such as hail damage, or whether it involved general deterioration of the building.
- Commissioner McCall also expressed concern about the potential effect of an insurance claim on the County's insurance premiums and wanted to ensure that the claim was appropriate before relying on insurance funds.
- It was noted that the County should also investigate whether previous roof repairs were covered by a contractor warranty and whether the current damage could be related to prior work.

County and State Funding

- Chairman Schwebach confirmed that the previously discussed $100,000 County allocation was intended for courthouse maintenance and preventative repairs, rather than specifically for construction of a wall between the Court and Sheriff's Department areas.
- Stephanie Reynolds, County Manager, clarified that the wall project was a separate discussion from the $100,000 maintenance allocation.

- Chairman Schwebach expressed support for applying the $100,000 toward the most pressing courthouse repairs and maintenance needs, particularly in light of the current roof, water, flooring, and structural concerns.
- Ms. Molina confirmed that the State is prepared to match the County's $100,000 contribution.
- Ms. Molina further explained that the State has up to $300,000 available and that she initially requested $100,000 specifically to match the County's contribution.
- The Commission indicated support for addressing the courthouse repairs comprehensively rather than continuing to make temporary repairs.

Courthouse Space and Proposed Wall

- The discussion also revisited a previously considered proposal to construct a wall between the Court and Sheriff's Department areas.
- Ms. Molina explained that the proposed wall had previously been estimated at approximately $30,000, but the funding associated with that proposal had expired rather than being transferred to another project.
- Chairman Schwebach discussed whether the wall remains necessary, particularly because the space on the other side of the building could potentially be utilized depending on future decisions regarding the Sheriff's Department.
- Ms. Molina noted that the lack of space at the courthouse continues to be a concern and invited Commissioners to tour the courthouse to see the areas requiring repairs and evaluate the available space firsthand.

Direction/Consensus

- Chairman Schwebach expressed support for moving forward with the $100,000 County allocation for courthouse repairs and maintenance.
- Chiarman Schwebach indicated that the funds should be directed toward the most pressing repair and maintenance needs identified by the contractors, rather than automatically being used for the previously discussed wall.
- If additional funding is necessary, Ms. Molina indicated that she can return to the State to request additional matching funds, potentially up to the State's available $300,000.
- The discussion reflected a shared goal of addressing the courthouse's problems properly and comprehensively, particularly given that the building, constructed around 2003, is the newest courthouse in the district but is experiencing significant maintenance issues.

Motion; Chairman Schwebach made a motion to approve $100,000; Seconded by Commissioner McCall

- **Roll call Vote**;

- Schwebach – yes
- McCall – yes
- Jaramillo – yes

Motion Carried

Roads

- Leonard Lujan, County Road Superintendent, explained the circumstances surrounding the requested $300,000 FY 2027 budget adjustment for the Road Department.
- Mr. Lujan explained that the Road Department completed its planned projects during the prior fiscal year using the funds that had been allocated for those projects.
- Some project invoices from CES were not received until after the prior fiscal year had ended and the County was in the process of closing out the fiscal year.
- Because the prior fiscal year had to be closed, the related purchase orders were closed before the outstanding invoices could be paid.
- Once the invoices were received, the County paid them using the current fiscal year's budget allocation.
- As a result, funds allocated for the current fiscal year were used to pay expenses associated with projects completed during the previous fiscal year.
- Mr. Lujan clarified that the prior-year funds were not available to simply carry forward because the fiscal year had already been closed.
- The timing of the invoices from CES contributed to the situation, with Lujan noting that CES sometimes provides invoices promptly while other invoices can take longer to arrive.
- Commissioners asked for clarification regarding whether the $300,000 represented a new funding request.
- Leonard Lujan, County Road Superintendent, clarified that the request is a budget adjustment resulting from the fiscal-year closeout and the timing of payment, rather than a request for an additional new expenditure beyond the County's prior allocation.
- Chairman Schwebach indicated that it understood the explanation and the reason for the requested $300,000 budget adjustment.

Motion; Chairman Schwebach made a motion to approve $300,000; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Elections

- Senaida Anaya, Chief Deputy Clerk, explained that the Secretary of State's Office provides funding to the County for election-related expenses. These funds are deposited into a general fund revenue line but need to be budgeted within the election expenditure line so the Clerk's Office can use the funds for eligible election expenses.
- She stated that the County received $67,002.86 for the Primary Election, of which approximately $10,000 would otherwise have to be reverted if not properly budgeted and expended. She also reported that $59,049.69 has been received for the upcoming election.
- Senaida Anaya, County Clerk's Office, clarified that the request is not for additional County taxpayer funding, but rather to authorize expenditures from election funds already received from the State.
- Michelle Jones, Deputy County Manager, explained the County's budget structure. Election-related revenue is recorded in a general fund revenue line, while election expenses are budgeted separately in an expenditure line. The County budgeted approximately $150,000 in election revenue, and approximately $72,000–$74,000 has been received to date.
- Michelle Jones, Deputy County Manager, explained that approximately $45,000 was originally budgeted for election expenditures, with approximately $25,000 already expended. Staff is requesting an increase of approximately $50,000 to the election expenditure budget to more closely align the expenditure authority with the election revenue being received.
- Mrs. Jones clarified that the requested $50,000 is not an additional $50,000 being taken from County taxpayers or borrowed from the General Fund. The funds have already been received and are currently recorded in a revenue line; the budget adjustment is needed to provide expenditure authority for those funds.
- Kathyrn Hernandez, Torrance County Treasurer, explained that when the election funds were received through the bank, they were deposited into the revenue line available to the Treasurer's Office. The funds therefore remain in the revenue account until the appropriate budget adjustment is made.
- Chairman Schwebach questioned why the process was different from prior years. Mrs. Jones explained that previous procedures had effectively allowed the funds to be transferred directly, while the current budget structure requires a Budget Adjustment Request (BAR) to increase the appropriate expenditure authority.
- Michelle Jones, Deputy County Manager further explained that eligible election expenditures are ultimately reconciled with the Secretary of State's funding requirements. Ms. Anaya noted that approximately $10,000 from the prior election was returned because it was not expended on eligible costs.
- Senaida Anaya, County Clerk's Office, also noted that the County has received additional revenue from two special elections conducted for school districts. She stated that some election-related needs, such as signage, furniture, and other items that remain in use beyond a single election, may not be reimbursed by the Secretary of State and may require separate consideration.

- The Commission requested a profit-and-loss statement and specific line-item information before taking action so that the Commissioners could clearly identify the source of the funds and the expenditure being authorized.
- Following discussion, Commissioners clarified that the requested action is to move approximately $50,000 already received as election-related revenue into the election expenditure budget, rather than provide a $50,000 General Fund loan.
- Staff agreed that, moving forward, the County can work with the Clerk's Office and Treasurer's Office to establish a separate revenue line for election funds so that future State election funding is more clearly identified and can be matched with the appropriate election expenditures.
- Michelle Jones agreed to work with the Clerk's and Treasurer's Offices to establish a cleaner process for recording future election revenue and expenditures.

Motion; Chairman Schwebach made a motion to transfer $50,000; Seconded by Vice-Chairman Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Water Project Grant

- Jody Cornwall, Grants Administrator, presented an existing capital outlay grant that predates her tenure with the County.
- Ms. Cornwall explained that the original grant was approximately $120,000 and was designated for the Duran Water Project. The County fulfilled its commitment to that project, but additional funds remained available for the same project.
- Prior to the implementation of House Bill 247, Ms. Cornwall was able to have the remaining authorization reauthorized for approximately $115,703, accounting for expenditures that had previously been made from the original appropriation.
- Ms. Cornwall explained that the reauthorization preserves the availability of the remaining funds because it was completed before the new HB 247 restrictions took effect. HB 247 subsequently established new limitations on capital-outlay reauthorizations, including limits on the number and duration of reauthorizations.
- The proposed action would redirect/reapply the remaining grant funds from the completed Duran Water Project to the water system associated with the McIntosh Fire Department.
- Chairman Schwebach clarified that the request is to reauthorize or reapply the existing grant funds for a different eligible use, rather than leave the funds assigned to the completed Duran project.
- Commissioner McCall asked whether the grant has a sunset or expenditure deadline, specifically when the remaining funds must be expended.

- Ms. Cornwall acknowledged the question regarding the sunset date and indicated that the expenditure deadline would need to be confirmed.
- Ms. Cornwall clarified that the funds under discussion did not revert because the Duran Water Project was completed. Rather, the County received multiple capital outlay appropriations over time for various components associated with the Duran Water System repairs.
- She explained that the County completed the work that the Commission had determined was necessary for the Duran Water System. Additional funding had subsequently been received for related aspects of the project, leaving funds available that were no longer needed for the completed work.
- The remaining funds are still available to the County. Ms. Cornwall previously obtained authorization from the Department of Finance and Administration (DFA), prior to the implementation of House Bill 247, to change the scope of the remaining funding and apply it to another water-related project.
- Ms. Cornwall clarified that the County is not submitting a new grant application. The existing grant has already been reauthorized, and the current request is to place the approximately $115,000 remaining balance into the County's budget and allocate it to the McIntosh Fire water system.
- Commissioner Schwebach and McCall confirmed that the proposed action is essentially to move the existing authorized funding from the Duran Water System project to the McIntosh water project.
- Ms. Cornwall noted that this type of scope change would generally no longer be permitted under the current provisions of House Bill 247, but the reauthorization was completed before those restrictions took effect.
- Commissioner McCall expressed support for the request but raised concerns about being cautious when redirecting State capital outlay funds from the project for which they were originally appropriated.
- Commissioner McCall noted that a former State legislator had been particularly involved in securing funding for the Duran Water System and emphasized the importance of using legislative appropriations consistent with their intended purpose.
- He clarified that the decision to allow the scope change was made by DFA, rather than solely by the County, and stated that the concern was intended as a caution for future capital outlay decisions.
- Ms. Cornwall explained that the Duran Water System had been included on the County's Infrastructure Capital Improvement Plan (ICIP) for several years. Funding had been provided incrementally over multiple years, with individual appropriations addressing different portions of the overall project.
- She explained that preliminary engineering had been completed and that the County ultimately completed the repairs it determined were necessary. Additional appropriations continued to arrive after the project had reached the stage the Commission considered appropriate for completion.

- Because the additional funding arrived incrementally and was beyond the engineering and scope that had already been completed, using the remaining funds for the original project would have required additional planning, engineering, and scope development.
- Commissioners discussed whether it would be appropriate to contact the current State Representative regarding the change in use of the funds. It was noted that the legislator who had previously advocated for the Duran Water System is no longer serving in the Legislature following an election.
- Commissioner McCall discussed the importance of being careful when developing the ICIP so that the County does not become unnecessarily restricted by overly specific project descriptions when funding is received incrementally over several years.
- Ms. Cornwall indicated that the current reauthorization was appropriate because DFA had approved the change in scope before HB 247 restrictions applied.
- Chiarman Schwebach expressed agreement that the County should exercise caution with similar scope changes in the future and avoid making the practice routine.
- The discussion concluded with staff and Commissioners indicating that they believed the current reauthorization was appropriate, while emphasizing the need for careful consideration of future State-funded projects and ICIP requests.

Motion; Chairman Schwebach made a motion to re-authorize grant; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

C. **Manager**: Request approval of Resolution 2026- 31 Declaring the Intent to approve an Ordinance issuing Industrial Revenue Bonds, Series 2026, for up to $150,000,000 for a new renewable energy battery farm to Britton Storage LLC. (Rob Burpo, First American Financial Advisors and Jill Sweeney, Taft Law Firm)

- Chairman Schwebach noted that the developer had previously presented the proposed project to the Commission. The current action is intended to move forward with the Industrial Revenue Bond process and does not constitute final approval of the bond issuance.
- Stephanie Reynolds, County manager, explained that the next steps in the process include required public notice and consideration of the ordinance through a future public hearing.
- Chairman Schwebach asked about the required publication period and the earliest date a public hearing could be held.

- Eddie Duffy, Bond Counsel for Axis Renewables, explained that the notice of consideration of the ordinance must be published in the newspaper at least two weeks before the ordinance is considered.
- Mr. Duffy further explained that, separate from the newspaper publication requirement, letters must be sent to the County Assessor, the Town, and the applicable taxing entities within the County at least 30 days before adoption of the ordinance.
- Commissioner McCall clarified that the inducement resolution being considered at this meeting does not itself constitute the required public hearing or final approval of the ordinance. Rather, the resolution authorizes the County to proceed with the process and required public notice.
- Chairman Schwebach indicated that, based on the required notice periods, the earliest anticipated public hearing would likely be at the first regular Commission meeting in November, potentially November 11.
- Commissioner McCall asked whether that anticipated timeline would work with the developer's schedule. The developer indicated that the proposed timeline would work.
- The Commission continued discussion regarding the required notices to taxing entities, including schools and other governmental entities, before the ordinance can be considered.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-31; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

D. **Planning and Zoning**: (PUBLIC HEARING) Appeal application presented by Kate Ullrich. The applicant is aggrieved by the decision of the Planning and Zoning Board to grant the Southwest Property Solutions, LLC application for a summary Review; Create Type 3 Subdivision at the August 5, 2026, Planning and zoning meeting.

Motion; Chairman Schwebach made a motion to begin public hearing; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Public Hearing began at 11:40 AM

Chairman Schwebach; "I'm going to turn the floor over to our attorney to begin this public hearing"

Michael I. Garcia, County Attorney; "Chair, I'm not sure if we have all the parties here. I believe Mr. Oden is here as the appellee, but the appellant is not here, so I think we're in a situation where it's kind of a default. I think what we could do is, just swear Mr. Oden in, have him come up, and ask for his request. But seeing as the appellant is not here to actually present a case, the likely outcome is that we'll just affirm the decision of the Planning and Zoning Board. So, again, maybe Don, do we have the appellant here?"

Chairman Scwebach; "I would like to interject a little bit. So what we have here is Mr. Oden, who was approved by the Planning Zoning Board. It was appealed. The appellant is not present for this hearing."

Michael I. Garcia, County Attorney; "Correct."

Chairman Scwebach; "I think that says all we need to say. We have a Planning and Zoning Board for a reason, to make decisions. We have an appeal process to appeal those decisions, and if we have no word whatsoever from the appellant, I do not think we need to go into the weeds. That's my opinion. Do you agree?"

Commissioner McCall; "yes."

Chairman Schwebach; "with that being said, I think if the appellant is not here on the appeal process, then the P and Z upholds."

Vice-Chair Jaramillo; "is that the law if they don't come?"

Chairman Schwebach; "it's not the law. it's the decision of this board."

Michael I. Garcia, County Attorney; "I think it's both. Because if a party that makes a motion or an appeal doesn't show up, they have pretty much defaulted on what we have."

Chairman Schwebach; "We have no communication that she's in the hospital or sick. We have nothing?"

Stephanie Reynolds, County Manager; "No, Commissioners, I have not had any communication from her."

Michael I. Garcia, County Attorney; "I think, for the record, I would like for Don to state what his efforts were to provide notice."

Chairman Scwebach; "We will do that, and I guess within a public hearing, I think we do need it here. Understood. Don, go ahead."

Donald Goen, County P & Z Director; "I need to be sworn in."

Michael I. Garcia, County Attorney; "Yes, Mr. Goen, state your name."

Donald Goen, County P & Z Director; "Don Goen, Director of Planning and Zoning. Yes, I swear to tell the truth. The requirement is 15 days prior. The notifications were postmarked accordingly. The public notice signage was posted. It was also posted in the Albuquerque Journal. I did make an attempt to call and left a voicemail, but never got a response. There was also no further communication from the appellant."

Michael I. Garcia, County Attorney; "Mr. Chair, I'm assuming that Mr. Oden doesn't have any objection to the course of action that you propose, to just affirm the decision from the P&Z Board."

Chairman Schwebach; "you do not represent the appellant."

Michael I. Garcia, County Attorney; "Mr. Oden is the appellee, he's the guy who won, so he wants to keep that victory."

Chairman Schwebach; "Thank you. I understand now. Do you wish to speak"

Mr. Oden indicated he did not wish to speak

Chairman Schwebach; "Is there anybody else who wishes to speak on this item? Do we need a motion out of the public hearing for a decision? I say come out of the public hearing and make a motion."

Motion; Chairman Schwebach made a motion to end public hearing; Seconded by Vice-Chair Jaramillo

- **Roll call Vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Public hearing ended at 11:45 AM

Motion; Chairman Schwebach made a motion to uphold Planning and Zoning's decision; Seconded by Commissioner McCall

- **Roll call Vote;**
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

E. **Planning and Zoning**: Request approval of Resolution 2026- 32 approving the finding of rubbish, wreckage or debris upon lot numbered lot F-51 of Echo Ridge replat, better known as 17 Washinton Loop, Moriarty, to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr, Planning and Zoning, presented a property cleanup matter involving a property located in the Echo Ridge area.
- She provided photographs of the property, which were also included in the Commission packet, showing significant amounts of debris, rubbish, and other materials on the property.
- Ms. Carr stated that, since beginning her position in January, this was one of the most severe property conditions she had encountered.
- The property was described as a menace to public comfort, with debris and rubbish reportedly spreading across the property and being blown into surrounding areas.
- She also reported information that an individual may be squatting on the property intermittently, creating an additional safety concern.
- Ms. Carr requested permission to use available County cleanup funds to address the property conditions and then place a lien on the property to recover the County's cleanup costs.
- She explained that cleaning up the property would address the immediate safety and nuisance concerns and could also serve as an example to other property owners in the area regarding expected property maintenance standards.
- The Commission discussed the photographs and identified the property being presented as the first property under consideration.
- It was clarified that the property does not contain a traditional dwelling; the property includes an RV, with another RV located along the side of the property.
- Ms. Carr indicated that the proposed resolutions had already been reviewed and were ready to proceed.
- Chairman Schwebach asked whether an estimated cleanup cost was available. No specific estimate was provided during the discussion.

Motion; Commissioner McCall made a motion to approve Resolution 2026-32; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

F. Planning and Zoning: Request approval of Resolution 2026- 33 approving the finding of rubbish, wreckage or debris upon lot numbered lot A of the lands of Stuart on 2 Dusty Court to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr, planning and zoning, stated she had not personally inspected the property and understood that Chuck Cavaness Sr., P & Z Code Enforcement Officer had managed the matter in its entirety.
- Chairman Schwebach asked whether the property owners had been contacted regarding the condition of the property.
- Ms. Carr responded that efforts had been made to contact the property owners and that staff had taken the appropriate steps on their end to address the matter.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-33; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

G. Planning and Zoning: Request approval of Resolution 2026- 34 approving the finding of rubbish, wreckage or debris upon lot numbered lot 14 Block 5 Unit 10 of Estancia Ranchettes located in Moriarty, to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr presented another property with significant amounts of blowing trash and debris, as documented in the photographs provided to the Commission.
- She reported that the residence is uninhabitable and does not meet applicable property standards, with the structure deteriorating and appearing to be in poor condition.
- Ms. Carr further indicated that the structure and other items located on the property may not be permitted to remain on the property, contributing to the overall nuisance and property-maintenance concerns.
- The Commission reviewed the photographs and discussed the extent of the debris, deteriorating structure, and other conditions present on the property.
- Commissioner McCall wanted to clarify that the property being discussed was the property shown with a dog in one of the photographs.

- Ms. Carr explained that the photograph showing the dogs represented one of the more severe conditions observed at the property. Staff reported that the dogs have since been removed.
- Commissioner McCall noted that one of the photographs appeared to show a newer vehicle on the property and questioned whether efforts had been made to contact the individuals associated with the property.
- Ms. Carr stated that the County had completed the required posting and notification efforts and had spoken with individuals who were present on the property.
- She further stated that Chuck Cavaness Sr., P & Z Code Enforcement Officer had personally made contact with the individuals at the property and that they had been advised that they were not authorized to be there.
- Ms. Carr reported that, despite those efforts and communications, the individuals had not vacated the property.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-34; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

H. Roads: Request approval of Resolution 2026- 35 approving PARTICIPATION IN TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

- Leonard Lujan, County Road Superintendent, presented an update on the Transportation Project Fund (TPF) application submitted several months ago.
- He reported that the County's Lexico Road project was approved, while the Green Road project was not approved.
- The current request is for the Commission to sign the required documentation so the County can submit it to the State and continue moving the approved Lexico project through the State's review process.
- Mr. Lujan explained that, after the required paperwork is submitted and reviewed by the State, additional documentation will be provided to the County allowing it to proceed with requesting the project funds.
- The approved project involves approximately seven miles of Lexico Road.
- The proposed work includes a two-inch asphalt overlay along the full seven-mile project.

- The project also includes cutting approximately one foot from each side of the roadway to widen the road by approximately 12 inches on each side, providing additional roadway width.
- In response to a Chairman Schwebach's question, Leonard Lujan confirmed that the project includes roadway striping.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-35; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

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9. **APPROVAL/ACTION ITEM**

A. **Manager**: PMS Medical Services discussion. Request approval of MOA between Presbyterian Medical Services and Torrance County concerning the allocation of funds to offset the increased expenses for cleaning and meals for Torrance County Senior Citizen Centers.

- Stephanie Reynolds, County Manager, presented the Memoranda of Agreement (MOAs) with Presbyterian Medical Services (PMS) that had been discussed at a previous Commission meeting.
- The County currently provides $40,000 for senior meal services, including preparation, delivery, and related food costs, and $10,000 for janitorial services at the senior facilities.
- Ms. Reynolds explained that the proposed MOAs would increase the amount available for food and meal services, while the $10,000 janitorial allocation would remain unchanged. Two MOAs were prepared based on previous discussions between PMS representatives and County staff regarding the increased cost of food preparation and cleaning services.
- Greg Smith, Presbyterian Medical Services, explained that the previous MOA expired June 30, 2026. PMS has continued providing janitorial services during FY2027 without reimbursement under a current agreement, creating urgency for the County to address the new MOA.
- Mr. Smith expressed appreciation for the County's prior support, noting that the $30,000 for meals and $10,000 for janitorial services helped offset PMS's ongoing operating deficit for senior services.

PMS Senior Services

- Mr. Smith explained that Presbyterian Medical Services serves as a subcontractor to Torrance County for senior services.
- PMS operates senior service locations in Estancia, Mountainair, and Moriarty within Torrance County.
- Services include:
    - Congregate meals served at senior centers.
    - Home-delivered meals ("Meals on Wheels") for homebound residents who cannot travel to a senior center.
    - Transportation assistance for eligible seniors, including transportation to medical appointments and grocery stores.
- Services are available to individuals 60 years of age and older who reside in Torrance County, subject to a basic screening process. Smith stated that individuals are not denied services simply because they request assistance.
- Mr. Smith clarified that PMS also operates medical clinics in Torrance County, including facilities in Mountainair and Estancia, but the medical operations are financially separate from the senior services program.

Senior Services Funding

- Mr. Smith explained that the majority of senior-services funding comes from the State of New Mexico through the Aging and Long-Term Services Division, with funds administered through the Area Agency on Aging (AAA).
- PMS also receives federal Title III funding for home-delivered meals, congregate meals, and transportation.
- Additional funding sources include the New Mexico Grown program and a United Way grant.
- The County's contribution was identified as a separate local funding source. Smith stated that the previous County contribution was the first local funding received from Torrance County for the senior program.

- PMS provides senior services in Torrance and McKinley Counties, with three locations in each county.

Demand and Increasing Costs

- Mr. Smith stated that the funding shortage is statewide, with the demand for senior services exceeding available revenue.
- PMS staff in Torrance County travel approximately 300 miles per day delivering meals.
- PMS anticipates providing approximately 35,000 home-delivered meals and nearly 10,000 congregate meals during the current fiscal year, for approximately 40,000 meals total.
- Meal volume has remained relatively consistent with the prior two fiscal years, although there has been a slight increase.
- Mr. Smith reported that food costs alone increased approximately $20,000 in one year, while fuel, insurance, and other operating costs have also increased.
- Vehicle insurance costs have increased significantly, and the vehicles used for the program are insured through both the County and PMS.
- Mr. Smith stated that PMS requested approximately $700,000 from the Area Agency on Aging based on the program's actual needs, but the funding awarded is substantially less.
- PMS's current Torrance County senior-services revenue was described as just under $500,000, while projected annual expenses are approximately $637,000, resulting in a projected deficit of approximately $140,000.

Discussion Regarding County Funding

- Commissioner McCall expressed support for the services provided by PMS and appreciation for the assistance provided to elderly residents.
- Commissioner McCall stated that the County's contribution should be viewed as a short-term response to increased food and fuel costs, while emphasizing the need to work collectively with PMS, the State, and the Area Agency on Aging to seek increased funding at the State level.
- Mr. Smith noted that the State's agreement includes language indicating that local funds are to be sought, meaning local government support is contemplated as part of the funding structure.

- Mr. Smith explained that PMS has operated the senior program at a loss for several years in order to maintain services. He stated that PMS has advocated through the Legislature and other avenues for increased funding.
- Commissioner McCall discussed the possibility of working with the County's State legislative delegation to seek additional funding rather than relying increasingly on County funds.
- It was also discussed that other counties provide local support for senior services, although the exact amount provided by McKinley County was not available during the meeting.

Long-Term Funding and County Responsibilities

- Commissioner McCall expressed concern that the County's contribution could become a recurring budget line item that increases as program costs increase.
- Chairman Schwebach emphasized the importance of determining the long-term funding structure and identifying the appropriate responsibilities of the County, PMS, the State, and federal funding sources.
- Mr. Smith agreed that the issue should become more of a partnership between the County and PMS, rather than PMS independently attempting to manage the funding shortfall.
- Mr. Smith explained that PMS responded to the most recent RFP and was the only organization to submit a response. PMS continued to pursue the contract despite the known funding shortfall because it did not want to discontinue senior services in Torrance County.
- Mr. Smith stated that PMS's annual requests to the State for Torrance County services were approximately $800,000, while the State funding received is substantially less.
- Chairman Schwebach discussed the possibility of examining whether the County should eventually serve as the direct contractor for the program rather than relying on a subcontractor, although no decision was made regarding that approach.
- Mr. Smith explained that certain jurisdictions, including Bernalillo County and the Navajo Nation, operate their senior service programs through separate public service areas, while other communities operate through the non-metropolitan Area Agency on Aging structure.
- Mr. Smith stated that, based on his experience, senior-service contractors throughout the State are generally not fully funded to meet their actual program needs.

- He further stated that senior-services funding in Torrance County has increased only modestly over approximately the last decade, while operating expenses have increased substantially.

Proposed MOAs and Projected Deficit

- Mr. Smith reviewed the two proposed MOAs and stated that, even at the maximum amount proposed under the agreements, PMS would continue to operate at a projected deficit.
- Based on projected FY2027 revenue of approximately $498,445 and projected expenses of approximately $637,000, PMS anticipates a shortfall of roughly $140,000.
- Mr. Smith explained that the proposed County contribution would therefore not fully fund PMS's projected deficit, but would help reduce the funding gap.
- When asked how PMS covers the remaining deficit, Smith stated that PMS uses its general operating funds to cover the shortfall.
- Mr. Smith also explained that, on occasion, unspent funds from other contractors may become available near the end of the fiscal year and may be redistributed to organizations experiencing shortages. However, he emphasized that such funds are not guaranteed, recurring, or sufficient to serve as a dependable funding source.
- The Commissioners continued discussion regarding the need for a sustainable long-term funding structure while recognizing the importance of maintaining senior services for Torrance County residents.

Motion; Commissioner McCall made a motion to approve MOA; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

B. **Manager**: PMS Medical Services discussion. Review, discussion and request approval for the PMS Mountainair Clinic Lease and Slide letter of leases with PMS.

This item was removed from the meeting.

C. **Manager**: Request approval to revert Grant Funds to the State of New Mexico for the Duran Water projects.

- Jody Cornwall, Grants Administrator, provided clarification regarding House Bill 247 and the reforms to the State's capital outlay process.
- She explained that there had initially been some conflicting information regarding the expenditure requirements for capital outlay funds. The requirements have since become more stringent.
- Under the revised requirements, 85% of the funds must be expended by December of the year preceding the fiscal year in which the appropriation is scheduled to revert. If the required percentage has not been expended by the December deadline, the funds may be frozen and ultimately subject to reversion.
- The purpose of the reform is to allow the State to recover unspent capital outlay funds and place them into a pool that can be used to fund completion of larger projects in the future.
- Ms. Cornwall clarified that the $50,000 Duran grant expires in June 2027. If the County cannot expend the required amount by the applicable December deadline, the funds could be frozen before the expiration date.
- During the discussion, it was clarified that these funds are not new funds. They are existing capital outlay funds previously discussed, including funds that have been reauthorized or reallocated.
- Ms. Cornwall further clarified that the $50,000 being discussed was not specifically part of the original $120,000 Duran grant, which had already been reauthorized/reallocated.

Motion; Chairman Schwebach made a motion to approve; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

D. **Manager**: Request approval to revert Grant Funds to the State of New Mexico for the Fire Department's comprehensive plan grant.

- Jody Cornwall, Grants Administrator, explained that the grant being discussed was originally the idea of the previous Fire Chief, Gary. She stated that she had spoken with Gary and that he has been communicating with County Manager Stephanie Reynolds regarding the grant.
- The grant is designated for the development of a Comprehensive Fire Plan. Ms. Cornwall explained that the scope is relatively broad and could potentially include planning related to issues such as hydrology or financial resources; however, the current Fire Chief, Chief Smith, does not believe there is currently a project or plan that would make effective use of the funding.
- A possible use discussed previously was conducting a hydrogeologic study related to continuing the pipeline project toward Willard. However, Ms. Cornwall explained that a hydrological study is already being pursued by other means at no cost to the County.
- She stated that the County has discussed the grant extensively with Chief Smith. He does not currently have a plan that would meet the grant requirements and does not want the County to expend time and resources on a project that would not provide a meaningful benefit.
- Because the County does not anticipate being able to meet the required expenditure percentage by the applicable December deadline, staff recommended that the County voluntarily revert the funding rather than allow the State to freeze or subsequently recover the funds.
- Commissioner McCall expressed concern about giving up capital outlay funds, noting that such funding can be difficult to obtain and that the County should make every effort to identify an appropriate use before reverting it.
- Michelle Jones, Deputy County Manager, explained that the County cannot simply change the scope to another type of project. The funding must remain within the parameters of the approved Comprehensive Fire Plan.
- Commissioner McCall also explained that House Bill 247 has changed the way capital outlay funds are handled by establishing stricter expenditure deadlines. Previously, capital outlay funds could remain unspent for extended periods or receive extensions. Under the new requirements, entities must meet specified expenditure thresholds or risk having the funds frozen and eventually recovered by the State.
- The discussion noted that the new requirements are affecting municipalities and counties throughout New Mexico as they adjust to the revised capital outlay rules.
- Chairman Schwebach acknowledged the importance of the new requirements while expressing concern about reverting funds that could otherwise benefit the County. The Commissioner noted that the County has generally been successful in spending its capital outlay funds, with the Duran project being an unusual situation because of issues involving ownership and jurisdiction over the project.
- Ms. Cornwall clarified that the $90,000 Comprehensive Fire Plan grant does not expire until June 2028. However, under the new expenditure requirements, the funds would be subject to the State's review/recovery process by December 2027 if the required expenditure level has not been met.

- Ms. Cornwall offered that Chief Smith could address the Commission directly regarding the decision not to proceed with the grant, but he was absent from the meeting due to illness.
- The discussion concluded with staff indicating that, given the lack of an identified project that meets the grant's existing scope and the inability to meet the new expenditure requirements, reverting the funds voluntarily may be the most appropriate course of action.

Died due to lack of motion.

E. **Treasurer**: Request approval to re-classify the position of Delinquent Tax Field Specialist to Delinquent Tax Field and Property Specialist with a $1.50/ hourly wage increase.

- Kathyrn Hernandez, County Treasurer, requested Commission approval to:
- Change the position title from Delinquent Tax Field Specialist I to Delinquent Tax Field & Property Specialist I;
- Approve the expanded position specifications provided in the Commission packet; and
- Approve a $1.50 per hour wage increase for Miles Rodriguez based on the additional responsibilities being assigned to the position.
- She emphasized that the request is not simply a title or pay increase. Her goal is to expand the County's delinquent tax collection program and move toward a more proactive approach to collecting delinquent property taxes throughout Torrance County.

Results from current field collection efforts

- Miles Rodriguez began actively working delinquent manufactured/mobile home accounts in the field in February.
- Since beginning those efforts, his collection activities have resulted in approximately $279,161.05 in previously delinquent manufactured/mobile home taxes being collected.
- Ms. Hernandez explained that these results demonstrate the potential benefit of having an employee consistently working delinquent accounts in the field, making taxpayer contacts, locating properties, following up, and encouraging payment.

Current delinquent accounts

- Torrance County currently has approximately 3,297 delinquent properties.
- The State is also working on another property auction involving approximately 400 delinquent properties, with the auction process anticipated for November.
- Kathryn Hernandez, County Treasurer, stated that rather than waiting until properties reach the final stages of the State auction process, the Treasurer's Office would like to intervene earlier and attempt to resolve delinquent accounts before they reach auction.

Expanded position responsibilities

- Miles would continue his existing responsibilities involving delinquent manufactured/mobile homes while expanding his duties to include delinquent real-property accounts.
- The revised position specifications include:
    - Conducting fieldwork on delinquent real-property accounts throughout Torrance County;
    - Locating delinquent properties and verifying property information;
    - Posting or attaching County-approved delinquent tax notices and/or property tags as authorized;
    - Documenting each property visit, including the date, location, parcel or account information, and outcome;
    - Photographing and documenting field activity when appropriate;
    - Maintaining records of field visits, notices or tags posted, taxpayer contacts, and collection activity;
    - Conducting follow-up visits on properties that remain delinquent;
    - Communicating professionally with taxpayers regarding delinquent balances, deadlines, payment procedures, and available options;
    - Coordinating with the Treasurer's Office, other County departments, and appropriate State agencies to verify ownership, property locations, property status, and other information necessary for delinquent tax collection; and
    - Following additional safety procedures associated with conducting property visits and working independently in the field.

- The revised position also recognizes the **increased physical and field requirements**, including traveling throughout the County, walking on uneven or unimproved surfaces, locating properties, posting notices, and documenting field activity.

Purpose of the expanded program

- Ms. Hernandez, County Treasurer, emphasized that the objective is not simply to send more properties to auction.
- The goal is to make earlier contact with property owners, encourage them to resolve delinquent taxes, and prevent as many properties as reasonably possible from reaching the State auction process.
- With approximately 3,297 delinquent properties, Ms. Hernandez stated that even collecting from a portion of those accounts could make a meaningful difference in County revenue.
- Proactive collection could result in delinquent taxes being collected sooner rather than remaining outstanding until a property reaches the State auction process.
- Early contact can also benefit taxpayers by giving property owners an opportunity to resolve their delinquent accounts before reaching the auction stage.

Requested wage increase

- Ms. Hernandez explained that the proposed $1.50 per hour increase represents approximately $3,120 annually in additional base wages for a full-time, 40-hour-per-week employee.
- She stated that the increase is intended to recognize the substantially greater responsibilities and increased field workload being assigned to Miles.
- Ms. Hernandez referenced the approximately $279,161.05 in delinquent taxes collected through Miles's fieldwork since February, while clarifying that the funds were taxes already owed to the County and should not be characterized as new revenue generated solely by the employee.
- She stated that the results demonstrate the effectiveness of having someone consistently and proactively work delinquent accounts.

Recommendation

- Ms. Hernandez asked that the Commission approve:
    1. The position title change from Delinquent Tax Field Specialist I to Delinquent Tax Field & Property Specialist I;
    2. The revised position specifications reflecting the additional real-property and field collection responsibilities; and

3. The $1.50 per hour wage increase for Miles Rodriguez associated with the expanded responsibilities.

- She concluded that the proposed changes would provide the Treasurer's Office with an additional tool to proactively address delinquent taxes, increase collections, provide a more consistent flow of revenue, reduce the number of long-standing delinquent accounts, and potentially resolve more accounts before they reach the State auction process.

Motion; Chairman Schwebach made a motion to approve; Seconded by Vice-Chair Jaramillo

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

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10. Discussion

A. Clerk's report; Sylvia Chavez

Sylvia Chavez, County Clerk, provided an update on upcoming election activities and Clerk's Office operations.

Tabulator Certification

- Sylvia Chavez, County Clerk, reported that the County will conduct tabulator certification next Tuesday and Wednesday, beginning at 9:00 a.m. at the County's election warehouse.
- She emphasized that the certification process is open to the public and invited the Commission and members of the public to attend.

Early Voting

- Early voting is scheduled to begin October 6.
- Early voting hours will be 8:00 a.m. to 5:00 p.m., Monday through Thursday.
- Additional Friday and Saturday voting opportunities will be provided during the last weekend in October at the Torrance County Administration Building.

Election Worker Training

- Ms. Chavez reported that the Clerk's Office has only a few remaining election trainings for precinct workers, and she stated that the County is nearing completion of its election-worker training schedule.

Encino Polling Location

- Ms. Chavez advised the Commission that the Village of Encino is conducting construction at its Community Center, which will prevent the County from using the Community Center as a polling location for the November election.
- The County will instead use the Encino Community gym as the polling location.
- Ms. Chavez noted that the gym had been used as a polling location during a previous election and should not present any operational problems.
- The Clerk's Office will provide signage and public notification to ensure voters in the Encino area are aware of the change.

New Mexico Counties Board of Directors

- Ms. Chavez reported that she has an upcoming New Mexico Counties Board of Directors meeting on October 2.
- She asked Commissioners if there were any issues, questions, or concerns they would like her to bring forward at the meeting.
- Commissioner McCall requested that Ms. Chavez look into IPRA (Inspection of Public Records Act) issues, particularly legislative issues or proposed changes that have previously been considered but have not passed.
- Ms. Chavez agreed to obtain an update and follow up with the Commissioners regarding the matter.

B. Manager's report:

1. The publications for the public hearing for the amendment to County Ordinance 2003-01 the Economic Development Ordinance have been published and is scheduled for October 14, 2026, during the commission meeting which begins at 9:00am.

Stephanie Reynolds, County Manager, provided the Commission with additional information and updates regarding several county matters, including DWI funding, vendor payments, the Finance Department, and upcoming public hearings.

DWI Program and Funding

- Ms. Reynolds reported that Torrance County has requested additional funding from the Department of Finance and Administration (DFA) for the county's DWI program.
- The requested funding would support programs and services including:
    - Smart Choices;

    - Designated driver initiatives;
    - Maintenance; and
    - Outreach efforts within local schools.
- She explained that the proposed school outreach would include working with school counselors and treatment providers to provide treatment-related resources and services to students.
- The County expects to receive a response from DFA regarding the additional funding request sometime in November.
- Ms. Reynolds emphasized that the county's DWI program is continuing to operate and is not stagnant. The program is currently in the Request for Proposals (RFP) process, with the County awaiting proposals.

Vendor Payments / Moriarty Foods

- Ms. Reynolds addressed concerns previously raised regarding delayed payments to vendors, specifically Moriarty Foods.
- She clarified that the delay was not caused by the County's Finance Department but resulted from a delay in receiving the required receipts from the contractor.
- Ms. Reynolds explained that receipts from January were not received by the County until March, which delayed the payment process.
- Following the issue, Moriarty Foods indicated that it no longer wanted to conduct business with Torrance County.
- Ms. Reynolds stated that the County is looking into developing a standardized operating procedure for contractors and vendors to establish clearer procedures and help prevent similar issues in the future.
- She stated that she will begin actively working on the process and anticipates reviewing the County's RFP procedures within the following week.

Finance Department Coordination

- Ms. Reynolds reported that the Finance Department has been working diligently to address and correct previously reported concerns and complaints.
- She stated that weekly meetings are being held with the Finance Department, Grants, the Treasurer, and other individuals involved with the County's finances and funds.
- Ms. Reynolds explained that the purpose of the weekly meetings is to ensure that all departments and personnel communicate, work together, and follow the same financial goals and procedures and noted that the meetings have been helpful in improving coordination and addressing financial concerns.

Clerk's Certification of Voting Machines

- Ms. Reynolds advised the Commission that Commissioners who would like to attend the Clerk's certification of the voting machines should notify her.
- She explained that if Commissioners attend together and a potential quorum is present, she will ensure that the appropriate quorum notice is posted.

- Vice-Chair Jaramillo indicated she would like to attend the Clerk's certification of the voting machines, potentially on one day, while another Commissioner may attend on a different day.

Economic Development Ordinance

- Ms. Reynolds reported that the required public hearing publications for the proposed amendment to Torrance County Ordinance 22-003-1, Economic Development Ordinance, have been published.
- The public hearing is scheduled for October 14, 2026, during the regular Torrance County Commission meeting.

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2. Discussion reallocation of current county administration building after new county administration building is operational.

- The item was identified as a standing agenda item at the request of the Commission.
- Vice-Chair Jaramillo requested that additional background information and supporting materials be included in the meeting packet in advance of future meetings and explained that having the information beforehand would allow Commissioners sufficient time to review and understand the material rather than trying to evaluate detailed information during the meeting.
- Stephanie Reynolds, County Manager, acknowledged the request and stated that additional information will be gathered from individuals responsible for agenda items and provided in the meeting packets whenever possible.

C. **Commissioners' reports;**

a. **Commissioner McCall, District 1**

- Commissioner McCall requested an update on the status of the County Fairgrounds project, including whether the project had been financially closed out.
- Ms. Reynolds reported that the project has not yet been closed because several remaining punch-list items must be completed at the fairgrounds building.
- One example discussed was the replacement of a piece of paneling located near the northeast corner of the building.
- Management stated that there are several smaller outstanding items that are still pending.
- Ms. Reynolds has remained in communication with Taylor regarding completion of the remaining work.

Financial status of the Fairgrounds project

- Commissioner McCall asked how much funding remained available from the additional funds allocated to the project.
- Ms. Reynolds stated that an exact remaining balance was not yet available because the County is waiting for a finalized final invoice from Taylor.
- The previously submitted invoice required a change following discussions involving the project parties, and a revised final invoice is expected.
- It was also noted that the County still needs to provide payment to the Road Department for hauling materials, to the extent that remaining funds are available.
- The project will not be considered fully closed until the remaining punch-list items and financial matters are completed.

Administration Building – Wilson & Company

- Commissioner McCall requested an update regarding Wilton & Company and the new Administration Building.
- Ms. Reynolds reported that the most recent meeting included the company's president, vice president, and Michael Wright, who is expected to work with the County on the project.
- She stated that the County is currently waiting for utilities to be incorporated into the existing plans.
- Once the utility information is added and the plans are finalized, the County expects to be ready to issue the project for Request for Proposals (RFP).

Economic Development Discussion

- During discussion of economic development, Commissioner McCall commented on the challenges associated with attracting and advancing economic development projects in the community.
- He stated that after approximately seven and a half years in office, they have found economic development to be more difficult than initially anticipated.
- Commissioner McCall raised the question of whether the community wants economic development, noting that when economic development projects are proposed, there can also be community opposition that makes projects more difficult to advance.
- He emphasized the importance of considering the community's willingness to support and accommodate new industries and economic opportunities.
- Commissioner McCall also provided a personal example from their own business, explaining that they operate the pumpkin patch and have hired approximately 550 employees for the upcoming six-week season and noted that finding approximately 550 employees has been a significant challenge, with many of the workers being young adults who are still in high school.

- Commissioner McCall stated that their seasonal business has effectively outgrown the available workforce within the community and expressed concern that this situation may reflect a lack of openness and willingness to bring additional industries and businesses into the community.
- Commissioner McCall concluded by emphasizing the need for continued consideration of economic growth, workforce availability, and the community's willingness to attract new industries and businesses.

b. <u>Commissioner Schwebach, District 2</u>

- Chairman Schwebach provided a brief update regarding the EMWT meeting held the previous evening.
- The group agreed to moving forward with the current projects and indicated that the necessary permits are expected to be in place.
- Sunset Acres is moving forward with plans for a replacement well, with work anticipated proceeding as early as the following week.
- The Pyramid project appears to be nearing completion, with final details and finishing work underway.
- Chairman Schwebach said that getting these projects completed and operational would be positive for the community.

Economic Development Discussion

- The Commission continued its discussion regarding economic development and the challenges of attracting businesses and new industries to Torrance County.
- Chairman Schwebach agreed that economic development is more difficult and complicated than it may appear and referenced EVEDA as an example of a previous economic development organization that was established to help attract businesses and investment in the area.
- He explained that EVEDA was formed with participation from multiple municipalities and private industry, with the goal of creating an entity capable of pursuing economic development opportunities across the region.
- The organization was funded approximately 51% by private funding.
- The structure allowed EVEDA to work with businesses on projects while utilizing confidentiality/non-disclosure agreements when necessary, during the early stages of economic development discussions.
- Its committee included representatives from local government, including a county commissioner, mayor, council member, and other government appointees.
- Chairman Schwebach described EVEDA as a tool intended to allow private industry and local government to work together on potential economic development projects.
- Chairman Schwebach acknowledged that there are differing opinions regarding how effective Avida was but noted that the organization provided a mechanism

for private and public entities to communicate and explore potential economic development opportunities.

- Chairman Schwebach referenced a recent economic development opportunity that, according to the Commissioner, was rejected before the County had an opportunity to fully discuss or evaluate the proposal.
- He emphasized that the community should have a broader discussion about what it wants economic development to look like and what types of businesses or industries the County is willing to consider.
- Chairman Schwebach connected economic development to the County's ability to fund community needs, noting that the Commission had spent much of the meeting discussing how to identify funding for programs supporting children struggling with substance abuse and senior citizens needing food assistance.
- He stated that while attracting a business that creates 100 jobs would be significant, even a business creating five jobs could provide value to the community.
- Concern was expressed that potential economic development projects can sometimes face opposition before sufficient questions are asked or the project is fully understood.
- He also discussed the impact of social media, stating that information and opinions can spread quickly and result in a project receiving significant criticism before it has an opportunity to be formally presented or evaluated.
- Chaiman Schwebach characterized the community as divided regionally and geographically and expressed concern about increasing tensions within the community.
- Chairman Schwebach concluded by emphasizing the importance of communication, mutual respect, and constructive dialogue in order for the County and its communities to make progress and improve relationships while addressing economic development and other community needs.

c. <u>Commissioner Jaramillo, District 3</u>

- Vice-Chair Jaramillo reported attending the Manzano Land Grant meeting on Sunday.
- The organization conducted its leadership selection and appointed/elected new officers, including a new president.
- She also attended the Local Emergency Planning Committee (LEPC) meeting the previous day.
- The meeting included discussion regarding the potential for flooding in Torrance County.
- Participants discussed preparedness measures and planning efforts being undertaken to prepare for possible flooding.

- Vice-Chair Jaramillo concluded the report by noting that, in addition to the meetings mentioned, that she have continued to handle emails, phone calls, and other routine county business.

11. Executive session- None

12. Consideration of Action(s)- None

13. Announcement of the next regular Board of County Commissioners Meeting:

October 14, 2026

14. Signing of official documents

15. Adjournment

Motion; Chairman Schwebach made a motion to adjourn; Seconded by Commissioner McCall

- **Roll call Vote**;
  - Schwebach – yes
  - McCall – yes
  - Jaramillo – yes

Motion Carried

Meeting adjourned at 1:06 PM

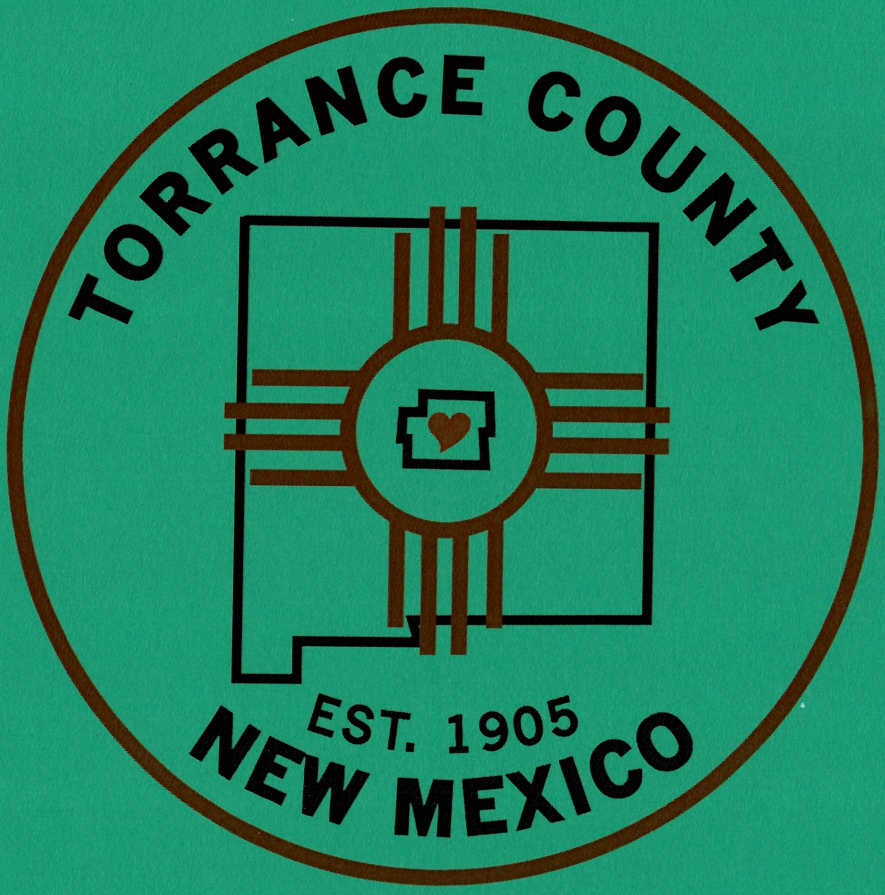
Ryan Schwebach - Chairman

Janelle Potts– Admin Assistant

Date

Sylvia Chavez – County Clerk

*The video and audio of this meeting are available upon request



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 8-A

Torrance County, NM

Check Report

By Check Number

Date Range: 09/14/2026 - 10/06/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Main Checking-Main Checking						
Payment Type: EFT						
418	COLUMBUS BANK AND TRUST	09/24/2026	EFT	0.00	463.74	579
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
INV0006600	Invoice / 09/24/2026 / Flex Plan			0.00	463.74	
	401-000-9001 / Payroll Liabilities / Flex Plan			463.74		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/24/2026	EFT	0.00	56.53	580
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
597555203	Invoice / 09/15/2026 / Copier Leases			0.00	56.53	
	401-008-2284 / LEASE EQUIPMENT / Planning & Zoning			14.27		
	401-010-2284 / EQUIPMENT LEASES / Manager			16.82		
	402-060-2284 / LEASE EQUIPMENT / Roads			11.17		
	612-020-2284 / CONTRACT - EQUIPMENT / Clerk			14.27		
VEN01472	PROFESSIONAL FIREFIGHTERS OF TORRANCE C	09/24/2026	EFT	0.00	299.00	581
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
INV0006599	Invoice / 09/24/2026 / FIRE FIGHTER UNION DUES			0.00	299.00	
	401-000-9001 / Payroll Liabilities / FIRE FIGHTER UNION DUES			299.00		
3537	SED ENTERPRISES INC.	09/24/2026	EFT	0.00	4,458.56	582
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
29GGZV/29GH2L	Invoice / 09/23/2026 / Fleet Vehicles For Animal Services			0.00	2,201.06	
	620-094-2618 / CAPITAL OUTLAY - VEHICL / Q1 September 2025 Chevy Silve			1,100.53		
	620-094-2618 / CAPITAL OUTLAY - VEHICL / Q1 September 2025 Chevy Silve			1,100.53		
645494-080526	Invoice / 09/23/2026 / SED Enterprise			0.00	2,257.50	
	620-094-2618 / CAPITAL OUTLAY - VEHICL / Q1 September Equiniox 27727G			751.46		
	620-094-2618 / CAPITAL OUTLAY - VEHICL / Q1 September Chevy Silverado			947.00		
	620-094-2618 / CAPITAL OUTLAY - VEHICL / Q1 September Chevy Trax 2836			559.04		
5189	SUNRISE BANK	09/24/2026	EFT	0.00	2,012.72	583
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
INV0006614	Invoice / 09/24/2026 / Sunrise Loan			0.00	2,012.72	
	401-000-9001 / Payroll Liabilities / Sunrise Loan			2,012.72		
VEN01566	UnitedHealthcare Insurance Company	09/24/2026	EFT	0.00	56,537.85	584
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
INV0006616	Invoice / 09/24/2026 / UnitedHealthcare Insurance			0.00	52,095.50	
	401-000-9001 / Payroll Liabilities / UnitedHealthcare Insurance			52,095.50		
INV0006617	Invoice / 09/24/2026 / UnitedHealthcare Insurance			0.00	4,442.35	
	401-000-9001 / Payroll Liabilities / UnitedHealthcare Insurance			4,442.35		
3537	SED ENTERPRISES INC.	09/24/2026	EFT	0.00	5,696.66	585
Payable #	Payable Type / Post Date / Payable Description			Discount Amount	Payable Amount	
	Account Number / Account Name / Item Description			Distribution Amount		
64549408052026	Invoice / 09/24/2026 / TC Maintenance agreement 2ND QTR			0.00	5,696.66	
	620-094-2618 / CAPITAL OUTLAY - VEHICL / TC Maintenance agreement 2N			5,696.66		

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	311.50	586

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653325	Invoice	09/22/2026	Q2 Finance Copier lease	0.00	311.50
	401-055-2284	EQUIPMENT LEASES	Q2 October	311.50	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	264.30	587

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653408	Invoice	09/22/2026	Q2 Clerk Copy Machine lease	0.00	264.30
	612-020-2284	CONTRACT - EQUIPMENT	Q2 October	264.30	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	264.30	588

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653407	Invoice	09/22/2026	Q2 Sheriff Copy Machine lease	0.00	264.30
	401-050-2284	EQUIPMENT LEASES	Q2 October	264.30	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	23.47	589

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
593207712 ins	Invoice	09/15/2026	Copier Leases	0.00	23.47
	401-014-2271	CONTRACT-OTHER SERVI	HR	23.47	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	275.38	590

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653008	Invoice	09/22/2026	Q2 Assessor Copier Lease	0.00	275.38
	401-040-2284	EQUIPMENT LEASES	Q2 October	275.38	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	264.30	591

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653327	Invoice	09/22/2026	Q2 Court Compliance copy Machine Leas	0.00	264.30
	401-073-2271	CONTRACT - OTHER SERV	Q2 October	264.30	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	9.00	592

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653004	Invoice	09/22/2026	Q2 Road Copy Machine Lease	0.00	9.00
	402-060-2284	LEASE EQUIPMENT	Prior Year Roads June	9.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	264.30	593

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653405	Invoice	09/22/2026	Q2 P&Z Copy Machine Lease	0.00	264.30
	401-008-2284	LEASE EQUIPMENT	Q2 October	264.30	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	10.61	594

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
597915340	Invoice	09/15/2026	Copier Leases	0.00	10.61
	604-083-2219	SUPPLIES - GENERAL OFFI	Emergency Services	10.61	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	196.58	595

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
598653223	Invoice	09/22/2026	Q2 Emergency Copier Lease	0.00	196.58
	604-083-2219	SUPPLIES - GENERAL OFFI	Q2 Ocober	196.58	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	311.50	596

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
598653326	Invoice	09/22/2026	Q2 Manager Copy Machine Lease	0.00	311.50	
	401-010-2284	EQUIPMENT LEASES	Q2 October	311.50		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	275.39	597
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
598652954	Invoice	09/22/2026	Q2 Treasurer Copy Machine Lease	0.00	275.39	
	401-030-2284	EQUIPMENT LEASES	Q2 October	275.39		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	206.99	598
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
598653406	Invoice	09/22/2026	Q2 Road Copy Machine Lease	0.00	206.99	
	402-060-2284	LEASE EQUIPMENT	Q2 October	206.99		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	269.60	599
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
598653305	Invoice	09/22/2026	Q2 HR Printer lease	0.00	269.60	
	401-014-2271	CONTRACT-OTHER SERVI	Q2 October	269.60		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	18.03	600
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
596208270	Invoice	09/15/2026	Copier Leases	0.00	18.03	
	604-083-2219	SUPPLIES - GENERAL OFFI	Emergency Services	18.03		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/28/2026	EFT	0.00	23.47	601
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
593616245 ins	Invoice	09/15/2026	Copier Leases	0.00	23.47	
	401-014-2271	CONTRACT-OTHER SERVI	HR	23.47		
1232	CORECIVIC INC.	09/30/2026	EFT	0.00	225,736.08	602
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
TCDF 022026H	Invoice	09/30/2026	CoreCivic ICE & USMS FY26	0.00	213,132.50	
	825-070-2172	CARE OF INMATES	February 2026 USMS Inmate Ho	213,132.50		
TCDF 122025T	Invoice	09/30/2026	CoreCivic ICE & USMS FY26	0.00	12,603.58	
	825-070-2172	CARE OF INMATES	Decemberr 2025 USMS Medical	4,603.58		
	825-070-2172	CARE OF INMATES	Decemberr 2025 USMS Court Tr	8,000.00		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	311.50	603
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
597089243	Invoice	09/15/2026	Copier Leases	0.00	311.50	
	401-010-2284	EQUIPMENT LEASES	Manager	311.50		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	264.30	604
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
597089244	Invoice	09/15/2026	Copier Leases	0.00	264.30	
	401-008-2284	LEASE EQUIPMENT	Planning & Zoning	264.30		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	298.86	605

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5964839777	Invoice	09/15/2026	Copier Leases	0.00	298.86	
	401-008-2284	LEASE EQUIPMENT	Planning & Zoning	25.54		
	401-010-2284	EQUIPMENT LEASES	Manager	25.54		
	401-014-2271	CONTRACT-OTHER SERVI	HR	60.05		
	401-050-2284	EQUIPMENT LEASES	Sherrif	25.54		
	401-055-2284	EQUIPMENT LEASES	Finance	25.54		
	401-073-2271	CONTRACT - OTHER SERV	Court Compliance (Grants)	25.54		
	402-060-2284	LEASE EQUIPMENT	Roads	25.54		
	604-083-2219	SUPPLIES - GENERAL OFFI	Emergency Services	60.03		
	612-020-2284	CONTRACT - EQUIPMENT	Clerk	25.54		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	251.97	606
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
56161765-2	Invoice	09/15/2026	Copier Leases	0.00	251.97	
	401-040-2284	EQUIPMENT LEASES	Assessor	251.97		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	264.30	607
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
597089337	Invoice	09/15/2026	Copier Leases	0.00	264.30	
	612-020-2284	CONTRACT - EQUIPMENT	Clerk	264.30		
4383	DE LAGE LANDEN FINANCIAL SERVICES INC	09/30/2026	EFT	0.00	113.95	608
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
596161587	Invoice	09/15/2026	Copier Leases	0.00	113.95	
	401-008-2284	LEASE EQUIPMENT	Planning & Zoning	14.24		
	401-010-2284	EQUIPMENT LEASES	Manager	14.24		
	401-050-2284	EQUIPMENT LEASES	Sherrif	14.24		
	401-055-2284	EQUIPMENT LEASES	Finance	14.27		
	401-073-2271	CONTRACT - OTHER SERV	Court Compliance (Grants)	14.24		
	402-060-2284	LEASE EQUIPMENT	Roads	14.24		
	604-083-2219	SUPPLIES - GENERAL OFFI	Emergency Services	14.24		
	612-020-2284	CONTRACT - EQUIPMENT	Clerk	14.24		
			Total EFT:	**0.00**	**299,754.74**	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Regular						
VEN01300	STATE OF NEW MEXICO	09/15/2026	Regular	0.00	-11,426.70	1003
4270	COLONIAL LIFE	09/29/2026	Regular	0.00	-447.09	137944
1385	NM TAXATION & REVENUE	09/29/2026	Regular	0.00	-14.90	137953
177	NEW MEXICO COUNTIES	09/15/2026	Regular	0.00	-250.00	138011
423	ADVANCED COMMUNICATIONS & ELECTRONIC	09/15/2026	Regular	0.00	21,143.20	138182

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
23396-00	Invoice	09/14/2026	Emergency Management Portable Radios	0.00	21,143.20
	835-028-2241	COMMUNICATION COSTS	Mutli Key AES - 4	1,792.00	
	835-028-2241	COMMUNICATION COSTS	Speaker Mic - 4	556.80	
	835-028-2241	COMMUNICATION COSTS	Freight	100.00	
	835-028-2241	COMMUNICATION COSTS	Feature 7/800 - 4	2,288.00	
	835-028-2241	COMMUNICATION COSTS	Phase 2 TDMA - 4	1,520.00	
	835-028-2241	COMMUNICATION COSTS	Black Portable - 4	8,640.00	
	835-028-2241	COMMUNICATION COSTS	Feature P25 - 4	1,328.00	
	835-028-2241	COMMUNICATION COSTS	Vehicular Charger - 2	644.80	
	835-028-2241	COMMUNICATION COSTS	Feature VHF - 4	2,288.00	
	835-028-2241	COMMUNICATION COSTS	Battery - 4	595.20	
	835-028-2241	COMMUNICATION COSTS	Charger - 2	171.20	
	835-028-2241	COMMUNICATION COSTS	Antenna - 4	371.20	
	835-028-2241	COMMUNICATION COSTS	Phase 1 Trunking - 4	464.00	
	835-028-2241	COMMUNICATION COSTS	P25 Authentication - 4	384.00	

3391	CINTAS CORPORATION NO. 2	09/15/2026	Regular	0.00	137.00	138183

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
9379364995	Invoice	09/14/2026	SHERIFF DEPT EYEWASH STATION	0.00	137.00
	401-050-2271	OTHER SERVICES	SHERIFF DEPT EYEWASH STATIO	137.00	

5359	GALLAGHER BENEFIT SERVICES, INC.	09/15/2026	Regular	0.00	2,810.00	138184

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
2659282	Invoice	09/15/2026	Q1 Benefits Svc Contract	0.00	2,810.00
	401-014-2272	CONTRACT - PROFESSION	Q1 September	2,810.00	

5179	LEAF CAPITAL FUNDING LLC	09/15/2026	Regular	0.00	562.90	138185

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
20843088	Invoice	09/15/2026	Q1 P&Z Plotter Printer	0.00	562.90
	401-008-2284	LEASE EQUIPMENT	September	562.90	

4339	LIBERTY NATIONAL LIFE INSURANCE	09/15/2026	Regular	0.00	554.77	138186

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
7.2026	Invoice	09/14/2026	INSURANCE DEDUCTIBLES DIFFERENCE	0.00	554.77
	401-000-9001	Payroll Liabilities	INSURANCE DEDUCTIBLES DIFFE	554.77	

25	NM COUNTY INSURANCE AUTHORITY	09/15/2026	Regular	0.00	101,947.00	138187

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
WC-00189	Invoice	09/15/2026	FY 26-27 WC CONTRIBUTIONS	0.00	101,947.00
	401-005-2214	WORKER'S COMPENSATI	FY 26-27 WC CONTRIBUTIONS	101,947.00	

1490	NMAC FINANCE & PURCHASING AFFIL	09/15/2026	Regular	0.00	1,000.00	138188

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
KDILLON	Invoice	09/15/2026	FINANCE AND PURCHASING AFFILIATE RE	0.00	250.00
	401-055-2266	EMPLOYEE TRAINING	FINANCE AND PURCHASING AFF	250.00	
MANAGER NMFA	Invoice	09/15/2026	Registration for 2026 3rd Annual Confere	0.00	750.00

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	401-010-2266	EMPLOYEE TRAINING	Registration-2026 3rd Ann. Conf		250.00	
	401-010-2266	EMPLOYEE TRAINING	Registration-2026 3rd Ann. Conf		250.00	
	401-010-2266	EMPLOYEE TRAINING	Registration-2026 3rd Ann. Conf		250.00	
5323	SOUTHWEST COPY SYSTEMS	09/15/2026	Regular	0.00	51.43	138189
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
605475	Invoice	09/14/2026	Q1 Em Manager Pringting Overages	0.00	51.43	
604-083-2219	SUPPLIES - GENERAL OFFI		Q1 September	51.43		
5323	SOUTHWEST COPY SYSTEMS	09/15/2026	Regular	0.00	56.06	138190
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
605473	Invoice	09/14/2026	Q1 Treasurer Printing overages	0.00	56.06	
401-030-2271	CONTRACT - OTHER SERV		Q1 September	56.06		
5323	SOUTHWEST COPY SYSTEMS	09/15/2026	Regular	0.00	41.44	138191
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
605474	Invoice	09/14/2026	Q1 HR Printing Overages	0.00	41.44	
401-014-2271	CONTRACT-OTHER SERVI		Q1 September	41.44		
VEN01300	STATE OF NEW MEXICO	09/15/2026	Regular	0.00	11,426.70	138192
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
FY 26 DETENTION	Invoice	06/30/2026	FACILITY REIMBURSEMENT FY 2026	0.00	11,426.70	
420-072-2174	Year 1 Reversion DETENTI		FACILITY REIMBURSEMENT FY 2	11,426.70		
5605	TRANSWORLD NETWORK CORP.	09/15/2026	Regular	0.00	270.81	138193
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
16446972-0427	Invoice	09/14/2026	INTERNET SERVICE FOR 702 DUNLAVY	0.00	270.81	
418-091-2207	TELECOMMUNICATIONS		JUNE PRIOR YEAR	0.81		
418-091-2207	TELECOMMUNICATIONS		JULY	90.00		
418-091-2207	TELECOMMUNICATIONS		AUGUST	90.00		
418-091-2207	TELECOMMUNICATIONS		SEPTEMBER	90.00		
VEN01082	Zamora, Judy Dawn	09/15/2026	Regular	0.00	3,872.72	138194
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
FY27-1	Invoice	09/15/2026	Teen Court Coordinator	0.00	3,872.72	
605-002-2271	CONTRACT - OTHER SERV		Teen Court Coordinator	3,587.93		
605-002-2271	CONTRACT - OTHER SERV		GRT 7.9375	284.79		
VEN01253	WILSON & COMPANY, INC., ENGINEERS & ARCI	09/21/2026	Regular	0.00	34,530.85	138195
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name		Item Description	Distribution Amount		
143045/remaind	Invoice	09/21/2026	Torreon MDWA Well replacement	0.00	9,094.68	
836-045-2817	ENGINEERING DESIGN &		Plan Development	9,094.68		
146306	Invoice	09/21/2026	Torreon MDWA Well replacement	0.00	6,471.90	
836-045-2817	ENGINEERING DESIGN &		Plan Development	6,052.46		
836-045-2817	ENGINEERING DESIGN &		Project Management	419.44		
148348	Invoice	09/21/2026	Torreon MDWA Well replacement	0.00	12,943.79	
836-045-2817	ENGINEERING DESIGN &		Project Management	838.88		
836-045-2817	ENGINEERING DESIGN &		Plan Development	12,104.91		
149638	Invoice	09/21/2026	Torreon MDWA Well replacement	0.00	6,020.48	
836-045-2817	ENGINEERING DESIGN &		Plan Development	6,020.48		
423	ADVANCED COMMUNICATIONS & ELECTRONIC	09/24/2026	Regular	0.00	103,248.00	138196

Vendor Number / Payable # / Account Number	Vendor Name / Payable Type / Account Name	Post Date / Payable Description / Item Description	Payment Date / Payment Type / Discount Amount / Payable Amount / Distribution Amount	Payment Amount	Number
23395-00	Invoice	09/14/2026 Fire Department Portable Radios	0.00	103,248.00	
620-094-2228		SOFTWARE Discount		-25,712.00	
693-097-2272		CONTRACT - PROFESSION Freight		400.00	
693-097-2272		CONTRACT - PROFESSION Mic with Speaker - 20		3,480.00	
693-097-2272		CONTRACT - PROFESSION P25 Phase 1 - 20		2,900.00	
693-097-2272		CONTRACT - PROFESSION Battery - 20		3,720.00	
693-097-2272		CONTRACT - PROFESSION Antenna - 20		2,320.00	
693-097-2272		CONTRACT - PROFESSION Model 2 Black Portable - 20		54,000.00	
693-097-2272		CONTRACT - PROFESSION Feature P25 - 20		8,300.00	
693-097-2272		CONTRACT - PROFESSION P25 Authentication - 20		2,400.00	
693-097-2272		CONTRACT - PROFESSION Charger - 20		2,140.00	
693-097-2272		CONTRACT - PROFESSION P25 Phase 2 - 20		9,500.00	
693-097-2272		CONTRACT - PROFESSION 7/800 - 20		14,300.00	
693-097-2272		CONTRACT - PROFESSION VHF - 20		14,300.00	
693-097-2272		CONTRACT - PROFESSION Multi Key AED - 20		11,200.00	
419	AFLAC	09/24/2026 Regular	0.00	977.80	138197
INV0006591	Invoice	09/24/2026 Aflac	0.00	658.15	
401-000-9001		Payroll Liabilities Aflac		658.15	
INV0006592	Invoice	09/24/2026 Aflac	0.00	319.65	
401-000-9001		Payroll Liabilities Aflac		319.65	
5450	AMAZON BUSINESS	09/24/2026 Regular	0.00	256.74	138198
1DRG-3LKH-WKN	Invoice	09/10/2026 Office Supplies	0.00	256.74	
401-030-2219		SUPPLIES - GENERAL OFFI PAPER CLIP HOLDER/DISPENSER		6.66	
401-030-2219		SUPPLIES - GENERAL OFFI PUROAIR 400 AIR PURIFIER AIR		39.11	
401-030-2219		SUPPLIES - GENERAL OFFI KLEENEX TISSUE 36 PACK		73.74	
401-030-2219		SUPPLIES - GENERAL OFFI PAPER TOWELS 12 PACK		22.86	
401-030-2219		SUPPLIES - GENERAL OFFI 3 RING .5" BINDERS 12 PACK		29.06	
401-030-2219		SUPPLIES - GENERAL OFFI STORAGE BOXES 20 pack		45.34	
401-030-2219		SUPPLIES - GENERAL OFFI MULTIPURPOSE COPY PAPER 8 R		39.97	
4818	AMBITIONS TECHNOLOGY GROUP LLC	09/24/2026 Regular	0.00	631.80	138199
13165	Invoice	09/10/2026 monthly billing January	0.00	631.80	
401-096-2213		CONTRACT - IT SERVICES SaaS		631.80	
3769	ANAYA, SENAIDA	09/24/2026 Regular	0.00	125.60	138200
SANTA FE NM/2	Invoice	09/22/2026 RETURN FROM SANTA FE NM 2026 ELECTI	0.00	125.60	
401-021-2205		TRAVEL - EMPLOYEES RETURN FROM SANTA FE NM 20		125.60	
VEN01274	BOLDplanning, Inc	09/24/2026 Regular	0.00	655.67	138201
247845	Invoice	09/14/2026 EOP Licensing	0.00	655.67	
604-083-2269		SUBSCRIPTIONS & DUES EOP License and Support		655.67	
4979	BRANDON BOE DAVIS	09/24/2026 Regular	0.00	3,870.00	138202

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
TCSO 25-00245	Invoice	09/11/2026	August Maintenance Quote	0.00	3,870.00	
	401-050-2201	MAINTENANCE & REPAIR	Tires (Sets) - New Tahoes	800.00		
	401-050-2201	MAINTENANCE & REPAIR	Safety Inspection	405.00		
	401-050-2201	MAINTENANCE & REPAIR	Windshield Wiper Blades	50.00		
	401-050-2201	MAINTENANCE & REPAIR	Brake Repair Sensor	325.00		
	401-050-2201	MAINTENANCE & REPAIR	Oil Change/Lube/Fluids	540.00		
	401-050-2201	MAINTENANCE & REPAIR	Taneau Cover	980.00		
	401-050-2201	MAINTENANCE & REPAIR	Spark Plugs	130.00		
	401-050-2201	MAINTENANCE & REPAIR	MISC	525.00		
	401-050-2201	MAINTENANCE & REPAIR	Tires Repair	75.00		
	401-050-2201	MAINTENANCE & REPAIR	Air Filter	40.00		
3698	CHAVEZ, SYLVIA	09/24/2026	Regular	0.00	125.60	138203
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM SANTA FE/2	Invoice	09/22/2026	RETURN FROM SANTA FE NM 2026 ELECTI	0.00	125.60	
	401-021-2205	TRAVEL - EMPLOYEES	RETURN FROM SANTA FE NM 20	125.60		
4270	COLONIAL LIFE	09/24/2026	Regular	0.00	614.94	138204
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
AUGUST 2026	Invoice	09/24/2026	COLONIAL LIFE PAYMENT	0.00	167.85	
	401-000-9001	Payroll Liabilities	COLONIAL LIFE PAYMENT	167.85		
INV0006595	Invoice	09/24/2026	Colonial	0.00	175.69	
	401-000-9001	Payroll Liabilities	Colonial	175.69		
INV0006596	Invoice	09/24/2026	Colonial Post tax	0.00	271.40	
	401-000-9001	Payroll Liabilities	Colonial Post tax	271.40		
5416	CRYSTAL SPRINGS BOTTLED WATER	09/24/2026	Regular	0.00	10.65	138205
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9408467	Invoice	09/08/2026	Crystal Springs Bottled Water	0.00	10.65	
	401-010-2219	SUPPLIES - GENERAL OFFI	August Crystal Springs Rental FY	10.65		
VEN01187	Dearborn Life Insurance Company	09/24/2026	Regular	0.00	553.58	138206
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006593	Invoice	09/24/2026	VISION INSURANCE	0.00	519.33	
	401-000-9001	Payroll Liabilities	VISION INSURANCE	519.33		
INV0006594	Invoice	09/24/2026	VISION POST TAX	0.00	34.25	
	401-000-9001	Payroll Liabilities	VISION INSURANCE	34.25		
4834	DELTA DENTAL OF NEW MEXICO INC	09/24/2026	Regular	0.00	3,453.70	138207
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006597	Invoice	09/24/2026	Dental Insurance	0.00	3,058.60	
	401-000-9001	Payroll Liabilities	Dental Insurance	3,058.60		
INV0006598	Invoice	09/24/2026	Dental Insurance	0.00	395.10	
	401-000-9001	Payroll Liabilities	Dental Insurance	395.10		
VEN01496	EMERGENCY SOLUTIONS, INC.	09/24/2026	Regular	0.00	700.06	138208

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
CBI-10885	Invoice	09/15/2026	Emergency Solutions Open PO 6/2026-07	0.00	700.06	
	405-091-2271	CONTRACT - OTHER SERV	District 5 NE Torrance	116.67		
	406-091-2271	CONTRACT - OTHER SERV	District 2 Indian Hills	116.68		
	407-091-2271	CONTRACT - OTHER SERV	District 1 Duran	116.68		
	408-091-2271	CONTRACT - OTHER SERV	District 3 McIntosh	116.67		
	409-091-2271	CONTRACT - OTHER SERV	District 4 Torreon/Tajique	116.68		
	418-091-2271	CONTRACT - OTHER SERV	District 6 Willard	116.68		
VEN01600	E-Screen Inc	09/24/2026	Regular	0.00	619.50	138209
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
15988254	Invoice	09/15/2026	E-Screen - Random Drug Testing	0.00	619.50	
	401-014-2272	CONTRACT - PROFESSION	E-Screen - Random Drug Screeni	619.50		
51	ESTANCIA, TOWN OF	09/24/2026	Regular	0.00	1,515.56	138210
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
8.26 249.01	Invoice	09/10/2026	Q1 Admin Water	0.00	465.68	
	401-015-2210	UTILITIES - WATER	Q1 August	465.68		
8.26 279.01	Invoice	09/10/2026	Q1 Health Dept Water	0.00	114.13	
	401-024-2210	UTILITIES - WATER	Q1 August	114.13		
8.26 284.01	Invoice	09/10/2026	Q1 Estancia Sr Center FY27	0.00	139.75	
	401-036-2210	UTILITIES - WATER	Q1 August	139.75		
8.26 362.01	Invoice	09/10/2026	Q1 Facilities Water	0.00	222.30	
	401-015-2210	UTILITIES - WATER	Q1 August	222.30		
8.26 600.01	Invoice	09/10/2026	Q1 Fairgrounds Water	0.00	55.00	
	401-053-2210	UTILITIES - WATER	Q1 August 600.01	55.00		
8.26 654.01	Invoice	09/10/2026	Q1 Judicial Water	0.00	299.09	
	401-016-2210	UTILITIES - WATER	Q1 August	299.09		
8.26 655.01	Invoice	09/10/2026	Q1 Sherrif Water	0.00	139.75	
	401-050-2210	UTILITIES - WATER	Q1 August	139.75		
8.26 727.01	Invoice	09/10/2026	Q1 Fairgrounds Water	0.00	79.86	
	401-053-2210	UTILITIES - WATER	Q1 August 727.01	79.86		
430	FLEMING CHEMICAL CO INC	09/24/2026	Regular	0.00	1,279.75	138211
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
61025	Invoice	09/10/2026	PPE Supplies-Cleaning Supplies for Stock.	0.00	1,279.75	
	401-015-2220	SUPPLIES - CLEANING	1 PC WAND 2/CLIP /WGB/VBRU	148.31		
	401-015-2220	SUPPLIES - CLEANING	NITRILE GLOVE, LG PREM BLACK	52.00		
	401-015-2220	SUPPLIES - CLEANING	MCR SAFETY NXG WORK GLOVE	39.30		
	401-015-2220	SUPPLIES - CLEANING	MCR SAFETY NXG WORK GLOVE	39.30		
	401-015-2220	SUPPLIES - CLEANING	UNTOUCHABLE 23 GAL GRAY	327.92		
	401-015-2220	SUPPLIES - CLEANING	NITRILE GLOVE, MED PREM BLA	52.00		
	401-015-2220	SUPPLIES - CLEANING	KLEENGUARD NEMESIS SAFETY	96.84		
	401-015-2220	SUPPLIES - CLEANING	NITRILE GLOVE, XL PREM BLACK	52.00		
	401-015-2220	SUPPLIES - CLEANING	FULL LENGTH FACE SHIELD W/H	45.00		
	401-015-2220	SUPPLIES - CLEANING	SWING TOP LID for UNTOUCHA	123.34		
	401-015-2220	SUPPLIES - CLEANING	KLEENGUARD NEMESIS SAFETY	119.16		
	401-015-2220	SUPPLIES - CLEANING	Freight	60.00		
	401-015-2220	SUPPLIES - CLEANING	MCR SAFETY NXG WORK GLOVE	39.30		
	401-015-2220	SUPPLIES - CLEANING	Folding Step Stool	85.28		
5019	GLOBE LIFE & ACCIDENT INSURANCE	09/24/2026	Regular	0.00	143.00	138212

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006601	Invoice	09/24/2026	Globe LIfe Insurance	0.00	143.00	
	401-000-9001	Payroll Liabilities	Globe Life Insurance	143.00		
214	Hart's Trustworthy Hardware	09/24/2026	Regular	0.00	177.60	138213
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
B665947	Invoice	09/03/2026	Tube Lights LED For STOCK.	0.00	177.60	
	401-024-2215	MAINTENANCE & REPAIR	Tube Lights LED T8 4CCT 18-857	177.60		
214	Hart's Trustworthy Hardware	09/24/2026	Regular	0.00	90.91	138214
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
B667198	Invoice	09/10/2026	TCFR Hart's Open PO 7/2026-9/2026	0.00	90.91	
	413-091-2248	SUPPLIES - SAFETY	Car Wash 1/2gal	20.97		
	413-091-2248	SUPPLIES - SAFETY	Pine Disinfectant & Clean	11.99		
	413-091-2248	SUPPLIES - SAFETY	QT Pro Toilet Bowl Cleaner	12.98		
	413-091-2248	SUPPLIES - SAFETY	Paper Towel Big Roll	16.99		
	413-091-2248	SUPPLIES - SAFETY	33gal Trash Bag Black	16.99		
	413-091-2248	SUPPLIES - SAFETY	2pk80ct Lysol Wipes	10.99		
214	Hart's Trustworthy Hardware	09/24/2026	Regular	0.00	25.98	138215
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
B665948	Invoice	09/03/2026	Light Bulb for Mountaniar SC (STOCK)	0.00	25.98	
	401-027-2215	MAINTENANCE & REPAIR	GE2PK 40W Day Flup Bulb- 7876	25.98		
3929	HENRY SCHEIN, INC.	09/24/2026	Regular	0.00	168.95	138216
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
61454682	Invoice	09/10/2026	Henry Schein, INC	0.00	168.95	
	416-083-2230	SUPPLIES - MEDICAL	Tylenol Children Liquid Grape	44.15		
	416-083-2230	SUPPLIES - MEDICAL	Tourniquet Disp Textrd LF Blue 1	124.80		
3587	HOMESTEAD WATER CO.	09/24/2026	Regular	0.00	68.15	138217
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
902	Invoice	09/10/2026	EMWT Regional Water Association Dist 5	0.00	68.15	
	405-091-2210	UTILITIES - WATER	August	68.15		
VEN01620	JASMINE DORCAS GRAYSON	09/24/2026	Regular	0.00	70.00	138218
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM SOCORRO	Invoice	09/22/2026	RETURN FROM SOCORRO NM FIREFIGHTE	0.00	70.00	
	416-083-2266	EMPLOYEE TRAINING	RETURN FROM SOCORRO NM FI	70.00		
3527	JONES, MICHELLE M	09/24/2026	Regular	0.00	95.73	138219
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM ABQ/FINANC	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	95.73	
	401-010-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN	95.73		
VEN01655	Kathryn L Dillon	09/24/2026	Regular	0.00	86.19	138220
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM ABQ	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	28.73	
	401-055-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN	28.73		
NM ABQ 9.17	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	28.73	
	401-055-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN	28.73		

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
NM ABQ 9.18	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	28.73	
	401-055-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN		28.73	
VEN01586	Kurt Knight	09/24/2026	Regular	0.00	1,541.21	138221
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
26-0923	Invoice	09/24/2026	KCK Consulting PROFESSIONAL SERVICES	0.00	1,541.21	
	620-094-2272	CONTRACTS- PROFESSIO	GRT	88.23		
	620-094-2272	CONTRACTS- PROFESSIO	mileage	341.48		
	620-094-2272	CONTRACTS- PROFESSIO	PROFESSIONAL SERVICES AGREE	1,111.50		
4339	LIBERTY NATIONAL LIFE INSURANCE	09/24/2026	Regular	0.00	1,444.62	138222
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
INV0006603	Invoice	09/24/2026	Liberty Life Insurance	0.00	1,057.67	
	401-000-9001	Payroll Liabilities	Liberty LIfe Insurance	1,057.67		
INV0006604	Invoice	09/24/2026	Liberty Life Insurance	0.00	368.22	
	401-000-9001	Payroll Liabilities	Liberty LIfe Insurance	368.22		
INV0006605	Invoice	09/24/2026	Liberty Life Insurance	0.00	18.73	
	401-000-9001	Payroll Liabilities	Liberty LIfe Insurance	18.73		
VEN01183	Metropolitan Life Insurance Company	09/24/2026	Regular	0.00	1,476.28	138223
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
INV0006606	Invoice	09/24/2026	MET LIFE LTD	0.00	810.69	
	401-000-9001	Payroll Liabilities	METLIFE DISABILITY	810.69		
INV0006607	Invoice	09/24/2026	Metlife employer	0.00	659.23	
	401-000-9001	Payroll Liabilities	Metlife employer life and accide	659.23		
INV0006608	Invoice	09/24/2026	Metropolitan Supplemental Life	0.00	6.36	
	401-000-9001	Payroll Liabilities	Metropolitan Supplemental Pos	6.36		
4987	NEW YORK LIFE	09/24/2026	Regular	0.00	67.17	138224
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
INV0006610	Invoice	09/24/2026	New York Life Insurance	0.00	67.17	
	401-000-9001	Payroll Liabilities	New York Life Insurance	67.17		
394	NM EMS BUREAU	09/24/2026	Regular	0.00	100.00	138225
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
EMS3772	Invoice	09/14/2026	EMD Licenses	0.00	100.00	
	911-080-2266	EMPLOYEE TRAINING	EMD License - Brian Herst	25.00		
	911-080-2266	EMPLOYEE TRAINING	EMD License - Crystal Astorga	25.00		
	911-080-2266	EMPLOYEE TRAINING	EMD License - Luciana Phillabau	25.00		
	911-080-2266	EMPLOYEE TRAINING	EMD License - Jade Diaz	25.00		
1096	NM RETIREE HEALTH-CARE AUTHORI	09/24/2026	Regular	0.00	7,695.28	138226
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
5.21.26	Invoice	09/23/2026	EMPLOYEE RETIREE HEALTH CARE PAYME	0.00	7,695.28	
	401-000-9001	Payroll Liabilities	EMPLOYEE RETIREE HEALTH CAR	7,695.28		
1096	NM RETIREE HEALTH-CARE AUTHORI	09/24/2026	Regular	0.00	8,088.84	138227
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**		
INV0006613	Invoice	09/24/2026	Retiree Health Care	0.00	8,088.84	
	401-000-9001	Payroll Liabilities	Retiree Health Care	8,088.84		
448	NM TAXATION & REVENUE	09/24/2026	Regular	0.00	5.00	138228

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
4.2026	Invoice	09/22/2026	APRIL RETURN FEE	0.00	5.00	
	401-000-9001	Payroll Liabilities	APRIL RETURN FEE	5.00		
448	NM TAXATION & REVENUE	09/29/2026	Regular	0.00	-5.00	138228
3967	NMAC HUMAN RESOURCE AFFILIATE	09/24/2026	Regular	0.00	150.00	138229
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
09-15-2026	Invoice	09/15/2026	NMAC HR Affiliate Dues	0.00	150.00	
	401-014-2269	SUBSCRIPTIONS & DUES	NMAC HR Affiliate Dues - H. Ver	75.00		
	401-014-2269	SUBSCRIPTIONS & DUES	NMAC HR Affiliate Dues - C. Mo	75.00		
151	PITNEY BOWES GLOBAL FINANCIAL SERVICES, I	09/24/2026	Regular	0.00	679.11	138230
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
3323125794	Invoice	09/14/2026	Send ProC Pitney Bowes Machine Lease	0.00	679.11	
	401-010-2284	EQUIPMENT LEASES	Q1- Send ProC Pitney Bowes Eq	679.11		
2015	PLATEAU	09/24/2026	Regular	0.00	4,912.78	138231
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
8.26 3061934	Invoice	09/10/2026	Q1 County Internet and Wireless phone S	0.00	4,912.78	
	401-096-2207	TELECOMMUNICATIONS	Q1 August	4,912.78		
2021	PRE-PAID LEGAL SERVICES, INC	09/24/2026	Regular	0.00	173.46	138232
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006602	Invoice	09/24/2026	Legal Shield	0.00	173.46	
	401-000-9001	Payroll Liabilities	Legal Shield	173.46		
1259	PRESTON MORTUARIES INC	09/24/2026	Regular	0.00	1,000.00	138233
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
26-0003	Invoice	09/23/2026	INDIGENT BURIALS	0.00	1,000.00	
	414-019-2294	INDIGENT BURIAL	INDIGENT BURIALS	1,000.00		
VEN01150	Reynolds, Stephanie Y	09/24/2026	Regular	0.00	77.00	138234
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
ABQ NM FINANC	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	77.00	
	401-010-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN	77.00		
5257	ROMERO, JOANNA	09/24/2026	Regular	0.00	95.79	138235
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM ABQ	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	95.79	
	401-055-2205	TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN	95.79		
5426	SENERGY PETROLEUM, LLC	09/24/2026	Regular	0.00	14,140.89	138236
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
415661052	Invoice	09/14/2026	Fuel	0.00	14,140.89	
	402-060-2202	SUPPLIES - VEHICLE FUEL	Fuel	14,140.89		
3978	STAPLES BUSINESS ADVANTAGE	09/24/2026	Regular	0.00	243.73	138237

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description / Account Name	Payment Type / Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount	Number
6073346512	Invoice	09/14/2026	Office Staples Order		0.00	243.73	
	911-080-2219		SUPPLIES - GENERAL OFFI	Magnetic steel dry erase board		46.48	
	911-080-2219		SUPPLIES - GENERAL OFFI	Copy Paper		171.24	
	911-080-2219		SUPPLIES - GENERAL OFFI	Sheet Protectors		15.42	
	911-080-2219		SUPPLIES - GENERAL OFFI	Wall Calendar		10.59	
VEN01463	STATE OF NEW MEXICO CHILD SUPPORT STATE	09/24/2026	Regular		0.00	311.54	138238
INV0006620	Invoice	09/24/2026	Child Suppot		0.00	311.54	
	401-000-9001		Payroll Liabilities	Child Support		311.54	
1335	TORRANCE COUNTY		09/24/2026	Regular	0.00	177.31	138239
INV0006615	Invoice	09/24/2026	Torrance County Property Tax		0.00	177.31	
	401-000-9001		Payroll Liabilities	Torrance County Property Tax		177.31	
1139	TOWN OF MOUNTAINAIR		09/24/2026	Regular	0.00	222.90	138240
01-01716	Invoice	09/10/2026	Q1 Mtnr Sr Center Utilities		0.00	222.90	
	401-027-2209		UTILITIES - NATURAL GAS	August Gas		88.89	
	401-027-2210		UTILITIES - WATER	August Water		134.01	
5414	TX CHILD SUPPORT SDU		09/24/2026	Regular	0.00	249.69	138241
INV0006621	Invoice	09/24/2026	TX SDU CHILD SUPPORT		0.00	249.69	
	401-000-9001		Payroll Liabilities	TX SDU CHILD SUPPORT		249.69	
VEN01654	Victoria Archuleta		09/24/2026	Regular	0.00	86.19	138242
NM ABQ 9.16	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P		0.00	28.73	
	401-010-2205		TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN		28.73	
NM ABQ 9.17	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P		0.00	28.73	
	401-010-2205		TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN		28.73	
NM ABQ 9.18	Invoice	09/24/2026	RETURN FROM ABQ NM FINANCE AND P		0.00	28.73	
	401-010-2205		TRAVEL - EMPLOYEES	RETURN FROM ABQ NM FINAN		28.73	
1	WAGNER EQUIPMENT CO.		09/24/2026	Regular	0.00	8,000.00	138243
B7578301	Invoice	09/14/2026	Blade for skidsteer		0.00	8,000.00	
	402-060-2244		MAINTENANCE & REPAIR	Blade for skidsteer		8,000.00	
810	WILLARD, VILLAGE OF		09/24/2026	Regular	0.00	230.00	138244
8.26 310.01	Invoice	09/10/2026	Q1 Monthly water Village of Willard		0.00	230.00	
	418-091-2210		UTILITIES - WATER	August		230.00	
5389	VIA HOMES & DEVELOPMENT LLC		09/24/2026	Regular	0.00	4,126.88	138245

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
#80	Invoice	09/22/2026	JUVENILE JUSTICE CONTINUUM COORDIN	0.00	4,126.88	
	635-068-2272	CONTRACT - PROFESSION	JUVENILE JUSTICE CONTINUUM	3,875.00		
	635-076-2314	PROGRAM SUPPORT	NM GRT	251.88		
VEN01660	EMWT Regional Water Association	09/24/2026	Regular	0.00	320,000.00	138246
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
860	Invoice	09/24/2026	GRO FUND	0.00	320,000.00	
	803-059-2726	ID074 EMWT MRCOG	GRO FUND	320,000.00		
VEN01649	Brandon W Myers	09/28/2026	Regular	0.00	616.00	138247
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
SOCORRO NM	Invoice	09/28/2026	TRAVEL TO SOCORRO NM ROPE RESCUE A	0.00	616.00	
	413-091-2205	TRAVEL - EMPLOYEES	TRAVEL TO SOCORRO NM ROPE	616.00		
5344	CERVANTES, EUNICE	09/28/2026	Regular	0.00	328.00	138248
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
BERNALILLO NM	Invoice	09/28/2026	TRAVEL TO BERNALILLO NM WOMENS LA	0.00	328.00	
	401-050-2205	TRAVEL - EMPLOYEES	TRAVEL TO BERNALILLO NM WO	328.00		
1096	NM RETIREE HEALTH-CARE AUTHORI	09/28/2026	Regular	0.00	7,747.83	138249
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5.7.26 RHC	Invoice	09/28/2026	RETIREE HEALTH FOR PAYROLL COMPANY	0.00	7,747.83	
	401-000-9001	Payroll Liabilities	RETIREE HEALTH FOR PAYROLL C	7,747.83		
4270	COLONIAL LIFE	09/29/2026	Regular	0.00	167.85	138250
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
E3882685/9.10.2	Invoice	09/29/2026	EMPLOYEE INSURANCE 9.10.26	0.00	167.85	
	401-000-9001	Payroll Liabilities	EMPLOYEE INSURANCE 9.10.26	167.85		
3770	COOPERATIVE EDUCATIONAL SERVICES	09/29/2026	Regular	0.00	211,179.39	138251
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
24-168081	Invoice	09/29/2026	Torrance County micro Eco Ridge Road	0.00	211,179.39	
	620-094-2613	CAPITAL OUTLAY - ROAD	BOND	4,140.77		
	620-094-2613	CAPITAL OUTLAY - ROAD	NM GROSS RECEIPTS	12,636.16		
	620-094-2613	CAPITAL OUTLAY - ROAD	MICROSURFACING	184,371.19		
	620-094-2613	CAPITAL OUTLAY - ROAD	MOBILIZATION OR DEMOBILIZA	10,031.27		
VEN01187	Dearborn Life Insurance Company	09/29/2026	Regular	0.00	1,108.52	138252
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
VF027837-1/8.1.	Invoice	09/29/2026	EMPLOYEE VISION INSURANCE	0.00	1,108.52	
	401-000-9001	Payroll Liabilities	EMPLOYEE VISION INSURANCE	1,108.52		
4834	DELTA DENTAL OF NEW MEXICO INC	09/29/2026	Regular	0.00	3,020.23	138253
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
RIS0007286673	Invoice	09/29/2026	EMPLOYEE DENTAL	0.00	3,020.23	
	401-000-9001	Payroll Liabilities	EMPLOYEE DENTAL	3,020.23		
2293	DIRECT CREMATION AND BURIAL SERV	09/29/2026	Regular	0.00	1,000.00	138254

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description / Account Name	Payment Type / Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount	Number
	CASE #27-001		09/29/2026	INDIGENT BURIALS	0.00	1,000.00	
	Invoice		INDIGENT BURIALS				
	414-019-2294		INDIGENT BURIAL	INDIGENT BURIALS		1,000.00	
4339	LIBERTY NATIONAL LIFE INSURANCE		09/29/2026	Regular	0.00	87.95	138255
	67055/8.26		09/29/2026	EMPLOYEE INSURANCE 8.26	0.00	87.95	
	Invoice		Payroll Liabilities	EMPLOYEE INSURANCE 8.26			
	401-000-9001					87.95	
VEN01183	Metropolitan Life Insurance Company		09/29/2026	Regular	0.00	12,380.00	138256
	METLIFE 2026		09/29/2026	METLIFE 2026 EMPLOYEE INSURANCE	0.00	12,380.00	
	Invoice		Payroll Liabilities	METLIFE 2026 EMPLOYEE INSUR			
	401-000-9001					12,380.00	
2021	PRE-PAID LEGAL SERVICES, INC		09/29/2026	Regular	0.00	411.75	138257
	5.10.26		09/29/2026	EMPLOYEE INSURANCE	0.00	411.75	
	Invoice		Payroll Liabilities	EMPLOYEE INSURANCE			
	401-000-9001					411.75	
329	WS DARLEY & CO		09/29/2026	Regular	0.00	767.80	138258
	17587555		09/29/2026	STRAINER FOOT VALVE	0.00	767.80	
	Invoice		SUPPLIES - SAFETY	STRAINER FOOT VALVE		723.90	
	405-091-2248		SUPPLIES - SAFETY	FREIGHT		43.90	
	405-091-2248						
3	4 RIVERS EQUIPMENT, LLC		09/30/2026	Regular	0.00	1,889.09	138259
	1987227		09/30/2026	Diagnostics and repair HAM Roller	0.00	188.31	
	Invoice		MAINTENANCE & REPAIR	Diagnostics and repair HAM Roll		188.31	
	402-060-2244						
	37497		09/30/2026	Diagnostics and repair HAM Roller	0.00	1,700.78	
	Invoice		MAINTENANCE & REPAIR	Diagnostics and repair HAM Roll		1,700.78	
	402-060-2244						
423	ADVANCED COMMUNICATIONS & ELECTRONIC		09/30/2026	Regular	0.00	58,960.00	138260
	23389-00		09/24/2026	TCSO Portable Radio Upgrade	0.00	58,960.00	
	Invoice		CO- EQUIPMENT & MACH	P25 Trunking - 21 Radios		28,800.00	
	827-077-2617		CO- EQUIPMENT & MACH	Encryption - 21 Radios		13,188.00	
	827-077-2617		CO- EQUIPMENT & MACH	7/800 MHZ Band - 21 Radios		10,000.00	
	827-077-2617		CO- EQUIPMENT & MACH	P25 Phase 2 - 21 Radios		4,620.00	
	827-077-2617		CO- EQUIPMENT & MACH	Link Layer Authentication - 21 R		2,352.00	
	827-077-2617						
423	ADVANCED COMMUNICATIONS & ELECTRONIC		09/30/2026	Regular	0.00	160,306.97	138261

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description / Account Name	Payment Type / Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount	Number
23400-00	Invoice	09/24/2026	Mobile Radios for Emergency Manageme		0.00	14,988.86	
	604-083-2241		COMMUNICATION COSTS	Installation Hardware- 2		70.00	
	604-083-2241		COMMUNICATION COSTS	Cable Ignition Sense - 2		42.24	
	604-083-2241		COMMUNICATION COSTS	Antenna - 2		688.00	
	604-083-2241		COMMUNICATION COSTS	Standard Deck DC Cable - 2		115.68	
	604-083-2241		COMMUNICATION COSTS	External Accessory Connection		78.72	
	604-083-2241		COMMUNICATION COSTS	Faceplate- 2		90.00	
	604-083-2241		COMMUNICATION COSTS	Control Head Kit - 2		107.04	
	604-083-2241		COMMUNICATION COSTS	7/800 MHZ Band - 2		1,144.00	
	604-083-2241		COMMUNICATION COSTS	Single Remote Control Head - 2		1,284.80	
	604-083-2241		COMMUNICATION COSTS	P25 Paging - 2		192.00	
	604-083-2241		COMMUNICATION COSTS	Coax Kit - 2		69.41	
	604-083-2241		COMMUNICATION COSTS	VHF Band - 2		1,144.00	
	604-083-2241		COMMUNICATION COSTS	Feature P25 - 2		664.00	
	604-083-2241		COMMUNICATION COSTS	Remote Cable - 2		150.56	
	604-083-2241		COMMUNICATION COSTS	USB-C Programming Cable - 2		62.40	
	604-083-2241		COMMUNICATION COSTS	Microphone - 2		111.84	
	604-083-2241		COMMUNICATION COSTS	P25 Authentication - 2		192.00	
	604-083-2241		COMMUNICATION COSTS	Multi Key AES - 2		896.00	
	604-083-2241		COMMUNICATION COSTS	Ethernet Adapter Kit - 2		157.36	
	604-083-2241		COMMUNICATION COSTS	Mobile Radio - 2		5,264.00	
	604-083-2241		COMMUNICATION COSTS	Standard Deck Mounting Bracke		30.24	
	604-083-2241		COMMUNICATION COSTS	Connector - 2		26.73	
	604-083-2241		COMMUNICATION COSTS	Phase 1 Trunking - 2		232.00	
	604-083-2241		COMMUNICATION COSTS	UHF Band - 2		1,144.00	
	604-083-2241		COMMUNICATION COSTS	Freight		120.00	
	604-083-2241		COMMUNICATION COSTS	High Power Speaker - 2		151.84	
	604-083-2241		COMMUNICATION COSTS	Phase 2 - 2		760.00	
23666-00	Invoice	09/30/2026	Radios		0.00	145,318.11	
	803-059-2640		25-J3186 DIGITAL RADIO	TCSO Mobile Radio 15		145,318.11	
	Void		09/30/2026	Regular	0.00	0.00	138262
423	ADVANCED COMMUNICATIONS & ELECTRONIC		09/30/2026	Regular	0.00	112.00	138263
23391-00	Invoice	09/21/2026	EM Portable Radio Upgrade		0.00	112.00	
	604-083-2241		COMMUNICATION COSTS	Link Layer Authentication		112.00	
VEN01184	AIR CARE NEW MEXICO		09/30/2026	Regular	0.00	1,518.44	138264
20007718-1	Invoice	09/30/2026	North 3		0.00	1,518.44	
	408-091-2215		MAINTENANCE & REPAIR	Misc Consumables as required		75.00	
	408-091-2215		MAINTENANCE & REPAIR	Blower Motor		459.00	
	408-091-2215		MAINTENANCE & REPAIR	Hours & Fees- Labor-Normal Bu		525.00	
	408-091-2215		MAINTENANCE & REPAIR	Mileage 50 miles one way from		200.00	
	408-091-2215		MAINTENANCE & REPAIR	Tax (Torrance County -Moriarty		57.49	
	408-091-2215		MAINTENANCE & REPAIR	Motors- 5-50/440 Capacitor Sin		112.00	
	408-091-2215		MAINTENANCE & REPAIR	Consumables- Chemical Coil Cle		89.95	
66	ALBUQUERQUE PUBLISHING CO.		09/30/2026	Regular	0.00	2,243.66	138265
429010	Invoice	09/29/2026	Legal ad RFP TC FY25-26-013		0.00	756.12	
	401-055-2221		PRINTING/PUBLISHING/A	Legal ad RFP TC FY25-26-013		756.12	
429020	Invoice	09/24/2026	Legal ad RFP TC FY25-26-014		0.00	747.89	
	401-055-2221		PRINTING/PUBLISHING/A	Legal ad RFP TC FY25-26-014		747.89	
492000	Invoice	09/24/2026	Legal ad RFP TC FY26-27-001		0.00	739.65	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	401-055-2221	PRINTING/PUBLISHING/A	Legal ad RFP TC FY26-27-001		739.65	
5450	AMAZON BUSINESS	09/30/2026	Regular	0.00	3,416.87	138266
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
16X6-p6kf-7yv1	Invoice	09/22/2026	IT laptop, monitor, keyboard, cbales, spea	0.00	3,416.87	
	401-096-2225	SUPPLIES - COMPUTER/P	KINESIS Freestyle2 USB-A Ergon		134.00	
	401-096-2225	SUPPLIES - COMPUTER/P	Highwings 4k Display Port to HD		8.54	
	401-096-2225	SUPPLIES - COMPUTER/P	Dell 27 Plus Monitor- S2725HS		146.99	
	401-096-2225	SUPPLIES - COMPUTER/P	Dell Premium 16 High Performa		2,962.49	
	401-096-2225	SUPPLIES - COMPUTER/P	Logitech z207 Stereo Computer		59.88	
	401-096-2225	SUPPLIES - COMPUTER/P	Technet 2.4G Wireless Ergonomi		19.99	
	401-096-2225	SUPPLIES - COMPUTER/P	MATEIN 18IN Laptop Backpack 5		34.99	
	401-096-2225	SUPPLIES - COMPUTER/P	Anker USB-C HUB, 8-in-2 Ethern		49.99	
5450	AMAZON BUSINESS	09/30/2026	Regular	0.00	391.51	138267
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
1G9F-R3JD-PN4X	Invoice	09/24/2026	Amazon Items	0.00	391.51	
	604-083-2219	SUPPLIES - GENERAL OFFI	Office Chair		249.99	
	604-083-2219	SUPPLIES - GENERAL OFFI	Monitor Riser		18.04	
	604-083-2248	SUPPLIES - SAFETY	Steel Boots S8		61.74	
	604-083-2248	SUPPLIES - SAFETY	Steel Boots S10		61.74	
5450	AMAZON BUSINESS	09/30/2026	Regular	0.00	356.20	138268
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
13V1-Y1RR-YLHP	Invoice	09/30/2026	Court Compliance Office Supplies	0.00	356.20	
	401-073-2219	SUPPLIES - GENERAL OFFI	Avery Filing Labels 8366		21.67	
	401-073-2219	SUPPLIES - GENERAL OFFI	BIC White Out 2PK correction ta		2.93	
	401-073-2219	SUPPLIES - GENERAL OFFI	5 pcs Legal Pads		12.34	
	401-073-2219	SUPPLIES - GENERAL OFFI	Avery Easy Peel Labels 5160		25.09	
	401-073-2219	SUPPLIES - GENERAL OFFI	BIC round Stic Ballpoint pens 60		6.78	
	401-073-2219	SUPPLIES - GENERAL OFFI	Pop up Sticky notes 18 pads		8.54	
	401-073-2219	SUPPLIES - GENERAL OFFI	Light Green Classification folder		104.65	
	401-073-2219	SUPPLIES - GENERAL OFFI	Amazon Basics Copy Paper 10 R		113.94	
	401-073-2219	SUPPLIES - GENERAL OFFI	OSPNIEEK Doc Holder 2PK		18.59	
	401-073-2219	SUPPLIES - GENERAL OFFI	Hipiwe Buisness Card Holder		13.29	
	401-073-2219	SUPPLIES - GENERAL OFFI	Linbsunne Ballpoint Pens		8.49	
	401-073-2219	SUPPLIES - GENERAL OFFI	Brother Label Maker Tape 12m		19.89	
VEN01651	Armando Serratos	09/30/2026	Regular	0.00	616.00	138269
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
SOCORRO NM	Invoice	09/30/2026	TRAVEL TO SOCORRO NM HAZMAT AWAR	0.00	616.00	
	413-091-2205	TRAVEL - EMPLOYEES	TRAVEL TO SOCORRO NM HAZ		616.00	
3594	AUTOZONE INC.	09/30/2026	Regular	0.00	10.44	138270
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
02248349390	Invoice	09/28/2026	Autozone Open PO 7/2026-9/2026	0.00	10.44	
	413-091-2201	MAINTENANCE & REPAIR	Autozone Open PO 7/2026-9/20		10.44	
5408	BANK OF AMERICA	09/30/2026	Regular	0.00	1,964.73	138271

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date / Account Name	Payable Description / Item Description	Payment Date / Payment Type / Discount Amount / Payable Amount / Distribution Amount	Payment Amount	Number
				Discount Amount	**Payment Amount**	**Number**
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
5180563483	Invoice	09/15/2026	Pet Carriers for animal transport	0.00	1,964.73	
	430-082-2223	SUPPLIES - KENNEL	40 in pet carrier for animal trans		499.98	
	430-082-2223	SUPPLIES - KENNEL	32 in pet carrier for animal trans		323.85	
	430-082-2223	SUPPLIES - KENNEL	36 in pet carrier for animal trans		385.00	
	430-082-2223	SUPPLIES - KENNEL	48 in pet carrier for animal trans		755.90	
5408	BANK OF AMERICA	09/30/2026	Regular	0.00	255.47	138272
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
755C209C-0033	Invoice	09/29/2026	Otter Meeting Minutes transcription Subs	0.00	255.47	
	401-020-2269	SUBSCRIPTIONS & DUES	Otter Subscription		255.47	
3920	BOOT BARN INC	09/30/2026	Regular	0.00	845.85	138273
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
195573	Invoice	09/22/2026	Boots	0.00	164.66	
	401-008-2248	SUPPLIES - SAFETY	Goen Boots		164.66	
Receipt transacti	Invoice	09/17/2026	Work Boots	0.00	179.95	
	401-082-2248	SUPPLIES - SAFETY	Work Boots		179.95	
Transaction #105	Invoice	09/17/2026	Work Boots	0.00	174.30	
	401-082-2248	SUPPLIES - SAFETY	Work Boots		174.30	
Transaction #188	Invoice	09/17/2026	Work boots	0.00	143.99	
	401-082-2248	SUPPLIES - SAFETY	Work boots		143.99	
Transaction #195	Invoice	09/21/2026	Work boots	0.00	182.95	
	401-082-2248	SUPPLIES - SAFETY	Work boots		182.95	
3357	CENTRAL NEW MEXICO PUMPING, INC	09/30/2026	Regular	0.00	425.00	138274
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
151912	Invoice	09/29/2026	Septic Pump EMS Biulding	0.00	425.00	
	416-083-2215	MAINTENANCE & REPAIR	Septic Pump EMS Biulding		425.00	
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	94.45	138275
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
9.26 079301	Invoice	09/23/2026	Q1 Dist 6 Fire Electric	0.00	94.45	
	418-091-2208	UTILITIES - ELECTRICITY	Q1 August		94.45	
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	48.14	138276
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
9.26 758001	Invoice	09/23/2026	Q1 McIntosh Sr Center Electric	0.00	48.14	
	401-089-2208	UTILITIES - ELECTRICITY	Q1 August		48.14	
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	458.94	138277
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
9.26 707901	Invoice	09/23/2026	Q1 Mountainair Sr Center Electric	0.00	458.94	
	401-027-2208	UTILITIES - ELECTRICITY	Q1 August		458.94	
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	471.38	138278
Payable #	**Payable Type**	**Post Date**	**Payable Description**	**Discount Amount**	**Payable Amount**	
	Account Number	**Account Name**	**Item Description**		**Distribution Amount**	
9.26 492801	Invoice	09/23/2026	Q1 Health	0.00	471.38	
	401-024-2208	UTILITIES - ELECTRICITY	Q1 August		471.38	
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	361.74	138279

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 099100	Invoice	09/23/2026	Q1 Dist 2 Fire Electric	0.00	361.74	
	406-091-2208	UTILITIES - ELECTRICITY	Q1 August 70500	277.77		
	406-091-2208	UTILITIES - ELECTRICITY	Q1 August 99100	83.97		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	172.29	138280
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 554000	Invoice	09/23/2026	Q1 Dist 4 Fire Electric	0.00	172.29	
	409-091-2208	UTILITIES - ELECTRICITY	Q1 August 2700	114.07		
	409-091-2208	UTILITIES - ELECTRICITY	Q1 August 4000	58.22		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	3,212.97	138281
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 273000	Invoice	09/23/2026	Q1 Admin/Road Electric	0.00	3,212.97	
	401-015-2208	UTILITIES - ELECTRICITY	Q1 August 3000	2,964.79		
	401-015-2208	UTILITIES - ELECTRICITY	Q1 August 3700	7.66		
	402-060-2208	UTILITIES - ELECTRICITY	Q1 August 33806 Road	240.52		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	549.37	138282
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 103300	Invoice	09/23/2026	Q1 Dist 5 Fire Electric	0.00	549.37	
	405-091-2208	UTILITIES - ELECTRICITY	Q1 August 03300	34.53		
	405-091-2208	UTILITIES - ELECTRICITY	Q1 August 11701	371.56		
	405-091-2208	UTILITIES - ELECTRICITY	Q1 August 03200	143.28		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	58.17	138283
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 104503	Invoice	09/23/2026	Q4 Emergency Mgr Electric	0.00	58.17	
	604-083-2208	UTILITIES - ELECTRICITY	Q1 August 4503	58.17		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	482.72	138284
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 421201	Invoice	09/23/2026	Q1 Moriarty Sr Center Electric	0.00	482.72	
	401-037-2208	UTILITIES - ELECTRICITY	Q1 August	482.72		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	180.04	138285
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 529300	Invoice	09/23/2026	Q1 Clerk/Elections Electric	0.00	180.04	
	401-021-2208	UTILITIES - ELECTRICITY	Q1 August	180.04		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	565.15	138286
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.23.26 270701	Invoice	09/23/2026	Q4 Sheriff Electric	0.00	565.15	
	401-050-2208	UTILITIES - ELECTRICITY	Q1 August	565.15		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	107.93	138287
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 036000	Invoice	09/23/2026	Q4 Dist 1 Fire Electric	0.00	107.93	
	407-091-2208	UTILITIES - ELECTRICITY	Q1 August 6000	51.12		
	407-091-2208	UTILITIES - ELECTRICITY	Q1 August 25100	30.06		
	407-091-2208	UTILITIES - ELECTRICITY	Q1 August 5100	26.75		

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	654.69	138288
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 536900	Invoice	09/23/2026	Q1 Fairgrounds Electric	0.00	654.69	
	401-053-2208	UTILITIES - ELECTRICITY	Q1 August 4700	159.61		
	401-053-2208	UTILITIES - ELECTRICITY	Q1 August 1500	28.87		
	401-053-2208	UTILITIES - ELECTRICITY	Q1 August 2200	43.56		
	401-053-2208	UTILITIES - ELECTRICITY	Q1 August 2300	119.88		
	401-053-2208	UTILITIES - ELECTRICITY	Q1 August 6900	302.77		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	708.07	138289
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 084401	Invoice	09/23/2026	Q1 Animal Services Electric	0.00	708.07	
	401-082-2208	UTILITIES - ELECTRICITY	Q1 August	708.07		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	725.22	138290
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 074400	Invoice	09/23/2026	Q1 Dist 3 Fire Electric	0.00	725.22	
	408-091-2208	UTILITIES - ELECTRICITY	Q1 August 15100	396.24		
	408-091-2208	UTILITIES - ELECTRICITY	Q1 August 88700	298.57		
	408-091-2208	UTILITIES - ELECTRICITY	Q1August 74400	30.41		
106	CENTRAL NM ELECTRIC COOP.	09/30/2026	Regular	0.00	56.91	138291
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 117505	Invoice	09/23/2026	Q4 Emergency Mgr Electric	0.00	56.91	
	604-083-2208	UTILITIES - ELECTRICITY	Q1 August 7505	56.91		
5561	CULLIGAN ABQ, LLC	09/30/2026	Regular	0.00	18.25	138292
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
327542	Invoice	09/21/2026	Q1 Water Delivery Service	0.00	18.25	
	401-030-2271	CONTRACT - OTHER SERV	Q1 AUGUST Water Delivery Serv	18.25		
5561	CULLIGAN ABQ, LLC	09/30/2026	Regular	0.00	33.50	138293
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
325821	Invoice	09/14/2026	DBC WATER PAYMENTS	0.00	33.50	
	401-040-2219	SUPPLIES-OFFICE	PRIOR YEAR JUNE FY26 DBC WA	33.50		
VEN01652	Daniel Beck	09/30/2026	Regular	0.00	616.00	138294
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
SOCORRO NM/H	Invoice	09/30/2026	TRAVEL TO SOCORRO NM HAZMAT AWAR	0.00	616.00	
	413-091-2205	TRAVEL - EMPLOYEES	TRAVEL TO SOCORRO NM HAZ	616.00		
5156	DEMINICA DENEE GARCIA	09/30/2026	Regular	0.00	92.80	138295
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NM CLOVIS	Invoice	09/30/2026	RETURN FROM CLOVIS NM OMA IPRA TR	0.00	92.80	
	401-056-2205	TRAVEL - EMPLOYEES	RETURN FROM CLOVIS NM OM	92.80		
5308	DIRECTV, LLC.	09/30/2026	Regular	0.00	131.39	138296
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9.26 069212456	Invoice	09/29/2026	Q1 Direct TV Fire	0.00	131.39	
	413-091-2271	CONTRACT - OTHER SERV	September	131.39		
4705	DOUBLE H AUTO	09/30/2026	Regular	0.00	394.81	138297

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description / Account Name	Payment Type / Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount / Distribution Amount	Number
					Discount Amount	**Payment Amount**	**Number**
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
641870	Invoice	09/16/2026	Quarterly part for road fleet		0.00	394.81	
	402-060-2201		MAINTENANCE & REPAIR	Quarterly part for road fleet	394.81		
VEN01629	DUSTIN GORMAN		09/30/2026	Regular	0.00	70.00	138298
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
NM SOCORRO	Invoice	09/30/2026	RETURN FROM SOCORRO NM FIREFIGHTE		0.00	70.00	
	416-083-2266		EMPLOYEE TRAINING	RETURN FROM SOCORRO NM FI	70.00		
156	EASTVIEW		09/30/2026	Regular	0.00	208.63	138299
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
6770	Invoice	09/29/2026	Supplies for Road shop		0.00	132.37	
	402-060-2250		SUPPLIES - SHOP	Supplies for Road shop	132.37		
6809	Invoice	09/29/2026	Supplies for Road shop		0.00	76.26	
	402-060-2250		SUPPLIES - SHOP	Supplies for Road shop	76.26		
2554	EPCOR USA, INC.		09/30/2026	Regular	0.00	125.24	138300
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
9.26 0739014	Invoice	09/21/2026	Q1 Monthly Water Bill		0.00	125.24	
	406-091-2210		UTILITIES - WATER	August	125.24		
VEN01600	E-Screen Inc		09/30/2026	Regular	0.00	962.30	138301
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
16010608	Invoice	09/28/2026	E-Screen - Drug Screening Supplies		0.00	962.30	
	401-014-2219		SUPPLIES - GENERAL OFFI	7 Panel - ABTOFCUBE701A	920.00		
	401-014-2219		SUPPLIES - GENERAL OFFI	Shipping Costs	42.30		
2561	EVIDENT INC		09/30/2026	Regular	0.00	1,978.82	138302
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
260947	Invoice	09/29/2026	Field Supplies and Evidence		0.00	1,978.82	
	401-050-2222		SUPPLIES - FIELD SUPPLIE	TYVEK EVIDENCE ENVELOPES - 5	230.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	9" EVIDENCE TUBES - 25	40.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	3 1/2 X 6 1/2 EVIDENCE ENVELO	44.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	CAP SHURE SWABS 6" - 100	228.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	2 X 3 BIOHAZARD LABELS	17.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	9 1/2 X 12 BLANK SECURITY BAG	230.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	5 1/4 X 8 BLANK SECURITY BAGS	180.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	9 X 12 EVIDENCE ENVELOPES - 1	92.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	LARGE BLANK PAPER BAGS - 300	105.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	MEDIUM BLANK PAPER BAGS - 3	90.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	SHIPPING AND HANDLING	247.82		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	ROD SPACER CONES	18.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	RED EVIDENCE PRO SECURITY T	252.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	SMALL BLANK PAPER BAGS - 50	135.00		
	401-050-2222		SUPPLIES - FIELD SUPPLIE	DISTILLED WATER - CASE	70.00		
2555	EVSWA		09/30/2026	Regular	0.00	435.34	138303
Payable #	**Payable Type**	**Post Date**	**Payable Description**		**Discount Amount**	**Payable Amount**	
	Account Number		**Account Name**	**Item Description**	**Distribution Amount**		
0001192199	Invoice	09/29/2026	Trash Disposal		0.00	21.00	
	402-060-2210		UTILITIES - WATER	Trash Disposal	21.00		
0001192201	Invoice	09/29/2026	Trash Disposal		0.00	414.34	
	402-060-2210		UTILITIES - WATER	Trash Disposal	414.34		

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
944	GRAINGER, INC.	09/30/2026	Regular	0.00	533.18	138304

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
9083395898	Invoice	09/22/2026	D5 Supplies	0.00	31.88
	405-091-2215	MAINTENANCE & REPAIR	Wedge V-belt 4L290	31.88	
9095579828	Invoice	09/29/2026	Toilet Parts EMS Building	0.00	501.30
	416-083-2248	SUPPLIES - SAFETY	Replacement Flushmate 503 Flu	501.30	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
36	GUSTIN HARDWARE, INC.	09/30/2026	Regular	0.00	184.63	138305

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
425798	Invoice	09/21/2026	Supplies for Road Shop	0.00	77.69
	402-060-2250	SUPPLIES - SHOP	Supplies for Road Shop	77.69	
425926	Invoice	09/21/2026	Kit Blade 12PK for the WeedWacker	0.00	16.99
	401-015-2238	MAINTENANCE & REPAIR	Kit Blade 12PK	16.99	
425927	Invoice	09/21/2026	String Line for the WeedWacker	0.00	89.95
	401-015-2238	MAINTENANCE & REPAIR	Trimmer Line Premium .105	89.95	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
214	Hart's Trustworthy Hardware	09/30/2026	Regular	0.00	28.99	138306

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
B665014	Invoice	09/29/2026	Screws bolts other shop inventory for mai	0.00	28.99
	402-060-2250	SUPPLIES - SHOP	Screws bolts other shop invento	28.99	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01626	HARVEY JOHNSON	09/30/2026	Regular	0.00	328.00	138307

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
ESPANOLA NM	Invoice	09/30/2026	TRAVEL TO SOCORRO NM EMERGENCY VE	0.00	328.00
	413-091-2205	TRAVEL - EMPLOYEES	TRAVEL TO ESPANOLA NM EME	328.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3929	HENRY SCHEIN, INC.	09/30/2026	Regular	0.00	97.66	138308

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
61777217	Invoice	09/17/2026	Henry Schein, INC	0.00	97.66
	416-083-2230	SUPPLIES - MEDICAL	Fentanyl Citrate Inj 2mL 50mcg/	97.66	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138309

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
SINV053089	Invoice	09/22/2026	Finance Shredding Service	0.00	5.08
	401-055-2271	OTHER SERVICES	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138310

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
SINV053145	Invoice	09/22/2026	Manager Shredding Services	0.00	5.08
	401-010-2271	CONTRACT-OTHER SERVI	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138311

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
SINV052962	Invoice	09/22/2026	Dispatch Shredding Services	0.00	5.08
	911-080-2271	CONTRACTS OTHER SERVI	Prior Year June FY26	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138312

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
SINV053061	Invoice	09/22/2026	Clerk Shredding Services	0.00	5.08
	612-020-2271	CONTRACT - OTHER SERV	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	10.16	138313

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
SINV052959	Invoice	09/22/2026	Sherrif Shredding Services	0.00	10.16
	401-050-2271	OTHER SERVICES	Prior Year June Fy26	10.16	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138314

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
SINV053084	Invoice	09/22/2026	Treasurer Shredding Services	0.00	5.08
	401-030-2271	CONTRACT - OTHER SERV	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	10.16	138315

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
Sinv053093	Invoice	09/22/2026	Sherrif Shredding Services	0.00	10.16
	401-050-2271	OTHER SERVICES	August	10.16	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138316

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
SINV053144	Invoice	09/22/2026	Dispatch Shredding Services	0.00	5.08
	911-080-2271	CONTRACTS OTHER SERVI	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4846	HORIZONS OF NEW MEXICO	09/30/2026	Regular	0.00	5.08	138317

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
SINV053088	Invoice	09/22/2026	Assessor Shredding Services	0.00	5.08
	401-040-2271	CONTRACT - OTHER SERV	August	5.08	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01605	ISAIAH PINEDA	09/30/2026	Regular	0.00	70.00	138318

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
NM SOCORRO	Invoice	09/30/2026	RETURN FROM SOCORRO NM FIREFIGHTE	0.00	70.00
	416-083-2266	EMPLOYEE TRAINING	RETURN FROM SOCORRO NM FI	70.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01643	John F Kah	09/30/2026	Regular	0.00	2,137.50	138319

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
RGMD-2026-002	Invoice	09/29/2026	FY27 Medical Director Services Fire/Dispa	0.00	2,137.50
	416-083-2272	CONTRACT - PROFESSION	GRT - Fire/EMS	68.75	
	416-083-2272	CONTRACT - PROFESSION	FY27 Medical Director Services	1,000.00	
	911-080-2271	CONTRACTS OTHER SERVI	FY27 Medical Director Services -	1,000.00	
	911-080-2271	CONTRACTS OTHER SERVI	GRT - Dispatch	68.75	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
5104	JONES & BARTLETT LEARNING,LLC	09/30/2026	Regular	0.00	1,498.90	138320

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
1389678	Invoice	09/29/2026	J&B Books	0.00	1,498.90
	413-091-2266	EMPLOYEE TRAINING	Fire Investigator: Principles and	142.65	
	413-091-2266	EMPLOYEE TRAINING	Fire and Emergency Services Ins	80.21	
	413-091-2266	EMPLOYEE TRAINING	Emergency Care and Transportai	295.46	
	413-091-2266	EMPLOYEE TRAINING	Fundamentals of Firefighter Skill	899.62	
	413-091-2266	EMPLOYEE TRAINING	Rope Rescue:Principles and Prac	80.96	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01627	JOSHUA RIVERA	09/30/2026	Regular	0.00	328.00	138321

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	**Account Name**	**Item Description**	**Distribution Amount**	
ESPANOLA NM	Invoice	09/30/2026	TRAVEL TO ESPANOLA NM EMERGENCY V	0.00	328.00
	413-091-2205	TRAVEL - EMPLOYEES	TRAVEL TO ESPANOLA NM EME	328.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4984	MARTINEZ, JOYCE	09/30/2026	Regular	0.00	86.19	138322

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
ABQ NM 7.18.26/	Invoice	09/30/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	28.73
401-055-2205	TRAVEL - EMPLOYEES		RETURN FROM ABQ NM FINAN	28.73	
ABQ NM 9.16/2	Invoice	09/30/2026	RETURN FROM FINANCE AND PURCHASIN	0.00	28.73
401-055-2205	TRAVEL - EMPLOYEES		RETURN FROM FINANCE AND P	28.73	
ABQ NM 9.17.26/	Invoice	09/30/2026	RETURN FROM ABQ NM FINANCE AND P	0.00	28.73
401-055-2205	TRAVEL - EMPLOYEES		RETURN FROM ABQ NM FINAN	28.73	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
5431	MCLEOD MEDICAL CENTERS OF NM INC	09/30/2026	Regular	0.00	110.00	138323

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
786697	Invoice	09/29/2026	CDL medical certification Mieguel Lovato	0.00	110.00
402-060-2272	CONTRACT - PROFESSION		CDL medical certification Miegu	110.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01563	MES SERVICE COMPANY, LLC	09/30/2026	Regular	0.00	1,475.00	138324

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
IN2571214	Invoice	09/30/2026	Dex- Pro 3D Leather Glove Medium	0.00	1,475.00
416-083-2248	SUPPLIES - SAFETY		Dex- Pro 3D Leather Glove Medi	1,450.00	
416-083-2248	SUPPLIES - SAFETY		Shipping	25.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
877	MOUNTAIN STATES CONSTRUCTORS INC	09/30/2026	Regular	0.00	35,991.11	138325

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
19249	Invoice	09/16/2026	Coldmix CAP project	0.00	35,991.11
402-060-2403	CAP MATCHING		Hauling	9,555.91	
402-062-2403	CAP MATCHING		Coldmix CAP project	26,435.20	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4464	NM APPARATUS LLC	09/30/2026	Regular	0.00	1,418.13	138326

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
2264	Invoice	09/16/2026	Engine 2	0.00	1,418.13
406-091-2201	MAINTENANCE & REPAIR		Mileage	91.00	
406-091-2201	MAINTENANCE & REPAIR		Shop Supplies- 7% of Labor	46.20	
406-091-2201	MAINTENANCE & REPAIR		DOT Federal Inspection	330.00	
406-091-2201	MAINTENANCE & REPAIR		PM and inspection	330.00	
406-091-2201	MAINTENANCE & REPAIR		Parts- Oil, Oil filter, air filters, fu	534.38	
406-091-2201	MAINTENANCE & REPAIR		Sales Tax	86.55	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3884	NM BOARD OF VETERINARY MEDICINE	09/30/2026	Regular	0.00	50.00	138327

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
L Rice tech applic	Invoice	09/29/2026	Euthanasia tech license Lindsey Rice	0.00	50.00
401-082-2269	SUBSCRIPTIONS & DUES		Euthanasia tech license Lindsey	50.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3884	NM BOARD OF VETERINARY MEDICINE	09/30/2026	Regular	0.00	50.00	138328

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
T Bohannon EUT-	Invoice	09/28/2026	Euth. tech license renewal for Topanga Bo	0.00	50.00
401-082-2269	SUBSCRIPTIONS & DUES		Euth. tech license renewal for T	50.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1328	NM DEPARTMENT OF PUBLIC SAFETY	09/30/2026	Regular	0.00	15.00	138329

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
Account Number	Account Name		Item Description	Distribution Amount	
INV0006625	Invoice	09/28/2026	Release of information Lindsey Rice	0.00	15.00
401-082-2269	SUBSCRIPTIONS & DUES		Release of information Lindsey	15.00	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
394	NM EMS BUREAU	09/30/2026	Regular	0.00	100.00	138330

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006590	Invoice	09/21/2026	Dispatch License	0.00	100.00	
	911-080-2269	SUBSCRIPTIONS & DUES	Dispatch License	100.00		
5096	NM IAAO	09/30/2026	Regular	0.00	456.00	138331
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
NMMORTEGA	Invoice	09/14/2026	IAAO CLASS 201 FOR MARIAH ORTEGA	0.00	456.00	
	401-040-2266	EMPLOYEE TRAINING	IAAO CLASS 201 FOR MARIAH O	456.00		
VEN01102	NM Local Government Law, LLC	09/30/2026	Regular	0.00	14,718.26	138332
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
4544	Invoice	09/22/2026	July and August billing for Professional Le	0.00	8,375.38	
	401-056-2275	CONTRACT - ATTORNEY F	July billing for Professional Legal	8,375.38		
4639	Invoice	09/22/2026	July and August billing for Professional Le	0.00	6,342.88	
	401-056-2275	CONTRACT - ATTORNEY F	August billing- Professional Lega	6,342.88		
5455	NMAC FIRE & EMERGENCY MANAGER	09/30/2026	Regular	0.00	50.00	138333
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006624	Invoice	09/28/2026	Affiliate Member Dues- Chief Smith	0.00	50.00	
	413-091-2269	SUBSCRIPTIONS & DUES	Affiliate Member Dues	50.00		
5455	NMAC FIRE & EMERGENCY MANAGER	09/30/2026	Regular	0.00	50.00	138334
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0006588	Invoice	09/16/2026	Fire & Emergency Managers Affiliate Dues	0.00	50.00	
	604-083-2269	SUBSCRIPTIONS & DUES	Fire & Emergency Managers Affi	50.00		
2194	ORKIN, LLC	09/30/2026	Regular	0.00	621.98	138335
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
301293045	Invoice	09/21/2026	Judicial Pest Control FY27	0.00	152.31	
	401-016-2203	MAINTENANCE & REPAIR	September FY27	152.31		
301293565	Invoice	09/21/2026	Sheriff Pest Control FY27	0.00	135.62	
	401-050-2271	OTHER SERVICES	September FY27	135.62		
302853904	Invoice	09/29/2026	Dispatch Pest Control FY27	0.00	200.21	
	911-080-2271	CONTRACTS OTHER SERVI	September FY27	200.21		
302854324	Invoice	09/29/2026	Admin Pest Control FY27	0.00	133.84	
	401-015-2215	MAINTENANCE & REPAIR	September FY27	133.84		
VEN01313	PAYPRO CORPORATION	09/30/2026	Regular	0.00	456.68	138336
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
00000102292	Invoice	09/22/2026	Benefits Manager	0.00	456.68	
	401-014-2271	CONTRACT-OTHER SERVI	September	456.68		
1334	PITNEY BOWES BANK INC PURCHASE POWER	09/30/2026	Regular	0.00	2,082.49	138337
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
9-29-26	Invoice	09/29/2026	Pitney Bowes Postage and Fees for 6 mon	0.00	2,082.49	
	401-010-2206	POSTAGE	Pitney Bowes Postage and Fees	2,082.49		
2015	PLATEAU	09/30/2026	Regular	0.00	124.47	138338

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	9.26 2211365	Invoice	09/29/2026	Q1 Duran FD Internet & Wirless	0.00	124.47
		407-091-2207	TELECOMMUNICATIONS	Q1 September	124.47	
1377	PRESBYTERIAN HEALTHCARE SERVICES	09/30/2026	Regular	0.00	246.00	138339
	Y1F905136272	Invoice	09/22/2026	Inmate Medical Care	0.00	246.00
		420-070-2173	INMATE MEDICAL	Inmate Medical Care	246.00	
1377	PRESBYTERIAN HEALTHCARE SERVICES	09/30/2026	Regular	0.00	468.00	138340
	585794889	Invoice	09/17/2026	Inmate Medical	0.00	468.00
		420-070-2173	INMATE MEDICAL	Inmate Medical	468.00	
3859	PRUDENTIAL OVERALL SUPPLY	09/30/2026	Regular	0.00	113.57	138341
	450806253	Invoice	09/16/2026	JUDICIAL CUSTODIAL SUPPLIES	0.00	113.57
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 42" FRA	0.54	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 30" REN	12.72	
		401-016-2220	SUPPLIES - CLEANING	MAT 3X4 BLACK MATS	61.66	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 30" MM	0.21	
		401-016-2220	SUPPLIES - CLEANING	BLUE WET MOP 24 OZ MMP	0.54	
		401-016-2220	SUPPLIES - CLEANING	MAT 3X4 BLACK MMP	1.76	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 42" FRA	6.69	
		401-016-2220	SUPPLIES - CLEANING	BLUE WET MOP 24 OZ RENT	14.38	
		401-016-2220	SUPPLIES - CLEANING	DELIVERY CHARGE	15.07	
3859	PRUDENTIAL OVERALL SUPPLY	09/30/2026	Regular	0.00	344.33	138342
	450806257	Invoice	09/16/2026	Uniforms Road Department	0.00	344.33
		402-060-2236	SUPPLIES - UNIFORMS	Uniforms -Road Department	344.33	
3859	PRUDENTIAL OVERALL SUPPLY	09/30/2026	Regular	0.00	114.75	138343
	450806254	Invoice	09/16/2026	UNIFORM RENTAL FACILITIES	0.00	114.75
		401-065-2236	SUPPLIES - UNIFORMS	MENS GRAY MIMIX WORK SHIR	6.35	
		401-065-2236	SUPPLIES - UNIFORMS	BUDGET PROTECTION	27.49	
		401-065-2236	SUPPLIES - UNIFORMS	DELIVERY CHARGE	15.07	
		401-065-2236	SUPPLIES - UNIFORMS	JACKET SLASH POCKET	15.95	
		401-065-2236	SUPPLIES - UNIFORMS	INDUSTRIAL REGULAR FIT JEANS	11.29	
		401-065-2236	SUPPLIES - UNIFORMS	BLACK TECHNICIAN PANTS	19.18	
		401-065-2236	SUPPLIES - UNIFORMS	TWILL CARGO PANTS	1.61	
		401-065-2236	SUPPLIES - UNIFORMS	POLO SHIRTS	17.81	
3859	PRUDENTIAL OVERALL SUPPLY	09/30/2026	Regular	0.00	113.57	138344

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	450806913	Invoice	09/28/2026	JUDICIAL CUSTODIAL SUPPLIES	0.00	113.57
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 42" FRA	0.54	
		401-016-2220	SUPPLIES - CLEANING	DELIVERY CHARGE	15.07	
		401-016-2220	SUPPLIES - CLEANING	MAT 3X4 BLACK MMP	1.76	
		401-016-2220	SUPPLIES - CLEANING	MAT 3X4 BLACK MATS	61.66	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 30" REN	12.72	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 30" MM	0.21	
		401-016-2220	SUPPLIES - CLEANING	BLUE WET MOP 24 OZ RENT	14.38	
		401-016-2220	SUPPLIES - CLEANING	PRFM DUST MOP BLUE 42" FRA	6.69	
		401-016-2220	SUPPLIES - CLEANING	BLUE WET MOP 24 OZ MMP	0.54	
107	QWEST CORPORATION	09/30/2026	Regular	0.00	194.50	138345
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	8.26 737571	Invoice	09/22/2026	Q1 Moriarty Sr Center Qwest	0.00	194.50
		401-037-2207	TELECOMMUNICATIONS	AUGUST 2026	194.50	
107	QWEST CORPORATION	09/30/2026	Regular	0.00	198.94	138346
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	8.26 569229	Invoice	09/22/2026	Q1 Fire Dist 5	0.00	198.94
		405-091-2207	TELECOMMUNICATIONS	August 9229 FY27	198.94	
107	QWEST CORPORATION	09/30/2026	Regular	0.00	336.30	138347
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	9.26 664021	Invoice	09/22/2026	Q1 Sherrif Qwest	0.00	336.30
		401-096-2207	TELECOMMUNICATIONS	Q1 August 4021	336.30	
107	QWEST CORPORATION	09/30/2026	Regular	0.00	126.56	138348
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	9.26 987944	Invoice	09/22/2026	Q1 Sherrif Qwest	0.00	126.56
		401-096-2207	TELECOMMUNICATIONS	Q1 August 7944	126.56	
5426	SENERGY PETROLEUM, LLC	09/30/2026	Regular	0.00	14,286.38	138349
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	415669820	Invoice	09/22/2026	Fuel	0.00	5,990.83
		402-060-2202	SUPPLIES - VEHICLE FUEL	Fuel	5,990.83	
	415679014	Invoice	09/29/2026	Fuel	0.00	8,295.55
		402-060-2202	SUPPLIES - VEHICLE FUEL	Fuel	8,295.55	
4316	SIDDONS-MARTIN EMERGENCY GROUP, LLC	09/30/2026	Regular	0.00	195.00	138350
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
	700-SIV0072029	Invoice	09/15/2026	Tender 6 & Tender 1 Ladders	0.00	195.00
		407-091-2201	MAINTENANCE & REPAIR	Tender 1 Ladder Boot LG-Specif	97.50	
		418-091-2201	MAINTENANCE & REPAIR	Tender 6 Ladder Boot LG-Specif	97.50	
5323	SOUTHWEST COPY SYSTEMS	09/30/2026	Regular	0.00	788.85	138351

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date / Account Name	Payable Description / Item Description	Payment Date / Discount Amount / Distribution Amount	Payment Type / Payable Amount	Payment Amount	Number
				Discount Amount	Payment Amount		
606212	Invoice	09/22/2026	Q1 September Copy/Print charges	0.00	788.85		
	401-008-2221	PRINTING/PUBLISHING/A	Q1 September P&Z	134.50			
	401-008-2221	PRINTING/PUBLISHING/A	Q1 September Finance	128.49			
	401-010-2221	PRINTING/PUBLISHING/A	Q1 September Manager	176.76			
	401-021-2221	PRINTING/PUBLISHING/A	Q1 September Clerk	155.74			
	401-050-2221	PRINTING/PUBLISHING/A	Q1 September Sheriff	142.43			
	401-073-2271	CONTRACT - OTHER SERV	Q1 September Court Complianc	20.70			
	402-060-2221	PRINTING/PUBLISHING/A	Q1 September Roads	30.23			
VEN01493	SOUTHWEST PPE SERVICES	09/30/2026	Regular	0.00	565.83		138352
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
1278	Invoice	09/22/2026	N. Spomer Bunker Gear Repair	0.00	565.83		
	416-083-2248	SUPPLIES - SAFETY	Bunker Coat Clean	139.60			
	416-083-2248	SUPPLIES - SAFETY	Bunker Pants Clean	338.00			
	416-083-2248	SUPPLIES - SAFETY	Sales Tax (8.6875%)	45.23			
	416-083-2248	SUPPLIES - SAFETY	Shipping Charges	43.00			
3978	STAPLES BUSINESS ADVANTAGE	09/30/2026	Regular	0.00	25.47		138353
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
6074042570	Invoice	09/15/2026	Staples - Office Supplies	0.00	25.47		
	401-014-2219	SUPPLIES - GENERAL OFFI	Pentel Energel - Black Item#163	25.47			
3978	STAPLES BUSINESS ADVANTAGE	09/30/2026	Regular	0.00	287.14		138354
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
6074302918	Invoice	09/17/2026	Office Supplies and Batteries for Duty Ligh	0.00	287.14		
	401-050-2219	SUPPLIES - GENERAL OFFI	BANKERS BOXES - 12/CARTON	93.56			
	401-050-2219	SUPPLIES - GENERAL OFFI	2025 BATTERIES - 2/pk	18.18			
	401-050-2219	SUPPLIES - GENERAL OFFI	2032 BATTERIES 4/PACK	31.24			
	401-050-2219	SUPPLIES - GENERAL OFFI	123 BATTERIES 2/pk	28.60			
	401-050-2219	SUPPLIES - GENERAL OFFI	FLASH DRIVES - 32 GB - 5/PK	115.56			
3978	STAPLES BUSINESS ADVANTAGE	09/30/2026	Regular	0.00	12.23		138355
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
6073545576	Invoice	09/30/2026	Finance Supply Order	0.00	12.23		
	401-055-2219	SUPPLIES - GENERAL OFFI	2026-2027 Planner	12.23			
3915	STERICYCLE, INC.	09/30/2026	Regular	0.00	53.78		138356
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
8014988783	Invoice	09/28/2026	Stericycle	0.00	53.78		
	416-083-2230	SUPPLIES - MEDICAL	Aug 2026	53.78			
5539	SUMMITT FIRE & SECURITY LLC	09/30/2026	Regular	0.00	233.24		138357
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
4225152	Invoice	09/30/2026	Q1 Admin Quarterly Monitoring	0.00	233.24		
	401-015-2203	MAINTENANCE & REPAIR	Q1 Admin Quarterly Monitoring	233.24			
5539	SUMMITT FIRE & SECURITY LLC	09/30/2026	Regular	0.00	680.01		138358
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount		
	Account Number	Account Name	Item Description	Distribution Amount			
4193687	Invoice	09/30/2026	Troubleshoot/Program Access Control Do	0.00	680.01		
	401-015-2203	MAINTENANCE & REPAIR	Troubleshoot/Program Access C	680.01			
5539	SUMMITT FIRE & SECURITY LLC	09/30/2026	Regular	0.00	137.39		138359

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payable Description / Account Name	Item Description	Payment Date / Payment Type / Discount Amount / Payable Amount / Distribution Amount	Payment Amount	Number
					Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	137.39	138359
4236338	Invoice	09/30/2026	Q1 Clerk Voting Storage quarterly Monito		Payable Amount: 137.39		
	612-020-2308		VOTING MACHINE STORA	Q1 Clerk Voting Storage quarterl	Distribution Amount: 137.39		
VEN01588	SUSAN B. CAVE, PH.D., PC				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	540.94	138360
202609101	Invoice	09/28/2026	Psych Testing for a Cert by Waiver		Payable Amount: 540.94		
	401-050-2272		CONTRACT - PROFESSION	Psych Testing for a Cert by Waiv	Distribution Amount: 540.94		
4736	T.A. TIRES & SERVICE				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	440.00	138361
INV1760	Invoice	09/30/2026	4 Tire replacment for the 16FT Trailer		Payable Amount: 440.00		
	401-065-2201		MAINTENANCE & REPAIR	ST205/75R 15 8ply Hi/Run	Distribution Amount: 440.00		
1139	TOWN OF MOUNTAINAIR				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	2,373.00	138362
8-17-2026	Invoice	09/29/2026	water for road project.		Payable Amount: 2,373.00		
	402-060-2253		MAINTENANCE & REPAIR	water for road project.	Distribution Amount: 2,373.00		
5042	VECTOR SOLUTIONS				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	1,528.77	138363
INV148732	Invoice	09/21/2026	Vector Annual Membership		Payable Amount: 1,528.77		
	911-080-2272		CONTRACT - PROFESSION	Vector Annual Membership	Distribution Amount: 1,528.77		
1	WAGNER EQUIPMENT CO.				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	5,871.62	138364
S10W0948198	Invoice	09/22/2026	Wagner/Catipillar Service Contracts.		Payable Amount: 2,120.41		
	402-060-2244		MAINTENANCE & REPAIR	Wagner/Catipillar Service Contr	Distribution Amount: 2,120.41		
S10W0948273	Invoice	09/28/2026	Wagner/Catipillar Service Contracts.		Payable Amount: 1,623.61		
	402-060-2244		MAINTENANCE & REPAIR	Wagner/Catipillar Service Contr	Distribution Amount: 1,623.61		
S10W0948313	Invoice	09/28/2026	Wagner/Catipillar Service Contracts.		Payable Amount: 2,127.60		
	402-060-2244		MAINTENANCE & REPAIR	Wagner/Catipillar Service Contr	Distribution Amount: 2,127.60		
3393	WEST, KATHLEEN A.				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	250.00	138365
KC WEST 9 2026	Invoice	09/28/2026	Pharmacy inspections		Payable Amount: 250.00		
	401-082-2272		CONTRACT - PROFESSION	Pharmacy inspections	Distribution Amount: 250.00		
3823	WITMER PUBLIC SAFETY GROUP				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	2,612.39	138366
INV960078	Invoice	09/22/2026	D3 Saftey Gear		Payable Amount: 2,356.22		
	408-091-2248		SUPPLIES - SAFETY	Freight	Distribution Amount: 43.97		
	408-091-2248		SUPPLIES - SAFETY	Streamlight Survivor Pivot- Yello	819.25		
	408-091-2248		SUPPLIES - SAFETY	Cairns 880 Chicago, Bourkes, Sta	917.90		
	408-091-2248		SUPPLIES - SAFETY	Streamlight Vantage II Red with	575.10		
INV960491	Invoice	09/22/2026	D3 Structural Gloves		Payable Amount: 256.17		
	408-091-2248		SUPPLIES - SAFETY	Pro Tech 8Titan Short Cuff Struc	Distribution Amount: 212.20		
	408-091-2248		SUPPLIES - SAFETY	Freight	43.97		
1641	ZIA GRAPHICS INC.				Payment Date: 09/30/2026 Payment Type: Regular Discount Amount: 0.00	299.74	138367

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description	Payment Type / Account Name	Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount	Number
72184	Invoice	09/15/2026	Office Fleece Jacket			0.00	299.74	
	401-020-2236			SUPPLIES-UNIFORM	3xl upcharge		3.00	
	401-020-2236			SUPPLIES-UNIFORM	2xl upcharge		4.00	
	401-020-2236			SUPPLIES-UNIFORM	Tax		21.24	
	401-020-2236			SUPPLIES-UNIFORM	Office Fleece Jacket		271.50	
					Total Regular:	**0.00**	**1,243,781.48**	

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
448	NM TAXATION & REVENUE	09/14/2026	Bank Draft	0.00	2.85	DFT0001785

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006585	Invoice	09/14/2026	State Tax	0.00	2.85
	401-000-9001	Payroll Liabilities	State Tax	2.85	

1656	INTERNAL REVENUE SERVICE	09/14/2026	Bank Draft	0.00	126.46	DFT0001786

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006586	Invoice	09/14/2026	Federal Tax	0.00	126.46
	401-000-9001	Payroll Liabilities	FICA Tax	102.50	
	401-000-9001	Payroll Liabilities	Medicare Taxes	23.96	

233	PUBLIC EMPLOYEES RETIREMENT	09/24/2026	Bank Draft	0.00	12,937.53	DFT0001789

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006611	Invoice	09/24/2026	PERA Retirement	0.00	12,937.53
	401-000-9001	Payroll Liabilities	PERA Retirement	12,937.53	

233	PUBLIC EMPLOYEES RETIREMENT	09/24/2026	Bank Draft	0.00	3,196.15	DFT0001790

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006612	Invoice	09/24/2026	PERA PICKUP FIRE	0.00	3,196.15
	401-000-9001	Payroll Liabilities	PERA PICKUP FIRE	3,196.15	

5380	VOYA HOLDINGS, INC.	09/24/2026	Bank Draft	0.00	3,085.90	DFT0001791

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006618	Invoice	09/24/2026	Voya	0.00	3,085.90
	401-000-9001	Payroll Liabilities	Voya	3,085.90	

233	PUBLIC EMPLOYEES RETIREMENT	09/24/2026	Bank Draft	0.00	64,828.25	DFT0001792

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006619	Invoice	09/24/2026	PERA Retirement	0.00	64,828.25
	401-000-9001	Payroll Liabilities	PERA Retirement	31,058.26	
	401-000-9001	Payroll Liabilities	PERA Retirement	15,294.33	
	401-000-9001	Payroll Liabilities	PERA PICKUP	12,760.17	
	401-000-9001	Payroll Liabilities	PERA PICKUP LAW	5,715.49	

448	NM TAXATION & REVENUE	09/24/2026	Bank Draft	0.00	10,093.02	DFT0001793

Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount
	Account Number	Account Name	Item Description	Distribution Amount	
INV0006622	Invoice	09/24/2026	State Tax	0.00	10,093.02
	401-000-9001	Payroll Liabilities	State Tax	10,093.02	

1656	INTERNAL REVENUE SERVICE	09/24/2026	Bank Draft	0.00	68,046.03	DFT0001794

Vendor Number / Payable #	Vendor Name / Payable Type / Account Number	Post Date	Payment Date / Payable Description / Account Name	Payment Type / Item Description	Discount Amount / Discount Amount / Distribution Amount	Payment Amount / Payable Amount	Number
INV0006623	Invoice	09/24/2026	Federal Tax		0.00	68,046.03	
	401-000-9001		Payroll Liabilities	Federal Tax		25,599.13	
	401-000-9001		Payroll Liabilities	FICA Tax		32,693.60	
	401-000-9001		Payroll Liabilities	Medicare Taxes		9,753.30	
				Total Bank Draft:	**0.00**	**162,316.19**	

Bank Code Main Checking Summary

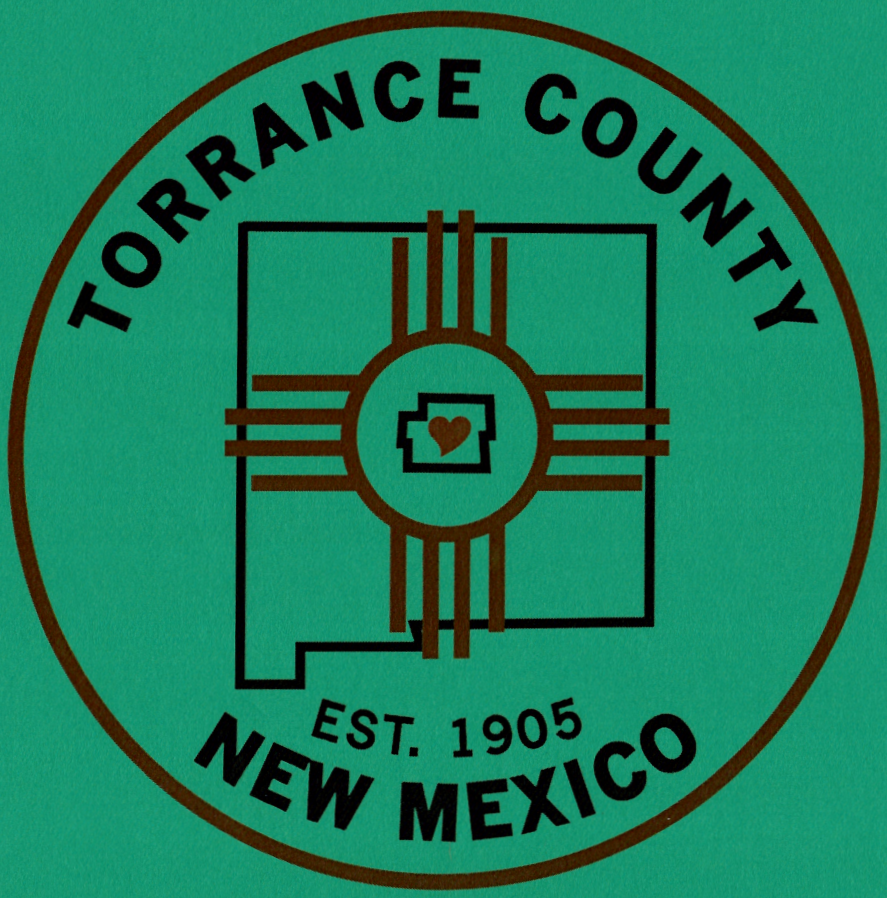
Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	232	185	0.00	1,255,925.17
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	-12,143.69
Bank Drafts	8	8	0.00	162,316.19
EFT's	33	30	0.00	299,754.74
	273	**229**	**0.00**	**1,705,852.41**

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	232	185	0.00	1,255,925.17
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	-12,143.69
Bank Drafts	8	8	0.00	162,316.19
EFT's	33	30	0.00	299,754.74
	273	**229**	**0.00**	**1,705,852.41**

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	9/2026	1,705,852.41
			1,705,852.41



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 8-B

TORRANCE COUNTY PLANNING & ZONING BOARD
AGENDA

Commission Chambers Administrative Offices 205 S 9th Street Estancia New Mexico 87016

REGULAR MEETING
September 2, 2026

CALL TO ORDER: 9:30 a.m.
Pledge of Allegiance
Public Comment: Speakers limited to 2 minutes-time may not be donated to another
Approval of Agenda: Approval of Agenda for September 2, 2026 meeting
Approval of Minutes: Approval of Minutes for August 8, 2026 meeting

DISCUSSION: Procedure

REGULAR BUSINESS

ACTION ITEMS

1. Claim of Exemption 13: 5 year Claim of Exemption
Applicant: Gift of Work, LLC
Agent: Clint Hanley, Trustee
Site: E2, E2, SW4, SE4, Section 20, T.8N., R.9E., NMPM, known as 236 Calle Del Sol.
Zone: AP-5, Agricultural Preservation, 5 Acre minimum

2. Claim of Exemption 7: Lot line Adjustment
Applicant: James Bouton
Agent: Self
Site: Tract A-2-A within Lot 8, Projected Section 6, T.5N., R.6E., NMPM
Zone: Special Use District , SU-32

PUBLIC HEARING

3. Variance: Tower height Over 80 feet (wind turbines)
Applicant: Pattern Energy
Agent: Taylor Schendel
Site: Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone: A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

4. Special Use: Wind Energy Power Generating facility
Applicant: Pattern Energy
Agent: Taylor Schendel
Site: Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone: A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

DISCUSSION ITEMS: None

Pursuant to New Mexico State Statute Section 10-15-1 through 10-15-4 (NMSA 1978), these issues can be addressed in general. No decision can be rendered at this meeting.

EXECUTIVE SESSION:

As per motion and roll call vote, pursuant to New Mexico state statute section 10-15-1, the following matters will be discussed in closed session

ADJOURN:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meetings, please contact the Torrance County Manager's Office at 205 S 9th Street, Room 24, Estancia, NM 87016 (505) 544-4700 at least one week prior to the meeting or as soon as possible. Public documents, including the agendas and minutes, can be provided in various accessible formats. Please contact the Torrance County Clerk's Office at 205 9th Street, Room 1, Estancia, NM 87016 (505) 544-4350 if a summary or other type of accessible format is needed.

MEETING FORMAT

All those presenting before the Board must be sworn in.

1. Each item will be introduced by Staff.
2. Staff report.
3. The Applicant may then address the item.
4. The Chairman will then give those in favor of the item an opportunity to speak.
5. The Chairman will then give those in opposition to the item an opportunity to speak.
6. The Chairman may then allow limited questions and/or discussion from the floor.
7. The Applicant shall have the opportunity to rebut.
8. Staff report.
9. The item will be "brought to the table". All discussion and/or debate is terminated except for questions, comments, or discussion initiated by Board Members.
10. The Board will vote on the item and the findings will be announced.
11. Any other information needed on a given item can be obtained from the Planning & Zoning Office after the meeting has adjourned.

TORRANCE COUNTY PLANNING & ZONING BOARD
MINUTES

Commission Chambers Administrative Offices 205 S 9th Street Estancia New Mexico 87016

REGULAR MEETING
September 2nd, 2026

ATTENDANCE:
In attendance: Board members, Chairwoman Estrada, Vice Chairman Gilbert Sanchez, Jesse Segura, Philip Terry-Smith, Jim Stevens, Planning & Zoning Director Don Goen, County Attorney Michael Garcia & Planning & Zoning Administrative Assistant Lynnette McMillan.

CALL TO ORDER: **9:32 a.m., Chairwoman Estrada** called the meeting to order.

Pledge of Allegiance: **Chairwoman Estrada** led the Pledge

Public Comment: None

Approval of Agenda: Approval of Agenda for September 2nd, 2026 meeting
Mr. Terry-Smith motioned to approve; Mr. Stevens seconded

Roll Call: **Vice Chairman Sanchez: Aye, Mr. Segura, Aye, Mr. Terry-Smith; Aye, Mr. Stevens; Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

Approval of Minutes: Approval of Minutes for August 5th, 2026, meeting.
Mr. Segura, motioned to approve, Vice Chairman Sanchez seconded

Roll Call: **Mr. Segura, Aye, Vice Chairman Sanchez: Aye, Mr. Terry-Smith; Aye, Mr. Stevens; Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

Discussion: **Director Goen** addressed procedure. There were different ways to conduct meetings. The main goal was to be consistent. Director Goen had discussed procedure with County Attorney Michael Garcia prior to the meeting on September 2nd. There had been confusion previously concerning the Boards ability to question the applicant resulting in a Board Member being unable to do so. The Board Members have the ability to question the applicant at any time when the questions had a direct bearing on their ultimate decision. With the Roberts Rules of Parliamentary Procedure, the person who made the motion had cast their vote with that motion, they may not change their vote. The person who seconded the motion may change their vote at the time of the actual vote. This would make it possible for the person who had made the motion to be clear on the information before casting the vote. Regarding public hearing, we had multiple items in the previous meeting and there was some confusion. Going forward, for consistency we would go into public hearing, the applicant would present the item, then the Board would leave public hearing for discussion and then vote. If there were multiple items you would enter back into public hearing for each item. It was tedious but it was consistent and would lessen the chance of confusion going forward. **Director Goen** had discussed procedure with Board member Mr. Segura as he also had experience on Roberts Rules of Parliamentary Procedure and inquired if Mr. Segura was satisfied with this explanation. **Mr. Segura** affirmed he was. Director Goen inquired of Chairwoman Estrada if she was satisfied with this. **Chairwoman Estrada** affirmed she was.

REGULAR BUSINESS

Roll Call: **Mr. Stevens; Aye, Mr. Terry-Smith; Aye, Mr. Segura, Aye, Vice Chairman Sanchez: Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

3. Variance: Tower height Over 80 feet (wind turbines)

Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

Director Goen introduced Item three and item four. This was a Variance to height. A variance for a tower height over 80 feet. And an application for a Special use. The variance was normally regular business. The two items were tied to one another, and the special use took precedence. Therefore, this would be in public hearing and would be a single presentation but two separate motions and two separate votes. The applicant was Pattern Energy who had several representatives to speak on the item. The project was the Palomas Wind Project. **Director Goen** referred to a map showing where this fit in with the existing special use districts. This project was in the central and northeast part of the county. **Director Goen** swore in the 4 representatives for Pattern Energy **Taylor Schendel, Jeremy Turner, Ian Evans and Morgan Martin. Ms. Schendel** stepped up. Pattern Energy was a developer, owner and operator for renewable energy infrastructure. Their goal was to transition the world with renewable energy. They had a long-standing history and had been in New Mexico for over 15 years. There were approximately 2 gigabytes of energy currently operating in Torrance County. The wind farms paid over 200 million dollars in tax payments to the county and schools. They were committed to the health and safety of the communities. They actively looked for ways to benefit the community while expanding their wind project. This included the workforce development program; they were installing wind technician programs in local schools and colleges. A common complaint was they had not hired locally. They were finding solutions to this with training and offering manual jobs that would offer the possibility to work their way up in the company. **Mr. Terry-Smith** asked about the starting salary. **Ms. Schendel** did not know. Another representative with Pattern offered the starting salary was 59 thousand dollars. **Mr. Jeremy Turner** stepped up to describe some of the initiatives that would take the company in the right direction. That included offering high school and college programs with the local institutes. They also have a program called Veteran's and Renewables. They had visited Cannon Air base intent of providing job opportunities, not just for scholars but for Veterans also. **Vice Chairman Sanchez** inquired about the area map depicting the wind farms in Torrance County and asked if Pattern was involved with all the wind farms. **Mr. Turner** replied, for the most part. He referred back to the map. **Mr. Turner** explained, with the exception of the area in purple, which was Avangrid, El Cabo and La Joya project. They had just completed the Sun Zia Project. Down south was the Western Spirit Wind Project and Clines Corners Project and now the new project. **Vice Chairman Sanchez** asked if they had success hiring locally. **Mr. Turner** responded they had. At Sun Zia Wind North they had approximately 30 people working and 18 were local. Their goal was to have 100 percent of employees come from the local population. Torrance County was very rural, and many people were more accustomed to access to more populated areas and conveniences. This was another reason to hire locally. They had several New Mexicans working on different wind projects. **Vice Chairman Sanchez** then repeated Pattern had success hiring local. **Mr. Turner** confirmed that was true. **Mr. Stevens** asked what percent of their employees were New Mexican or United States citizens and what percentage were foreign. **Mr. Turner** did not know those percentages but referred to his previous information with the 18 of 30 employees being local at the Sun Zia Wind Project. Also, some employees came for the wind projects and now had permanent housing here. **Mr. Stevens** added that he had been at a local establishment and met a crew returning to Mexico after preforming work at a Pattern wind project. **Mr. Turner** then responded there were foreign workers but employed through sub-contractors.

Mr. Evans stepped forward, adding to the information Ms. Schendel provided previously. He intended to highlight the sequence and where they were in the process. Projects start with the identification of a site, resources, market opportunity and moved into agreements with landowners. Mapping out restraints, environmental being among those and observed required setbacks and components of county ordinance. That was where they acquired necessary permits and approvals. This was not the last step in the process. They continue to do environmental analysis and on-site technical scopes to back up the final designs making sure everything was in place before they began final construction. Palomas Winds was a project Pattern had been working on since 2024. This was an 800 giga-watt farm in total across San Miguel and Torrance Counties. Referring to the map in reference to the northeast corner of Torrance County, stating this should begin around the end of 2027 and be completed in 2029, so about a 2-year cycle. Within Torrance County they were utilizing approximately 87 thousand acres of private land and 16 hundred acres of New Mexico State Land. Approximately 3 percent of the land was actually utilized. About 6 thousand acres of this project were located within the existing Special Use District. There was some overlap in the projects, but Pattern Energy owns that project also and they were fully in compliance across both the Special Use Districts. There was a maximum turbine height of 698 feet it would likely be lower as they selected the final turbine model and signed turbine agreements that would secure machines used on the project. The average height of the models they were considering was from 320 feet to 380 feet and the blades ranging from approximately 574 feet to about 640 feet. This was a special project for Pattern Energy.

As of now they had negotiated a power purchase agreement to sell power to the state of New Mexico. The operational life of a wind farm was designed for a life span of approximately 35 years. They continued to conduct surveys throughout the operational time to be in full compliance. Near the end of development they completed a site reclamation, this included a narrowing of the road that supported operations and maintenance, versus the larger roads necessary for construction. Testing and electrical commission took a few months. That was how they arrived at their expected commercial operation date. After those 35 years they would be decommissioned, that was 2065.**Ms. Martin** stepped up, she was on the environmental team for Pattern Energy. **Ms. Martin** referred to the map of the special use areas and the intent overlay of those with the planned projects in the special use areas. Included was the anticipated state land to use for roads and Gentie which was the transmission line in the project. There were approximately 6150 acres of existing special use district from previous projects. That was to be used for the Gentie specifically. They were not creating more turbines at that location; this was for their transmission facility. They were also asking for a variance for structures over 80 feet. That was for 4 things; the Gentie transmission poles, the permanent met towers, construction met towers and the wind turbines. The height of the turbines will not exceed 698 feet. They had submitted an application with about 100 pages. In that package they demonstrated their requirements with the Torrance County Ordinance and that that included: safety, site installation, setbacks, nuisance which was noise and communication interference. Environmental, visual and restation of the property. **Mr. Evans** stepped up. Safety was a core commitment of Pattern. Some safety requirements were; rotor clearance, tower access, facility access, warning signage, lighting would be restricted and a turbine safety system that governed the turbines during high wind events. There was a central location for control. They can also access controls remotely. There were several backup systems in place. **Ms. Martin** spoke about setbacks to property lines, roads, nearest above ground power lines or telephone lines. Another setback was 2500 feet from important bird areas. They were approximately 31 miles from any important bird area. **Mr. Evans** addressed the noise ordinance. They must not exceed 50 A-weighted decibels (dba) and done studies that measured occupied residence, school, hospital, church or public library. The sound study concluded that they had met all applicable sound regulations. Pattern Energy followed environmental guidelines. Sites were chosen with the U.S. Fish and Wildlife guideline considerations. Also staying in compliance with the Avian Powerline Interaction Committee Collision Guidance, environmental values and best management practices creating a minimal impact on avian species. Over time they were able to manage the construction process better to be in full compliance and minimize impact on the environment. **Ms. Martin** stated, per ordinance, there was a requirement to complete an environmental assessment. Pattern referred to this as a natural resource assessment for the purpose of application as that was considered more than just biological resources.

That included: migratory and non-migratory species, soil analysis, surface waters, cultural, historical and archeological resources. They took these results to guide future field surveys. **Mr. Evans** stepped up. He spoke on the visual impact as the turbines were large machines and visible from long distances. All setbacks were met. The blinking lights on the turbines were required by the Federal Aviation Administration as a safety issue and were not optional. Any structure over 200 feet was required to be in contact with the Federal Aviation Administration. They implemented an aircraft detection lighting system. That was a radar-based technology that installed one or two radars around the footprint of the project, and this scans the skies for aircraft. The lights therefore did not need to be on constantly but remained on for a predetermined time. These need to be approved by the Federal Aviation Administration. **Mr. Stevens** inquired about the direction the turbine lights showed. He thought maybe a cone, so they illuminated upwards more so than out and down. **Mr. Evans** responded that the specifications for those lights were controlled by the Federal Aviation Administration. The Federal Aviation Administration could change their requirements in the future but that was nothing Pattern had any control over. **Mr. Stevens** asked if they had applied for this radar technology or something that was being considered. **Mr. Evans** responded they had included that application within the application submitted for the meeting that occurred today. **Ms. Morgan** stated that the towers were over 80 feet, so they were included in the application. This was contingent on full approval. **Mr. Evans** added it was a safety measure and not optional. **Mr. Evans** mentioned many agencies they had worked with as they refined areas over time. These agencies included; United States Fish and Wildlife, New Mexico Public Regulation Commission, United States Army Corps of Engineers, San Miguel County, New Mexico State Lands office, New Mexico Historical Preservation Division, Tierra Y Montes of the Soil and Conservation District, New Mexico Department of Game and Fish, New Mexico Department of Transportation (Districts 4and 5) and potentially affected triable nations. These projects were on private land; they work with the people while maintaining respect for the land. **Chairwoman Estrada** asked for those in favor or opposed. Mr. Art Tapia stepped up, and no sworn testimony was given. **Mr. Hanley** stepped up and stated his appreciation for the conveniences of modern electricity, to flip a switch for light. We had to get electricity somehow whether that was oil, gas, nucellar or wind. Mr. Hanley was in belief that there would be an impact, it was finding a way that created the least impact. Wind turbines were an option and Mr. Hanley believed it was good option. **Ms. Melenie Martinez** was attending via zoom. **Director Goen** inquired if she would like to testify. She did not but had received a letter from Planning and Zoning. **Ms. Martinez** stated they had contact with Berendo previously and questioned whether Pattern and Berendo were affiliated **Ms. Martinez** had several questions and concerns asking for contact information and if they would like to address them now or at a later date. **Director Goen** thought it was appropriate to schedule a meeting at another time. He added that the county notified all adjacent property owners to project areas whether that was a simple land division as heard earlier or a large project. In this case planning and zoning sent out 70 letters of notifications due to the scope of the project. Berendo was a separate entity from Pattern Energy. If you had specific questions for Pattern Energy, they would respond to those. **Ms. Martinez** requested Pattern Energies contact information. **Director Goen** posted his e-mail address in the chat via zoom to facilitate providing Pattern Energies contact information. **Ms. Geri Abrhams** was attending via zoom. She asked how much water each tower requires and where does the water originate from and how much water was required to maintain each tower. **Mr. Jeremy Turner** stepped up and replied that 18,200 Gallons of water was used for each concrete pad. There was no water required to operate the towers. Most of the water they did use was for dust control. If they did not manage the dust this led to visual and health issues. The only on-going water use was the maintenance and operation facilities which they anticipated having 1 to 2 for this project and each one utilized 1-acre feet of water per year, the same as an individual household. They had followed all laws of the State Engineers office, State statutes. They were allowed with the consent of the Office of the State Engineer to haul water from basin to basin but usually they did not. They found water from each basin and utilized that water. You could transfer water on a temporary basis if approved by the State Engineer. Pattern had hired Jon C. Antonio. The former State Engineer of New Mexico as a consultant to over see this and other projects. Mr. Antonio monitored water assuring the water was legally procured and legally used. Conversation from an attending citizen questioning the amount of water used.

Mr. Turner replied they were estimated to use 420-acre feet that was the equivalent of 1, 160-acre alfalfa farm. By State law what you had to do if you were procuring water from a farmer. was to ask them to fallow a field for the period you were leasing the water, also you must double the water right. Per state law in New Mexico, 1 acre of alfalfa used 2-and-1/2-acre feet of water, the consumptive right was 1.2-acre feet with the assumption the remaining amount discharged back into the aquafer. In a commercial situation as this was, they had to lease a 320-acre farm to be taken out of production. They were only allowed to use the 1.2-acre feet of water rights. It was a net benefit to the aquafer as they would not be drawing that additional water out. They had not procured water sources at this time. They utilized Mr. Antonio, worked with the Office of the State Engineer and legally sourced water from people who were willing to sell. It came from ground water sources. They were aware of the concerns about water usage. They had been in talks with a municipality about an (Unintelligible) effluent water purchase, but no agreements had been made. It had to be a class 2 effluent which was a treated effluent that was utilized for dust control and concrete They expected to have an agreement within 30 days whether that was an active water source. Conversation from an attending citizen questioning wildlife impact and displacement. **Mr. Evans** replied that studies show a temporary displacement of animals during construction but returned once construction was completed. **Mr. Turner** reminded the Board Members and citizens that these were private lands being leased voluntarily. **Chairwoman Estrada** stopped the shouting questions from the general attendees in the audience. These were independent landowners voluntarily leasing out their property. It was suggested they go to the landowners with further complaints. **Ms. Schendel** added that the alfalfa fields were an example, not necessarily a plan. There were concerns about fire risks. The roads constructed by Pattern Energy assisted emergency responders in reaching local wildfires in the Clines Corners area previously. They were adding infrastructure to make the community safer. Questions of hiring locally and the training programs that were being established took time and were in progress. They were working for future generations. **Mr. Terry-Smith** would like to see improvements to local hiring and integration in the schools. The county needs the children trained, that would make their project more palatable. **Ms. Schendel** replied they had been here for 15 years, it was hard work and they were committed to it. **Mr. Stevens** referenced the water. He had a well on his parcel. Everybody in the county had concerns about water. He referred to the 18,200 gallons per concrete tower. He thought it sounded like a lot but calculated that to be 0.5-acre feet. His well was allotted 3-acre feet, and that multiplied 163 times equaled to 9-acre feet to make the concrete, that was the equivalent of 3 residence. In terms of acre feet this was a very small number. **Ms. Martin** reiterated the wind turbines did not use water to operate. **Chairwoman Estrada** stated she was not a supporter of the windmills, but the ranchers were struggling, and this was an alternative for them to maintain their land. The farmers had pivots that used thousands of gallons, and they ship their product away also. It was similar to the energy produced by the turbines. She added that even if you train people they often leave after they receive the training, that was an issue across the board. **Mr. Stevens** added, New Mexico used 39 or 40 million megawatt hours per year. It was included in the submitted packet that Pattern produced 1300 mega watts not mega watt hours that was at about 100 percent capacity which would be 11 million megawatt hours and that was 25 percent of New Mexico's electricity. Asking if there was a capacity factor noting that previously stated there was 1300 currently and 800 megawatts earlier. He asked for clarification. **Ms. Schendel** reminded the Board that this wind farm project was a part of a larger wind farm. The watts in Torrance County were 1300 and 800 megawatts was currently contracted to sell in New Mexico. The(unintelligible) factor was about 40 percent. There was mention of powering 400,000 homes annual usage. The PNM grid was 2 to 3 gigawatts in size, the PPA for 800 watts was estimated to have filled a bigger portion of the demand and committed to the energy transmission act. **Mr. Stevens** asked if PNM supplied electricity to Torrance County and if the proposed towers would provide Torrance County with electricity. **Ms. Schendel** responded, "you could not verify where your power was coming from unless you have solar panels on the roof or a wind turbine in the back yard. The electricity grid was fluid. It was all connected. The local Co-ops and PNM were basically connected, trading power on a daily basis. When an electron was produced it had to immediately go some place and be used or stored. The point of inter-connection where the project would supply that power was in Torrance County and that went onto the PNM grid and then delivered to the PNM system. It could be that the power was being bought from PNM, again the electricity grid was very fluid.

It was not intended to be sold out of the state. Historically there had been no demand for power in New Mexico. The demand had been met. They had been here for 15 years and finally there was a need for power. **Mr. Stevens** asked if the transmission lines were A.C. **Ms. Schendel** confirmed that was correct. **Mr. Stevens** added that it was the electromagnetic field that moved. One of the reasons included in the packet submitted for the project was to demonstrate the feasibility of wind generated power in the county. That had previously been demonstrated with Zia and the other projects. He found it annoying that the testing was added when it had already been done. **Ms. Schendel** replied they were demonstrating the ability to make money from the project for them and the community. It was not new demonstration it was a continued demonstration. **County Attorney Michael Garcia** addressed Chairwoman Estrada adding, part of the reason we cover a lot of ground that had previously been covered was to have a record specific to this case. If this Item was challenged there would be a complete record. That was the reason we do a lot of things that may seem repetitious. **Ms. Schendel** stated, there was more to consider than just the feasibility of a project. **Mr. Stevens** added he felt the Board represented the public and the public does not know these things. He brought this up, so the information was available to the public. As a member of the public, he was unaware of those requirements. What was echo tourism as mentioned in the submitted packet. That was just what it sounded like. **Chairwoman Estrada called for a motion to leave public hearing.**

Leave public Hearing: Mr. Segura motioned to leave public hearing. Vice Chairman Sanchez seconded.

Roll Call: **Mr. Stevens; Aye, Mr. Terry-Smith; Aye, Mr. Segura, Aye, Vice Chairman Sanchez: Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

Leave Public Hearing 10:55

County Attorney Michael Garcia added that the Board members could not consider any unsubstantiated evidence. A long series of cases in New Mexico states that at administrative hearings you must have sworn testimony to be considered substantial evidence.

Motion # 3 **Vice Chairman Sanchez motioned to approve, Mr. Terry-Smith seconded**

Roll Call: #3 **Chairman Sanchez: Aye, Mr. Segura, Aye, Mr. Terry-Smith; Aye, Mr. Stevens; Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

4. Special Use: Wind Energy Power Generating facility

Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

Motion # 4 **Mr. Segura motioned to approve seconded Vice Chairman Sanchez**

Roll Call: **Vice Chairman Sanchez: Aye, Mr. Segura, Aye, Mr. Terry-Smith; Aye, Mr. Stevens; Aye, Chairwoman Estrada; Aye,**
Motion approved 5-0

DISCUSSION ITEMS: **None**

EXECUTIVE SESSION:

As per motion and roll call vote, pursuant to New Mexico state statute section 10-15-1, the following matters will be discussed in closed session.
Pursuant to New Mexico State Statute Section 10-15-1 through 10-15-4 (NMSA 1978), these issues can be addressed in general. No decision can be rendered at this meeting.

ADJOURN

Being all business had been addressed **Chairwoman Estrada** adjourned the meeting.
Meeting adjourned at 10:58 A.M.

APPROVED

Passed, approved, and adopted this 7th day of October, 2026

Christina Estrada, Chairwoman of the Board

Don Goen, Planning & Zoning Director

Torrance County

Planning & Zoning
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TORRANCE COUNTY PLANNING AND ZONING BOARD
NOTICE OF DECISION

SUBJECT: Variance: Tower height Over 80 feet (wind turbines)

APPLICANT: Pattern Energy, Taylor Schendel

LEGAL DESCRIPTION: Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.

ZONE: A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

ACTION: Summary Review: Type 3 Subdivision

VARIANCE: TOWER HEIGHT OVER 80 FEET (WIND TURBINES)
Approved 5-0.

Findings and Conditions

FINDINGS:

1. Applicant Pattern Energy, Taylor Schendel

2. Staff explained the application for a Variance: Tower height Over 80 feet (wind turbines) located at Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.

3. Pattern Energy, Taylor Schendel, explained the documents submitted.

4. In a unanimous vote of 5 in favor, Variance: Tower height Over 80 feet (wind turbines) approved.

CONDITIONS of APPROVAL:
None

Approved this 2nd day of September, 2026

Christina Estrada, Chairwoman of The Board

Don Goen, Planning & Zoning Director

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TORRANCE COUNTY PLANNING AND ZONING BOARD
NOTICE OF DECISION

SUBJECT: Special Use District: Wind Energy Power Generating facility, Palomas Wind Project

APPLICANT: Pattern Energy, Taylor Schendel

LEGAL DESCRIPTION: Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.

ZONE: A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

ACTION: Create Special Use District: Wind Energy Power Generating facility, Palomas Wind Project

SPECIAL USE: WIND ENERGY POWER GENERATING FACILITY
Approved 5-0.

Findings and Conditions

FINDINGS:

1. Applicant Pattern Energy, Taylor Schendel

2. Taylor Schendel, Agent for Pattern Energy explained the application to create a Special Use: Wind Energy Power Generating facility at the properties described as Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.

2. Staff explained the application was complete.

3. Application has met the requirements for a Wind Energy Power Generating Facility

4. In a unanimous vote of 5 in favor, Special Use District approved.

CONDITIONS of APPROVAL:
None

Approved this 2nd day of September, 2026

Christina Estrada, Chairwoman of The Board

Don Goen, Planning & Zoning Director

PUBLIC NOTICE

During the regular meeting on September 2, 2026 at 9:30 a.m. the Torrance County Planning & Zoning Board will hold a Public Hearing to consider the application for Special Use: Wind Energy Power Generating facility at the locations described as portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E. These meetings are held in the Commission chambers of the Torrance County administrative building at 205 S. 9th Street, Estancia, New Mexico.

ALBUQUERQUE JOURNAL

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Proof of Ad 08/12/2026

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Name:	TORRANCE CNTY PLANNING ZONING
Company:	TORRANCE COUNTY PLANNING & ZONING
	ATTN: DON GOEN
Address:	P.O. BOX 48
	ESTANCIA, NM 87016
Telephone:	(505)544-4391

Ad ID:	449090
Description:	
Run Dates:	08/18/2026 - 08/18/2026
Class:	3001
Orig User:	dmontoya
Words:	92
Lines:	24
Agate Lines:	35
Depth:	2.43
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PUBLIC NOTICE

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Journal: August 18, 2026

Base Ad Cost	**$38.17**
Total Ad Cost	**$41.08**
Amount Paid	**$0.00**

Publication	Start	Stop	Inserts
Albuquerque Journal	08/18/2026	08/18/2026	1

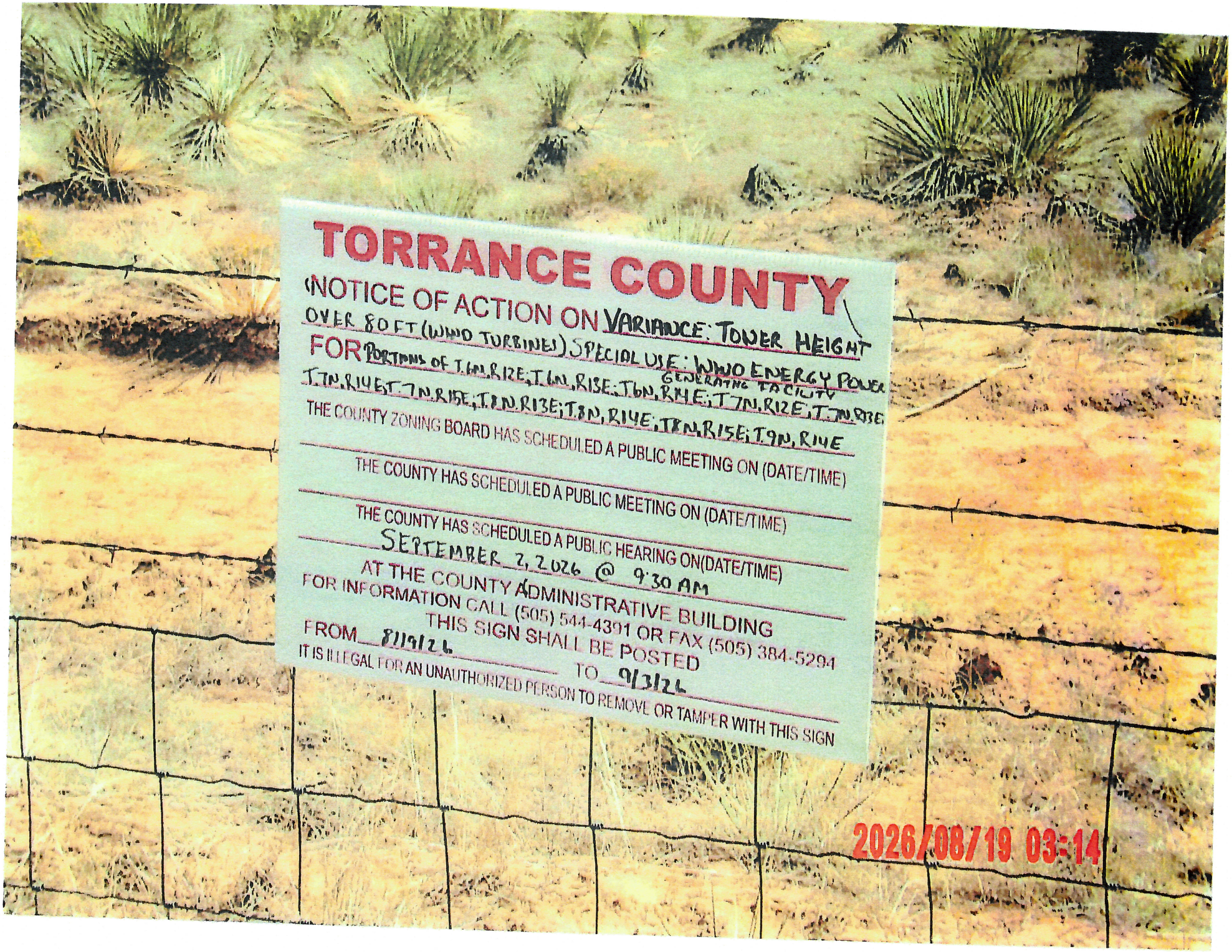
Action Item # 3

Application	Variance: Tower height Over 80 feet (wind turbines)
Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C. Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

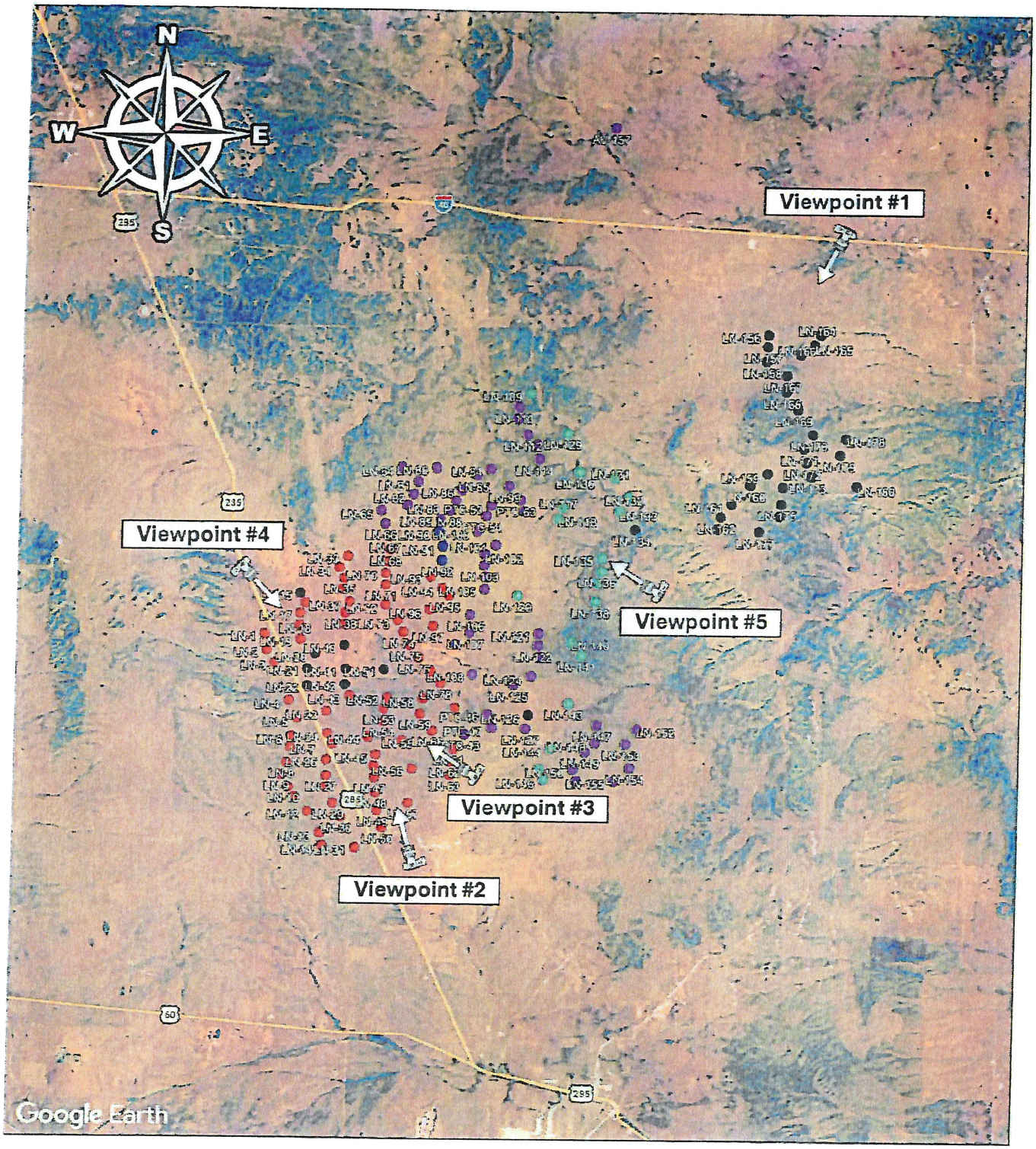
Action Item # 4

Application	Special Use: Wind Energy Power Generating facility
Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

STAFF REPORT


TORRANCE COUNTY
NOTICE OF ACTION ON VARIANCE: TOWER HEIGHT
OVER 80 FT (WIND TURBINE) SPECIAL USE: WIND ENERGY POWER
GENERATING FACILITY
FOR PORTIONS OF T6N,R12E;T6N,R13E;T6N,R14E;T7N,R12E;T7N,R13E
T7N,R14E;T8N,R13E;T8N,R13E;T8N,R14E;T8N,R15E;T9N,R14E
THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)
THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)
THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON(DATE/TIME)
SEPTEMBER 2, 2026 @ 9:30 AM
AT THE COUNTY ADMINISTRATIVE BUILDING
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294
THIS SIGN SHALL BE POSTED
FROM 8/19/26 TO 9/3/26
IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN
2026/08/19 03:14

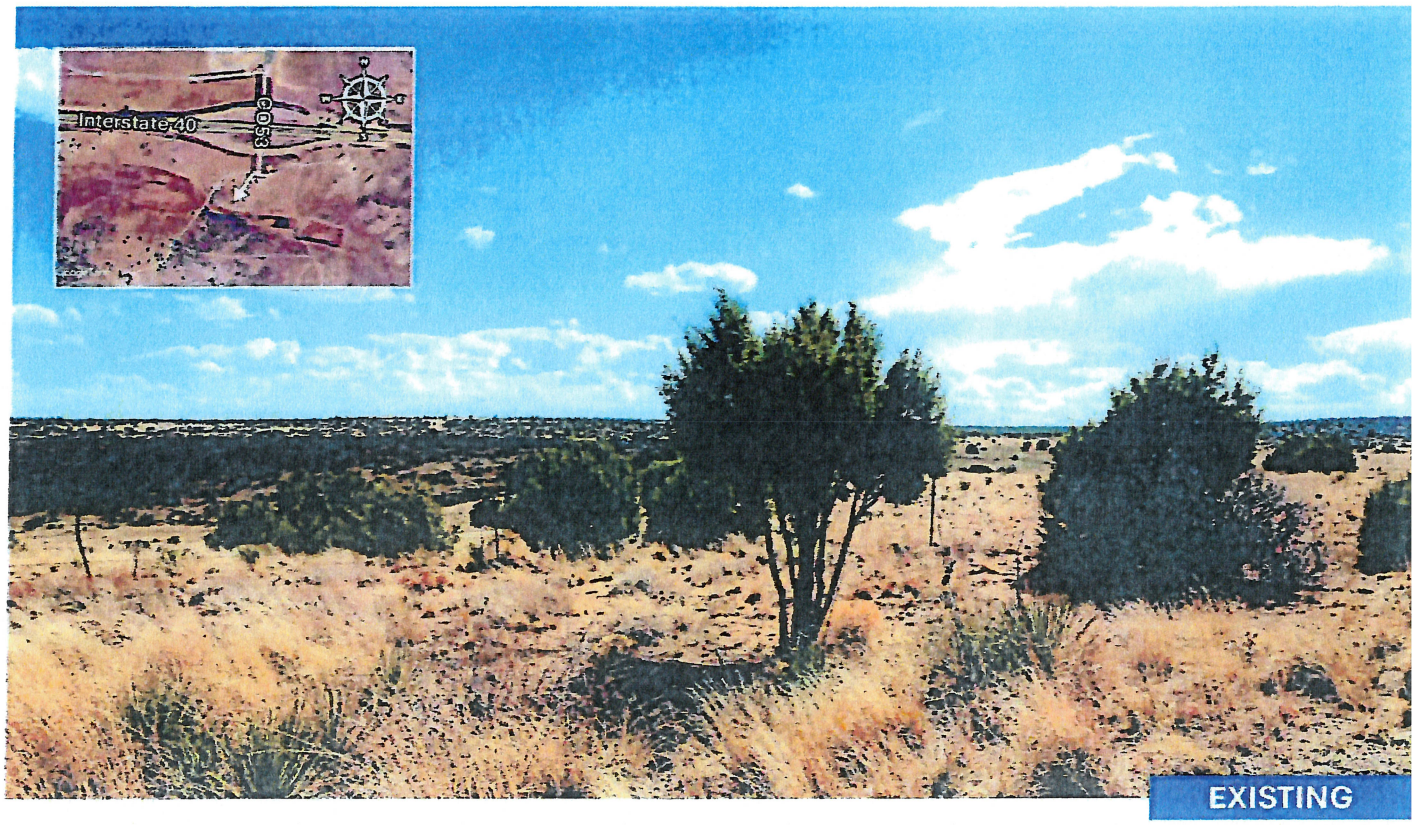

TORRANCE COUNTY
2026/08/19 03:03



BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint Map

Pattern





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Palomas Wind Project
Torrance County
Viewpoint #1

Pattern





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Palomas Wind Project
Torrance County
Viewpoint #2

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #3

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #4

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #5

Pattern

Torrance County
Planning & Zoning

P.O. Box 48 205 S 9th Street
Estancia, NM 87016
(505) 544-4393 Main Line (505) 384-5294 Fax
www.torrancecountynm.org

August 19, 2026

Pattern SC Holdings
Attn: Taylor Schendel
1088 Sansome Street
San Francisco, CA 94111

Re: Variance: Tower Height over 80 feet (wind turbines) and Special Use: Wind Energy Power Generating facility

To whom it may concern,

This letter is to inform you that your applications for Variance: Tower Height over 80 feet (wind turbines) and Special Use: Wind Energy Power Generating facility on Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.; will come before the Planning & Zoning Board for approval on September 2, 2026. The meeting will begin at 9:30 a.m. and will be held at the Torrance County Administrative Offices, 205 S. 9th Street, Estancia, NM.

You and/or your agent must attend the meeting to present your proposal to the Board.

If you have any questions concerning the meeting format, please feel free to contact me at email dgoen@tcnm.us or (505) 544-4391.

Regards,

Don Goen
Planning & Zoning Director

Torrance County
Planning & Zoning

P.O. Box 48 205 S 9th Street
Estancia, NM 87016
(505) 544-4393 Main Line (505) 384-5294 Fax
www.torrancecountynm.org

August 19, 2026

To Whom It May Concern:

This letter is to inform you that Pattern Energy has filed applications for Variance: Tower Height over 80 feet (wind turbines) and Special Use: Wind Energy Power Generating facility on Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.

This action item will come before the Torrance County Planning & Zoning Board at their next meeting on September 2, 2026. The meeting will begin at 9:30 a.m. and will be held at the Torrance County Administrative Offices, 205 S 9th Street, Estancia, NM.

Please plan to attend, have a representative attend in your place, or send a letter marked Attention: Planning & Zoning Director to the above address if you would like to voice an opinion in support of or in opposition to this application.

Planning & Zoning is inviting you to a scheduled Zoom meeting.
Join Zoom Meeting
https://zoom.us/j/92284108010?pwd=JPbkrQbJQurkaP4oYGQvd4y8TFlJZl.1

Meeting chat link
https://zoom.us/launch/jc/92284108010

Meeting ID: 922 8410 8010
Passcode: 103807

One tap mobile
+16699006833,,92284108010#,,,,*103807# US (San Jose)
+17193594580,,92284108010#,,,,*103807# US

Join by SIP
• 92284108010@zoomcrc.com

Join instructions
https://zoom.us/meetings/92284108010/invitations?signature=o3My8qYbdUnKRLBJLLceuAmLYP5DPn7AOs3MrHfKFlA

If you have any questions or concerns, please contact me at dgoen@tcnm.us or (505) 544-4391.
Regards,

Don Goen
Planning & Zoning Director

AccountNo	NAME	CAREOF	ADDRESS1	CITY	STATE	ZIPCODE
R023207	GARCIA RUDY J		905 PECOS ST	CLOVIS	NM	88101
R028886	MCKENZIE BLEVINS & MCKENZIE KENNETH		HC 61 BOX 57	ENCINO	NM	88321
R018592	TRUJILLO FRANK ESTATE		PO BOX 133	LOCO HILLS	NM	88255
R018596	TRUJILLO FRANK ESTATE		PO BOX 133	LOCO HILLS	NM	88255
R024222	TRUJILLO ALFRED, JERRY M		1966 SOUTH ROOSEVELT RD #8	PORTALES	NM	88130
R017660	LARRANAGA J LEO JR & VIOLA		PO BOX 3236	EDGEWOOD	NM	87015
R029761	PACHTA JAMES H & MELODY M		693 B ANAYA RD	STANLEY	NM	87056
R029764	PACHTA JAMES H & MELODY M		693 B ANAYA RD	STANLEY	NM	87056
R026252	ARAGON MANUELITA G		PO BOX 12	VAUGHN	NM	88353
R017014	MONTOYA FREDDIE E & LINDA		122 E STEPHENS AVE	GRANTS	NM	87020
R030270	HALDERMAN JOYCE		HC 61 BOX 43	ENCINO	NM	88321
R017793	LARRANAGA LORENZO & CHARLETTA ETAL		7716 LAMPLIGHTER LN NE	ALBUQUERQUE	NM	87109
R017618	KAYWAL INC		BOX 1060	ROSWELL	NM	88202
R017637	LARRANAGA ANDRE		PO BOX 1669	MESILLA PARK	NM	88047
R017758	LARRANAGA ANDRE		PO BOX 1669	MESILLA PARK	NM	88047
R017350	HALDERMAN JOYCE		HC 61 BOX 43	ENCINO	NM	88321
R017037	GARCIA DANIEL C & MARY LOU		1050 NM HWY 3	RIBERA	NM	87560
R026262	ARAGON MARIA & BENJAMIN		PO BOX 251	RIBERA	NM	87560
R018048	DEMEYER DANIEL R & NICOLE S TRUSTEES		3212 TUCKER LN	ROSSMOOR	CA	90720
R017798	ARMIJO JOVAN	ARMIJO EDDIE	1233 VITALIA ST	SANTA FE	NM	87505
R016895	BIG FOUR RANCHES LLC	SANTA FE LAND & CATTLE CO LLC	90 SAN CRISTOBAL RANCH RD	LAMY	NM	87540
R017886	RAUGHT RICHARD W TRUST		905 HWY 165	PLACITAS	NM	87043
R016940	MARUTHI SUDHAKAR		5309 LIPAN APACHE BEND	AUSTIN	TX	78738
R016495	ALSTON E W ESTATE BATEMAN MARTHA		1729 GEORGIA ST	SILVER CITY	NM	88061
R026939	LARRANAGA PERCY & ANN REVOCABLE TRUST	LARRANAGA PERCY & ANN TRUSTEES	12211 SIERRA GRANDE AVE NE	ALBUQUERQUE	NM	87112
R018026	VALENCIA MARION G SR		7417 FRANK PL NE	ALBUQUERQUE	NM	87109
R017760	PACHTA JAMES AND MELODY		693 B ANAYA RD	STANLEY	NM	87056
R016920	CRAVENS FAMILY LTD PTSNHP #1		1124 WADE CIR NE	ALBUQUERQUE	NM	87112
R029662	DUNLAP DELLA & STARK SUE D		PO BOX 137	ENCINO	NM	88321
R029664	DUNLAP DELLA & STARK SUE D		PO BOX 137	ENCINO	NM	88321
R018040	VICENTE RANCH CO		PO BOX 457	VAUGHN	NM	88353
R017698	TAYLOR FAMILY LIVING TRUST		PO BOX 98	LINCOLN	NM	88338
R016944	DUNLAP DELLA		PO BOX 137	ENCINO	NM	88321
R017983	SPEAR BAR FAMILY LLC		10033 N 191 RD	OKMULGEE	OK	74447
R021853	PACHTA JAMES H & MELODY M		693 B ANAYA RD	STANLEY	NM	87056
R016999	DUNLAP DELLA & STARK SUE D		PO BOX 137	ENCINO	NM	88321
R017371	HARVEY-ENCINO RANCH LLC		502 COUNTY ROAD B107	ESTANCIA	NM	87016
R016916	HOWLING WIND RANCH LLC		PO BOX 714	MORIARTY	NM	87035
R016781	ECKROTH MAUREEN & HINDI SARAH K C		8 W 1725 S	WASHINGTON	UT	847808268
R017785	BNSF RAILWAY COMPANY PROPERTY TAX DEPT		PO BOX 961089	FORT WORTH	TX	761610089
R017389	KOONTZ LARRY		25187 HWY 60	ENCINO	NM	88321
R017850	PEREZ RANCH LLC		901 QUAY RD 96	NARA VISA	NM	88430
R023607	CHAVEZ ENTERPRISES INC		BOX 384	CORONA	NM	883180384
R017397	HEDGES OLEN & HEDGES MELVILLE		9541 CLAREMONT AVE NE	ALBUQUERQUE	NM	871121341

R017708	MADRIL ALBERT		HC 34 BOX 42	DURAN	NM	88301
R029808	LARRANAGA MARK		12804 CALLE DEL OSO PL NE	ALBUQUERQUE	NM	87111
R018056	GARDNER CLAYTON		304 THREE SEVENS RANCH RD	WILLARD	NM	87063
R017678	LT LEWIS LTD COMPANY		PO BOX 45750	RIO RANCHO	NM	871745750
R029758	MONTOYA FREDDIE E & LINDA		122 E STEPHENS AVE	GRANTS	NM	87020
R029732	BURSON THOMAS W		PO BOX 64	MORIARTY	NM	87035
R029755	MONTOYA FREDDIE E & LINDA		122 E STEPHENS AVE	GRANTS	NM	87020
R016875	CATT CHARLES H ESTATE		2831 DON QUIXOTE	SANTA FE	NM	87501
R016931	HARRAL MALCOLM C & LORETTA FAY TRUST	GILCREASE CHARLES	PO BOX 97	CORONA	NM	88318
R029872	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R029873	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R029877	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R029876	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R024223	TRUJILLO RUBEN ETAL		PO BOX 133	LOCO HILLS	NM	88255
R029868	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R023610	MAREZ VIOLA L		PO BOX 487	MORIARTY	NM	87035
R029989	HINDI-MCINTIRE HEATHER		HC 34 BOX 65	DURAN	NM	88301
R027494	BROOKS JAKE		590 COCA COLA RD	TEXARKANA	AR	71854
R301101	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R017654	MORA CHRISTOPHER & TOBY T		606 EASTVIEW ST SW	ALBUQUERQUE	NM	87105
R301105	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R017359	HARRAL LELAND C & MARY SUSAN TRUST		HC 61 BOX 41	ENCINO	NM	88321
R301422	MARQUEZ RUDY L		HC 61 BOX 110	ENCINO	NM	88321
R017584	HINDI ABDUL A REV TRUST		12713 CHANDELLE CT NE	ALBUQUERQUE	NM	87112
R017753	MCLAUGHLIN RANCH LLC		PO BOX 53	ENCINO	NM	88321

Action Item # 3

Application	Variance: Tower height Over 80 feet (wind turbines)
Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

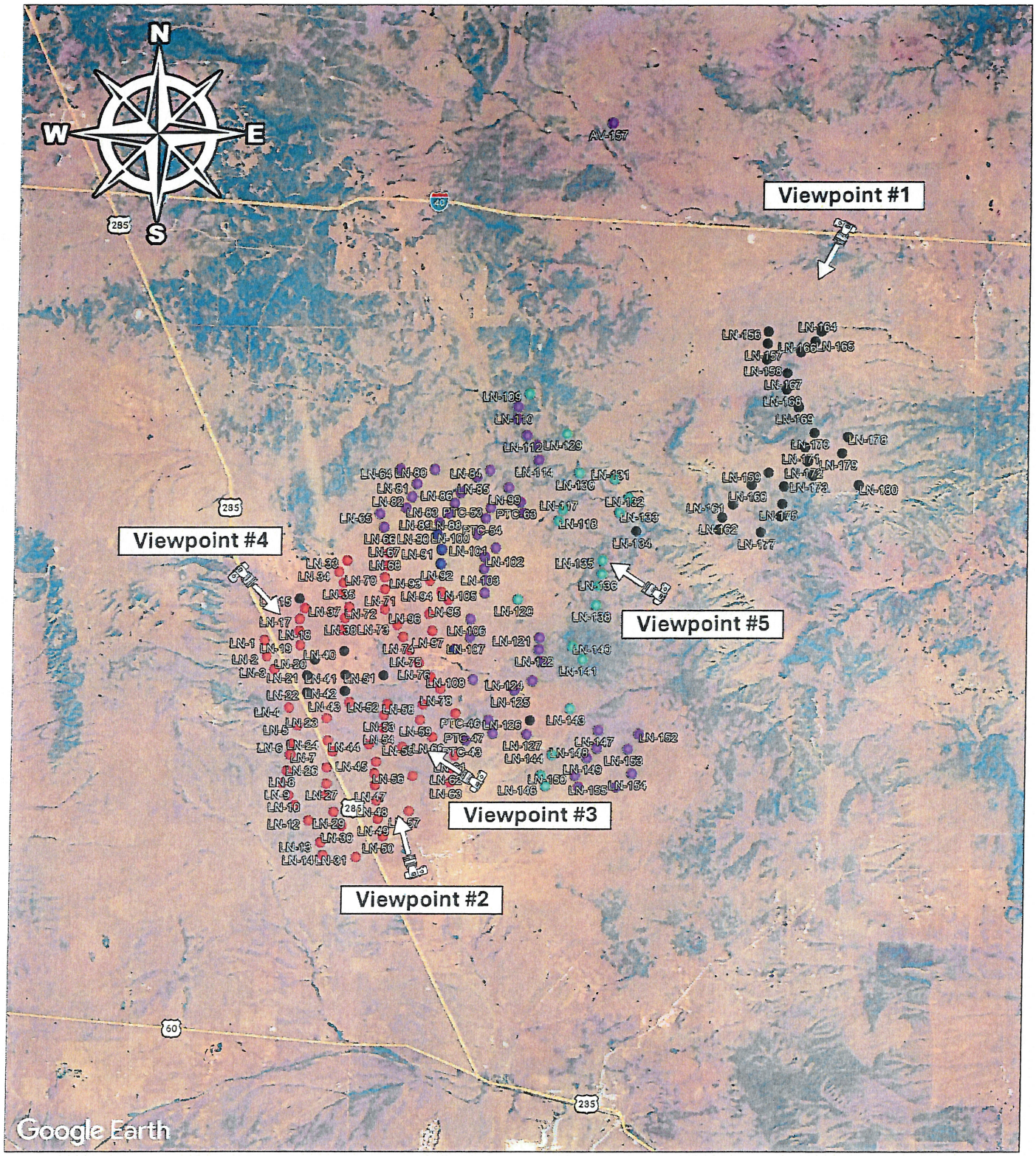
Action Item # 4

Application	Special Use: Wind Energy Power Generating facility
Applicant:	Pattern Energy
Agent:	Taylor Schendel
Site:	Portions of T.6N., R.12E.; T.6N., R.13E.; T.6N., R.14E.; T.7N., R.12E.; T.7N., R.13E.; T.7N., R.14E.; T.7N., R.15E.; T.8N., R.13E.; T.8N., R.14E.; T.8N., R.15E.; T.9N., R.14E.
Zone:	A, Agricultural, 40 acre minimum; C, Conservation, 40 acre minimum; SU-34 El Cabo; Village of Encino

STAFF REPORT


TORRANCE COUNTY
(NOTICE OF ACTION ON VARIANCE: TOWER HEIGHT OVER 80 FT (WIND TURBINES) SPECIAL USE: WIND ENERGY POWER GENERATING FACILITY
FOR PORTIONS OF T.6N.,R.12E.;T.6N.,R.13E.;T.6N.,R.14E.;T.7N.,R.12E.;T.7N.,R.13E.;T.7N.,R.14E.;T.8N.,R.13E.;T.8N.,R.14E.;T.9N.,R.13E.;T.9N.,R.14E
THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)
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2026/08/19 03:14


TORRANCE COUNTY
2026/08/19 03:03



BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint Map

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #1

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #2

Pattern

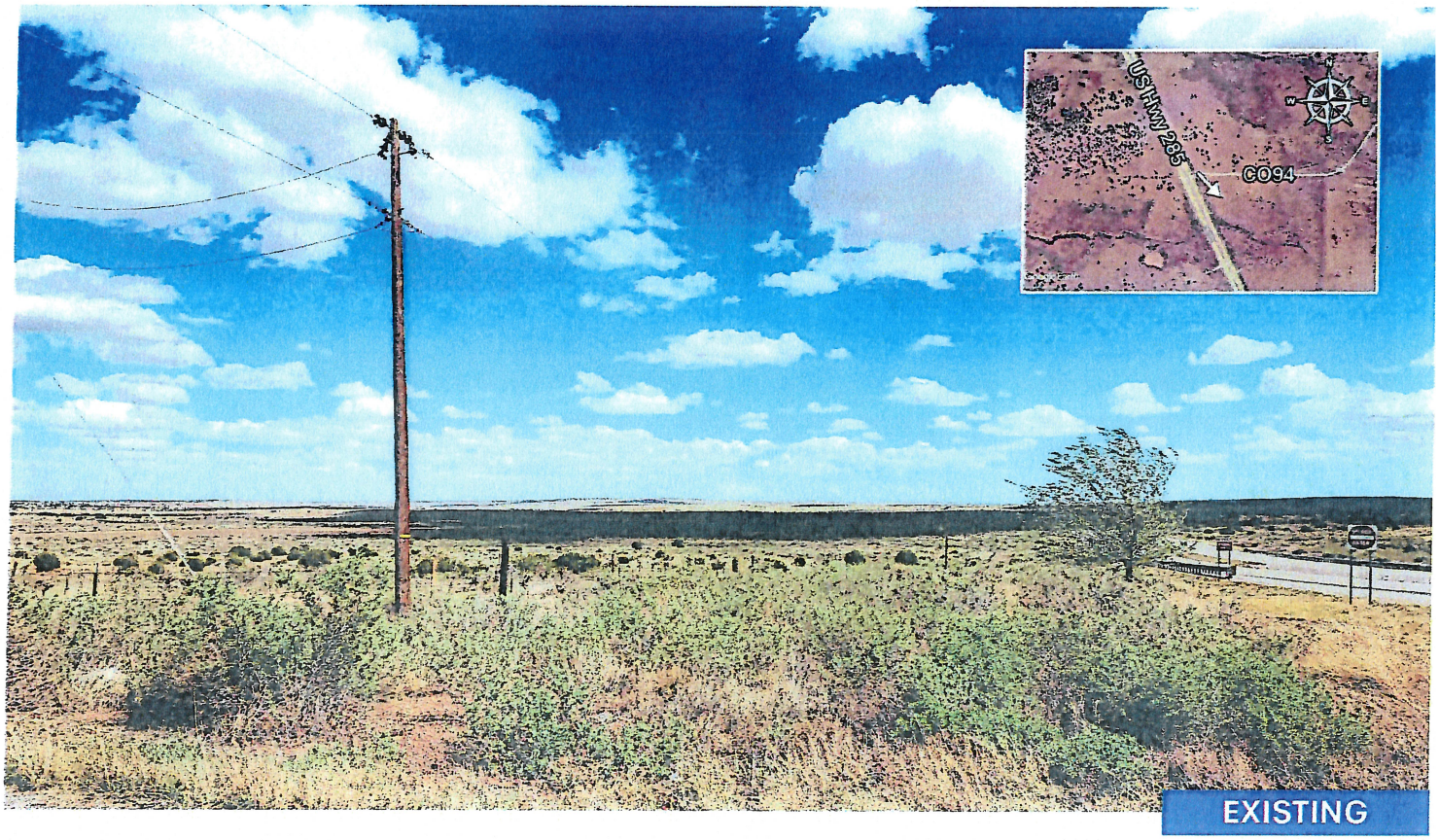




BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #3

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #4

Pattern





BURNS McDONNELL

Palomas Wind Project
Torrance County
Viewpoint #5

Pattern

Pattern

Torrance County
AUG 0 0 2026
Planning & Zoning

Pattern SC Holdings LLC
1088 Sansome Street
San Francisco, CA 94111

T +1 415 283 4000
F +1 415 362 7900
www.patternenergy.com

Palomas Wind Project

Torrance County Special Use District (SUD) and Height Variance Application Package

Pattern SC Holdings LLC
August 2026

Docusign Envelope ID: D4AFEBFB-264F-83A6-83CB-0CA9C72CBD98

Pattern SC Holdings LLC
1088 Sansome Street
San Francisco, CA 94111

T +1 415 283 4000
F +1 415 362 7900
www.patternenergy.com

July 31, 2026

Torrance County Planning & Zoning
P.O. Box 48
205 9th Street
Estancia, NM, 87016

Dear Torrance County Planning & Zoning Commission,

Pattern SC Holdings LLC, a subsidiary of Pattern Energy Group LP ("Pattern"), and an affiliate of Palomas Power LLC, Lobo Power LLC, and Gallinas Mountain Wind LLC, thanks the Torrance County Planning & Zoning Commission and the Board of County Commissioners for this opportunity to present this Letter of Intent and an Application for a Special Use District (SUD) and Height Variance for structures over 80 feet under the Torrance County Zoning Ordinance, adopted March 21, 1990, revised November 13, 2024 ("the Ordinance").

Pattern is developing the proposed Palomas Wind Project, an approximately 800-megawatt wind energy generation project that will be located in both Torrance County and San Miguel County, to be built in one or more phases as part of a larger 1,300 MW generation project. When complete, the Project will produce enough energy to power the equivalent of 400,000 New Mexico homes, bringing reliable energy and lasting economic benefits to the region. This application pertains only to the development areas located on private land in Torrance County, hereby referred to as "the Project".

The Project will be located entirely on private land and land owned by the New Mexico State Lands Office (NMSLO), including approximately 87,550 acres of private lands and 1,678 acres of NMSLO land in Torrance County, 89,228 acres total (hereby referred to as the Project Area). Of the 87,550 acres of private land, approximately 6,194 acres are within an existing SUD for the SunZia Wind Project which was applied for by the SunZia Wind Companies[1], including Pattern SC Holdings LLC. The remaining 81,356 acres of private land are the subject of this application (hereby referred to as the Application Area).

Infrastructure associated with the Project in Torrance County would include up to 163 wind turbines (with an installed capacity of approximately 800 MW, subject to increase or reduction), an electrical collection system connecting individual turbines, up to two substations, approximately 27.5 miles of 345-kilovolt (kV) transmission line connecting to the existing electric grid (18.1 of which are located in the Application Area), operations and maintenance (O&M) buildings, meteorological (met) towers, and access roads.

---

[1] The SunZia Wind companies are Pattern SC Holdings LLC, Ancho Wind LLC, Cowboy Mesa LLC, Duran Mesa LLC, El Corazon Wind LLC, Gallinas Mountain Wind LLC, Mesa Canyons Wind LLC, Pastura Wind LLC, Red Cloud Wind LLC, Tecolote Wind LLC, and Viento Loco LLC.

The Project schedule forecasts construction activities for phase one commencing in the fourth quarter of 2027 and concluding in the fourth quarter of 2029. The Project is anticipated to commence operations by the end of 2029 and will have an anticipated life of 35 years.

Pattern is one of the world's largest privately owned developers and operators of clean energy and transmission infrastructure. With more than 40 facilities across North America, Pattern's portfolio includes wind, solar, transmission, and energy storage projects delivering affordable power to millions of customers. With nearly 12,000 MW of operating assets, Pattern focuses on meeting growing energy demand while strengthening communities and responsibly powering the future.

Pattern has been working in New Mexico for over 15 years, and the state is home to some of our largest investments. Pattern's New Mexico operational portfolio includes Western Spirit Wind, SunZia Wind and Transmission, Broadview Wind, and Grady Wind. Pattern has invested over $12.1 billion in the state's clean energy infrastructure and Pattern projects will deliver $1 billion directly to New Mexico communities over the first 25 years of operations through landowner payments, new local tax revenues, and wages and benefits. Pattern is committed to New Mexico for the long term, building clean energy infrastructure solutions that delivers lasting benefits to communities, landowners, and the state.

We thank you in advance for your consideration of this application for an SUD and Height Variance and look forward to working with you. If you have any questions related to this Project, please contact Taylor Schendel, Senior Manager, Business Development (taylor.schendel@patternenergy.com; 203-993-4214) or for application specific questions, Morgan Martin, Environmental Associate (morgan.martin@patternenergy.com; 713-408-4157).

Best,

Pattern SC Holdings LLC

By: DocuSigned by: _____

Name: Amy Smolen

Its: Vice President

Enclosures:

Special Review Application Form
Special Use District Permit Application and Associate Exhibits

Docusign Envelope ID: D4AFEBFB-204F-63A6-63CB-0CA9C72CBD96

*Parcel ID#*_____

Torrance County Planning & Zoning

Application for Special Review and Approval

Check One:
___ Establishment or Renewal of a Solid Waste District
_X_ Establishment of a Special Use District ($1,500.00 filing fee)

For **Special Use** application review additional required information is described in the Torrance County Zoning Ordinance. You must submit **fifteen (15)** complete copies of your Special Use application package at the time of submission.

____ Modification of Land Use within a Special Use Zone District $200.00 filing fee

___ Renewable Conditional Use Permit $200.00 filing fee

_X_ Variance for the Following Reason(s): $200.00 filing fee

Please note that for a **Conditional Use Permit** or a **Variance** you must submit **ten (10)** complete copies of your application package at the time of submission.

X Area	___ Setback
___ Distance	___ Off-Street Parking/Loading
___ Use	___ Dwellings per Lot
___ Livestock Numbers	___ Home Based Business

Applicant: Pattern SC Holdings LLC Telephone: 713-408-4157

Mailing Address: 1088 Sansome St., San Francisco, CA 94111

Agent (if any): _____ Telephone: _____

Mailing Address: _____

Reason for requested Special Review and Approval (For Variances, include the exceptional conditions you believe justify the request):

Special Use District & Height Variance for the development and operation of the Palomas Wind Project.

Location of Property (Street Address and Legal Description of Property):

Please see attached application narrative

Zoning of Property: A + C Present Use: Range

Instructions: In accordance with Section 26B and Resolution 2014-50, this application must be accompanied by the filing fee of $200.00 (unless applying for a Special Use District). Also include 10 copies of an accurate sketch plan showing the location of the property in question; locations of structures on the property and adjoining properties; all abutting streets and alleys; proposed special exceptions; and north arrow. Please attach a copy of the Deed and Recorded Survey.

Applicant's Signature: DocuSigned by: _____

BURNS McDONNELL

PATTERN SC HOLDINGS LLC

Torrance County SUD and Height Variance Application

Palomas Wind Project

Project No. 196287

Revision 0

August 3, 2026

Executive Summary

Pattern SC Holdings Limited Liability Company (LLC) (the "Applicant"), a subsidiary of Pattern Energy Group Limited Partnership (LP) (Pattern) and an affiliate of Palomas Power LLC, Lobo Power LLC, and Gallinas Mountain Wind LLC, hereby requests a Zoning Ordinance Amendment for a Special Use District (SUD) and Height Variance for development of the portion of the proposed Palomas Wind Project (the "Project") in Torrance County, New Mexico. The Palomas Wind Project is part of a larger 1,300-megawatt (MW) wind energy generation build out (subject to increase or reduction) being developed in San Miguel and Torrance Counties, New Mexico. When complete, the overall Project will produce enough energy to power the equivalent of 400,000 New Mexico homes, bringing reliable energy and lasting economic benefits to the region. The Project has entered into a Power Purchase Agreement (PPA) with PNM, under which the energy generated by the Project will directly serve customers in New Mexico.

The Project will be located entirely on private lands and land owned by the New Mexico State Lands Office (NMSLO), including approximately 87,550 acres of private lands and 1,678 acres of NMSLO lands in Torrance County, for a total of 89,228 acres (hereby referred to as the Project Area). Of the 87,550 acres of private land, approximately 6,194 acres are within an existing SUD for the SunZia Wind Project. The remaining 81,356 acres of private land are the subject of this application (hereby referred to as the Application Area).

Infrastructure associated with the Project in Torrance County would include wind turbines, an electrical collection system connecting individual turbines, substations, approximately 27.5 miles of 345-kilovolt (kV) transmission line connecting to the existing electric grid (18.1 miles of which are located in the Application Area), operations and maintenance (O&M) buildings, meteorological (met) towers, and access roads. The Project facilities and their locations discussed in this application are preliminary and may be altered based upon the results of continued collection and analysis of meteorological, environmental, engineering, and design data.

The development of the Project conforms to applicable goals and objectives of the Torrance County Zoning Ordinance, adopted March 21, 1990, revised November 13, 2024 (Section 7.0 of this Application) and the Torrance County Comprehensive Land Use Plan 2003, adopted July 29, 2003 (Section 8.0 of this Application). Development of the Project would contribute to the goals of the State of New Mexico, the New Mexico Public Regulation Commission, public utilities, and the Western Governors' Association to diversify the state's power infrastructure, generate reliable energy from local renewable sources, and provide long-term rural economic development to the region and Torrance County.

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List of Abbreviations

Abbreviation	Term/Phrase/Name
A-2	Residential Agricultural zoning designation
ACI	American Concrete Institute
ACSS	aluminum conductor steel supported
ACSR	aluminum conductor steel reinforced
ANSI	American National Standards Institute
APLIC	Avian Power Line Interaction Committee
Applicant	Pattern SC Holdings LLC
ARMS	Archaeological Research Management Section
BISON-M	Biota Information System of New Mexico
BLM	Bureau of Land Management
BLM-S	Bureau of Land Management Sensitive Species
BMP	best management practice
Burns & McDonnell	Burns & McDonnell Engineering Company, Inc.
C	County Road
CSI	Construction Standards Institute
dBA	A-weighted decibels
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FAA	Federal Aviation Administration
ft	feet
gen-tie	345-kilovolt transmission line to tie in generation facilities
GSA	GeoSystems Analysis, Inc.
IBA	Important Bird Area
IEC	International Electrotechnical Commission
IEEE	Institute for Electrical and Electronic Engineers
kcmil	thousand circular mil
kV	kilovolt
LLC	Limited Liability Company
LP	Limited Partnership
m	meter(s)
MBTA	Migratory Bird Treaty Act
met	meteorological
mph	miles per hour
MW	megawatt
NEC	National Electric Code
NESC	National Electrical Safety Code

NFPA	National Fire Protection Agency
NHD	National Hydrography Dataset
NMACP	New Mexico Avian Conservation Partners
NMCRIS	New Mexico Cultural Resource Inventory System
NMDGF	New Mexico Department of Game & Fish
NMDOT	New Mexico Department of Transportation
NMDOW	New Mexico Department of Wildlife
NMHPD	Historic Preservation Division of the New Mexico Department of Cultural Affairs
NMPRC	New Mexico Public Regulation Commission
NMSA	New Mexico Statutes Annotated
NMSLO	New Mexico State Lands Office
NM SWAP	New Mexico State Wildlife Action Plan
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSA	noise-sensitive area
NWI	National Wetland Inventory
O&M	operations and maintenance
OEM	original equipment manufacturer
OPGW	fiber optic ground wire
OSHA	Occupational Safety and Health Administration
Pattern	Pattern Energy Group LP
PNM	Public Service Company of New Mexico
PPA	Power Purchase Agreement
Project	Palomas Wind Project
Project Area	approximately 89,228 acres of land within Torrance County
ROW	right-of-way
rpm	revolutions per minute
SCADA	Supervisory Control and Data Acquisition
SGCN	Species of Greatest Conservation Need
SPS	Special Protection System
SSURGO	Soil Survey Geographic (database)
SUD	Special Use District
SWCA	SWCA Environmental Consultants
SWCD	Soil and Water Conservation District
SWPPP	Storm Water Pollution Prevention Plan
TH	Total Height
U.S.	United States
USDA	United States Department of Agriculture
USFS	United States Forest Service

USFWS	United States Fish & Wildlife Service
USGS	United States Geological Survey
WCA	New Mexico Wildlife Conservation Act
WEGs	Land-Based Wind Energy Guidelines
the Ordinance	Torrance County Zoning Ordinance No. 2024-04
WTG	wind turbine generator

1.0 Introduction

Pattern SC Holdings Limited Liability Company (LLC) (the "Applicant"), a subsidiary of Pattern Energy Group Limited Partnership (LP) (Pattern) and an affiliate of Palomas Power LLC, Lobo Power LLC, and Gallinas Mountain Wind LLC, hereby requests a Zoning Ordinance Amendment for a Special Use District (SUD) and Height Variance for development of the portion of the proposed Palomas Wind Project located on private land in Torrance County, New Mexico (the "Project") (**Exhibit A**, Project Overview Map). The Palomas Wind Project is part of a larger 1,300-megawatt (MW) wind energy generation project (subject to increase or reduction) being developed in San Miguel and Torrance Counties, New Mexico and is expected to be built out in phases. When complete, the overall Project will produce enough energy to power the equivalent of 400,000 New Mexico homes, bringing reliable energy and lasting economic benefits to the region. The Project has entered into a Power Purchase Agreement (PPA) with PNM, under which the energy generated by the Project will directly serve customers in New Mexico.

The information in this application and subsequent use of "the Project" refer to only those portions of the Project on land within Torrance County. The Project will be located entirely on private land and land owned by the New Mexico State Lands Office (NMSLO), including approximately 87,550 acres of private lands and 1,678 acres of NMSLO land in Torrance County, 89,228 acres total (hereby referred to as the Project Area). Of the 87,550 acres of private land, approximately 6,194 acres are within an existing SUD for the SunZia Wind Project which was applied for by Pattern SC Holdings LLC, Ancho Wind LLC, Cowboy Mesa LLC, Duran Mesa LLC, El Corazon Wind LLC, Gallinas Mountain Wind LLC, Mesa Canyons Wind LLC, Pastura Wind LLC, Red Cloud Wind LLC, Tecolote Wind LLC, and Viento Loco LLC (collectively, the SunZia Wind Companies). The remaining 81,356 acres of private land are the subject of this application (hereby referred to as the Application Area).

The Project will include up to 163 wind turbines to be located on private lands that are generally aligned in north- to south-oriented rows. The Project will have an installed capacity of approximately 800 MW (subject to increase or reduction) that will be built in one or more phases. Final locations of the proposed wind turbines would be dependent on continued collection and analysis of meteorological (met) data from the area and the completion of appropriate environmental, engineering, and design analyses. Additional infrastructure associated with the Project in Torrance County would include an electrical collection system connecting the turbines, up to two substations, approximately 27.5 miles of 345-kV transmission line (approximately 6.2 miles of which are located in a previously approved SUD and 3.2 miles on NMSLO lands), operations and maintenance (O&M) buildings, met towers, and service roads. In its current design, the Project will be accessed through Highway 285 and New Mexico State Route 3, as shown in **Exhibit A**, Preliminary Site Development Plan. The Project will use existing county roads in some cases. However, most access roads are expected to be newly constructed on private land due to the remote, rural location of the Project.

The development of these wind energy facilities conforms to applicable goals and objectives of the Torrance County Zoning Ordinance No. 2024-04, hereby referred to as "the Ordinance" (see Section 7.0, below) and the Torrance County Comprehensive Land Use Plan 2003, adopted July 29, 2003 (see Section 8.0, below). Development of the Project would contribute to the goals of the State of New Mexico, the New Mexico Public Regulation Commission, public utilities, and the Western Governors' Association to diversify the state's

power infrastructure, generate reliable energy from local renewable sources, and provide long-term rural economic development to the region and Torrance County.

2.0 Project Developer

Pattern is one of the world's largest privately owned developers and operators of clean energy and transmission infrastructure. With more than 40 facilities across North America, its portfolio includes wind, solar, transmission, and energy storage projects delivering reliable, affordable power to millions of customers. With nearly 12,000 MW of operating assets, Pattern focuses on meeting growing energy demand, strengthening communities, and responsibly powering the future.

Pattern has been working in New Mexico for over 15 years, with the state home to some of Pattern's largest investments. Pattern's New Mexico portfolio includes Western Spirit Wind, SunZia Wind and Transmission, Broadview Wind, Grady Wind, and Palomas Wind, which are currently in development. Pattern has invested over $12.1 billion in the state's clean energy infrastructure, and Pattern's operational facilities will deliver $1 billion directly to New Mexico communities over the first 25 years of operations through landowner payments, new local tax revenues, and wages and benefits. Pattern is committed to New Mexico for the long term, building clean energy infrastructure solutions that deliver lasting benefits to communities, landowners, and the state.

Pattern's projects are built on a foundation of respect for its customers, investors, the communities Pattern works with, and the land on which projects are sited. The overall Project (including phase one and two) will support roughly 635 construction jobs and 35 permanent, good-paying operations positions in the local area for the life of the Project. Pattern works with construction and operations partners to prioritize regional hiring and invests in workforce development through partnerships with New Mexico Tech and other educational institutions.

Project operational phases also include community engagement, land reclamation, and ongoing communication across its facilities. The professionals who manage day-to-day site operations employ engineering, data analytics, and proven technologies to continuously improve the safety, reliability, and productivity of its expanding portfolio. The operations team closely models and monitors the performance of each facility. Pattern's 24/7 Operations Control Center in Houston, Texas, puts the full portfolio at the team's fingertips. Pattern increases operational capacity by advancing:

- Best safety practices
- Equipment optimization and reliability
- Routine training, including regular safety drills and equipment instruction
- 24/7 monitoring and fleet management
- Advanced data analytics and predictive software
- Proprietary resource and financial modeling
- Long-term service, maintenance and upgrades of hardware and software
- Community engagement
- Commitments to environmental stewardship

Pattern's fleet is built and maintained with state-of-the-art technologies, from top-tier turbines to predictive software and virtual tools. These resources enable the consistent delivery of clean energy to customers today and provide a foundation for the advanced technologies of tomorrow.

3.0 Project Site

The Project will be located on both state and private lands (**Exhibit A**, Project Overview Map). Land within the Project Area is located in an Agricultural District (A) and portions of a Conservation District (C), both of which are rural land use designations for unincorporated areas of Torrance County that are not specifically designated in any other zone classification (**Exhibit A**, Torrance County Zoning Map). The land use within the Project Area has historically been rangeland/dry agriculture. Ranch homes and residential areas are scattered sparsely throughout the Project Area. The village of Encino is the closest incorporated community, located at the junction of U.S. Route 60 and U.S. Route 285, approximately 5.3 miles southeast of the proposed 345-kilovolt transmission line to tie in generation facilities (gen-tie). Parcel map numbers for the Project Area are included in **Exhibit A**, Assessor Parcel Maps.

4.0 Land Entitlement

The Applicant, through its affiliates Palomas Power LLC, Lobo Power LLC, and Gallinas Mountain Wind LLC, has obtained lease option agreements for all land within the Project Area (**Exhibit B**, Recorded Memoranda of Lease Agreements). Gallinas Mountain Wind LLC, Lobo Power LLC, and Palomas Power LLC are all affiliates of Pattern SC Holdings LLC and as such, have the right to develop, construct, own, and operate wind energy facilities on the lands comprising the Project Area. The Applicant will obtain the necessary approvals for any infrastructure located on NMSLO lands prior to construction.

4.1 Legal Description

The following legal description includes all private lands to which the Applicant has rights to develop within the Project Area, including those located within a previously approved SUD.

Township Nine (9) North, Range Fourteen (14) East, N.M.P.M.
All of Section 2
S½ S½ of Section 3
S½ SE¼ of Section 4
E½ NE¼, NW¼ NE¼ of Section 11
E½ SW¼, NW¼ SW¼, SW¼ NW¼ of Section 12
All of Sections 23, 25, 26, and 36

Township Six (6) North, Range Twelve (12) East, N.M.P.M.
All of Sections 1 and 12

Township Six (6) North, Range Thirteen (13) East, N.M.P.M.
All of Sections 3, 4, 5, 8, 9, 10, 14, 15, 17 and 18
The Lot 4 of Section 1
E½ of Section 2
W½, SE¼, N½NE¼, SE¼NE¼ of Section 7
N½NE¼, SE¼NE¼ of Section 20
All of Sections 6, 11 and 16
The Lots 1, 2 and 3, S½N½, SE¼ of Section 1
W½ of Section 2
W½, NE¼, N½SE¼ of Section 12
All of Sections 21, 28, W1/2, S1/2SE1/4 of Section 33

Township Six (6) North, Range Fourteen (14) East, N.M.P.M.
All of Sections 1, 3 and 6
All of Section 2

LESS AND EXCEPT that portion of the E½ of Section 6 conveyed to the State Highway Department of New Mexico by Special Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 3077, on July 12, 1983.

Township Seven (7) North, Range Thirteen (13) East, N.M.P.M.
All of Sections 11, 12, 13, 14, 15, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 35
E½, NW¼, E½SW¼ of Section 3
SE¼SW¼, SW¼SE¼ of Section 8
SE¼, E½SW¼, SE¼NW¼, S½NE¼ of Section 9
E½, SW¼, S½NW¼, NE¼NW¼ of Section 10
E½, S½NW¼, N½SW¼ of Section 18
E½, E½W½ of Section 19
W½, NE¼, N½SE¼, SE¼SE¼ of Section 33
W½, SE¼, S½NE¼ of Section 34
All of Sections 2, 16, 32 and 36

Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.
All of Sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 23, 27, 28, 29, 30, 31, 33 and 35
The Lots 1 and 2, SW¼NE¼, SE¼NW¼ of Section 2
The Lot 2 of Section 4
S½ of Section 9
S½SW¼, NE¼SW¼, NW¼SE¼, S½NE¼, NW¼NE¼, NE¼NW¼ of Section 10
E½ of Section 11
SW¼, S½NW¼ of Section 14
NW¼, S½ of Section 15
N½, S½S½ of Section 22
SW¼NW¼ of Section 25
NW¼, SE¼NE¼, N½SE¼, S½SW¼, NW¼SW¼ of Section 26
W½, W½E½, E½NE¼ of Section 34
All of Sections 16, 32 and 36
The Lot 3, SW¼NW¼, W½SW¼, SE¼, SE¼NE¼ of Section 2

LESS AND EXCEPT those portions of the W½ of Section 5, NE¼ of Section 6, W½ of Section 8, W½ of Section 17, E½ of Section 19, W½ of Section 20, SW¼, SW¼NW¼ of Section 29, E½ of Section 30 and E½ of Section 31 conveyed to the State Highway Department of New Mexico by Special Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 3077, on July 12, 1983.

LESS AND EXCEPT that portion of the NW¼NW¼ of Section 29 conveyed to the State Highway Department of New Mexico by Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 2399, on March 7, 1983.

Township Seven (7) North, Range Fifteen (15) East, N.M.P.M.
N½, N½S½, S½SW¼ of Section 1
E½E½, W½NE¼, NW¼SE¼ of Section 2
W½, SW¼SE¼ of Section 2

Township Eight (8) North, Range Thirteen (13) East, N.M.P.M.
That portion of the NE¼SW¼ of Section 14
described in Warranty Deed to Bigbee Brothers Cattle Company recorded in the records of the County Clerk of Torrance County, New Mexico in Book 113, Page 403, on January 17, 1958.

S½SE¼, SE¼SW¼, NE¼SE¼ of Section 25
All of Sections 13, 23, 35 and 36
E½E½, W½SE¼, SE¼SW¼ of Section 14
N½, W½SW¼, NE¼SW¼, NW¼SE¼ of Section 25

Township Eight (8) North, Range Fourteen (14) East, N.M.P.M.
SW¼SE¼ of Section 8
N½NE¼, SW¼NE¼, SE¼NW¼ of Section 11
N½N½ of Section 12
E½W½, NW¼NE¼ of Section 17
NE¼NW¼, NW¼NE¼ of Section 20
S½SE¼ of Section 22
S½SW¼ of Section 23
S½S½ of Section 25
NW¼NE¼, NE¼NW¼ of Section 26
W½W½, NE¼SW¼, S½SE¼, N½NE¼ of Section 27
SE¼NE¼, NE¼SE¼, SW¼NW¼ of Section 28
N½SE¼, SE¼NE¼ of Section 29
The Lot 4, E½SW¼ of Section 30
The Lot 1 of Section 31
SE¼NE¼, NE¼SE¼ of Section 33
NW¼SW¼, W½NW¼, NE¼NW¼, NW¼NE¼ of Section 34
All of Sections 1, 2, 3, 4, 9, 13, 16, 18, 24, 32 and 36
E½ of Section 5
NE¼, N½SE¼, SE¼SE¼ of Section 8
S½, N½NW¼, SW¼NW¼, SE¼NE¼ of Section 11
E½E½, W½SE¼, SW¼NE¼, W½SW¼, SW¼NW¼ of Section 17
N½N½, S½NE¼, SE¼NW¼, E½SE¼, SW¼SW¼ of Section 21
N½, N½S½, S½SW¼ of Section 22
N½, N½S½ of Section 25
S½, S½N½, NE¼NE¼, NW¼NW¼ of Section 26
E½NW¼, S½NE¼, N½SE¼, SE¼SW¼ of Section 27
W½E½, E½W½, NE¼NE¼, NW¼NW¼, W½SW¼, SE¼SE¼ of Section 28
W½, N½NE¼, SW¼NE¼, S½SE¼ of Section 29
E½, NW¼, the Lot 3 of Section 30
S½, S½N½, N½NE¼, NE¼NW¼ of Section 31
W½, W½NE¼, NE¼NE¼, SE¼SE¼ of Section 33
S½S½, NE¼SW¼, SE¼NW¼, N½SE¼, S½NE¼, NE¼NE¼ of Section 34

Township Eight (8) North, Range Fifteen (15) East, N.M.P.M.
NE¼SE¼ of Section 5
SE¼NW¼, SE¼SW¼ of Section 8
W½NE¼, NE¼NW¼, NW¼SE¼ of Section 10
NW¼ of Section 13
SW¼, N½SE¼, S½NE¼ of Section 14

S½NW¼, N½SE¼, SE¼SE¼ of Section 29
S½NE¼ of Section 30
NE¼NE¼ of Section 32
S½SE¼ of Section 35
All of Sections 2, 3, 6, 16, 19, 23, 24, 25, 26, 27, 28, 31, 33, 34 and 36
E½, N½SW¼, SW¼SW¼, SW¼NW¼ of Section 8
E½E½, SW¼SE¼, SW¼, S½NW¼, NW¼NW¼ of Section 10
N½N½, S½NW¼, S½SE¼ of Section 14
N½N½, S½NE¼, W½SW¼, SW¼SE¼ of Section 29
W½, N½NE¼, SE¼ of Section 30
S½, S½N½, N½NW¼, NW¼NE¼ of Section 32
N½, N½S½, S½SW¼ of Section 35

Township Seven (7) North, Range Twelve (12) East, N.M.P.M.
All of Section 36

5.0 Request for Zoning Amendment

The Applicant is seeking a Zoning Ordinance Amendment for a SUD and a Height Variance for development of the Palomas Wind Project on approximately 81,356 acres of private lands in Torrance County, New Mexico.

5.1 Special Use District

A SUD is requested to develop the Palomas Wind Project within Torrance County. Private lands proposed for the SUD (including approximately 18.1 miles of associated 345-kV transmission line within Torrance County that are not within existing SUDs nor on NMSLO lands) are presented in **Exhibit A**, Project Overview Map, and **Exhibit B**, Recorded Memoranda of Lease Agreements.

5.2 Height Variance

The Applicant requests a Height Variance for the installation of wind energy generation turbines up to 698 feet (ft) in height and up to four met assessment towers, two temporary (for construction) and two permanent up to 370 ft in height. The height of the turbine towers, or "hub height" (height from the base of the tower to the center of the rotor hub on top of tower), is currently anticipated to vary between approximately 321.5 and 341.1 ft. The total turbine height (i.e., height at the highest blade tip position) is anticipated to vary in height between 574.1 and 608.6 ft but will not exceed 698 ft. The exact height will depend on the final turbine model selected in procurement (**Exhibit C**, Wind Turbine Model Specifications). The temporary construction and permanent met towers will vary in height between 343 and 368 ft above ground level but will not exceed 370 ft (**Exhibit D**, Meteorological Tower Specifications).

6.0 Project Description

While the subject of this application is only the Application Area, this chapter discusses the Project Area as a whole, including the portions of the Project located within previously approved wind energy SUDs and portions of the project to be located on NMSLO lands, which are not subject to County jurisdiction.

The Project will consist of approximately 163 wind turbines with an anticipated nameplate capacity ranging from 3.8 to 4.5 MW. Electricity generated from each individual wind turbine will be gathered via both buried and overhead electrical collection lines that will be charged at 34.5-kV. The collection system circuits will gather at one of the Project's substations, where the voltage will be increased from 34.5-kV to 345-kV via major power transformers. The Project's substations will be connected to each other via an overhead 345-kV gen-tie that will connect to the existing electric grid. The Project's electrical systems will conform to all applicable local, state, and national codes and meet American National Standards Institute (ANSI) and International Electrotechnical Commission (IEC) standards. Up to two substations will be needed for the Project. Final determination of the number of substations required to support the Project will be made prior to construction based on advanced design, seeking to reduce total infrastructure and minimize electrical losses. Total length of the constructed gen-tie will depend on final design. The gen-tie will be located within a right-of-way (ROW) of 200 ft (**Exhibit A**, Preliminary Site Development Plan, and **Exhibit A**, Boundaries and Facilities Maps).

6.1 Timeline and Milestones

Table 6-1: Preliminary Project Schedule

Milestone	Anticipated Start	Anticipated End
Surveying	Q4 2024	Q1 2028
Project Construction	Q4 2027	Q3 2029
Clearing and Grading	Q4 2027	Q3 2028
Installation of Turbines, Related Structures, and Accessory Buildings	Q3 2028	Q3 2029
Reclamation	Q2 2029	Q4 2029
Commissioning	Q3 2029	Q3 2029
Expected Commercial Operation	Q4 2029	Q4 2064
Decommissioning	Q1 2065	Q1 2067

The Project schedule above is preliminary and subject to change.

The Project will be built in one or more phases that may have varying commercial operations dates. The Project will follow standard construction and operational practices consistent with other transmission and wind generation projects in the western United States. The above schedule is preliminary and is the current best understanding of the timeline for phase one. The second phase of project construction is currently anticipated to begin construction at the end of Q2 2029 with anticipated commercial operation in Q4 2030.

Construction is expected to generally follow this sequence: (1) survey and staking of new structure locations; (2) clearing of work areas, including laydown and staging areas, as needed; (3) construction or improvement of access roads, including turning radii and temporary intersections for cranes and other equipment; (4)

installation of meteorological towers; (5) excavation of turbine foundation and turbine installation; (6) installation of collection lines, including boring where lines cross sensitive environmental resources; and (7) site cleanup and reclamation. Construction activities may occur concurrently at multiple locations, with several crews operating simultaneously throughout the construction period.

6.2 Site Suitability

Pattern's team has extensive experience developing wind projects throughout North America. Based on this experience and consistent with industry-wide best practices developed in collaboration with private, non-profit, and governmental stakeholders, Pattern has established a comprehensive and practical methodology for selecting wind project sites. Siting a wind project is a detailed, iterative process. Adequate wind resources, access to available transmission, and available land are just the start.

6.2.1 Adequate Wind Resources

Determining the adequacy of wind resource includes evaluation of wind maps, detailed modeling, and onsite data generated by met towers. Adequacy of wind is not merely a function of wind speeds, but also of wind speed stability and consistency, wind direction and directional variability, seasonal and daily variability, wind shear, and turbulence stemming from local or regional climate. Locations that produce adequate wind speeds (quantity) may prove to be unsuitable due to the quality of the wind resource.

Evaluating a potential site and estimating project output is a detailed, iterative process that can take several years to complete, including multiple years of onsite met data collection. Preliminary met towers are strategically located within representative areas of a project to quantify key wind resource attributes, and the collected data is used to inform preliminary project layouts in close coordination with engineering and environmental teams. Turbine layouts are optimized for energy efficiency based on available land, wind direction, and wind speed, with appropriate setbacks applied between individual turbines to minimize detrimental wake effects. The layout is further optimized using state-of-the-art wind modeling software to maximize energy yield while maintaining required setbacks.

There are currently eleven (11) temporary met towers (CUPs approved March 5, 2025) located in the Project Area. These existing temporary towers will be removed during construction. Two temporary construction and two permanent met towers will be installed to measure wind conditions during construction and operations (see Section 6.3.4 below). Preliminary estimates from the collected data suggest that the Project Area has an excellent quantity and quality of wind resources to support the Project (**Exhibit A**, Wind Resource Maps).

6.2.2 Transmission Access/Interconnection

Part of the site selection process is identifying land in proximity to the interconnection points (substations or switchyards) on the existing high-voltage transmission grid. The Applicant has performed background transmission and load-impact modeling to determine the feasibility of a grid interconnection. Preferred interconnection points are found where the existing high-voltage transmission system possesses adequate capacity to accommodate additional electrical supply, thereby minimizing interconnection facility costs and network upgrades. The Applicant used various models and analytical methods to assess impacts on utility transmission and distribution systems. Plans include a Project interconnection at the existing Western Spirit Switchyard.

Existing transmission lines (100-kV or above) in the vicinity of the Project include the 345-kV Western Spirit Transmission line, owned by the Public Service Company of New Mexico (PNM) and situated west of the

Project Area where it parallels U.S. Highway 245 in Torrance County. The Project will include project-specific 345-kV transmission line facilities. It should be noted that all transmission above 300 kV associated with the Project is subject to file an Application for Location Permit with the New Mexico Public Regulation Commission (NMPRC) (N.M. Stat. Ann. § 62-9-3(B)) permit process, which is currently underway. The existing and proposed transmission facilities are displayed in **Exhibit A**, Preliminary Site Development Plan and **Exhibit A**, Boundaries and Facilities Maps.

6.2.3 Accessibility

The Project will be accessible to construction equipment and heavy machinery, including cranes and special-purpose trailers, which transport tower sections, nacelles, and other components. The Project would be accessed from U.S. Highway 285 and/or New Mexico State Route 3, of which new private access roads would be constructed, thereby minimizing traffic impacts on local roads. Additional new private access roads would be constructed from county roads, including county road (C) 096, C046, and C098. All necessary access, crossing, and driveway permits will be obtained from the applicable jurisdictions as needed.

Topography within the Project Area is variable, ranging from relatively flat rangeland to small ridges and mesas with steep slopes. Elevations range from 5,630 ft to 6,893 ft (1,716 meters [m] to 2,101 m). The most significant topographic variation generally occurs near waterways. Overall, this terrain is conducive to wind generation facilities in New Mexico.

The majority of the Project Area is currently used as rangeland. Grazing and other agricultural activities can continue during construction and operations, while also diversifying landowner income. In addition, the Project will be constructed on land participating in the Project through voluntary agreements, reflecting a collaborative and mutually beneficial approach to land use.

6.2.4 Setbacks

Minimum setbacks are defined in Section 16.0(D)(10)(f)(3) and Section 16.0(D)(10)(f)(5)(d) of the Ordinance, applicable to wind turbines for wind energy facilities. These setbacks shall apply to the features listed in Table 6-2 as they exist at the time of the application. These setbacks are a function of the total height (TH, equal to turbine hub height plus turbine rotor radius).

Turbine locations would maintain a minimum setback between the tower and the nearest non-participating residence, compliant with Torrance County setback requirements, which state "...each wind turbine shall be set back from the nearest property line a distance no less than 1.1 times its total height, unless appropriate easements are secured from adjacent property owners." This setback minimizes potential visual and sound effects of the turbines on neighboring landowners adjacent to or in close proximity to the Project. The turbine locations would also maintain minimum setbacks from public roads and utility lines and telephone lines. Refer to **Exhibit A**, Boundaries and Facilities Maps.

Table 6-2: Minimum Setbacks for Wind Energy Facilities

Features	Minimum Setback
Public Roads (U.S. Highways, Interstate Highways, and County Roads)	1.1 x TH
Existing Public Electric Power Line or Telephone Line	1.1 x TH
Property Boundaries	1.1 x TH

Important Bird Areas (as identified by state and federal agencies)	2,500 ft (762 m)

6.2.5 Communication Interference

Turbines would be sited outside of known microwave pathways and Fresnel zones (areas surrounding a line-of-sight used to determine obstruction loss to communication signals) to minimize the effect they may have on local communications. Communications studies completed in May 2025 confirmed the location of Project-associated facilities avoid interference with commercial communications.

6.2.6 Cultural Resources

Based on a preliminary review, it is anticipated that Project components would be sited and constructed to avoid and minimize significant adverse physical effects on prehistoric or historic archeological resources, as recommended by the Project's cultural resources specialists.

SWCA Environmental Consultants (SWCA) was contracted by Pattern to conduct a desktop review of cultural resources within a 214,000-acre study area which contains the full extent of the Project Area in Torrance County (SWCA, 2026). SWCA analyzed information from record searches using the online New Mexico Cultural Resource Inventory System (NMCRIS) maintained by the Archaeological Research Management Section (ARMS) of the Historic Preservation Division of the New Mexico Department of Cultural Affairs (NMHPD) and the online National Register of Historic Places (NRHP) database as part of the desktop records review for the Project. A technical memorandum detailing the methods and results of the risk assessment is provided in **Exhibit E**, Cultural Resources Desktop Risk Analysis.

6.2.7 Environmental

Initial studies were completed to determine potential impacts to environmental resources within the Project Area. GeoSystems Analysis Inc. (GSA) was contracted by Pattern to conduct a Natural Resources Assessment within a 146,758-acre study area which contains the entirety of the Project Area in Torrance County. The results of these studies are summarized below in Table 6-3 and detailed in the report prepared by GSA (**Exhibit F**, Natural Resources Assessment for the Palomas Wind Project).

Table 6-3: Summary of Project Natural Resources Assessment

Resource Category	Comments
Flora and Fauna	A total of four wildlife species were identified for review within the study area that are protected under the Endangered Species Act (16 U.S.C. §§ 1531 – 1544; ESA): the Mexican spotted owl (*Strix occidentalis lucida;* threatened*);* southwestern willow flycatcher (*Empidonax traillii extimus*; endangered), yellow-billed cuckoo (*Coccyzus americanus*; threatened), and the monarch butterfly (*Danaus plexippus*; proposed threatened). Of those four species, only the monarch butterfly was identified as having the potential to occur within the study area. Five wildlife species were identified for review within the study area that are protected under the New Mexico Wildlife Conservation Act (WCA; 17-2-40.1 NMSA 1978): Baird's sparrow (*Centronyx bairdii*; threatened*),* bald eagle *(Heliaeetus leucocephalus*; threatened), gray vireo (*Vireo vicinior*; threatened), peregrine falcon (*Falco peregrinus*; threatened), and southwestern willow flycatcher (endangered) (BISON-M, 2026). Of those five, only the Baird's sparrow, bald eagle, gray vireo, and peregrine falcon were identified as having the potential to occur within the study area. Based on a search of publicly available datasets, three special status plant species were identified as USFS Sensitive Species (USFS-S) in Torrance County. These species included the dwarf milkweed (*Asclepias uncialis*), Sandia Mountain alum-root (*Heuchera pulchella*), and tall bitterweed (*Hymenoxys brachyactis*). No federal or state threatened or endangered plants were identified as potentially occurring in the study area. Thirteen bat species have potential to occur or are likely to occur within the study area. Of these, the Townsend's big-eared bat (*Corynorhinus townsendii*) and the spotted bat (*Euderma maculatum*) are both listed as a BLM Sensitive Species (BLM-S), New Mexico Species of Greatest Conservation Need (SGCN), and USFS Region 3 Sensitive Species. Potentially suitable habitat exists for both species within the study area. The Applicant has conducted initial project consultations with the New Mexico Department of Game and Fish (NMDGF) and will continue to do so as the Project advances in design. A preliminary study of habitat quality has been conducted to help guide siting of the Project infrastructure to minimize impacts to wildlife habitat. Additional information and detail can be found in **Exhibit F,** Natural Resources Assessment for the Palomas Wind Project.
Avian and Bat Species	As discussed above, several avian and bat species occur in the study area. The Applicant will conduct bird and bat surveys, as applicable. Pattern has and will continue to follow the U.S. Fish and Wildlife Service (USFWS) Land-Based Wind Energy Guidelines (WEGs) and the NMDGF Recommendations to Minimize Adverse Impacts of Wind Energy Development on Wildlife (USFWS, 2012; NMDGF, 2012), as it does at all its projects across the United States. Pattern also continues to integrate into powerline siting decisions the 2012 Avian Power Line Interaction Committee (APLIC) guideline, Reducing Avian Collisions with Power Lines, for reducing avian mortality from overhead collection or the gen-tie. The APLIC guidelines on electrocution and collision are voluntary guidance documents that are the result of industry, non-profits, and government agencies, such as USFWS, working together to create standardized processes for analyzing and minimizing risk of avian mortality as a result of collision with or electrocution by operating powerlines. These guidelines provide a stepwise methodology to assessing and minimizing impacts to birds from powerlines and are not associated with wind energy development per se. Pattern has elected to implement the APLIC guidelines because these guidelines have long served as an effective tool developed with diverse stakeholder input for addressing potential impacts from powerlines to avian species. The APLIC collision guideline, Reducing Avian Collision with Power Lines, will help direct siting and risk assessment of the Project transmission line facilities. These guidelines will help identify areas where the risk of avian collision is more or less likely. The Project will install bird flight diverters on portions of the Project transmission facilities identified as having a relatively greater risk of avian collision.

Environmentally Sensitive and Protected Areas	No protected areas are present within the Project Area (USGS, 2026). The closest national park is the Gran Quivira Unit of Salinas Pueblo Missions National Monument, which is approximately 44 miles southwest of the Project Area. Estancia Valley is a National Audubon Society-designated Important Bird Area (IBA) located approximately 31 miles west of the Project Area (National Audubon Society, 2026). In accordance with Section 16.0(D)(10)(e)(4) of the Ordinance, a map depicting environmentally sensitive and protected areas is included in **Exhibit A**, Environmentally Sensitive and Protected Areas Maps.
Surface Water, Wetlands, and Waters of the U.S.	The Applicant will complete an on-site wetland delineation of water resources prior to final design. If wetlands or other water features cannot be avoided, matting and other temporary protective measures will be used, to the extent practicable, and proper permits will be obtained.
Prime Farmlands	Within the Project Area, approximately 5,821 acres meet the criteria of important farmland (2,171 acres of prime farmland if irrigated and 3,650 acres of irrigated or non-irrigated farmland of statewide importance) (USDA, 2026; USDA NRCS, 2026). Specific measures will be implemented to reduce any potential negative soil impacts from construction activities.
Cultural Resources	Known archeological and historical resources would be avoided during construction. A technical memorandum detailing the methods and results of the risk assessment is provided in **Exhibit E**, Cultural Resources Desktop Risk Analysis. The Project will also develop an Unanticipated Discoveries Plan prior to construction.

6.3 Proposed Infrastructure

6.3.1 Turbines

The Project is part of the overall Palomas Winds Project located in Torrance and San Miguel Counties, which would be capable of generating and delivering up to 1,300 MW of clean, renewable energy. As discussed previously, the turbine vendor, size, number, and actual generating capacity have not yet been determined. This application describes impacts for the most likely turbine size and represents typical scale and impacts of turbines that could potentially be used for the Project.

The Project will include up to 163 utility-scale wind turbines. Multiple turbine models are being considered for use in the Project, and more than one turbine model may be selected depending on technology advances and availability during procurement. Project analysis was completed using the GE 3.8 MW platform and the Vestas 4.5 MW platform, which are generally representative of the anticipated turbine models that will be utilized for the Project.

Table 6-4: Proposed Turbine Models

Components	Description	
	GE Vernova 3.8-154	**Vestas V163-4.5**
Rated Power per Turbine (MW)	3.8 MW	4.5 MW
Rotor Diameter (m)	154 m	163 m
Rotor Radius (m)	77 m	81.5 m
Hub Height (m)	98-116m	104-113m
Tip Height (m)	176-194 m	185-195 m

Wind turbine model specifications are presented in **Exhibit C**, Wind Turbine Model Specifications. Proposed turbine locations are presented in **Exhibit A**, Preliminary Site Development Plan.

Each turbine is equipped with an advanced Supervisory Control and Data Acquisition (SCADA) system that monitors and controls turbine performance in real time. For safety, turbines feature multiple braking systems: aerodynamic brakes via variable pitch blades that feather to reduce lift and halt rotor movement, and mechanical disc brakes on the main rotor shaft that activate in fail-safe mode as a redundant stopping mechanism. Turbines will be installed on reinforced concrete foundations designed to withstand structural loads and dynamic wind forces. Foundation types will be finalized based on turbine model selection and site-specific geotechnical investigations.

6.3.1.1 Nacelle

At the top of the tower section is the nacelle. The exterior is typically made of fiberglass with a structural steel frame which protects the internal, main mechanical components of the wind turbine from the environment and dampens noise emissions. The housing is designed to allow for adequate ventilation to cool internal machinery, and is approximately 42.5 ft long, 11.5 ft tall, and 13.2 ft wide. It is externally equipped with an anemometer, which measures wind speed, and a wind vane, which measures wind direction. This information is used by the turbine controller to turn the machine on and off, and to rotate or "yaw" it into the correct position. The components housed within the nacelle include the generator, the main shaft, the gearbox, and an electric control unit which relays information and data received from the generator and the

weather station on the roof of the nacelle to the main control cabinets at the base of the tower. The nacelle is mounted on a sliding ring that allows it to yaw into the wind to maximize energy capture. The selected wind turbine model may mount a dry-type generator step-up transformer (electrical) in the nacelle.

6.3.1.2 Rotor

The rotor assembly is mounted on the drive shaft and is operated upwind of the tower. Each rotor consists of three fiberglass composite blades and a hub or nose cone that is mounted on a drive shaft. The shaft is connected to the gearbox and generator contained within the nacelle. All turbine rotors would rotate in the same direction and would be configured to rotate clockwise. Electric servo motors within the rotor hub vary the pitch of each blade according to wind conditions, which enable the turbine to operate efficiently at varying wind speeds while maintaining a constant rotational speed. The wind turbines begin generating energy at wind speeds as low as 6.7 miles per hour (mph) and automatically shut down at wind speeds above 53.7 mph. The maximum rotor speed is approximately 17.6 revolutions per minute (rpm). All turbine rotors would be painted a non-reflective, unobtrusive, off-white color.

6.3.1.3 Tower

Each tower would have a locked access door at the base, internal lighting at critical points from the base of the tower to the tower top, control cabinets, an internal ladder to access the nacelle and a fall arrest system. Service platforms would be provided. Access to the top platform would be by ladder or service lift. The towers would be uniformly painted in a non-reflective and unobtrusive off-white color approved by the Federal Aviation Administration (FAA) for daylight marking. By design, the tubular steel towers cannot be climbed externally, and no appurtenances would be connected to the outside of any of the wind towers.

6.3.1.4 Foundation

The wind turbines' freestanding tubular towers would be connected by anchor bolts to a reinforced concrete foundation. Foundation design for the turbines would be based on project-specific geotechnical investigations and design. For the range of turbine sizes proposed, typically Pattern uses spread-footing type foundations that are about 65 ft in diameter and 12 ft in depth (only a short foundation pedestal would be above ground). At each wind tower location, soil borings would be performed to characterize the underlying soils. A licensed geotechnical engineer would analyze and recommend specific requirements to provide adequate foundational strength for each of the proposed wind power generation towers. Reinforced concrete foundations would be designed by a Professional Engineer according to manufacturer and geotechnical engineer recommendations. As noted above, an engineering analysis will be provided prior to the commencement of construction within the Project.

Pattern will conduct a foundation design process in order to ensure that the foundations are within certain design parameters. As part of this design, Pattern evaluates the site-specific original equipment manufacturer (OEM) foundation loadings, site specific geotechnical borings at each turbine location, depth of the underground water table, water content of soils, etc. This design is typically performed by a reputable structural engineering firm which has performed thousands of designs for various developers and engineering, procurement, and construction /balance of plant contractors throughout North America and the world.

During the foundation structural design and after it is completed, an independent engineer will review the proposed wind turbine foundation structural drawings and calculations. The independent engineer will

independently confirm and verify that the foundation design was performed in accordance with prudent industry standards, applicable building codes, and site-specific design criteria.

Excavations for foundations and structure holes will generally be made with truck-mounted power auger equipment, a standard-sized backhoe, or large excavator. A truck mounted power auger will be used for structure holes where soil and geotechnical conditions permit. Hole excavation and structure installation will require access to the site by a power auger or drill, a crane, and material trucks. The foundation excavation and installation require equipment access to the foundation sites.

Soil removed from foundation excavations will be stockpiled in the work area and replaced or disposed of, in consultation with landowners. In rocky areas, earthwork may require drilling and/or blasting methods. All appropriate safeguards (e.g., blasting mats) associated with using explosives will be employed. Blasting activities will be coordinated with the appropriate agencies for public and worker safety and protection of sensitive areas and biological resources.

6.3.1.5 Turbine Siting

Turbines will be sited in accordance with the applicable setbacks outlined in Section 6.2.4. The final turbine locations would be determined based on additional geotechnical studies, environmental studies, meteorological data, and engineering design. Final turbine location coordinates would be provided to Torrance County when the Applicant submits the building permit application. For these reasons, the Applicant requests micrositing flexibility to place turbines at optimal locations within the Application Area.

6.3.1.6 Safety

In accordance with Section 16.0(D)(10)(f)(1) of the Ordinance, the Applicant shall implement the following safety measures:

- **Rotor clearance**: Maintain a minimum vertical clearance of 30 ft between the ground surface and any part of the rotor blade system.
- **Tower Access**: Prohibit external climbing by ensuring turbine towers are not climbable up to 15 ft above ground level.
- **Facility Access**: Keep access doors to turbine towers and electrical equipment locked to prevent unauthorized entry.
- **Warning Signage**: Install warning signs on turbine towers, electrical equipment, and facility entrances.
- **Lighting**: Artificial lighting shall be installed only where required by the FAA or other applicable regulatory authorities. See Section 6.6 for additional information on the Project's lighting.
- **Turbine Safety System**: Equip all wind turbines with industry-standard automatic braking, governing, or feathering systems to prevent uncontrolled rotation, overspeed conditions, and excessive structural loading on the tower, rotor, and turbine components.

6.3.2 Electrical Lines (Collection and Transmission)

Electricity generated from each individual wind turbine will be gathered via both buried and overhead electrical collection lines that will be charged at 34.5-kV. The collection system circuits will connect at one of the Project's substations, where the voltage will be increased from 34.5-kV to 345-kV using major power transformers.

The Project's substations will be connected to each other via an overhead 345-kV gen-tie that will connect to the existing electric grid. The Project's electrical systems will conform to all applicable local, state, and national codes and meet American National Standards Institute (ANSI) and International Electrotechnical Commission (IEC) standards.

Up to two substations and two switchyards will be needed for the Project. Final determination of the number of facilities required to support the Project will be made prior to construction based on advanced design, seeking to reduce total infrastructure and minimize electrical losses. Total length of the constructed gen-tie will depend on final design. The gen-tie will be located within a ROW of 200 ft. Proposed electric lines for the Project are presented in **Exhibit A**, Preliminary Site Development Plan.

6.3.2.1 Transmission Structures

The proposed 345-kV transmission line structures will be constructed of wood or steel and will be monopole, two-pole H-frame, and/or three-pole angle structures, depending on site conditions and engineering requirements for each structure location. Most structures will be self-supporting; however, in some areas, structures may be guyed to provide additional structural support.

Taller or larger structures may be used in areas requiring longer spans, such as riparian areas or stream crossings. At locations where the line turns, the transmission line could be supported by three-pole angle structures or structures with guy wires. Typical transmission structure heights for the tangent (structures that hold the line up, but bear little tension), dead-end (structures that bear tension), and angle structures (structures that support change in line direction and bear tension) will range from approximately 80 to 130 ft above the existing ground, depending on terrain and span length between adjacent structures.

Structure spans will typically range from 850 to 1,000 ft. In most cases, transmission structures will be directly embedded into the ground; however, additional foundation support, such as drilled pier concrete foundations, may be required in limited design cases depending on geotechnical conditions. Pole diameters will generally range from approximately 3 to 5 ft, depending on framing configuration and the angle to adjacent transmission structures.

6.3.2.2 Conductors and Associated Hardware

The 345-kV gen-tie will consist of three electrical phases, with each phase composed of bundled conductors made up of two aluminum conductor steel supported (ACSS) cables with a capacity of up to 1,272-thousand circular mil (kcmil). An ACSS consists of seven steel wires surrounded by 54 aluminum strands. Each conductor is approximately 1.2 inches in diameter. Minimum conductor clearance above the ground for the 345-kV transmission line is 25.7 ft at 212 degrees Fahrenheit based on National Electrical Safety Code (NESC) standards and Special Protection System (SPS) standards. At road crossings, minimum clearance will typically increase to approximately 28.7 ft above ground. Similar sized aluminum conductor steel reinforced (ACSR) cables or conductors also could be used.

6.3.2.3 Fiber Optics

Fiber optic ground wire (OPGW) cable for substation-to-substation control will be installed on top of each transmission structure in the shield wire. The outer strands will consist of aluminum wire and the entire OPGW will be approximately 0.55 inch in diameter.

6.3.3 Substations and Switchyards

Up to two substations and two switchyards will be constructed within the Project Area. Each substation will consist of transformers, circuit breakers, switching devices, auxiliary equipment, control enclosures containing equipment for operation by Pattern and Public Service Company of New Mexico (PNM), and associated protection, monitoring, and communications, and support systems. The final location(s) will be determined following micrositing and geotechnical examinations. The principal function of each substation is to increase the voltage from the collector system (34.5-kV) to the voltage of the gen-tie transmission line (345-kV), enabling delivery of generated electricity to the existing electric grid. Each substation will be located within a fenced area designed in accordance with applicable industry standards to ensure safety and security.

6.3.4 Meteorological Towers

There are currently eleven (11) temporary met towers (CUPs approved March 5, 2025) and two (2) remote sensing devices located in the Project Area. During construction, the existing temporary towers will be removed, and four met towers, two temporary (for construction) and two permanent, will be constructed to collect critical measurements essential for the construction and operation of the Project. Met towers are equipped with instruments to measure wind speed, direction, temperature, and other relevant atmospheric factors. They will vary in height between 343 and 368 ft above ground level to collect data from multiple levels within the air column. Towers are constructed using robust materials to withstand severe weather conditions and may be self-supporting or guyed to ensure stability. Guy wires will generally have a 90 m radius around the installed tower. Any guy wires used to support met towers will be marked with bird diverters, aviation marker balls, and guy wire guards. Locations of the temporary and permanent met towers can be found in **Exhibit A**, Preliminary Site Development Plan. The preliminary design of these towers is located in **Exhibit D,** Meteorological Tower Specifications.

6.3.5 Access Roads

The Project will use existing roads and overland travel wherever feasible for access in order to reduce new disturbances. The Project will require both new temporary and permanent access roads for construction and operation activities. The Project would be accessed from U.S. Highway 285, New Mexico State Route 3, and County Roads C096, C046, and C098, from which new private access roads would be constructed, thereby minimizing traffic impacts on local roads. To reduce ground disturbance and/or reduce visual contrast with the landscape, the alignment of any new temporary access roads or cross-country routes would follow landform contours in designated areas where practicable, provided that such alignment does not impact other resource values additionally. In addition, some new permanent or temporary access/short spur roads may be required to access structure locations within the ROW.

All new access that is not required for maintenance would be closed with concurrence of the landowner. Gates, where present or if installed, would be closed and/or locked, depending on the agreement with each landowner. Access roads on private property may be maintained with mutual consent of the landowner or restored and reseeded with native vegetation.

6.4 Project Construction

Construction of the Project will occur in phases with phase one planned to begin in Q4 2027 and be completed by the end of Q4 2029, pending successful completion of permitting, agency approvals, and other development and pre-construction activities for each phase.

Construction will be managed by Pattern's in-house construction group, which has successfully completed over 14,000 MW of projects including Broadview/Grady, Western Spirit and SunZia Wind Farms.

Using all of the data collected for the Project (including geotechnical information, environmental conditions, site topography, logistics, etc.), the Applicant will develop a set of site-specific construction specifications for the various components of the Project. The design specifications comply with construction standards established by various industry practice groups, including the following:

- American Concrete Institute (ACI)
- Institute for Electrical and Electronic Engineers (IEEE)
- National Electric Code (NEC)
- National Fire Protection Agency (NFPA)
- Construction Standards Institute (CSI)

The Project engineering team ensures that all aspects of the specifications, as well as the actual onsite construction, comply with all applicable federal, state, and local codes and good industry practice. Pattern and/or its contractor would coordinate directly with the local code enforcement officers in order to assure that all aspects of specifications/inspections of the Project are communicated and understood.

Construction survey work for the proposed Project consists of ascertaining soil and geotechnical conditions for foundations, determining specific pole and turbine locations, and work area boundaries, and, in some areas, roads to access work areas. Following the completion of survey work and the issuance of all necessary permits, construction would begin with road building and turbine site preparation. Construction activities may include 24-hour construction schedules.

Temporary construction staging areas would be established within the areas of the Project. These lay-down or staging areas would be used to temporarily store tower sections, turbine components, and infrastructure components and equipment. They would also be used as parking areas for construction vehicles and construction employees' personal vehicles, and as storage areas for other construction equipment.

Temporary laydown material staging areas would be required to store materials and equipment and to assemble structures for the duration of construction. The staging areas would be up to 20 acres in size and located at level areas in close proximity to existing roads within the areas of the Project. The laydown staging areas would be used to store material and equipment prior to delivery to the structure sites, to park vehicles, and possibly, to station a portable construction trailer. The staging areas would be surveyed for potential environmental impacts, and if any are found, the staging areas would be relocated or shifted to avoid such sensitive areas. The staging areas would be revegetated and reclaimed after completion of the Project.

The construction of permanent foundations for the wind generator towers would include soil excavation and compaction, preparation of formwork, and placement of structural concrete with appropriate steel reinforcement, as directed by the tower supplier and the foundation designer. Areas surrounding the turbine

locations would be cleared to allow for construction of foundations and crane pads, and blade assembly. Depending on the terrain and density of vegetation, a majority of the surface area could remain undisturbed.

The beginning of turbine foundation construction is expected to occur after initial portions of the access roads are completed. Foundation construction would occur in several stages including excavation, outer form setting, rebar and bolt cage assembly, casting and finishing of the concrete, backfilling, tensioning of the bolts, and finally site restoration. Excavation and foundation construction would be conducted in a manner that would minimize the size and duration of excavated areas required to install foundations. Should geologic conditions exist requiring blasting, the Project would adhere to applicable Torrance County regulations.

Once the foundation concrete is sufficiently cured, the excavated area around the foundation would be carefully backfilled with the excavated on-site material. Additional offsite materials would only be brought in if necessary. The tower would be secured directly to the top of the concrete foundation and the pedestal. The finished grade around the foundation pedestal and base of the tower would be surfaced with a graveled area.

Crane pads would be installed adjacent to each turbine foundation to provide the main crane with a stable, well compacted, level base from which to accomplish heavy lifting. Crane pad dimensions are typically 40 ft wide and 60 ft long. A crane pad is constructed in a manner similar to the construction of access roads. Vegetation and compressible, organic soils and topsoil may be removed as part of initial site preparation. Following the initial site preparation, the ground immediately around the tower would be surfaced with gravel and successive layers of well-compacted crushed aggregate would be laid for a radius of approximately 40 ft. This permanent surfacing would provide a stable surface area for maintenance vehicles and would minimize surface erosion and runoff from the pad areas. After the initial construction phase, the crane pads would only be used periodically during the operations phase for activities such as the replacement of a blade, maintenance tasks and equipment replacement, and post-construction environmental monitoring, which are facilitated by cleared areas around turbines.

Turbine components would then be delivered and staged at turbine locations, and the cranes would be used to erect the turbines. Turbine mechanics would be completed next, along with electrical engineering, followed by the construction of the electrical collection system, the Project substations, and the transmission line. Typically, the Project substations transformers are delivered during this timeframe, and substations can then be energized. Meanwhile, the interconnection substations would be built followed by commissioning the turbines for operations.

6.4.1 Protection of Private Property and Environmental Resources

Existing improvements will be repaired or replaced if they are damaged by Project construction activities. All existing roads will be returned to a condition generally equal to or better than their condition prior to the construction of the Project. Fences and gates will be installed or repaired and replaced (if they are damaged by construction activities) to their original conditions as required by the landowner.

Temporary gates will be installed only with the permission of the landowner and will be restored to original condition following construction unless otherwise agreed upon with the landowner. Gates will be closed and locked, depending on the agreement with the private landowners.

Prior to construction, all supervisory construction personnel will be instructed on the protection of important ecological and cultural resources. To assist in this effort, the construction contract will address: (a) federal,

state, and local laws regarding wetlands, vegetation, wildlife, and cultural resources; (b) the importance of these resources and the purpose and necessity of protecting them; and (c) methods for protecting sensitive resources.

To reduce the number of sensitive features disturbed in the designated Project Area, during the engineering design process turbines and transmission poles will be sited to avoid sensitive features such as, but not limited to, riparian areas and watercourses. Alternatively for the gen-tie, conductors will be designed to clearly span sensitive features, within limits of standard pole design.

In addition, Pattern has developed a set of Best Management Practices (BMPs) in partnership with the New Mexico Public Regulation Commission Staff, the New Mexico State Land Office, and the Claunch-Pinto Soil and Water Conservation District (SWCD) to ensure that protection and mitigation for sensitive resources will be implemented across the Project Area to the extent practicable (**Exhibit G**, Pattern New Mexico Best Management Practices).

6.4.2 Construction Generated Wastes and Wastewater

A variety of nonhazardous, inert construction wastes may be generated during construction. Construction waste would primarily consist of concrete waste from turbine pad construction, wood waste from wood forms used for concrete pad construction, and scrap metal steel from turbine tower construction. Some additional waste could include erosion control materials, such as straw bales and silt fencing, and packaging materials from associated turbine parts and other electrical equipment. Solid waste related to the construction of the Project would be promptly transported offsite and recycled, or disposed of in accordance with federal, state, and local laws. Excess soil generated as a result of construction activities would be tamped around turbines and power poles or spread throughout the Project Area. All hazardous materials related to construction, operation, and maintenance of the Project would be handled, stored, transported, and disposed of in accordance with all applicable local, state, and federal laws.

Construction sites, laydown and material storage yards, and access roads would be kept in an orderly condition throughout the construction period. Refuse and trash would be removed from the sites and disposed of in an approved manner, including recycling options. Oils and fuels would be hauled to an approved site for disposal. No open burning of construction trash would occur at any time.

Wastewater would be generated during construction from the washdown of concrete trucks after concrete loads have been emptied. The Project's implemented Stormwater Pollution Prevention Plan (SWPPP) would be used in support of the U.S. Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES) Construction General Permit. The SWPPP would also identify methods to minimize and prevent impacts from this material.

The Applicant requires their contractors to follow best management practices and to minimize concrete waste wherever possible. Upon completion of the turbine foundations, concrete resulting from spill or washout is collected as part of the normal reclamation and restoration of the areas adjacent to the wind turbine.

6.4.3 Stormwater, Soil, and Sediment Control

Where appropriate, stormwater drainage systems would be designed and constructed to maintain existing drainage patterns to the extent possible. The Applicant would implement proper temporary and permanent erosion control measures, including construction monitoring, and proper restoration actions as required.

Potential stormwater BMPs, including erosion and sediment control structures, as well as new culverts, might require inspection, maintenance, and/or repair throughout the operational life of the Project facilities to reduce soil erosion or sedimentation to surface water.

Protection measures that would be implemented to reduce any potential negative soil impacts from construction activities include:

- Construction crews will reduce the amount of soil compaction by using equipment with more tires and wider tires to distribute the weight of the vehicle and tilling the severely compacted areas after construction is completed or using ground mats when the ground is wet.
- Work areas will be surveyed and staked prior to construction to limit unnecessary disturbance to soils and established vegetation during the construction period.
- Construction will be sequenced to minimize the area of disturbance to soils or established vegetation occurring at any one time during the construction period.
- To the extent possible, topsoil will be placed separately from sub-soils/bedrock during excavation and not commingled. The Project will replace soil in reverse order, to help preserve topsoil.
- The Project will reduce erosion by applying and maintaining standard erosion and sediment control methods. These may include, but are not limited to, use of certified weed-free straw wattles, bale barriers, and/or silt fencing, which would be placed at construction boundaries and where soil would be disturbed near a wetland or water body. Specific erosion and sediment control measures and locations will be specified in a SWPPP.

6.4.4 Site Reclamation

Following completion of construction, temporary access that is not retained for operations would be seeded with a native grass mix and allowed to revegetate, thereby minimizing the surface exposed to erosive conditions. The areas used for construction would be reclaimed as soon as possible, which may include regrading to original land contours, topsoil replacement, and revegetation. Work sites and areas of temporary impact will be reclaimed using excess materials, native or similar vegetation, and topsoil will be stockpiled for reclamation purposes. The contractor will appropriately dispose of any excess soil materials, rock, and other objectionable materials that cannot be used in reclamation work. Reclamation of areas of temporary impacts will be ongoing during Project operations. While reclamation will prioritize meeting reclamation criteria as soon as reasonably practicable, the timing of specific reclamation efforts will be tailored to the existing environment and circumstances, such as precipitation events, and in conjunction with soil stabilization and stormwater management efforts as part of a Project SWPPP.

Disturbed areas, with the exception of access roads, will be reclaimed, to the extent practicable, to their original contour and reseeded where appropriate. Reclamation efforts will be implemented as soon as practicable. Ripping and other surface scarification on construction roads or other areas will be done, as necessary. Depending on the amount of soil compaction and remaining vegetation, ripping may not be required for reclamation. This will be determined on a case-by-case basis.

6.5 Operation and Maintenance

The Applicant would construct and operate the Project consistent with Pattern's corporate commitment to meeting all applicable state and federal Occupational Safety and Health Administration (OSHA) safety regulations. Each turbine and all electrical equipment would be inspected under rigorous, industry-standard commissioning procedures. In addition, the interconnecting utility would also perform and require

inspections, testing, and commissioning documentation for grid and system safety prior to line activation. Once turbines are commissioned, qualified personnel would routinely inspect and repair them as necessary, pursuant to preventive maintenance schedules.

The Project would be operated and maintained by a team of full-time, permanent O&M personnel. The O&M team would staff the Project during normal working hours, with weekend shifts and extended hours as required to maintain operations. Pattern operates its wind farms with employees that are trained in safety regulations and procedures, operational standards, and applicable staff certifications.

The Project's central SCADA system provides remote operation of the wind turbines and collects operating and performance data 24 hours per day. In the event of turbine or facility outage, the SCADA system sends alarm messages to on-call technicians via pager or cell phone to notify them of the outage. The Project would have an on-call local technician who can respond quickly in the event of emergency notification or critical outage. Wind turbines are managed by computer controllers that are installed in each unit. In the event that a unit is tripped due to electrical error, high winds, icing, etc., the turbines would be automatically shut down by the computer controller.

The Pattern Operations Center located in Houston, Texas, would provide continuous, 24-hour monitoring and control of the Project along with Pattern's other projects located throughout the country. This Operations Center coupled with operations oversight at the Project location would provide close monitoring of operations.

6.5.1 Operation

After the Project has been constructed and energized, land uses compatible with safety regulations and activities associated with O&M will be permitted within the Project Area. Existing land uses within the Project Area such as grazing are generally permitted and consistent with safe Project operations. Operations activities will be managed from the on-site O&M building and will maintain compliance with all applicable permit and contract requirements. Daily activities may include but are not limited to; routine operation of the Project including monitoring turbine performance, wind conditions, and equipment maintenance needs; and scheduled maintenance conducted by a dedicated team. Tasks may include blade cleaning, lubrication, inspection, and servicing of electrical systems, as well as occasional generator overhauls.

6.5.2 Maintenance

Maintenance of the Project will be performed as needed. When access is required for non-emergency maintenance and repairs, the same precautions taken during construction activities will be implemented to the extent practicable. Emergency maintenance will involve prompt movement of crews to repair or replace any damage. Crews will be instructed to protect vegetation, wildlife, and other environmental resources to the extent practicable. Reclamation procedures following completion of repair work will be similar to those prescribed for normal construction.

6.6 Lighting and Airspace

In accordance with Section 16.0(D)(10)(f)(1)(e) of the Ordinance, the Project would comply with all applicable FAA requirements. As mitigation for any risk the Project may pose to aviation, and in accordance with federal regulations, the Project would illuminate some of the turbines to meet the FAA requirements for obstruction lighting or marking of structures over 200 ft above ground surface (U.S. DOT FAA Advisory Circular 70/7460-1M dated 11/16/2020).

The FAA's wind turbine lighting guidance (DOT/FAA/AR-TN05/50 dated 11/05) requires lighting the Project as one large obstruction with lights spaced approximately 3,000 ft apart. The FAA has determined that the standard turbine color is sufficient daylight marking and white strobe lights would not be used. As a result, wind farms are lit with synchronized red flashing lights at night and only a subset of the turbines are lit. To minimize potential visual effects, the Applicant would use lights that pulse 20 times per minute and have a beam spread of three degrees, which is the lowest allowable amount required by the FAA. This approach maximizes "dark space" between flashes per minute and also minimizes ground scatter or "light noise" because less light from the beam reaches the ground. In addition, Pattern is evaluating the installation of an Aviation Detection Lighting System which minimizes the use of lights in the area until a low flying aircraft enters the air space at which time the tower lights become active.

Pattern has conducted airspace reviews for the Project Area to avoid and minimize potential conflicts with military and civil airspace uses. The Project has been designed to account for the same airspace considerations as other Pattern projects constructed in the area, including SunZia Wind. Pattern has submitted all required notices to the FAA.

6.7 Sound

Wind turbine sound emissions are typically either mechanical or aerodynamic in origin. Mechanical sources of sound include the generator, gear box, cooling fans, and the yaw system (the component used to rotate the turbine into the wind). Most of these mechanical systems are located inside the nacelle enclosure and incorporate a number of noise-attenuating features. Because mechanical components are enclosed and acoustically mitigated, the aerodynamic noise of the blades rotating through the air is typically the dominant source of audible sound. The sound emissions from both the mechanical and aerodynamic components are determined in accordance with IEC61400-11:2012+AMD1:2018, Wind Turbines- Part 11: Acoustic Noise Measurement Techniques (IEC, 2018). The resulting sound level for the Project would depend on a number of factors including the selected turbine model, the number of turbines and their proximity to the measurement point.

The sound level emitted by wind turbines increases with increasing wind speed and typically reaches a maximum level when winds are between 18 to 22 mph. For the most part, the sounds emitted by wind turbines are broadband in nature and related to the aerodynamic noise of the blades. When the wind speeds are high at both the turbine elevation and ground level, the sound of the turbines may be fully or partially masked by wind-induced background noise. When winds are calm or slight at ground level and sufficient at turbine height for operations an audible "swooshing" sound may be observed as the blades rotate through the air. The observed sound level would depend on a number of factors, the most significant of which is the distance from the turbines. No existing federal, state, or local regulations limit noise levels at wind energy facilities. Potential sound emissions from the Project may be analyzed and assessed, if necessary, for the selected turbine type, and the associated electrical substations during the final micrositing and Project refinement process. Aerodynamic turbine blade tips and mechanical turbine component designs minimize noise emissions. Due to the remote location of the Project and flexibility in siting, sound impacts are not anticipated.

The Applicant contracted Burns & McDonnell to conduct a sound study to predict future noise impacts from the Project at neighboring noise-sensitive areas (NSAs). Applicable federal, state, and local noise regulations were reviewed, and the study was performed in accordance with the operational sound requirements established under the Ordinance Section 16.0(D)(10)(f)(4)(a) for nearby residences and other sensitive

receptors. The Ordinance defines noise as "Audible noise due to wind energy facility operations shall not exceed fifty (50) A-weighted decibels (dBA) for any period of time, when measured at any occupied residence, school, hospital, church or public library existing on the date of approval of the wind energy facility". The analysis modeled proposed wind turbine generator (WTG) locations assuming all turbines operating at maximum sound levels indicated in turbine model specifications (**Exhibit C,** Wind Turbine Model Specifications).

The predictive model was completed using the proposed layout with all WTGs that could affect properties within Torrance County, consisting of 163 turbines located within Torrance County. A total of 29 receptors (i.e., NSAs) within Torrance County, as identified by the Applicant, were modeled within and surrounding the Project Area. The sound study concluded that the Project has been designed to meet the applicable noise regulations as specified by Torrance County and that none of the NSAs exceeded 50 dBA for any period of time.

Acoustic modeling results, as well as sound modeling definitions, methods, parameters, and inputs, are presented in **Exhibit H**, Sound Study.

6.8 Visual Simulation

The Applicant contracted Burns & McDonnell to prepare photo simulations of the Project from ground-level viewpoints around the Project Area, defined by Pattern with concurrence from Torrance County representatives. The visual simulations illustrate the anticipated appearance of the proposed turbines under existing landscape conditions.

To complete this task, Burns & McDonnell performed a visit to the Project Area to capture high-resolution photographs of three viewpoints within Torrance County. Using Pattern-identified turbine model specifications, documented camera model information, and lens settings from the photographs taken during the site visit, Burns & McDonnell rendered three-dimensional models under realistic lighting conditions to integrate the renderings into the existing photographs.

The three photo simulations are presented in **Exhibit I**, Visual Simulation. Furthermore, in accordance with Section 16.0(D)(10)(e)(9) of the Ordinance, the Project analyzed the impact of topography upon visibility of the project from other locations to a radius of three miles from the center of the project (**Exhibit A**, Project Visibility Maps).

6.9 Post-Approval Requirements

Section 16.0(D)(10)(f)(1) of the Ordinance establishes the following post-approval safety requirements:

- **Insurance** (Section 16.0(D)(10)(f)(1)(g)): Prior to construction, the Applicant shall consult with the County's insurer and provide proof of insurance in an amount determined by the county. The insurance shall cover damages or injuries resulting from the failure of one or more towers or other components of the wind energy generation and transmission facility.
- **Nonoperational Turbines** (Section 16.0(D)(10)(f)(1)(i)): If a turbine remains nonoperational for 12 consecutive months, the Applicant shall notify the County within 30 days, provide the reason for the inactivity, and submit a corrective action plan. The corrective action plan shall be completed within six months.

6.10 Decommissioning

Decommissioning of the Project will involve removal of Project-associated facilities at the end of the operational life of the Project[1]. The Applicant will take appropriate measures to restore the disturbed area to its pre-existing conditions. Removal and restoration efforts will generally involve:

- **Wind turbines (including towers and pad-mount transformers)**: Wind turbines will be cleared, cleaned and removed from the Project Area. Any liquids, greases, etc. contained therein will also be removed safely from the site in accordance with then-existing laws and regulations. The Applicant will follow industry best practices at the time of decommissioning, including working with vendors using emerging and proven technologies to manage end-of-life blade materials responsibly. At Pattern's existing wind facilities in New Mexico, decommissioned blades are removed from turbines, cut into shorter segments for transportation, and delivered by truck to recycling centers in Texas. It is anticipated that the Applicant will utilize similar recycling options to manage decommissioned blades from the Project, and the Applicant will continue to track the evolving field of blade recycling for other innovative opportunities. An example of current industry best practices is described in **Exhibit J**, Decommissioning Strategies.

- **Tower foundations and pad mount transformer foundations**: All foundations installed in the ground will be cleared, cleaned and removed from the ground to at least 4-ft below the grade. Holes or cavities created in the ground as a result of such removal will be filled with topsoil of the same or similar type found at the site.

- **Overhead power and/or communication lines**: Overhead power and/or communication lines owned by the Applicant and no longer in use will be cleaned and removed from the Project Area.

- **Substations**: Substations will be cleared, cleaned and removed from the Project Area and any liquids, greases, etc., contained in the substations will be removed safely from the site in accordance with then-existing laws and regulations.

- **Buried cables (power and/or communication)**: All buried cables (power, fiber-optic, communication, etc.) installed in the ground will be cleared and removed to at least 3-ft below grade The Applicant will ensure that any holes or cavities created in the ground as a result of such removal are filled with topsoil of the same or similar type found at the Project site.

- **O&M building**: The building will be cleared, cleaned, and removed from the Project Area. The Applicant may request that the O&M building be assigned to a new owner.

- **Restoration of property**: To the extent reasonably practicable, the Project site will be returned to pre-existing conditions. The Applicant will ensure that any holes or cavities created by decommissioning activities are filled with topsoil of the same or similar type found at the Project site

[1] The Project is designed for an operational life of 35 years. As technology continues to advance over the next three decades, it is possible that the operational life of the Project could be extended further through equipment replacement or improvements, commonly referred to as "repowering" of a wind facility. If the Project is a viable candidate for repowering, the Project owner(s) will seek appropriate authorization from Torrance County and other authorities in the future.

and, to the extent reasonably practicable, the surface is returned to the same condition as before the holes or cavities were dug.

As defined in Section 16.0(D)(10)(f)(6) of the Ordinance, the Applicant shall, at its sole expense, restore the Project site to its pre-existing conditions within one year of the termination or abandonment of leases, easements, or operations. A general summary of Pattern's approach to decommissioning can be found in **Exhibit J**, Decommissioning Strategies.

7.0 Conformance with Zoning Ordinance Goals

7.1 Conformance with Ordinance No. 2024-04

Pursuant to Ord. No. 2024-04, 11/13/2024, Wind Energy Facilities are an allowable use for a SUD.

7.2 Conformance with Zoning Ordinance Goals

The Project is in conformance with, and enhances fulfillment of, the following Zoning Ordinance Goals (Section 2. Purpose):

"Promote Health and the general welfare of the County"

- As described throughout this application, wind energy facilities are safe when sited and operated in accordance with all applicable county, state, and federal standards and requirements. The infrastructure proposed for the Project is proven reliable, is held to the highest international standards of quality, and would be operated and maintained by a highly trained, locally based operations team. The Applicant holds itself to a high standard with regards to health and safety, and all construction general contractors are required to meet strict safety qualifications.

"Protect local water resources"

- Wind energy facilities typically only use water during construction for concrete and dust abatement, and during operation for periodic power-washing of turbine blades and facilities at the O&M building. The Project would consume far less water than standard agricultural uses. Further, the Project will utilize project specific BMPs to reduce potential impacts to water resources from project activities. A list of these BMPs is provided in **Exhibit G**, Pattern New Mexico Best Management Practices.

"Facilitate adequate provisions for transportation"

- The Project would not impose burdens on county roads beyond temporary use during construction. New access and service roads on private land would be constructed for the Project. These roads would remain private and would not require maintenance by Torrance County.

"Facilitate adequate provisions for schools, parks, and other community requirements"

- The Project would create new net property and gross receipts taxes, or new revenue streams from payments in lieu of taxes, providing new county revenues to support local schools and county services. The Project would employ permanent staff that would live locally, thereby further stimulating the local economy. Local schools have adequate facilities to accommodate these new students. Other community services would easily accommodate the limited needs of any new residents brought to the area to support operations of the Project.

"Conserve the value of property"

- Multiple studies and independent analyses have been conducted to analyze the impact of wind farms on neighboring property values in various regions of the U.S. These studies have shown that

the presence of a wind farm has no overall adverse effect on residential property values. Additionally, some studies of property sale values have demonstrated an increase in value.

"Compatible development of land and other natural resources"

- Wind energy is a compatible land use with rangeland activities, and other agriculture. Typically, less than two percent of the land within the Project Area would be used by turbines, service roads, and other infrastructure following construction. Cattle would still be able to graze at the base of the turbines and wildlife would be able to use the area around the turbines. Wind energy development provides economic diversification for ranchers; in many cases helping to provide an alternative to selling their land or subdividing it, thus protecting a rural way of life.

7.2.1 Appropriate Use for Zoning District

7.2.1.1 Special Use District

Pursuant to Ord. No. 2024-04, 11/13/24, Wind Energy Facilities are an allowable use for a SUD. Most of the Project Area is located in an Agricultural District (A) and portions of a Conservation District (C), both of which are rural land use designations for unincorporated areas of Torrance County that are not specifically designated in any other zone classification (see **Exhibit A**, Torrance County Zoning Map). The land use within the Project Area has historically been rangeland/dry agriculture; this land use would continue into the future as wind energy and ranching activities are compatible land uses.

This Application narrative provides assurance of the following:

- The Project is a compatible property use.
- The Applicant would preserve the integrity and character of the area, and the utility and value of the property.
- The SUD would not become detrimental to the public health, safety, or general welfare of Torrance County.

See **Exhibit A,** Project Overview Map, for lands proposed for the SUD. Images of computer-enhanced photos to simulate the appearance of the as-built site facilities as they would appear from specific locations identified by Torrance County are shown in **Exhibit I,** Visual Simulations.

7.2.1.2 Height Variance

The wind turbines selected for the Project would be state-of-the-art equipment with a maximum vertical dimension no greater than 698 ft; they are designed to generate optimal energy for a wind energy facility in this wind regime. Two construction temporary and two permanent met towers (up to 368 ft in height) are necessary to monitor wind turbine performance and plant maintenance activities to reliably operate the facilities. This Height Variance, therefore, conforms to allowable uses for this zoning district.

8.0 Conformance with Comprehensive Land Use Plan

The Project conforms to and helps fulfill numerous goals of the 2003 Comprehensive Land Use Plan for Torrance County.

8.1 GOAL A

Objective 2: Preserve and protect land for farming and ranching.

Wind energy development is a compatible land use with ranching and other agricultural activities. Typically, less than two percent of the post-construction area of the Project would be occupied by the turbines, service roads, O&M facilities, and Project substations. Cattle would remain able to graze at the base of the turbines and wildlife would be able to use the area around the turbines.

Throughout the United States, wind energy development has enabled ranchers and farmers to diversify the economic returns from their lands, helping to preserve a rural way of life and providing a viable alternative to subdividing or selling their land.

8.2 GOAL B

Plan and guide development in the County in a manner which encourages optimum efficiency and cost-effectiveness in the delivery of infrastructure and County services.

The Project would be designed as a self-sufficient development, placing minimal or no demand on county services. Unlike many other types of developments, wind energy facilities make significant direct tax payments, stimulate the local economy, and create new jobs; all while placing minimal demand on existing infrastructure and services. Few Torrance County roads would be utilized by the Project, and most access roads would be newly constructed on private land. The Applicant would work with the Torrance County Road Department to obtain necessary approvals for use of county roads. In addition, it would not be necessary for Torrance County to augment emergency management services for this development.

8.3 GOAL F

Objective 1: Promote the Estancia Basin as the prime location for new, but low water consumptive agriculture and agri-business.

Wind energy facilities "harvest" the wind, use minimal water post-construction, and generate no emissions or pollutants. Wind energy facilities typically only use water during construction for concrete and dust abatement, and during operation for periodic power-washing of turbine blades and facilities at the O&M building. The Project would consume far less water than standard agricultural uses.

Objective 2: Preserve and protect grazing and ranching lands from development that is detrimental to existing land use.

Wind energy development is highly compatible with grazing and ranching activities, which are the current land uses within the Project Area. Wind energy development can help by providing economic stability for landowners in place of other potential uses that could disrupt or impede grazing and ranching activities.

8.4 GOAL J

Ensure an adequate supply of quality water for current and future needs of the County.

The Project is anticipated to have a minimal impact on local water resources during operation. Water would be required during construction for dust abatement and to mix concrete for turbine foundations. Construction water would likely be obtained from an existing well within the Project Area.

Wind energy also uses minimal water post-construction. During operation, turbine blades would be periodically power washed to prevent dust buildup. Potable water would be available at the O&M facilities. The Project would provide Torrance County with quality economic development with no negative impact on the current and future water needs of Torrance County.

8.5 GOAL M

Objective 2: Provide power services to meet the future needs of the County.

While energy generated by the Project would be delivered to the regional electric grid. The Project has entered into a Power Purchase Agreement (PPA) with PNM, under which the energy generated by the Project will directly serve customers in New Mexico.

Objective 3: Investigate the potential for wind and solar generated power in the County.

By issuing the Zoning Ordinance Amendment, SUD, and Height Variance, Torrance County would allow the Project to demonstrate the feasibility of wind-generated power in the county.

8.6 GOAL N

Encourage the attraction, retention, and expansion of businesses in order to provide quality jobs for County residents.

Wind energy projects provide quality jobs, a new source of revenue for ranchers, and an increased local tax base for rural communities. The Project would generate full-time equivalent jobs both during construction and for the life of the Project.

8.7 GOAL O

Promote the exploration and utilization of natural resources within the County—with minimal disruption to the environment.

Wind energy harvests the wind, an abundant and natural resource. Wind energy development creates clean energy from a non-depleting, local energy source that does not consume or discharge large volumes of water, has no air emissions, and emits no odors. Additionally, less than two percent of the area of the Project would be used by wind energy infrastructure, leaving the majority of the land available as wildlife habitat. Additional site-specific studies are ongoing and will be utilized to further minimize potential impacts to birds, bats, and other wildlife within the overall Project Area. It is anticipated that results from these future studies

would be similar to those documented at other wind energy facilities located in the western United States, where bird and bat mortality rates have been relatively low. See Section 6.2.7 for a detailed summary of the preliminary review of environmental resources and potential impacts as a result of the Project. Also refer to **Exhibit F**, Natural Resources Assessment for the Palomas Wind Project.

8.8 GOAL Q

Objective 1: Promote the location of business and industry in areas that will provide long-term tax benefits to the County.

Wind energy development on privately owned rangelands and ranches is a compatible and complementary land use and would provide an additional economic return from these lands. Wind energy development on private ranch lands is effective in both attracting and expanding existing economic development. Torrance County would receive financial benefit from the Project through taxes, new employment, and local spending. The Project would generate significant temporary and permanent employment (direct and indirect jobs) and local expenditures during construction and operations. The Project would also provide additional economic stimulus from local expenditures (state and county gross receipts taxes), project visitation, and potential ecotourism revenues.

9.0 Conclusion

As identified in the narrative, the request to install the Project within the Agricultural District (A) and Conservation District (C) (see **Exhibit A**, Torrance County Zoning Map) satisfies the goals and objectives for a Zoning Ordinance Amendment for a SUD and Height Variance. The proposal is consistent with, and conforms to, the goals and objectives of the Torrance County Comprehensive Plan.

The overall Project located in Torrance and San Miguel Counties would generate non-polluting, renewable energy equivalent to the needs of over 400,000 homes over the course of each year; help to diversify New Mexico's energy infrastructure; harvest a local renewable resource; and provide economic benefits, including direct expenditures on labor, materials, and services during construction and operations, payments to landowners, and payments to Torrance County and State of New Mexico.

Pattern would like to thank the Torrance County Commissioners, Torrance County Planning and Zoning Commission, the Torrance County Planning & Zoning Department, and all Staff for the opportunity to process this application for the Project. Pattern is looking forward to working closely with Torrance County to bring the Project to fruition.

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Exhibit A – Project Maps

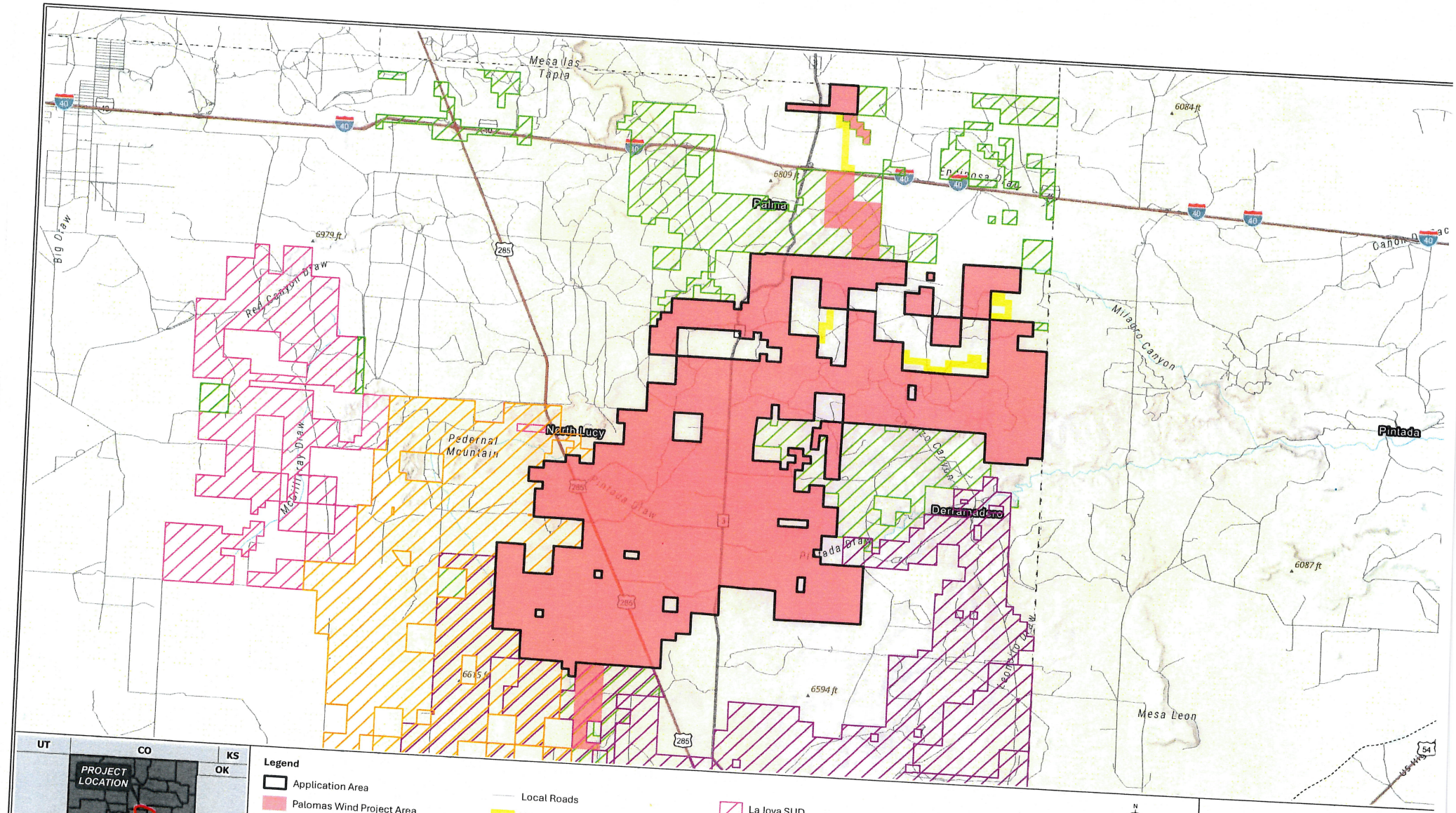


Figure 1
Project Overview Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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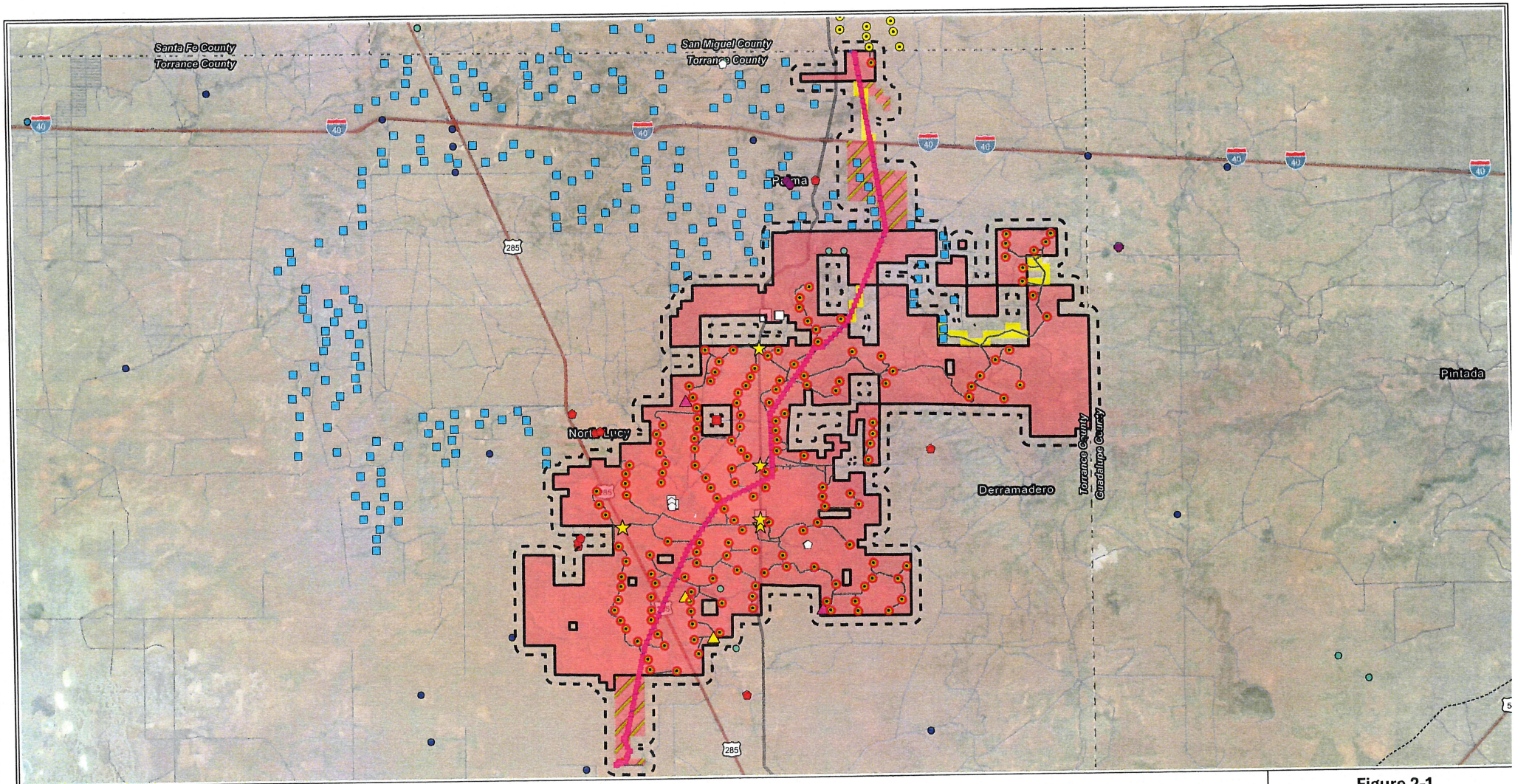


Figure 2-1
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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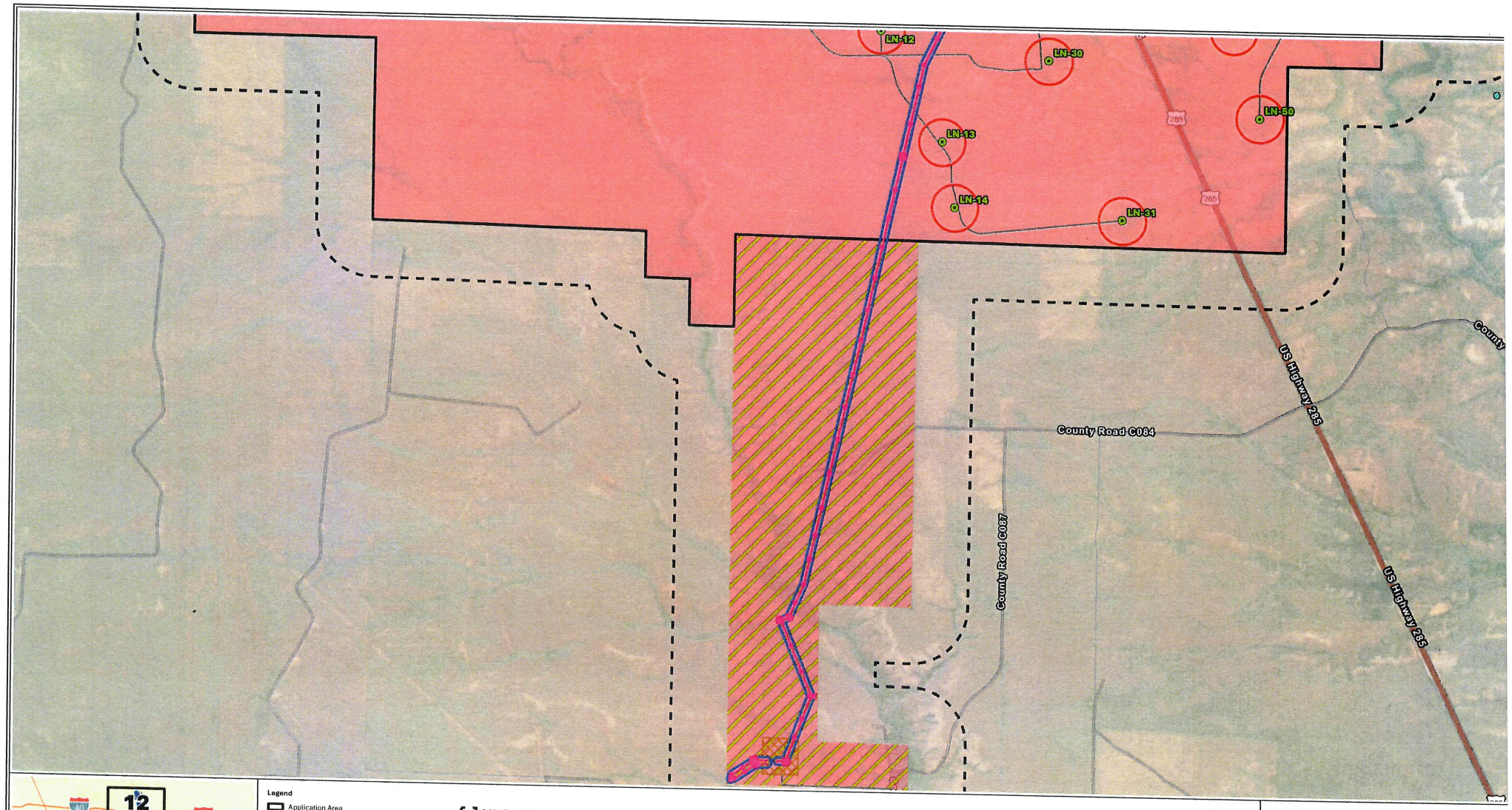


Figure 2-2
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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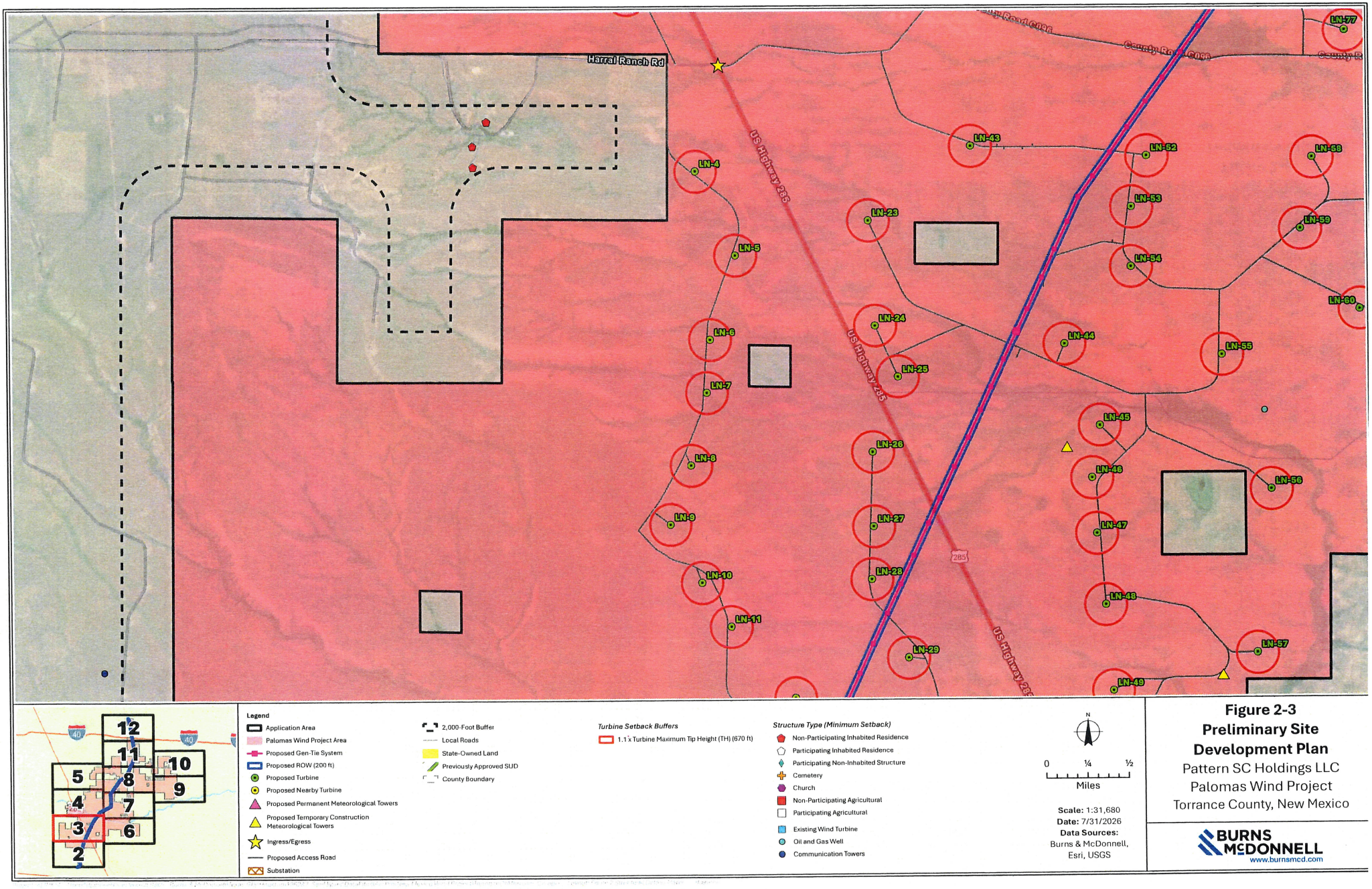


Figure 2-3
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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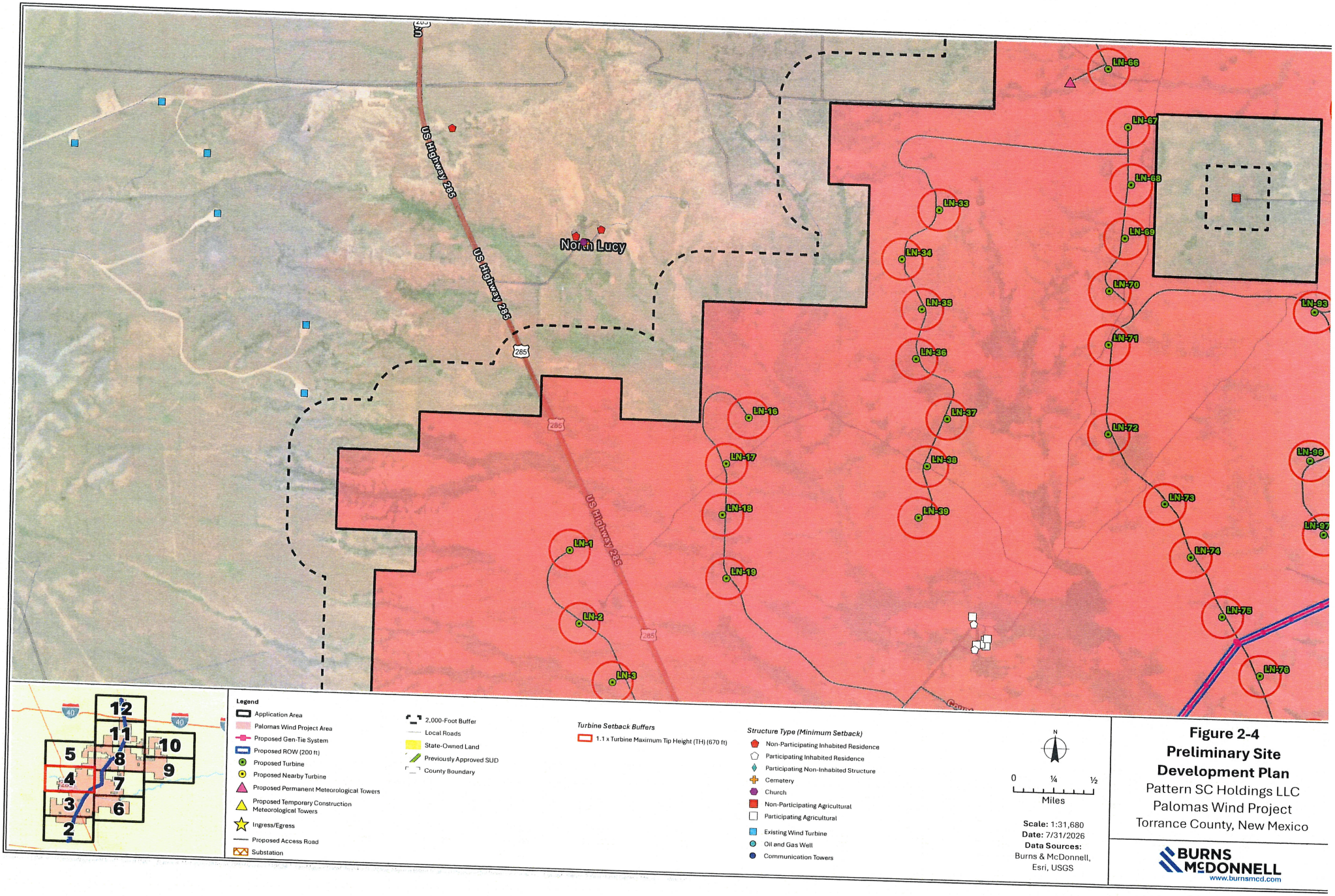


Figure 2-4
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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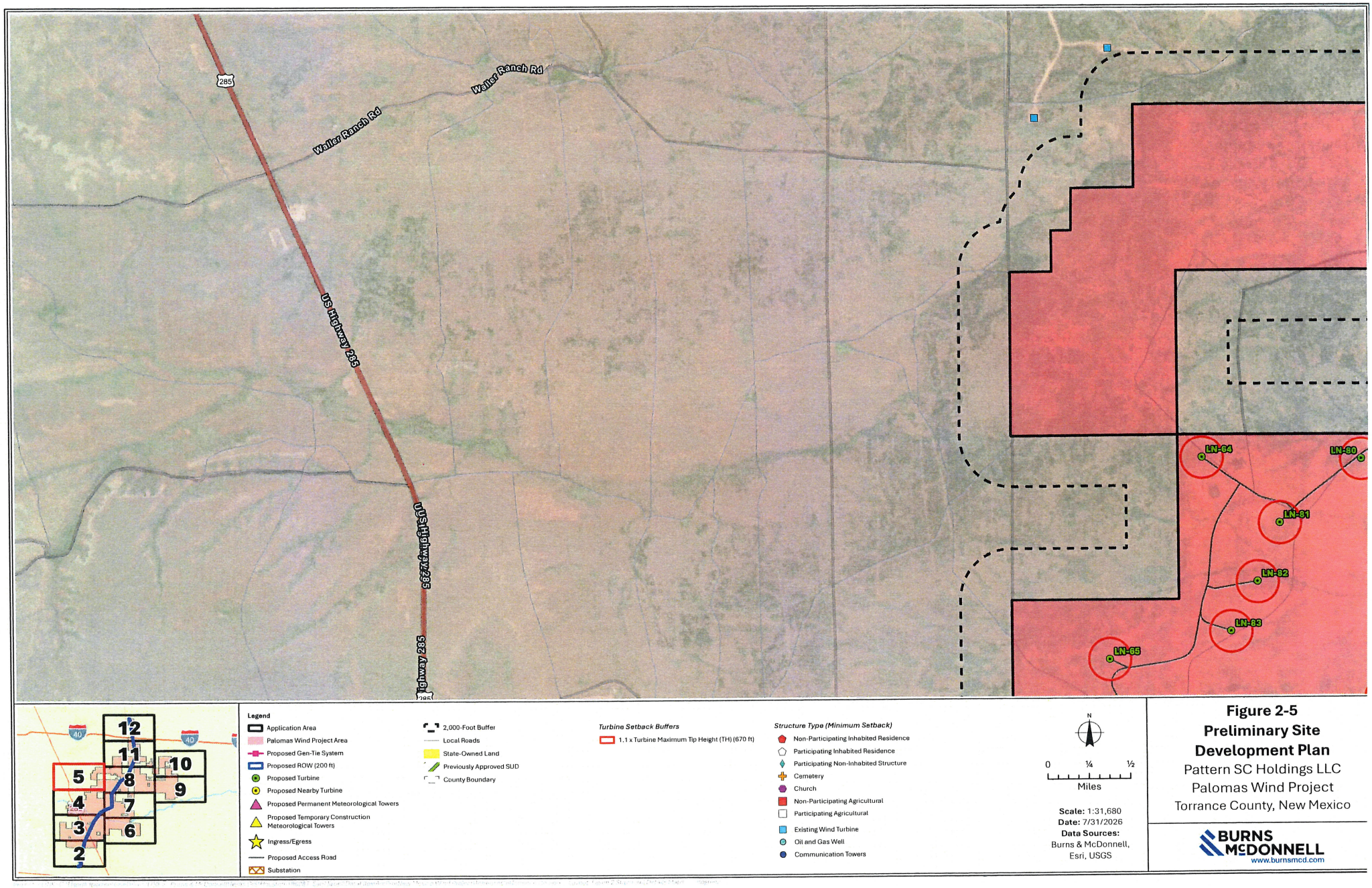


Figure 2-5
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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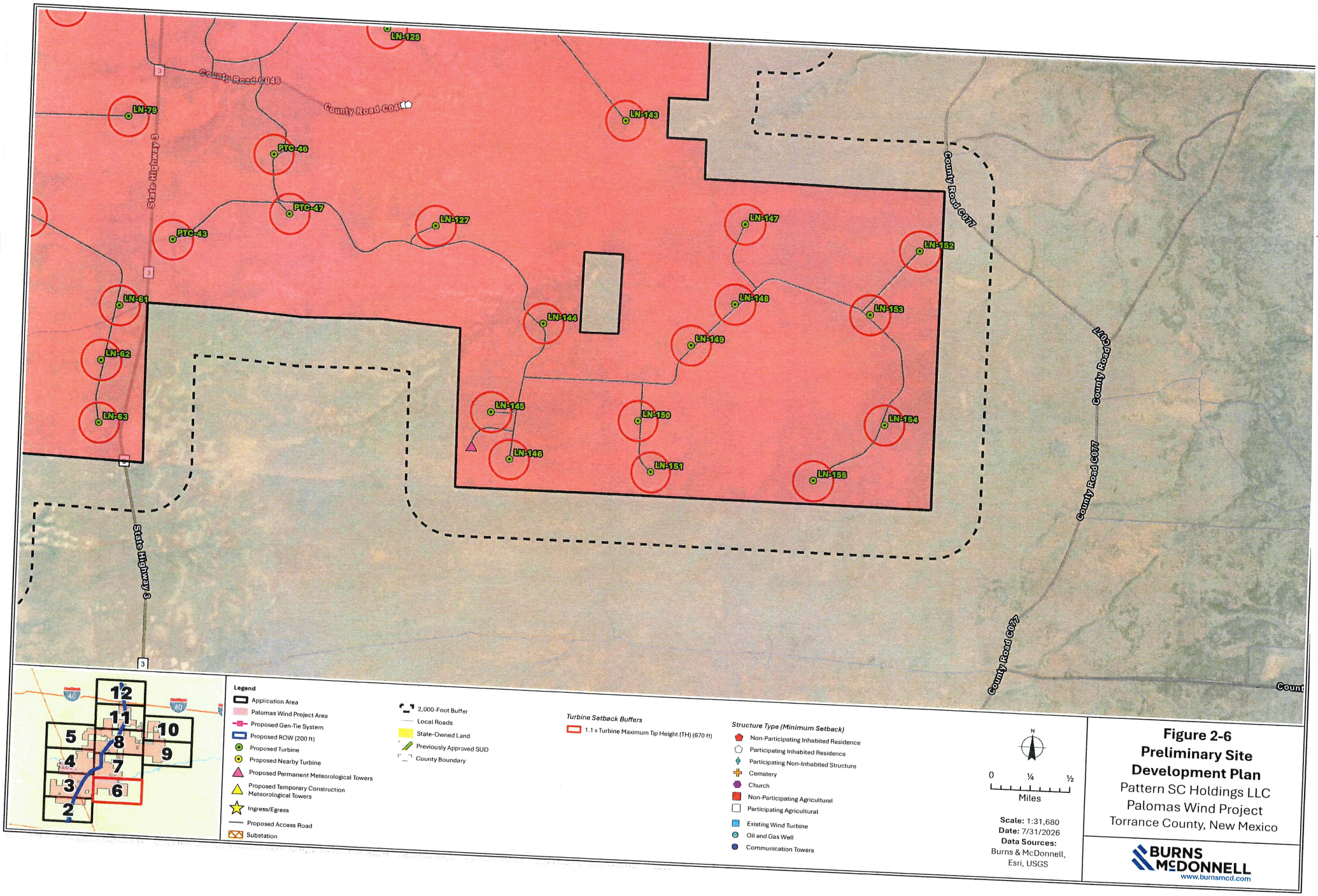


Figure 2-6
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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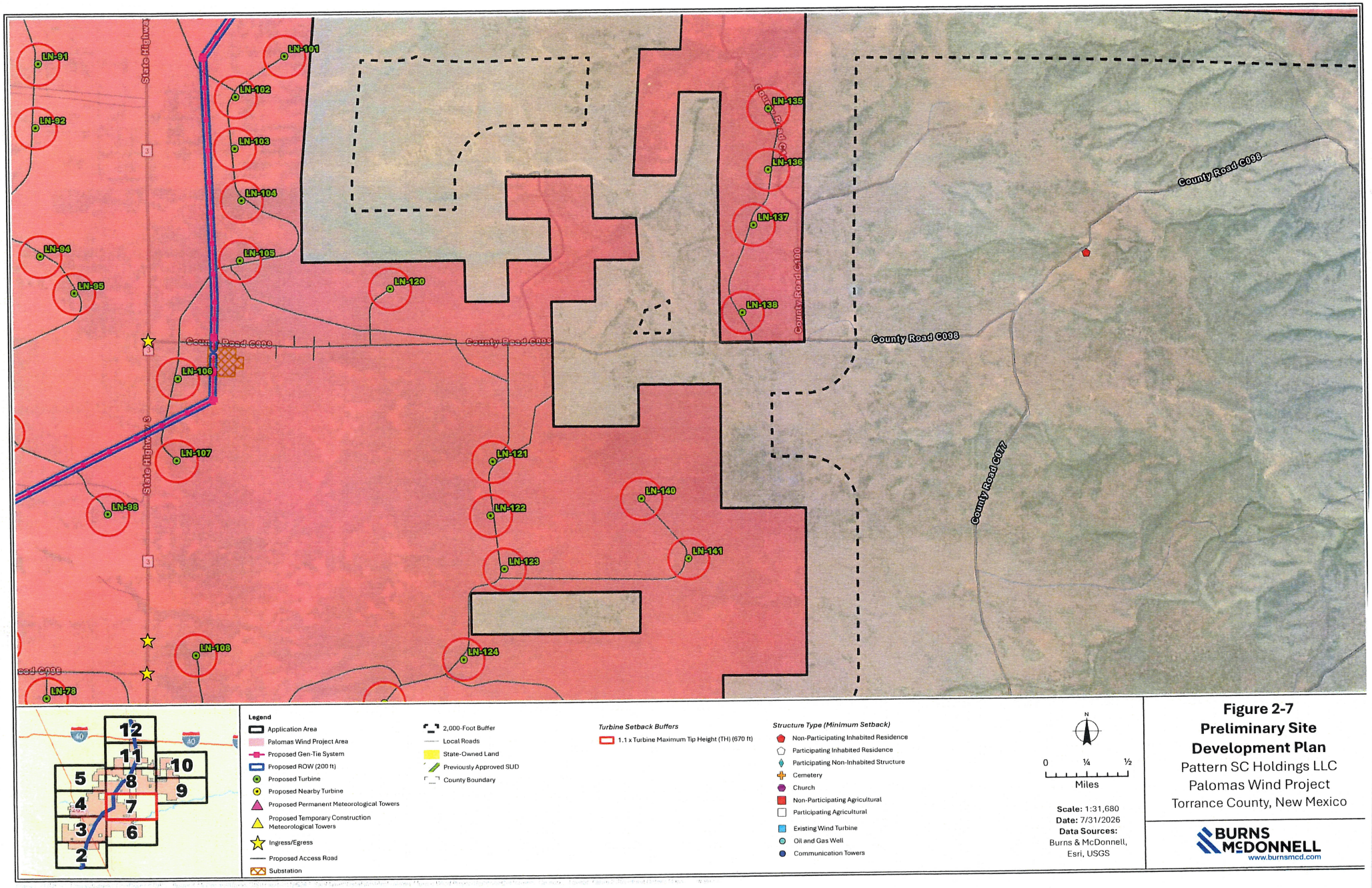


Figure 2-7
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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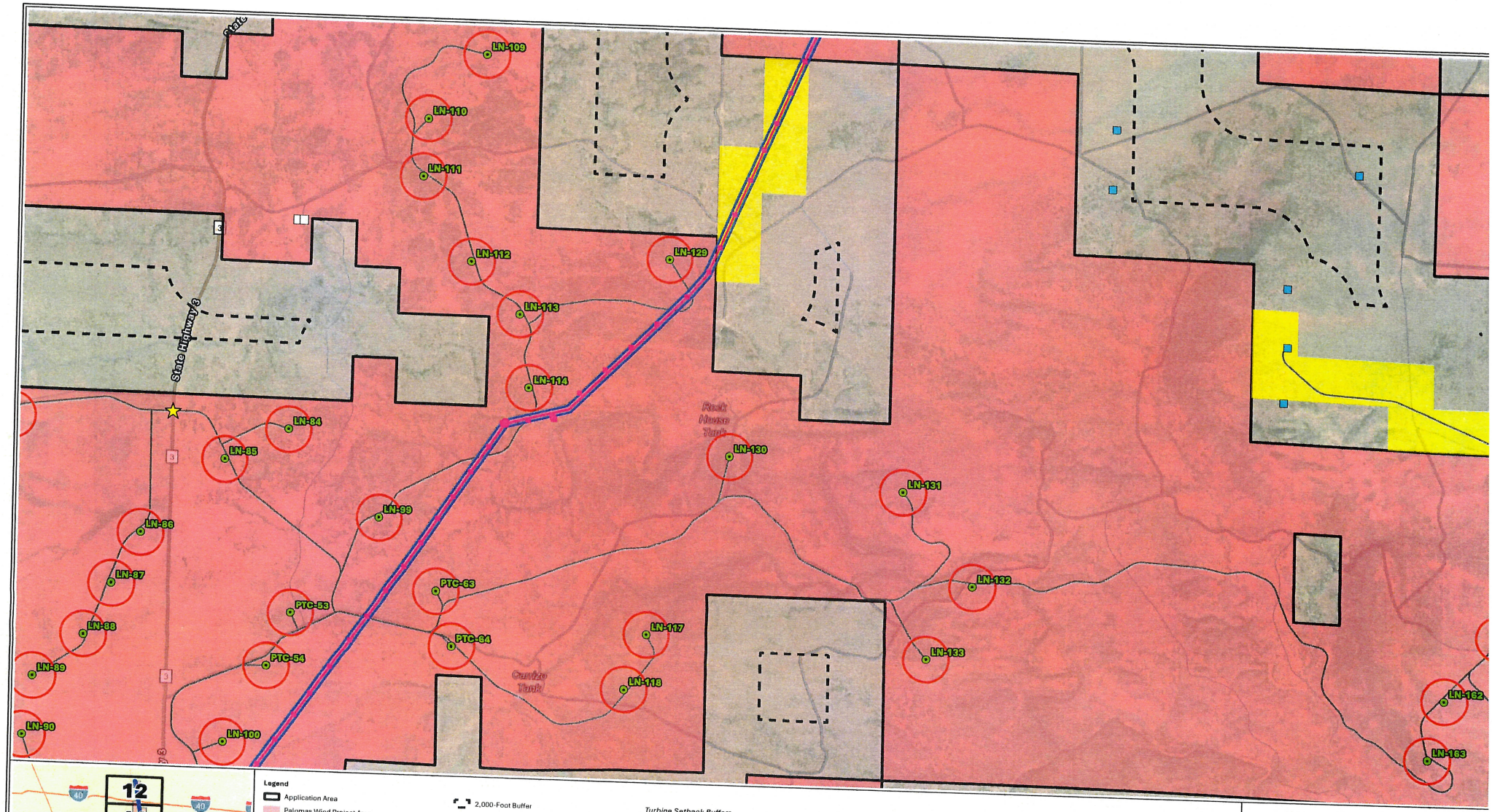


Figure 2-8
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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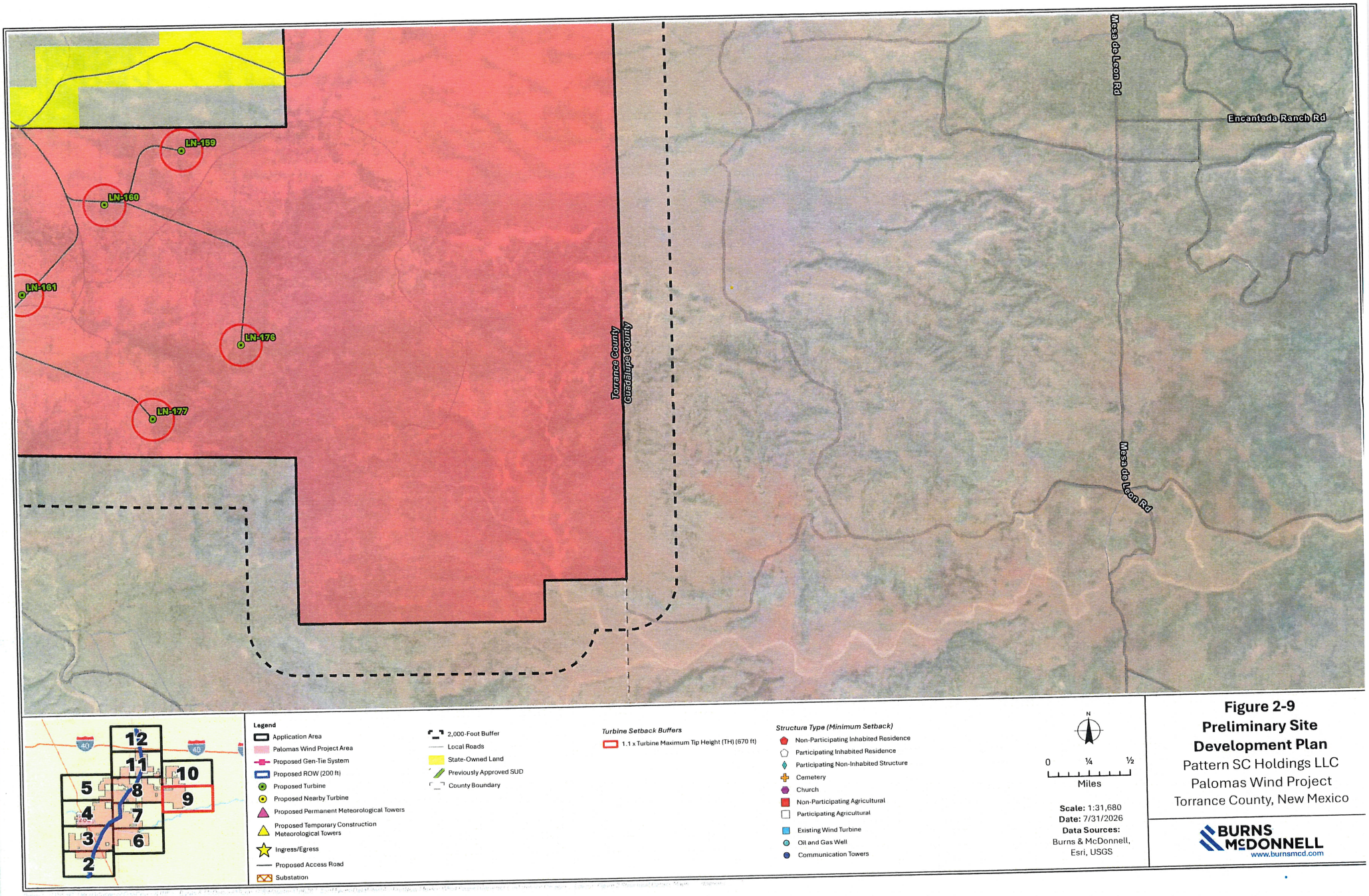


Figure 2-9
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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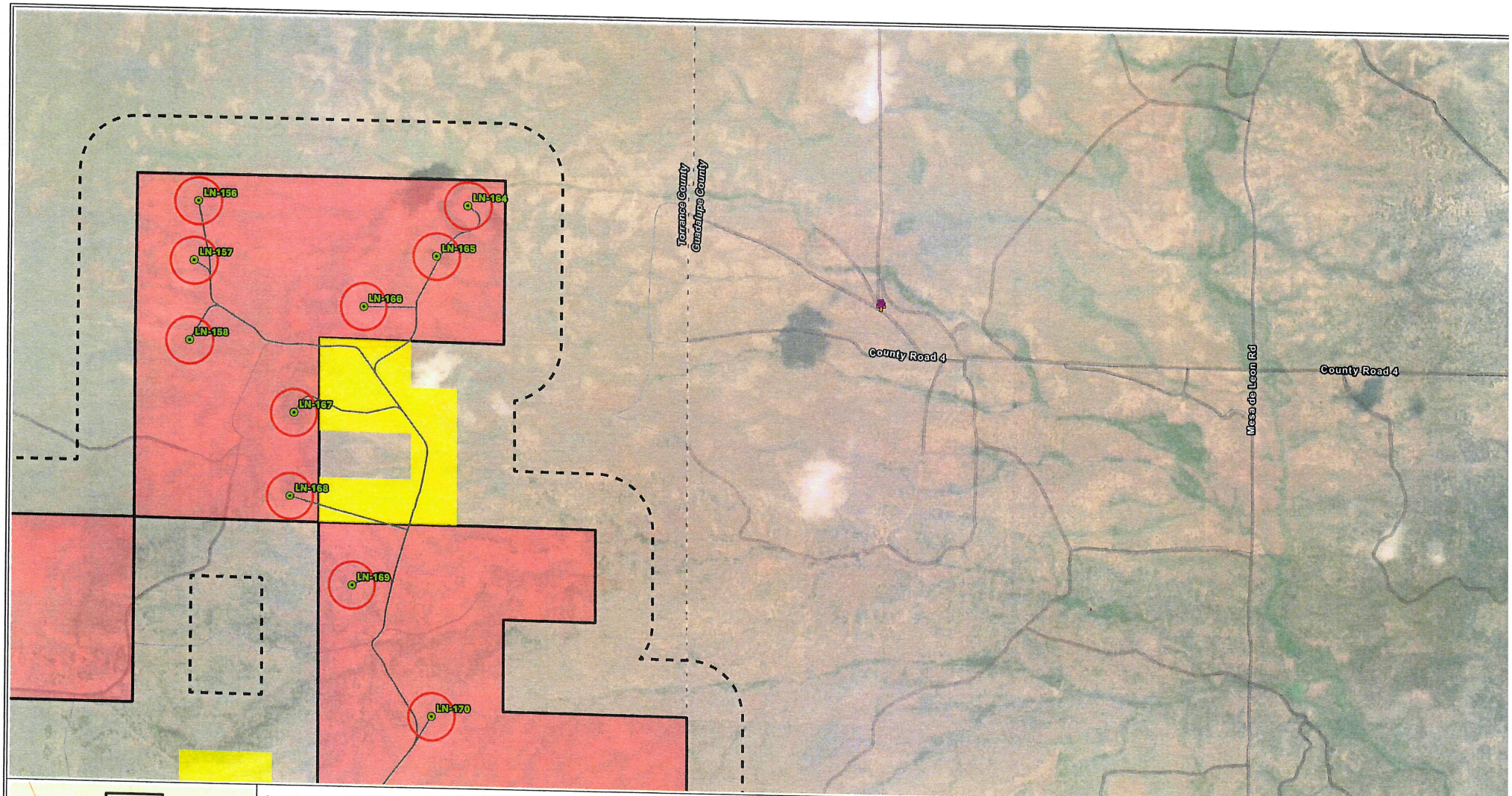


Figure 2-10
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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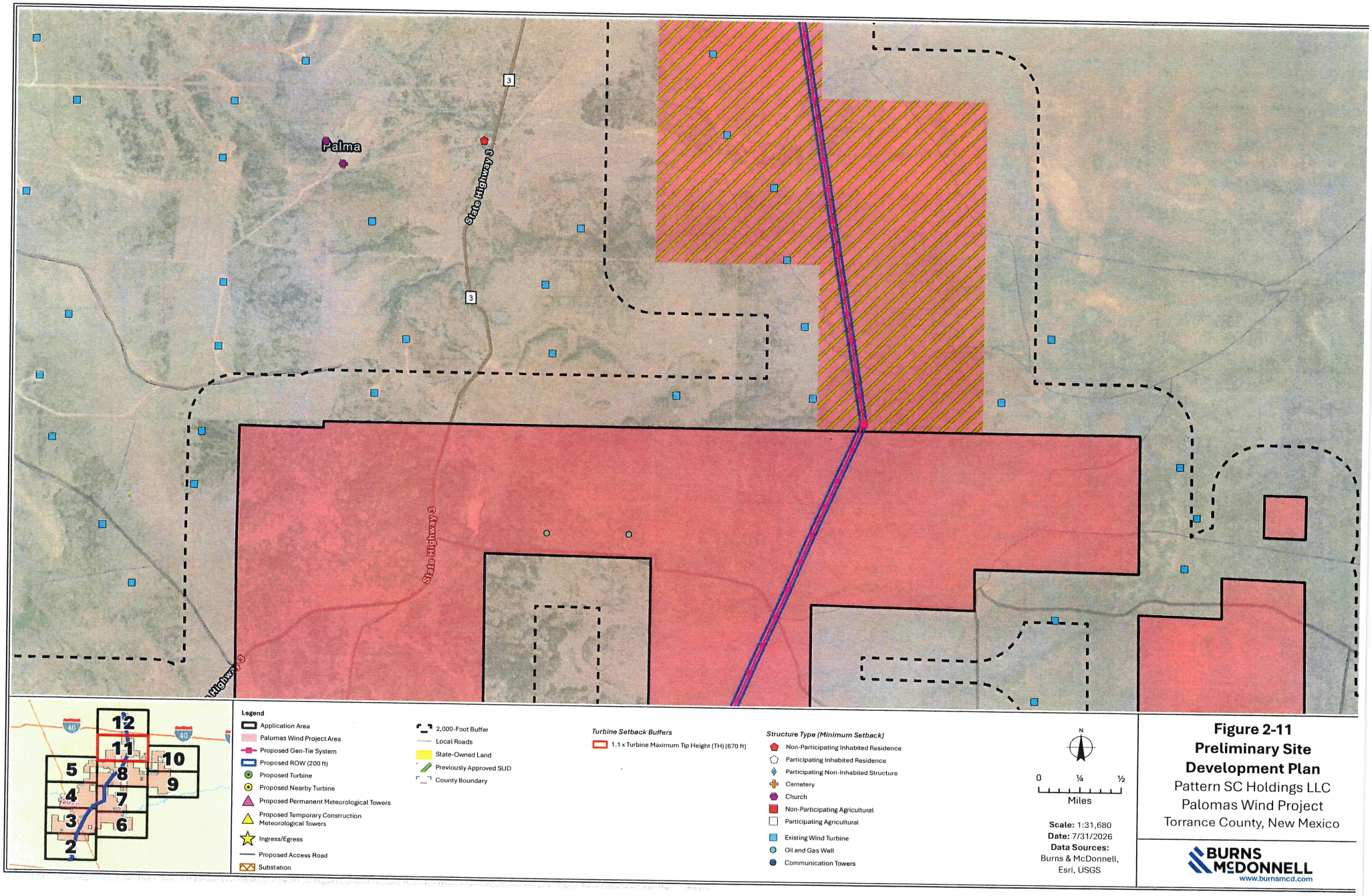


Figure 2-11
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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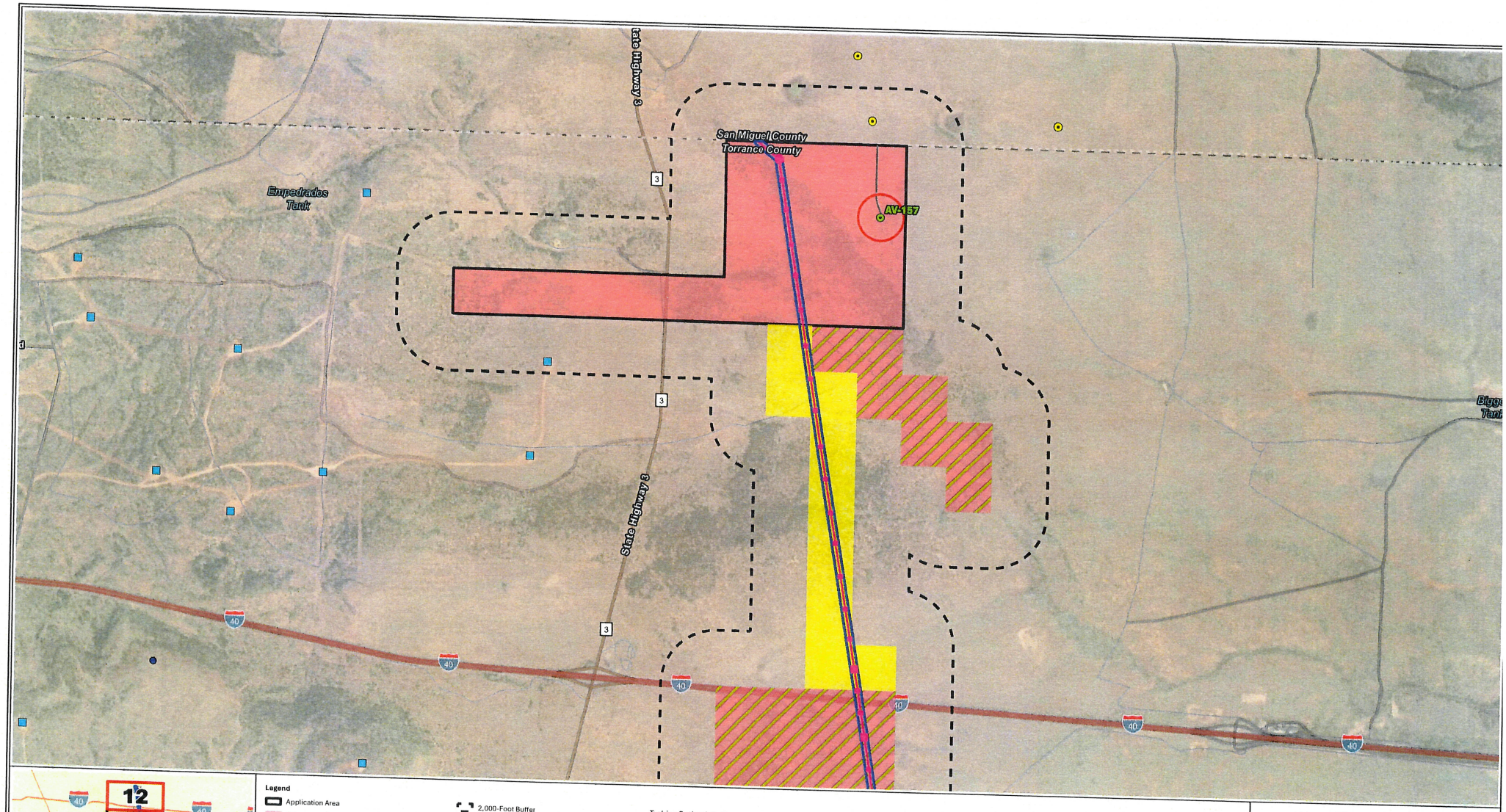


Figure 2-12
Preliminary Site Development Plan
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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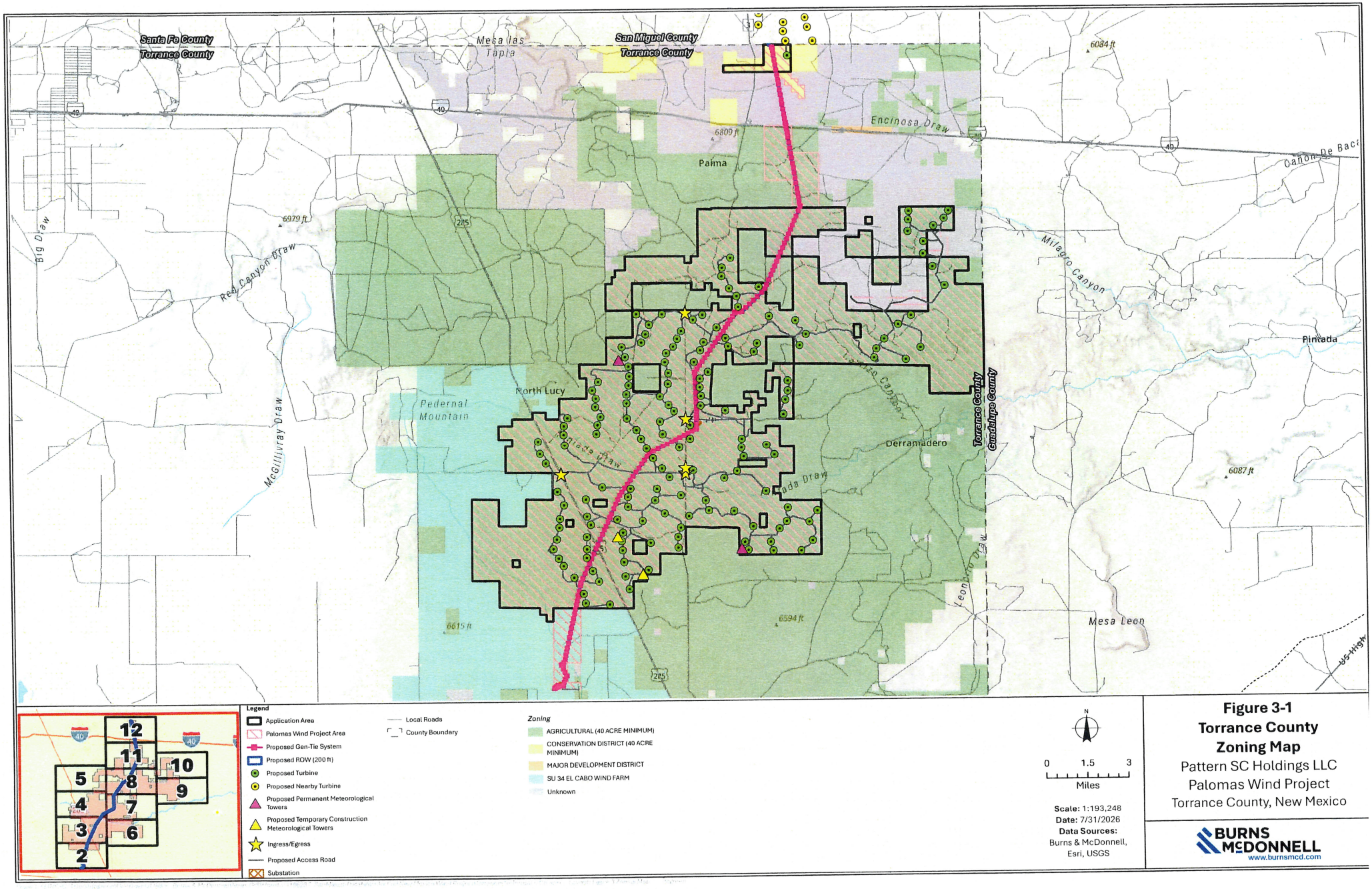


Figure 3-1
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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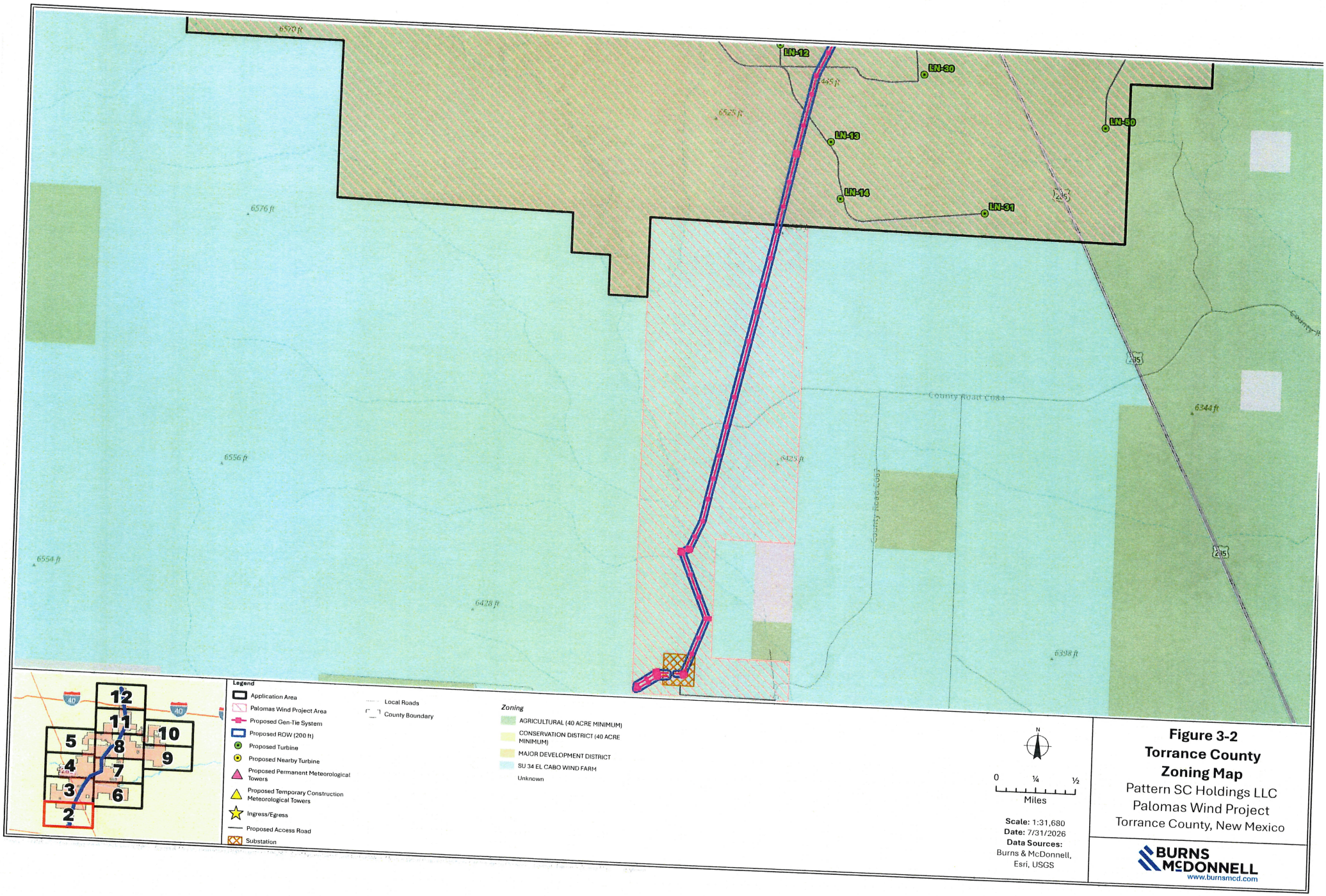


Figure 3-2
Torrance County Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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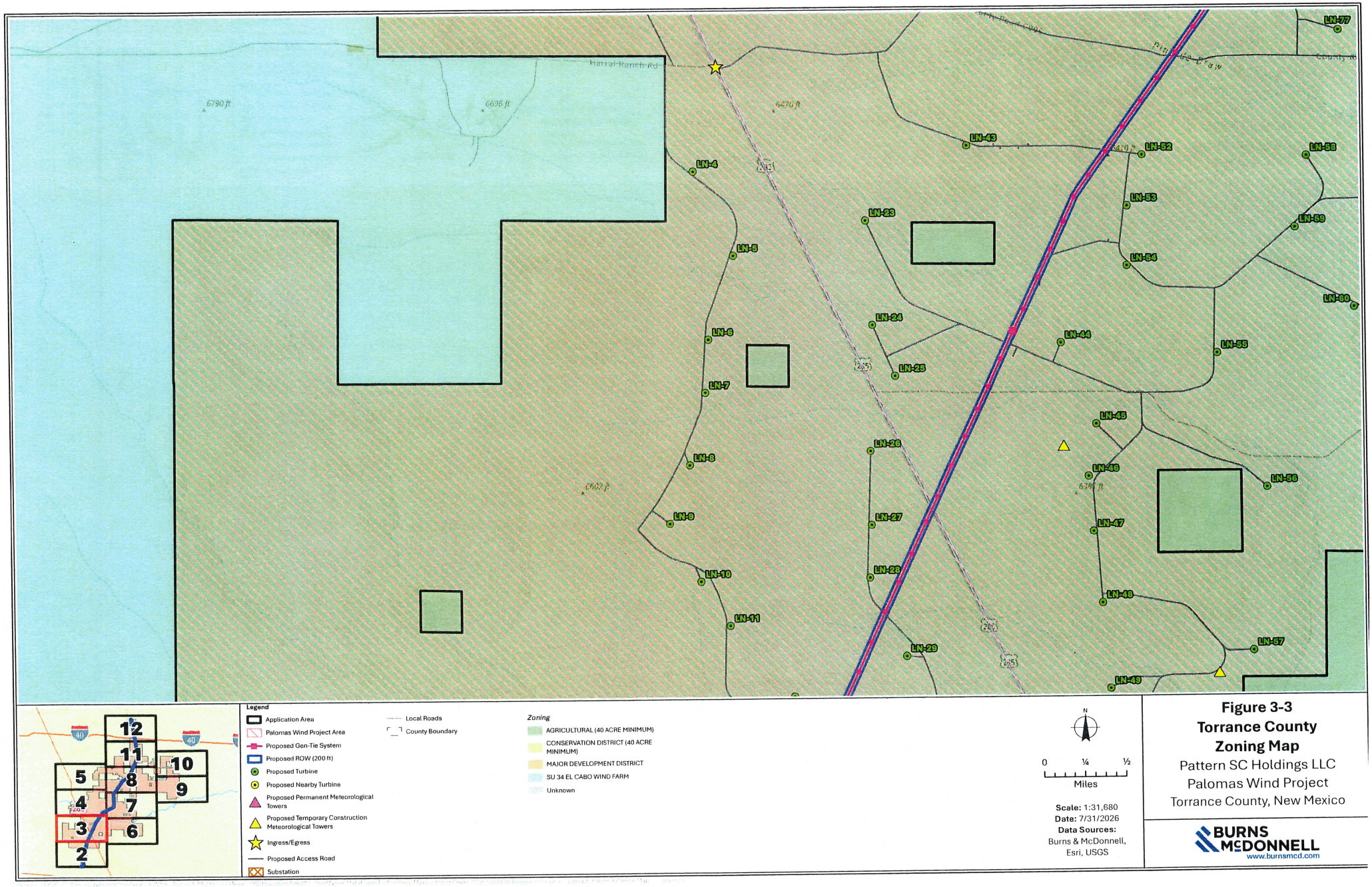


Figure 3-3
Torrance County Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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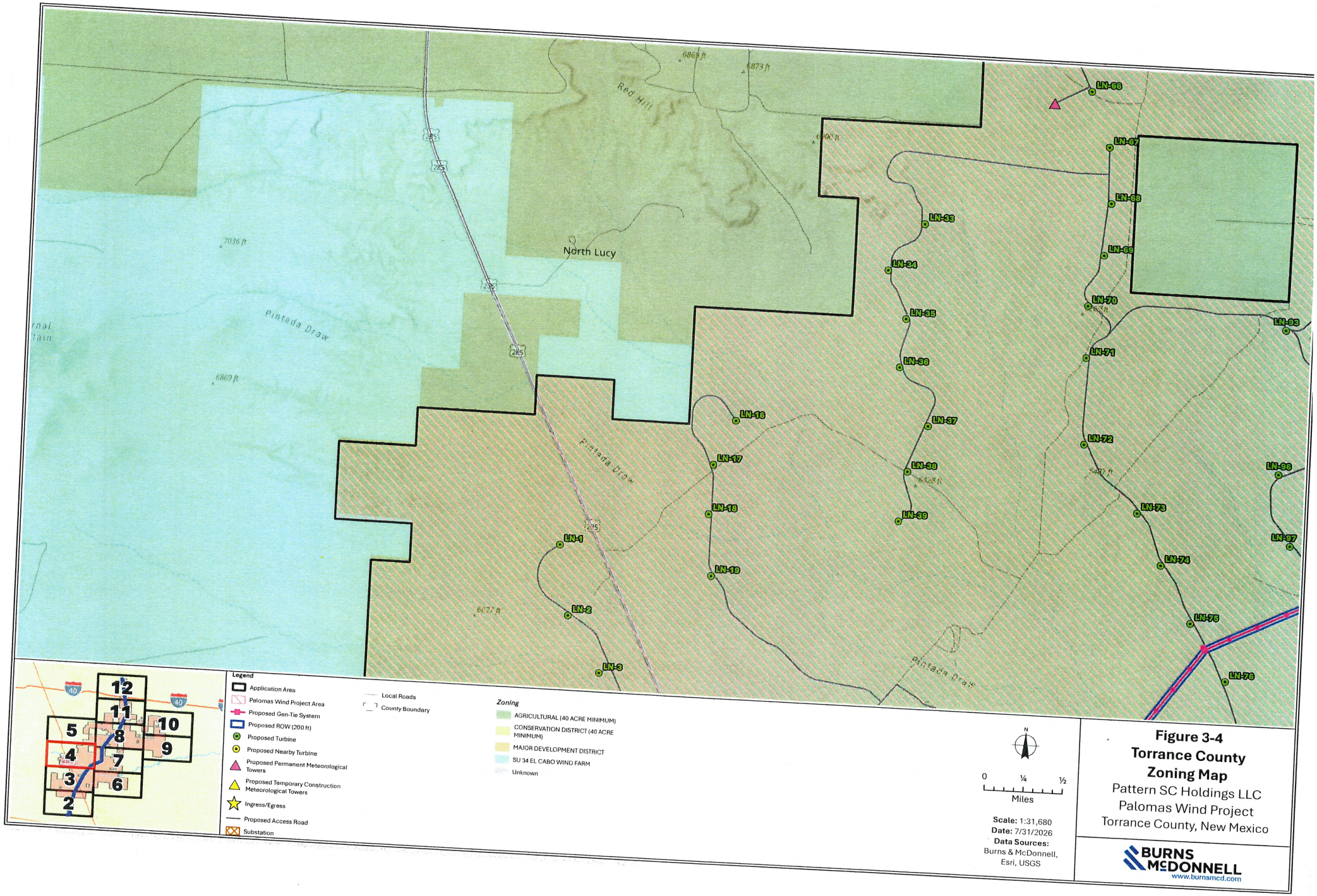


Figure 3-4
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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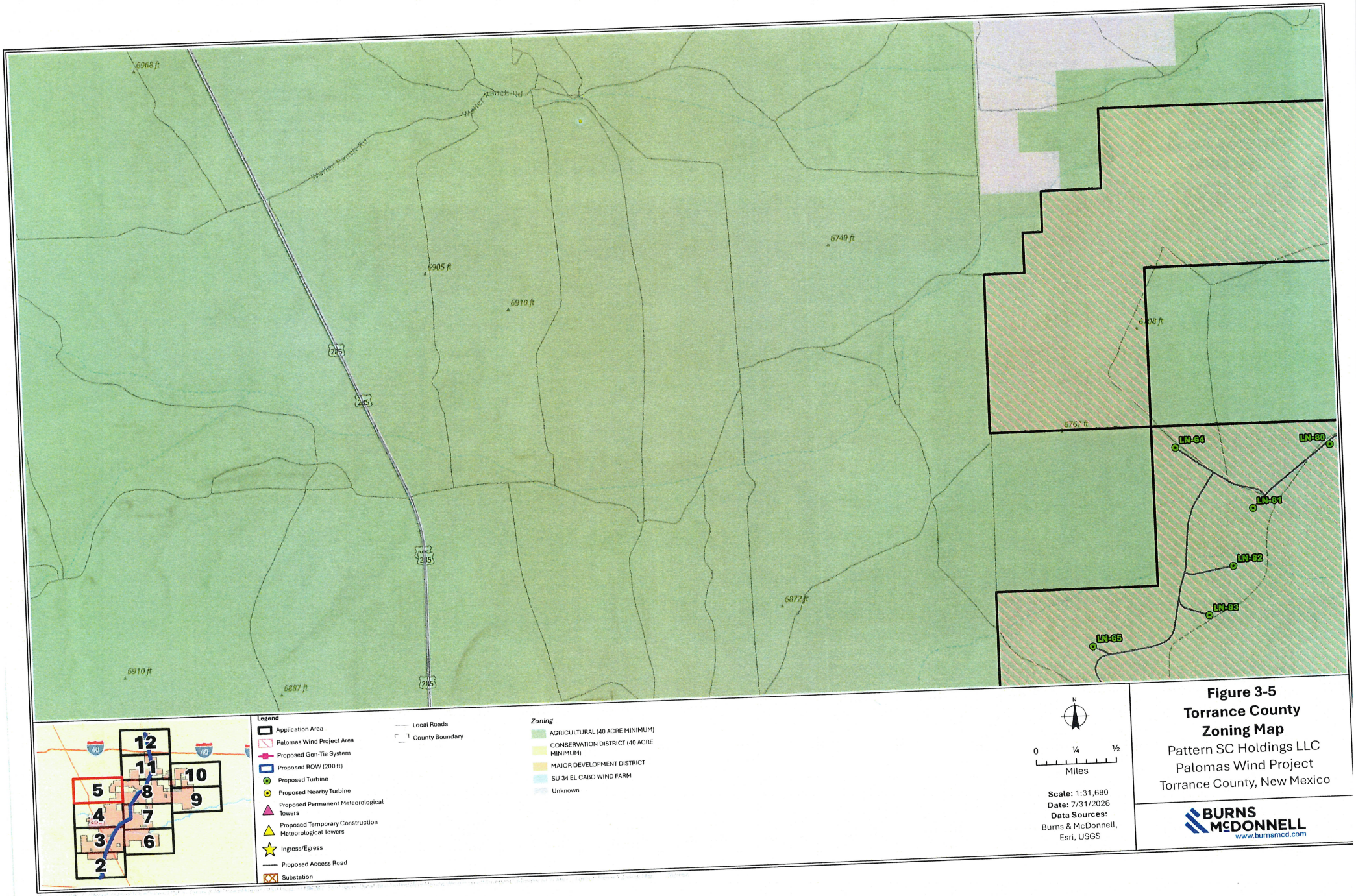


Figure 3-5
Torrance County Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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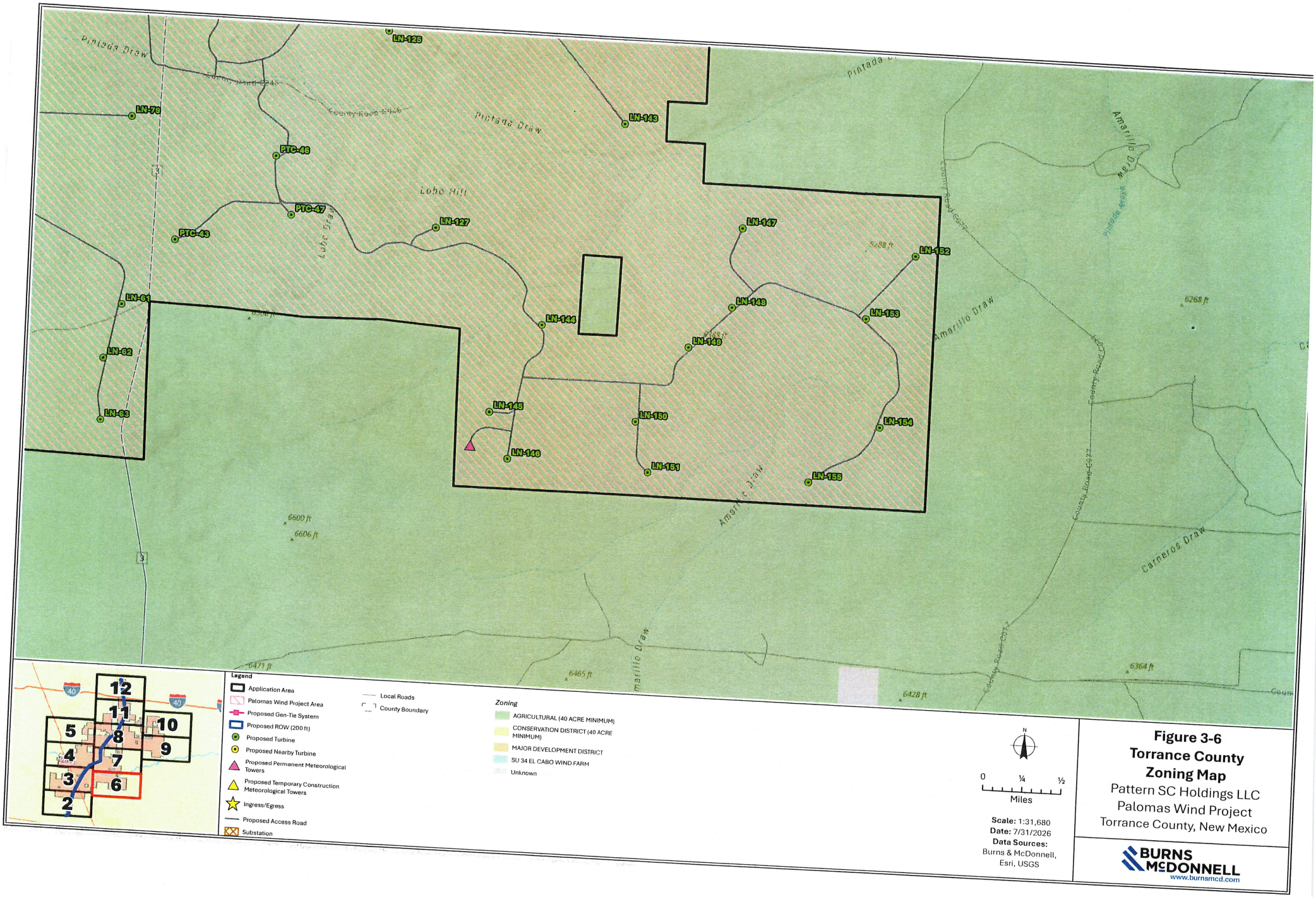


Figure 3-6
Torrance County Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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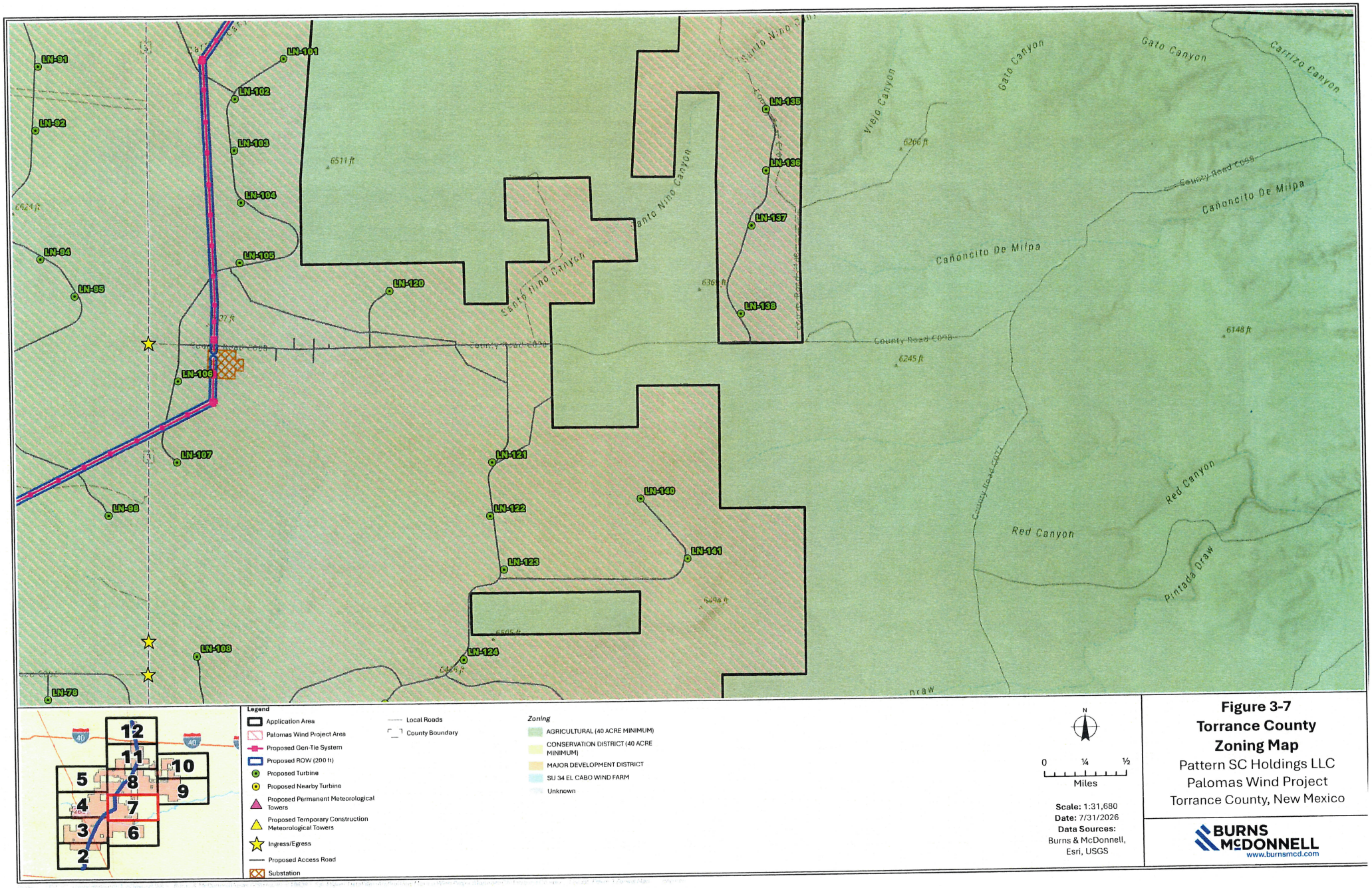


Figure 3-7
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

Scale: 1:31,680
Date: 7/31/2026
Data Sources:
Burns & McDonnell, Esri, USGS

BURNS McDONNELL
www.burnsmcd.com

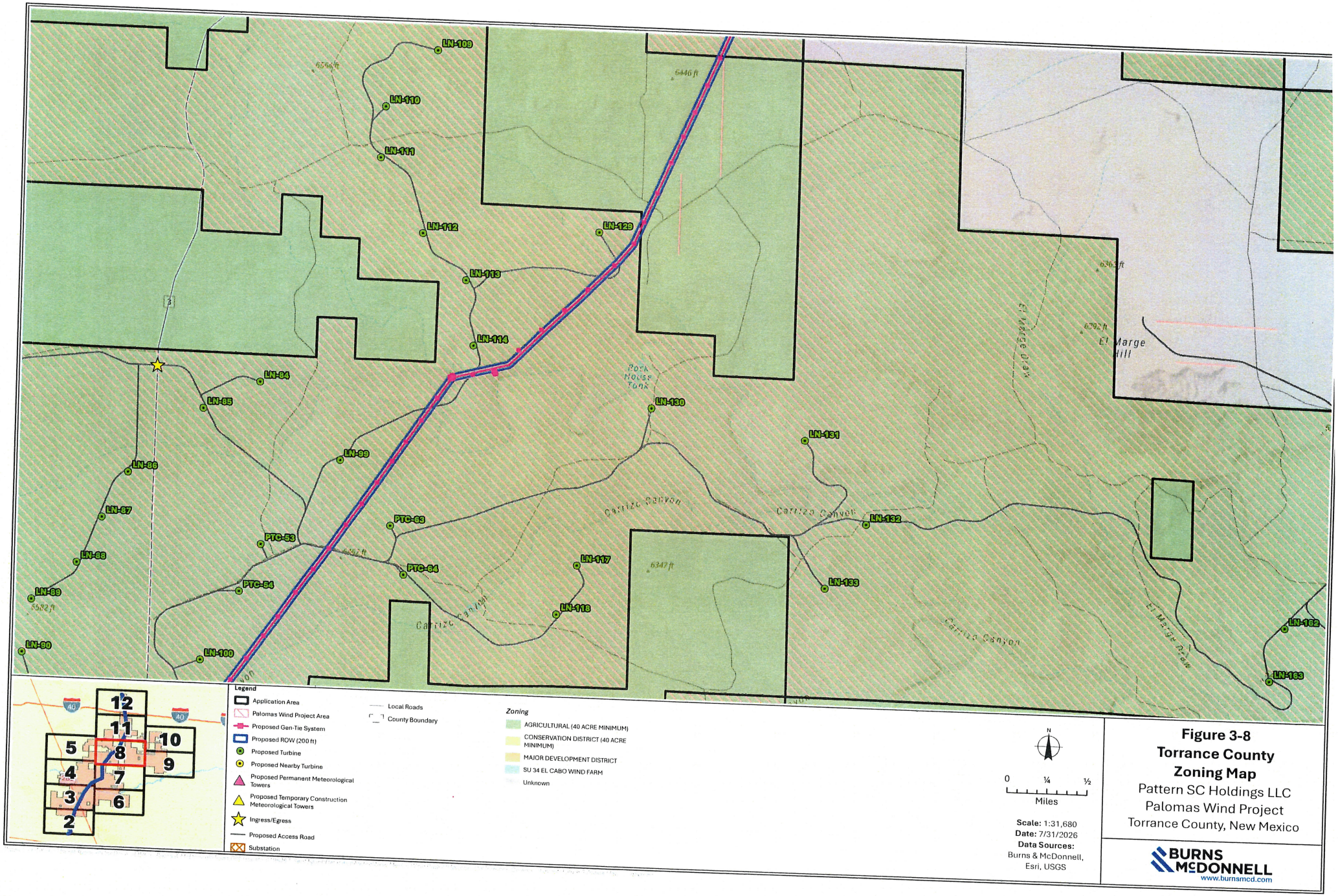
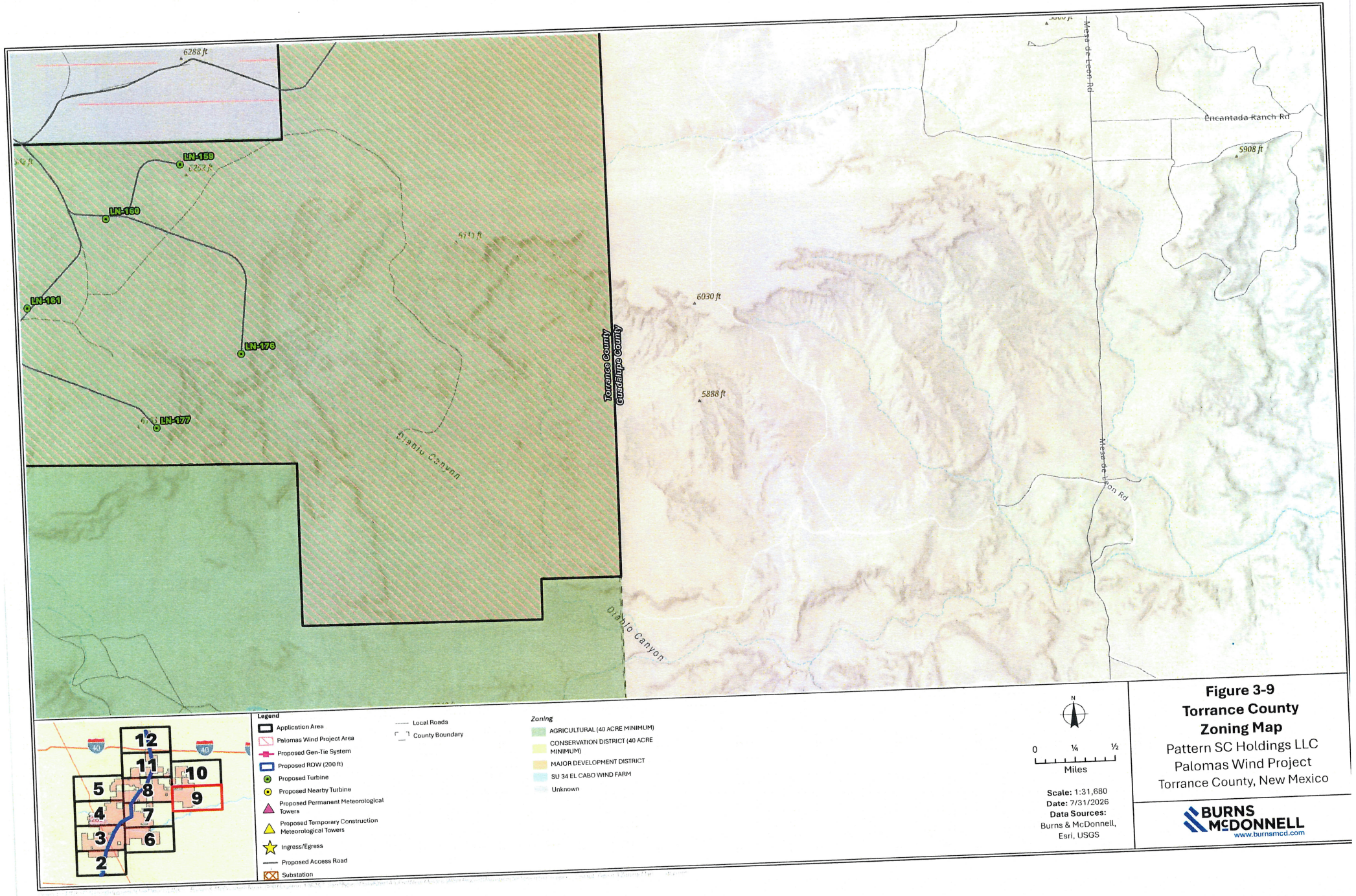
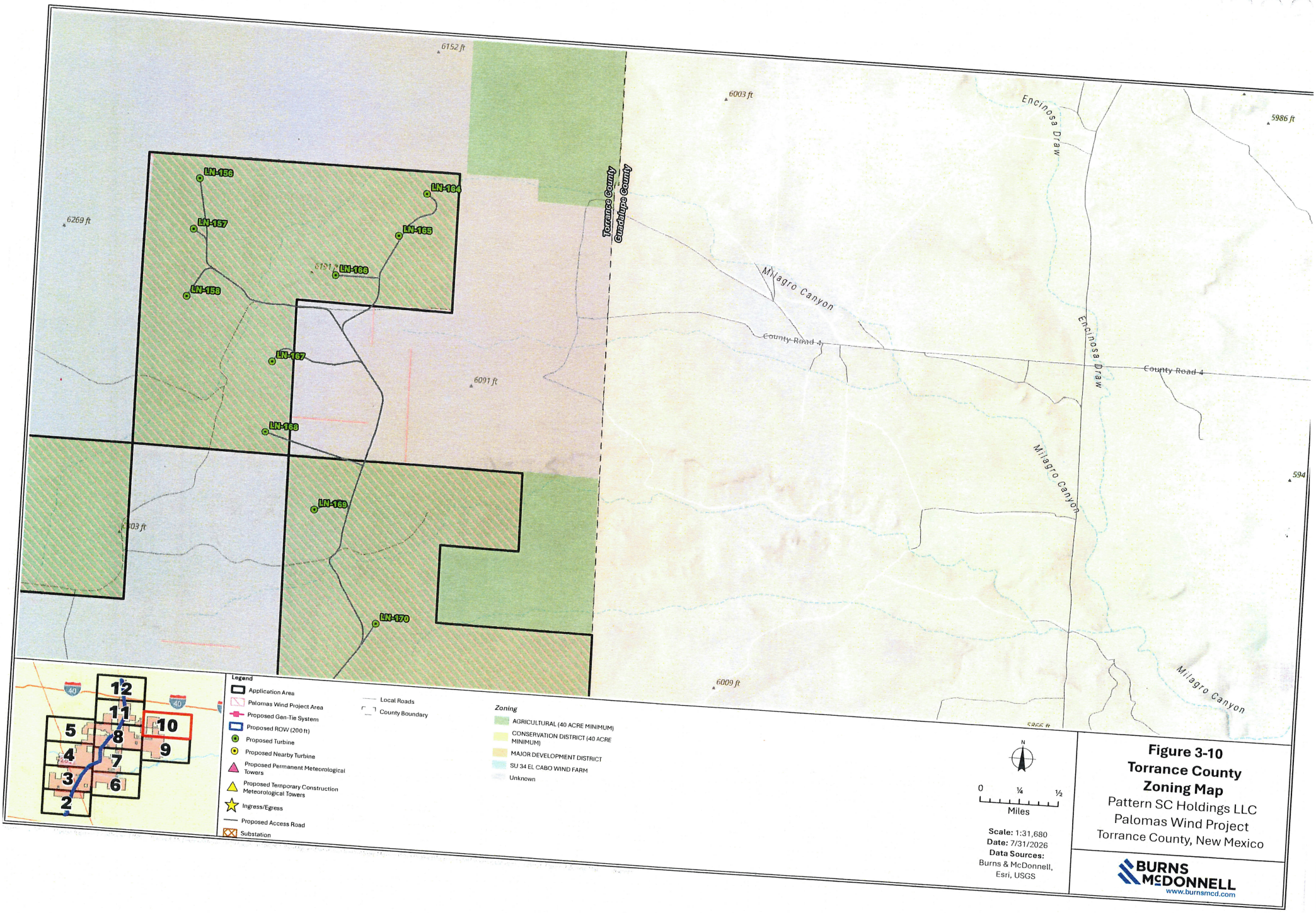


Figure 3-8
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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6288 ft
LN-159
LN-160
LN-161
LN-176
LN-177
Diablo Canyon
Torrance County
Guadalupe County
6030 ft
5888 ft
Mesa de Leon Rd
Encantada Ranch Rd
5908 ft
Diablo Canyon
Legend
Application Area
Palomas Wind Project Area
Proposed Gen-Tie System
Proposed ROW (200 ft)
Proposed Turbine
Proposed Nearby Turbine
Proposed Permanent Meteorological Towers
Proposed Temporary Construction Meteorological Towers
Ingress/Egress
Proposed Access Road
Substation
Local Roads
County Boundary
Zoning
AGRICULTURAL (40 ACRE MINIMUM)
CONSERVATION DISTRICT (40 ACRE MINIMUM)
MAJOR DEVELOPMENT DISTRICT
SU 34 EL CABO WIND FARM
Unknown
N
0 ¼ ½
Miles
Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS
Figure 3-9
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico
BURNS McDONNELL
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6152 ft
6003 ft
5986 ft
6269 ft
6191 ft
6091 ft
6009 ft
LN-156
LN-164
LN-157
LN-165
LN-166
LN-158
LN-167
LN-168
LN-169
LN-170
Torrance County
Guadalupe County
Encinosa Draw
Milagro Canyon
County Road 4
Legend
Application Area
Palomas Wind Project Area
Proposed Gen-Tie System
Proposed ROW (200 ft)
Proposed Turbine
Proposed Nearby Turbine
Proposed Permanent Meteorological Towers
Proposed Temporary Construction Meteorological Towers
Ingress/Egress
Proposed Access Road
Substation
Local Roads
County Boundary
Zoning
AGRICULTURAL (40 ACRE MINIMUM)
CONSERVATION DISTRICT (40 ACRE MINIMUM)
MAJOR DEVELOPMENT DISTRICT
SU 34 EL CABO WIND FARM
Unknown
N
0 ¼ ½
Miles
Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS
Figure 3-10
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico
BURNS McDONNELL
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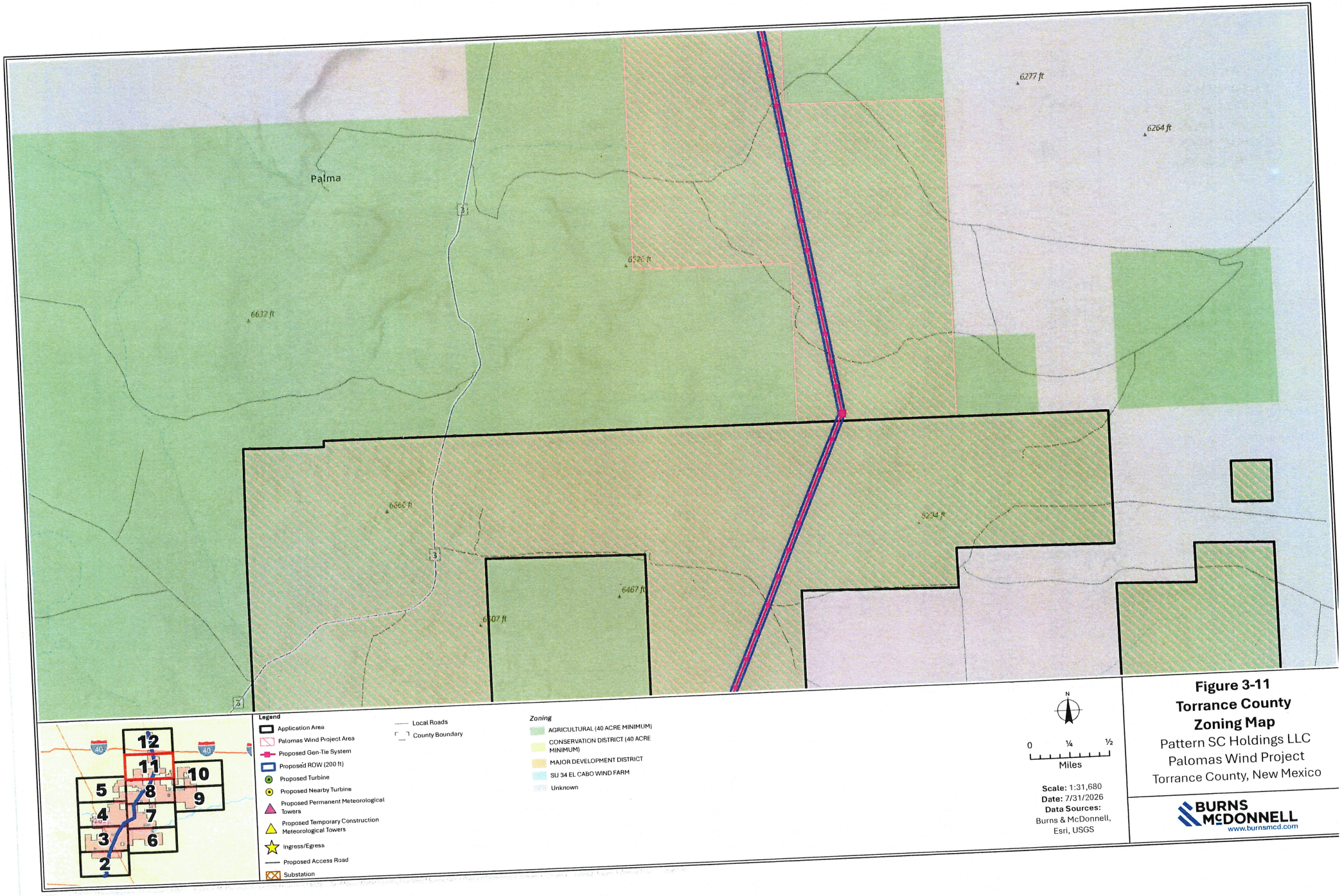
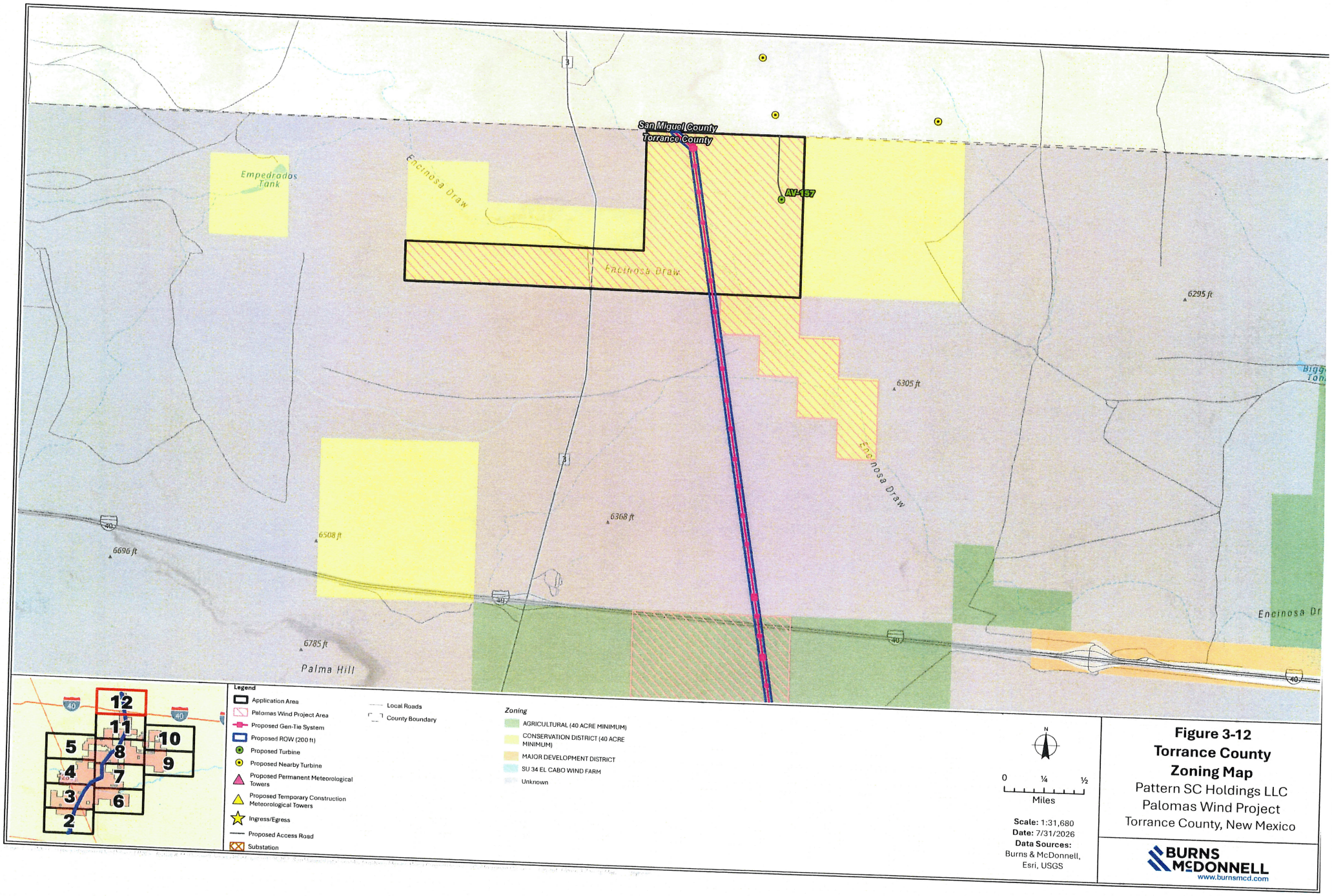


Figure 3-11
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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San Miguel County
Torrance County
AV-457
Empedrados Tank
Encinosa Draw
Encinosa Draw
Encinosa Draw
6295 ft
6305 ft
6368 ft
6508 ft
6696 ft
6785 ft
Palma Hill
Encinosa Dr
Legend
Application Area
Palomas Wind Project Area
Proposed Gen-Tie System
Proposed ROW (200 ft)
Proposed Turbine
Proposed Nearby Turbine
Proposed Permanent Meteorological Towers
Proposed Temporary Construction Meteorological Towers
Ingress/Egress
Proposed Access Road
Substation
Local Roads
County Boundary
Zoning
AGRICULTURAL (40 ACRE MINIMUM)
CONSERVATION DISTRICT (40 ACRE MINIMUM)
MAJOR DEVELOPMENT DISTRICT
SU 34 EL CABO WIND FARM
Unknown
N
0 ¼ ½
Miles
Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS
Figure 3-12
Torrance County
Zoning Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico
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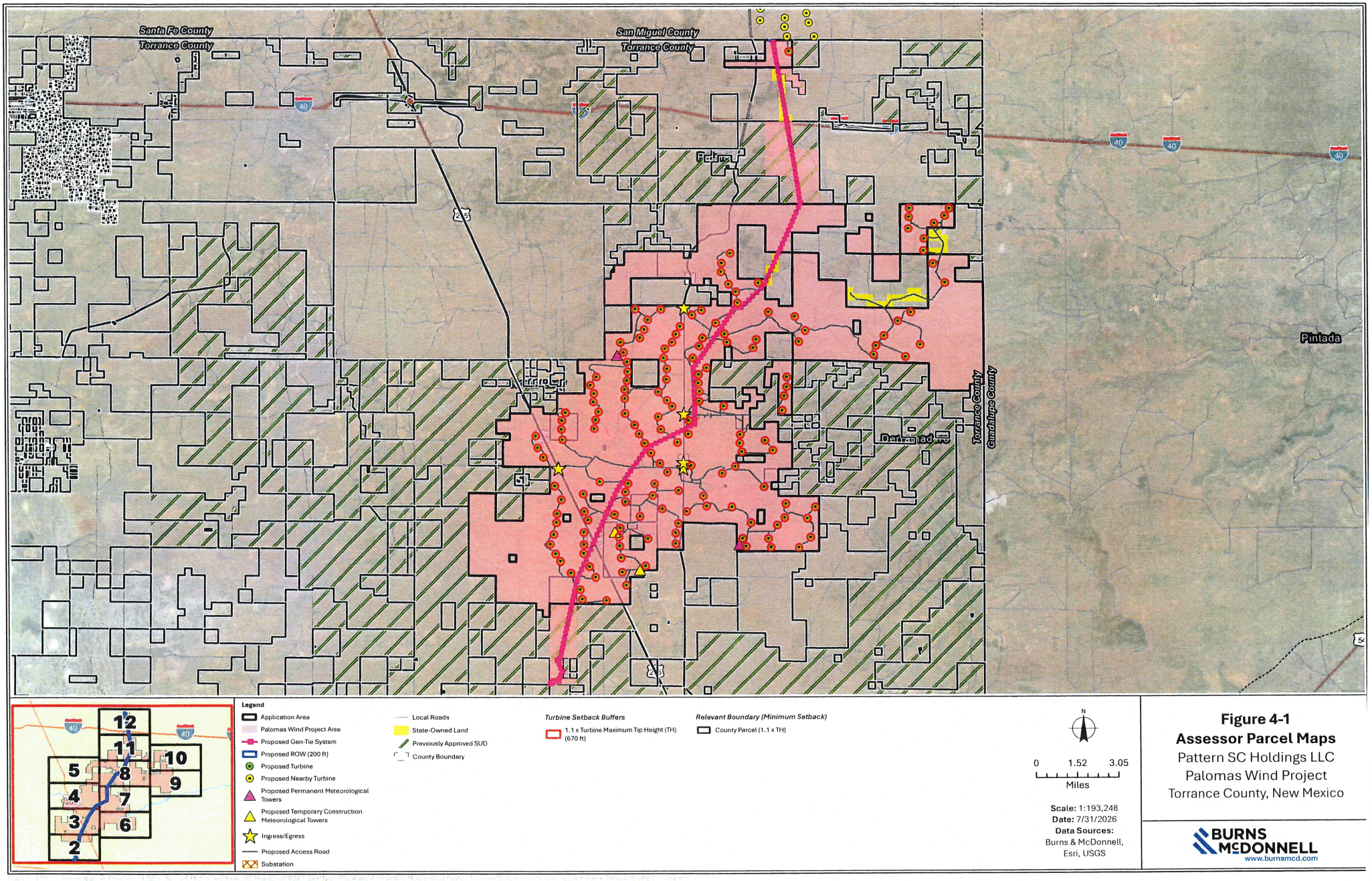


Figure 4-1
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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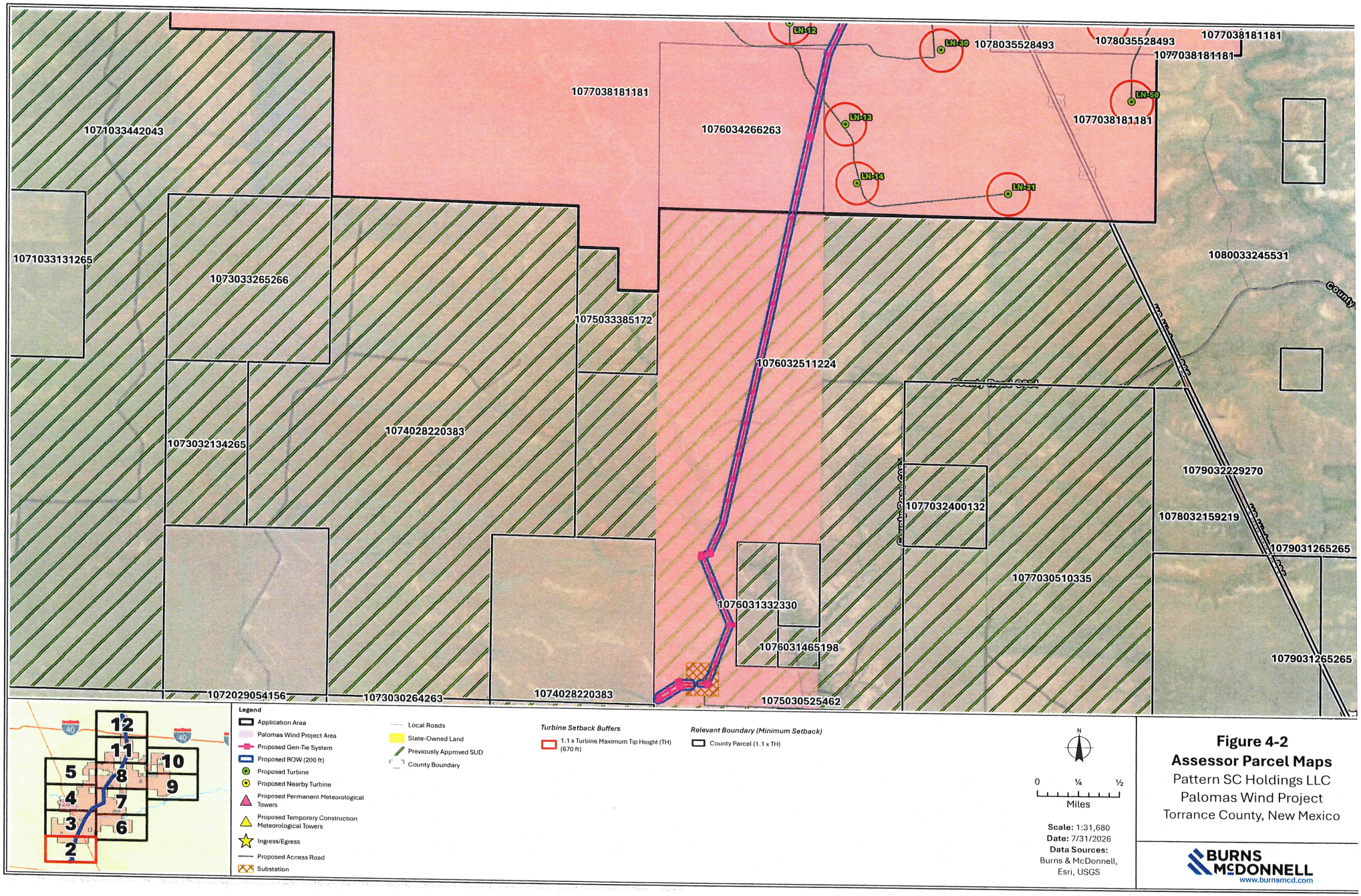


Figure 4-2
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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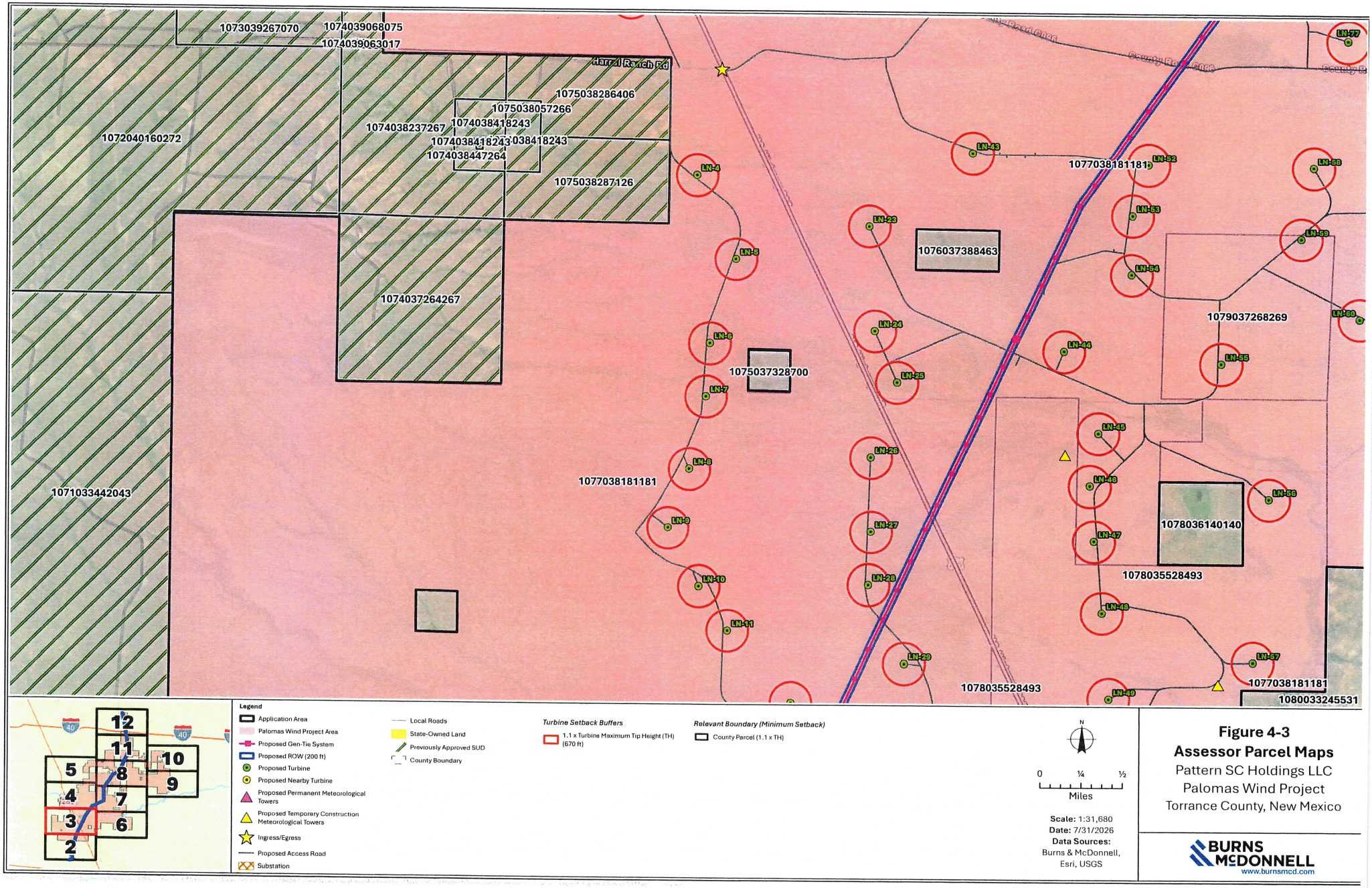
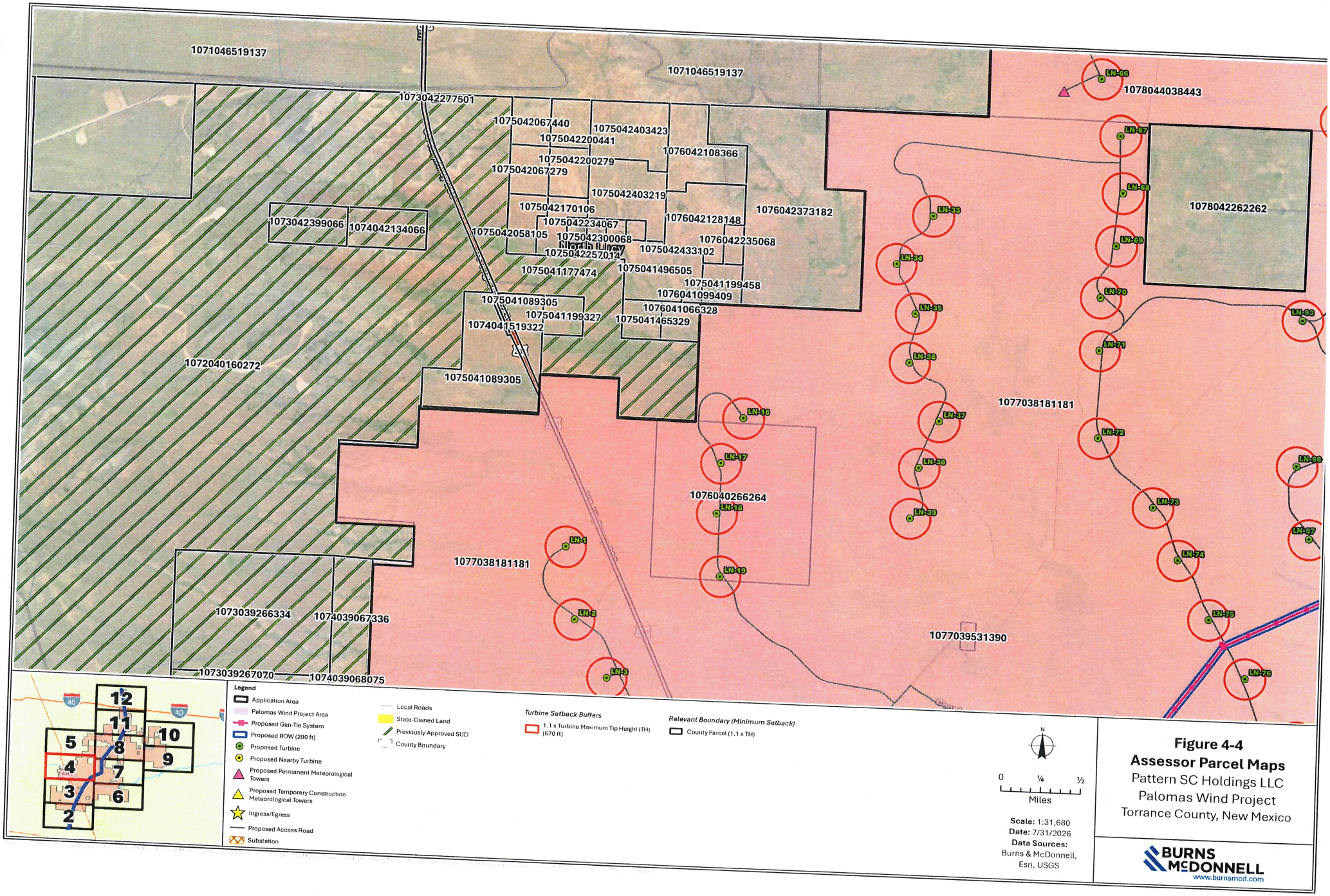


Figure 4-3
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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1071046519137
1073042277501
1075042067440
1075042403423
1075042200441
1076042108366
1075042200279
1075042067279
1075042403219
1075042170106
1076042373182
1076042128148
1073042399066
1074042134066
1075042234067
1075042058105
1075042300068
1076042235068
1075042433102
1075042257014
1075041496505
1075041177474
1075041199458
1076041099409
1075041089305
1076041066328
1075041199327
1075041465329
1074041519322
1072040160272
1075041089305
1077038181181
1076040266264
1077038181181
1073039266334
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1073039267070
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LN-16
LN-17
LN-18
LN-19
LN-1
LN-2
LN-3
LN-33
LN-34
LN-35
LN-36
LN-37
LN-38
LN-39
LN-66
LN-67
LN-68
LN-69
LN-70
LN-71
LN-72
LN-73
LN-74
LN-75
LN-76
LN-93
LN-96
LN-97
Legend
Application Area
Palomas Wind Project Area
Proposed Gen-Tie System
Proposed ROW (200 ft)
Proposed Turbine
Proposed Nearby Turbine
Proposed Permanent Meteorological Towers
Proposed Temporary Construction Meteorological Towers
Ingress/Egress
Proposed Access Road
Substation
Local Roads
State-Owned Land
Previously Approved SUD
County Boundary
Turbine Setback Buffers
1.1 x Turbine Maximum Tip Height (TH) (670 ft)
Relevant Boundary (Minimum Setback)
County Parcel (1.1 x TH)
N
0
¼
½
Miles
Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS
Figure 4-4
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico
BURNS McDONNELL
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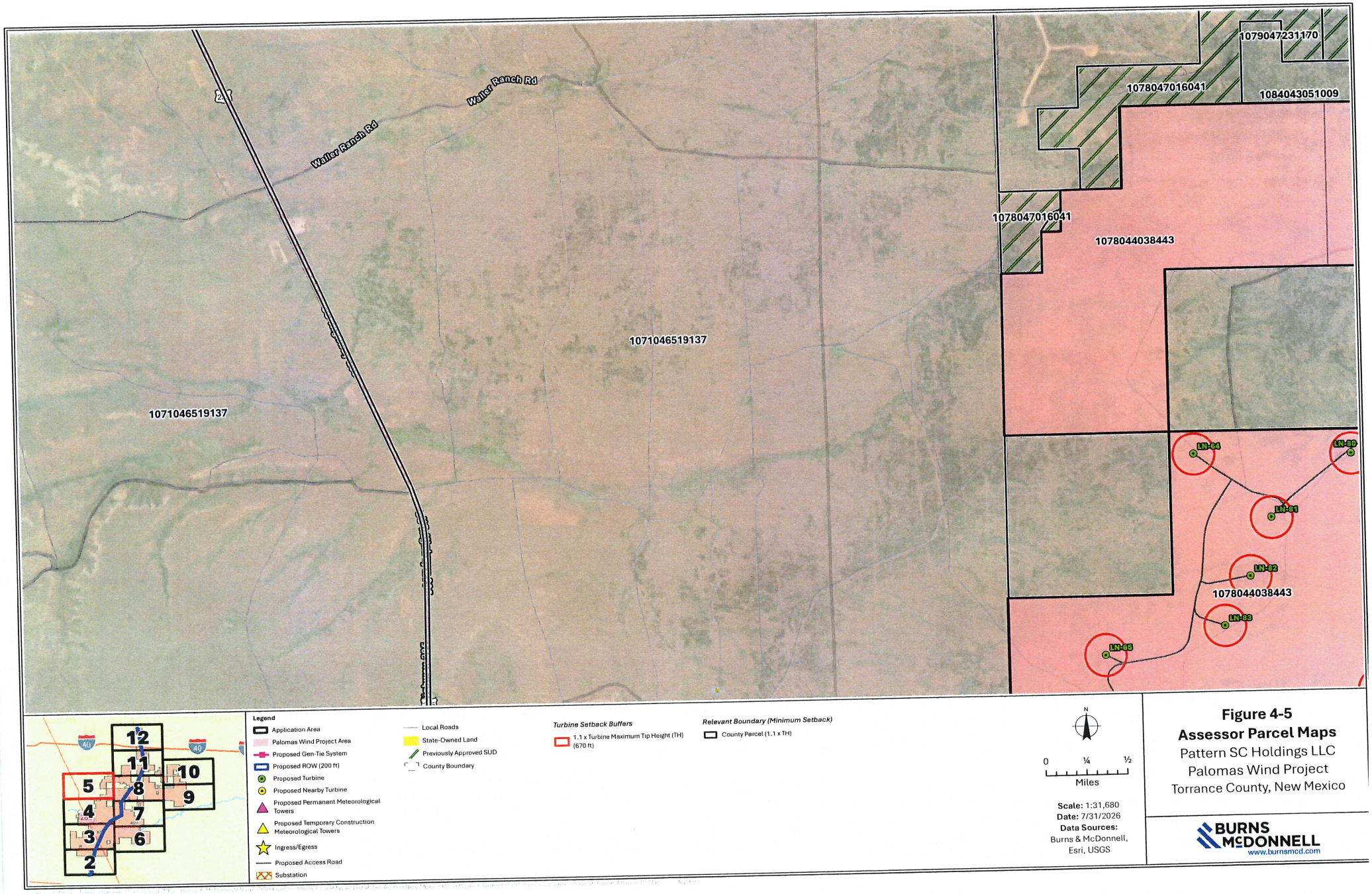


Figure 4-5
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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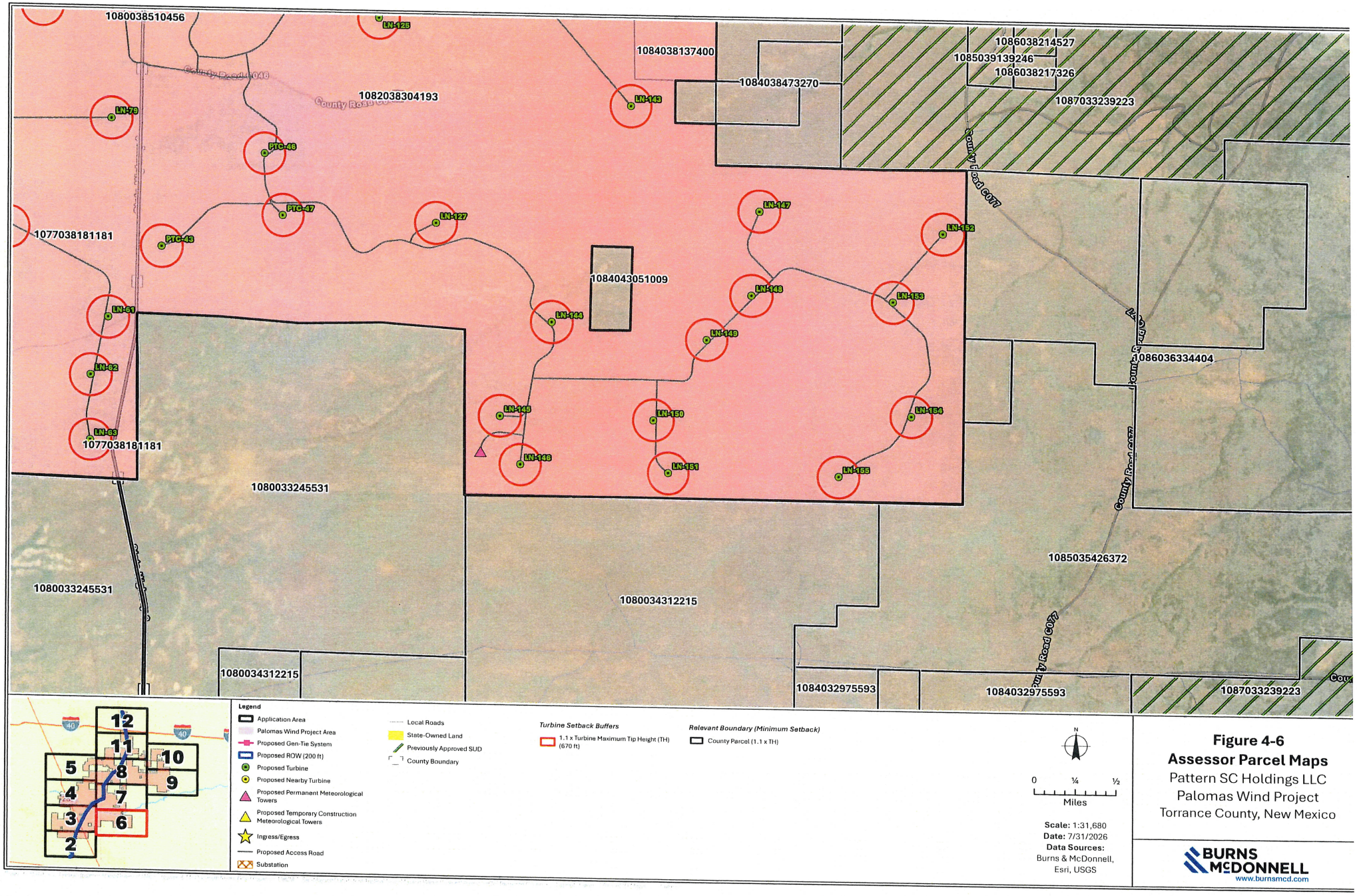


Figure 4-6
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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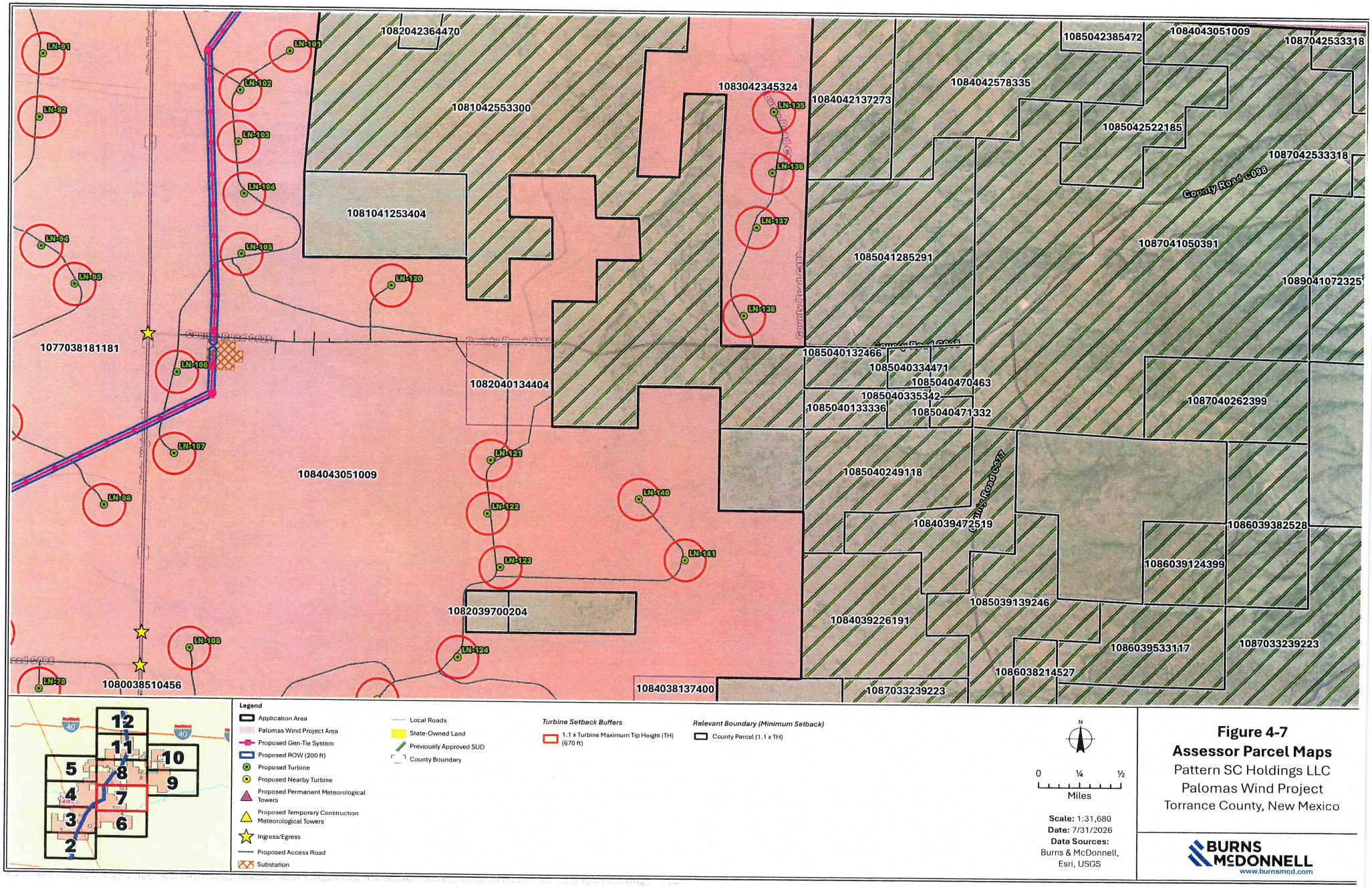


Figure 4-7
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

Scale: 1:31,680
Date: 7/31/2026
Data Sources:
Burns & McDonnell, Esri, USGS

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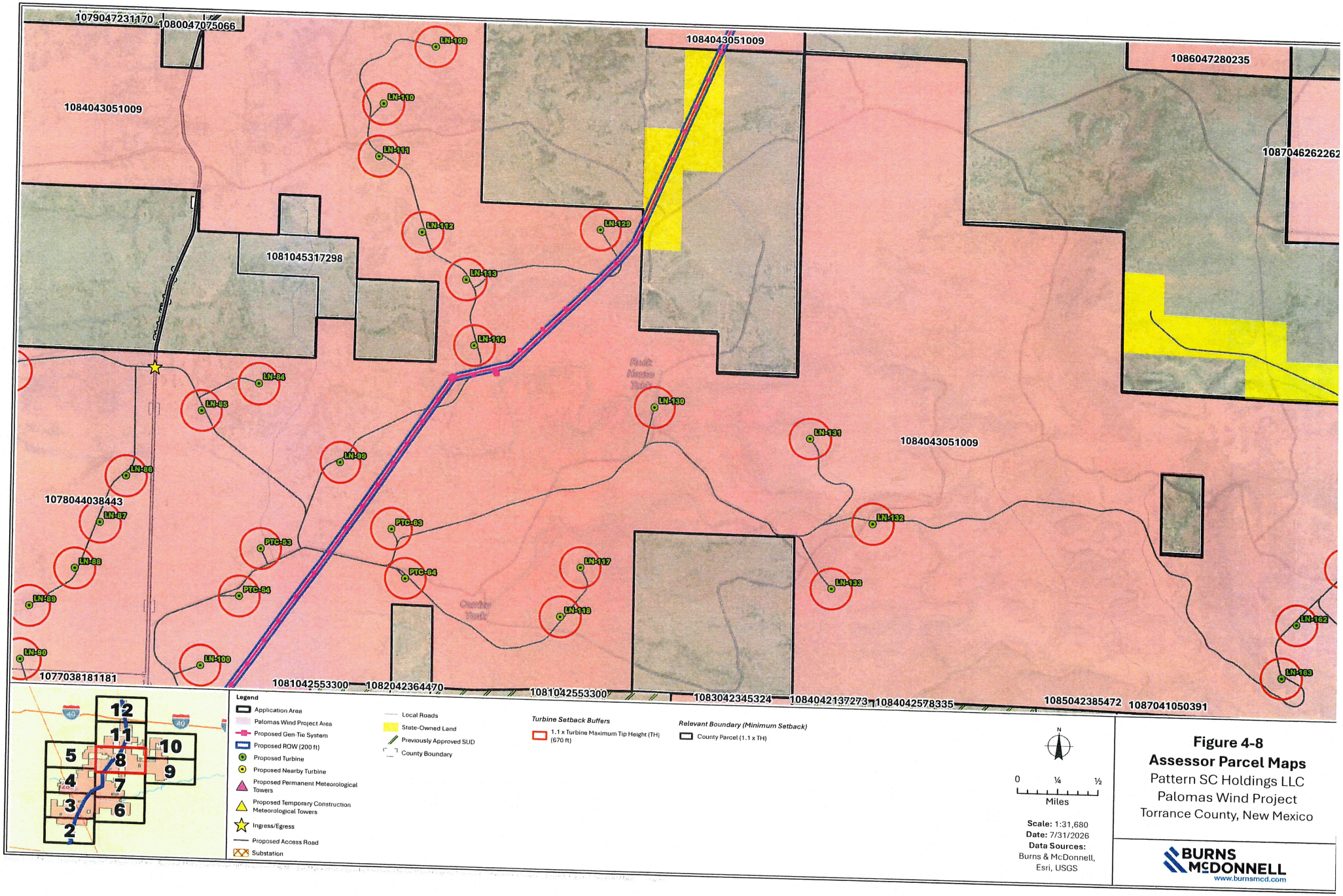
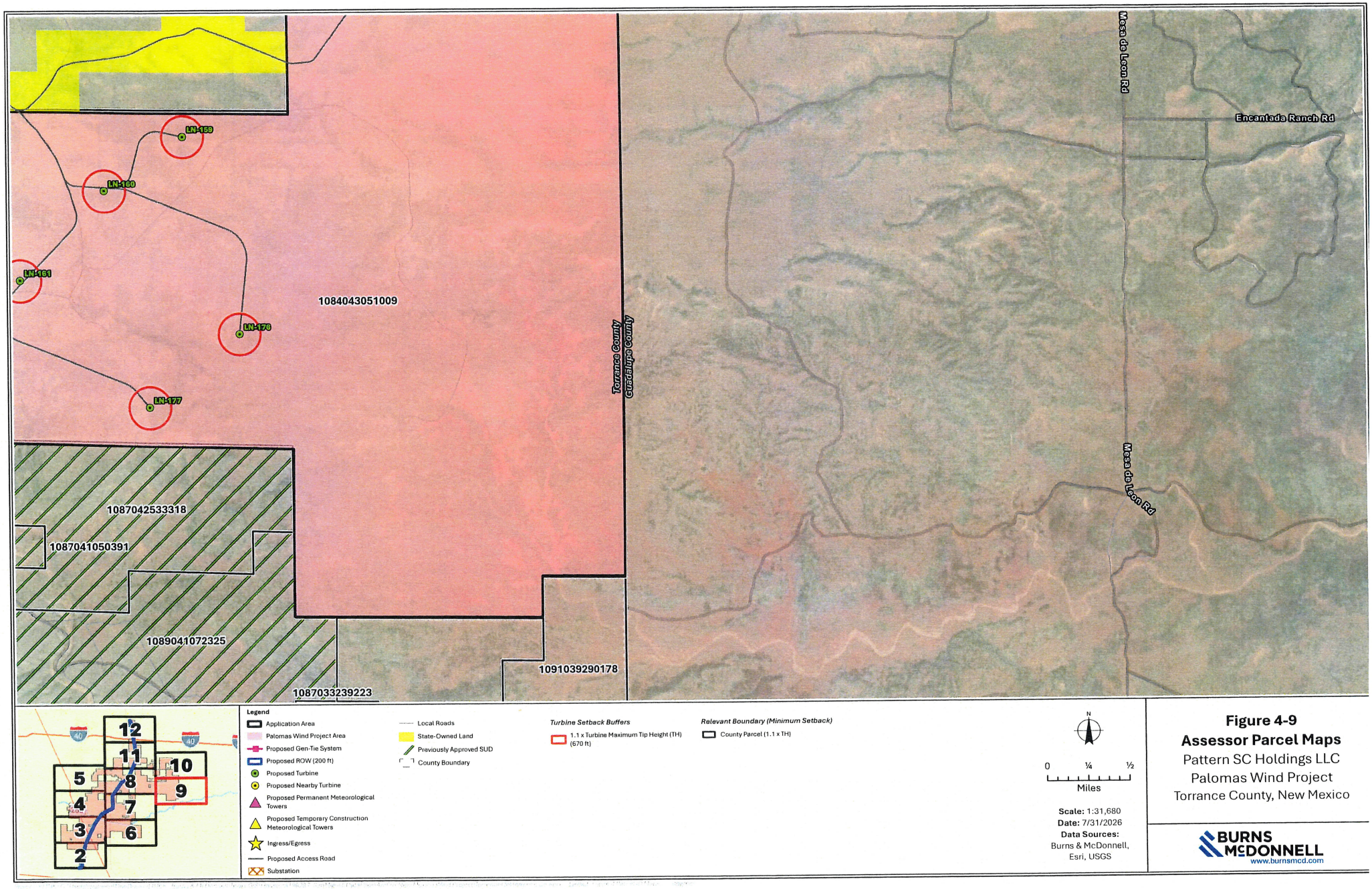


Figure 4-8
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS

Figure 4-9
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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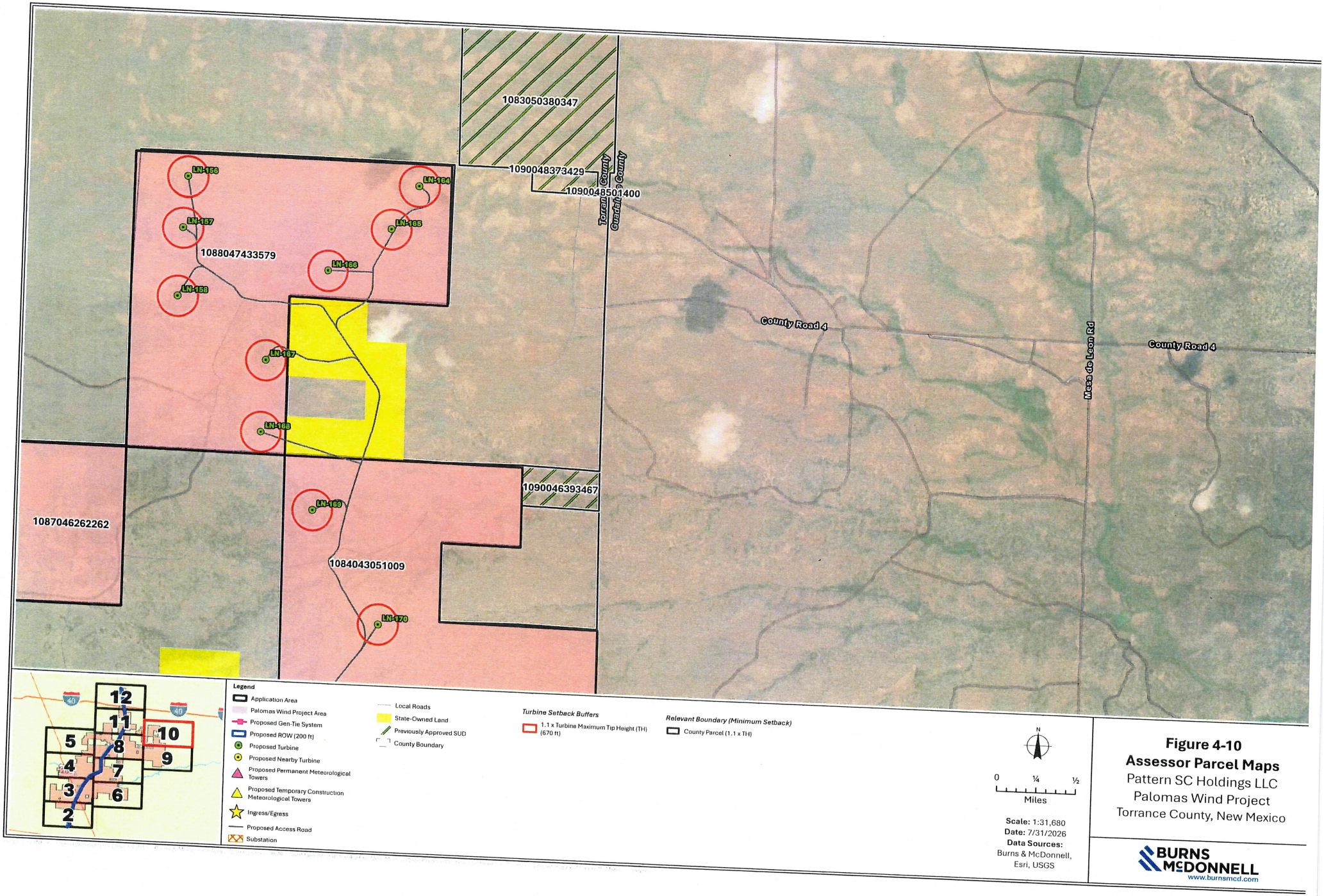
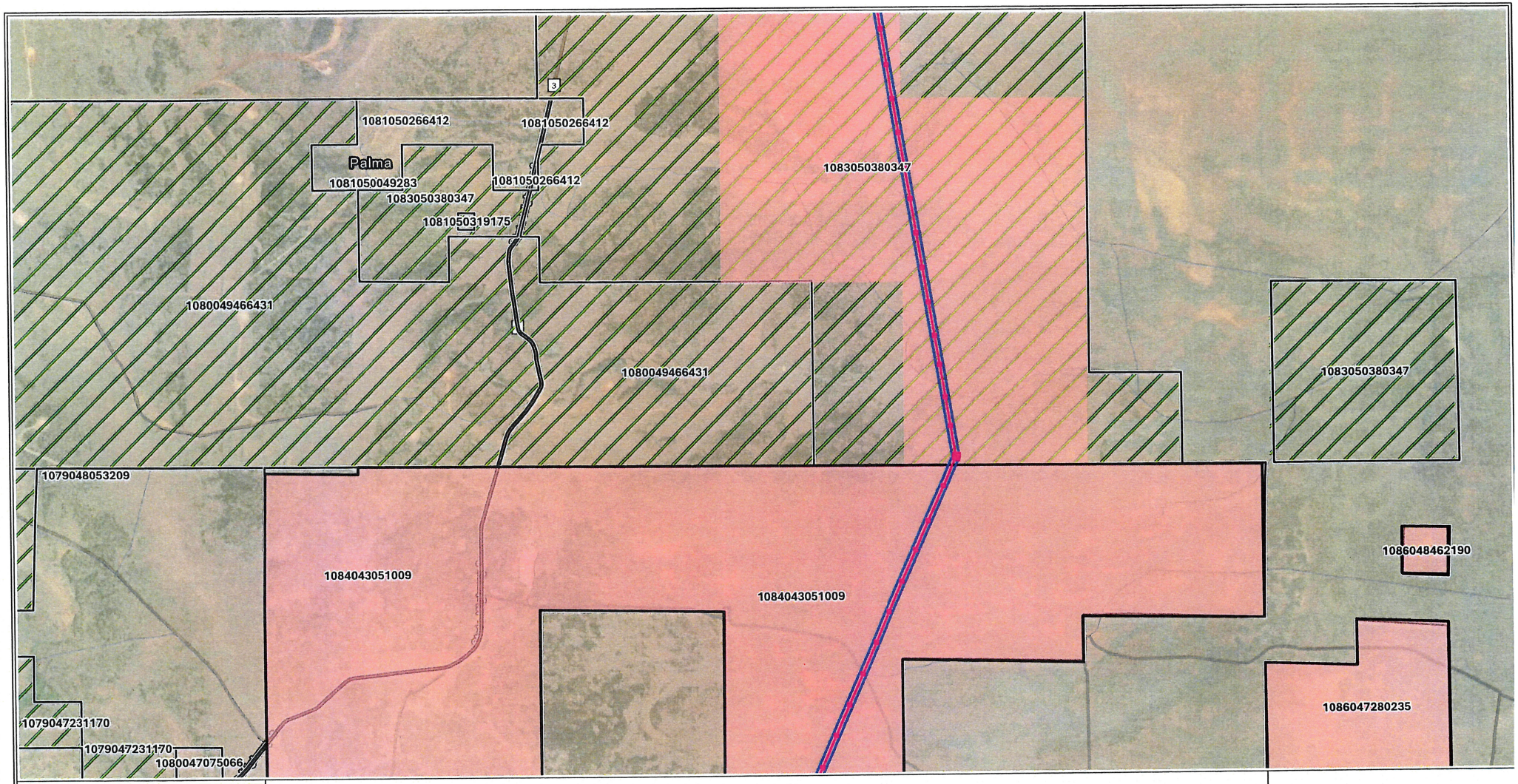
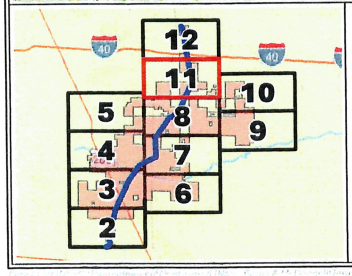


Figure 4-10
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

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Legend

- Application Area
- Palomas Wind Project Area
- Proposed Gen-Tie System
- Proposed ROW (200 ft)
- Proposed Turbine
- Proposed Nearby Turbine
- Proposed Permanent Meteorological Towers
- Proposed Temporary Construction Meteorological Towers
- Ingress/Egress
- Proposed Access Road
- Substation
- Local Roads
- State-Owned Land
- Previously Approved SUD
- County Boundary

Turbine Setback Buffers

- 1.1 x Turbine Maximum Tip Height (TH) (670 ft)

Relevant Boundary (Minimum Setback)

- County Parcel (1.1 x TH)

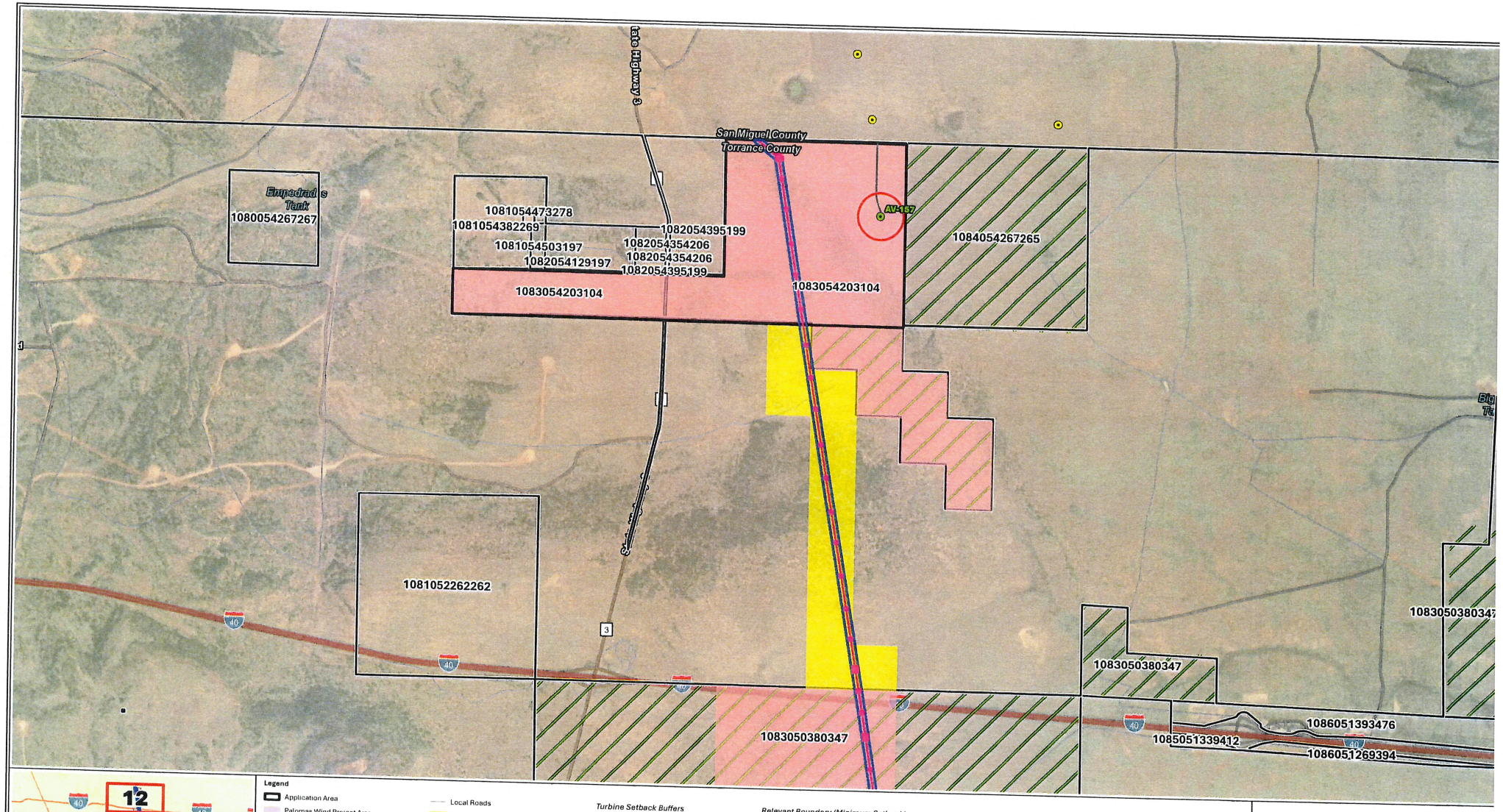
N

0 ¼ ½
Miles

Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS

Figure 4-11
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com



Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS

Figure 4-12
Assessor Parcel Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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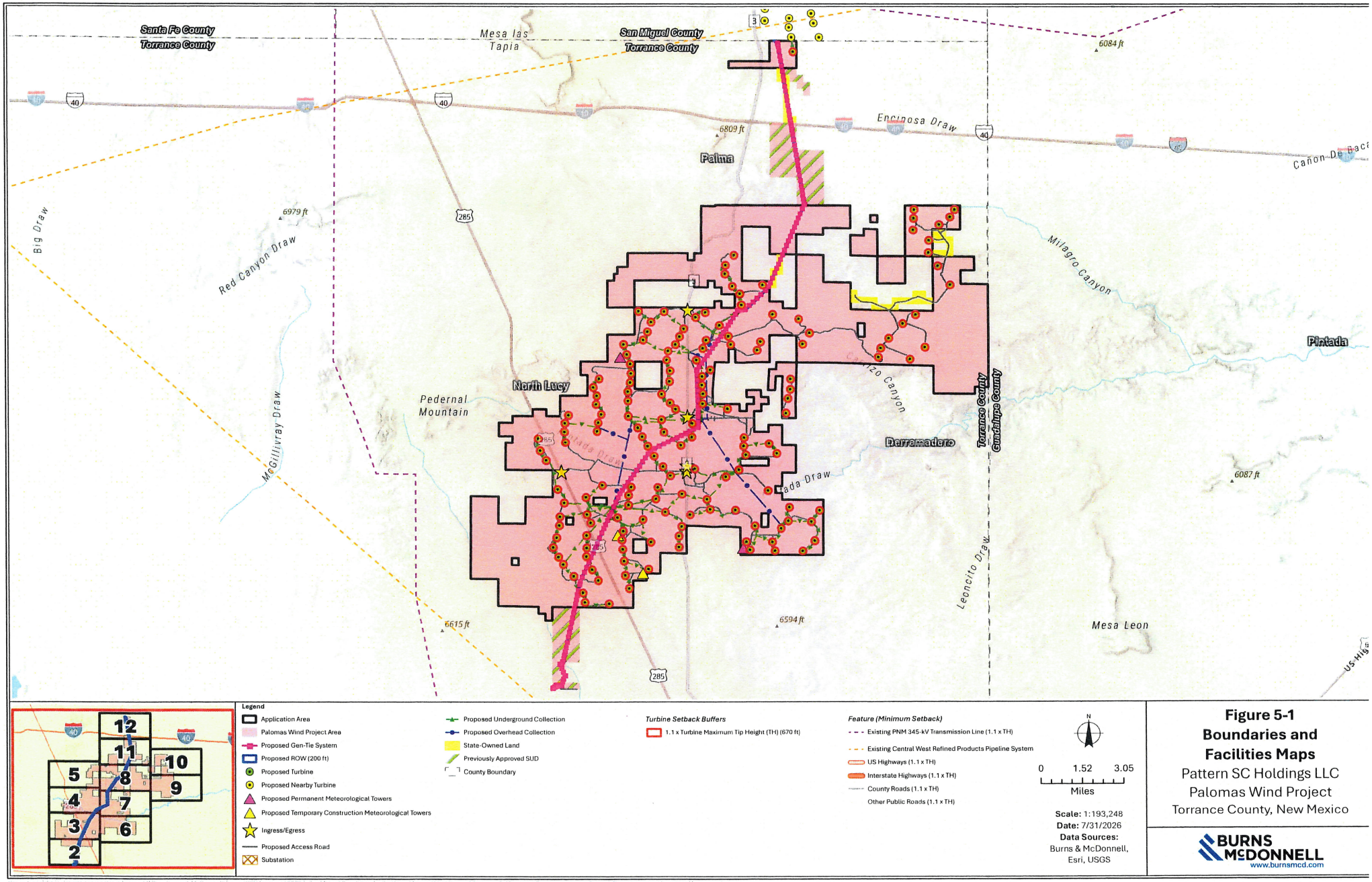


Figure 5-1
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

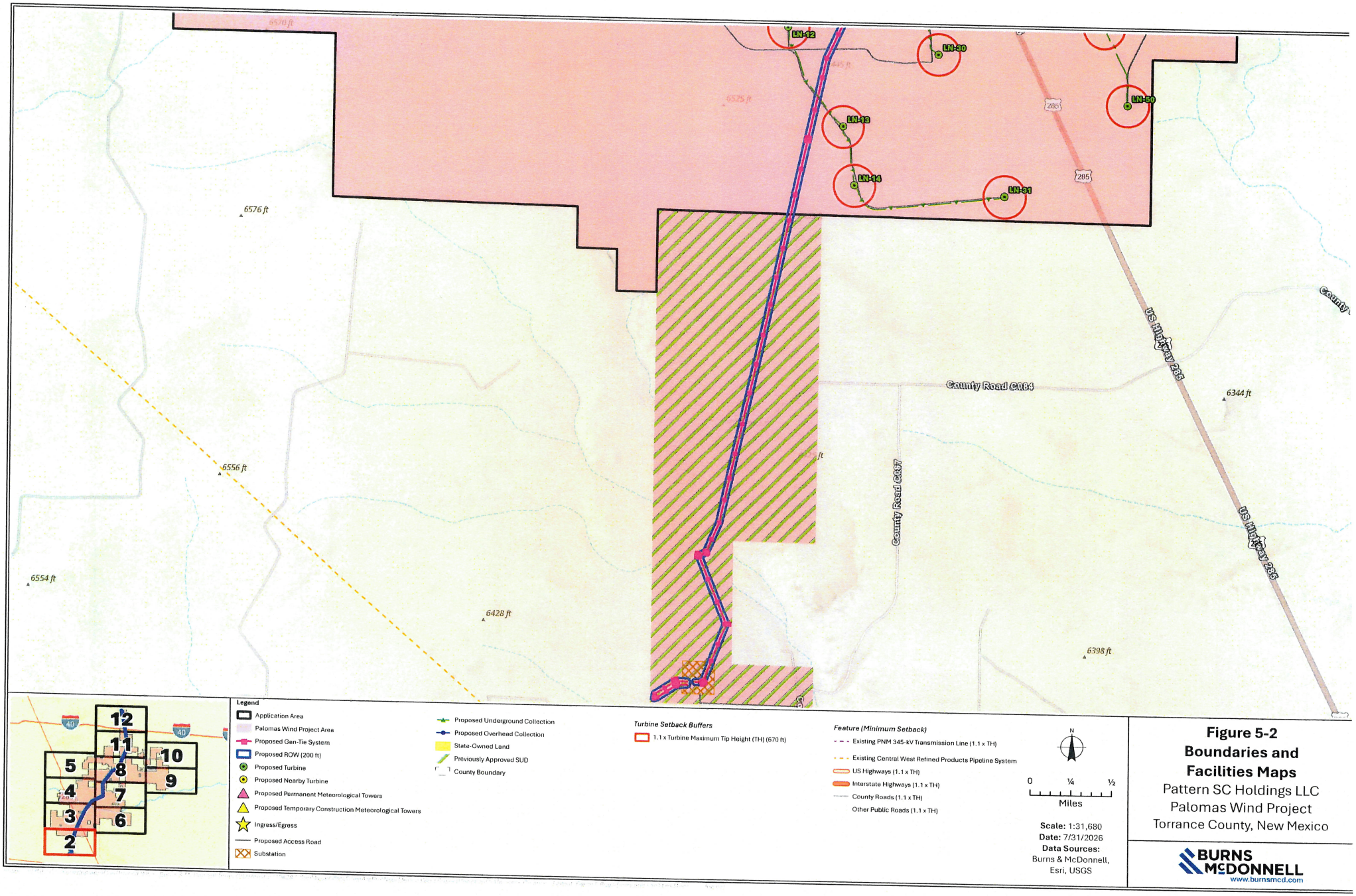


Figure 5-2
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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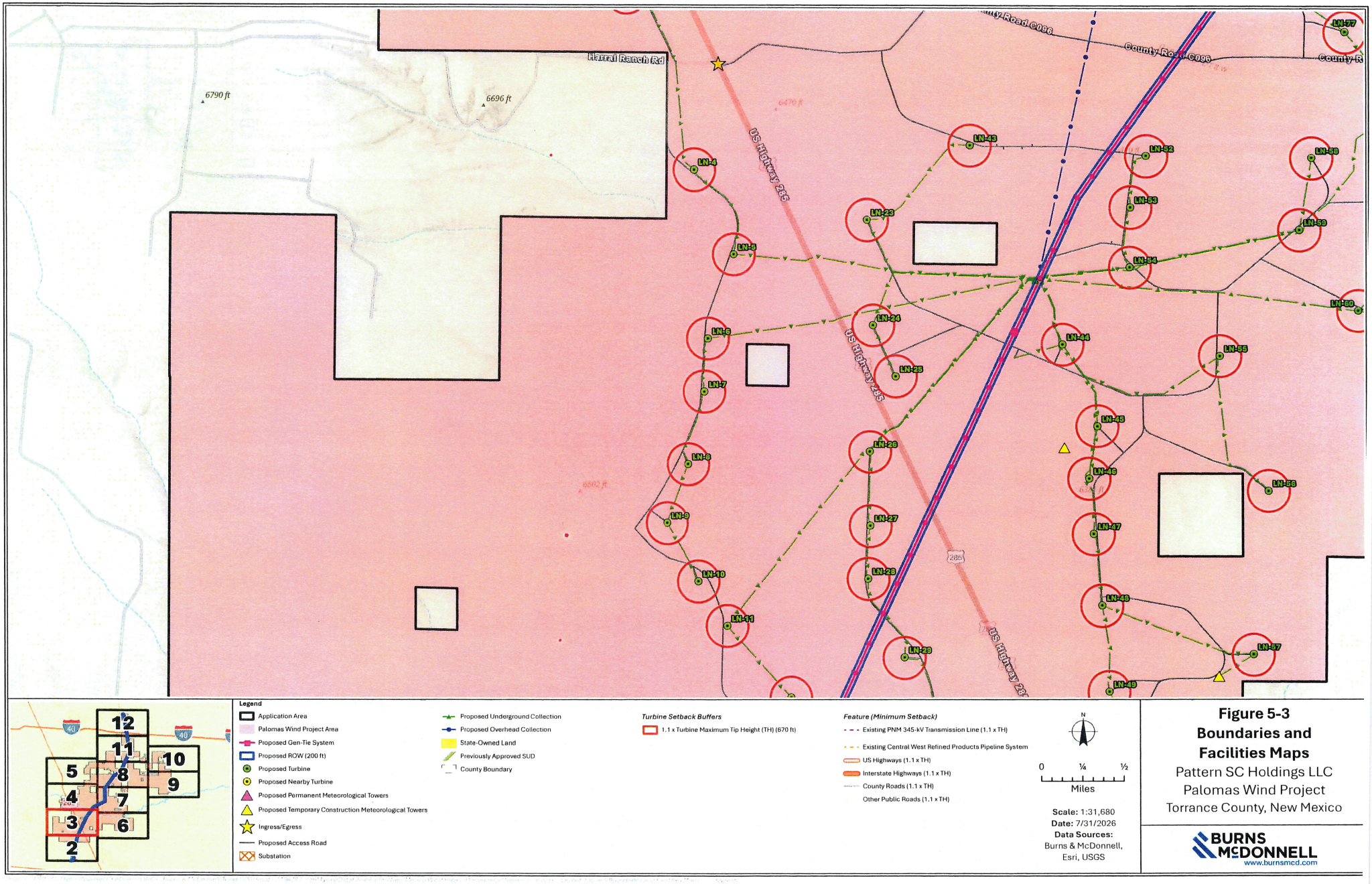


Figure 5-3
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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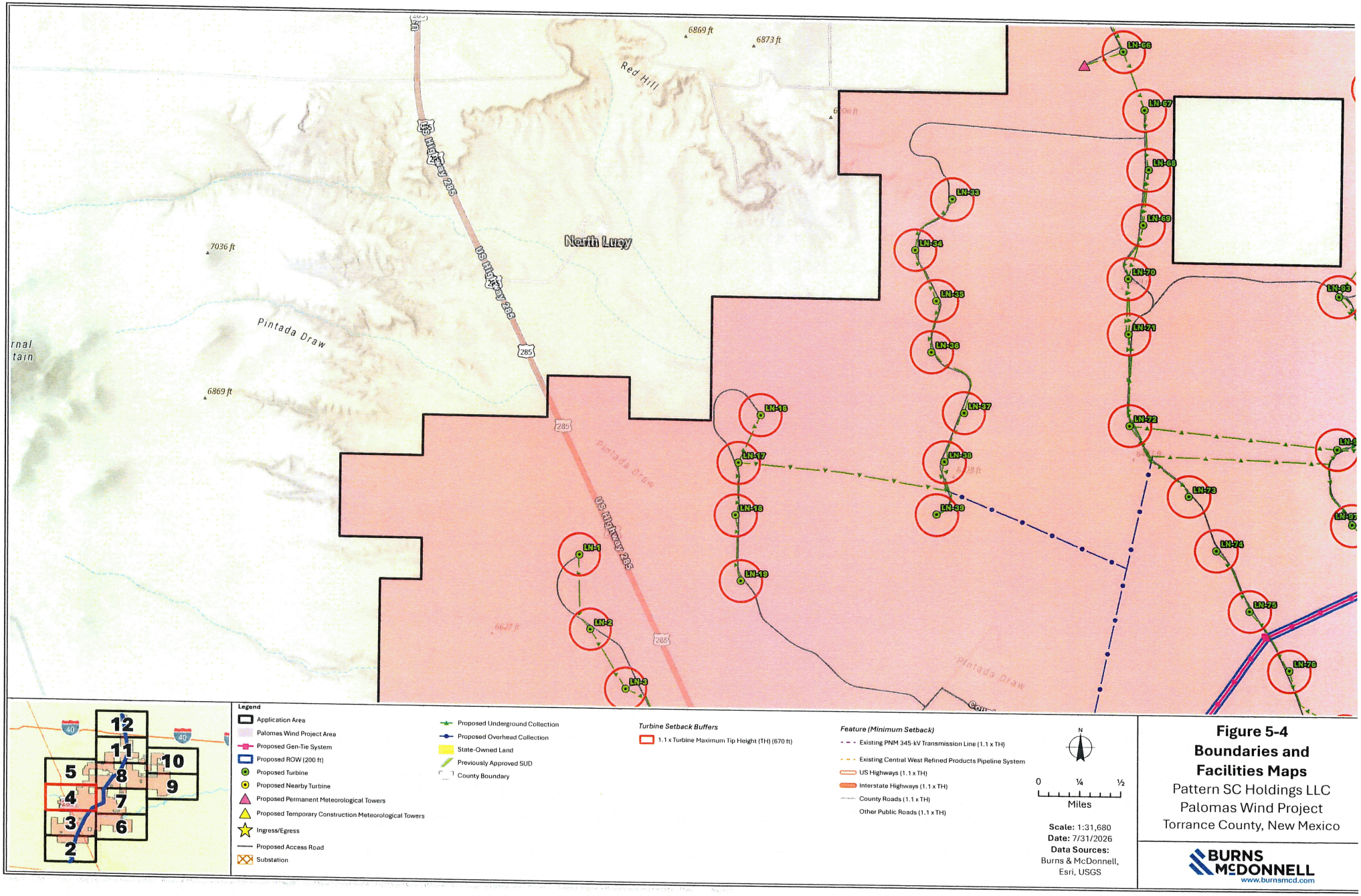


Figure 5-4
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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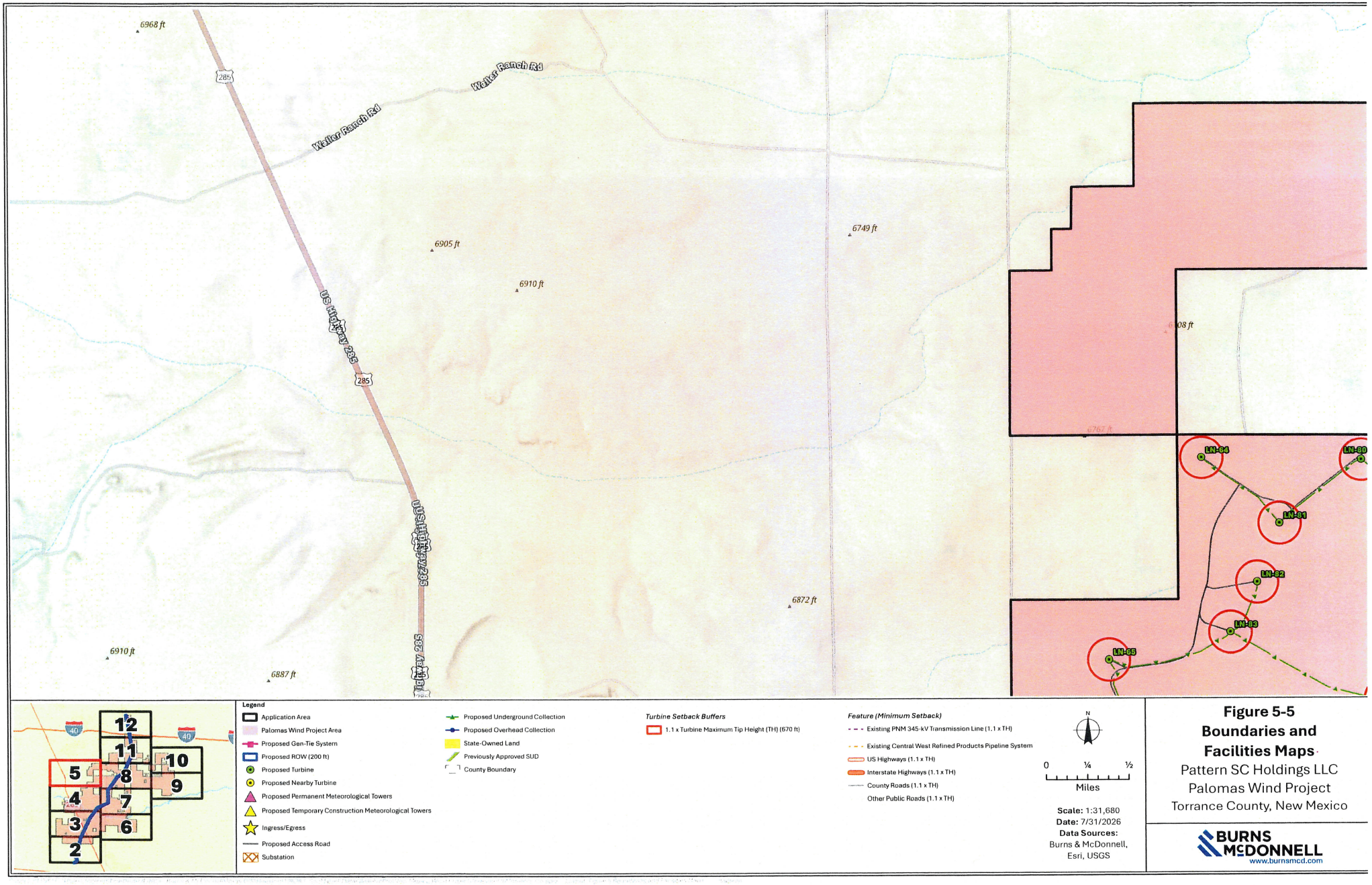


Figure 5-5
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

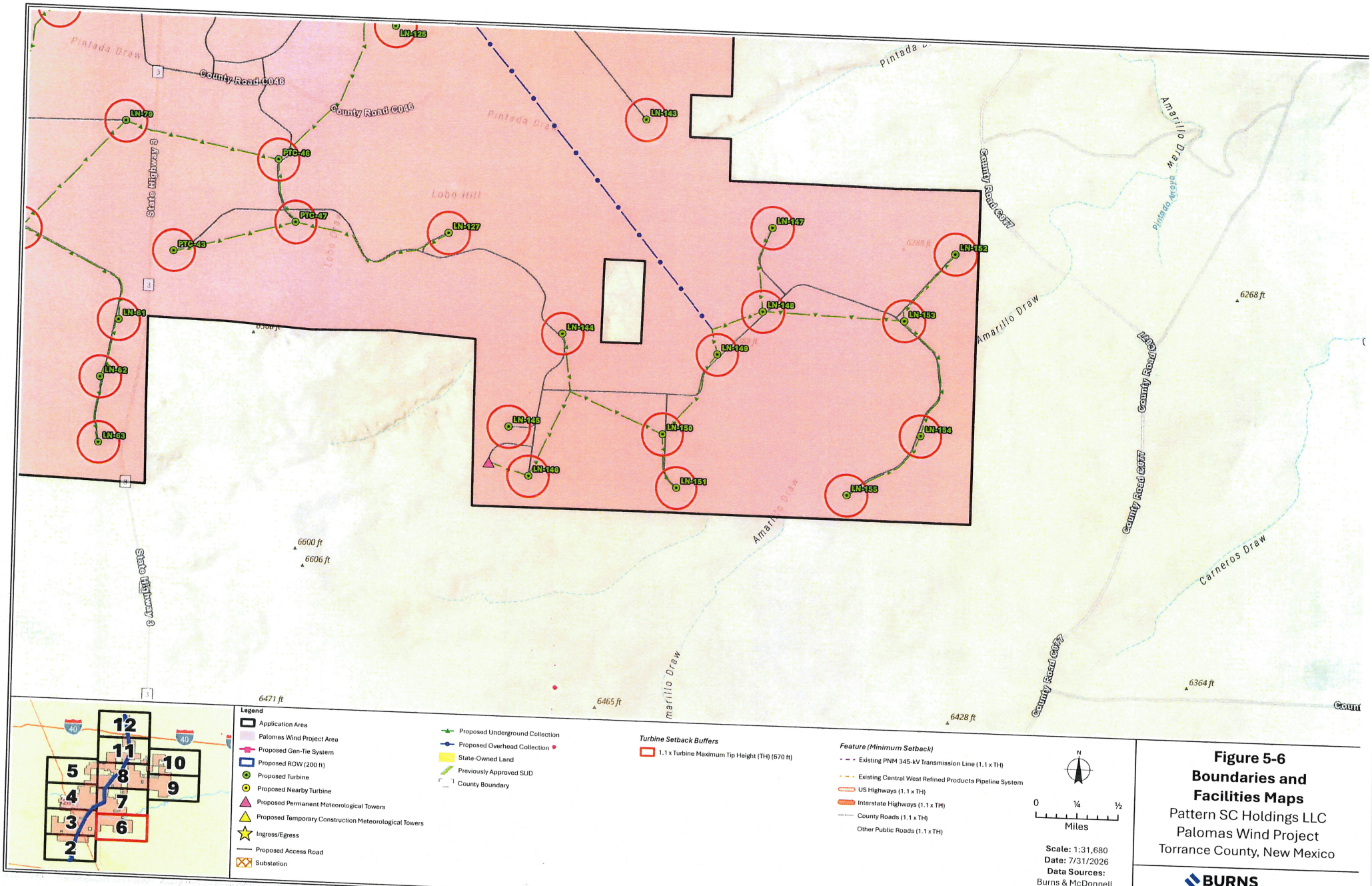


Figure 5-6
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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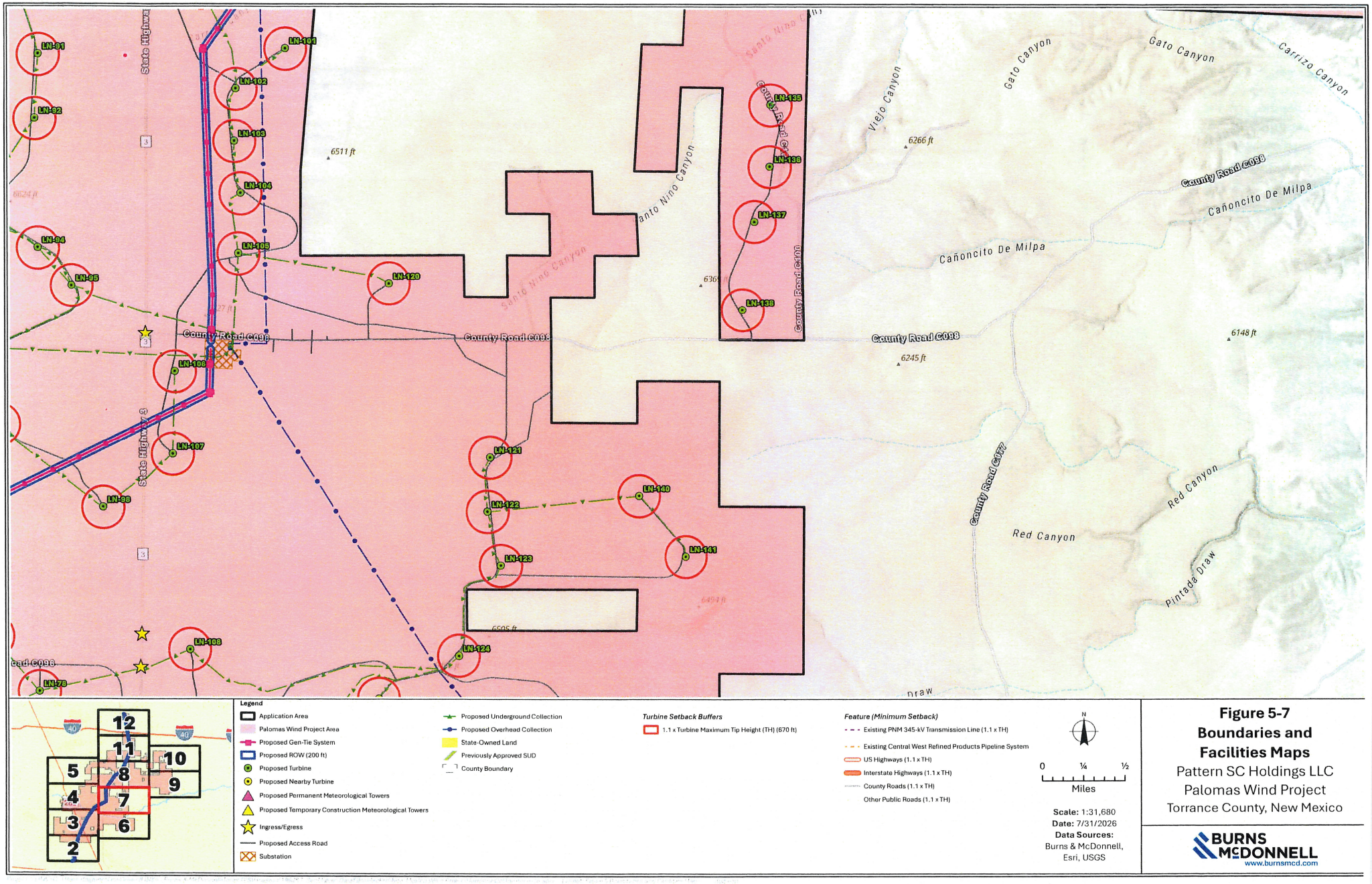


Figure 5-7
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS

BURNS McDONNELL
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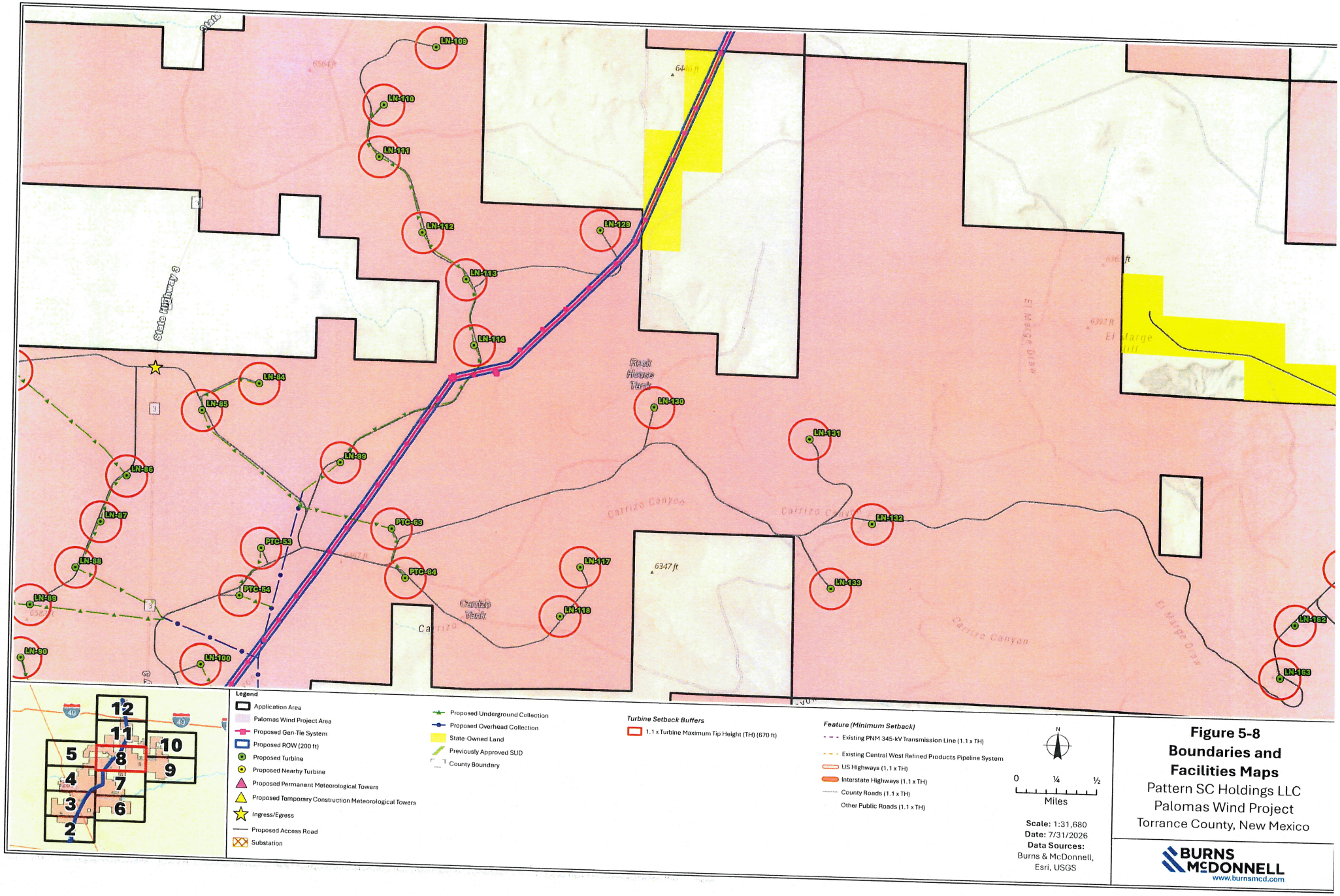


Figure 5-8
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

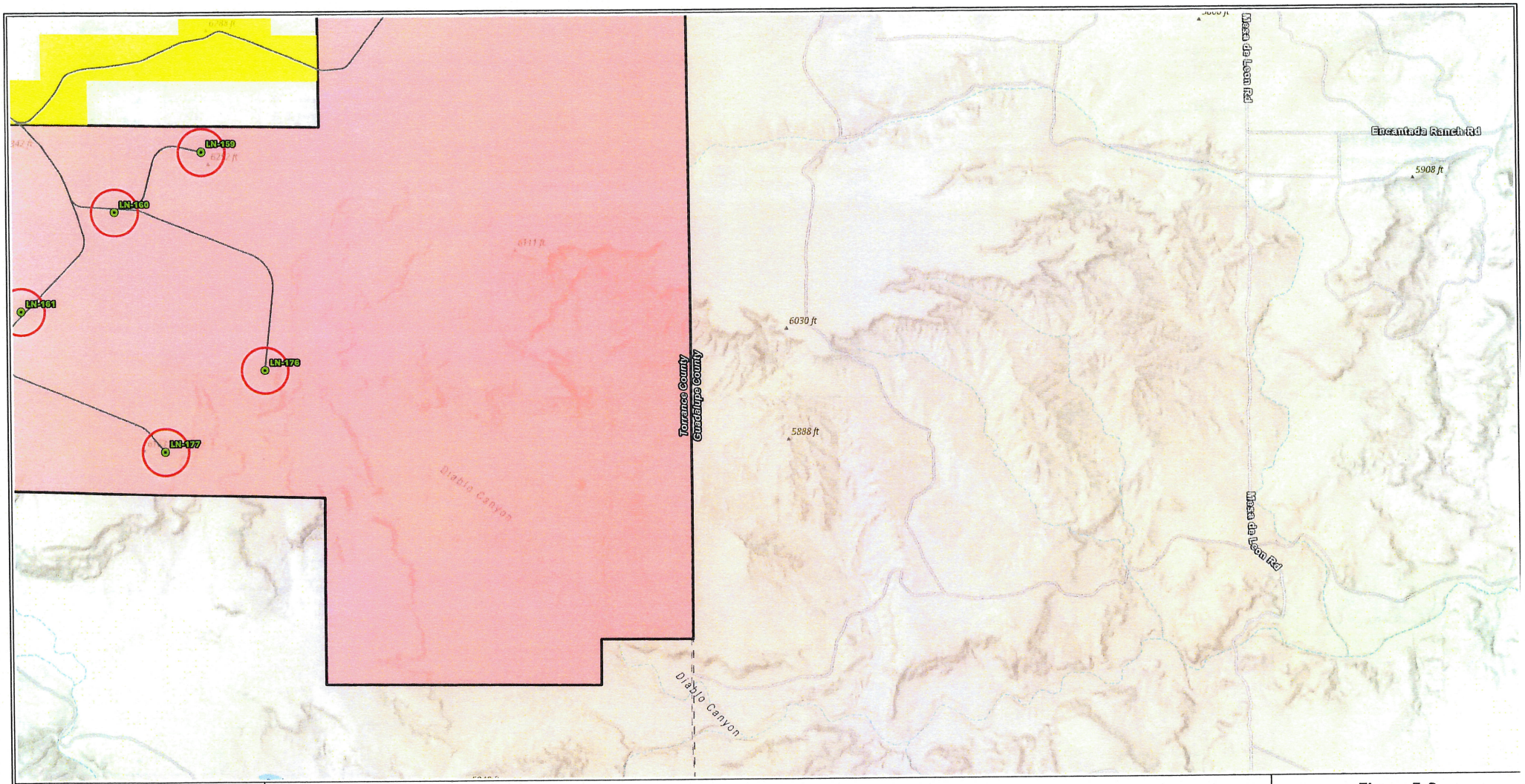


Figure 5-9
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

Scale: 1:31,680
Date: 7/31/2026
Data Sources:
Burns & McDonnell, Esri, USGS

BURNS McDONNELL
www.burnsmcd.com

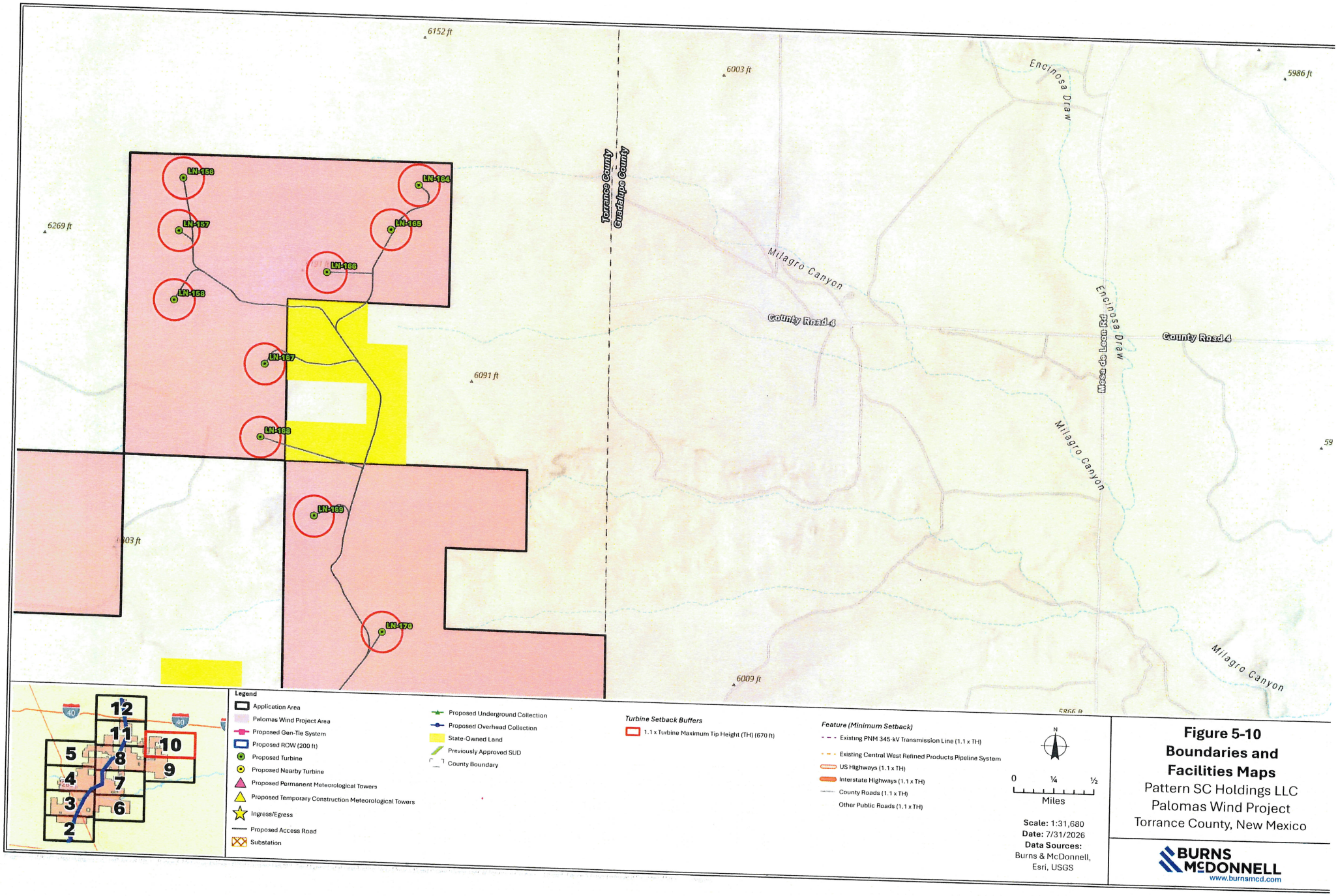


Figure 5-10
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

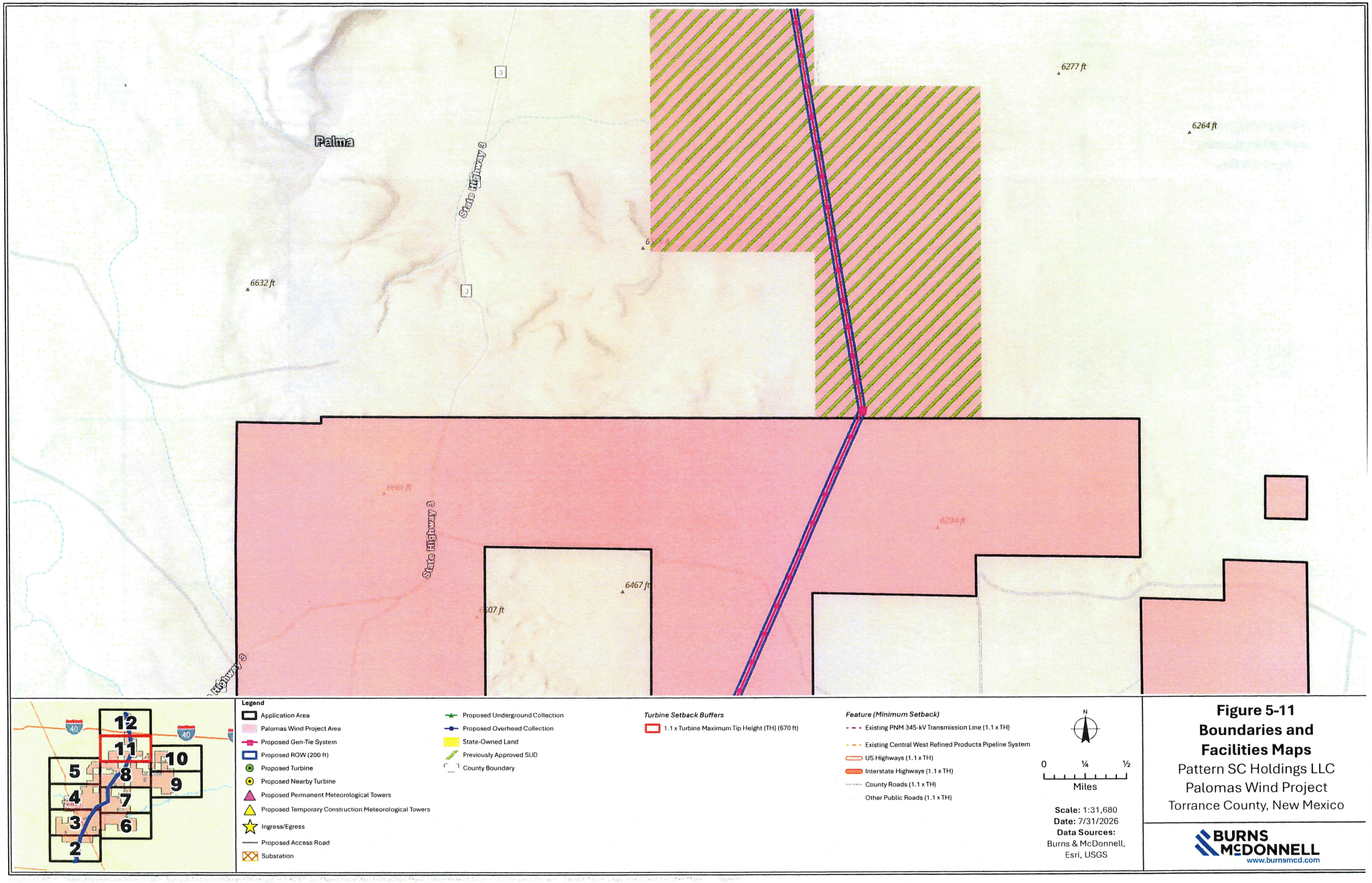
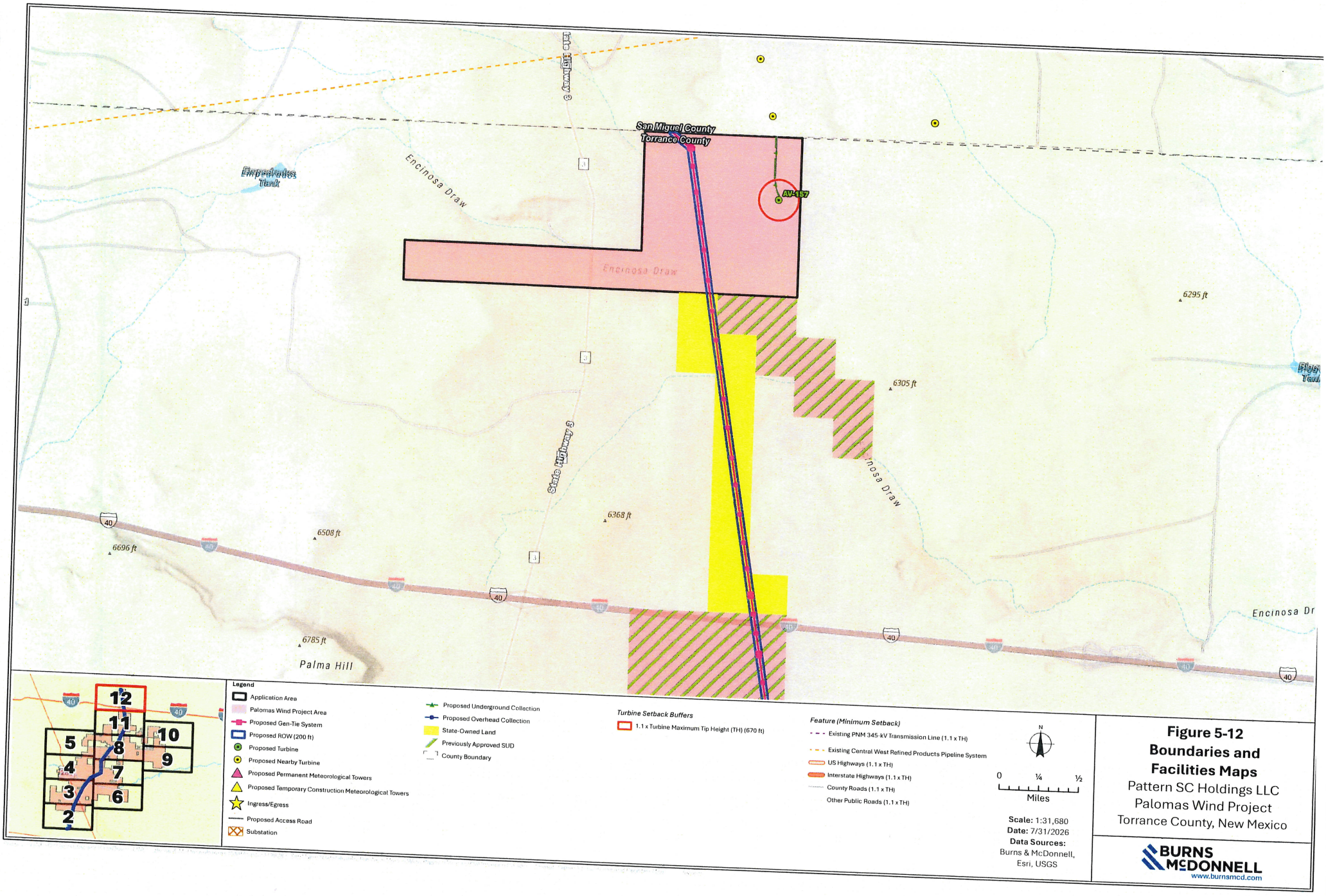


Figure 5-11
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
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San Miguel County
Torrance County
AV-157
Encinosa Draw
State Highway 3
Palma Hill
6295 ft
6305 ft
6368 ft
6508 ft
6696 ft
6785 ft
Encinosa Dr
Legend
Application Area
Palomas Wind Project Area
Proposed Gen-Tie System
Proposed ROW (200 ft)
Proposed Turbine
Proposed Nearby Turbine
Proposed Permanent Meteorological Towers
Proposed Temporary Construction Meteorological Towers
Ingress/Egress
Proposed Access Road
Substation
Proposed Underground Collection
Proposed Overhead Collection
State-Owned Land
Previously Approved SUD
County Boundary
Turbine Setback Buffers
1.1 x Turbine Maximum Tip Height (TH) (670 ft)
Feature (Minimum Setback)
Existing PNM 345-kV Transmission Line (1.1 x TH)
Existing Central West Refined Products Pipeline System
US Highways (1.1 x TH)
Interstate Highways (1.1 x TH)
County Roads (1.1 x TH)
Other Public Roads (1.1 x TH)
N
0 ¼ ½
Miles
Scale: 1:31,680
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS
Figure 5-12
Boundaries and Facilities Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico
BURNS McDONNELL
www.burnsmcd.com

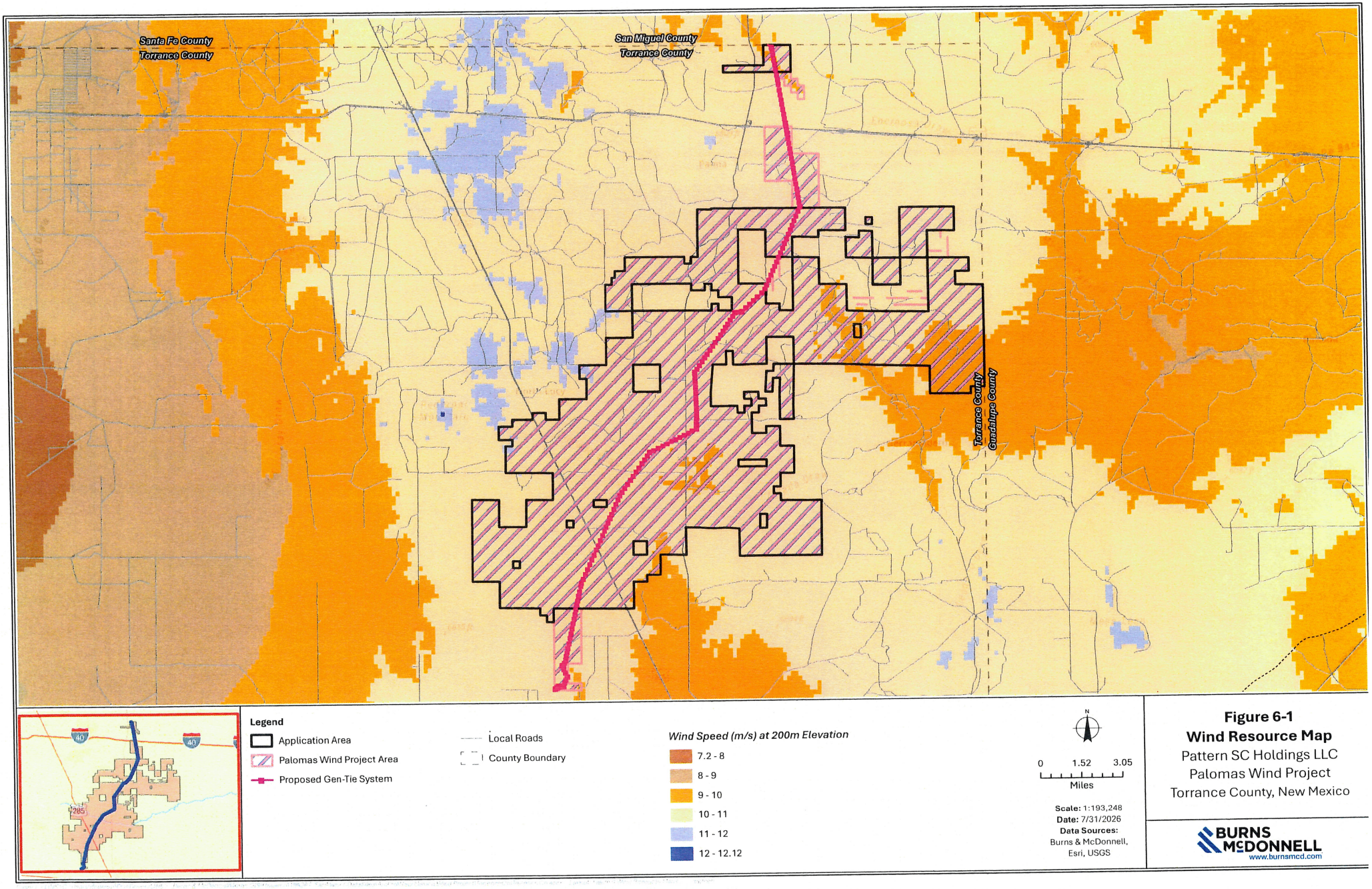


Figure 6-1
Wind Resource Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

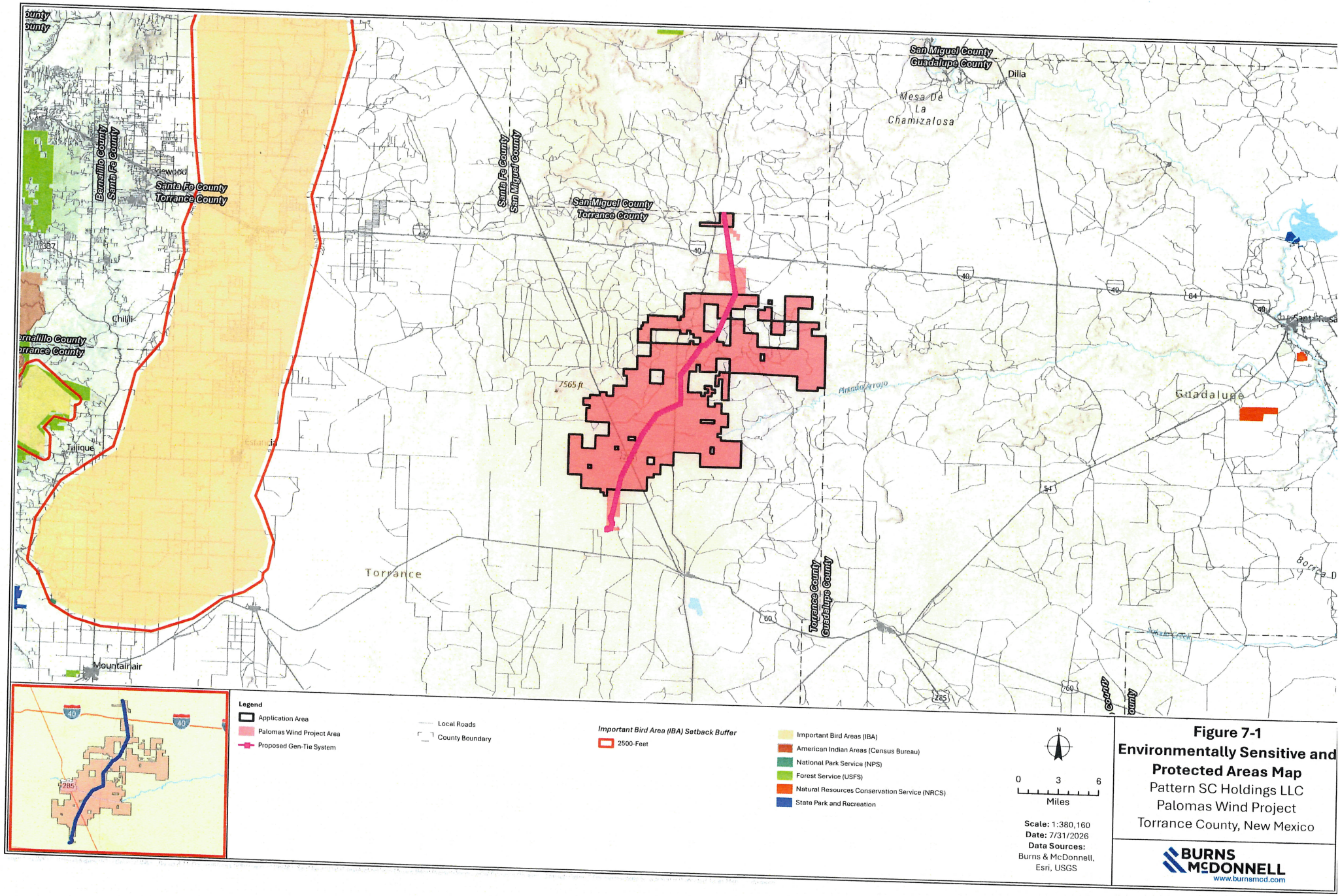


Figure 7-1
Environmentally Sensitive and Protected Areas Map
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

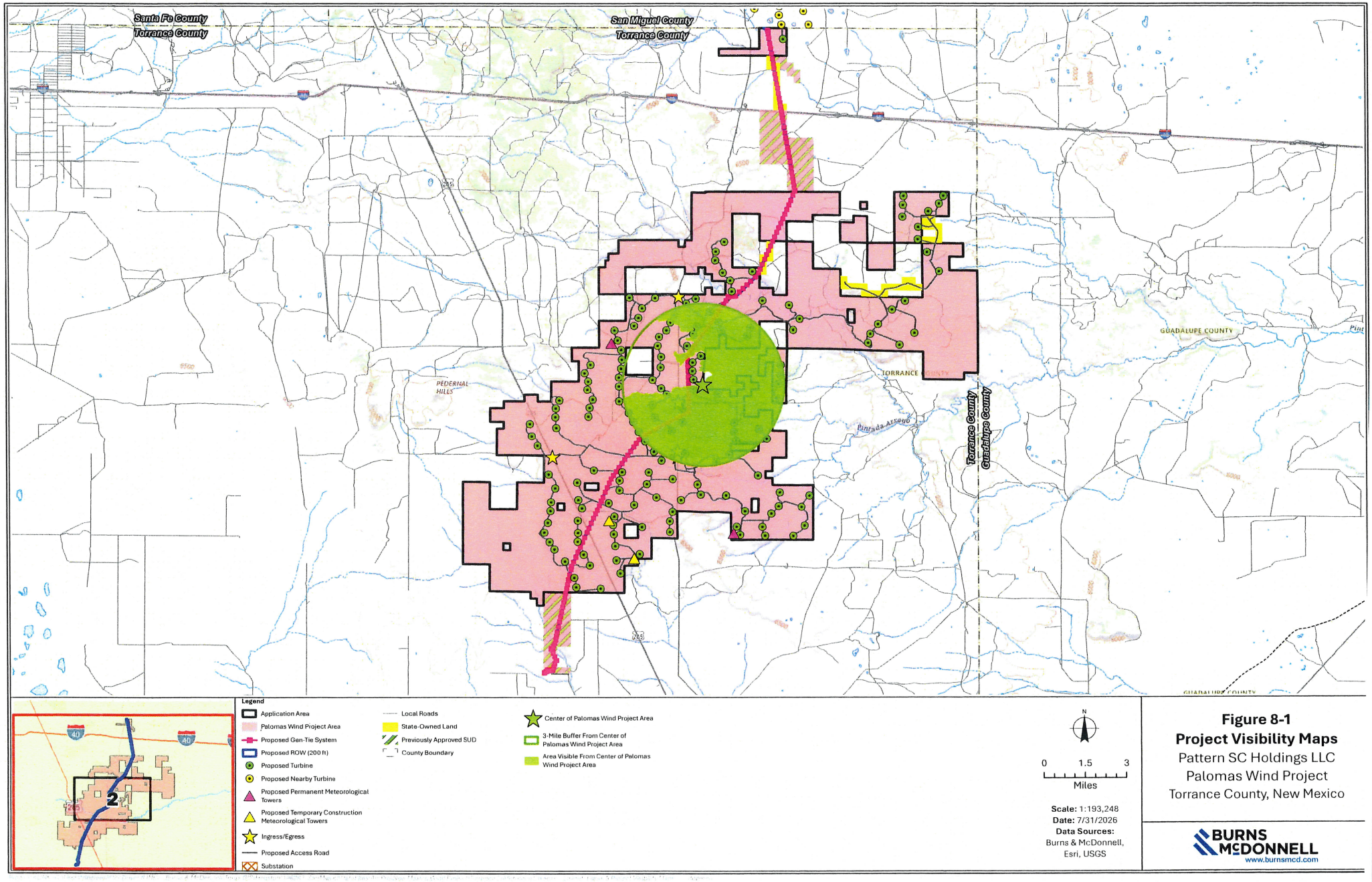


Figure 8-1
Project Visibility Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com



Scale: 1:48,000
Date: 7/31/2026
Data Sources: Burns & McDonnell, Esri, USGS

Figure 8-2
Project Visibility Maps
Pattern SC Holdings LLC
Palomas Wind Project
Torrance County, New Mexico

BURNS McDONNELL
www.burnsmcd.com

Exhibit B – Recorded Memoranda of Lease Agreements

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Gallinas Mountain Wind LLC
888 Westheimer Road, Suite 350
Houston, Texas 77006
Attn: Legal Real Estate

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3224
1 of 6
07/29/2025 09:42:43 AM
BY KEVIN

TORRANCE COUNTY SEAL CLERK STATE OF NEW MEXICO

PARTIAL ASSIGNMENT AND ASSUMPTION OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT

This **PARTIAL ASSIGNMENT AND ASSUMPTION OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT** (this "**Partial Assignment and Assumption**") is made effective as of the 25th day of July, 2025 (the "**Effective Date**"), by **GALLINAS MOUNTAIN WIND LLC**, a Delaware limited liability company, its successors and assigns (hereinafter "**Developer**"), whose mailing address is 1088 Sansome Street, San Francisco, CA 94111, Attn: General Counsel and **LOBO POWER LLC**, a Delaware limited liability company, its successors and assigns (hereinafter "**Assignee**") whose mailing address is 1088 Sansome Street, San Francisco, CA 94111, Attn: General Counsel with reference to the following recitals:

Recitals

WHEREAS, Singleton Properties LLC, a Delaware limited liability company ("**Owner**") and Developer (each a "**Party**" and collectively referred to herein as the "**Parties**") entered into that certain Option Agreement for Land Lease and Wind Easement dated November 21, 2024, (the "**Option Agreement**"), as evidenced of record by that certain Memorandum of Option Agreement for Land Lease and Wind Easement filed of record on August 27, 2004 as Document No. 2242099, in Book 358, Page 4193, Records of Torrance County, New Mexico (the "**Memorandum of Option**"), evidencing the real property described in the Option Agreement and described in the Memorandum of Option (collectively, the "**Option Property**");

WHEREAS, among other matters, the Option Agreement grants Developer the right to (i) undertake certain "Initial Work Activities" (as more particularly described therein) on the Option Property prior to Developer exercising its Option as to all or any of the Option Property and (ii) assign all or any part of the land covered by the Option Agreement to any affiliate of Developer (as described in the Option Agreement) without the necessity of obtaining Owner's consent thereto, all or any part of the Option Property described therein in accordance with the terms thereof (the "**Option**") on multiple occasions and as to such portions of the Option Property as Developer may choose, subject to the terms and limitations of the Option Agreement;

WHEREAS, the Option Agreement requires that the assignee of Developer of any portion of the Option Property enter into and place of record in the Official Records of each applicable county an assignment and assumption agreement whereby the assignee assumes the obligations included in the Option Agreement to the extent and limited to the portion of the Assigned Property so assigned to such assignee;

WHEREAS, Assignee is an affiliate of Developer; and

WHEREAS, Assignee has been and currently is developing its own renewable energy project on a portion of the Option Property;

NOW, THEREFORE, the Parties, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and intending to be legally bound by the following provisions, hereby agree as follows:

1. Developer hereby assigns to Assignee and Assignee hereby accepts the assignment from Developer of that portion of the Option Property described on Exhibit A attached hereto and made a part hereof (the **"Assigned Property")** subject to all of the requirements set forth in the Option Agreement with respect to the Assigned Property. From and after the Effective Date, the portions of the Option Property other than the Assigned Property shall remain held by Developer under the Option Agreement (including its rights, title, and interests thereunder), and the Option Property under the Option Agreement is hereby adjusted (and is deemed to be adjusted) so that the Assigned Property is no longer held by Developer.

2. Assignee hereby assumes the obligations of Developer relating to and in connection with such assignment of the Assigned Property, as set out in the Option Agreement, to the full extent of the Assigned Property.

3. This instrument shall be recorded by Developer or Assignee in the Official Records of Torrance County, New Mexico.

[Remainder of this page intentionally left blank]

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3225
2 of 6
07/29/2025 09:42:43 AM
BY KEVIN

IN WITNESS WHEREOF, Developer and Assignee have caused this Partial Assignment and Assumption to be duly executed and made effective as of the date first written above.

DEVELOPER:

GALLINAS MOUNTAIN WIND LLC,
a Delaware limited liability company

By:
Name: Blake Rasmussen
Title: Authorized Signatory

ASSIGNEE:

LOBO POWER LLC,
a Delaware limited liability company

By:
Name: Blake Rasmussen
Title: Vice President

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3226
3 of 6
07/29/2025 09:42:43 AM
BY KEVIN

STATE OF TEXAS §

COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me this 25th day of July, 2025, by Blake Rasmussen as Authorized Signatory of GALLINAS MOUNTAIN WIND LLC, a Delaware limited liability company, in the capacity therein stated and as act and deed of said limited liability company.

(NOTARY SEAL)

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Emily McClary Davis
Notary Public
Print Name: Emily McClary Davis

STATE OF TEXAS §

COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me this 25th day of July, 2025, by Blake Rasmussen as Vice President of LOBO POWER LLC a Delaware limited liability company, in the capacity therein stated and as act and deed of said limited liability company.

(NOTARY SEAL)

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Emily McClary Davis
Notary Public
Print Name: Emily McClary Davis

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3227
4 of 6
07/29/2025 09:42:43 AM
BY KEVIN

EXHIBIT A

Assigned Property

Township Identifier	Section	Description
6N13E	17	All
6N13E	18	All
6N13E	20	NWNE, SENE, NENE
6N13E	14	All
6N13E	15	All
6N13E	04	All
7N13E	02	All
7N13E	03	L1, L2, L3, L4, SWSE, NESE, SWNW, SENE, SESE, SENW, NESW, NWSE, SWNE, SESW
7N13E	08	SWSE, SESW
7N13E	09	SWSE, SESE, SWNE, SENE, SESW, SENW, NESE, NESW, NWSE
6N13E	10	All
7N13E	10	All
7N13E	11	All
7N13E	12	All
7N13E	13	All
7N13E	14	All
6N12E	01	All
6N13E	08	All
6N13E	03	All
7N13E	15	All
7N13E	17	All
6N13E	02	SENE, SWNE, NWSE, SWSE, L1, NESE, SESE
7N13E	18	NESE, SENE, SWNE, NENE, NWSE, NWNE, SESE, NESW, SWSE, SENW
6N13E	06	All
7N13E	19	NESE, NENW, NENE, SENW, NWNE, SENE, NESW, SESW, SWSE, SWNE, NWSE, SESE
7N13E	20	All
7N13E	21	All
7N13E	22	ALL LESS SESE OF THE NENE
7N13E	23	ALL LESS NENE OF THE SENE
6N13E	07	All
7N13E	24	All
6N13E	09	All
7N13E	25	All
7N13E	26	All
6N12E	12	All
7N13E	27	All
6N13E	05	All
7N12E	36	All
7N13E	28	All

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3228
5 of 6
07/29/2025 09:42:43 AM
BY KEVIN

7N14E	19	All
6N14E	06	All
6N13E	01	L4
7N13E	32	All
7N14E	18	All
7N13E	33	SESE, SWSW, NWSE, SESW, NENW, SENW, NWNW, SENE, NENE, SWNE, SWNW, NESE, NWSW, NWNE, NESW
7N13E	34	SWSE, NWSE, NESE, NESW, SWSW, SESE, SESW, SWNW, SWNE, SENW, NWSW, SENE, NWNW, NENW
7N14E	30	All
7N14E	06	All
7N14E	31	All
7N13E	35	All
7N14E	07	All

TORRANCE COUNTY
SYLVIA CHAVEZ, CLERK
002252156
Book 361 Page 3229
6 of 6
07/29/2025 09:42:43 AM
BY KEVIN

RECEIPT

Clerk
Torrance County Clerk
PO BOX 767
205 S Ninth Street
Estancia, NM 87016
Phone: (505) 544-4350

Billing Date	29 Jul 2025 09:46 AM
Billing ID	724783

Payment Type	Credit Card
Card #	XXXXXXXXXX0133
Customer Name	Angela Gonzales
Email	
Phone	(505) 629-6479
Address	- - 000
	-, -
Amount:	$25.00
Service Charge	**$1.95**
TOTAL	**$26.95**

Signature _____

Thank you for using OnePlatform
GovPros
400 Renaissance Center Dr.
Suite 2600
Detroit, MI 48243
2025 GovPros All Rights Reserved

DocuSign Envelope ID: 76E56E8A-A5AB-4943-B1FB-92C6D2A01FF4

ASSIGNMENT AND ASSUMPTION AGREEMENT FOR WIND LEASE OPTION AGREEMENTS

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT FOR WIND LEASE OPTION AGREEMENTS (this "Assignment") is made effective as of December 18, 2025 (the "Effective Date") by and between **SINGLETON PROPERTIES LLC**, a Delaware limited liability company ("Assignor"), and **AGUA VERDE RANCH, L.L.C.**, a New Mexico limited liability company (the "Agua Verde Assignee"); **CONCHAS RANCH, L.L.C.**, a New Mexico limited liability company (the "Conchas Assignee"); **LOBO LAND & CATTLE COMPANY, L.L.C.**, a New Mexico limited liability company (the "Lobo Assignee"); and **PECOS LAND & CATTLE COMPANY, L.L.C.**, a New Mexico limited liability company (the "Pecos Assignee", and collectively, the "Assignees").

RECITALS:

A. Assignor and Assignees are parties to that certain Purchase and Sale Agreement dated effective as of August 5, 2025, as amended, related to the sale and assignment of six (6) New Mexico ranches together with certain appurtenances and personal property associated therewith (collectively, the "Ranches").

B. In that regard, Assignor has agreed to assign to each of the Assignees as designated below, and each of such Assignees has agreed to assume from Assignor, Assignor's interest in and to certain Wind Lease Option Agreements (defined below) associated with four (4) of the Ranches, as more particularly set forth hereinbelow.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. ***Assignment***. Assignor hereby assigns to each of the Assignees designated below all of Assignor's interest in and to the following "Wind Lease Option Agreements":

(a) That certain Option Agreement for Land Lease and Wind Easement – Agua Verde dated August 26, 2024, as amended by that certain First Amendment to Option Agreement for Land Lease and Wind Easement dated October 15, 2025, between Assignor and Gallinas Mountain Wind LLC ("Gallinas") to the Agua Verde Assignee;

(b) That certain Option Agreement for Land Lease and Wind Easement – Lobo dated August 26, 2024, between Assignor and Gallinas, as amended by that certain First Amendment to Option Agreement for Land Lease and Wind Easement dated October 15, 2025, between Assignor and Gallinas and Lobo Power LLC to the Lobo Assignee;

(c) That certain Option Agreement for Land Lease and Wind Easement – Pecos dated November 21, 2024, between Assignor and Gallinas to the Pecos Assignee; and

(d) That certain Option Agreement for Land Lease and Wind Easement – Conchas dated November 21, 2024, between Assignor and Gallinas to the Conchas Assignee.

2. ***Assumption***. Each of the Assignees hereby accepts, assumes, and agrees to perform and discharge all of the duties, liabilities and obligations of Assignor under the Wind Lease Option Agreements arising from and after the Effective Date, and expressly agrees to be responsible for the performance thereof.

3. ***Proration and Allocation of Payments***. Assignor and Assignees acknowledge and agree that, as a result of this Assignment, all payments made or to be made by Gallinas for the time periods from August 26, 2024 through November 20, 2026 under the Wind Lease Option Agreements shall be prorated and allocated between Assignor and Assignees, as applicable, in accordance with the calculations set forth in the spreadsheet attached hereto as Exhibit A (which is incorporated herein by this reference).

4. ***Counterparts***. This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, but all of which together will constitute but one instrument. Signed copies or counterparts transmitted by facsimile or electronically (including without limitation execution and/or delivery via DocuSign or other electronic signature and delivery method) shall be treated and accepted as originals.

5. ***Successors and Assigns***. This Assignment shall be binding upon and inure to the benefit of Assignor, Assignee, and their respective successors and assigns.

6. ***Governing Law***. This Assignment shall be governed by and construed in accordance with the laws of the State of New Mexico, without regard to its choice of law principles.

– No Further Text on this Page –

usign Envelope ID: 76E56E8A-A5AB-4943-B1FB-92C6D2A01FF4

IN WITNESS WHEREOF, this Assignment and Assumption Agreement for Wind Lease Option Agreements has been executed and made effective as of the Effective Date.

ASSIGNOR:

SINGLETON PROPERTIES LLC,
a Delaware limited liability company

Signed by:
By: Christina Singleton
B2FF51B2193D4ED...
Christina Singleton, Manager

Signed by:
By: William W. Singleton
36B48C31CA03435...
William W. Singleton, Manager

ASSIGNEES:

AGUA VERDE RANCH, L.L.C.,
a New Mexico limited liability company

DocuSigned by:
By: John Sam Connolly
F32389747254450...
John Sam Connolly, Authorized Person

LOBO LAND & CATTLE COMPANY, L.L.C.,
a New Mexico limited liability company

DocuSigned by:
By: John Sam Connolly
F32389747254450...
John Sam Connolly, Authorized Person

CONCHAS RANCH, L.L.C.,
a New Mexico limited liability company

DocuSigned by:
By: John Sam Connolly
F32389747254450...
John Sam Connolly, Authorized Person

PECOS LAND & CATTLE COMPANY, L.L.C.,
a New Mexico limited liability company

DocuSigned by:
By: John Sam Connolly
F32389747254450...
John Sam Connolly, Authorized Person

GALLINAS ACKNOWLEDGMENT:

The undersigned hereby acknowledge as of the Effective Date that the undersigned have reviewed and they accept the provisions of the foregoing Assignment between Assignor and each of the Assignees. In this regard, the undersigned hereby recognize the Assignees as the successors to "Owner" under the Wind Lease Option Agreements as of the Effective Date.

GALLINAS MOUNTAIN WIND LLC,
a Delaware limited liability company

DocuSigned by:
By: Blake Rasmussen
DF16B25ED575404...
Name: Blake Rasmussen
Title: Authorized Signatory

LOBO POWER LLC,
a Delaware limited liability company

DocuSigned by:
By: Blake Rasmussen
DF16B25ED575404...
Name: Blake Rasmussen
Title: Vice President

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261553
Book 364 Page 1619
1 of 7
06/15/2026 04:27:10 PM
BY JANELLE

WHEN RECORDED, RETURN TO:

Palomas Power LLC
888 Westheimer Road, Suite 350
Houston, Texas 77006
Attn: Real Estate Legal Department

(Space above this line for Recorder's use only)

MEMORANDUM OF AGREEMENT AND OPTION TO PURCHASE AN EASEMENT

This MEMORANDUM OF OPTION TO PURCHASE AN EASEMENT (this "**Memorandum**") is made as of the Option Effective Date (defined below), by and between **McKENZIE LAND & LIVESTOCK COMPANY**, a New Mexico corporation ("**Grantor**"), whose address is HC 30 Box 57, Encino, New Mexico 88321, and **PALOMAS POWER LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 1088 Sansome Street, San Franscisco, California 94111, Attention: General Counsel. Grantee and Grantor are also referred to herein individually as a "**Party**" and collectively as the "**Parties**".

RECITALS

A. Grantor owns that certain real property located in Torrance County, New Mexico, that is legally described on **Exhibit A** attached hereto and made a part hereof for all purposes ("**Grantor's Property**").

B. The Parties have entered into that certain Agreement and Option to Purchase an Easement (the "**Option Agreement**") dated effective June 15, 2026 (the "**Option Effective Date**"), pursuant to which Grantor granted to Grantee an option for a permanent easement and right of way over, under, in, across, upon and through Grantor's Property, for the purpose of constructing and operating a high voltage electrical transmission and communication lines and all appurtenant facilities as further described herein and in the Option Agreement, including all appurtenant facilities, rights and interests related thereto (collectively, the "**Transmission Project**").

C. The Parties have entered into and are recording this Memorandum in the real property records of Torrance County, New Mexico (the "**Official Records**"), in order to provide constructive notice to third parties of the Option Agreement, certain of Grantee's rights under said Option Agreement and certain of its rights in and to Grantor's Property.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLE
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Book 364 Page 1620
2 of 7
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BY JANELLE

NOW, THEREFORE, in consideration of mutual covenants contained in the Option Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree and stipulate as follows:

1. Certain Defined Terms. Each defined term used in this Memorandum but not defined herein shall have the meaning given to such term in the Option Agreement.

2. Grant of Easement Option. Subject to the terms and conditions more particularly set forth in the Option Agreement, Grantor has granted and hereby does grant to Grantee the option to acquire all or any portion of the following easements:

A. a permanent easement and right of way (the "**Easement**") being two hundred feet (200') wide on, over, under, in, across, upon and through Grantor's Property in the approximate location depicted in the Option Agreement (the "**Easement Area**") to install, construct, own, use, operate, maintain, repair, replace, relocate, reconstruct, modify, add, upgrade, enlarge, remove and/or access a high voltage (not to exceed 345kV) electrical transmission line and foundations, footings, poles, lattice structures, cross-arms, conductors, guy lines and all other appurtenant facilities, fixtures and equipment necessary for the installation, construction, ownership, use, operation, maintenance, repair, replacement, relocation, reconstruction, modification, addition, upgrade, enlargement (but not to exceed 345kV), and/or removal of such transmission line, including above and below ground cable, fiber optic cable and wires and appurtenant equipment and fixtures for communication uses, including for third party use and colocation (collectively, the "**Transmission Line**"). The approximate location of the Easement Area shown in the Option Agreement is a general depiction, and the more precise location of same shall be determined by Grantee based on its certified land survey and will be more particularly described in the Notice of Exercise (as defined in Section 6 below).

B. In the event that Grantee determines it is necessary, advisable, prudent or convenient to access the Easement Area via any route through Grantor's Property that is outside of the Easement Area, Grantor and Grantee shall enter into a mutually agreed upon access easement agreement, which shall include compensation to Grantor for a permanent access easement and the location(s) of such access easement area(s). The Parties shall cooperate in good-faith, each acting reasonably, in negotiating any such access easement agreement.

C. In the event that Grantee determines it is necessary, advisable, prudent or convenient to use a portion of Grantor's Property adjacent to and/or adjoining the Easement Area as temporary construction areas (including for pulling and tensioning sites), Grantor and Grantee shall enter into a mutually agreed upon temporary construction easement or license agreement, which shall include compensation to Grantor for a temporary construction easement or license and the location(s) of such temporary construction area(s). The Parties shall cooperate in good-faith, each acting reasonably, in negotiating any such temporary agreement.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261553
Book 364 Page 1621
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06/15/2026 04:27:10 PM
BY JANELLE

3. Option. Pursuant to the Option Agreement, Grantor granted Grantee the option ("**Option**") to purchase the Easement, at any time and from time to time, during the Option Term (defined in Section 4 below). If purchased, the Easement and all rights and obligations with respect to said Easement shall be governed by the terms and provisions of the easement agreement attached to the Option Agreement as Exhibit C (the "**Easement Agreement**").

4. Option Term. The Option Agreement and the Option granted thereunder are effective as of the Option Effective Date and shall, if not exercised or the Option Agreement is not otherwise terminated, continue for a period of up to seven (7) years (inclusive of an extension term) (the "**Option Term**").

5. Exercise of Option. Pursuant to the Option Agreement, Grantee may exercise the Option to acquire the Easement at any time on or before the expiration date of the Option Term by signing and recording in the Official Records a "Notice of Exercise of Option" in the form attached to the Option Agreement (the "**Notice of Exercise**"). Upon such recording of the Notice of Exercise, the Easement set forth in the Easement Agreement and all other rights, obligations and other provisions set forth therein shall become immediately effective and binding upon Grantor, Grantee and the Easement Area described in the Notice of Exercise, without any further act or action of either Party being required. If the legal description or location of the Easement Area changes due to conditions, construction requirements or terrain encountered after the Notice of Exercise is filed in the Official Records, then, on or before the date that an energy project for which the Transmission Line was built is connected to said project and has commenced delivering commercial quantities of electrical energy (other than test quantities) for transmission to the electrical grid, Grantee will execute and file of record an amendment or correction to the Notice of Exercise and shall provide a recorded copy of same to Grantor.

6. Right of Entry. During the Option Term, Grantor granted Grantee and its affiliates, employees, agents, consultants, contractors, subcontractors, suppliers, vendors and invitees (collectively, the "**Project Consultants**") the right to enter Grantor's Property in order to conduct or perform surveys of any type (including, but not limited to, land, archeological, cultural, and biological surveys), engineering and feasibility studies, geotechnical studies, borings, and other evaluations, inspections and investigations that Grantee or any of the Project Consultants deems necessary or desirable, in its or their sole discretion, in connection with the Transmission Project.

7. Subordination. If on or after the Option Effective Date Grantor enters into any mortgage or other security interest encumbering Grantor's Property, said mortgage or other security interest shall be subordinate to the Option Agreement and any potential Easement Agreement, and all rights and interests of Grantee in same, and shall recognize (i) the validity of the Option Agreement in the event of a foreclosure of Grantor's interest and (ii) Grantee's right to remain in occupancy of and have access to the Grantor's Property as long as Grantee is not in default of this Option Agreement or the Easement Agreement beyond all cure periods.

8. Third Party Land Agreements. Pursuant to the Option Agreement, Grantor shall not grant any other options and/or easements or leases in Grantor's Property to third parties without Grantee's prior written consent, which will not be unreasonably withheld (but in the event any

such options and/or easements or leases are for any renewable energy generation or storage project or any electrical transmission or collection lines or facilities related to any of the foregoing, including access, Grantee may withhold its consent in its sole discretion). The foregoing consent and other requirements shall not apply to any such grant to any affiliate of Grantor.

9. Oil and Gas Exploration and Production. Any oil, gas, mineral and/or mining lease or renewal and/or extension of any existing oil, gas, mineral and/or mining lease, option to lease, seismic permit, or any other agreement relating to oil, gas and/or other minerals made by Grantor on or after the Option Effective Date shall expressly refer to the Option Agreement and the potential Easement Agreement and shall require the other party thereto to enter into a surface use agreement with Grantee in a form acceptable to Grantee in its sole discretion.

10. Real Property Interest; Successors. Grantee and Grantor agree that the Option Agreement and the Option granted therein create real property interests in Grantor's Property and are encumbrances upon Grantor's Property that touch and concern the land, are covenants running with the land, and are binding upon Grantor's Property and Grantor and its successors and assigns and shall inure to the benefit of each Party and its respective successors and assigns.

11. Miscellaneous. Notwithstanding anything to the contrary contained herein, the provisions of this Memorandum do not in any way alter, amend, supplement, change or affect the terms, covenants or conditions of the Option Agreement, all of which terms, covenants and conditions are in full force and effect. In the event of any conflict between the terms of this Memorandum and the Option Agreement, the terms of the Option Agreement shall control. The Option Agreement and this Memorandum shall be interpreted in accordance with the laws of New Mexico, without regards to conflicts of law principles. This instrument may be executed in any number of original counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

[Signature and Acknowledgment Pages Follow this Page]

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261553
Book 364 Page 1623
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BY JANELLE

IN WITNESS WHEREOF, Grantor and Grantee have executed this Memorandum effective as of the Option Effective Date.

GRANTOR:

McKENZIE LAND & LIVESTOCK COMPANY,
a New Mexico corporation

By: _____

Name: _____

Title: _____

STATE OF New Mexico

COUNTY OF Torrance

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 3rd, 2026, by Kendall McKenzie, as President of McKENZIE LAND & LIVESTOCK, a New Mexico corporation, on behalf of said entity.

[NOTARY SEAL]

Signature: _____
Print Name: KATHRYN AYRE
NOTARY PUBLIC in and for the
State of New Mexico

State of New Mexico
Notary Public
Kathryn Ayre
Commission Number 1091121
Expiration Date 8/12/2029

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERI
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Book 364 Page 1624
6 of 7
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BY JANELLE

GRANTEE:

PALOMAS POWER LLC,
a Delaware limited liability company

By: _____

Name: Lauren Haller

Title: Vice President

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 15, 2026, by Lauren Haller, as Vice President of PALOMAS POWER LLC, a Delaware limited liability company, on behalf of said entity.

[NOTARY SEAL]

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Signature: Emily McClary-Davis
Print Name: Emily McClary-Davis
NOTARY PUBLIC in and for the State of Texas

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261553
Book 364 Page 1625
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06/15/2026 04:27:10 PM
BY JANELLE

EXHIBIT A
to Memorandum

Legal Description of Grantor's Property

Township 9 North, Range 14 East, N.M.P.M., Torrance County, New Mexico

Section 23: All
Section 25: All
Section 26: All
Section 36: All

WHEN RECORDED, RETURN TO:

Palomas Power LLC
888 Westheimer Road, Suite 350
Houston, Texas 77006
Attn: Real Estate Legal Department

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261551
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1 of 7
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BY JANELLE

(Space above this line for Recorder's use only)

MEMORANDUM OF AGREEMENT AND OPTION TO PURCHASE AN EASEMENT

This MEMORANDUM OF OPTION TO PURCHASE AN EASEMENT (this "**Memorandum**") is made as of the Option Effective Date (defined below), by and between **TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON**, a single man ("**Grantor**"), whose address is PO Box Moriarity, New Mexico 87035, and **PALOMAS POWER LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 1088 Sansome Street, San Franscisco, California 94111, Attention: General Counsel. Grantee and Grantor are also referred to herein individually as a "**Party**" and collectively as the "**Parties**".

RECITALS

A. Grantor owns that certain real property located in Torrance County, New Mexico, that is legally described on **Exhibit A** attached hereto and made a part hereof for all purposes ("**Grantor's Property**").

B. The Parties have entered into that certain Agreement and Option to Purchase an Easement (the "**Option Agreement**") dated effective June 15, 2026 (the "**Option Effective Date**"), pursuant to which Grantor granted to Grantee an option for a permanent easement and right of way over, under, in, across, upon and through Grantor's Property, for the purpose of constructing and operating a high voltage electrical transmission and communication lines and all appurtenant facilities as further described herein and in the Option Agreement, including all appurtenant facilities, rights and interests related thereto (collectively, the "**Transmission Project**").

C. The Parties have entered into and are recording this Memorandum in the real property records of Torrance County, New Mexico (the "**Official Records**"), in order to provide constructive notice to third parties of the Option Agreement, certain of Grantee's rights under said Option Agreement and certain of its rights in and to Grantor's Property.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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Book 364 Page 1607
2 of 7
06/15/2026 04:25:36 PM
BY JANELLE

NOW, THEREFORE, in consideration of mutual covenants contained in the Option Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree and stipulate as follows:

1. Certain Defined Terms. Each defined term used in this Memorandum but not defined herein shall have the meaning given to such term in the Option Agreement.

2. Grant of Easement Option. Subject to the terms and conditions more particularly set forth in the Option Agreement, Grantor has granted and hereby does grant to Grantee the option to acquire all or any portion of the following easements:

A. a permanent easement and right of way (the "**Easement**") being two hundred feet (200') wide on, over, under, in, across, upon and through Grantor's Property in the approximate location depicted in the Option Agreement (the "**Easement Area**") to install, construct, own, use, operate, maintain, repair, replace, relocate, reconstruct, modify, add, upgrade, enlarge, remove and/or access a high voltage (not to exceed 345kV) electrical transmission line and foundations, footings, poles, lattice structures, cross-arms, conductors, guy lines and all other appurtenant facilities, fixtures and equipment necessary for the installation, construction, ownership, use, operation, maintenance, repair, replacement, relocation, reconstruction, modification, addition, upgrade, enlargement (but not to exceed 345kV), and/or removal of such transmission line, including above and below ground cable, fiber optic cable and wires and appurtenant equipment and fixtures for communication uses, including for third party use and colocation (collectively, the "**Transmission Line**"). The approximate location of the Easement Area shown in the Option Agreement is a general depiction, and the more precise location of same shall be determined by Grantee based on its certified land survey and will be more particularly described in the Notice of Exercise (as defined in Section 6 below).

B. In the event that Grantee determines it is necessary, advisable, prudent or convenient to access the Easement Area via any route through Grantor's Property that is outside of the Easement Area, Grantor and Grantee shall enter into a mutually agreed upon access easement agreement, which shall include compensation to Grantor for a permanent access easement and the location(s) of such access easement area(s). The Parties shall cooperate in good-faith, each acting reasonably, in negotiating any such access easement agreement.

C. In the event that Grantee determines it is necessary, advisable, prudent or convenient to use a portion of Grantor's Property adjacent to and/or adjoining the Easement Area as temporary construction areas (including for pulling and tensioning sites), Grantor and Grantee shall enter into a mutually agreed upon temporary construction easement or license agreement, which shall include compensation to Grantor for a temporary construction easement or license and the location(s) of such temporary construction area(s). The Parties shall cooperate in good-faith, each acting reasonably, in negotiating any such temporary agreement.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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BY JANELLE

3. Option. Pursuant to the Option Agreement, Grantor granted Grantee the option ("**Option**") to purchase the Easement, at any time and from time to time, during the Option Term (defined in Section 4 below). If purchased, the Easement and all rights and obligations with respect to said Easement shall be governed by the terms and provisions of the easement agreement attached to the Option Agreement as Exhibit C (the "**Easement Agreement**").

4. Option Term. The Option Agreement and the Option granted thereunder are effective as of the Option Effective Date and shall, if not exercised or the Option Agreement is not otherwise terminated, continue for a period of up to seven (7) years (inclusive of an extension term) (the "**Option Term**").

5. Exercise of Option. Pursuant to the Option Agreement, Grantee may exercise the Option to acquire the Easement at any time on or before the expiration date of the Option Term by signing and recording in the Official Records a "Notice of Exercise of Option" in the form attached to the Option Agreement (the "**Notice of Exercise**"). Upon such recording of the Notice of Exercise, the Easement set forth in the Easement Agreement and all other rights, obligations and other provisions set forth therein shall become immediately effective and binding upon Grantor, Grantee and the Easement Area described in the Notice of Exercise, without any further act or action of either Party being required. If the legal description or location of the Easement Area changes due to conditions, construction requirements or terrain encountered after the Notice of Exercise is filed in the Official Records, then, on or before the date that an energy project for which the Transmission Line was built is connected to said project and has commenced delivering commercial quantities of electrical energy (other than test quantities) for transmission to the electrical grid, Grantee will execute and file of record an amendment or correction to the Notice of Exercise and shall provide a recorded copy of same to Grantor.

6. Right of Entry. During the Option Term, Grantor granted Grantee and its affiliates, employees, agents, consultants, contractors, subcontractors, suppliers, vendors and invitees (collectively, the "**Project Consultants**") the right to enter Grantor's Property in order to conduct or perform surveys of any type (including, but not limited to, land, archeological, cultural, and biological surveys), engineering and feasibility studies, geotechnical studies, borings, and other evaluations, inspections and investigations that Grantee or any of the Project Consultants deems necessary or desirable, in its or their sole discretion, in connection with the Transmission Project.

7. Subordination. If on or after the Option Effective Date Grantor enters into any mortgage or other security interest encumbering Grantor's Property, said mortgage or other security interest shall be subordinate to the Option Agreement and any potential Easement Agreement, and all rights and interests of Grantee in same, and shall recognize (i) the validity of the Option Agreement in the event of a foreclosure of Grantor's interest and (ii) Grantee's right to remain in occupancy of and have access to the Grantor's Property as long as Grantee is not in default of this Option Agreement or the Easement Agreement beyond all cure periods.

8. Third Party Land Agreements. Pursuant to the Option Agreement, Grantor shall not grant any other options and/or easements or leases in Grantor's Property to third parties without Grantee's prior written consent, which will not be unreasonably withheld (but in the event any

such options and/or easements or leases are for any renewable energy generation or storage project or any electrical transmission or collection lines or facilities related to any of the foregoing, including access, Grantee may withhold its consent in its sole discretion). The foregoing consent and other requirements shall not apply to any such grant to any affiliate of Grantor.

9. Oil and Gas Exploration and Production. Any oil, gas, mineral and/or mining lease or renewal and/or extension of any existing oil, gas, mineral and/or mining lease, option to lease, seismic permit, or any other agreement relating to oil, gas and/or other minerals made by Grantor on or after the Option Effective Date shall expressly refer to the Option Agreement and the potential Easement Agreement and shall require the other party thereto to enter into a surface use agreement with Grantee in a form acceptable to Grantee in its sole discretion.

10. Real Property Interest; Successors. Grantee and Grantor agree that the Option Agreement and the Option granted therein create real property interests in Grantor's Property and are encumbrances upon Grantor's Property that touch and concern the land, are covenants running with the land, and are binding upon Grantor's Property and Grantor and its successors and assigns and shall inure to the benefit of each Party and its respective successors and assigns.

11. Miscellaneous. Notwithstanding anything to the contrary contained herein, the provisions of this Memorandum do not in any way alter, amend, supplement, change or affect the terms, covenants or conditions of the Option Agreement, all of which terms, covenants and conditions are in full force and effect. In the event of any conflict between the terms of this Memorandum and the Option Agreement, the terms of the Option Agreement shall control. The Option Agreement and this Memorandum shall be interpreted in accordance with the laws of New Mexico, without regards to conflicts of law principles. This instrument may be executed in any number of original counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

[Signature and Acknowledgment Pages Follow this Page]

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261551
Book 364 Page 1610
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BY JANELLE

IN WITNESS WHEREOF, Grantor and Grantee have executed this Memorandum effective as of the Option Effective Date.

GRANTOR:

TOM BURSON a/k/a
THOMAS BURSON a/k/a
THOMAS W. BURSON

STATE OF New Mexico

COUNTY OF Torrance

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 3rd, 2026, by TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON.

[NOTARY SEAL]

Signature: Kathryn Ayre
Print Name: KATHRYN AYRE
NOTARY PUBLIC in and for the State of New Mexico

State of New Mexico
Notary Public
Kathryn Ayre
Commission Number 1091121
Expiration Date 6/12/2029

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261551
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BY JANELLE

GRANTEE:

PALOMAS POWER LLC,
a Delaware limited liability company

By: _____

Name: Lauren Haller

Title: Vice President

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 15, 2026, by Lauren Haller, as Vice President of PALOMAS POWER LLC, a Delaware limited liability company, on behalf of said entity.

[NOTARY SEAL]

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Signature: Emily McClary Davis
Print Name: Emily McClary Davis
NOTARY PUBLIC in and for the State of Texas

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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Book 364 Page 1612
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06/15/2026 04:25:36 PM
BY JANELLE

EXHIBIT A
to Memorandum

Legal Description of Grantor's Property

Township 6 North, Range 13 East, N.M.P.M., Torrance County, New Mexico

Section 21: All
Section 28: All
Section 33: W2

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261550
Book 364 Page 1599
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06/15/2026 04:24:36 PM
BY JANELLE

RECORDING REQUESTED BY
AND WHEN RECORDED, RETURN TO:

Palomas Power LLC
888 Westheimer Road, Suite 350
Houston, Texas 77006
Attention: Real Estate Legal Department

MEMORANDUM OF OPTION AND PURCHASE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY

This MEMORANDUM OF OPTION AND PURCHASE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY (this "**Memorandum**") is made, dated and effective as of June 15, 2026 ("**Effective Date**"), by and between **TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON**, a single man ("**Seller**"), whose address is P.O. Box 64, Moriarty, New Mexico 87035, and **PALOMAS POWER LLC**, a Delaware limited liability company ("**Purchaser**"), whose address is 1088 Sansome Street, San Francisco, California 94111, Attention: General Counsel.

RECITALS

WHEREAS, Seller and Purchaser have entered into that certain Option and Purchase Agreement for the Purchase of Real Property dated effective June 15, 2026 (the "**Agreement**"), pursuant to which Seller granted to Purchaser an option to purchase up to twenty-five (25) acres of that certain real property located in Torrance County, New Mexico, and described on **Exhibit A** attached hereto and made a part hereof for all purposes (the "**Land**"), together with all of Seller's rights, title and interests in and to the following: (i) buildings, structures, fixtures and other improvements located on the Land as of the Closing, and (ii) other appurtenances and interests pertaining to or benefiting the Land, including, without limitation, any and all development rights, entitlements, water rights, rights in Minerals (as defined in Section 2 below), claims, strips and gores, easements, leases, licenses, permits and other rights in and to adjoining roadways and rights-of-way (collectively, the "**Property**");

WHEREAS, Seller and Purchaser have entered into and are recording this Memorandum in the real property records of Torrance County, New Mexico, in order to provide constructive notice to third parties of the Agreement, certain of Purchaser's rights under said Agreement and certain of its rights in and to the Property.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261550
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BY JANELLE

NOW, THEREFORE, in consideration of mutual covenants contained in the Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree and stipulate as follows:

1. **Certain Defined Terms**. Each defined term used in this Memorandum but not defined herein shall have the meaning given to such term in the Agreement.

2. **Grant of Option to Purchase**. Subject to the terms and conditions more particularly set forth in the Agreement, Seller has granted and does grant to Purchaser, and Purchaser has accepted and does accept from Seller, an irrevocable, sole and exclusive right and option to purchase the Property, including up to twenty-five (25) acres of the Land in the approximate location depicted in Exhibit B to the Agreement. As used in the Agreement, the term "**Minerals**" shall mean oil, gas, and other hydrocarbons and non-hydrocarbons produced as components or constituents thereof, coal, asphalt and coalbed gas, and other minerals and mineral substances, including, but not limited to, uranium, thorium, bauxite, iron ore, copper, silver, gold and other types of metallic ores and metallic minerals, granite, limestone, dolomite, caliche, sandstone, silica sand, sand, gravel, sand clay gravel, sand and gravel mix, fill sand, flume sand, common and specialty clays and shales or any other mineral or rocks containing any such minerals.

3. **Term of the Agreement**. The Option Term shall commence on the Effective Date and shall continue for a period of up to seven (7) years (including an extension term) from and after the Effective Date, unless earlier terminated in accordance with the terms of the Agreement. If Purchaser exercises the Option, the Closing for the purchase of the Property shall occur within sixty (60) days of such exercise date, unless extended by mutual agreement of Seller and Purchaser.

4. **Use of the Property During the Option Term**. During the Option Term, Purchaser and its employees, agents, consultants, surveyors, representatives, invitees, permittees, contractors and subcontractors shall have a non-exclusive right and license to enter the Property (and the right of ingress and egress over and across the Property) in order to evaluate, examine, inspect, investigate, assess, research, test and study the Property for Purchaser's intended use thereof and other matters that relate to, affect or are located on, above, under and over the Property, including, but not limited to, the following: physical, land and aerial surveys, environmental, biological, soils, geological, geotechnical, seismic, avian and protected and endangered species, cultural resources, archaeological, civil engineering, surface water, wetlands, flooding, groundwater and all studies and investigations related to permitting for Purchaser's intended use of the Property.

5. **Prohibited Transactions and Activities**. From the Effective Date until the Closing, Seller shall not sell, convey, dispose of, exchange, contribute, gift or otherwise transfer, or in any way further or newly encumber (whether by lien, lease, easement, license or otherwise, including any renewals or extensions thereof), all or any part of (i) the Property or (ii) any of Seller's other rights, title or interests in and to same, including, but not limited to, rights and interests in any Minerals owned by Seller in, to or under the Property, nor shall Seller grant any option rights to any other party for any of the foregoing. If Seller violates any of the foregoing restrictions, then any agreement that results from such violations shall be void *ab initio*.

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261550
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BY JANELLE

Notwithstanding the foregoing provisions, Seller may, from the Effective Date until the Closing Date, (i) mortgage its interests in the Property if and only if Seller (a) obtains and delivers to Purchaser the written agreement of the mortgagee in a form reasonably satisfactory to Purchaser that, upon any foreclosure or transaction in lieu of foreclosure, mortgagee or any purchaser at a foreclosure sale will recognize this Agreement and assume Seller's obligations hereunder and (b) Seller obtains a full release of such mortgage affecting the Property at or before Closing in accordance with the Closing Conditions and (ii) Seller may grant or extend hunting, grazing and farming leases for the Property and will terminate all such leases within ten (10) days following its receipt of the Option Exercise Notice and all such activities shall cease on the Property on or before the Closing Date. In addition, from the Effective Date until the Closing, Seller may not engage in any drilling or excavation activities (or engage any other party to do the same on Seller's behalf) with respect to Minerals located on, in or under the Property.

6. **Subdivision Cooperation**. If, pursuant to state or local law, the purchase of the Property requires a subdivision or partition of the Land from the remainder of the parent tract within which the Land is located, then Seller shall (at no cost to Seller) assist and fully cooperate with Purchaser during the subdivision process, including, but not limited to, signing documentation required or requested by governmental authorities, attending or appearing before meetings and hearings with such authorities, and responding promptly to requests from such authorities.

7. **Requirements of Governmental Agencies**. Seller shall (at no cost to Seller) assist and fully cooperate with Purchaser (including signing in Seller's name, if necessary) in applying for, complying with, or obtaining any land use permits and approvals, zoning or re-zoning permits and approvals, building permits, environmental reviews or any other approvals required for Purchaser's intended use of the Property, including, but not limited to, signing documentation required or requested by governmental authorities, attending or appearing before meetings and hearings with such authorities, and responding promptly to requests from such authorities.

8. **Burdens and Benefits Run With and Against the Land**. The Agreement and the burdens and benefits of the Option and all other rights granted to Purchaser in the Agreement touch and concern the Property and shall run with and against the Property and shall be a charge and burden on the Property.

9. **Successors and Assigns**. The terms of this Memorandum and the Agreement are covenants running with the land and inure to the benefit of, and are binding upon, the parties and their respective successors and assigns, including all subsequent Sellers of all or any portion of the Property. References to Seller and Purchaser include their respective successors and assigns. References to the Agreement include any amendments or modifications thereto.

10. **Miscellaneous**. Notwithstanding anything to the contrary contained herein, the provisions of this Memorandum do not in any way alter, amend, supplement, change or affect the terms, covenants or conditions of the Agreement, all of which terms, covenants and conditions shall remain in full force and effect. In the event of any conflict between the terms of this Memorandum and the Agreement, the terms of the Agreement shall prevail. The Agreement and this Memorandum shall be interpreted in accordance with the laws of the State in which the

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261550
Book 364 Page 1602
4 of 7
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BY JANELLE

Property is located, without regards to conflicts of law principles. This instrument may be executed in any number of original counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

[Signatures and Acknowledgements Appear on the Following Pages]

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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Book 364 Page 1603
5 of 7
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BY JANELLE

IN WITNESS WHEREOF, the parties hereto have made and entered into this Memorandum as of the Effective Date.

SELLER:

Tom B.

TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON

STATE OF New Mexico

COUNTY OF Torrance

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 3rd, 2026, by Tom Burson a/k/a Thomas Burson a/k/a Thomas W. Burson.

[notary seal]

Signature: Kathryn Ayre

Print Name: KATHRYN AYRE

NOTARY PUBLIC in and for the State of New Mexico

State of New Mexico
Notary Public
Kathryn Ayre
Commission Number 1091121
Expiration Date 6/12/2029

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Book 364 Page 1604
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BY JANELLE

PURCHASER:

PALOMAS POWER LLC

By: _____

Name: Lauren Haller

Title: Vice President

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 15, 2026, by Lauren Haller, as Vice President of Palomas Power LLC, a Delaware limited liability company, on behalf of said entity.

[notary seal]

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Signature: Emily McClary-Davis

Print Name: Emily McClary-Davis

NOTARY PUBLIC in and for the State of Texas

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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BY JANELLE

EXHIBIT A

Description of the Land

Township 6 North, Range 13 East, N.M.P.M., Torrance County, New Mexico

Section 33: W2

TORRANCE COUNTY
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2261552
Book 364 Page 1613
1 of 6
06/15/2026 04:26:36 PM
BY JANELLE

WHEN RECORDED, RETURN TO:

Palomas Power LLC
888 Westheimer Road, Suite 350
Houston, Texas 77006
Attn: Real Estate Legal Department

(Space above this line for Recorder's use only)

MEMORANDUM OF AGREEMENT AND OPTION TO PURCHASE AN EASEMENT

This MEMORANDUM OF OPTION TO PURCHASE AN EASEMENT (this "**Memorandum**") is made as of the Option Effective Date (defined below), by and between **TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON**, a single man ("**Grantor**"), whose address is PO Box Moriarty, New Mexico 87035, and **PALOMAS POWER LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 1088 Sansome Street, San Francisco, California 94111, Attention: General Counsel. Grantee and Grantor are also referred to herein individually as a "**Party**" and collectively as the "**Parties**".

RECITALS

A. Grantor owns that certain real property located in Torrance County, New Mexico, that is legally described on **Exhibit A** attached hereto and made a part hereof for all purposes ("**Grantor's Property**").

B. The Parties have entered into that certain Agreement and Option to Purchase an Easement (the "**Option Agreement**") dated effective June 15, 2026 (the "**Option Effective Date**"), pursuant to which Grantor granted to Grantee an option for a permanent easement and right of way upon, over, across, within and through Grantor's Property, for the purpose of constructing and operating an access road and all appurtenant facilities as further described herein and in the Option Agreement.

C. The Parties have entered into and are recording this Memorandum in the real property records of Torrance County, New Mexico (the "**Official Records**"), in order to provide constructive notice to third parties of the Option Agreement, certain of Grantee's rights under said Option Agreement and certain of its rights in and to Grantor's Property.

TORRANCE COUNTY
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Book 364 Page 1614
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06/15/2026 04:26:36 PM
BY JANELLE

NOW, THEREFORE, in consideration of mutual covenants contained in the Option Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree and stipulate as follows:

1. Certain Defined Terms. Each defined term used in this Memorandum but not defined herein shall have the meaning given to such term in the Option Agreement.

2. Grant of Easement Option. Subject to the terms and conditions more particularly set forth in the Option Agreement, Grantor has granted and hereby does grant to Grantee the option to acquire a permanent easement and right of way (the "**Easement**") being forty feet (40') upon, over, across, within and through Grantor's Property in the approximate location depicted in the Option Agreement (the "**Easement Area**") to construct, install, reconstruct, relocate, move, maintain, operate, inspect, patrol, repair, replace, improve, alter, upgrade, dismantle, demolish and/or remove a road and all improvements and appurtenances that are necessary or convenient in connection with such road (collectively, the "**Road Improvements**"). The Road Improvements shall be for Grantee's exclusive use. The approximate location of the Easement Area shown in the Option Agreement is a general depiction, and the more precise location of same shall be determined by Grantee based on its certified land survey and will be more particularly described in the Notice of Exercise (as defined in Section 5 below).

3. Option. Pursuant to the Option Agreement, Grantor granted Grantee the option ("**Option**") to purchase the Easement, at any time and from time to time, during the Option Term (defined in Section 5 below). If purchased, the Easement and all rights and obligations with respect to said Easement shall be governed by the terms and provisions of the easement agreement attached to the Option Agreement as Exhibit C (the "**Easement Agreement**").

4. Option Term. The Option Agreement and the Option granted thereunder are effective as of the Option Effective Date and shall, if not exercised or the Option Agreement is not otherwise terminated, continue for a period of up to seven (7) years (inclusive of an extension term) (the "**Option Term**").

5. Exercise of Option. Pursuant to the Option Agreement, Grantee may exercise the Option to acquire the Easement at any time on or before the expiration date of the Option Term by signing and recording in the Official Records a "Notice of Exercise of Option" in the form attached to the Option Agreement (the "**Notice of Exercise**"). Upon such recording of the Notice of Exercise, the Easement set forth in the Easement Agreement and all other rights, obligations and other provisions set forth therein shall become immediately effective and binding upon Grantor, Grantee and the Easement Area described in the Notice of Exercise, without any further act or action of either Party being required.

6. Right of Entry. During the Option Term, Grantor granted Grantee and its affiliates, employees, agents, consultants, contractors, subcontractors, suppliers, vendors and invitees (collectively, the "**Project Consultants**") the right to enter Grantor's Property in order to conduct or perform surveys of any type (including, but not limited to, land, archeological, cultural, and biological surveys), engineering and feasibility studies, geotechnical studies, borings, and other

evaluations, inspections and investigations that Grantee or any of the Project Consultants deems necessary or desirable, in its or their sole discretion, in connection with the Road Improvements.

7. Subordination. If on or after the Option Effective Date Grantor enters into any mortgage or other security interest encumbering Grantor's Property, said mortgage or other security interest shall be subordinate to the Option Agreement and any potential Easement Agreement, and all rights and interests of Grantee in same, and shall recognize (i) the validity of the Option Agreement in the event of a foreclosure of Grantor's interest and (ii) Grantee's right to remain in occupancy of and have access to the Grantor's Property as long as Grantee is not in default of the Option Agreement or the Easement Agreement beyond all cure periods.

8. Third Party Land Agreements. Pursuant to the Option Agreement, Grantor shall not grant any other options and/or easements or leases in Grantor's Property to third parties without Grantee's prior written consent, which will not be unreasonably withheld (but in the event any such options and/or easements or leases are for any renewable energy generation or storage project or any electrical transmission or collection lines or facilities related to any of the foregoing, including access, Grantee may withhold its consent in its sole discretion). The foregoing consent and other requirements shall not apply to any such grant to any affiliate of Grantor.

9. Oil and Gas Exploration and Production. Any oil, gas, mineral and/or mining lease or renewal and/or extension of any existing oil, gas, mineral and/or mining lease, option to lease, seismic permit, or any other agreement relating to oil, gas and/or other minerals made by Grantor on or after the Option Effective Date shall expressly refer to the Option Agreement and the potential Easement Agreement and shall require the other party thereto to enter into a surface use agreement with Grantee in a form acceptable to Grantee in its sole discretion.

10. Real Property Interest: Successors. Grantee and Grantor agree that the Option Agreement and the Option granted therein create real property interests in Grantor's Property and are encumbrances upon Grantor's Property that touch and concern the land, are covenants running with the land, and are binding upon Grantor's Property and Grantor and its successors and assigns and shall inure to the benefit of each Party and its respective successors and assigns.

11. Miscellaneous. Notwithstanding anything to the contrary contained herein, the provisions of this Memorandum do not in any way alter, amend, supplement, change or affect the terms, covenants or conditions of the Option Agreement, all of which terms, covenants and conditions are in full force and effect. In the event of any conflict between the terms of this Memorandum and the Option Agreement, the terms of the Option Agreement shall control. The Option Agreement and this Memorandum shall be interpreted in accordance with the laws of New Mexico, without regards to conflicts of law principles. This instrument may be executed in any number of original counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

[Signature and Acknowledgment Pages Follow this Page]

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
2261552
Book 364 Page 1616
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06/15/2026 04:26:36 PM
BY JANELLE

IN WITNESS WHEREOF, Grantor and Grantee have executed this Memorandum effective as of the Option Effective Date.

GRANTOR:

Tom Burson

TOM BURSON a/k/a
THOMAS BURSON a/k/a
THOMAS W. BURSON

STATE OF Torrance (KY) New Mexico

COUNTY OF Torrance

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 3rd, 2026, by TOM BURSON a/k/a THOMAS BURSON a/k/a THOMAS W. BURSON.

[NOTARY SEAL]

Signature: Kathryn Ayre
Print Name: Kathryn Ayre
NOTARY PUBLIC in and for the State of New Mexico

State of New Mexico
Notary Public
Kathryn Ayre
Commission Number 1091121
Expiration Date 8/12/2029

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BY JANELLE

GRANTEE:

PALOMAS POWER LLC
a Delaware limited liability company

By: _____

Name: Lauren Haller

Title: Vice President

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me, a Notary Public in and for said County and State, on June 15, 2026, by Lauren Haller, as Vice President of PALOMAS POWER LLC, a Delaware limited liability company, on behalf of said entity.

[NOTARY SEAL]

EMILY MCCLARY-DAVIS
My Notary ID # 131046982
Expires March 15, 2029

Signature: Emily McClary Davis
Print Name: Emily McClary Davis
NOTARY PUBLIC in and for the State of Texas

TORRANCE COUNTY
SYLVIA CHAVEZ, COUNTY CLERK
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BY JANELLE

EXHIBIT A
to Memorandum

Legal Description of Grantor's Property

Township 6 North, Range 13 East, N.M.P.M., Torrance County, New Mexico

Section 33: W2; S2SE4

TORRANCE COUNTY
LINDA JARAMILLO, COUNTY
2242099
Book 358 Page 4193
1 of 22
08/27/2024 10:17:59 AM
BY KEVIN

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Gallinas Mountain Wind LLC
c/o General Counsel
1088 Samsome Street
San Francisco, CA 94111

(Space above this line for Recorder's use only)

MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT

THIS MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT is made and entered into as of August 26, 2024 ("Effective Date"), by and between Singleton Properties LLC, a Delaware limited liability company with an address at 90 San Cristobal Ranch Road, Lamy NM 87540 (together with its successors and assigns, "Owner"), and Gallinas Mountain Wind LLC, a Delaware limited liability company, with an address at 1088 Sansome Street, San Francisco, CA 94111 (together with its successors and assigns, "Developer").

WHEREAS:

A. The Parties have entered into an Option Agreement for Land Lease and Wind Easement (the "Option Agreement") which, among other things, by its terms grants to Developer an option to acquire a wind easement (the "Option") and further grants to Developer present easements for wind and weather monitoring and access on and across certain land which is more particularly described in Exhibit A attached hereto and incorporated by this reference (the "Property");

B. The term of the Option commences on the Effective Date and continues for five (5) years thereafter, with an option to extend for an additional two (2) years upon the meeting of certain "Development Milestones" specified therein. The Option is exercised by Developer or its successors or assigns recording a Notice of Exercise of Option in the real property records of the county in which the Property is located ("Notice of Exercise") during the term of the Option Agreement;

C. If the Option is exercised, then Developer and its successors and assigns will hold a Land Lease and Wind Easement for, among other things, wind energy development and related rights over, on, across and through the Property or, portions thereof, at Developer's option, during a term commencing upon the date of the recording of the Notice of Exercise (the "Operation Date") and ending upon the end of the "Operating Term," which Operating Term commences upon the Operation Date, and which Operating Term ends thirty (30) years after the Operation Date, with an option in Developer to extend for two (2) ten (10) year Renewal Terms, all as more particularly set forth in the Land Lease and Wind Easement Agreement attached as Exhibit B to the Option Agreement (the "Lease");

D. The Parties desire to enter into this Memorandum of Option and Lease which is to be recorded in order that third parties may have notice of the interests of Developer in the Property and of the existence of the Option to enter into the Lease with respect to the Property, or portions thereof, as set forth in the Option Agreement, and of certain easements and rights in the Property granted to Developer in the Option Agreement.

NOW, THEREFORE, in consideration of the rents and covenants provided in the Option Agreement to be paid and performed by Developer and other good and valuable consideration, the receipt and adequacy of which are acknowledged by Owner, Owner hereby grants to Developer, among other things, (i) certain easements with respect to the Property during the term of the Option, as more particularly set forth in the Option Agreement, and (ii) that certain exclusive Option to enter into a Land Lease and Wind Easement covering the Property, or portions thereof, on the terms and conditions set forth in the Option Agreement, together with certain present easements to use and enjoy the Property, all more particularly set forth in the Option Agreement. All of the terms, conditions, provisions, and covenants of the Option Agreement are hereby incorporated into this Memorandum of Option and Lease by reference as though fully set forth herein, and the Option Agreement and this Memorandum of Option and Lease shall be deemed to constitute a single instrument or document. Should there be any inconsistency between the terms of this Memorandum of Option and Lease and the Option Agreement, the terms of the Option Agreement shall prevail.

The Option evidenced by this Memorandum of Option and Lease may be exercised by Developer's sole execution and recording of a Notice of Exercise in the real property records of the county in which the Property is located, whereupon all the easements and rights that are the subject of the Option shall immediately become effective and binding upon Owner and the Property, or such portions thereof as Developer may identify in the Notice of Exercise, and on all successive owners of such portions thereof or entirety of the Property and the successors and assigns of Owner, all for the benefit of Developer and its successors and assigns. This Memorandum of Option and Lease may be executed in multiple counterparts, all of which, when taken together, shall constitute one and the same agreement.

TORRANCE COUNTY
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2242099
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BY KEVIN

TORRANCE COUNTY
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2242099
Book 358 Page 4195
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BY KEVIN

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Option and Lease as of the date set forth above.

"OWNER"

Singleton Properties LLC

By: _____

Name: William W. Singleton

Title: Manager

STATE OF _____ §
§
COUNTY OF _____ §

The foregoing instrument was acknowledged before me this _____ day of August 2024, by William W. Singleton, as Manager of Singleton Properties LLC.

[SEAL]

_____
Notary Public for the State of _____
My commission expires: _____
Commission No.: _____

SEE CALIFORNIA
ACK FORM
ATTACHED

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

TORRANCE COUNTY
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BY KEVIN

State of California
County of Los Angeles)

On August 23 2024 before me, Samuel Adam Minton - Notary Public
(insert name and title of the officer)

personally appeared William W. Singleton,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Samuel Adam Minton
COMMISSION #2461743
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
Commission Expires February 13, 2028

Signature _____ (Seal)

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BY KEVIN

"OWNER"

Singleton Properties LLC

By: Christina Singleton

Name: Christina Singleton

Title: Manager

STATE OF California §
§
COUNTY OF Los Angeles §

The foregoing instrument was acknowledged before me this 22 day of August 2024, by Christina Singleton, as Manager of Singleton Properties LLC.

[SEAL]

JOSE JAVIER SARAVIA
Notary Public · California
Los Angeles County
Commission # 2381247
My Comm. Expires Nov 2, 2025

Jose Javier Saravia

Notary Public for the State of CA
My commission expires: 11/02/2025
Commission No.: 2381247

TORRANCE COUNTY
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BY KEVIN

"DEVELOPER"

Gallinas Mountain Wind LLC

By: _____

Name: Blake Rasmussen

Title: Authorized Signatory

STATE OF Texas §
§
COUNTY OF Harris §

The foregoing instrument was acknowledged before me this 26th day of August, 2024, by Blake Rasmussen, as Authorized Signatory of Gallinas Mountain Wind LLC

[SEAL]

Emily McClary Davis
Notary Public for the State of Texas
My commission expires: 3-15-2025
Commission No.: 131046982

EMILY MCCLARY-DAVIS
Notary Public, State of Texas
Comm. Expires 03-15-2025
Notary ID 131046982

TORRANCE COUNTY
LINDA JARAMILLO, COUNTY C
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BY KEVIN

EXHIBIT A TO
MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT

DESCRIPTION OF THE PROPERTY

The following real property all located in Guadalupe and Torrance Counties, New Mexico.

The following described real estate in TORRANCE County, New Mexico:

TOWNSHIP FOUR (4) NORTH, RANGE THIRTEEN (13) EAST, NMPM

Section 1: All

TOWNSHIP FOUR (4) NORTH, RANGE FOURTEEN (14) EAST, NMPM

Section 4: SW1/4
Section 5: All
Section 6: All
Section 7: All
Section 8: All
Section 17: All
Section 18: All
Section 19: NW1/4, NE1/4 SW1/4, E1/2
Section 20: SW1/4, W1/2 NW1/4, E1/2
Section 21: All
Section 27: All
Section 28: All
Section 29: All
Section 30: All

TOWNSHIP FIVE (5) NORTH, RANGE THIRTEEN (13) EAST, NMPM

Section 23: All
Section 24: All
Section 25: SW1/4, N1/2
Section 26: All
Section 35: All

TOWNSHIP FIVE (5) NORTH, RANGE FOURTEEN (14) EAST, NMPM

Section 17: SW1/4 SW1/4 (S of RR)
Section 18: S1/2 S1/2
Section 19: All
Section 20: W1/2 NW1/4
Section 30: W1/2, SE1/4
Section 31: All

That portion of the N1/2 S1/2 Sec. 18 T5 R14 N.M.P.M. Lying South of Atchison, Topeka and Santa Fe Railway Company Right of Way

TOWNSHIP FIVE (5) NORTH, RANGE FOURTEEN (14) EAST, NMPM

Section 11: W1/2 E1/2, NE1/4 SE1/4
Section 12: N1/2 N1/2, S1/2 NE1/4, SE1/4, E1/2 SW1/4, SW1/4 SW1/4
Section 13: All
Section 14: NE1/4, E1/2 SE1/4, SW1/4 SE1/4, SW1/4, S1/2 NW1/4
Section 15: S1/2 S1/2 SW1/4
Section 22: N1/2 N1/2, S1/2 NW1/4 (N of RR), S1/2 NE1/4 (N of RR), N1/2 SE1/4 (N of RR)
Section 23: NE1/4, N1/2 SE1/4, SE1/4 SE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4 (N of RR), NW1/4 SW1/4 (N of RR)
Section 24: All
Section 25: NE1/4

TOWNSHIP FOUR (4) NORTH, RANGE FIFTEEN (15) EAST, NMPM

Section 1: Lots 1-4, S1/2 N1/2, N1/2 S1/2, SE1/4 SW1/4 S1/2 SE1/4
Section 3: Lots 1-4, S1/2 NE1/4

TOWNSHIP FIVE (5) NORTH, RANGE FIFTEEN (15) EAST, NMPM

Section 9: S1/2
Section 10: S1/2
Section 11: SW1/4
Section 14: W1/2
Section 15: All
Section 17: All
Section 18: All
Section 19: N1/2, SW1/4, W1/2 SE1/4, NE1/4 SE1/4
Section 20: W1/2 NE1/4, NW1/4, N1/2 SW1/4, NW1/4 SE1/4
Section 21: SE1/4
Section 22: All
Section 23: All
Section 24: All
Section 25: All
Section 26: All
Section 27: All
Section 30: Lots 1-3, E1/2 W1/2, E1/2
Section 33: SE1/4 NE1/4, S1/2 SW1/4, SW1/4 SE1/4, NE1/4 SE1/4
Section 34: N1/2, N1/2 SW1/4, SE1/4 SW1/4, SE1/4
Section 35: All

TORRANCE COUNTY
LINDA JARAMILLO, COUNTY CLERK
2242099
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BY KEVIN

Subject to terms, conditions and stipulations of that certain Agreement regarding water usage between the Town of Vaughn, New Mexico, and Charlie E. Dunlap, dated November 14, 1961, filed for record on November 20, 1961, at 2:12 o'clock P.M., as document number 2161, and recorded in Book 137, Page 241, Miscellaneous Records of Torrance County, New Mexico.

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BY KEVIN

TOWNSHIP FOUR (4) NORTH, RANGE SIXTEEN (16) EAST, NMPM

Section 1:	All
Section 4:	S/2 NW/4, SW/4
Section 5:	All
Section 6:	All
Section 7:	Lot 1, NE/4 NW/4, N/2 NE//4
Section 8:	N/2 (lying N of Railroad)
Section 9:	N/2 N/2
Section 10:	N/2 NW/4

TOWNSHIP FIVE (5) NORTH, RANGE SIXTEEN (164) EAST, NMPM

Section 3:	All
Section 4:	All
Section 5:	All
Section 6:	All
Section 7:	All
Section 8:	All
Section 9:	All
Section 10:	All
Section 11:	NE/4, W/2, W/2 SE/4
Section 14:	W/2, W/2 E/2
Section 15:	All
Section 17:	All
Section 18:	All
Section 19:	All
Section 20:	All
Section 21:	NE/4, W/2
Section 22:	All
Section 23:	W/2, W/2 E/2
Section 27:	NE/4, S/2
Section 28:	All
Section 29:	NE/4, W/2
Section 30:	All
Section 31:	All
Section 32:	E/2
Section 33:	N/2, W/2 SW/4, SE/4
Section 34:	W/2 NE/4, W/2

TOWNSHIP SIX (6) NORTH, RANGE SIXTEEN (16) EAST, NMPM

Section 26:	S/2
Section 31:	E/2, SE/4 SW/4
Section 35:	N/2, SW/4, N/2 SE/4

An undivided Seven-Eighths (7/8ths) interest in the following described property:

The Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Nineteen (19); the South Half of the South Half (S1/2S1/2), the East Half of the Northeast Quarter (E1/2NE1/4) and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Twenty (20); the West Half (W1/2) and the Northeast Quarter (NE1/4) of Section Twenty-one (21); the North Half of the North Half (N1/2N1/2) of Section Twenty-eight (28); and All of Section Twenty-nine (29); All within Township Five (5) North, Range Fifteen (15) East, N.M.P.M.

The Northwest Quarter (NW¼) of Section Fifteen (15), Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.

The Southeast Quarter of the Southeast Quarter SE1/4SE1/4) of Section Nineteen (19); the South Half of the South Half (S1/2S1/2), the East Half of the Northeast Quarter (E1/2NE1/4) and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Twenty (20); the West Half (W1/2) and the Northeast Quarter (NE1/4) of Section Twenty-one (21); the North Half of the North Half (N1/2N1/2) of Section Twenty-eight (28); and All of Section Twenty-nine (29); All within Township Five (5) North, Range Fifteen (15) East, N.M.P.M. (the "Property").

Less and except the coal and other minerals located in Section Twenty-nine (29); the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Nineteen (19); the South Half of the South Half (S1/2 S1/2), the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) and the East Half of the Northeast Quarter (E1/2 NE1/4) of Section Twenty 20: All within Township Five (5) North, Range Fifteen (15) East, N.M.P.M.

The Northwest Quarter (NIA) of Section Twenty-six (26), Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.

Township 3 North, Range 14 East, N.M.P.M.

Section 1:	All (Lots 1, 2, 3, 4, S/2N/2, S/2)
Section 2:	Lots 2, 3, SW/4NE/4, NW/4SE/4, S/2NW/4, N/2SW/4
Section 3:	All (Lots 1, 2, 3, 4, S/2N/2, S/2)
Section 4:	All (Lots 1, 2, 3, 4, S/2N/2, S/2)
Section 9:	N/2, N/2S/2
Section 10:	N/2, E/2SE/4
Section 11:	All
Section 12:	N/2, SE/4, E/2SW/4, SW/4SW/4
Section 13:	E/2E/2, NW/4NE/4
Section 14:	N/2NE/4
Section 24:	NE/4

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Township 3 North, Range 15 East, N.M.P.M.

Section 6:	Lots 3, 4, 5, 6, 7, SE/4NW/4, S/2NE/4, SE/4, NE/4SW/4, SE/4SW/4
Section 7:	All (Lots 1, 2, 3, 4, E/2W/2, E/2)
Section 18:	All (Lots 1, 2, 3, 4, E/2W/2, E/2)
Section 19:	All (Lots 1, 2, 3, 4, E/2W/2, E/2)

Township 4 North, Range 14 East, N.M.P.M.

Section 22:	All
Section 34:	All

Township 3 North, Range 15 East, N.M.P.M.

Section 4:	All

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Section 5: All
Section 6: N1/2NE1/4
Section 8: All
Section 9: All except the Railroad right-of-way and that part lying Southeast of the Railroad right-of-way
Section 17: All

Township 4 North, Range 14 East, N.M.P.M.

Section 25: All
Section 26: All
Section 35: All
Section 36: All

Township 4 North, Range 15 East, N.M.P.M.

Section 1: SW1/4SW1/4
Section 2: S1/2S1/2, NW1/4SE1/4, N1/2SW1/4
Section 3: S1/2NW1/4, S1/2
Section 10: All
Section 11: All
Section 12: All
Section 13: All
Section 14: All
Section 15: All
Section 16: All
Section 21: All
Section 22: All
Section 23: All
Section 24: N1/2, SW1/4
Section 26: All
Section 27: All
Section 28: All
Section 29: All
Section 30: All
Section 31: All
Section 32: All
Section 33: All
Section 34: All
Section 35: That part lying North and West of Southern Pacific Railroad right-of-way

Containing 19,517.14 acres, more or less.

Township 4 North, Range 16 East, N.M.P.M.

Section 7: Lots 2, 3, 4, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4
Section 8: S1/2, all that portion of N1/2 lying South of center line of U.S. Highway 60
Section 9: S1/2, S1/2N1/2
Section 10: SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4
Section 16: All
Section 17: All
Section 18: All
Section 19: Lots 1, 2, E1/2NW1/4, NE1/4, that portion of Lot 3, NE1/4SW1/4, SE1/4 lying North and West of Southern Pacific Railroad right-of-way

Section 20: N1/2N1/2, S1/2NW1/4, that portion of SW1/4 lying North and West of Railroad right-of-way

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Containing 4,169.78 acres, more or less.

Excluding however the following real property

(7-1) A certain tract or parcel of land, lying and being situate in the W 1/2 W 1/2 of Section 26, and the W 1/2 W 1/2 of Section 35, T. 4N., R. 14E, N.M.P.M., County of Torrance, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point for Surveyed centerline Station 287-30.3 of NM DFA-5-76(818), County of Torrance, State of New Mexico and point on the southerly line of Section 35; thence easterly along said Section line a distance of 22.46 feet to a point for the corner common to Sections 34 and 35, the true point and place of beginning; thence easterly a distance of 27.54 feet to a point on the easterly right of way line of DFA-5-76(818); thence N.02°27'W. along said easterly right of way line a distance of 9171.66 feet; thence N.02°48'W. a distance of 1332.54 feet to a point on the line common to Sections 23 and 26; thence westerly along the line common to Sections 23 and 26 a distance of 62.21 feet to a point for the corner common to Sections 22, 23, 26 and 27; thence southerly along the line common to Sections 26, 27, 34, and 35 a distance of 10,504.1 feet to the true point and place of beginning.

Containing 11.679 acres, more or less, of which 8.062 acres, more or less, are in the presently used right of way of State Road 3.

Net area - 3.617 acres, more or less. Resulting in a total area of 23,683.303 acres, more or less.

And excluding the following five (5) parcels of real property:

A certain tract or parcel of land, lying and being situate in the SE 1/4 NE 1/4 of Section 7, T. 4N., R. 16E., N.M.P.M., County of Guadalupe, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point where the northerly right of way line of RF-RFG-027-2(11), County of Guadalupe, State of New Mexico, intersects the easterly line of Section 7, said point bears southerly along said easterly line of Section 7 a distance of 1365.54 feet from the northeasterly corner of said Section 7; thence southerly along the said easterly line of Section 7 a distance of 51.33 feet to a point on the northerly right of way line of NM WPH 97-G, County of Guadalupe, State of New Mexico; thence N.76°03'00"W. along said northerly right of way line of NM WPH 97-G a distance of 429.59 feet to a point on the northerly line of the property of the Defendant; thence easterly along said northerly line of the property of the Defendant a distance of 202.30 feet to a point on the northerly right of way line of NMP RF-027-2(11); thence S. 76°03'00"E. along said northerly right of way line of NMP RF-027-2(11) a distance of 221.96 feet to the point and place of beginning.

Containing 16,289 square feet, more or less.

NOT ACCESS CONTROLLED.

ALSO

A certain tract or parcel of land, lying and being situate in the SW 1/4 NW 1/4, the SE 1/4 NW 1/4, the SW 1/4 NE 1/4 and the SE 1/4 NE 1/4 of Section 9, the SW 1/4 NW 1/4 of Section 10, T. 4N., R. 16E, N.M.P.M., County of Guadalupe, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point where the northerly right of way line of NMP RF-027-2(11), County of Guadalupe, State of New Mexico, intersect the westerly line of Section 9, said point bears northerly along the said westerly line of Section 9 a distance of 691.56 feet from the westerly 1/4 corner of said Section 9; thence S.86°12'08"E., along the said northerly right of way line of NMP RE-027-2(11) a distance of 555.69 feet to a point of curve; thence northeasterly on a 1.018° curve (radius = 5629.58 feet) thru an arc of 14°42' 48" to the left a distance of 1445.31 feet to a point of tangent; thence N.79°05'04"E. a distance of 1393.35 feet to a point of curve; thence southeasterly on a 0.983° curve (radius = 5829.58 feet) thru an arc of 23°42'22" to the right a distance of 2411.99 feet to a point of tangent; thence S.77°12'33.6"E. a distance of 839.20 feet to a point on the westerly meridional 1/16 line of Section 10; thence southerly along the said westerly meridional 1/16 line of Section 10 a distance of 45.38 feet to a point on the northerly right of way line of NM WPH 97-G, County of Guadalupe, State of New Mexico; thence N.75°58'29"W. along the said northerly right of way line of NM WPH 97-G distance of 723.63 feet to a point of curve; thence southwesterly on a 0.983° curve (radius = 5829.58 feet) thru an arc of 1°20'28" to the left distance of 136.44 feet; thence S. 12°40'31"W., a distance of 25.23 feet to a point on curve; thence southwesterly on a 0.987° curve (radius = 5804.58 feet) thru an arc of 23°36'16" to the left a distance of 2391.55 feet to a point of tangent; thence S.79°05'04"W. a distance of 1387.14 feet to a point. of curve; thence northwesterly on a 1.009° curve (radius = 5679.58 feet) thru an arc of 14°38'14" to the right a distance of 1450.66 feet to a point of tangent; thence N.86°12'08"W. a distance of 555.31 feet to a point on the said westerly line of Section 9; thence northerly along the said westerly line of Section 9 a distance of 50.13 feet to the point and place of beginning.

Containing 7.344 acres, more or less.

NOT ACCESS CONTROLLED.

ALSO

A certain tract or parcel of land, lying and being situate in the SW 1/4 NW 1/4 of Section 8, T.4N., R. 16E. N.M.P.M., County of Guadalupe, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point of 100 feet to the right of, southerly and opposite Survey centerline Station 79+60.5 of NMP RF-027-2(11), County of Guadalupe, State of New Mexico; thence S.76°03'00"E. a distance of 25.0 feet; thence S.13°53'W. a distance of 25.0 feet; thence N.76°03'08"W. a distance of 25.0 feet; thence N.13°53'E. a distance of 25.0 feet to the point and place of beginning.

Containing 650 square feet, more or less.

ALSO

A certain tract or parcel of land, lying and being situate in the SE 1/4 NE 1/4 of Section 8, T. 4N. R. 16E. N.M.P.M., County of Guadalupe, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point 100 feet to the right of, southerly and opposite Survey centerline Station 118+51 NMP RF-027-2(11), County of Guadalupe, State of New Mexico; thence S.86°12'08"E. a distance of 30.0 feet; thence S.56°12'E. a distance of 30.0 feet; thence S.33°48'W. a distance of 15.0 feet; thence N.56°12'W. a distance of 55.98 feet to the point and place of beginning.

Containing 645 square feet, more or less.

ALSO

A certain tract or parcel of land, lying and being situate in the SE ¼ NE 1/4 of Section 8, T. 4N., R. 16E. N.M.P.M., County of Guadalupe, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point 100 feet to the right of, southerly and opposite Survey centerline Station 119+53 of NMP RF-027-2(11), County of Guadalupe, State of New Mexico; thence S.86°12'08"E. a distance of 50.0 feet; thence S.03°47'52"W. a distance of 30.0 feet; thence N.86°12'08"W. a distance of 50.0 feet; thence N.03°47'52"E. a distance 30.0 feet to the point and place of beginning.

Containing 1,500 square feet, more or less.

The North Half (N½) of Section Nine (9), Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.

Lots One(1), Two(2) and Three(3); the South Half of the Northeast Quarter(S1/2 NE1/4), and the East Half of the Southeast Quarter(E1/2 SE1/4) of Section 1, Township 6 North, Range 15 East, N.M.P.M., Torrance County, New Mexico

All real estate described in Parcels A and B below, together with all fixtures, appurtenances and improvements thereon and water rights appurtenant thereto:

PARCEL A

Township Six (6) North, Range Twelve (12) East, N.M.P.M.

All of Sections 1 and 12

Township Six (6) North, Range Thirteen (13) East, N.M.P.M.

All of Sections 3, 4, 5, 8, 9, 10, 14, 15, 17 and 18

The Lot 4 of Section 1
E½ of Section 2
W½, SE¼, N½NE¼, SE¼NE¼ of Section 7
N½NE¼, SE¼NE¼ of Section 20

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Township Six (6) North, Range Fourteen (14) East, N.M.P.M.

All of Sections 1, 3 and 6

LESS AND EXCEPT that portion of the El of Section 6 conveyed to the State Highway Department of New Mexico by Special Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 3077, on July 12, 1983.

Township Seven (7) North, Range Thirteen (13) East, N.M.P.M.

All of Sections 11, 12, 13, 14, 15, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 35

E½, NM¼, E½SW¼ of Section 3
SE¼SW¼, SW¼SE¼ of Section 8
SE¼, E½SW¼, SE¼NW¼, S½NE¼ of Section 9
E½, SW¼, S½NW¼, NE¼NW¼ of Section 10
E½, S½NW¼, N½SW¼ of Section 18
E½, E½W½ of Section 19
W½, NE¼, N½SE¼, SE¼SE¼ of Section 33
W½, SE¼, S½NE¼ of Section 34

Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.

All of Sections 5, 6, 7, 8, 17, 18, 1 9, 20, 21, 23, 27, 28, 29, 30, 31, 33 and 35

The Lots 1 and 2, SW¼NE¼, SE¼NW¼ of Section 2
The Lot 2 of Section 4
S½ of Section 9
S½SW¼, NE¼SW¼, NW¼SE¼, S½NE¼, NW¼NE¼, NE¼NW¼ of Section 10
E½ of Section 11
SW¼, S½NW¼ of Section 14
S½ of Section 15
N½, S½S½ of Section 22
SW¼NW¼ of Section 25
SE¼NE¼, N½SE¼, S½SW¼, NW¼SW¼ of Section 26
W½, W½E½, E½NE¼ of Section 34

LESS AND EXCEPT those portions of the W½ of Section 5, NE¼ of Section 6, W½ of Section 8, W½ of Section 17, E½ of Section 19, W½ of Section 20, SW¼, SW¼NW¼ of Section 29, E½ of Section 30 and E½ of Section 31 conveyed to the State Highway Department of New Mexico by Special Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 3077, on July 12, 1983.

LESS AND EXCEPT that portion of the NW¼NW¼ of Section 29 conveyed to the State Highway Department of New Mexico by Warranty Deed recorded in the records of the County Clerk of Torrance County, New Mexico in Book 247, Page 2399, on March 7, 1983.

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Township Seven (7) North, Range Fifteen (15) East, N.M.P.M.

N½, N½S½, S½SW¼ of Section 1 E½E½,
W½NE¼, NW¼SE¼ of Section 2

Township Eight (8) North, Range Thirteen (13) East, N.M.P.M.

That portion of the NE¼SW¼ of Section 14 described in Warranty Deed to Bigbee Brothers Cattle Company recorded in the records of the County Clerk of Torrance County, New Mexico in Book 113, Page 403, on January 17, 1958.

S½SE¼, SE¼SW¼, NE¼SE¼ of Section 25

Township Eight (8) North, Range Fourteen (14) East, N.M.P.M.

SW¼SE¼ of Section 8
N½NE¼, SW¼NE¼, SE¼NW¼ of Section 11
N½N½ of Section 12
E½W½, NW¼NE¼ of Section 17
NE¼NW¼, NW¼NE¼ of Section 20
S½SE¼ of Section 22
S½SW¼ of Section 23
S½S½ of Section 25
NW¼NE¼, NE¼NW¼ of Section 26
W½W½, NE¼SW¼, S½SE¼, N½NE¼ of Section 27
SE¼NE¼, NE¼SE¼, SW¼NW¼ of Section 28
N½SE¼, SE¼NE¼ of Section 29
The Lot 4, E½SW¼ of Section 30
The Lot 1 of Section 31
SE¼NE¼, NE¼SE¼ of Section 33
NW¼SW¼, W½NW¼, NE¼NW¼, NW¼NE¼ of Section 34

Township Eight (8) North, Range Fifteen (15) East, N.M.P.M.

NE¼SE¼ of Section 5
SE¼NW¼, SE¼SW¼ of Section 8
W½NE¼, NE¼NW¼, NW¼SE¼ of Section 10
NW¼ of Section 13
SW¼, N½SE¼, S½NE¼ of Section 14
S½NW¼, N½SE¼, SE¼SE¼ of Section 29
S½NE¼ of Section 30
NE¼NE¼ of Section 32
S½SE¼ of Section 35

PARCEL B

Township Six (6) North, Range Thirteen (13) East, N.M.P.M.

All of Sections 6, 11 and 16

The Lots 1, 2 and 3, S½N½, SE¼ of Section 1
W½ of Section 2
W½, NE¼, N½SE¼ of Section 12

Township Six (6) North, Range Fourteen (14) East, N.M.P.M.

All of Section 2

Township Seven (7) North, Range Twelve (12) East, N.M.P.M.

All of Section 36

Township Seven (7) North, Range Thirteen (13) East, N.M.P.M.

All of Sections 2, 16, 32 and 36

Township Seven (7) North, Range Fourteen (14) East, N.M.P.M.

All of Sections 16, 32 and 36

The Lot 3, SW¼NW¼, W½SW¼, SE¼, SE¼NE¼ of Section 2
Township Seven (7) North, Range Fifteen (15) East, N.M.P.M.
W½, SW¼SE¼ of Section 2
Township Eight (8) North, Range Thirteen (13) East, N.M.P.M.

All of Sections 13, 23, 35 and 36

E½E½, W½SE¼, SE¼SW¼ of Section 14
N½, W½SW¼, NE¼SW¼, NW¼SE¼ of Section 25

Township Eight (8) North, Range Fourteen (14) East, N.M.P.M.
All of Sections 1, 2, 3, 4, 9, 13, 16, 18, 24, 32 and 36
E½ of Section 5
NE¼, N½SE¼, SE¼SE¼ of Section 8
S½, N½NW¼, SW¼NW¼, SE¼NE¼
of Section 11
E½E½, W½SE¼, SW¼NE¼, W½SW¼, SW¼NW¼ of Section 17

N½N½, S½NE¼, SE¼NW¼, E½SE¼, SW¼SW¼ of Section 21
N½, N½S½, S½SW¼ of Section 22
N½, N½S½ of Section 25
S½, S½N½, NE¼NE¼, NW¼NW¼ of Section 26
E½NW¼, S½NE¼, N½SE¼, SE¼SW¼ of Section 27
W½E½, E½W½, NE¼NE¼, NW¼NW¼, W½SW¼, SE¼SE¼ of Section 28
W½, N½NE¼, SW¼NE¼, S½SE¼ of Section 29
E½, NW¼, the Lot 3 of Section 30
S½, S½N½, N½NE¼, NE¼NW¼ of Section 31
W½, W½NE¼, NE¼NE¼, SE¼SE¼ of Section 33

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S½S½, NE¼SW¼, SE¼NW¼, N½SE¼, S½NE¼, NE¼NE¼ of Section 34

Township Eight (8) North, Range Fifteen (15) East, N.M.P.M.

All of Sections 2, 3, 6, 16, 19, 23, 24, 25, 26, 27, 28, 31, 33, 34 and 36

E½, N½SW¼, SW¼SW¼, SW¼NW¼ of Section 8
E½E½, SW¼SE¼, SW¼, S½NW¼, NW¼NW¼ of Section 10
N½N½, S½NW¼, S½SE¼ of Section 14
N½N½, S½NE¼, W½SW¼, SW¼SE¼ of Section 29
W½, N½NE¼, SE¼ of Section 30
S½, S½N½, N½NW¼, NW¼NE¼ of Section 32
N½, N½S½, S½SW¼ of Section 35

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The following described real estate in Guadalupe County, New Mexico:

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Township 5 North. Range 16 East. N.M.P.M. Section
1: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 2: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 12: The N/2.

Township 5 North, Range 17 East. N.M.P.M.

Section 3: That portion of Lots 3 and 4 and the SW/4 NW/4 lying north and west of the Southern Pacific Railroad R/W.
Section 4: Lots 1, 2, 3 and 4, the S/2 N/2, the SW/4, and that portion of the SE/4 lying north and west of the Southern Pacific Railroad R/W.
Section 5: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 6: Lots 1, 2, 3, 4, 5, 6, and 7, he SE/4 NW/4, the S/2 NEJ4, the E/2 SW/4 and the SEJ4.
Section 7: Lots 1, 2, 3 and 4, the E/2 W/2 and the E/2.
Section 8: The NE/4 and the W/2.
Section 9: Then NW/4 and that portion of the W/2 E/2 lying north and west of the Southern Pacific Railroad R/W.
Township 6 North. Range 16 East. N.M.P.M. Section
1: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 2: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 3: Lots 1 and 4, the S/2 N/2 and the S/2.
Section 4: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 5: Lots 1, 2,=3 and 4, the S/2 N/2 and the S/2.
Section 6: Lots 1, 2, 3, 4 and 6, the S/2 NE/4 and the SE/4 NW/4.
Section 8: The N/2, the E/2 SW/4- and the SE/4
Section 9: All.
Section 10: All.
Section 11: All.
Section 12: All.
Section 13: All.
Section 14: All.
Section 15: All.
Section 16: All.
Section 17: The E/2.
Section 21: The N/2.
Section 22: All.
Section 23: All.
Section 24: All.
Section 25: All.
Section 26i The N/2.

Section 27: The NW/4, the E/2 and a tract of land in the SE/4 SW/4 containing 8 acres, more particularly described as beginning at the southeast corner of the SE/4 SW/4 and thence continuing along the following bearings and distances:

N 834.8 feet;
W 417.4 feet;
S 834.8 feet;
E 417.4 feet to the point and place of beginning.

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Section 34: The NE/4 the NE/4 NW/4, the S/2 NW/4 and the SW/4. Section 35: The S/2 SE/4.
Section 36: All.

Township 6 North. Range 17 East.

Section 5: Lots 1, 2, 3 and 4, the S/2 N/2 and the S/2.
Section 6: Lots 1, 2, 3, 4, 5, 6 and 7, the S/2 NE/4, the SE/4 NW/4, the E/2 SW/4 and the SE/4.
Section 7: Lots 1, 2, 3 and 4, the E/2 W/2, and the E/2.
Section 8: All.
Section 17: All.

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Section 18: Lots 1, 2, 3 and 4, the E/2 W/2, and the E/2.
Section 19: Lots 1, 2, 3 and 4, the E/2 W/2, and the E/2.
Section 20: All.
Section 21: All.
Section 26: The N/2, the N/2 S/2, the S/2 SW/4, the SW/4 SE/4 and that portion of the SE/4 SE/4 lying north and west of the Southern Pacific Railroad R/W.
Section 27: All.
Section 28: All.
Section 29: All.
Section 31: Lots 1, 2, 3 and 4, the E/2 W/2, and the E/2.
Section 32: All.
Section 33: All
Section 34: The N/2, the SW/4 and that portion of the SE/4 lying north and west of the Southern Pacific Railroad R/W.
Section 35: The NW/4 NW/4 and that portion of the NE/4 NW/4, the NW/4 NE/4, SE/4 NW/4, the SW/4 NW/4 and the NW/4 SW/4 lying north and west of the Southern Pacific Railroad R/W.
Township 7 North. Range 16 East.
N.M.P.M. Section 29: S/2 SW/4.
Section 31: Lots 2, 3 and 4, the SE/4 NW/4, the E/2 W/4, the N/2 NE/4, the SW/4 NE/4 and the SE/4.
Section 32: All.
Section 33: All.

Section 34: The S/2 NE/4 and the SE/4.

Also: an undivided % interest in and to 1 acre in the SE/4 NW/4 more particularly described as follows:

Beginning at a point 100 yards due north of the southwest corner of said SE/4 NW/4, thence East 96 4/5 yards; thence North 50 yards to the point and place of beginning .

Section 35: S/2 NW/4 and the
SW/4. Section 36: All.

Township 7 North. Range 17 East.
N.M.P.M. Section 31: Lots 1, 2, 3 and 4,
the E/2 W/2.

BOOK 67 PAGE 901

The following described real estate in Guadalupe County, New Mexico:
Township 6 North. Range 16 East. N.M.P.M.

Section 3: Lots 2
and 3. Section 21:
The S/2.
Section 27; All that portion of the SW/4, more particularly described as follows:

Beginning at the northwest corner of said SW/4, thence continuing along the following bearings and distances:

South 2640 feet to the southwest corner;
East 2222.6 feet along the south line of said
SW/4; North 834.8 feet;
East 417.4 feet to the east line of said SW/4;
North 1805.2 feet to the northeast corner of said SW/4;
West 2640 feet along the north line of said SW/4, to the point and place of beginning.

Section 33: The east 1056 feet of the E/2 of the E/2
NE/4. Section 34: The NW/4 NW/4 and the SE/4.

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Lots 1, 2, 3, 4, S/2 NE/4, SE/4
Section 4, Township Four (4) North Range Sixteen (16) East, N.M.P.M.

subject to all valid and subsisting rights, restrictions, reservations, covenants, conditions, rights-of-way and easements of record, if any, affecting said lands and reserving to the State of New Mexico all minerals of whatsoever kind in, under or upon said land, including but not limited to

oil and natural gas, geothermal resources, helium, carbon dioxide, coal and lignite, uranium, saline, brine, copper, iron, lead, talc, barite, gold and silver, precious and semi-precious stones, caliche, building stones, shale, clay, sand, gravel and rock for crushing, whether or not now known to exist or to have value, of whatever form or type, at whatever depth, in whatever nature of deposit, whether solid, semi-solid, liquid, or gaseous, whether similar or dissimilar to any of those minerals enumerated, and regardless of the method of extraction whether by wells, including input wells, mining by subterranean, open-pit, or strip mines, surface or subsurface leaching, or any other means now or hereafter known or employed, together with all rights of access and surface use necessary for or reasonably incident to exploration for and extraction and removal of the minerals, the right to execute leases for mineral development and operation, the right to sell or dispose of the minerals, the right to grant rights-of-way and easements for mineral purposes, the right to prospect for, mine, produce and remove minerals and the right to perform any and all acts necessary in connection therewith.

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RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Gallinas Mountain Wind LLC
c/o General Counsel
1088 Samsome Street
San Francisco, CA 94111

(Space above this line for Recorder's use only)

MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT

THIS MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT is made and entered into as of August 2lo, 2024 ("Effective Date"), by and between Singleton Properties, LLC, a Delaware limited liability company, with an address at 90 San Cristobal Ranch Road, Lamy, NM 87540 (together with its successors and assigns, "Owner"), and Gallinas Mountain Wind LLC, a Delaware limited liability company, with an address at 1088 Sansome Street, San Francisco, CA 94111 (together with its successors and assigns, "Developer").

WHEREAS:

A. The Parties have entered into an Option Agreement for Land Lease and Wind Easement (the "Option Agreement") which, among other things, by its terms grants to Developer an option to acquire a wind easement (the "Option") and further grants to Developer present easements for wind and weather monitoring and access on and across certain land which is more particularly described in Exhibit A attached hereto and incorporated by this reference (the "Property");

B. The term of the Option commences on the Effective Date and continues for five (5) years thereafter, with an option to extend for an additional two (2) years upon the meeting of certain "Development Milestones" specified therein. The Option is exercised by Developer or its successors or assigns recording a Notice of Exercise of Option in the real property records of the county in which the Property is located ("Notice of Exercise") during the term of the Option Agreement;

C. If the Option is exercised, then Developer and its successors and assigns will hold a Land Lease and Wind Easement for, among other things, wind energy development and related rights over, on, across and through the Property or, portions thereof, at Developer's option, during a term commencing upon the date of the recording of the Notice of Exercise (the "Operation Date") and ending upon the end of the "Operating Term," which Operating Term commences upon the Operation Date, and which Operating Term ends thirty (30) years after the Operation Date, with an option in Developer to extend for two (2) ten (10) year Renewal Terms, all as more particularly set forth in the Land Lease and Wind Easement Agreement attached as Exhibit B to the Option Agreement (the "Lease");

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D. The Parties desire to enter into this Memorandum of Option and Lease which is to be recorded in order that third parties may have notice of the interests of Developer in the Property and of the existence of the Option to enter into the Lease with respect to the Property, or portions thereof, as set forth in the Option Agreement, and of certain easements and rights in the Property granted to Developer in the Option Agreement.

NOW, THEREFORE, in consideration of the rents and covenants provided in the Option Agreement to be paid and performed by Developer and other good and valuable consideration, the receipt and adequacy of which are acknowledged by Owner, Owner hereby grants to Developer, among other things, (i) certain easements with respect to the Property during the term of the Option, as more particularly set forth in the Option Agreement, and (ii) that certain exclusive Option to enter into a Land Lease and Wind Easement covering the Property, or portions thereof, on the terms and conditions set forth in the Option Agreement, together with certain present easements to use and enjoy the Property, all more particularly set forth in the Option Agreement. All of the terms, conditions, provisions, and covenants of the Option Agreement are hereby incorporated into this Memorandum of Option and Lease by reference as though fully set forth herein, and the Option Agreement and this Memorandum of Option and Lease shall be deemed to constitute a single instrument or document. Should there be any inconsistency between the terms of this Memorandum of Option and Lease and the Option Agreement, the terms of the Option Agreement shall prevail.

The Option evidenced by this Memorandum of Option and Lease may be exercised by Developer's sole execution and recording of a Notice of Exercise in the real property records of the county in which the Property is located, whereupon all the easements and rights that are the subject of the Option shall immediately become effective and binding upon Owner and the Property, or such portions thereof as Developer may identify in the Notice of Exercise, and on all successive owners of such portions thereof or entirety of the Property and the successors and assigns of Owner, all for the benefit of Developer and its successors and assigns. This Memorandum of Option and Lease may be executed in multiple counterparts, all of which, when taken together, shall constitute one and the same agreement.

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IN WITNESS WHEREOF, the Parties have executed this Memorandum of Option and Lease as of the date set forth above.

"OWNER"

Singleton Properties LLC

By: _____

Name: William W. Singleton

Title: Manager

STATE OF _____ §
§
COUNTY OF _____ §

The foregoing instrument was acknowledged before me this _____ day of August 2024, by William W. Singleton, as Manager of Singleton Properties LLC.

[SEAL]

_____
Notary Public for the State of _____
My commission expires: _____
Commission No.: _____

ACK
ATTACHED

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

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State of California
County of Los Angeles)

On August 23, 2024 before me, Samuel Adam Minton - Notary Public
(insert name and title of the officer)

personally appeared William W. Singleton,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Samuel Adam Minton
COMMISSION #2481743
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
Commission Expires February 13, 2026

Signature _____ (Seal)

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"OWNER"

Singleton Properties LLC

By: Christina Singleton

Name: Christina Singleton

Title: Manager

STATE OF California §
§
COUNTY OF Los Angeles §

The foregoing instrument was acknowledged before me this 22 day of August 2024, by Christina Singleton, as Manager of Singleton Properties LLC.

[SEAL]

JOSE JAVIER SARAVIA
Notary Public - California
Los Angeles County
Commission # 2381247
My Comm. Expires Nov 2, 2025

Jose Javier Saravia

Notary Public for the State of CA
My commission expires: 11/22/2025
Commission No.: 2381247

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"DEVELOPER"

Gallinas Mountain Wind LLC

By: _____
Name: Blake Rasmussen
Title: Authorized Signatory

STATE OF Texas §
§
COUNTY OF Harris §

The foregoing instrument was acknowledged before me this 26th day of August, 2024, by Blake Rasmussen, as Authorized Signatory of Gallinas Mountain Wind LLC

[SEAL]

EMILY MCCLARY-DAVIS
Notary Public, State of Texas
Comm. Expires 03-15-2025
Notary ID 131046982

Emily McClary Davis
Notary Public for the State of Texas
My commission expires: 3-15-2025
Commission No.: 131046982

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EXHIBIT A TO
MEMORANDUM OF OPTION AGREEMENT FOR LAND LEASE AND WIND EASEMENT

DESCRIPTION OF THE PROPERTY

The following real property all located in San Miguel, Santa Fe and Torrance Counties, New Mexico as conveyed to Owner pursuant to that certain Warranty Deed from Caroline W. Singleton, Trustee of The Singleton Family Trust dated August 13, 1999 as Grantor to Owner as Grantee dated December 21, 2006 and recorded on January 11, 2007 as Instrument No. 200700097 in the Records of San Miguel County, as Instrument No. 1466669 in the Records of Santa Fe County, and as Instrument No. 2070186 in the Records of Torrance County, New Mexico as more particularly described below:

TRACT A:

Torrance Co. TOWNSHIP NINE (9) NORTH, RANGE THIRTEEN (13) EAST, NMPM

SECTION 1: S/2 N/2, SE/4, S/2 SW/4, NE/4 SW/4
SECTION 2: LOTS 3 and 4
SECTION 3: LOTS 1 and 2
SECTION 11: S/2 NW/4, N/2 SW/4
SECTION 12: NW/4 NW/4

TOWNSHIP NINE (9) NORTH, RANGE FOURTEEN (14) EAST, NMPM

SECTION 2: LOT 3, SE/4 NV/4, SW/4 SE/4, S/2 SW/4
SECTION 3: S/2 S/2
SECTION 4: S/2 SE/4
SECTION 5: SW/4 NE/4, SE/4 NW/4, NW/4 SE/4, NE/4 SW/4
SECTION 11: E/2 NE/4, NW/4 NE/4
SECTION 12: E/2 SW/4, NW/4 SW/4, SW/4 NW/4

San Miguel Co. TOWNSHIP TEN (10) NORTH, RANGE TWELVE (12) EAST, NMPM

SECTION 1: NE/4
SECTION 2: E/2 NE/4
SECTION 3: NW/4 NE/4 (LOT 2)
SECTION 10: E/2 SE/4
SECTION 11: W/2 SW/4
SECTION 13: S/2 NE/4, NE/4 SE/4
SECTION 14: S/2 NE/4, N/2 SE/4
SECTION 22: N/2 SE/4
SECTION 23: S/2
SECTION 24: SW/4, W/2 SE/4
SECTION 26: E/2 NW/4, W/2 NE/4

TOWNSHIP TEN (10) NORTH, RANGE THIRTEEN (13) EAST, NMPM

SECTION 3: S/2 S/2
SECTION 6: S/2 N/2, N/2 SW/4, W/2 SE/4, NE/4 SE/4
SECTION 12: E/2 E/2
SECTION 13: N/2, SE/4, N/2 SW/4
SECTION 14: N/2 SE/4
SECTION 18: LOT 3
SECTION 20: S/2 SW/4
SECTION 23: S/2 NE/4
SECTION 24: S/2 NW/4, NE/4, NE/4 SE/4
SECTION 29: N/2 NW/4
SECTION 30: LOT 1, NE/4 NW/4, N/2 NE/4

TOWNSHIP TEN (10) NORTH, RANGE FOURTEEN (14) EAST, NMPM

SECTION 4: S/2 SW/4
SECTION 6: NE/4 SE/4
SECTION 8: SW/4
SECTION 9: W/2 NE/4, SE/4 NE/4, N/2 SE/4, NE/4 SW/4, N/2 NW/4
SECTION 10: S/2 N/2, N/2 S/2, SE/4 SE/4, S/2 SW/4,
Less and except 11.174 acres deeded to the State of New Mexico for State Road 3, by Warranty Deed recorded in Book 229, of deeds page 5796.
SECTION 11: S/2 NW/4, W/2 SW/4
SECTION 14: NW/4 SW/4
SECTION 15: NW/4 NW/4, E/2 W/2, N/2 SE/4, SW/4 SE/4, less and except 5.907 acres deeded to the State of New Mexico for State Road 3, by Warranty Deeds in Book 229, pages 5793 and 5795.
SECTION 17: NW/4 NW/4, E/2 W/2
SECTION 19: Lots 3 and 4, SE/4 SW/4
SECTION 20: N/2 NW/4, SE/4 NW/4, SW/4 NE/4, N/2 SE/4, SE/4 SE/4
SECTION 21: SW/4 SW/4
SECTION 26: SE/4
SECTION 28: NW/4 NW/4, E/2 W/2
SECTION 30: E/2 NW/4, SW/4 NE/4, W/2 SE/4, SE/4 SE/4
SECTION 31: N/2 NE/4
SECTION 32: NW/4, NE/4 SE/4
SECTION 33: E/2 NW/4, NW/4 SE/4, N/2 SW/4
SECTION 34: SW/4 NW/4, SW/4 NE/4, W/2 SE/4, SE/4 SE/4, SW/4, Less and except 7.372 acres deeded to the State of New Mexico for State Road 3, by Warranty Deed recorded in Book 229, of deeds page 5794.

TOWNSHIP ELEVEN (11) NORTH, RANGE TWELVE (12) EAST, NMPM

SECTION 29: SW/4 SW/4
SECTION 30: S/2 SE/4
SECTION 31: NW/4 NE/4
SECTION 34: SW/4 NE/4, E/2 NE/4, W/2 SE/4, SW/4
SECTION 35: E/2 SE/4, W/2 NW/4

TOWNSHIP ELEVEN (11) NORTH, RANGE THIRTEEN (13) EAST, NMPM

SECTION 20: SW/4 SE/4
SECTION 25: NE/4, E/2 NW/4, NE/4 SW/4, NW/4 SE/4
SECTION 29: W/2 NE/4, NW/4 SE/4

SUBJECT TO any and all reservations, restrictions, easements and rights of way of record.

TRACT B:

Torrance Co.

TOWNSHIP NINE (9) NORTH, RANGE ELEVEN (11) EAST, NMPM

SECTION 2: ALL
SECTION 16: N/2

TOWNSHIP NINE (9) NORTH, RANGE TWELVE (12) EAST, NMPM

SECTION 2: E/2, NW/4, W/2 SW/4

TOWNSHIP NINE (9) NORTH, RANGE THIRTEEN (13) EAST, NMPM

SECTION 2: LOTS 1 and 2, S/2 N/2, S/2

TOWNSHIP NINE (9) NORTH, RANGE FOURTEEN (14) EAST, NMPM

SECTION 2: LOTS 1, 2 and 4, S/2 NE/4, SW/4 NW/4, N/2 S/2, SE/4 SE/4
SECTION 16: ALL

Santa Fe Co.

TOWNSHIP TEN (10) NORTH, RANGE ELEVEN (11) EAST, NMPM

SECTION 5: SW/4, S/2 SE/4
SECTION 6: S/2
SECTION 7: LOTS 1, 2, 3, 4, E/2 W/2, E/2
SECTION 8: ALL
SECTION 9: ALL
SECTION 16: ALL
SECTION 17: ALL

SECTION 18: LOTS 1, 2, 3, 4, E/2 W/2, E/2
SECTION 19: LOTS 1, 2, 3, 4, E/2 W/2, E/2
SECTION 20: N/2, SE/4
SECTION 21: ALL
SECTION 22: ALL
SECTION 27: ALL
SECTION 28: ALL
SECTION 29: N/2 N/2, SW/4 NW/4, SW/4, S/2 SE/4, SE/4 NE/4
SECTION 30: LOTS 1, 2, 3, 4, E/2 N/2, E/2
SECTION 32: ALL
SECTION 33: ALL
SECTION 34: ALL
SECTION 35: NW/4

San Miguel Co. TOWNSHIP TEN (10) NORTH. RANGE TWELVE (12) EAST. NMPM

SECTION 1: LOTS 3, 4, S/2, S/2 NW/4
SECTION 2: LOTS 2, 3, 4, S/2, S/2 NW/4, SW/4 NE/4
SECTION 3: LOTS 1, 3, 4, S/2 N/2, S/2
SECTION 4: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 5: LOT 1, E/2 SE/4, SE/4 NE/4
SECTION 11: N/2, SE/4, E/2 SW/4
SECTION 12: ALL
SECTION 13: W/2, N/2 NE/4, S/2 SE/4, NW/4 SE/4
SECTION 14: W/2, N/2 NE/4, S/2 SE/4
SECTION 15: NE/4 NE/4
SECTION 16: SW/4, W/2 SE/4
SECTION 22: S/2 SE/4
SECTION 23: N/2
SECTION 24: N/2, E/2 SE/4
SECTION 25: N/2
SECTION 26: E/2 NE/4
SECTION 27: S/2 SE/4
SECTION 28: ALL
SECTION 29: N/2, SE/4, E/2 SW/4
SECTION 32: ALL
SECTION 33: ALL
SECTION 34: N/2, N/2 S/2, S/2 SW/4, SE/4 SE/4
SECTION 35: ALL
SECTION 36: ALL

TOWNSHIP TEN (10) NORTH. RANGE THIRTEEN (13) EAST. NMPM

SECTION 1: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 2: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 3: LOTS 1, 2, 3, 4, S/2 N/2, N/2 S/2

SECTION 4: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 5: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 6: LOTS 1, 2, 3, 4, 7, SE/4 SW/4, SE/4 SE/4
SECTION 7: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 8: ALL
SECTION 9: ALL
SECTION 10: ALL
SECTION 11: ALL
SECTION 12: W/2, W/2 E/2
SECTION 13: S/2 SW/4
SECTION 14: W/2, NE/4, S/2 SE/4
SECTION 15: ALL
SECTION 16: ALL
SECTION 17: N/2 NE/4, SW/4 NE/4
SECTION 32: ALL
SECTION 36: ALL

TOWNSHIP TEN (10) NORTH, RANGE FOURTEEN (14) EAST, NMPM

SECTION 2: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (CALL)
SECTION 3: LOTS 1, 3, 4, S/2 NW/4, SW/4, SE/4 NE/4, NE/4 SE/4
SECTION 4: LOTS 1, 2, 3, 4, S/2 N/2, SE/4, N/2 SW/4
SECTION 5: LOTS 1, 2, 3, 4, S/2 N/2, S/2 (ALL)
SECTION 6: LOTS 1, 2, 3, 4, 5, 6, 7, SE/4 NW/4, S/2 NE/4, E/2 SW/4, W/2 SE/4, SE/4 SE/4
SECTION 7: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 8: N/2, SE/4
SECTION 9: S/2 S/2, S/2 NW/4, NW/4 SW/4, NE/4 NE/4
SECTION 10: N/2 NW/4
SECTION 11: E/2, N/2 NW/4, E/2 SW/4
SECTION 12: ALL
SECTION 13: ALL
SECTION 14: E/2, E/2 W/2, SW/4 SW/4
SECTION 15: W/2 SW/4, SW/4 NW/4, SE/4 SE/4, less and except 1.322 acres conveyed to the New Mexico State Highway Commission by Grant of Right-of-Way, recorded in Book 230, page 1395.
SECTION 16: ALL
SECTION 17: E/2, W/2 SW/4, SW/4 NW/4
SECTION 18: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 19: LOTS 1, 2, E/2, E/2 NW/4, NE/4 SW/4
SECTION 20: SW/4, SW/4 NW/4, N/2 NE/4, SE/4 NE/4, SW/4 SE/4
SECTION 21: N/2, SE/4, E/2 SW/4, NW/4 SW/4
SECTION 22: ALL
SECTION 23: ALL
SECTION 24: ALL

SECTION 25: NW/4, W/2 NE/4, S/2
SECTION 26: N/2, SW/4
SECTION 27: ALL
SECTION 28: E/2, W/2 SW/4, SW/4 NW/4
SECTION 29: ALL
SECTION 30: LOTS 1, 2, 3, 4, E/2 SW/4, N/2 NE/4, SE/4 NE/4, NE/4 SE/4
SECTION 31: LOTS 1, 2, 3, 4, E/2 W/2, SE/4, S/2 NE/4
SECTION 32: NE/4, SW/4, W/2 SE/4, SE/4 SE/4
SECTION 33: NE/4, S/2 S/2, W/2 NW/4, NE/4 SE/4
SECTION 34: N/2 N/2, SE/4 NW/4, SE/4 NE/4, NE/4 SE/4
SECTION 35: ALL
SECTION 36: ALL

Less and except from the above lands in Sections 22, 27 and 34, a total of 38.204 acres conveyed to the New Mexico State Highway Commission by Grant of Right-of-Way, recorded in Book 230, page 1393.

TOWNSHIP ELEVEN (11) NORTH, RANGE TWELVE (12) EAST, NMPM

SECTION 14: ALL
SECTION 19: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 20: ALL
SECTION 21: ALL
SECTION 22: ALL
SECTION 23: ALL
SECTION 25: ALL
SECTION 26: ALL
SECTION 27: ALL
SECTION 28: ALL
SECTION 29: N/2, N/2 S/2, SE/4 SW/4, S/2 SE/4
SECTION 30: LOTS 1, 2, 3, 4, E/2 W/2, NE/4, N/2 SE/4
SECTION 31: E/2 E/2, W/2 SE/4, SW/4 NE/4
SECTION 32: ALL
SECTION 33: ALL
SECTION 34: NW/4, NW/4 NE/4, E/2 SE/4
SECTION 35: SW/4, E/2 NW/4, NE/4, W/2 SE/4
SECTION 36: ALL

TOWNSHIP ELEVEN (11) NORTH, RANGE THIRTEEN (13) EAST, NMPM

SECTION 8: SE/4
SECTION 9: S/2, NE/4
SECTION 16: ALL
SECTION 17: NE/4, E/2 SE/4, SW/4 SE/4

SECTION 20: NE/4, NE/4 SE/4
SECTION 21: N/2, N/2 S/2, S/2 SE/4
SECTION 22: ALL
SECTION 25: W/2 W/2, S/2 SE/4, NE/4 SE/4, SE/4 SW/4
SECTION 26: ALL
SECTION 27: ALL
SECTION 28: E/2, SW/4, NE/4 NW/4, S/2 NW/4
SECTION 29: W/2, E/2 NE/4, S/2 SE/4, NE/4 SE/4
SECTION 30: LOTS 1, 2, 3, 4, E/2 W/2, NE/4, W/2 SE/4, SE/4 SE/4
SECTION 31: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 32: ALL
SECTION 33: ALL
SECTION 34: ALL
SECTION 35: ALL
SECTION 36: ALL

TOWNSHIP ELEVEN (11) NORTH, RANGE FOURTEEN (14) EAST, NMPM

SECTION 19: LOTS 3 & 4, E/2 SW/4, SE/4
SECTION 30: LOTS 1, 2, 3, 4, E/2 W/2, E/2 (ALL)
SECTION 31: LOTS 1, 2, 3, 4, E/2 W/2, NE/4, N/2 SE/4, SW/4 SE/4

subject to all valid and subsisting rights, restrictions, reservations, covenants, conditions, rights-of-way and easements of record, if any, affecting said lands and reserving to the State of New Mexico all minerals of whatsoever kind in, under or upon said land, including but not limited to oil and natural gas, geothermal resources, helium, carbon dioxide, coal and lignite, uranium, saline, brine, copper, iron, lead, talc, barite, gold and silver, precious and semi-precious stones, caliche, building stones, shale, clay, sand, gravel and rock for crushing, whether or not now known to exist or to have value, of whatever form or type, at whatever depth, in whatever nature of deposit, whether solid, semi-solid, liquid, or gaseous, whether similar or dissimilar to any of those minerals enumerated, and regardless of the method of extraction whether by wells, including input wells, mining by subterranean, open-pit, or strip mines, surface or subsurface leaching, or any other means now or hereafter known or employed, together with all rights of access and surface use necessary for or reasonably incident to exploration for and extraction and removal of the minerals, the right to execute leases for mineral development and operation, the right to sell or dispose of the minerals, the right to grant rights-of-way and easements for mineral purposes, the right to prospect for, mine, produce and remove minerals and the right to perform any and all acts necessary in connection therewith.

Exhibit C – Wind Turbine Model Specifications

GE Vernova - Onshore Wind

Technical Documentation for Wind Turbine Generator Systems

Sierra 3.8-154 - 60Hz



System Description

WT General Technical Description

Document Id:DOC-1000118
Document Revision:B
Document Code Classification:DB
Document Language:EN
Document Release Date:2025-04-16

GE VERNOVA

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Document Scope

Platform	Commercial Product
Sierra	3.8-154 60Hz

Document Revision Table

Rev.	Date (YYYY/MM/DD)	Affected Pages	Change Description
-	2023/12/14	-	Initial Release
A	2024/08/01	3 & 6	UPDATED Sections 3 & 4.1
B	2025/04/16	3, 5 & 6	UPDATED Sections 3, 4 and 5

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1 Purpose of the Document

The purpose of this document is to summarize the general descriptions and specifications of the wind turbine and its primary components.

2 Acronyms

Acronym	Meaning
DC	Direct Current
LNTE	Low Noise Trailing Edge
SCADA	Supervisory Control and Data Acquisition
WTG	Wind Turbine Generator

Table 1: Acronyms

3 General Description of the Wind Turbine and Major Components

The wind turbine is a three bladed, upwind, horizontal-axis wind turbine with a rotor diameter of 154m. The turbine rotor and nacelle are mounted on top of a tubular tower with a hub height of 98m or 116m.

Hub Height	Upper Tip Height
98m	176m (575ft)
116m	194m (635ft)

Table 2: Upper tip height by configuration for 60Hz market

The Wind Turbine Generator (WTG) employs active yaw control (designed to steer the wind turbine with respect to the wind direction), active blade pitch control (designed to control turbine rotor speed), and a variable speed generator with a power electronic converter system.

The wind turbine generator features a modular drivetrain design where the primary drivetrain components, including main shaft bearing, gearbox, generator and yaw drives, are attached to a bedplate.

3.1 Rotor

Rotor speed is controlled by a combination of blade pitch angle adjustment and generator/converter torque control. The rotor spins in a clock-wise direction under normal operating conditions when viewed from an upwind location.

Full blade pitch angle range is approximately 90°, with the 0° position being with the blade flat to the prevailing wind. Pitching the blades to a full feather pitch angle of approximately 90° accomplishes aerodynamic braking of the rotor, thus decreases the rotor speed.

3.2 Blades

There are three logistics optimized rotor blades used on the wind turbines. The airfoils transition along the blade span with the thicker airfoils being located in-board towards the blade root (hub) and gradually tapering to thinner cross sections out towards the blade tip.

In order to optimize noise emissions, the rotor blades can be equipped with Low-Noise-Trailing-Edges (LNTEs) at the pressure side of the blade's rear edge. LNTEs are thin jagged plastic strips.

3.3 Blade Pitch Control System

The rotor uses a pitch system for adjustment of the blade pitch angle during operation.

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The active pitch controller enables the wind turbine rotor to control speed. When there is above rated wind speed, the blade will rotate, or feather, the blade to "spill" aerodynamic lift and slow the rotor. When below rated wind speed, energy from wind gusts is captured as the rotor speeds up.

Independent back up is provided to feather the blades and shut down the wind turbine in the event of a grid line outage or other fault. By having all three blades outfitted with independent pitch systems, redundancy of individual blade aerodynamic braking capability is provided

3.4 Hub

The hub is used to connect the three rotor blades to the wind turbine main shaft. The hub also houses the blade pitch system and is mounted directly to the main shaft. To carry out maintenance work, access to go into the hub is provided through one of the three hatches at the area nearer to the nacelle roof.

3.5 Gearbox

The gearbox in the wind turbine is designed to transmit torsional power between the low-rpm turbine rotor and high-rpm electric generator. The gearbox is a multi-stage planetary/helical design. The gearbox is mounted to the wind turbine bedplate. The gearbox mounting is designed to decrease vibration and noise transfer to the bedplate. The gearbox is lubricated by a forced, cooled lubrication system and a filter assist to maintain oil cleanliness.

3.6 Bearings

The blade pitch bearing is designed to allow the blade to pitch about a span-wise pitch axis. The inner race of the blade pitch bearing is outfitted with a blade drive gear that enables the blade to pitch.

The single main shaft bearing is mounted in a bearing cap arrangement.

3.7 Brake System

The blade pitch systems act as the main braking system for the wind turbine generator. Braking under normal operating conditions is accomplished by feathering the blades out of the wind. Only two feathered rotor blades are required to decelerate the rotor safely into idling mode, and each rotor blade has its own back-up to drive the blade in the event of a grid line loss.

The wind turbine generator is also equipped with a mechanical brake located at the output (high-speed) shaft of the gearbox. This brake is only applied as an auxiliary brake to the main aerodynamic brake and to prevent rotation of the machinery as required by certain service activities.

3.8 Generator

The generator is a doubly fed induction type. It is mounted to the generator frame with a mounting designed to reduce vibration and noise transfer to the machine.

3.9 Gearbox/Generator Coupling

Designed to protect the drive train from excessive torque loads by a flexible coupling with a torque-limiting device provided between the generator and gearbox output shaft.

3.10 Yaw System

A bearing positioned between the nacelle and tower facilitates yaw motion. Yaw drives mesh with the gear of the yaw bearing and steer the wind turbine to monitor the wind in yaw. The yaw drive system contains an automatic yaw brake. The brake engages when the yaw drive is not operating and prevents the yaw drives from being loaded due to turbulent wind conditions.

The controller activates the yaw drives to align the nacelle to the wind direction based on the wind vane sensor mounted on top of the nacelle.

The wind turbine records nacelle yaw position. After detecting excessive rotation in one direction, the controller automatically puts the rotor to a complete stop, untwists the internal cables, and restarts the wind turbine.

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3.11 Tower

The wind turbine is mounted on top of a tubular tower. The tubular tower is manufactured in sections from steel plate. Access to the turbine is through a lockable door at the base of the tower. Service platforms are provided. Access to the nacelle is provided by a ladder and a fall arresting safety system is included. Interior lights are installed at critical points from the base of the tower to the tower top.

3.12 Nacelle

The nacelle houses the primary components of the wind turbine generator. Access from the tower into the nacelle is through the bottom of the nacelle. The nacelle is ventilated and illuminated with electric lights. A hatch at the front end of the nacelle provides access to the blades and hub.

3.13 Wind Sensor and Lightning Rod

An ultrasonic wind sensor and lightning rod are mounted on top of the nacelle housing. Access is accomplished through a hatch in the nacelle roof.

3.14 Lightning Protection

The rotor blades have the lightning receptors mounted in the blade. The turbine is grounded and shielded to give protection against lightning. However, lightning is an unpredictable force of nature, and it is possible that a lightning strike could damage different components notwithstanding the lightning protection used in the wind turbine.

3.15 Wind Turbine Control System

The wind turbine can be controlled locally. Control signals can also be sent from a remote computer through a Supervisory Control and Data Acquisition System (SCADA), with local lockout function provided at the turbine controller.

Service switches at the tower top prevent service personnel at the bottom of the tower from operating specified systems of the turbine while service personnel are in the nacelle. To override any wind turbine operation, emergency-stop buttons located in the tower base and in the nacelle can be activated to stop the turbine in the event of an emergency.

3.16 Power Converter

The wind turbine uses a power converter system that consists of a converter on the rotor side, a DC intermediate circuit, and a power inverter on the grid side.

The converter system consists of a power module and the related electrical equipment.

3.17 Medium Voltage Transformer

To connect each turbine to the collector system, the customer must provide a stand-alone pad-mounted medium voltage transformer and a suitable foundation and electrical design. Refer to the Sierra Platform Pad-Mounted Transformer Requirement Specification for the minimum capability and performance requirements for the pad-mounted transformer.

4 Technical Data

Dimensioned outlined drawings are embedded in this document which can be opened and referenced for permitting.

4.1 Rotor

Turbine	**Sierra-154**
Rated Output	3800 kW
Rotor Diameter	154m
Number of Blades	3
Swept area	18723 m^2

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Rotational Direction	Clockwise looking downwind
Rated Rotor Speed	6.1-10.6 rpm
Tip speed at rated power	85.7 m/s
Orientation	Upwind
Speed Regulation	Pitch control
Aerodynamic Brakes	Full feathering

Table 3: Rotor Technical Data

4.2 Corrosion Protection

Minimum atmospheric corrosion protection as defined by ISO 12944-2:2017		
Sierra-154	Standard	
Component	Internal	External
Blades	C4	C5
Tower shell coating	C2	C3
Tower internal and stair fasteners	C4	C4
Hub	C3	C4
Hub fasteners	C4	C4
Machine head	C3	C4
Cooling System on Nacelle Roof	N/A	C3
Generator	N/A	C3
Machine head Fasteners	C4	C4

Table 4: Corrosion Protection

5 Operational Limits

	Sierra-154
Height above Sea Level	Up to 2500m
Minimum Temperature Operational/Survival	Standard weather: -15°C / -20°C Cold Weather Extreme package: -30 °C/ -40 °C Restart after shut down due to cold temperature occurs with a 5°C hysteresis (-10°C for Standard Weather, -25°C for Cold Weather Extreme)
Maximum Standard Ambient Temperature (Operation/Survival)	+40°C / +50°C The turbine has a feature that reduces the maximum electrical power output of the turbine as component temperatures approach predefined thresholds. Please note that the de-rating takes place due to locally sensed temperatures at the components and not based on outside ambient conditions.
Wind Turbine Design Standard	IEC 61400-1, Ed. 3

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Wind Class	IEC S

Table 5: Operational Limits

6 References

1. IEC 61400-1: Wind turbines Part 1: Design requirements
2. IEC 60034 1: Rotating electrical machines – Part 1: Rating and performance
3. ISO 12944 2:2017: Paints and varnishes - Part 2: Corrosion protection of steel structures by protective paint systems - Classification of environments
4. ISO 2813: Paints and varnishes — Determination of gloss value at 20°, 60° and 85°
5. IEC 61400-24: Wind energy generation systems - Part 24: Lightning protection

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Document no.: 0130-7820 V04
2025-03-11

General Description

4MW Platform

4.5MW



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1 Introduction

The 4MW Platform wind turbine configurations covered by this General Description are listed below with designations according to IECRE OD-501 Ed.2.

Please refer to the Performance Specification for the relevant turbine variant for full wind class definition.

The variant specific performance can be found in the Performance Specifications for the turbine variant and operational mode required.

Turbine Type Class	Turbine Type	Operating Mode
V163-4.5 MW	V163-4.5 MW IEC 3B 50/60 Hz	Power Optimized Mode (PO4500)

Table 1: 4MW Platform turbine configurations covered.

2 General Description

Vestas 4MW Platform comprises a family of wind turbines sharing a common design basis.

The 4MW Platform family of wind turbines includes rotor diameters from 105 to 163 meter and Power ratings from 3.3 to 4.5 MW.

This General Description, and the 4.5 MW Power Optimized Mode, only applies to V163-4.5 MW.

These turbines are pitch regulated upwind turbines with active yaw and a three-blade rotor.

The wind turbine family utilises the OptiTip® concept and a power system based on an induction generator and full-scale converter. With these features, the wind turbine is able to operate the rotor at variable speed and thereby maintain the power output at or near rated power even in high wind speed. At low wind speed, the OptiTip® concept and the power system work together to maximise the power output by operating at the optimal rotor speed and pitch angle.

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3 Mechanical Design

3.1 Rotor

The wind turbine is equipped with a rotor consisting of three blades and a hub. The blades are controlled by the microprocessor pitch control system OptiTip®. Based on the prevailing wind conditions, the blades are continuously positioned to optimise the pitch angle.

Rotor	V163
Diameter	163 m
Swept Area	20.867 m^2
Speed, Dynamic Operation Range	4.3-11.0
Rotational Direction	Clockwise (front view)
Orientation	Upwind
Tilt	6°
Hub Coning	3°
No. of Blades	3
Aerodynamic Brakes	Full feathering

Table 2: Rotor data

3.2 Blades

The blades are made of carbon and fibreglass and consist of two airfoil shells bonded to a supporting beam or with embedded structure.

Blades	V163
Type Description	Infused structural airfoil shell
Blade Length	80.1 m
Material	Fibreglass reinforced epoxy, carbon fibres and Solid Metal Tip (SMT)
Blade Connection	Steel roots inserted
Airfoils	High-lift profile
Maximum Chord	4.3 m
Chord at 90% blade radius	1.3 m

Table 3: Blades data

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3.3 Blade Bearing

The blade bearings allow the blades to operate at varying pitch angles.

Blade Bearing	
Blade bearing type	3-rows roller bearings
Lubrication	Manual grease lubrication

Table 4: Blade bearing data

3.4 Pitch System

The turbine is equipped with a pitch system for each blade and a distributor block, all located in the hub. Each pitch system is connected to the distributor block with flexible hoses. The distributor block is connected to the pipes of the hydraulic rotating transfer unit in the hub by means of three hoses (pressure line, return line and drain line).

Each pitch system consists of a hydraulic cylinder mounted to the hub and a piston rod mounted to the blade bearing via a torque arm shaft. Valves facilitating operation of the pitch cylinder are installed on a pitch block bolted directly onto the cylinder.

Pitch System	
Type	Hydraulic
Number	1 per blade
Range	-8.5° to 95°

Table 5: Pitch system data

Hydraulic System	
Main Pump	Two redundant internal-gear oil pumps
Pressure	260 bar
Filtration	3 µm (absolute)

Table 6: Hydraulic system data.

3.5 Hub

The hub supports the three blades and transfers the reaction loads to the main bearing and the torque to the gearbox. The hub structure also supports blade bearings and pitch cylinders.

Hub	
Type	Cast ball shell hub
Material	Cast iron

Table 7: Hub data

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3.6 Main Shaft

The main shaft transfers the reaction forces to the main bearing and the torque to the gearbox.

Main Shaft	
Type Description	Hollow shaft
Material	Cast iron or forged steel

Table 8: Main shaft data

3.7 Main Bearing Housing

The main bearing housing covers the main bearing and is the first connection point for the drive train system to the bedplate.

Main Bearing Housing	
Material	Cast iron

Table 9: Main bearing housing data

3.8 Main Bearing

The main bearing carries all thrust loads.

Main Bearing	
Type	Double-row spherical roller bearing
Lubrication	Automatic grease lubrication

Table 10: Main bearing data

3.9 Gearbox

The main gear converts the low-speed rotation of the rotor to high-speed generator rotation.

The disc brake is mounted on the high-speed shaft. The gearbox lubrication system is a pressure-fed system.

Gearbox	
Type	Planetary stages + one helical stage
Gear House Material	Cast
Lubrication System	Pressure oil lubrication
Backup Lubrication System	Oil sump filled from external gravity tank
Total Gear Oil Volume	1000-1500
Oil Cleanliness Codes	ISO 4406-/15/12
Shaft Seals	Labyrinth

Table 11: Gearbox data

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3.10 Generator Bearings

The bearings are grease lubricated and grease is supplied continuously from an automatic lubrication unit.

3.11 High-Speed Shaft Coupling

The coupling transmits the torque of the gearbox high-speed output shaft to the generator input shaft.

The coupling consists of two 4-link laminate packages and a fibreglass intermediate tube with two metal flanges.

The coupling is fitted to two-armed hubs on the brake disc and the generator hub.

3.12 Yaw System

The yaw system is an active system based on a robust pre-tensioned plain yaw-bearing concept with PETP as friction material.

Yaw System	
Type	Plain bearing system
Material	Forged yaw ring heat-treated. Plain bearings PETP
Yawing Speed (50 Hz)	0.45°/sec.
Yawing Speed (60 Hz)	0.55°/sec.

Table 12: Yaw system data

Yaw Gear	
Type	Multiple stages geared
Ratio Total	944:1
Rotational Speed at Full Load	1.4 rpm at output shaft

Table 13: Yaw gear data

3.13 Crane

The nacelle houses the internal safe working load (SWL) service crane. The crane is a single system hoist.

Crane	
Lifting Capacity	Maximum 800 kg

Table 14: Crane data

3.14 Towers

Tubular towers with flange connections, certified according to relevant type approvals, are available in different standard heights. The towers are designed with the majority of internal welded connections replaced by magnet supports to create a predominantly smooth-walled tower.

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Magnets provide load support in a horizontal direction and internals, such as platforms, ladders, etc., are supported vertically (that is, in the gravitational direction) by a mechanical connection. The smooth tower design reduces the required steel thickness, rendering the tower lighter compared to one with all internals welded to the tower shells.

Available hub heights are listed in the Performance Specification for each turbine variant. Designated hub heights include a distance from the foundation section to the ground level of approximately 0.2 m depending on the thickness of the bottom flange and a distance from tower top flange to centre of the hub of 2.2 m.

For site specific hub height requests, please contact Vestas.

Towers	
Type	Cylindrical/conical tubular

Table 15: Tower structure data

3.15 Nacelle Bedplate and Cover

The nacelle cover is made of fibreglass. Hatches are positioned in the floor for lowering or hoisting equipment to the nacelle and evacuation of personnel. The roof section is equipped with skylights.

The skylights can be opened from inside the nacelle to access the roof and from outside to access the nacelle. Access from the tower to the nacelle is through the yaw system.

The nacelle bedplate is in two parts and consists of a cast iron front part and a girder structure rear part. The front of the nacelle bedplate is the foundation for the drive train and transmits forces from the rotor to the tower through the yaw system. The bottom surface is machined and connected to the yaw bearing and the yaw gears are bolted to the front nacelle bedplate.

The crane girders are attached to the top structure. The lower beams of the girder structure are connected at the rear end. The rear part of the bedplate serves as the foundation for controller panels, the cooling system and transformer. The nacelle cover is installed on the nacelle bedplate.

Type Description	**Material**
Nacelle Cover	GRP
Bedplate Front	Cast iron
Bedplate Rear	Girder structure

Table 16: Nacelle bedplate and cover data

3.16 Thermal Conditioning System

The thermal conditioning system consists of a few robust components:

- The Vestas CoolerTop® located on top of the rear end of the nacelle. The CoolerTop® is a free flow cooler, thus ensuring that there are no electrical

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components in the thermal conditioning system located outside the nacelle.

- The CoolerTop® comes as standard in a "naked" form, with no side cover panels.
- The Liquid Cooling System, which serves the gearbox, hydraulic systems, generator and converter is driven by an electrical pumping system.
- The transformer forced air cooling comprised of an electrical fan.
- The nacelle forced air cooling comprised of an electrical fan.

3.16.1 Generator and Converter Cooling

The generator and converter cooling systems operate in parallel. A dynamic flow valve mounted in the generator cooling circuit divides the cooling liquid flow. The cooling liquid removes heat from the generator and converter unit using a free-air flow radiator placed on the top of the nacelle. In addition to the generator, converter unit and radiator, the circulation system includes an electrical pump and a three-way thermostatic valve.

3.16.2 Gearbox and Hydraulic Cooling

The gearbox and hydraulic cooling systems are coupled in parallel. A dynamic flow valve mounted in the gearbox cooling circuit divides the cooling flow. The cooling liquid removes heat from the gearbox and the hydraulic power unit through heat exchangers and a free-air flow radiator placed on the top of the nacelle.

In addition to the heat exchangers and the radiator, the circulation system includes an electrical pump and a three-way thermostatic valve.

3.16.3 Transformer Cooling

The transformer is equipped with forced-air cooling. The ventilator system consists of a central fan, located below the converter and an air duct leading the air to locations beneath and between the high voltage and low voltage windings of the transformer.

3.16.4 Nacelle Cooling

Hot air generated by mechanical and electrical equipment is dissipated from the nacelle by a fan system located in the nacelle.

3.16.5 Optional Air Intake Hatches

Specific air intakes in the nacelle can optionally be fitted with hatches which can be operated as a part of the thermal control strategy. In case of lost grid to the turbine, the hatches will automatically be closed.

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4 Electrical Design

4.1 Generator

The generator is a three-phase asynchronous induction generator with cage rotor that is connected to the grid through a full-scale converter. The generator housing allows the circulation of cooling air within the stator and rotor.

The air-to-water heat exchange occurs in an external heat exchanger.

Generator	
Type	Asynchronous with cage rotor
Rated Power [P_N]	4800 kW
Frequency [f_N]	0-100 Hz
Voltage, Stator [U_{NS}]	3 x 800 V (at rated speed)
Number of Poles	6
Winding Type	Form with VPI (Vacuum Pressurized Impregnation)
Winding Connection	Delta
Rated rpm	1450-1550 rpm
Overspeed Limit Acc. to IEC (2 minutes)	2400 rpm
Generator Bearing	Hybrid/ceramic
Temperature Sensors, Stator	3 PT100 sensors placed at hot spots
Temperature Sensors, Bearings	1 per bearing
Insulation Class	H
Enclosure	IP54

Table 17: Generator data

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4.2 Converter

The converter is a full-scale converter system controlling both the generator and the power quality delivered to the grid. The converter consists of 3 machine-side converter units and 3 line-side converter units operating in parallel with a common controller.

The converter controls conversion of variable frequency AC power from the generator into fixed frequency AC power with desired active and reactive power levels (and other grid connection parameters) suitable for the grid.

The converter is located in the nacelle and has a grid side voltage rating of 720 V. The generator side voltage rating is up to 800 V dependent on generator speed.

Converter	
Rated Apparent Power [S_N]	5300 kVA
Rated Grid Voltage	3 x 720 V
Rated Generator Voltage	3 x 800 V
Rated Grid Current @ 0.9 p.u. Voltage	4250 A
Rated Generator Current	3925 A
Enclosure	IP54

Table 18: Converter data

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4.3 HV Transformer

The step-up HV transformer is located in a separate locked room in the back of the nacelle.

The transformer is a three-phase, three limb, two-winding, dry-type transformer that is self-extinguishing. The windings are delta-connected on the high-voltage side and star connected on the low voltage side.

The transformer is designed according to IEC standards, but also complying to European Eco-design regulation No 548/2014 and No 2019/1783 set by the European Commission.
The transformer supplied for countries under EU legislation will be:

- Eco-design based on Tier 1 requirements (effective in EU until 1 July 2021)[1].
- Eco-design based on Tier 2 requirements (effective in EU from 1 July 2021)[1].

For other countries Eco-design based on Tier 1 requirements will be supplied as default.

4.3.1 Eco-designs - IEC 50 Hz/60 Hz version

Transformer	
Type description	Eco-design dry-type cast resin transformer.
Basic layout	3 phase, 3 limb, 2 winding transformer.
Applied standards	IEC 60076-11, IEC 60076-16, IEC 61936-1, Commission Regulation No 548/2014 and Commission Regulation No 2019/1783.
Cooling method	AF
Rated power	5300 kVA
Rated voltage, turbine side	
U_m 1.1kV	0.720 kV
Rated voltage, grid side	
U_m 24.0kV	15.7-22.0 kV
U_m 36.0kV	22.1-33.0 kV
U_m 40.5kV	33.1-36.0 kV
Insulation level AC / LI / LIC	
U_m 1.1kV	3^2 / 3 / 3 kV
U_m 24.0kV	50^2 / 125 / 125 kV
U_m 36.0kV	70^2 / 170 / 170 kV
U_m 40.5kV	80^2 / 170 / 170 kV
Off-circuit tap changer	±2 x 2.5 %
Frequency	50 Hz / 60 Hz
Vector group	Dyn5
No-load current [3]	~0.5 %
Positive sequence short-circuit impedance @ rated power, reference temperature according to IEC 60076-11 [4]	9.9 %
Positive sequence short-circuit resistance@ rated power, reference temperature according to IEC 60076-11 [3]	~0.8 %
Zero sequence short-circuit impedance@ rated power,	~8.3 %

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Transformer	
reference temperature according to IEC 60076-11 [3]	
Zero sequence short-circuit resistance@ rated power, reference temperature according to IEC 60076-11 [3]	~0.7 %
No-load reactive power [3]	~20 kVAr
Full load reactive power [3]	~550 kVAr
Inrush peak current [3]	5-8 x $\hat{I}_n$ A
Half crest time [3]	~ 0.6 s
Sound power level	≤ 80 dB(A)
Average temperature rise at max altitude	≤ 90 K
Max altitude [5]	2000 m
Insulation class	
LV coil	155 (F)
HV coil	155 (F) or 180 (H)
Environmental class	E2
Climatic class	C2
Fire behaviour class	F1
Corrosion class	C4
Weight	≤11000 kg
Temperature monitoring	PT100 sensors in LV windings and core
Overvoltage protection	Surge arresters on HV terminals
Temporary earthing	3 x Ø25 mm earthing ball points

Table 19: Transformer data for Eco-designs IEC 50 Hz/60 Hz version.

The transformer loss limits are given at rated power as combination of load loss and no-load loss which shall fulfil the Peak Efficiency Index (PEI) of the Eco-design requirements.

The maximum losses are described by the PEI limit section and stretches over a range between Loss variant 1 and Loss variant 2, see Figure 1 and Figure 2.

The loss variant values are selected based on energy loss optimization with the turbine user profile hence the energy loss of transformers between Loss variant 1 and Loss variant 2 are comparable.

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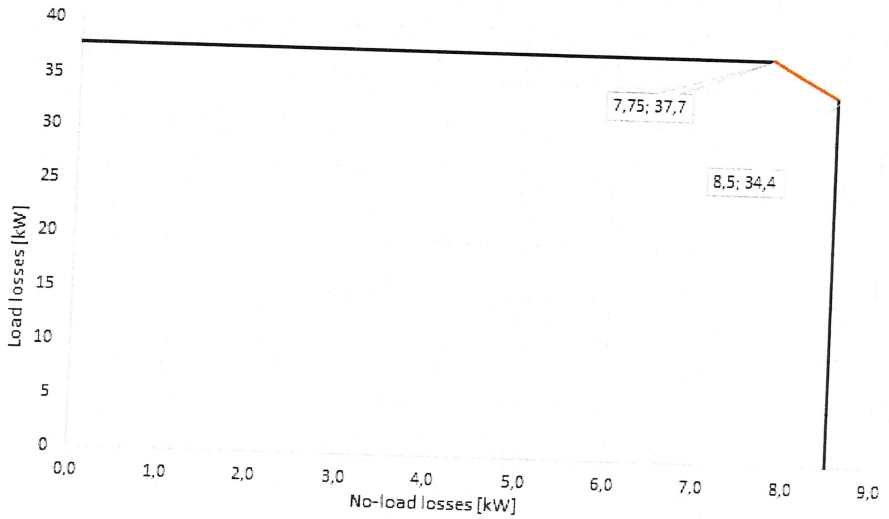


Figure 1: Transformer losses allowable area for Tier 1

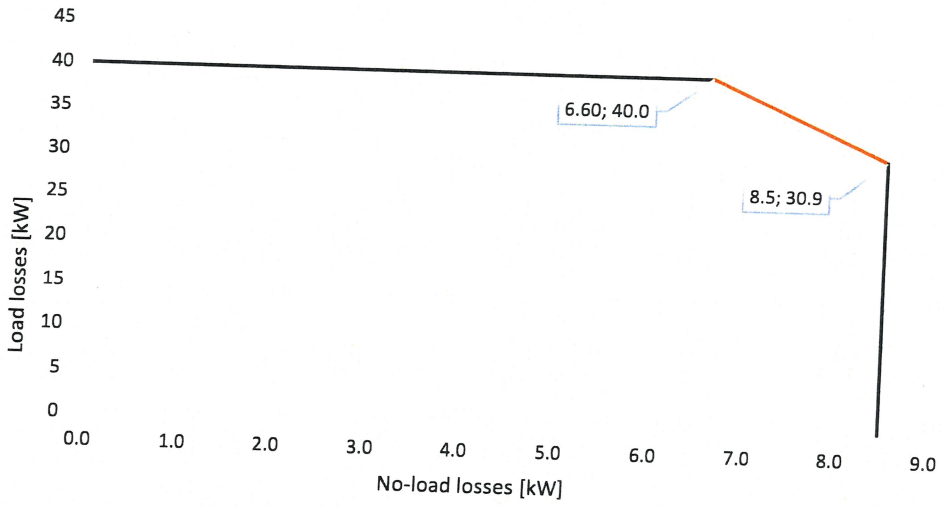


Figure 2: Transformer losses allowable area for Tier 2

The actual load losses vary depend on the operation mode of the turbine, hence in Table 20 the load losses are provided at different operation modes for the two loss variants. For further recalculation of load losses at different operation modes, refer to Figure 3.

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Transformer losses Tier 1	
Peak Efficiency Index (PEI)	> 99.354
Loss variant 1	
No-load loss	7.75 kW
Load loss @ power, reference temperature according to IEC 60076-11	**@5300kVA** ≤ 37.7 kW
Loss variant 2	
No-load loss	8.5 kW
Load loss @ power, reference temperature according to IEC 60076-11	**@5300kVA** ≤ 34.4 kW
Transformer losses Tier 2	
Peak Efficiency Index (PEI)	> 99.387
Loss variant 1	
No-load loss	6.6 kW
Load loss @ power, reference temperature according to IEC 60076-11	**@5300kVA** ≤ 40.0 kW
Loss variant 2	
No-load loss	8.5 kW
Load loss @ power, reference temperature according to IEC 60076-11	**@5300kVA** ≤ 30.9 kW

Table 20: Transformer losses for Eco-designs IEC 50 Hz/60 Hz version.

NOTE

[1] The date reflects date for shipment of transformer from manufacturer.

[2] @1000m. According to IEC 60076-11, AC test voltage is altitude dependent.
[3] Based on an average of calculated values across voltages and manufacturers.
[4] Subjected to standard IEC tolerances.
[5] Transformer max altitude may be adjusted to match turbine location. For voltage class Um 40,5 kV altitude are limited to 1000m for Eco-design Tier 2.

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$$Total\ losses \approx Rated\ no\ load\ loss + \left(\frac{Actual\ loading\ power\ [kVA]}{Rated\ transformer\ power\ [kVA]}\right)^2 \cdot Rated\ load\ loss$$

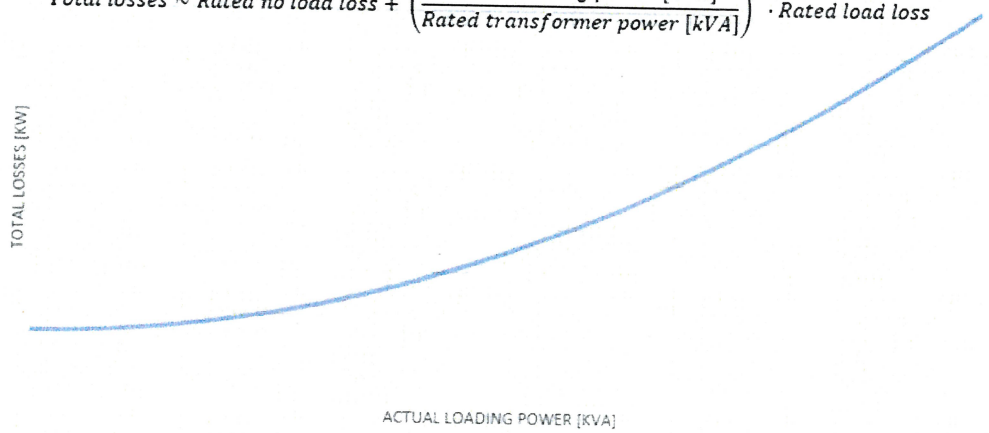


Figure 3: Total Losses vs. Actual Power

4.4 HV Cables

The high-voltage cable runs from the transformer in the nacelle down the tower to the HV switchgear located at the bottom of the tower. The high-voltage cable can be of two different constructions:

- A three-core, rubber-insulated, halogen-free, high-voltage cable with a three-core split earth conductor.
- A four-core, rubber-insulated, halogen-free, high-voltage cable.

HV Cables	
High-Voltage Cable Insulation Compound	Improved ethylene-propylene (EP) based material-EPR or high modulus or hard grade ethylene-propylene rubber-HEPR
Pre-terminated	HV termination in transformer end. T-Connector Type-C in switchgear end.
Maximum Voltage	24 kV for 19.1-22.0 kV rated voltage 42 kV for 22.1-36.0 kV rated voltage
Conductor Cross Sections	3x70 / 70 mm^2 (Single PE core) 3x70 + 3x70/3 mm^2 (Split PE core)

Table 21: HV cables data

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4.5 HV Switchgear

A gas insulated switchgear is installed in the bottom of the tower as an integrated part of the turbine. Its controls are integrated with the turbine safety system, which monitors the condition of the switchgear and high voltage safety related devices in the turbine. This system is named 'Ready to Protect' and ensures all protection devices are operational, whenever high voltage components in the turbine are energised. To ensure that the switchgear is always ready to trip, it is equipped with redundant trip circuits consisting of an active trip coil and an undervoltage trip coil.

In case of grid outage the circuit breaker will disconnect the turbine from the grid after an adjustable time.

When grid returns, all relevant protection devices will automatically be powered up via UPS.

When all the protection devices are operational, the circuit breaker will re-close after an adjustable time. The re-close functionality can furthermore be used to implement a sequential energization of a wind park, in order to avoid simultaneous inrush currents from all turbines once grid returns after an outage.

In case the circuit breaker has tripped due to a fault detection, the circuit breaker will be blocked for re-connection until a manual reset is performed.

In order to avoid unauthorized access to the transformer room during live condition, the earthing switch of the circuit breaker, contains a trapped-key interlock system with its counterpart installed on the access door to the transformer room.

The switchgear is available in three variants with increasing features, see Table 22. Beside the increase in features, the switchgear can be configured depending on the number of grid cables planned to enter the individual turbine. The design of the switchgear solution is optimized such grid cables can be connected to the switchgear even before the tower is installed and still maintain its protection toward weather conditions and internal condensation due to a gas tight packing.

The switchgear is available in an IEC version and in an IEEE version. The IEEE version is however only available in the highest voltage class. The electrical parameters of the switchgear are seen in Table 23 for the IEC version and in Table 24 for the IEEE version.

HV Switchgear			
Variant	**Basic**	**Streamline**	**Standard**
IEC standards	○	⊙	⊙
IEEE standards	⊙	○	⊙
Vacuum circuit breaker panel	⊙	⊙	⊙
Overcurrent, short-circuit and earth fault protection	⊙	⊙	⊙
Disconnector / earthing switch in circuit breaker panel	⊙	⊙	⊙
Voltage Presence Indicator System for circuit breaker	⊙	⊙	⊙

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HV Switchgear			
Variant	**Basic**	**Streamline**	**Standard**
Voltage Presence Indicator System for grid cables	⊙	⊙	⊙
Double grid cable connection	⊙	⊙	⊙
Triple grid cable connection	⊙	○	○
Preconfigured relay settings	⊙	⊙	⊙
Turbine safety system integration	⊙	⊙	⊙
Redundant trip coil circuits	⊙	⊙	⊙
Trip coil supervision	⊙	⊙	⊙
Pendant remote control from outside of tower	⊙	⊙	⊙
Sequential energization	⊙	⊙	⊙
Reclose blocking function	⊙	⊙	⊙
Heating elements	⊙	⊙	⊙
Trapped-key interlock system for circuit breaker panel	⊙	⊙	⊙
Motor operation of circuit breaker	⊙	⊙	⊙
Cable panel for grid cables (configurable)	○	⊙	⊙
Switch disconnector panels for grid cables – max three panels (configurable)	○	⊙	⊙
Earthing switch for grid cables	○	⊙	⊙
Internal arc classification	○	⊙	⊙
Supervision on MCB's	○	⊙	⊙
Motor operation of switch disconnector	○	○	⊙
SCADA operation and feedback of circuit breaker	○	○	⊙
SCADA operation and feedback of switch disconnector	○	○	⊙

Table 22: HV switchgear variants and features

4.5.1 IEC 50/60Hz version

HV Switchgear	
Type description	Gas Insulated Switchgear
Applied standards	IEC 62271-103 IEC 62271-1, 62271-100, 62271-102, 62271-200, IEC 60694
Insulation medium	SF_6
Rated voltage	
U_r 24.0kV	15.7-22.0 kV
U_r 36.0kV	22.1-33.0 kV
U_r 40.5kV	33.1-36.0 kV
Rated insulation level AC // LI	

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HV Switchgear	
Common value / across isolation distance	
U_r 24.0kV	50 / 60 // 125 / 145 kV
U_r 36.0kV	70 / 80 // 170 / 195 kV
U_r 40.5kV	85 / 90 // 185 / 215 kV
Rated frequency	50 Hz / 60 Hz
Rated normal current	630 A
Rated Short-time withstand current	
U_r 24.0kV	20 kA
U_r 36.0kV	25 kA
U_r 40.5kV	25 kA
Rated peak withstand current 50 / 60 Hz	
U_r 24.0kV	50 / 52 kA
U_r 36.0kV	62.5 / 65 kA
U_r 40.5kV	62.5 / 65 kA
Rated duration of short-circuit	1 s
Internal arc classification (option)	
U_r 24.0kV	IAC A FLR 20 kA, 1 s
U_r 36.0kV	IAC A FLR 25 kA, 1 s
U_r 40.5kV	IAC A FLR 25 kA, 1 s
Connection interface	Outside cone plug-in bushings, IEC interface C1.
Loss of service continuity category	LSC2
Ingress protection	
Gas tank	IP 65
Enclosure	IP 2X
LV cabinet	IP 3X
Corrosion class	C3

Table 23: HV switchgear data for IEC version

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4.5.2 IEEE 60Hz version

HV Switchgear	
Type description	Gas Insulated Switchgear
Applied standards	IEEE 37.20.3, IEEE C37.20.4, IEC 62271-200, ISO 12944.
Insulation medium	SF_6
Rated voltage	
U_r 38.0kV	22.1-36.0 kV
Rated insulation level AC / LI	70 / 150 kV
Rated frequency	60 Hz
Rated normal current	600 A
Rated Short-time withstand current	25 kA
Rated peak withstand current	65 kA
Rated duration of short-circuit	1 s
Internal arc classification (option)	IAC A FLR 25 kA, 1 s
Connection interface grid cables	Outside cone plug-in bushings, IEEE 386 interface type deadbreak, 600A.
Ingress protection	
Gas tank	NEMA 4X / IP 65
Enclosure	NEMA 2 / IP 2X
LV cabinet	NEMA 2 / IP 3X
Corrosion class	C3

Table 24: HV switchgear data for IEEE version

4.6 AUX System

The AUX system is supplied from a separate 650/400/230 V transformer located in the nacelle inside the converter cabinet. All motors, pumps, fans and heaters are supplied from this system.

230 V consumers are generally supplied from a 400/230 V transformer located in the tower base. Internal heating and ventilation of cabinets as well as specific option 230 V consumers are supplied from the auxiliary transformer in the converter cabinet.

Power Sockets	
Single Phase (Nacelle)	230 V (16 A) (standard) 110 V (16 A) (option) 2 x 55 V (16 A) (option)
Single Phase (Tower Platforms)	230 V (10 A) (standard) 110 V (16 A) (option) 2 x 55 V (16 A) (option)
Three Phase (Nacelle and Tower Base)	3 x 400 V (16 A)

Table 25: AUX system data

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4.7 Wind Sensing System

The turbine is equipped with a wind sensing system which can provide the wind speed and wind direction in all weather conditions. It consists of at least one wind sensor combined with different estimators which gives an estimate of the wind in the entire rotor area.

4.8 Vestas Multi Processor (VMP) Controller

The turbine is controlled and monitored by the VMP8000 control system.

VMP8000 is a multiprocessor control system comprised of main controller, distributed control nodes, distributed IO nodes and ethernet switches and other network equipment. The main controller is placed in the tower bottom of the turbine. It runs the control algorithms of the turbine, as well as all IO communication.

The communications network is a time triggered Ethernet network (TTEthernet).

The VMP8000 control system serves the following main functions:

- Monitoring and supervision of overall operation.
- Synchronizing of the generator to the grid during connection sequence.
- Operating the wind turbine during various fault situations.
- Automatic yawing of the nacelle.
- OptiTip® - blade pitch control.
- Reactive power control and variable speed operation.
- Noise emission control.
- Monitoring of ambient conditions.
- Monitoring of the grid.
- Monitoring of the smoke detection system.

4.9 Uninterruptible Power Supply (UPS)

During grid outage, an UPS system will ensure power supply for specific components.

1. 230V AC UPS for all power backup to nacelle and hub control systems
2. 24V DC UPS for power backup to tower base control systems and ready to protect.
3. 230V AC UPS for power backup to internal lights in tower, nacelle and hub.

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Backup Time	**Standard**	**Optional**
Control System* **(230V AC and 24VDC UPS)**	30 min	Up to 19.5 hours **
Ready to protect **(24V DC UPS)**	7 days	60 days***

Table 26: UPS data

Light Box		
Backup Time	**Standard**	**Optional**
Internal Lights	30 min	60 min****

Table 27: UPS data

**The control system includes: the turbine controller (VMP8000), HV switchgear functions, and remote control system.*

***Requires upgrade of the 230V UPS for control system with extra batteries and battery panels.*

****Requires upgrade of the 24V DC UPS with extra batteries and battery panel.*

*****Requires upgrade of the 230V UPS for internal light with extra batteries.*

NOTE For alternative backup times, consult Vestas.

5 Turbine Protection Systems

5.1 Braking Concept

The main brake on the turbine is aerodynamic. Stopping the turbine is done by full feathering the three blades (individually turning each blade). Each blade has a hydraulic accumulator to supply power for turning the blade.

In addition, there is a mechanical disc brake on the high-speed shaft of the gearbox with a dedicated hydraulic system. The mechanical brake is only used as a parking brake and when activating the emergency stop buttons.

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5.2 Short Circuit Protections

Breakers	**Breaker for Aux. Power.** **Back-up CB (T5V-HA 400A TMA 800V) and aux. power CB (T4V-HA 125A TMA 800V) tested in coordination**	**Breaker 1 for Converter Modules MTZ2 1600A 1000 V**	**Breaker 2 for Converter Modules MTZ2 3200A 1000 V**
Breaking Capacity Icu, Ics	75 kA rms @ max 840 V Ics = 100%	66 kA rms @ max 1000 V Ics = 100%	66 kA rms @ max 1000 V Ics = 100%
Making Capacity Icm	166 kA peak @ max 840 V	145 kA peak @ max 1000 V	145 kA peak @ max 1000 V

Table 28: Short circuit protection data

5.3 Overspeed Protection

The generator rpm and the main shaft rpm are registered by inductive sensors and calculated by the wind turbine controller to protect against overspeed and rotating errors.

The safety-related partition of the VMP8000 control system monitors the rotor rpm. In case of an overspeed situation, the safety-related partition of the VMP8000 control system activates the emergency feathered position (full feathering) of the three blades independently of the non-safety related partition of VMP8000 control system.

Overspeed Protection	
Sensors Type	Inductive
Trip Level	11.0-12.7 rpm / 2000 (generator rpm)

Table 29: Overspeed protection data

5.4 Arc Detection

The turbine is equipped with an Arc Detection system including multiple optical arc detection sensors placed in the HV transformer compartment and the converter cabinet. The Arc Detection system is connected to the turbine safety system ensuring immediate opening of the HV switchgear if an arc is detected.

5.5 Smoke Detection

The turbine is equipped with a Smoke Detection system including multiple smoke detection sensors placed in the nacelle (above the disc brake), in the transformer compartment, in main electrical cabinets in the nacelle and above the HV switchgear in the tower base. The Smoke Detection system is connected to the turbine safety system ensuring immediate opening of the HV switchgear if smoke is detected.

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5.6 Lightning Protection of Blades, Nacelle, Hub and Tower

The Lightning Protection System (LPS) helps protect the wind turbine against the physical damage caused by lightning strikes. The LPS consists of five main parts:

- Lightning receptors. All lightning receptor surfaces on the blades are unpainted, excluding the Solid Metal Tips (SMT).
- Down conducting system (a system to conduct the lightning current down through the wind turbine to help avoid or minimise damage to the LPS itself or other parts of the wind turbine).
- Protection against overvoltage and overcurrent.
- Shielding against magnetic and electrical fields.
- Earthing system.

V163 blades:

Lightning Protection Design Parameters			Protection Level I
Current Peak Value	i_{max}	[kA]	200
Impulse Charge	$Q_{impulse}$	[C]	100
Long Duration Charge	Q_{long}	[C]	200
Total Charge	Q_{total}	[C]	300
Specific Energy	W/R	[MJ/Ω]	10
Average Steepness	di/dt	[kA/µs]	200

Table 30 Lightning protection design parameters (IEC)

5.7 EMC

The turbine and related equipment fulfils the EU Electromagnetic Compatibility (EMC) legislation:

- DIRECTIVE 2014/30/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility.

5.8 Earthing

The Vestas Earthing System consists of a number of individual earthing electrodes interconnected as one joint earthing system.

The Vestas Earthing System includes the TN-system and the Lightning Protection System for each wind turbine. It works as an earthing system for the medium voltage distribution system within the wind farm.

The Vestas Earthing System is adapted for the different types of turbine foundations. A separate set of documents describe the earthing system in detail, depending on the type of foundation.

In terms of lightning protection of the wind turbine, Vestas has no separate requirements for a certain minimum resistance to remote earth (measured in

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ohms) for this system. The earthing for the lightning protection system is based on the design and construction of the Vestas Earthing System.

A primary part of the Vestas Earthing System is the main earth bonding bar placed where all cables enter the wind turbine. All earthing electrodes are connected to this main earth bonding bar. Additionally, equipotential connections are made to all cables entering or leaving the wind turbine.

Requirements in the Vestas Earthing System specifications and work descriptions are minimum requirements from Vestas and IEC. Local and national requirements, as well as project requirements, may require additional measures.

5.9 Corrosion Protection

Classification of corrosion protection is according to ISO 12944-2.

Corrosion Protection	External Areas	Internal Areas
Nacelle	C5	C3
Hub	C5	C3
Tower	C5	C3

Table 31 Corrosion protection data for nacelle, hub, and tower

6 Safety

The safety specifications in this section provide limited general information about the safety features of the turbine and are not a substitute for Buyer and its agents taking all appropriate safety precautions, including but not limited to (a) complying with all applicable safety, operation, maintenance, and service agreements, instructions, and requirements, (b) complying with all safety-related laws, regulations, and ordinances, and (c) conducting all appropriate safety training and education.

6.1 Access

Access to the turbine from the outside is through a door located at the entrance platform approximately 3 meter above ground level. The door is equipped with a lock. Access to the top platform in the tower is by a ladder or service lift. Access to the nacelle from the top platform is by ladder. Access to the transformer room in the nacelle is controlled with a lock. Unauthorised access to electrical switchboards and power panels in the turbine is prohibited according to IEC 60204-1 2006.

6.2 Escape

In addition to the normal access routes, alternative escape routes from the nacelle are through the crane hatch, from the spinner by opening the nose cone, or from the roof of the nacelle. Rescue equipment is placed in the nacelle.

The hatch in the roof can be opened from both the inside and outside. Escape from the service lift is by ladder.

An emergency response plan, placed in the turbine, describes evacuation and escape routes.

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6.3 Rooms/Working Areas

The tower and nacelle are equipped with power sockets for electrical tools for service and maintenance of the turbine.

6.4 Floors, Platforms, Standing, and Working Places

All floors have anti-slip surfaces.

There is one floor per tower section.

Rest platforms are provided at intervals of 9 metres along the tower ladder between platforms.

Foot supports are placed in the turbine for maintenance and service purposes.

6.5 Service Lift

The turbine is delivered with a service lift installed as an option.

6.6 Climbing Facilities

The tower ladder is equipped with a fall arrest system, either a rail system or a wire.

The service areas in the turbines are equipped with anchor points. The anchor point may be used for work positioning, fall restraint, fall arrest and to attach a descent device to perform rescue or escape from the turbine.

Anchor points are coloured yellow and are tested to 22.5 kN.

6.7 Moving Parts, Guards, and Blocking Devices

All moving parts in the nacelle are shielded.

The turbine is equipped with a rotor lock to block the rotor and drive train.

Blocking the pitch of the cylinder can be done with mechanical tools in the hub.

6.8 Lights

The turbine is equipped with lights in the tower, nacelle and hub.

There is emergency light in case of the loss of electrical power.

6.9 Emergency Stop

There are emergency stop buttons in the nacelle, hub and bottom of the tower.

6.10 Power Disconnection

The turbine is equipped with breakers to allow for disconnection from all power sources during inspection or maintenance. The switches are marked with signs and are located in the nacelle and bottom of the tower.

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6.11 Fire Protection/First Aid

A handheld 5-6 kg CO_2 fire extinguisher, first aid kit and fire blanket are required to be located in the nacelle during service and maintenance.

- A handheld 5-6 kg CO_2 fire extinguisher is required only during service and maintenance activities, unless a permanently mounted fire extinguisher located in the nacelle is mandatorily required by authorities.
- First aid kits are required only during service and maintenance activities.
- Fire blankets are required only during non-electrical hot work activities.

6.12 Warning Signs

Warning signs placed inside or on the turbine must be reviewed before operating or servicing the turbine.

6.13 Manuals and Warnings

The Vestas Corporate OH&S Manual and manuals for operation, maintenance and service of the turbine provide additional safety rules and information for operating, servicing or maintaining the turbine.

7 Environment

7.1 Chemicals

Chemicals used in the turbine are evaluated according to the Vestas Wind Systems A/S Environmental System certified according to ISO 14001:2015. The following chemicals are used in the turbine:

- Anti-freeze to help prevent the cooling system from freezing.
- Gear oil for lubricating the gearbox.
- Hydraulic oil to pitch the blades and operate the brake.
- Grease to lubricate bearings.
- Various cleaning agents and chemicals for maintenance of the turbine.

8 Design Codes

8.1 Design Codes – Structural Design

The turbine design has been developed and tested with regard to, but not limited to, the following main standards:

Design Codes	
Nacelle and Hub	IEC 61400-1 Ed.3 & 4 EN50308
Tower	IEC 61400-1 Ed. 4 Eurocode 3
Blades	IEC 61400-5

Classification: Restricted
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Design Codes	
	IEC 61400-24:2019 IECRE OD-501
Gearbox	IEC 61400-4
Generator	IEC 60034
Transformer	IEC 60076-11, IEC 60076-16, CENELEC HD637 S1
Lightning Protection	IEC 62305-1: 2006 IEC 62305-3: 2006 IEC 62305-4: 2006 IEC 61400-24:2010 IEC 61400-24:2019
Rotating Electrical Machines	IEC 34
Safety of Machinery, Safety-related Parts of Control Systems	ISO 13849-1
Safety of Machinery – Electrical Equipment of Machines	IEC 60204-1

Table 32: Design codes

9 Colours

9.1 Nacelle Colour

Colour of Vestas Nacelles	
Standard Nacelle Colour	RAL 7035 (light grey)
Standard Logo	Vestas

Table 33: Colour, nacelle

9.2 Tower Colour

Colour of Vestas Tower Section		
	External:	**Internal:**
Standard Tower Colour	RAL 7035 (light grey)	RAL 9001 (cream white)

Table 34: Colour, tower

9.3 Blade Colour

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Blade Colour	
Standard Blade Colour	RAL 7035 (light grey). All lightning receptor surfaces on the blades are unpainted, excluding the Solid Metal Tips (SMT).
Tip-End Colour Variants	RAL 2009 (traffic orange), RAL 3020 (traffic red)
Gloss	< 30% DS/EN ISO 2813

Table 35: Colour, blades

10 Operational Envelope and Performance Guidelines

Actual climate and site conditions have many variables and should be considered in evaluating actual turbine performance. The design and operating parameters set forth in this section do not constitute warranties, guarantees, or representations as to turbine performance at actual sites.

10.1 Climate and Site Conditions

Values refer to hub height:

Extreme Design Parameters	
Wind Climate	**All**
Ambient Temperature Interval (Standard Temperature Turbine)	-40° to +50°C

Table 36: Extreme design parameters

10.2 Operational Envelope – Temperature and Altitude

Values below refer to hub height and are determined by the sensors and control system of the turbine.

Operational Envelope – Temperature	
Ambient Temperature Interval (Standard Turbine)	-30° to +45°C

Table 37: Operational envelope – temperature

NOTE The wind turbine will stop producing power at ambient temperatures above 45°C.

The turbine is designed for use at altitudes up to 1000 m above sea level as standard and optional up to 2000 m above sea level.

10.3 Operational Envelope – Temperature and Altitude

Figure 4 illustrate performance for high temperature cooler top.

The values in the graphs refer to hub height and are determined by the sensors and control system of the turbine. At ambient temperatures above the thresholds

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shown in the figure the turbine will maintain derated production. The derate values depend of the altitude of the turbine.

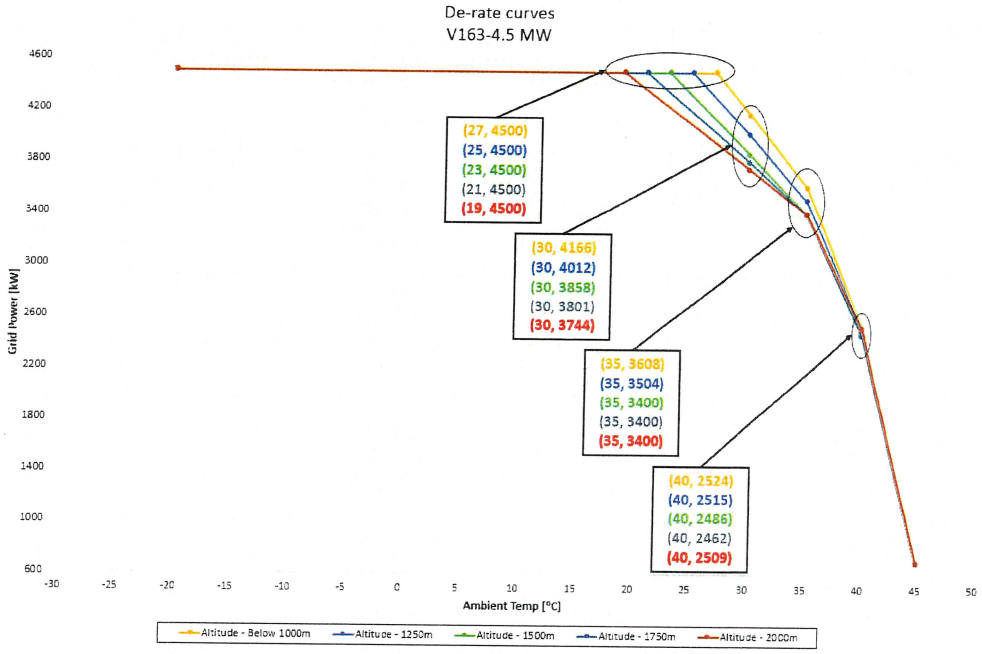


Figure 4: Temperature dependant derated operation

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10.4 Operational Envelope – Grid Connection

Operational Envelope – Grid Connection		
Nominal Phase Voltage	[U_{NP}]	720 V
Nominal Frequency	[f_N]	50/60 Hz
Maximum Frequency Gradient	±5 Hz/sec.	
Maximum Negative Sequence Voltage	3% (connection) 2% (operation)	
Minimum Required Short Circuit Ratio at Turbine HV Connection	5.0 (contact Vestas for lower SCR levels)	
Maximum Short Circuit Current	Contact Vestas for details	

Table 38: Operational envelope – grid connection

The generator and the converter will be disconnected if*:

Protection Settings	
Voltage Above 110% of Nominal for 1800 Seconds**	792 V
Voltage Above 116% of Nominal for 60 Seconds	835 V
Voltage Above 125% of Nominal for 2 Seconds	900 V
Voltage Above 136% of Nominal for 0.150 Seconds	979 V
Voltage Below 90% of Nominal for 180 Seconds (FRT)**	648 V
Voltage Below 85% of Nominal for 12 Seconds (FRT)	612 V
Voltage Below 80% of Nominal for 4.8 Seconds (FRT)	576 V
Frequency is Above 106% of Nominal for 0.2 Seconds	53/63.6 Hz
Frequency is Below 94% of Nominal for 0.2 Seconds	47/56.4 Hz

Table 39: Generator and converter disconnecting values

NOTE

* Over the turbine lifetime, grid drop-outs are to occur at an average of no more than 50 times a year.

** The turbine may be configured for continuous operation @ +/- 13 % voltage. Reactive power capability is limited for these widened settings to an extent that is yet to be determined.

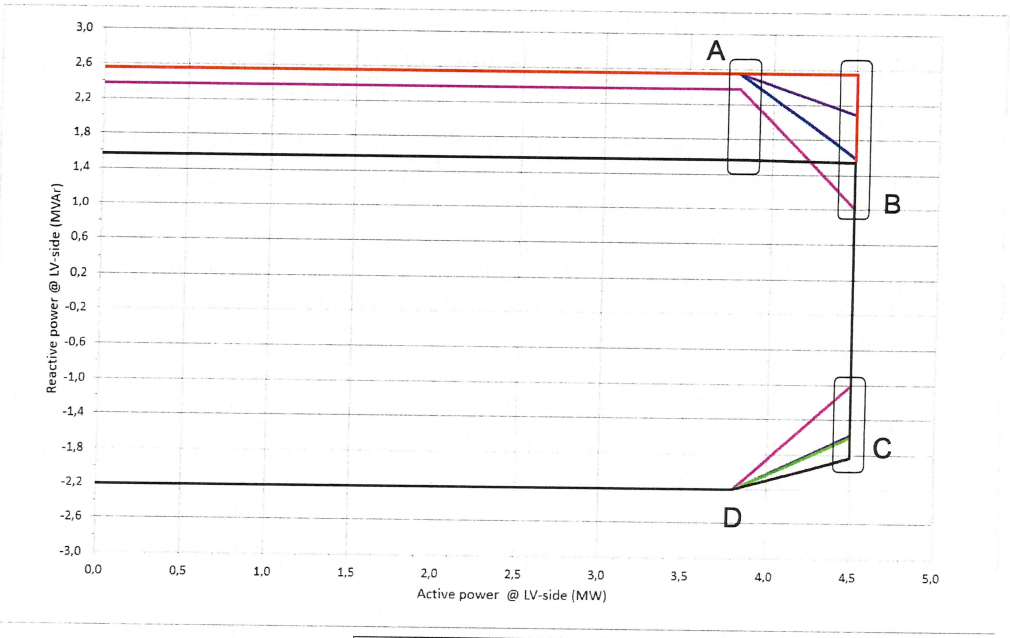
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10.5 Operational Envelope – Reactive Power Capability in 4.5 MW PO4500

The reactive power capability for the 4.5 MW Power Optimized Mode (PO4500) is as illustrated in Figure 6:



	Point:	Coordinates								Power factor	
		A		B		C		D			
	Coordinate:	x (P)	y (Q)	x (P)	y (Q)	x (P)	y (Q)	x (P)	y (Q)	B (Capacitive)	C (Inductive)
	Q @ LV side @ 0.87 p.u. voltage	3,800	2,370	4,500	1,005	4,500	-1,005	3,800	-2,200	0,98	0,98
	Q @ LV side @ 0.90 p.u. voltage	3,800	2,550	4,500	1,582	4,500	-1,582	3,800	-2,200	0,94	0,94
	Q @ LV side @ 0.95 p.u. voltage	3,800	2,550	4,500	2,076	4,500	-1,600	3,800	-2,200	0,91	0,94
	Q @ LV side @ 1.00 p.u. voltage	3,800	2,550	4,500	2,550	4,500	-1,600	3,800	-2,200	0,87	0,94
	Q @ LV side @ 1.05 p.u. voltage	3,800	2,550	4,500	2,550	4,500	-1,830	3,800	-2,200	0,87	0,93
	Q @ LV side @ 1.10 p.u. voltage	3,800	2,550	4,500	2,550	4,500	-1,830	3,800	-2,200	0,87	0,93
	Q @ LV side @ 1.13 p.u. voltage	3,800	1,560	4,500	1,542	4,500	-1,830	3,800	-2,200	0,95	0,93

Figure 5 - Reactive power capability for 4.5 MW Power Optimized Mode (PO4500).

When operating at 4.5 MW in Power Optimized Mode (PO4500) at LV side of the HV transformer, the reactive power capability on the high voltage side of the HV transformer is approximately:

- cosφ(HV) = 0.98/0.91 capacitive/inductive @ U(HV) = 0.90 p.u. voltage
- cosφ(HV) = 0.91/0.88 capacitive/inductive @ U(HV) = 1.10 p.u. voltage

The turbine can maintain the reactive power capability with no active power production within cut-in and cut-out wind speed limits.

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10.6 Operational Envelope – Temperature dependent Reactive Power Capability

The reactive power capabilities shown in Figure 5 are valid for ambient temperatures at which no active power derate is needed according to Figure 4.

For ambient temperatures up to 40°C, where active power is derated as a consequence of ambient temperature, the shape of the PQ chart (Figure 5: A, B, C and D points) is maintained. The active power for the A, B, C and D points is however adjusted according to the overall WTG active power derate according to Figure 4.

For ambient temperatures between 40°C and 45°C, reactive power is derated proportional to the active power derate.

Figure 6 shows an illustrative example of the reactive power derate.

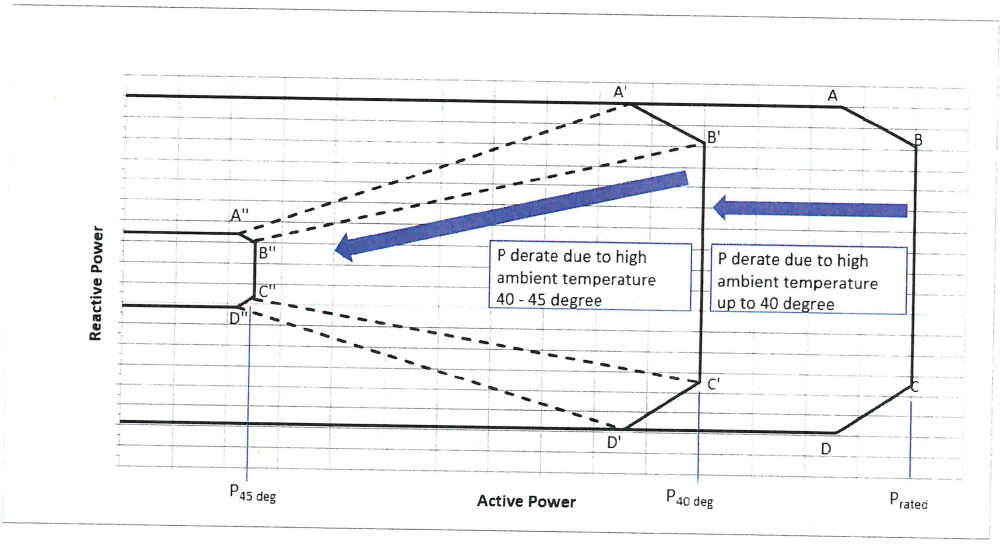


Figure 6: Reactive power capability temperature dependency. Illustrative example.

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10.7 Performance – Fault Ride Through

The turbine is equipped with a full-scale converter to gain better control of the wind turbine during grid faults. The turbine control system continues to run during grid faults.

The turbine is designed to stay connected during grid disturbances within the voltage tolerance curve as illustrated below:

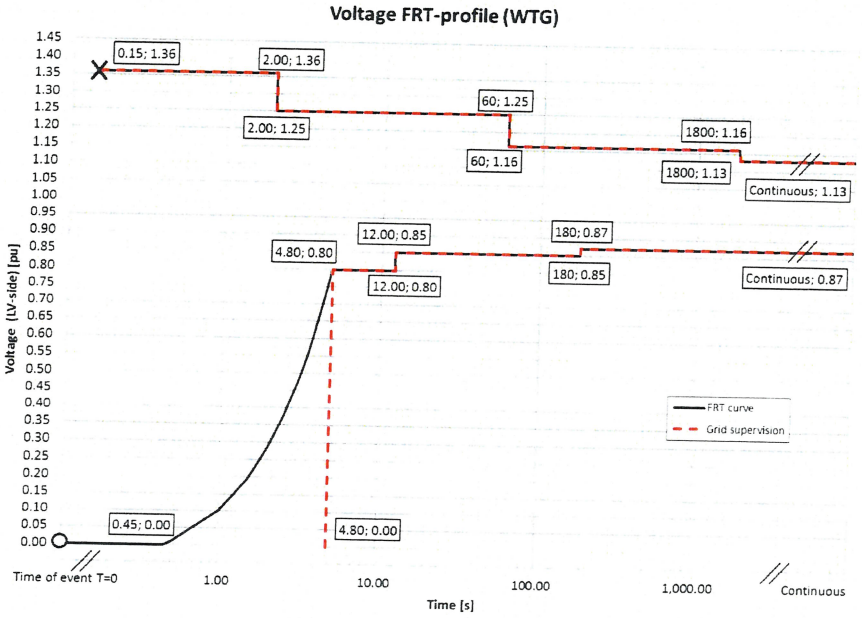


Figure 7: Voltage tolerance curve for symmetrical and asymmetrical faults, where U represents voltage as measured on the grid

For grid disturbances outside the tolerance curve in Figure 7, the turbine will be disconnected from the grid

.

Power Recovery Time		
Power Recovery to 90% of Pre-Fault Level	fault with duration <140 ms	Fault with duration >140 ms
	Maximum 0.1 s	Maximum 0.5 s

Table 40: Power recovery time

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10.8 Performance – Reactive Current Contribution

The reactive current contribution depends on whether the fault applied to the turbine is symmetrical or asymmetrical.

10.8.1 Symmetrical Reactive Current Contribution

During symmetrical voltage dips, the wind farm will inject reactive current to support the grid voltage. The reactive current injected is a function of the measured grid voltage.

The default value gives a reactive current part of 1 p.u. of the rated active current at the high voltage side of the HV transformer. Figure 8, indicates the reactive current contribution as a function of the voltage. The reactive current contribution is independent from the actual wind conditions and pre-fault power level. As seen in Figure 8, the default current injection slope is 2% reactive current increase per 1% voltage decrease. The slope can be parameterized between 0 and 10 to adapt to site specific requirements.

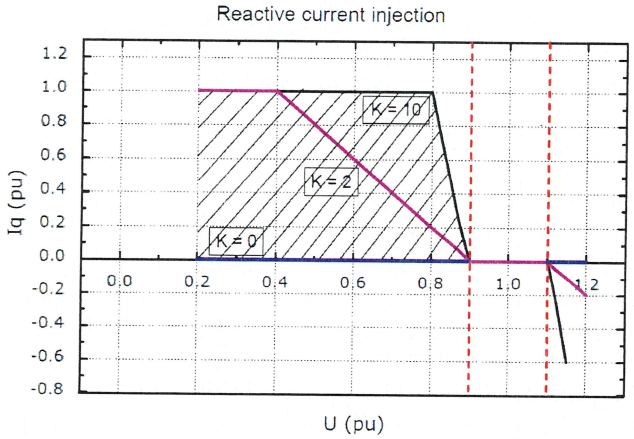


Figure 8: Reactive current injection

10.8.2 Asymmetrical Reactive Current Contribution

The injected current is based on the measured positive sequence voltage and the used K-factor. During asymmetrical voltage dips, the reactive current injection is limited to approximate 0.4 p.u. to limit the potential voltage increase on the healthy phases.

10.9 Performance – Multiple Voltage Dips

The turbine is designed to handle re-closure events and multiple voltage dips within a short period of time due to the fact that voltage dips are not evenly distributed during the year. For example, the turbine is designed to handle 10 voltage dips of duration of 200 ms, down to 20% voltage, within 30 minutes.

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10.10 Performance – Active and Reactive Power Control

The turbine is designed for control of active and reactive power via the VestasOnline® SCADA system.

Maximum Ramp Rates for External Control	
Active Power	0.1 p.u./sec for max. power level change of 0.3 p.u. 0.3 p.u./sec for max. power level change of 0.1 p.u.
Reactive Power	20 p.u./sec

Table 41: Active/reactive power ramp rates.

To support grid stability the turbine is capable to stay connected to the grid at active power references down to 10 % of nominal power for the turbine. For active power references below 10 % the turbine may disconnect from the grid.

10.11 Performance – Voltage Control

The turbine is designed for integration with VestasOnline® voltage control by utilising the turbine reactive power capability.

10.12 Performance – Frequency Control

The turbine can be configured to perform frequency control by decreasing the output power as a linear function of the grid frequency (over frequency). Dead band and slope for the frequency control function are configurable.

10.13 Distortion – Immunity

The turbine is able to connect with a pre-connection (background) voltage distortion level at the grid interface of 8% and operate with a post-connection voltage distortion level of 8%.

10.14 Main Contributors to Own Consumption

The consumption of electrical power by the wind turbine is defined as the power used by the wind turbine when it is not providing energy to the grid. This is defined in the control system as Production Generator 0 (zero).

The components in Table 42 have the largest influence on the own consumption of the wind turbine (the average own consumption depends on the actual conditions, the climate, the wind turbine output, the cut-off hours, etc.).

The VMP8000 control system has a hibernate mode that reduces own consumption when possible. Similarly, cooling pumps may be turned off when the turbine idles.

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Main contributors to Own Consumption	
Hydraulic Motor	2 x 22 kW (master-slave)
Yaw Motors	Maximum 24.3 kW in total
Generator Cooling	15 kW
Water Heating	10.8 kW
Water Pumps	2.2 + 4.0 kW
Oil Pump for Gearbox Lubrication	7.5 kW
Controller Including Heating Elements for the Hydraulics and all Controllers	Approximately 3 kW
Nacelle Cooling	1.0 kW
HV Transformer Cooling	3.6 kW
HV Transformer No-load Loss	See section 0 HV Transformer, p. 14

Table 42: Main contributors to own consumption data.

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11 Drawings

11.1 Structural Design – Illustration of Outer Dimensions

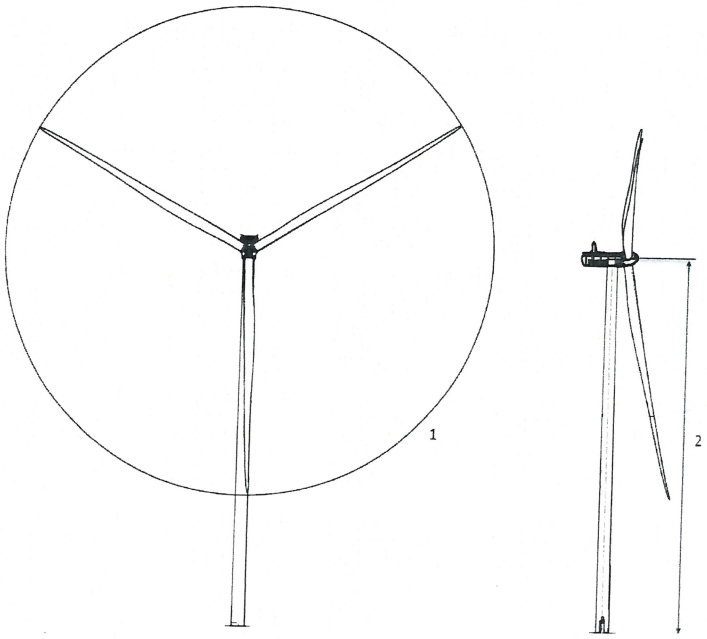


Figure 9: Illustration of outer dimensions – structure

1 Rotor diameter: 163 m

2 Hub heights: See Performance Specification

11.2 Structural Design – Side View Drawing

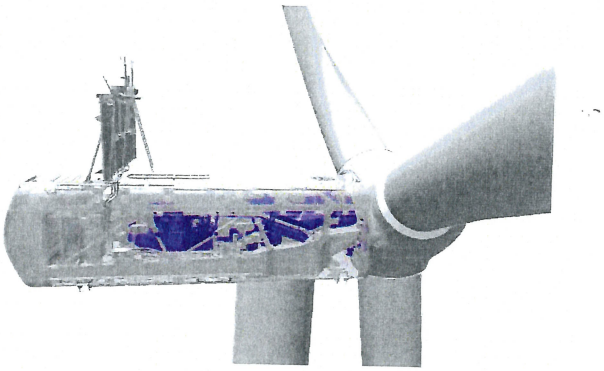


Figure 10: Side-view drawing

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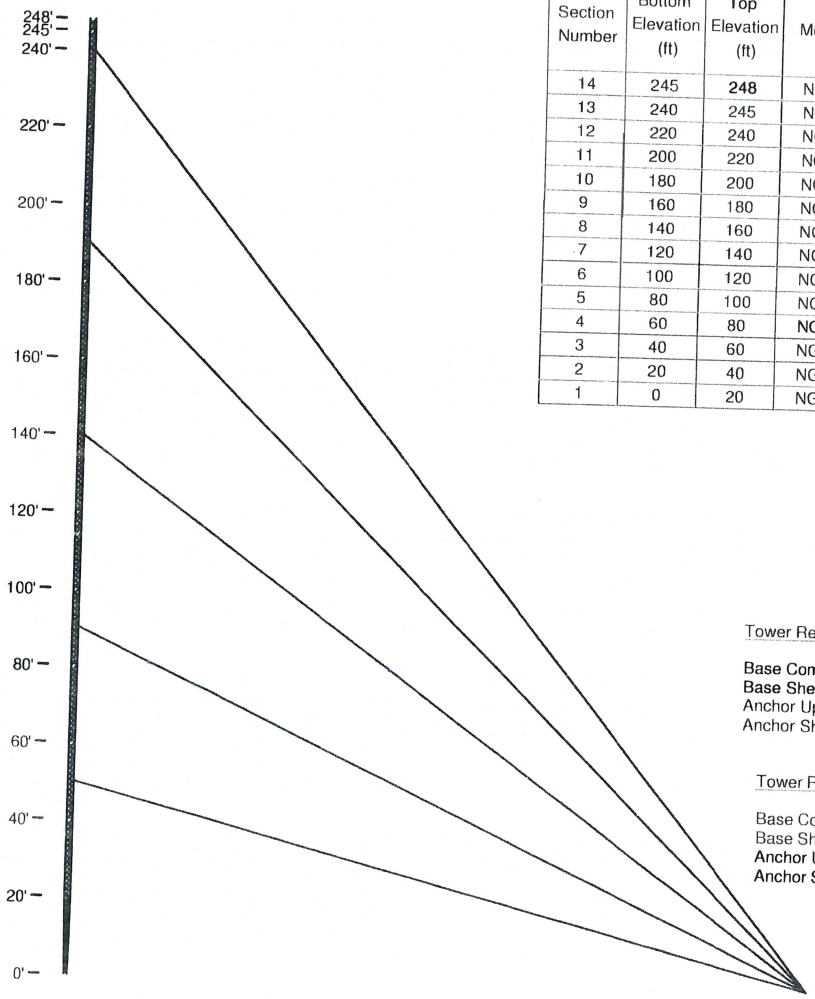
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- The general descriptions in this document apply to the current version of the 4MW Platform wind turbines. Updated versions of the 4MW Platform wind turbines, which may be manufactured in the future, may differ from this general description. In the event that Vestas supplies an updated version of a specific 4MW Platform wind turbine, Vestas will provide an updated general description applicable to the updated version.
- Vestas recommends that the grid be as close to nominal as possible with limited variation in frequency and voltage.
- A certain time allowance for turbine warm-up must be expected following grid dropout and/or periods of very low ambient temperature.
- All listed start/stop parameters (e. g. wind speeds and temperatures) are equipped with hysteresis control. This can, in certain borderline situations, result in turbine stops even though the ambient conditions are within the listed operation parameters.
- The earthing system must comply with the minimum requirements from Vestas, and be in accordance with local and national requirements and codes of standards.
- This document, General Description, is not an offer for sale, and does not contain any guarantee, warranty and/or verification of the power curve and noise (including, without limitation, the power curve and noise verification method). Any guarantee, warranty and/or verification of the power curve and noise (including, without limitation, the power curve and noise verification method) must be agreed to separately in writing.

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Exhibit D – Meteorological Tower Specifications

Construction Temporary Met Specifications



Guyed Tower Section Data

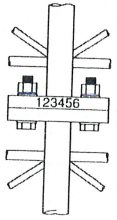
Section Number	Bottom Elevation (ft)	Top Elevation (ft)	Model	Face Width (in)	Leg Type	Leg Size (in)	Diagonal Type	Diagonal Size (in)	Girt Type	Girt Size	Section Part Number	Section Weight (lb)	Leg Bolt Qty.	Leg Bolt Diameter (in)	Leg Bolt Length (in)
14	245	248	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	460082	110	12	3/4	3 1/2
13	240	245	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	460081	150	12	3/4	3 1/2
12	220	240	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163054	450	12	3/4	3 1/2
11	200	220	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163031	400	12	3/4	3 1/2
10	180	200	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163053	450	12	3/4	3 1/2
9	160	180	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163031	400	12	3/4	3 1/2
8	140	160	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163031	400	12	3/4	3 1/2
7	120	140	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163054	450	12	3/4	3 1/2
6	100	120	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163031	400	12	3/4	3 1/2
5	80	100	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163053	450	12	3/4	3 1/2
4	60	80	NGX	18	Pipe	1.5x.145	Solid Round	5/8	Solid Round	SR 5/8	163031	400	12	3/4	3 1/2
3	40	60	NGX	18	Pipe	2x.154	Solid Round	5/8	Solid Round	SR 5/8	163079	500	12	3/4	3 1/2
2	20	40	NGX	18	Pipe	2x.154	Solid Round	5/8	Solid Round	SR 5/8	163078	490	12	3/4	3 1/2
1	0	20	NGX	18	Pipe	2x.154	Solid Round	5/8	Solid Round	SR 5/8	163077	530	0	0	0

Tower Reactions Rev Rev G - ASCE7-10

Base Compression: 68.2 kips
Base Shear: 0.4 kips
Anchor Uplift: 11.1 kips
Anchor Shear: 18.2 kips

Tower Reactions Rev Rev G - ASCE7-05

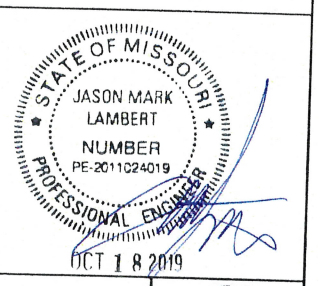
Base Compression: 68.2 kips
Base Shear: 0.4 kips
Anchor Uplift: 11.1 kips
Anchor Shear: 18.2 kips



Section part number is stamped on the BOTTOM footpad opposite the climbing face.

One lockwasher, and one plain nut per bolt. See Guyed Tower Section Data table for number of bolts per section.

NGX Leg Connection Detail



REV	BY	DATE	DESCRIPTION
1	JP	10/16/2019	Issued For Construction - ECO 6967

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DWG. PROG: v2.05 | SHEET: 1 OF 5

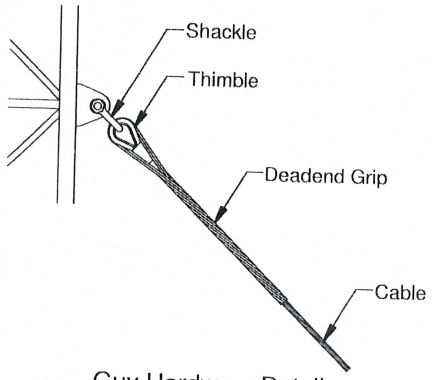
TITLE:
VIKOR Teleconstruction
NGZ 18 x 248'
Outlaw, MO - TLM23
Atchison Co., MO

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1201 S. Sheridan St.
South Bend, IN 46619
Bus: (574)288-3632
Fax: (574)288-5860

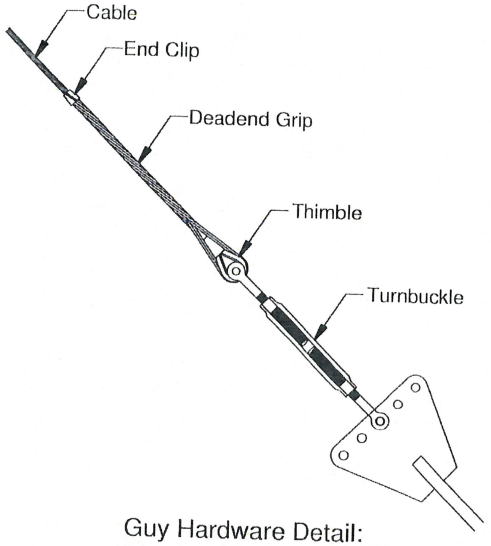
Guy Cable and Hardware Data

Elevation (ft)	Cable Size (in)	Cable Type	Lug PN	Lug Hole Diameter (in)	Turnbuckle Size (in)	Shackle Size (in)	Thimble Size (in)	Deadend Grip (in)	End Sleeve (in)	Cut Length, Anchor A (ft)	Cut Length, Anchor B (ft)	Cut Length, Anchor C (ft)	Cut Length, Total (ft)
240	5/16	EHS	104865	1 1/16	5/8	5/8	7/16	5/16	5/16	346	338	338	1022
190	5/16	EHS	104865	1 1/16	5/8	5/8	7/16	5/16	5/16	305	299	298	902
140	5/16	EHS	104865	1 1/16	5/8	5/8	7/16	5/16	5/16	269	264	263	796
90	5/16	EHS	104865	1 1/16	5/8	5/8	7/16	5/16	5/16	241	236	236	713
50	5/16	EHS	104865	1 1/16	5/8	5/8	7/16	5/16	5/16	224	221	221	666

There are 3 guy cables per level. The cut length is the theoretical chord length plus 8%.



Guy Hardware Detail:
Tower Termination



Guy Hardware Detail:
Anchor Termination

STATE OF MISSOURI
JASON MARK LAMBERT
NUMBER PE-2011024019
PROFESSIONAL ENGINEER
OCT 18 2019

REV	BY	DATE	DESCRIPTION
1	JP	10/16/2019	Issued For Construction - ECO 6967

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TITLE:
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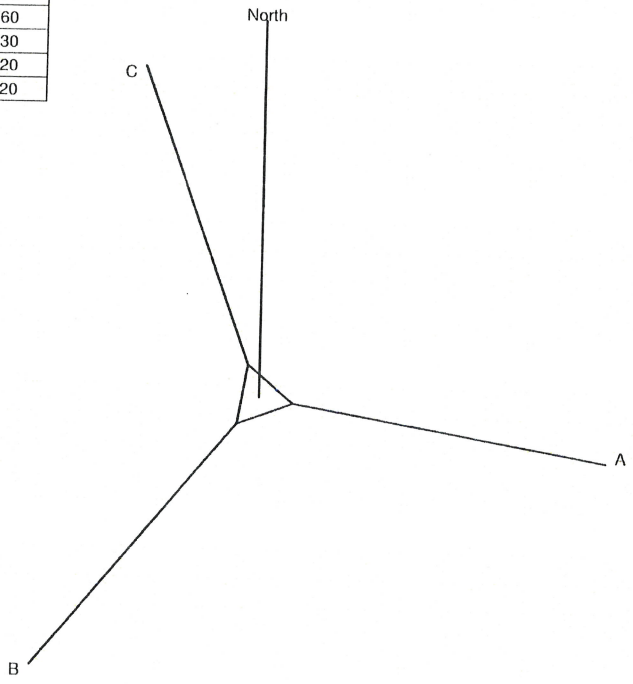
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Bus: (574)288-3632
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Guy Cable Initial Tension at Various Temperatures (lb)

Guy Elevation (ft)	Anchor Location	0 deg F	20 deg F	40 deg F	60 deg F	80 deg F	100 deg F	120 deg F
240	A	1310	1240	1180	1120	1060	1000	950
240	B	1310	1250	1180	1120	1060	1000	940
240	C	1310	1250	1180	1120	1060	1000	940
190	A	1360	1280	1200	1120	1040	970	900
190	B	1370	1290	1200	1120	1040	960	890
190	C	1370	1290	1200	1120	1040	960	890
140	A	1430	1320	1220	1120	1020	930	840
140	B	1440	1330	1230	1120	1020	920	830
140	C	1440	1330	1230	1120	1020	920	830
90	A	1510	1380	1250	1120	1000	880	780
90	B	1520	1390	1250	1120	990	880	770
90	C	1530	1390	1250	1120	990	870	760
50	A	1570	1420	1270	1120	980	850	730
50	B	1580	1420	1270	1120	980	840	720
50	C	1580	1430	1270	1120	980	840	720

Maximum Guy Anchor Reactions

Guy Radius (ft)	Anchor Location	Elevation Change (ft)	Uplift (kips)	Shear (kips)
198	A	-12	11.1	18.2
198	B	-3	10.2	18.2
198	C	-2	10.2	18.2



STATE OF MISSOURI
JASON MARK LAMBERT
NUMBER PE-2011024019
PROFESSIONAL ENGINEER
OCT 18 2019

REV	BY	DATE	DESCRIPTION
1	JP	10/16/2019	Issued For Construction - ECO 6967

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ORIG. DATE: 9/10/2019 | DWG NO: 469179
DWG. PROG: v2.05 | SHEET: 3 OF 5

TITLE:
VIKOR Teleconstruction
NGZ 18 x 248'
Outlaw, MO - TLM23
Atchison Co., MO

NELLO CORPORATION
1201 S. Sheridan St.
South Bend, IN 46619
Bus: (574)288-3632
Fax: (574)288-5860

Antenna Loading

Height	Qty.	Description
248'	1	4' Lightning Rod
248'	2	Beacon LED (21in Dia.)
248'	2	Beacon Leg Mount Assembly
248'	1	Wind Vane
248'	1	12' Boom Side Mounted
248'	1	Goalpost 13' with 2 Devices
171'	1	Anemometer
171'	1	12' Boom Side Mounted
96'	1	12' Boom Side Mounted
96'	1	Anemometer
82'	1	12' Boom Side Mounted
82'	1	Wind Vane

Feedline Loading

Height	Qty.	Description
0' - 248'	2	STROCABLE-9
0' - 248'	3	LDF2-50 (3/8 FOAM)
0' - 171'	1	LDF2-50 (3/8 FOAM)
0' - 96'	1	LDF2-50 (3/8 FOAM)
0' - 82'	1	LDF2-50 (3/8 FOAM)

STATE OF MISSOURI
JASON MARK LAMBERT
NUMBER PE-2011024019
PROFESSIONAL ENGINEER
OCT 18 2019

REV	BY	DATE	DESCRIPTION
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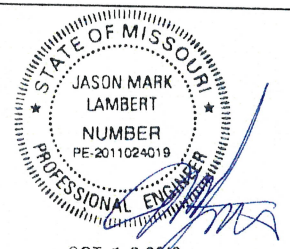
ORIG. DATE: 9/10/2019
DWG NO: 469179
DWG. PROG: v2.05
SHEET: 4 OF 5

TITLE:
VIKOR Teleconstruction
NGZ 18 x 248'
Outlaw, MO - TLM23
Atchison Co., MO

NELLO CORPORATION
1201 S. Sheridan St.
South Bend, IN 46619
Bus: (574)288-3632
Fax: (574)288-5860

Tower Notes:

1. Tower is designed per TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas," for the following loading conditions:
   90 mph 3-second gust basic wind speed with no ice (Equivalent to 116 mph 3-second gust ultimate wind speed)
   40 mph 3-second gust basic wind speed with 3/4 inch basic ice thickness
   Structure Class: II
   Exposure Category: C
   Topographic Category: 1
2. Tower is designed per TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas," for the following loading conditions:
   115 mph 3-second gust ultimate wind speed with no ice per ASCE 7-10
   40 mph 3-second gust basic wind speed with 3/4 inch basic ice thickness per ASCE 7-10
   Risk Category: II
   Exposure Category: C
   Topographic Category: 1
3. A tower field inspection shall be performed in order to verify that design exposure and topographic parameters are consistent with the existing tower site conditions.
4. Tower design includes the antennas, dishes, and/or lines listed in the appurtenance loading tables on sheet 4.
5. Tower member design does not include stresses due to erection since erection equipment and procedures are unknown. Tower installation shall be performed by competent and qualified erectors in accordance with TIA-222-G and OSHA standards and all applicable building codes.
6. Field connections shall be bolted. No field welds shall be allowed unless otherwise noted.
7. Structural bolts shall conform to ASTM A325, except for 1/2 inch diameter and smaller bolts, which shall conform to ASTM A449 or SAE J429 Grade 5.
8. Structural steel and connection bolts shall be galvanized after fabrication in accordance with TIA-222-G.
9. All high strength bolts shall be tightened to a "snug tight" condition as defined in the RCSC, "Specification for Structural Joints Using ASTM A325 or A490 Bolts."
10. Tower shall be marked and lighted in conformance with local building codes, FAA regulations, and TIA-222-G.
11. Tower shall be grounded in conformance with local building codes and TIA-222-G.
12. Allowable tolerance on as-built tower steel height is plus 1% or minus 1/2%.
13. Maintenance and inspection shall be performed over the life of the structure in accordance with TIA-222-G.
14. Material specifications:
    NGX Pipe Legs - ASTM A500 Grade 50 (min)
    NGX Solid Rod 1-1/4" and less - ASTM A36
    NGX Footpads - ASTM A572 Grade 50 (min)
15. Guy cable segments should be cut 8% longer than theoretical chord lengths.
16. Guy anchor location and elevations are provided by customer supplied information.
17. Concrete contractor shall be responsible for properly aligning anchor bolts and materials before and after placing concrete, regardless of whether an anchor bolt template is provided.



OCT 1 8 2019

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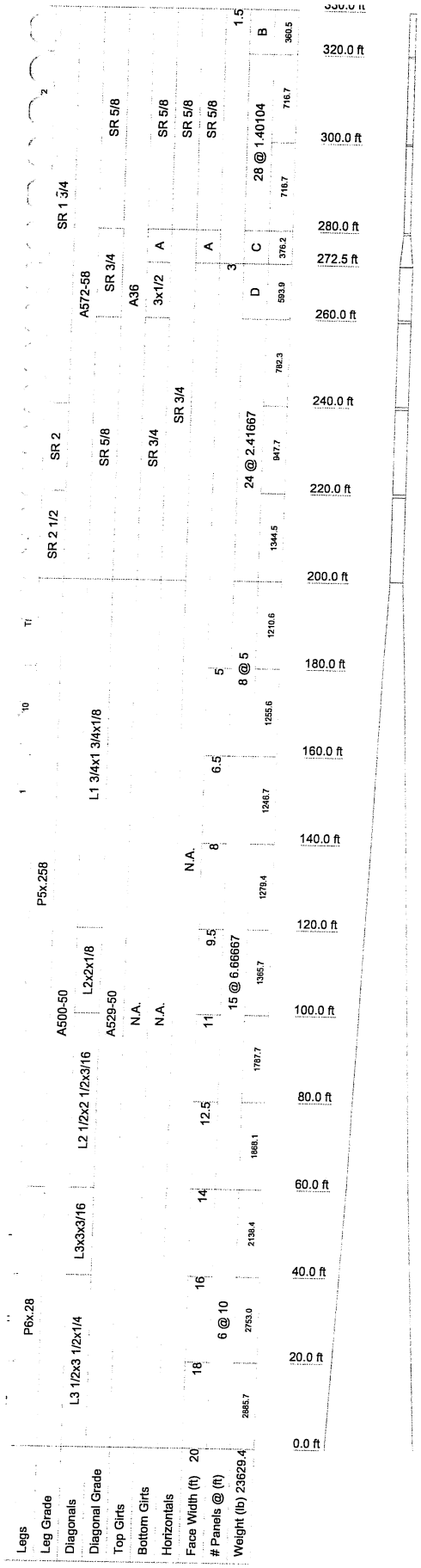
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ORIG. DATE: 9/10/2019 | DWG NO: 469179
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TITLE:
VIKOR Teleconstruction
NGZ 18 x 248'
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Atchison Co., MO

NELLO CORPORATION
1201 S. Sheridan St.
South Bend, IN 46619
Bus: (574)288-3632
Fax: (574)288-5860

Permanent Met Tower Specifications



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEV
Goalpost with 2 Devices	338	15' Boom	202
Beacon Leg Mount Assembly	330	Anemometer	202
Beacon LED (21in Dia.)	330	15' Boom	202
12' Boom Side Mounted	323	Anemometer	202
Anemometer	323	15' Boom	82
12' Boom Side Mounted	323	Wind Vane	82
Wind Vane	323	15' Boom	68
Wind Vane	323	Anemometer	68
Temp-RH-BP Sensor	323	15' Boom	68
12' Boom Side Mounted	313	Anemometer	68
Anemometer	313		

SYMBOL LIST

MARK	SIZE	MARK	SIZE
A	SR 3/4	C	4 @ 1.79167
B	7 @ 1.37351	D	5 @ 2.40833

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-58	58 ksi	70 ksi	A500-50	50 ksi	62 ksi
A36	36 ksi	58 ksi	A529-50	50 ksi	65 ksi

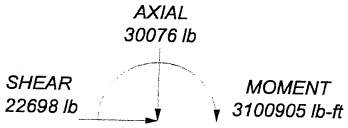
TOWER DESIGN NOTES

1. Tower designed for Exposure C to the TIA-222-G Standard.
2. Tower designed for a 105 mph ultimate wind in accordance with the TIA-222-G Standard.
3. Deflections are based upon a 60 mph wind.
4. Tower Risk Category II.
5. Topographic Category 1 with Crest Height of 0.00 ft
6. TOWER RATING: 97.5%

ALL REACTIONS ARE FACTORED

MAX. CORNER REACTIONS AT BASE:
DOWN: 189056 lb
SHEAR: 15459 lb

UPLIFT: -161448 lb
SHEAR: 12910 lb



TORQUE 1817 lb-ft
REACTIONS - 105 mph WIND

Nello Corporation
1201 S. Sheridan Street
South Bend, IN. 46619
Phone: 800-806-3556
FAX:

Job: *RFQ86575*
Project:
Client: VIKOR Teleconstruction | Drawn by: LAN | App
Code: TIA-222-G | Date: 02/23/24 | Sca
Path: N:\en\ Proposal\86500\86575.eri | Dwg

COMBINED FOUNDATION ESTIMATE

Preliminary Design - DO Not Install

N E L L O

1201 South Sheridan St.
South Bend, IN 46619

574-288-3632 (phone)
574-288-5860 (fax)
www.nelloinc.com

Quote Number: 86575
Company: VIKOR Teleconstruction

V3.02

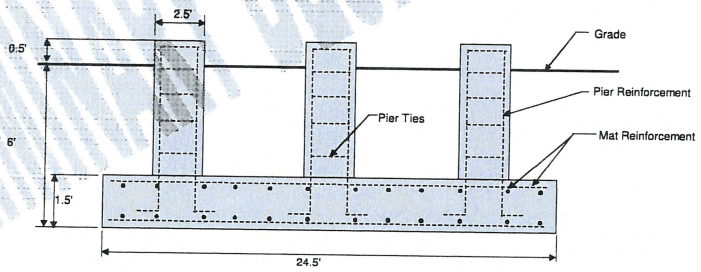
Submitted Soil Report (Rock conditions at 0 ft.)

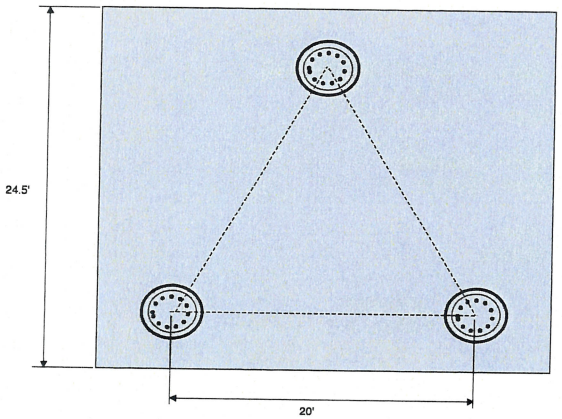
Preliminary Design Summary

Foundation Dimensions	
Tower Face Width	20'
Depth	6'
Pad Width	24.5'
Pad Thickness	1.5'
Pier Extension	0.5'
Pier Diameter	2.5'
Clear Cover	3"
Concrete Volume	36.1 cubic yards
Pad Reinforcement	
Quantity	28 per layer per direction
Quantity-Total	112 total
Size	#6
Length	288"
Weight	4037 lb
Pier Reinforcement	
Quantity-Per Pier	14
Quantity-Total	42
Size	#6
Length	80.8"
Weight-Per Pier	141.6 lb
Weight-Total	425 lb
Tie Reinforcement	
Quantity-Per Pier	7
Quantity-Total	21
Size	#4
Total Length	87.8"
Weight-Per Pier	34.2 lb
Weight-Total	103 lb

Preliminary Design, DO NOT INSTALL

** Not to scale, shown with typical reinforcement pattern
Concrete compressive strength, f'c: 4500 psi





PRELIMINARY DESIGN DO NOT INSTALL

NELLO CORPORATION

Corporate Headquarters
211 W. Washington St
Suite 200
South Bend, IN 46601
Phone: (800) 806-3556
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www.nelloinc.com

- CLASSIFICATION SUMMARY -

EXPOSURE CATEGORIES

*Default: Exposure C

Exposure categories consider the surface roughness of the ground. Roughness is determined by type and prevalence of ground obstructions such as general topography, vegetation and constructed features that will decrease wind speed near the ground.

Exposure B: Terrain characterized by the prevalence of crowded obstructions such as urban, suburban or wooded landscapes. Surface features must be of comparable size to single-family homes or larger. Such consistent terrain must encircle the tower for the greater distance of a minimum 2,600 ft or 20 times the height of the tower.

Exposure C: Terrain characterized by an open landscape with dispersed obstructions generally less than 30 ft in height such as open country, grasslands and shorelines in hurricane prone regions. Includes sites within Exposure B terrain where it is located less than 20 times the height of the structure from but more than 2 miles from terrain consistent with Exposure D.

Exposure D: Terrain characterized by flat, unobstructed shorelines susceptible to winds moving across open water for a minimum distance of 1 mile (non-hurricane regions). This terrain includes inland waterways, lakes, non-hurricane coastal areas, mud flats, salt flats and those alike. This exposure applies inland for the greater distance of 660 ft or 20 times the height of the tower.

STRUCTURE CLASSIFICATION

*Default: Class II

Structure classes consider the risk if critical failure were to occur to a specific tower. These risks are based upon the height, use or location of the tower.

Class I: Risk represents a low hazard to human life and property damage. Tower importance is consistent with services that are not required or where a delay in returning services is permissible. [*e.g. residential wireless and conventional 2-way radio communications; television, radio and scanner reception; wireless cable; amateur and CB radio communications*]

Class II: Risk represents a significant hazard to human life and/or property damage. Tower importance is consistent with services that may be supported in another manner. [*e.g. commercial wireless communications; television and radio broadcasting; cellular, PCS, CATV, and microwave communications*]

Class III: Risk represents a substantial hazard to human life and/or property damage. Tower importance is consistent with services that are predominantly used for essential purposes. [*e.g. civil or national defense; emergency, rescue or disaster operations; military and navigation facilities*]

Exhibit E – Cultural Resources Desktop Risk Analysis

SWCA
ENVIRONMENTAL CONSULTANTS
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Albuquerque, New Mexico 87109
Tel 505.254.1115 Fax 505.254.1116
www.swca.com

TECHNICAL MEMORANDUM

To: Morgan Martin
Pattern Energy
1088 Sansome St
San Francisco, CA 94111

From: Meaghan Trowbridge, Cultural Resources Director

Date: January 7, 2026 (revised July 2026)

Re: **Cultural Resources Desktop Risk Analysis for the Palomas Wind Project, Torrance County, New Mexico / SWCA Project No. 92505**

INTRODUCTION/PROJECT DESCRIPTION

Pattern Energy (Pattern) proposes to develop the Palomas Wind Project in Torrance County, New Mexico (Figure 1). The project area consists of approximately 214,000 acres of private and New Mexico State Land Office and Bureau of Land Management lands distributed in two northern and southern block areas, for which SWCA Environmental Consultants (SWCA) has been contracted to analyze information pertaining to the assumed risk of encountering cultural resources (archaeological sites or historic properties) within the proposed project area. The purpose of this document and accompanying spatial file is to provide a cultural resources desktop review and risk analysis for the proposed project. This data review was conducted to assist Pattern with planning efforts. This document summarizes the previous sites and surveys already documented within the proposed project area, and details the results of the completed risk analysis.

CLASS I RECORDS SEARCH FINDINGS

SWCA archaeologist and Principal Investigator Meaghan Trowbridge conducted record searches using the online New Mexico Cultural Resource Inventory System (NMCRIS) maintained by the Archaeological Research Management Section (ARMS) of the Historic Preservation Division (HPD) and the online National Register of Historic Places (NRHP) database as part of the desktop records review for the project. All previous sites and surveys intersecting with the proposed project area were reviewed. The HPD and NRHP database record searches were concurrently conducted for properties on the NRHP and the State Register of Cultural Properties within the project area. The NMCRIS records search was conducted by SWCA in November, 2024.

Sites

Considering the large size of the proposed project, data were sought only for previous sites and surveys directly overlapping with the project area, though the immediately surrounding parcels were also

examined in order to glean trends in cultural resources on comparable landforms. Only three previously documented resources directly overlap with the ranch property, though approximately a dozen more are within 1-2 miles of the ranch boundaries. Known archaeological sites are relatively few due to the typical lack of formal research on private lands, and the small amount of public land that has yet been investigated near the project area. Known resources are an even mixture of prehistoric resources of Archaic and ceramic-period affiliation, as well historic resources clustered in the vicinity of US Route 60. Many of the prehistoric resources were recorded prior to the incorporation of precise GIS data in fieldwork, and lack NRHP eligibility information. Based upon available descriptions, most resources across the landscape are artifact scatters located near the edges of mesas and drainages, some with small architectural and petroglyph features.

Surveys

Just four archaeological surveys directly overlap with the project area, two of which have been conducted in the last ten years and would be considered qualifying. These investigations cover only a miniscule fraction of the project area, and the property is almost completely unsurveyed.

RISK ANALYSIS RESOURCES

While the amount of previous archaeological surveys within the proposed project area is unevenly distributed, analysis of the assumed risk of encountering cultural resources (archaeological sites or historic properties) was informed by the results of the desktop review of existing records combined with SWCA's extensive experience in the broader east-central New Mexico region, and experiential knowledge of the prehistoric and historic culture history of the area and the local landscape and topography. Generally, spatial presentation of risk data is presented by SWCA in three categories: low risk (green), moderate risk (yellow), and high risk (red). Although these categories have not been verified in the field and should be treated as educated estimates, previous similar exercises have been conducted prior to the implementation of pedestrian cultural resources survey and produced reasonably accurate results.

Based on the color-coded presentation of assumed risk, areas colored green are assumed to have a relatively low risk of encountering cultural resources. Areas colored yellow have a moderate risk of encountering cultural resources, and areas that are colored red are considered high risk. High risk areas are suggested to be avoided or approached with caution; these areas either contain known cultural resources that have been previously documented, or the landscape and topography of the area suggest a high likelihood that cultural resources are present based on existing knowledge of where cultural resources tend to occur. Low risk areas have either been surveyed previously with no resources encountered, or the topographic setting is such that significant cultural resources are unlikely to be present (or if present, unlikely to occur in any notable density).

Based on the data available, the Palomas Wind project area contains a mixture of all three risk categories. Based upon the known resources as well as regional research by SWCA and others, the area is likely to contain high-densities of resources from the Late Archaic and Jornada Mogollon or Ancestral Pueblo time periods, with low densities of occupations from other periods. Low Risk areas are mostly those lacking topographic diversity, in open plains environments. Archaeological resources are likely to be concentrated in areas of increased elevation, and those dissected by mesas and small drainages, most notably along the drainage-dissected landscape in and around Carrizo Canyon. Regardless of risk category, any included public land portions of the project will necessitate pedestrian survey to comply with all applicable regulations.

SWCA has a high level of confidence in these results; however, as this risk analysis would require fieldwork to verify, these data are provided as a tool for planning purposes but cannot guarantee the presence or absence of cultural resources in the proposed project area. It is also always possible that unanticipated subsurface cultural resources may be discovered during the construction process.

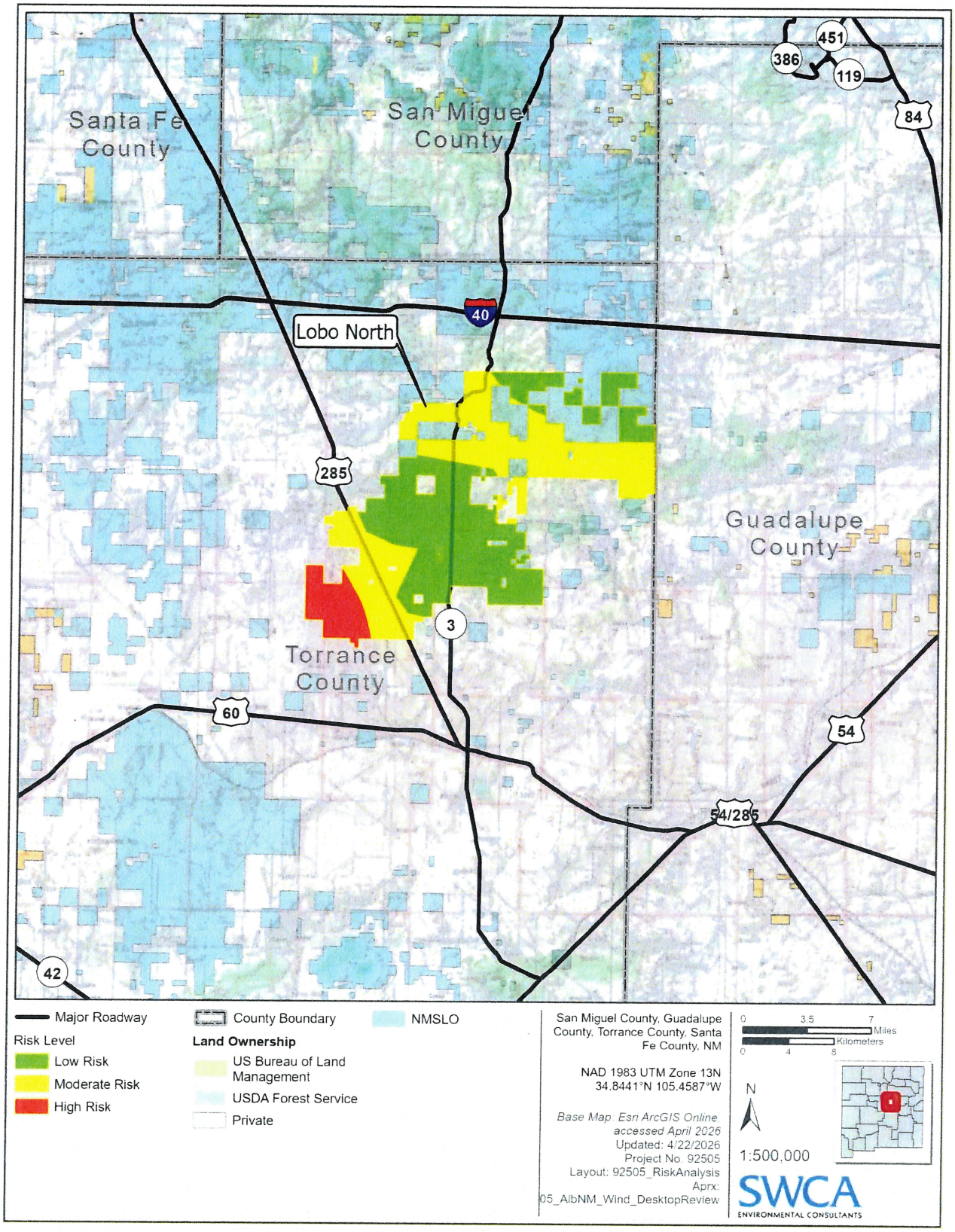


Figure 1. Risk analysis of the Palomas Wind area.

Exhibit F – Natural Resources Assessment for the Palomas Wind Project

Natural Resources Assessment for the ***Palomas Wind Project*** Torrance County, New Mexico

July 2026



Prepared for: Palomas Power LLC
Prepared by: GeoSystems Analysis, Inc.

Recommended Citation

GeoSystems Analysis, Inc. (GSA). 2026. Natural Resources Assessment for the Palomas Wind Project, Torrance County, New Mexico. Prepared for Palomas Power LLC by GeoSystems Analysis, Inc. Corvallis, Oregon. July 2026.

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Introduction

The Palomas Wind Project (Project) is a wind energy generation facility being developed by Pattern Energy (Pattern) in Santa Fe, San Miguel, and Torrance counties, New Mexico. The Project will include wind energy generation infrastructure including, but not limited to, wind turbine generators, meteorological towers, transmission interconnections, substations, an access road network, and operations and maintenance buildings.

GeoSystems Analysis, Inc. (GSA) was contracted by Pattern to prepare a Natural Resources Assessment (NRA) for Torrance County and thus this review is primarily focused on portions of the Project located within Torrance County (the Study Area). This NRA describes the biological resources that occur or may occur within the Study Area and potential impacts to biological resources due to the construction or operation of the Project, with a focus on special status wildlife and plant species and designated sensitive and/or protected habitats or conservation areas. The results of the study presented in this NRA may be used to inform field studies to further evaluate potential impacts to biological resources within the Study Area due to construction and operation of the Project.

Study Area

The Study Area is adjacent to existing Pattern wind energy facilities including Western Spirit Wind and SunZia Wind North, respectively. The entire Project occurs across a total of approximately 238,625 acres (ac; 96,568 hectare [ha]) and is divided into two parts: Palomas Wind North and Palomas Wind South, which are geographically non-contiguous (Figure 1). For the purposes of this NRA, the Study Area consists of two geographically non-contiguous areas, including a portion of Palomas Wind North and the entirety of Palomas Wind South (Figure 2).

The Study Area encompasses a total of approximately 146,758 ac (59,391 ha; Figure 2). Approximately 50,186 ac (20,310 ha) of Palomas Wind North occurs with Torrance County, with elevations ranging from 6,235 feet (ft) to 7,250 ft (1,900 meters [m] to 2,210 m). Palomas Wind South, located entirely within Torrance County, covers approximately 96,665 ac (39,119 ha), with elevations ranging from 5,675 ft to 6,810 ft (1,730 m to 2,075 m).

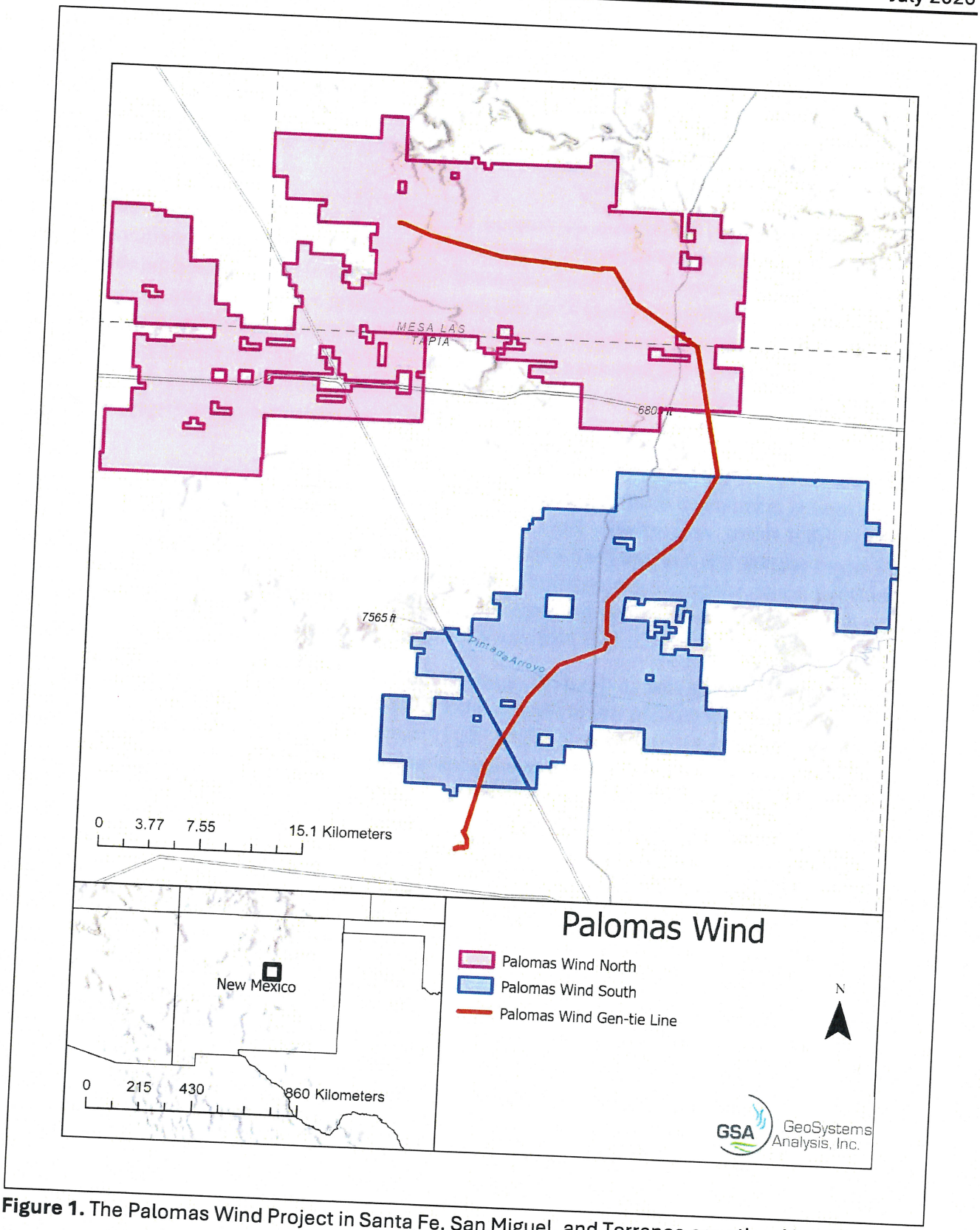


Figure 1. The Palomas Wind Project in Santa Fe, San Miguel, and Torrance counties, New Mexico.

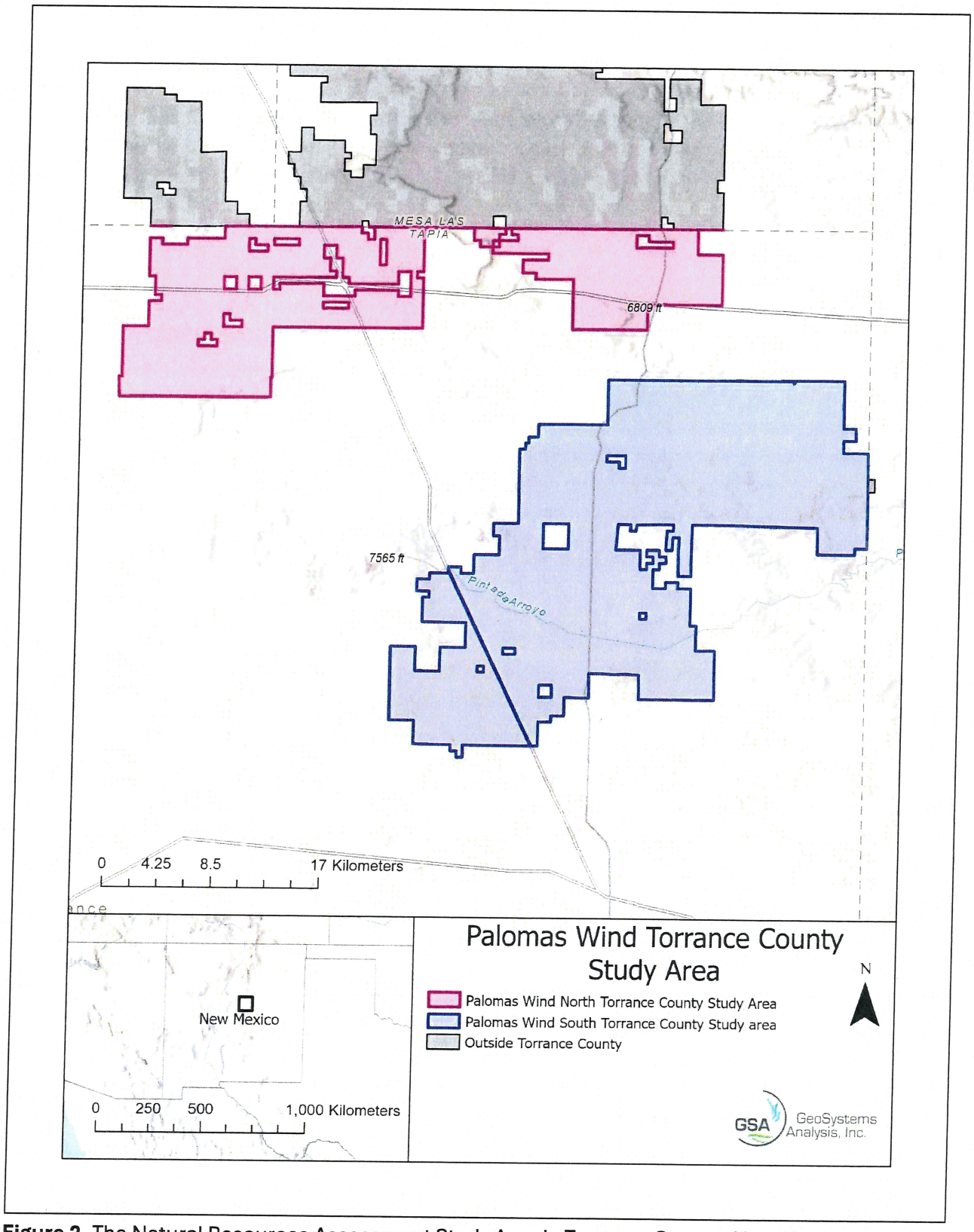


Figure 2. The Natural Resources Assessment Study Area in Torrance County, New Mexico.

Methods

Desktop Review

An initial desktop assessment was conducted using publicly available geospatial datasets from sources including the United States Environmental Protection Agency (USEPA 2026), the United States Geological Survey (USGS 2026a, USGS 2026b), and the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (USFWS 2026c). Geospatial databases were utilized to determine the environmental setting within the Study Area including ecoregions, land cover, vegetation types, and wetlands.

Biological resources were evaluated using data and information from sources including the New Mexico Department of Wildlife (NMDOW) Biota Information System of New Mexico (BISON-M) database (BISON-M 2026), the NMDOW State Wildlife Action Plan (NM SWAP; NMDOW 2025), the USFWS Environmental Conservation Online Service (ECOS), the Bureau of Land Management (BLM) sensitive plant and animal species lists for the Rio Puerco Field Office (BLM 2024a; BLM 2024b), the United States Forest Service (USFS) Region 3 sensitive species lists (USFS 2013a; USFS 2013b), the New Mexico Rare Plants database (NMRPTC 2026), NatureServe Explorer, and other publicly available data. Generally, species lists were generated by county and reviewed to determine management statuses (e.g., New Mexico state-threatened, BLM sensitive). GSA reviewed recorded observations and occurrences, habitat associations, and distributions of special status wildlife and plant species.

Site Visit

A site reconnaissance was conducted April 20-21, 2026. A GSA biologist drove along access and property roads to assess the presence of relevant biological findings, including active large bird nests, potential bat roosts/hibernacula, and wildlife sightings/sign. Habitats with the potential to serve as wildlife attractants (e.g., water sources) were noted.

The site reconnaissance included all of Palomas Wind North, and Palomas Wind South. Because the portions of Palomas Wind North that are outside Torrance County abut the portions of Palomas Wind North within Torrance County, the findings from the site reconnaissance are assumed to be applicable to the Study Area and are included herein, unless stated otherwise.

Environmental Setting

Ecoregion

The Project is located within the Southwestern Tablelands Level III ecoregion (USEPA 2013). The Southwestern Tablelands ecoregion is primarily characterized by canyons, mesas, and dissected drainages among broad, rolling or flat plains covered by semiarid grasslands, though some areas contain pinyon pine, juniper, scrub oak, and other woody vegetation (Commission for Environmental Cooperation 2011). The Southwestern Tablelands Level III ecoregion is subdivided within both Palomas Wind North and Palomas Wind South into the Pinyon-Juniper Woodlands and Savannas and Central New Mexico Plains Level IV ecoregions (USEPA 2011).

Land Cover

Land cover within the Palomas Wind North portion of the Study Area is predominantly shrub/scrub, with small areas of evergreen forest (Table 1, Figure 3; USGS 2026b). Land cover within the Palomas Wind South portion of the Study Area is also dominated by shrub/scrub cover, with

grassland/herbaceous cover the second most represented land cover type (Table 2, Figure 4; USGS 2026b).

Table 1. Land cover types, acreages, and percent composition within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (USGS 2026b).

Land Cover Type	Acres	% Composition
Shrub/Scrub	44,713.26	89.1%
Evergreen Forest	3,798.51	7.6%
Grassland/Herbaceous	864.58	1.7%
Developed	802.59	1.6%
Emergent Herbaceous Wetlands	6.89	<1%
Barren Land	0.22	<1%
Total	**50,186.05**	**100.0%**

Table 2. Land cover types, acreages, and percent composition within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (USGS 2026b).

Land Cover Type	Acres	% Composition
Shrub/Scrub	78,927.87	81.7%
Grassland/Herbaceous	12,955.71	13.4%
Evergreen Forest	4,157.99	4.3%
Developed	608.34	<1%
Emergent Herbaceous Wetlands	13.10	<1%
Woody Wetlands	1.55	<1%
Open Water	0.89	<1%
Total	**96,665.46**	**100%**

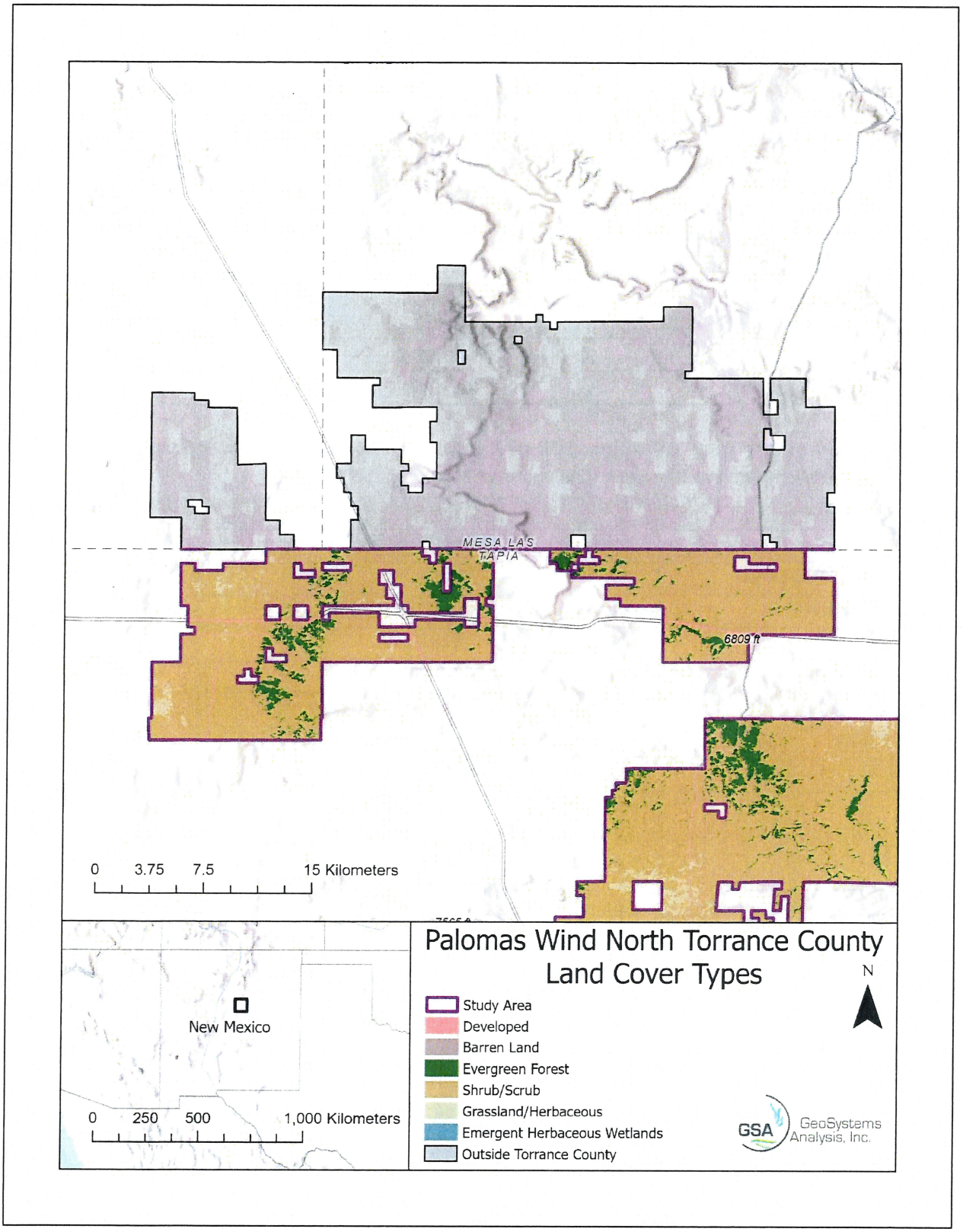


Figure 3. Land cover types within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (USGS 2026b).

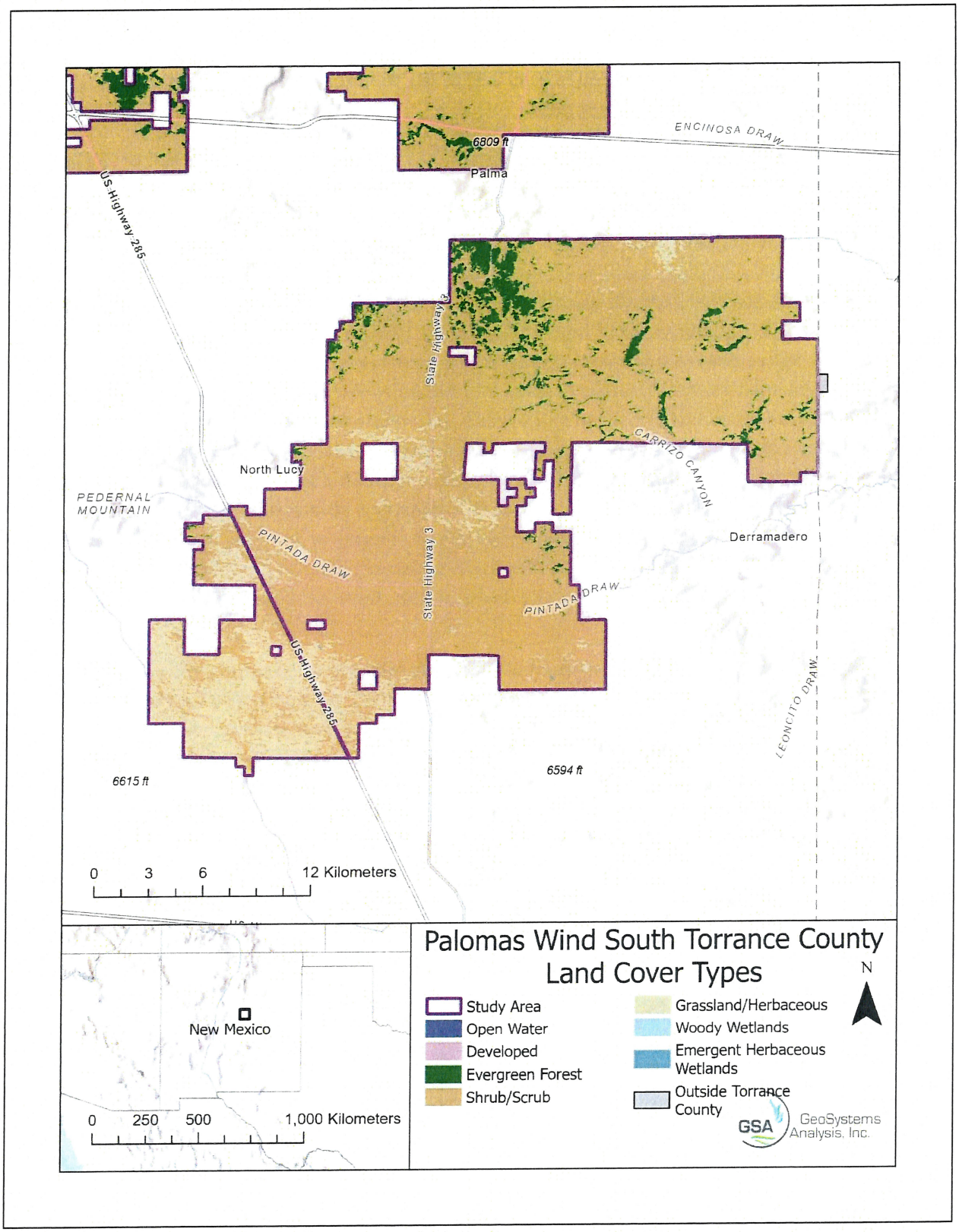


Figure 4. Land cover types within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (USGS 2026b).

Soils

Soil resource reports were obtained from the Natural Resources Conservation Service (NRCS) Soils detailing mappings from the NRCS soil survey within the Palomas Wind North and Palomas Wind South portions of the Study Area (NRCS 2026).

Soils within the Palomas Wind North portion of the Study Area are primarily composed of Tapia-Dean loams (21.3 percent), Hagerman fine sandy loam (12.2 percent), Pinon channery loam (10.3 percent), and Harvey-Dean loams (10.0 percent), all formed on semi-arid plateaus and foothills with approximately 10-16 inches of annual precipitation and generally well-drained profiles. Tapia-Dean soils are deep, gently sloping loams with moderate water-holding capacity and low runoff, while Hagerman soils are somewhat shallower (often underlain by bedrock at approximately 30-34 inches) with low available water capacity but high permeability. Harvey-Dean soils are deeper, loamy, and have relatively higher available water capacity, whereas Pinon soils are shallow, stony (channery), and drought-prone with very low water storage and higher runoff on steeper slopes. All major soils are non-hydric, low in salinity, and often calcareous, with moderate to slow infiltration depending on texture and rock content. Minor components (each less than 10 percent), such as Clovis, Penistaja, and Hagerman-Dean complexes, add variability but do not dominate site behavior. Overall, the soils are classified mainly as land capability classes 6-7, meaning severe to very severe limitations for cultivation, typically due to low moisture, erosion risk, slope, or shallow depth (Klingebiel and Montgomery 1961). NRCS guidance indicates such soils are generally better suited to rangeland grazing, wildlife habitat, and low intensity uses rather than crop production (Klingebiel and Montgomery 1961).

Soils within the Palomas Wind South portion of the Study Area are dominated by the La Fonda-Alicia loams (23.7 percent) and the Hagerman-Dean complex (17.2 percent). The La Fonda–Alicia unit consists primarily of deep (more than 80 inches), well-drained loamy soils on gentle 1-9 percent slopes with moderately high permeability, low salinity, and relatively high available water capacity, though still classified as non-prime farmland with a land capability class of 6c due to climatic and erosion limitations. The Hagerman-Dean unit is more variable, composed of the shallower Hagerman soils with low water capacity and the deeper Dean soils with moderate water capacity. Both soils are well-drained, loamy, and occurring on 1-5 percent slopes, but with higher carbonate content (especially Dean) and similarly limited agricultural capability (land capability class 6c). Minor components (each less than 10%) include Tapia–Dean loams, Laporte–rock outcrop complexes, Kim–Pinon–Witt loams, Hagerman fine sandy loam, and Badland, which reinforce a pattern of shallow to moderately deep, well-drained upland soils with localized rock or erosion constraints. Overall, these soils, which are formed in a semiarid, high-desert climate with low precipitation, are best suited for rangeland, grazing, and wildlife habitat rather than intensive agriculture, as their limited moisture availability, alkaline chemistry, and erosion susceptibility constrain crop production without irrigation (Klingebiel and Montgomery 1961).

Vegetation

Vegetation within the Palomas Wind North portion of the Study Area is primarily a mixture of temperate grassland and shrubland, temperate and boreal forest and woodland, and warm desert and semi-desert woodland biotic communities (Table 3, Figure 5; Tolk et al. 2023). Vegetation within the Palomas Wind South portion of the Study Area is dominated by temperate grassland and

shrubland, with temperate forest and woodland the second-most common vegetation type (Table 4, Figure 6; Tolk et al. 2023). Minor components of cool semi-desert scrub and grassland, herbaceous and woody developed vegetation, shrub and herb wetlands, and temperate and boreal open rock vegetation biotic communities are also present.

Table 3. Vegetation associations, acreages, and percent composition within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (Tolk et al. 2023).

Vegetation Type	Acres	% of Study Area
Temperate & Boreal Grassland & Shrubland	26,690.64	53.2%
Temperate & Boreal Forest & Woodland	14,353.00	28.6%
Warm Desert & Semi-Desert Woodland	6,813.53	13.6%
Cool Semi-Desert Scrub & Grassland	1,646.06	3.3%
Herbaceous & Woody Developed Vegetation	354.63	<1%
Developed	311.09	<1%
Shrub & Herb Wetland	11.11	<1%
Temperate & Boreal Open Rock Vegetation	5.11	<1%
Herbaceous Agricultural Vegetation	0.44	<1%
Open Water	0.44	<1%
Total	**50,186.06**	**100.0%**

Table 4. Vegetation associations, acreages, and percent composition within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (Tolk et al. 2023).

Vegetation Type	Acres	% Study Area
Temperate Grassland & Shrubland	71,408.13	73.9%
Temperate Forest & Woodland	19,408.03	20.1%
Cool Semi-Desert Scrub & Grassland	3,795.85	3.9%
Warm Desert & Semi-Desert Woodland	1,421.68	1.5%
Herbaceous & Woody Developed	369.36	<1%
Developed	240.31	<1%
Shrub & Herb Wetland	11.99	<1%
Temperate Open Rock	6.44	<1%
Herbaceous Agricultural	0.67	<1%
Total	**96,665.46**	**100%**

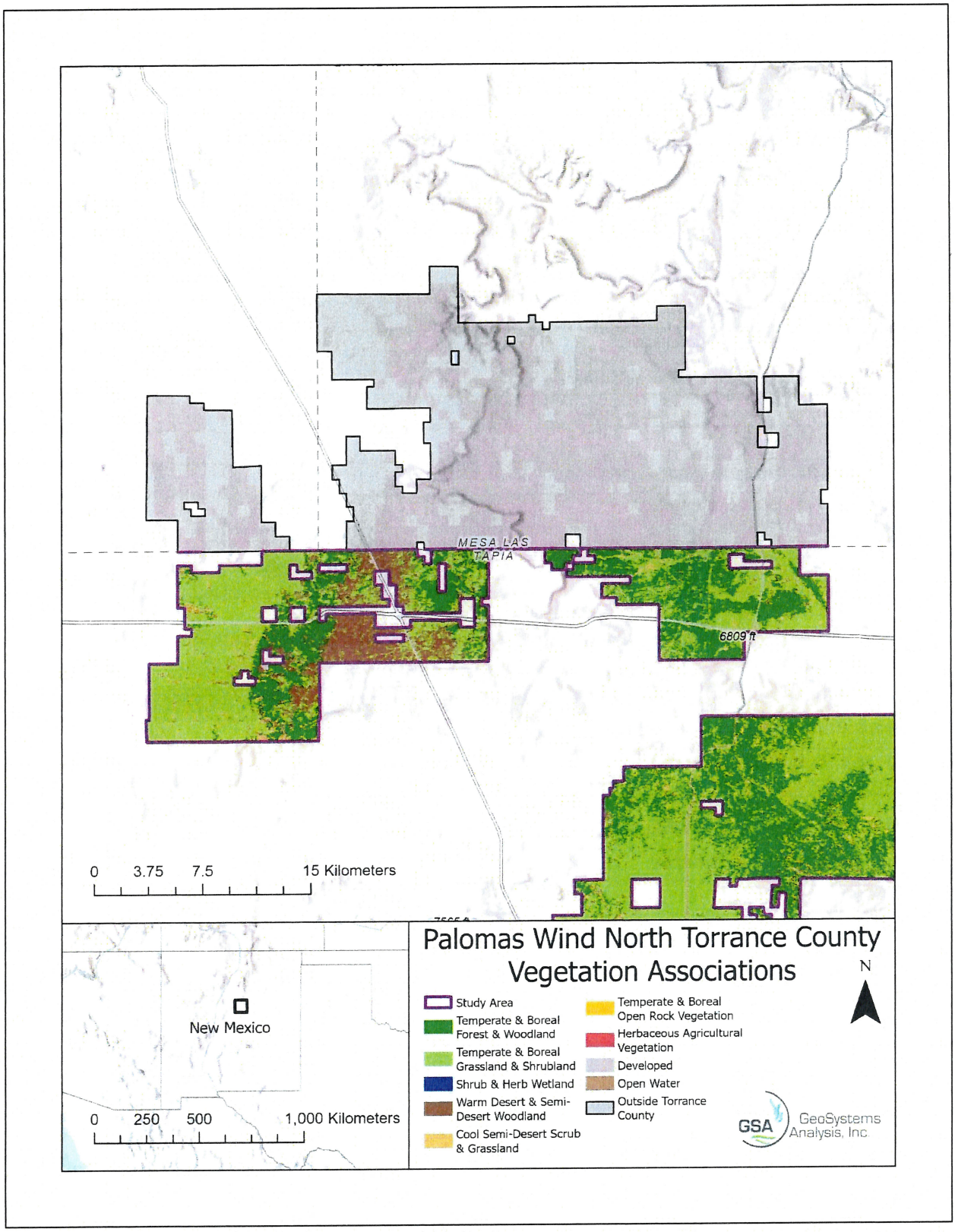


Figure 5. Vegetation associations within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (Tolk et al. 2023).

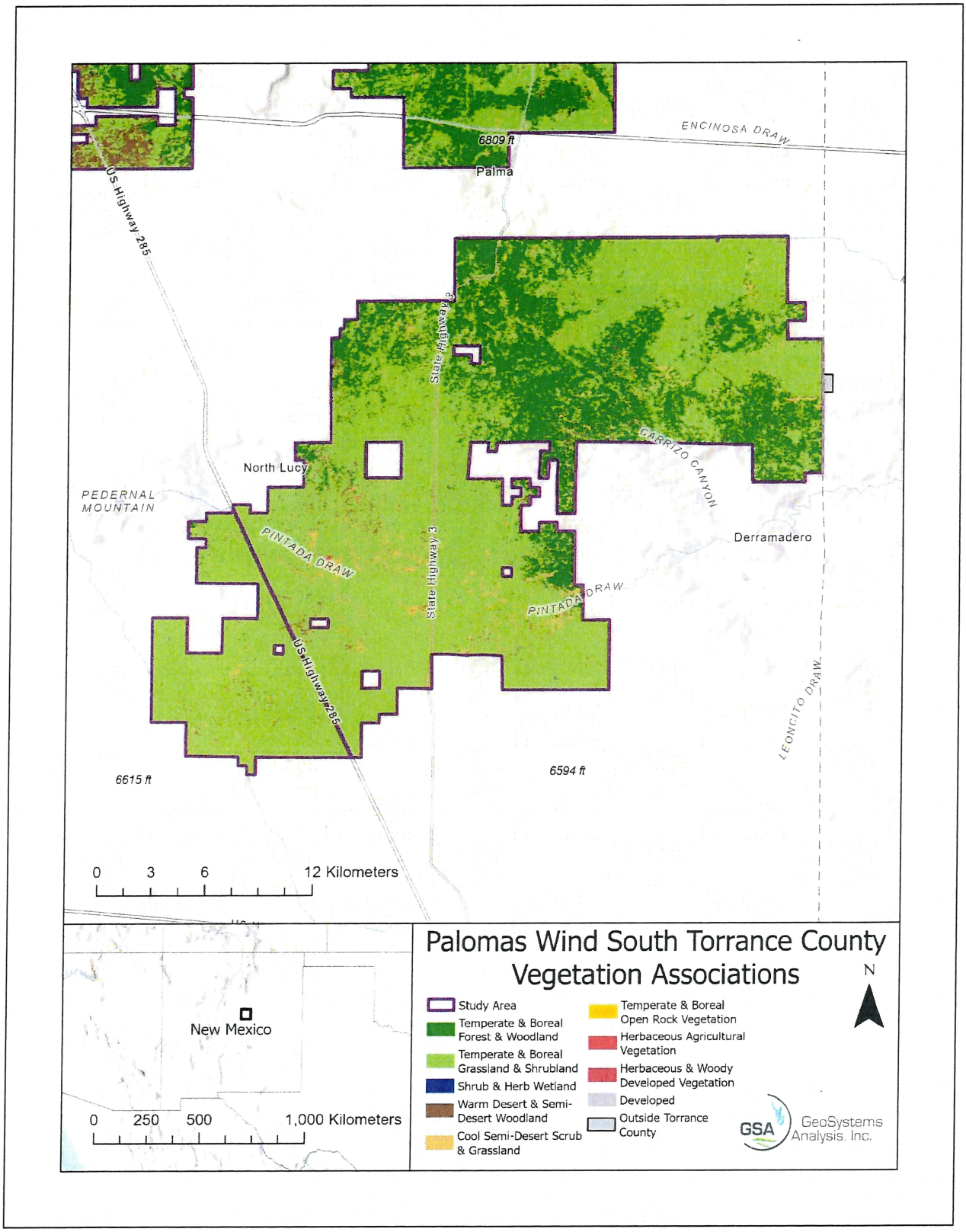


Figure 6. Vegetation associations within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (Tolk et al. 2023).

Surface Waters

All drainages within both the Palomas Wind North and Palomas Wind South portions of the Study Area are mapped by the National Hydrography Dataset (NHD) as ephemeral (Figures 7 and 8), with most representing headwater features characterized by negligible flow (USGS 2026a).

Wetlands mapped by the National Wetland Inventory (NWI) comprise approximately one percent of the total of the Palomas Wind North portion of the Study Area, most of which are riverine features (Table 5; Figure 7; USFWS 2026c). Although the NWI classified the riverine features as intermittent, NHD data suggests these channels only flow in response to storm events and therefore would be considered ephemeral (USGS 2026a). The other wetland types mapped within the Palomas Wind North portion of the Study Area include freshwater emergent wetlands and ponds, which together comprise approximately 0.1 percent of the total Study Area within Palomas Wind North.

Wetlands mapped by the NWI comprise approximately one percent of the total of the Palomas Wind South portion of the Study Area, most of which are also riverine features (Table 6; Figure 8; USFWS 2026c). Riverine features in the Palomas Wind South portion of the Study Area are classified as intermittent by the NWI, but NHD data suggests these channels are ephemeral (USGS 2026a). The other wetland types mapped within the Palomas Wind South portion of the Study Area include freshwater emergent wetlands, freshwater ponds, and lake features, which together comprise approximately 0.2 percent of the total Study Area within Palomas Wind South.

Table 5. Wetland types, acreages, and percent composition within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (USFWS 2026c).

Wetland Type	Acres	% Total Wetland Composition	% of Total Study Area
Riverine	490.41	87.51%	0.98%
Freshwater Emergent Wetland	53.60	9.56%	0.11%
Freshwater Pond	16.39	2.92%	0.03%
Lake	0	0%	0%
Freshwater Forested/Shrub Wetland	0	0%	0%
Total	**890.62**	**100%**	**1.12%**

Table 6. Wetland types, acreages, and percent composition within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (USFWS 2026c).

Wetland Type	Acres	% Total Wetland Composition	% of Total Study Area
Riverine	833.62	80.99 %	0.86%
Freshwater Emergent Wetland	102.63	9.97%	0.11%
Freshwater Pond	65.73	6.39%	0.07%
Lake	27.31	2.65%	0.03%
Freshwater Forested/Shrub Wetland	0	0%	0%
Total	**1,029.29**	**100%**	**1.07%**

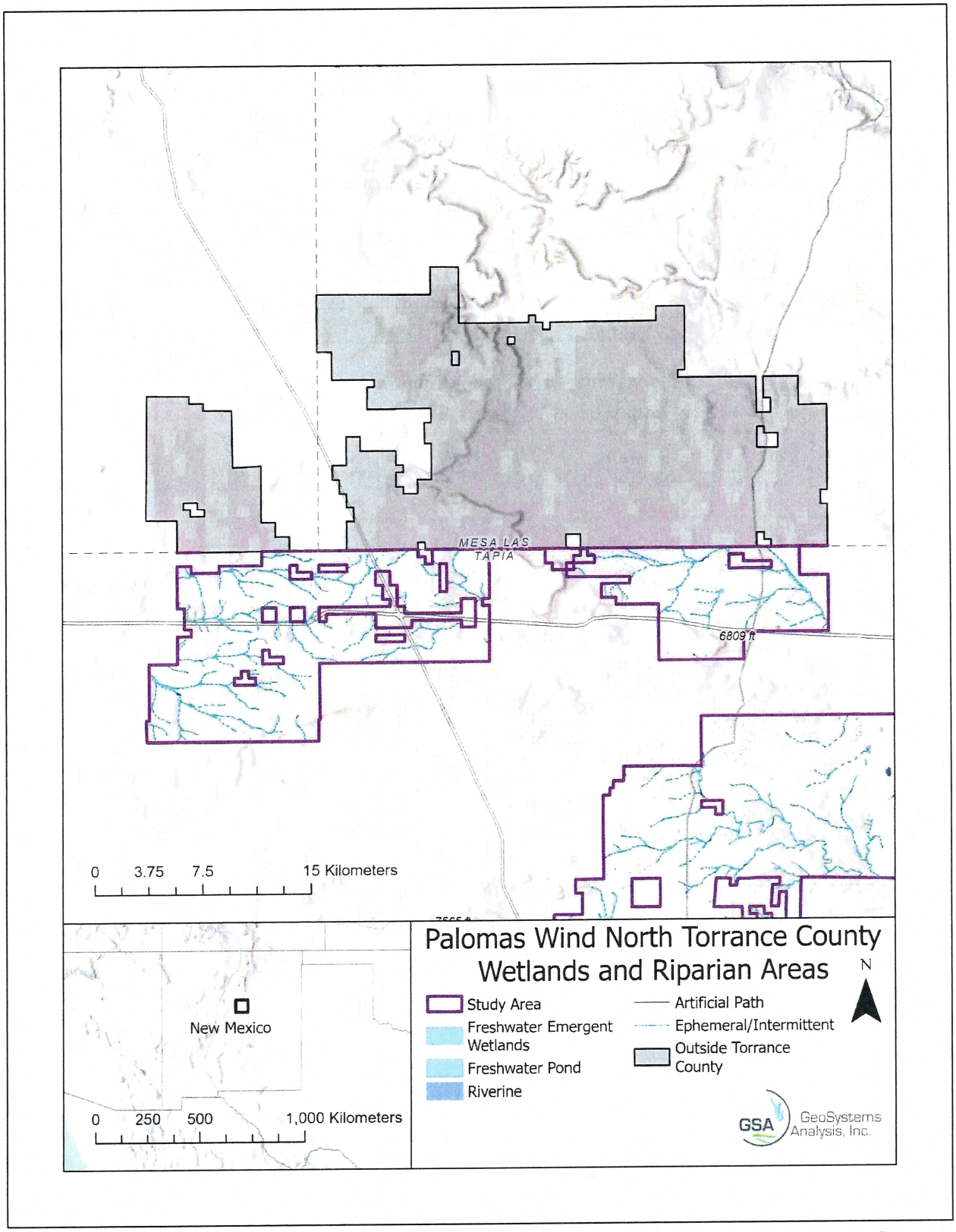


Figure 7. Wetland types within the Palomas Wind North portion of the Study Area in Torrance County, New Mexico (USFWS 2026c).

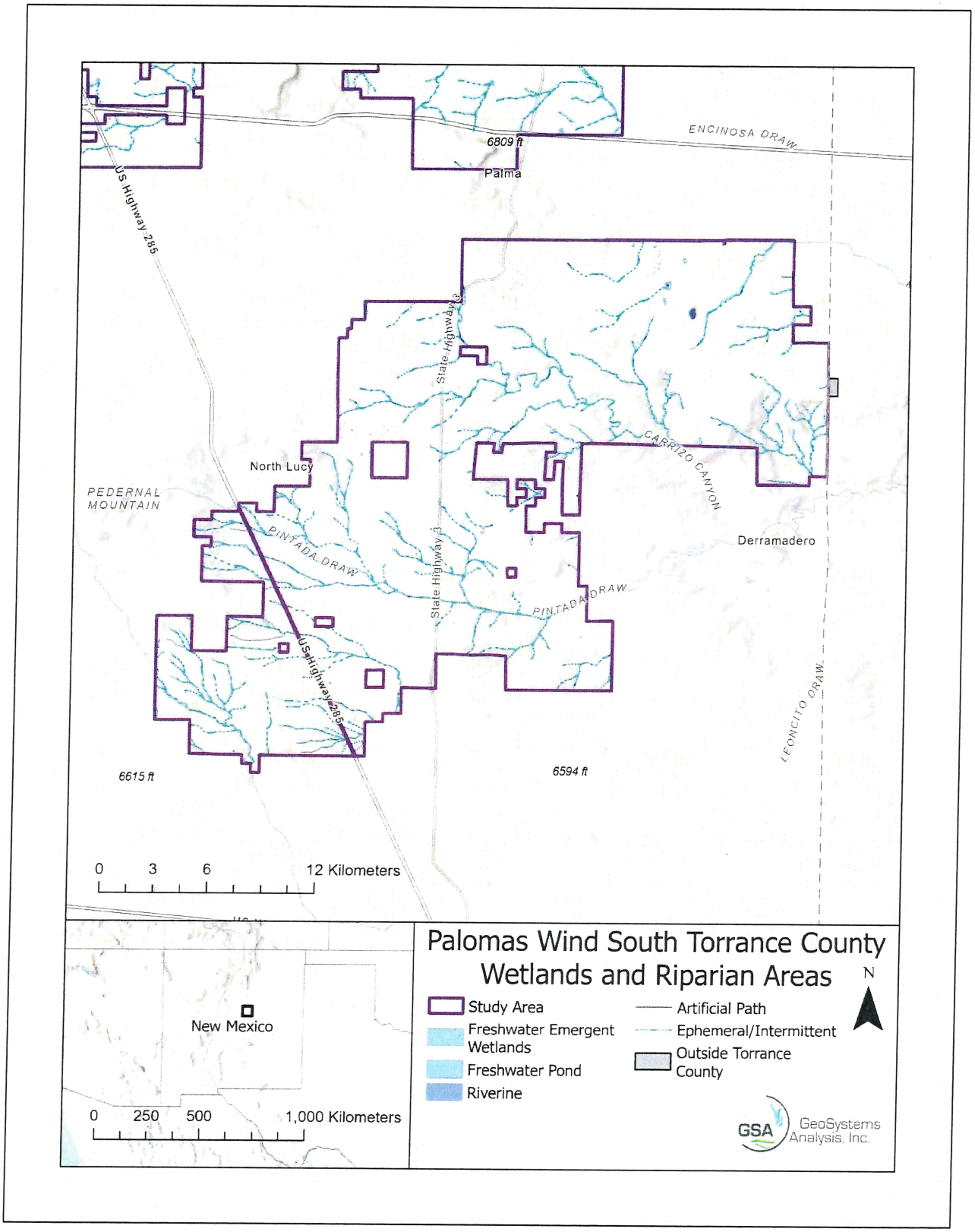


Figure 8. Wetland types within the Palomas Wind South portion of the Study Area in Torrance County, New Mexico (USFWS 2026c).

Protected or Designated Areas

Wildlife Areas

There are no USFWS National Wildlife Refuges (NWR) or NMDOW Wildlife Management Areas (WMAs) in Torrance County, New Mexico. The closest USFWS NWR to the Study Area is the Las Vegas NWR, located approximately 34 miles (mi; 56 kilometers [km]) northeast of the Palomas Wind North portion of the Study Area in San Miguel County. The McAllister Lake WMA is also approximately 35 mi (56 km) northeast of the Palomas Wind North portion of the Study Area, immediately adjacent to the Las Vegas NWR. No USFWS designated critical habitat exists within the Study Area.

Important Bird Areas

One National Audubon Society designated Important Bird Area (IBA), the Estancia Valley IBA, is located approximately nine mi (14.5 km) directly west of the Study Area (National Audubon Society 2025). IBAs comprise public and private lands which have been identified as containing habitat critical for supporting bird species (National Audubon Society 2026). The Estancia Valley IBA encompasses approximately 335,454 ac [135,753 ha] of land primarily in Santa Fe and Torrance counties, New Mexico (National Audubon Society 2025). The Estancia Valley IBA is primarily private agricultural and grazing lands (NMACP 2026b) which provide important habitat for nesting grassland species and foraging habitat for raptors and wintering waterfowl.

Site Reconnaissance

During site reconnaissance, a total of 75 wildlife species (plus one hybrid) were documented across the Palomas Wind North and South portions of the Study Area, including 69 birds, 4 mammals, and 2 reptiles, 8 of which are classified as state Species of Greatest Conservation Need (SGCN; Table 7).

A total of 58 species were observed in Palomas Wind North. Of those, six are classified as SGCN in New Mexico, including black-throated warbler (*Setophaga nigrescens*), Grace's warbler (*Setophaga graciae*), juniper titmouse (*Baeolophus ridgwayi*), loggerhead shrike (*Lanius ludovicianus*), mountain bluebird (*Sialia currucoides*), and pinyon jay (*Gymnorhinus cyanocephalus*). A total of 41 species were observed in the Palomas Wind South portion of the Study Area, as well as a single hybrid species. Of those, four are classified as SGCN in New Mexico, including loggerhead shrike, mountain bluebird, vesper sparrow (*Pooecetes gramineus*), and western bluebird (*Sialia mexicana*).

In Palomas Wind North, the predominant habitat type is pinyon-juniper woodland, which is composed of pinyon pine (*Pinus edulis*), Rocky Mountain juniper *(Juniperus scopulorum*), alligator juniper *(J. deppeana*), oneseed juniper *(J. monosperma*), and Gambel oak (*Quercus gambelii*). Numerous stands of mature evergreen forest, composed of ponderosa pine (*Pinus ponderosa*) and Douglas fir (*Pseudotsuga menziesii*), were found at higher elevations and on northern exposures in the western half of the Palomas Wind North portion of the Study Area. Several bird species were observed in these ponderosa stands, including Grace's warbler, black-throated gray warbler (*Setophaga nigrescens*), and hairy woodpecker (*Leuconotopicus villosus*). In dense, continuous pinyon-juniper woodland, bird species observed included pinyon jay, juniper titmouse, and gray flycatcher (*Empidonax wrightii*), and on the edges between forest, woodland, and grassland, bird species observed included mountain bluebird, plumbeous vireo (*Vireo plumbeus*), and Bewick's wren (*Thryomanes bewickii*).

At the lower elevations within the Palomas Wind South portion of the Study Area, the predominant habitat types are grasslands and desert scrub, composed of tree cholla (*Cylindropuntia imbricata*), sage (*Artemisia spp.*), and soaptree yucca (*Yucca elata*). In these habitats, bird species observed included vesper sparrow, loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus hudsonius*), Swainson's hawk (*Buteo swainsona*), and curve-billed thrasher (*Toxostoma curvirostre*).

A total of three active large bird nests were documented belonging to common raven (*Corvus corax*). Large bird nests were found in emergent old-growth ponderosa pines, pinyon pines near artificial water sources, and isolated pinyon pines/junipers within grassland and open-canopy woodland habitats. Potentially suitable nesting habitat for birds includes mature ponderosa pine forest, pinyon-juniper woodland, tree cholla-dominated (*Cylindropuntia imbricata*) desert scrub, and grassland.

Table 7. Species observed at Palomas Wind North and the Palomas Wind South portion of the Study Area during the April 20-21, 2026, site reconnaissance.

Common Name	Scientific Name	Palomas North	Palomas South
Birds			
American crow	*Corvus brachyrhynchos*	5	9
American goldfinch	*Spinus tristis*	1	-
American kestrel	*Falco sparverius*	2	-
American pipit	*Anthus rubescens*	-	1
American robin	*Turdus migratorius*	10+	-
ash-throated flycatcher	*Myiarchus cinerascens*	-	1
barn swallow	*Hirundo rustica*	4	2
Bewick's wren	*Thryomanes bewickii*	-	3
black-throated gray warbler*	*Setophaga nigrescens*	3	-
black-throated sparrow	*Amphispiza bilineata*	-	4
blue-winged teal	*Spatula discors*	-	2
Brewer's blackbird	*Euphagus cyanocephalus*	-	9
Brewer's sparrow	*Spizella breweri*	3	3
broad-tailed hummingbird	*Selasphorus platycercus*	1	1
brown-headed cowbird	*Molothrus ater*	-	2
bushtit	*Psaltriparus minimus*	5	5
cactus wren	*Campylorhynchus brunneicapillus*	1	-
canyon towhee	*Melozone fusca*	2	3
Cassin's kingbird	*Tyrannus vociferans*	1	-
cedar waxwing	*Bombycilla cedrorum*	16	-
Chihuahuan raven	*Corvus cryptoleucus*	1	-
chipping sparrow	*Spizella passerina*	10+	10+
cinnamon teal	*Spatula cyanoptera*	-	2
cinnamon teal x green-winged teal (hybrid)	*Spatula cyanoptera* × *Anas crecca*	-	1
common raven	*Corvus corax*	3	6

curve-billed thrasher	*Toxostoma curvirostre*	-	3
dark-eyed junco	*Junco hyemalis*	10+	-
Grace's warbler*	*Setophaga graciae*	3	-
gray flycatcher	*Empidonax wrightii*	NA**	-
green-winged teal	*Anas crecca*	6	2
hairy woodpecker	*Dryobates villosus*	1	-
horned lark	*Eremophila alpestris*	8	10+
house finch	*Haemorhous mexicanus*	3	10+
juniper titmouse*	*Baeolophus ridgwayi*	NA	-
killdeer	*Charadrius vociferus*	3	4
ladder-backed woodpecker	*Dryobates scalaris*	1	-
lark sparrow	*Chondestes grammacus*	13	10+
loggerhead shrike*	*Lanius ludovicianus*	2	3
mallard	*Anas platyrhynchos*	4	-
merlin	*Falco columbarius*	1	-
mountain bluebird*	*Sialia currucoides*	5	7
mountain chickadee	*Poecile gambeli*	6	-
mourning dove	*Zenaida macroura*	10+	8
northern flicker	*Colaptes auratus*	7	-
northern harrier	*Circus hudsonius*	1	1
northern mockingbird	*Mimus polyglottos*	2	2
pinyon jay*	*Gymnorhinus cyanocephalus*	15	-
plumbeous vireo	*Vireo plumbeus*	3	-
red-breasted nuthatch	*Sitta canadensis*	1	-
red-tailed hawk	*Buteo jamaicensis*	2	-
rock wren	*Salpinctes obsoletus*	1	-
ruby-crowned kinglet	*Regulus calendula*	NA	-
sage thrasher	*Oreoscoptes montanus*	-	1
Say's phoebe	*Sayornis saya*	6	2
scaled quail	*Callipepla squamata*	-	15
song sparrow	*Melospiza melodia*	1	-
spotted towhee	*Pipilo maculatus*	NA	-
Stellar's jay	*Cyanocitta stelleri*	3	-
Swainson's hawk	*Buteo swainsoni*	1	1
Townsend's solitaire	*Myadestes townsendi*	2	-
turkey vulture	*Cathartes aura*	6	1
vesper sparrow*	*Pooecetes gramineus*	-	7
western bluebird*	*Sialia mexicana*	-	5
western kingbird	*Tyrannus verticalis*	2	-
western meadowlark	*Sturnella neglecta*	5	10+
white-breasted nuthatch	*Sitta carolinensis*	2	-
white-crowned sparrow	*Zonotrichia leucophrys*	1	-

wild turkey	*Meleagris gallopavo*	1	-
Woodhouse's scrub-jay	*Aphelocoma woodhouseii*	11	-
yellow-rumped warbler	*Setophaga coronata*	3	-
Mammals			
coyote	*Canis latrans*	-	1
pronghorn	*Antilocapra americana*	NA	40+
elk	*Cervus canadensis*	NA	-
rock squirrel	*Otospermophilus variegatus*	-	2
Reptiles			
collared lizard	*Crotaphytus collaris*	-	1
fence lizard	*Sceloporus undulatus*	-	10+

*Species listed as Species of Greatest Conservation Need (SGCN) in New Mexico.

**Species that were present but not counted are indicated by 'NA'

In the Study Area, exposed cliff faces of sedimentary rock may conceal caves or crevices suitable for use by bats. Though many of these cliffs were inaccessible, at least one cave opening with a southeastern exposure was observed (Figure 9). Additionally, large, standing dead trees were ubiquitous throughout the Palomas Wind North portion of the Study Area, providing potential day and night roosts for cavity-roosting bats.

Water sources that may be wildlife attractants were recorded and documented. Water stock tanks for cattle were observed in both the Palomas Wind North and Palomas Wind South portions of the Study Area. Seasonally or temporarily flooded ponds or inundated areas (e.g., dirt stock tanks) were also observed in Study Area (Figure 10). Several bird species were only observed in the immediate vicinity of one of these water sources, including waterfowl, killdeer (*Charadrius vociferus*), American pipit (*Anthus rubescens*), merlin (*Falco columbarius*), sage thrasher (*Oreoscoptes montanus*), cedar waxwing (*Bombycilla cedrorum*), Brewer's blackbird (*Euphagus cyanocephalus*), and barn swallow (*Hirundo rustica*).

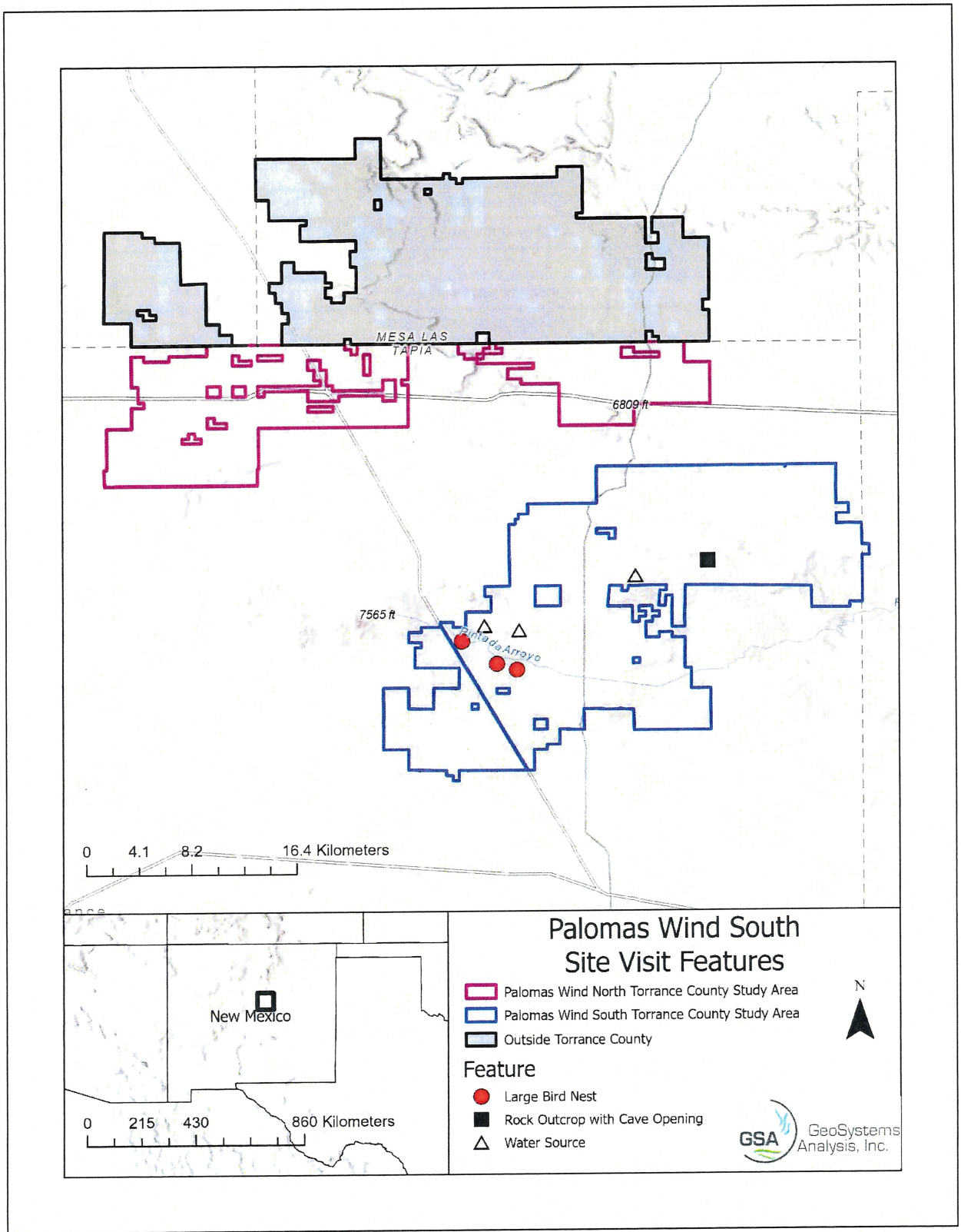


Figure 9. Site visit features documented at the Palomas Wind North and Palomas Wind South portions of the Study Area in Torrance County, New Mexico.



Figure 10. A dirt stock tank within the Palomas Wind South portion of the Study Area, Torrance County, New Mexico.

General Wildlife Overview

Raptors

All hawks, owls, and vultures are protected under New Mexico state law (New Mexico Statutes Annotated, 1978, 17-2-14, as amended), and the NMDOW Wind Energy Guidelines provide recommendations for how to minimize and avoid impacts to raptors (NMDOW 2012). Eagles and non-eagle raptor species may be particularly susceptible to negative impacts due to the operation of wind energy generation facilities. The elevated heights at which raptors fly and a potential tendency to not perceive wind turbine blades as dangerous may lead to increased collision risk (Gedir et al. 2025). Additionally, raptor species may be less likely to exhibit displacement or avoidance behaviors (Madders and Whitfield 2006). Golden eagles (*Aquila chrysaetos*) may be at further risk of collision because of the species' predatory foraging behavior compared to species that typically scavenge, and the species' preferred habitat regularly overlaps with wind resources (Gedir et al. 2025).

Species' likelihoods of occurrence within the Study Area are provided in Table 8. Species-specific data that informed the determinations of likelihood to occur is provided after Table 8. In New Mexico, the nesting season extends from February to July, although there is local variability in timing for peak breeding activities (NMDOW 2024).

Table 8. Raptor species in Torrance County (BISON-M 2026) that have potential to occur or are likely to occur within the Study Area.

Common Name	Scientific Name	Status*	Likelihood of Occurrence
American kestrel	*Falco sparverius*		**Occurs.** Species is associated with a variety of habitats including prairies, deserts, and open woodlands. Species was observed in the Palomas Wind North portion of the Study Area (Table 7) and suitable/preferred habitat exists within the Palomas Wind South portion of the Study Area.
bald eagle	*Haliaeetus leucocephalus*	BGEPA, NM-T, SGCN	**Potential.** Species is typically associated with perennial water sources but is widespread and may occur within the Study Area during winter or migration and/or while foraging opportunistically.
Cooper's hawk	*Astur cooperii*	-	**Likely.** Species is associated with mature broadleaf or coniferous forest, open woodlands, pinyon-juniper woodlands, and forest edges. Suitable/preferred habitat exists within Palomas Wind North and is sparse within Palomas Wind South.
ferruginous hawk	*Buteo regalis*	-	**Likely.** Species is associated with prairies, plains, desert, badlands, sagebrush, shrublands, and the periphery of pinyon-juniper woodlands. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South.
golden eagle	*Aquila chrysaetos*	BGEPA	**Likely.** Species is typically associated with grasslands and is widespread. Suitable/ preferred habitat exists within Palomas Wind North and Palomas Wind South.
merlin	*Falco columbarius*	-	**Occurs.** Species is associated with a variety of habitats including marshes, deserts, fields, and open woodlands. Species was observed in the Palomas Wind North portion of the Study Area (Table 7) and suitable/preferred habitat exists within the Palomas Wind South portion of the Study Area.
northern harrier	*Circus hudsonius*	-	**Occurs.** Species is associated with marshes, fields, prairies, and open landscapes. Suitable/preferred habitat exists within the Study Area and the species was observed within both the Palomas Wind North and Palomas Wind South portions of the Study Area (Table 7).
red-tailed hawk	*Buteo jamaicensis*	-	**Occurs.** Species is associated with open woodlands and open landscapes with scattered trees. Species was observed within the Palomas Wind North portion of the Study Area (Table 7) and suitable/preferred habitat exists within the Palomas Wind South portion of the Study Area.
sharp-shinned hawk	*Accipiter striatus*	-	**Potential.** Species is associated with coniferous, deciduous, or mixed forests, and open woodlands. Suitable/preferred habitat exists within Palomas Wind North and is sparse within Palomas Wind South.
Swainson's hawk	*Buteo swainsona*	-	**Occurs.** Species is associated with savanna, shrublands, open pine-oak woodlands, and cultivated landscapes. Suitable/preferred habitat exists within the Study Area and the species was observed in the Palomas Wind North and Palomas Wind South portions of the Study Area (Table 7).
turkey vulture	*Cathartes aura*	-	**Occurs.** Species is associated with a variety of habitats including forests, open landscapes, and cliffs. Suitable/preferred habitat exists within the Study Area and the species was observed in the Palomas Wind North and Palomas Wind South portions of the Study Area (Table 7).
zone-tailed hawk	*Buteo albonotatus*	-	**Potential.** Species is associated with marshes, arid habitats, and open deciduous or pine-oak woodlands. Suitable/preferred habitat exists within Palomas Wind North and is sparse within Palomas Wind South.

Golden Eagle

Golden eagle is protected under the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668d; USFWS 2026x). Golden eagles are widely distributed throughout North America and are generally associated with grasslands with less than five percent woody cover as well as evergreen and mixed forest types including pinyon-juniper woodlands and juniper savannah (USDA 1991; BISON-M 2026). Golden eagles are known to occur in most New Mexico counties, including Torrance County (BISON-M 2026). There have been three recorded eBird observations in Torrance County (eBird 2026). Suitable foraging habitat and potential nesting habitat exists within Palomas Wind North, and suitable foraging habitat exists within Palomas Wind South. Accordingly, golden eagle is likely to occur within the Study Area in both Palomas Wind North and Palomas Wind South.

Bald Eagle

Bald eagle (*Haliaeetus leucocephalus*) is protected under the BGEPA and is a state-threatened species and a state SGCN (BISON-M 2026). Bald eagles are widely distributed throughout North America and are typically associated with perennial surface water, though the species is becoming more widespread as populations increase (NMACP 2026a). Bald eagle is known to occur in every New Mexico county (BISON-M 2026). There have been 25 recorded eBird observations of bald eagle in Torrance County (eBird 2026). Suitable foraging habitat exists within Palomas Wind North and Palomas Wind South, but use of the Study Area by bald eagle is expected to be infrequent and occur primarily during winter when the species may forage opportunistically for small mammals (NMACP 2026a). Accordingly, bald eagle has potential to occur within the Study Area in both Palomas Wind North and Palomas Wind South.

Bats

Bat species are susceptible to collision with rotating blades of operational wind turbines (BCI 2026). Bat fatalities at wind energy generation facilities occur with the most frequency during fall migration and/or nights with low wind speeds, and bat species with long distance and/or uncommon seasonal migration patterns such as the hoary bat (*Lasiurus cinereus*) may be at increased risk of collision (BCI 2025; BCI 2026). Additionally, bats occupying habitats where wind energy generation facilities are constructed may experience displacement which could lead to a decrease in drinking and foraging success (Scholz et al. 2025). Thirteen bat species have potential to occur or are likely to occur within the Study Area. Species-specific information and likelihoods of occurrence for bat species known to occur in Torrance County and have potential to occur or are likely to occur within the Study Area are provided in Table 9.

Table 9. Bat species documented in Torrance County (BISON-M 2026) that have potential to occur or are likely to occur within the Palomas Wind North and Palomas Wind South portions of the Study Area.

Common Name	Scientific Name	Status*	Likelihood of Occurrence
big brown bat	*Eptesicus fuscus*	-	**Likely.** Species is associated with a variety of habitats, especially woodland habitats ranging from riparian to oak woodland to ponderosa pine. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is non-migratory.
Brazilian free-tailed bat	*Tadarida brasiliensis*	-	**Likely.** Species is associated with desert, shrubland, woodland, forest, and montane habitats. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is migratory in the southwest United States.
California myotis	*Myotis californicus*	-	**Likely.** Species is associated with desert scrub where it is abundant, as well as oak-juniper woodlands, forests, meadows, canyons, and grasslands. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is non-migratory.
fringed myotis	*Myotis thysanodes*	-	**Likely.** Species is associated with mid-elevation desert scrub, grassland, oak woodland, montane evergreen forest, and riparian habitats. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is migratory.
hoary bat	*Lasiurus cinereus*	-	**Likely.** Species is widespread and primarily associated with deciduous and coniferous forests and woodlands and forages in open areas. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is migratory.
long-eared myotis	*Myotis evotis*	-	**Potential.** Species may occur in lowland and subalpine habitats but is primarily associated with montane coniferous forests. Palomas Wind North falls within the species' known range and contains scattered areas of suitable/preferred habitat, and the species has been recorded in Torrance County. The species is presumed to migrate locally.
long-legged myotis	*Myotis volans*	-	**Likely.** Species is associated with piñon-juniper woodlands and coniferous forests at mid- to high elevations. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. Migration is relatively unknown.
Townsend's big-eared Bat	*Corynorhinus townsendii*	BLM-S, SGCN, USFS-R3	**Likely.** Species is widespread and is associated with a variety of habitats including arid desert scrub and forests. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is non-migratory.
pallid bat	*Antrozous pallidus*	-	**Likely.** Species is associated with lowland desert scrub, arid deserts and grasslands, open coniferous forests and woodlands, montane areas, and intermontane basins, and often occurs near rock outcrops and water. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, and the species has been recorded in Torrance County. The species is non-migratory.
silver-haired bat	*Lasionycteris noctivagans*	-	**Potential.** Species is primarily associated with coniferous forests, mixed coniferous and deciduous forests, and, in particular, old growth forests, often near water bodies. Although suitable/preferred habitat is scarce in Palomas Wind North and Palomas Wind South, the species has been recorded in Torrance County, and the Study Area is within the species known range. The species is migratory.

spotted bat	*Euderma maculatum*	BLM-S, SGCN, USFS-S	**Potential.** Species is associated with a variety of habitats including desert scrub and pinyon-juniper woodlands. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South, but the species has not been recorded within Torrance County or counties adjacent to its eastern border where the Study Area occurs. The species may migrate seasonally.
western small-footed myotis	*Myotis ciliolabrum*	-	**Likely.** Species is associated with a variety of habitats including desert scrub, piñon-juniper woodlands, sagebrush, riparian areas, and montane forests and often occur near cliffs or rock outcrops. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South and the species has been recorded in Torrance County. The species is non-migratory.
Yuma myotis	*Myotis yumanensis*	-	**Potential.** Species is associated with habitats primarily near open water including riparian, desert scrub, forest, and moist woodlands. Although suitable/preferred habitat is scarce within Palomas Wind North and Palomas Wind South and the species has not been recorded in Torrance County, the Project is within the species' known range. The species is non-migratory.

*BLM-S = Bureau of Land Management Sensitive Species, SGCN = New Mexico Species of Greatest Conservation Need, USFS-R3 = United States Forest Service Region 3 Sensitive Species

Other Wildlife

A total of 76 species of wildlife were observed within Palomas Wind North and the Palomas Wind South portion of the Study Area during the site visit (Table 7), most of which are not special status species. As with most birds in North America, all 70 bird species observed during the site visit are migratory species listed under the Migratory Bird Treaty Act (MBTA; Table 7; USFWS 2023), some of which are also listed as a migratory game bird species in New Mexico.

Game bird species observed within Palomas Wind North included mourning dove (*Zenaida macroura*), green-winged teal (*Anas crecca*), mallard (*Anas platyrhynchos)*, scaled quail (*Callipepla squamata*), and wild turkey (*Meleagris gallopavo*). Big game species observed included pronghorn (*Antilocapra americana*) and elk (*Cervus canadensis*). Game bird species observed within the Palomas Wind South portion of the Study Area included blue-winged teal (*Spatula discors*), cinnamon teal (*S. cyanoptera*), green-winged teal (*Anas crecca*), and hybrid cinnamon teal/green-winged teal (*S. cyanoptera* × *Anas crecca*). One big game species, pronghorn, was observed within the Palomas Wind South portion of the Study Area.

The Study Area is located entirely on private land, where hunting can only occur with written permission from the landowner. Therefore, the Project will not change the public's access to game species within the Study Area. Habitat for big game species is not expected to be altered substantially due to the relatively small footprint of the wind turbines and the large home ranges of big game species.

Other non-game, non-special status species observed during the site visit included coyote (*Canis latrans*), rock squirrel (*Otospermophilus variegatus*), collared lizard (*Crotaphytus collaris*), and fence lizard (*Sceloporus undulatus*).

Critical Areas of Congregation

Avian Migration Corridors

New Mexico is primarily within the Central Flyway, which is one of four designated avian migration flyways in North America. Migratory avian species in New Mexico most commonly use the Rio Grande Valley, other river valleys, or mountain chains as migration corridors (Herzenberg 2026). According to the Wind Risk Assessment Map developed by the American Bird Conservancy (ABC), the Study Area does not overlap key avian migration corridors or critically important habitat areas (ABC 2026).

Avian Biodiversity Hotspots

Although the Study Area is not within a key avian migration corridor, an avian biodiversity hotspot exists in Clines Corners, New Mexico (eBird 2026), where there is an anthropogenic water body that provides habitat for migratory and/or resident bird species. The Clines Corners avian biodiversity hotspot is surrounded by the Palomas Wind North portion of the Study Area, located approximately 2.5 mi (4.0 km) south of the northern boundary of the Study Area. Approximately one-quarter of all avian species known to occur in New Mexico have been documented at the Clines Corners hotspot (i.e., 132 species; eBird 2026). American pipit (*Anthus rubescens*), which is a state SGCN (BISON-M 2026), is observed at the Clines Corners hotspot 45 times more frequently than the regional average (eBird 2026). Additionally, lazuli bunting (*Passerina amoena*), another state SGCN (BISON-M 2026), is observed at the Clines Corners hotspot 22 times more frequently than the regional average (eBird 2026).

Pronghorn

Pronghorn is a congregatory and often migratory species occurring throughout much of New Mexico, including Torrance County (BISON-M 2026). Pronghorn is associated with desert scrub and grassland habitats on low, rolling, expansive landscapes (BISON-M 2025) and are regularly observed occupying the grasslands around and within the Study Area, particularly the Palomas Wind South portion of the Study Area. Pronghorn herds within proximity to the Study Area may migrate seasonally or be year-round residents, though residents may sometimes be required to migrate within home ranges depending on weather and foraging opportunities. Construction and operation of wind energy generation facilities result in habitat fragmentation that may cause disruption to pronghorn migration patterns including avoidance of active turbine sites and reduced migration route fidelity relative to construction activities (Milligan et al. 2023). Disruptions to migration needs or patterns due to wind energy may ultimately result in reduced foraging success or migration route availability (Milligan et al. 2023).

Sensitive Species

GSA conducted a review of publicly available datasets to compile a list of special status wildlife known to occur within the Study Area. Likelihoods of occurrence for each species were evaluated using the following definitions:

- **Unlikely to Occur** = the Study Area is outside the species' known range, and/or suitable habitat is generally absent from the project or area of interest, and/or the species may have restricted mobility or small population size; however, the species may occur within the project or area of interest during migration or at other times of dispersal or irruption.

- **Potential to Occur** = the Study Area is located within the species' known range but only marginally suitable habitat exists, and/or the species is mobile and may occur at any time of year; the project or area of interest is located within the species' known range and contains suitable habitat, and/or the species known range occurs in the surrounding area, but no public records exist from within the project or area of interest.

- **Likely to Occur** = the species is known to occur within the Study Area based on publicly available data and suitable habitat exists within the project or area of interest.

- **Occurs** = the species was observed during a site reconnaissance.

Federally Listed Species

A total of four wildlife species were identified for review within the Study Area that are protected under the Endangered Species Act (16 U.S.C. §§ 1531 – 1544; ESA) and are federally listed as endangered, threatened, or proposed threatened (Table 10). The USFWS identified four ESA-listed wildlife species: Mexican spotted owl (*Strix occidentalis lucida*), southwestern willow flycatcher (*Empidonax traillii extimus*), yellow-billed cuckoo (western distinct population segment; *Coccyzus americanus*), and monarch butterfly (*Danaus plexippus*). The Biotic Information System of New Mexico (BISON-M) has records of three ESA-listed species known to occur or possibly occur in Torrance County, New Mexico (Table 10; BISON-M 2026): Mexican spotted owl, southwestern willow flycatcher, and monarch butterfly. Species' likelihoods of occurrence within the Study Area are

provided in Table 10. Species-specific information that informed the determinations of likelihood to occur follows Table 10.

Table 10. Federally listed or proposed for listing wildlife species in Torrance County, New Mexico (BISON-M 2026) and likelihoods of occurrence within the Study Area.

Common Name	Scientific Name	Federal Status*	Likelihood of Occurrence
Birds			
Mexican spotted owl	*Strix occidentalis lucida*	T	**Unlikely.** Species is associated with high elevation coniferous forests. Suitable/preferred habitat does not exist within the Study Area.
southwestern willow flycatcher	*Empidonax traillii*	E	**Unlikely.** Species is associated with dense riparian habitat and perennial water sources. Suitable/preferred habitat does not exist within the Study Area.
yellow-billed cuckoo (western distinct population segment)	*Coccyzus americanus*	T	**Unlikely.** Species is associated with dense riparian habitat and perennial water sources. Suitable/preferred habitat does not exist within the Study Area.
Invertebrates			
monarch butterfly	*Danaus plexippus plexippus*	PT	**Potential.** Species is widespread and associated with milkweed for breeding and a variety of flowering plants for foraging. Suitable/preferred habitat exists within the Study Area.

*E = Endangered, PT = Proposed Threatened, T = Threatened (BISON-M 2026)

Mexican Spotted Owl

Mexican spotted owl is a federally threatened species and a state Species of Greatest Conservation Need (SGCN; BISON-M 2026). Mexican spotted owl occurs in habitats of high elevation, closed-canopy, old growth or mature, mixed conifer forests, or forested canyons and caves on the edges of the species' range (USFWS 2026b). Additionally, during the winter, Mexican spotted owl is known to migrate up to 31 mi (50 km) from known territories for short periods (USFWS 2016). Mexican spotted owl is known to occur in most counties in New Mexico, including in Torrance County (BISON-M 2026; eBird 2026). The USFWS has designated critical habitat in the Manzano Mountains approximately 34 mi (55 km) west-southwest of the Project, in the Sandia Mountains approximately 37 mi (60 km) west-northwest of the Project, and in the Pecos Wilderness approximately 42 mi (68 km) north of the Project. Migration to or through the Study Area is unlikely due to the distance from suitable habitat, and suitable habitat does not occur within the Study Area. Accordingly, Mexican spotted owl is unlikely to occur within the Study Area.

Southwestern Willow Flycatcher

Southwestern willow flycatcher is a federally and state-endangered species and a state SGCN (BISON-M 2026). Southwestern willow flycatcher is a small, Neotropical migrant which winters in Central and South America and migrates to breeding grounds in the arid Southwest in dense riparian forests of cottonwood and willow near saturated soils or standing or flowing water (USFWS 2026d).

Southwestern willow flycatcher has been documented in most New Mexico counties (BISON-M 2026), including Torrance County. Observations on eBird of this species are unreliable as there is no distinction between subspecies of willow flycatcher (*Empidonax traillii*). There is no USFWS designated critical habitat in proximity to the Study Area (USFWS 2013), and the Study Area lacks suitable habitat. Accordingly, southwestern willow flycatcher is unlikely to occur within the Study Area.

Yellow-billed Cuckoo

Yellow-billed cuckoo (western distinct population segment) is a federally threatened species and a state SGCN (BISON-M 2026). Yellow-billed cuckoo is a medium size passerine which primarily occurs in wooded habitat with dense cover near streams or marshes where they typically nest in dense stands of willow or cottonwood (USFWS 2026e; NatureServe 2026d). In New Mexico, yellow-billed cuckoo has been documented in most New Mexico counties, although the species is not known to occur in Torrance County (BISON-M 2026; eBird 2026). There is no USFWS designated critical habitat in proximity to the Study Area (USFWS 2021), and the Study Area lacks suitable habitat. Accordingly, yellow-billed cuckoo is unlikely to occur within the Study Area.

Monarch Butterfly

Monarch butterfly is currently proposed for threatened species status under the ESA (BISON-M 2026). Monarch butterfly is a widespread, cosmopolitan, migratory species with a global range extending over most of the continental United States (USFWS 2026h). Monarch butterfly is closely associated with the presence of milkweed plants, which are the host plant for egg-laying, though a variety of flowers may be used for feeding in wetland, grassland, coastal, mountain, rural, or urban habitats (USFWS 2026h). Monarch butterfly has been documented in every New Mexico county (BISON-M 2026). There have been 11 iNaturalist observations of monarch butterfly in Torrance County (iNaturalist 2026). There is no USFWS designated critical habitat within proximity to the Study Area (USFWS 2024); however, given the versatility and generalist tendencies of monarch butterfly, both the Palomas Wind North and Palomas Wind South portions of the Study Area contain suitable habitat. Accordingly, monarch butterfly has potential to occur within the Study Area.

New Mexico State-Listed Species

Six wildlife species protected under the New Mexico Wildlife Conservation Act (WCA; 17-2-40.1 NMSA 1978) and state-listed as endangered or threatened are known to occur or possibly occur in Torrance County, New Mexico (Table 11; BISON-M 2026). Species' likelihoods of occurrence within the Study Area are provided in Table 11. Species-specific information that informed the determinations of likelihood to occur follows Table 11.

Table 11. New Mexico state-listed species in Torrance County, New Mexico (BISON-M 2026) and likelihoods of occurrence within the Study Area.

Common Name	Scientific Name	State Status*	Likelihood of Occurrence
Birds			
Baird's sparrow	*Centronyx bairdii*	T	**Potential.** Species is associated with grasslands. Suitable habitat exists within Palomas Wind North and Palomas Wind South, and the species may occur during migration.

bald eagle**	*Haliaeetus leucocephalus*	T	**Potential.** Species is typically associated with perennial water sources but is widespread and may occur within the Study Area during winter or migration and/or while foraging opportunistically.
gray vireo	*Vireo vicinior*	T	**Likely.** Species is associated with desert scrub. Suitable/preferred habitat exists within Palomas Wind North and Palomas Wind South.
peregrine falcon	*Falco peregrinus*	T	**Likely.** Species is associated with a variety of habitats, nests in cliffs, and forages in woodlands and grasslands. Suitable/preferred nesting and foraging habitat exists within Palomas Wind North, and suitable foraging habitat exists within Palomas Wind South.
southwestern willow flycatcher***	*Empidonax traillii extimus*	E	**Unlikely.** Species is associated with dense riparian habitat and perennial water sources. Suitable/preferred habitat does not exist within the Study Area.

*E = Endangered, T = Threatened (BISON-M 2026)
**Discussed on page 24
***Discussed on page 30

Baird's Sparrow

Baird's sparrow (*Centronyx bairdii*) is a state-threatened species and a state SGCN (BISON-M 2026). Baird's sparrow breeds in the tall grasses of the northern Great Plains and winters in northern Mexico and the southernmost regions of Arizona and New Mexico (NMDOW 2025). Baird's sparrow has been documented in most counties in New Mexico, including Torrance County (BISON-M 2026), although there are no informal observations of Baird's sparrow in Torrance County (eBird 2026). The Project is located outside of the species' known breeding range (Cornell Lab of Ornithology 2026); however, suitable stopover habitat appears to exist within the Study Area. Accordingly, Baird's sparrow has potential to occur within the Study Area.

Gray Vireo

Gray vireo (*Vireo vicinior*) is a state-threatened species and a state SGCN (BISON-M 2026). Gray vireo occupies warm or hot, semi-arid, or shrubby habitats with mesquite, pinyon-juniper woodlands, chaparral, and desert scrub (NatureServe 2026e). In New Mexico, gray vireo typically breeds on rocky hills with sparse bushes and scrub, juniper, and oak, or in canyons with pinyon-juniper woodlands (NatureServe 2026d). Gray vireo has been documented in most New Mexico counties, including Torrance County (BISON-M 2026), and there have been 19 informal observations in Torrance County (eBird 2026). Accordingly, gray vireo is likely to occur within the Study Area.

Peregrine Falcon

Peregrine falcon (*Falco peregrinus*) is a state-threatened species and a state SGCN (BISON-M 2026). Peregrine falcon is associated with a broad range of habitats including plains, grasslands, shrublands, forests, deserts, and human population centers, and shows little preference for specific

ecological communities, though the species typically nests in cliffs (NatureServe 2026b). In New Mexico, peregrine falcon has been documented in all counties (BISON-M 2026) and there have been 243 observations in Torrance County (eBird 2026). The Palomas Wind North and Palomas Wind South portions of the Study Area contain suitable foraging habitat for peregrine falcon. Accordingly, peregrine falcon is likely to occur within the Study Area.

Additional Special Status Wildlife Species

Additional special status wildlife species were assessed for potential for occurrence within the Study Area including New Mexico state SGCN, BLM special status species, and USFS sensitive species. Over forty additional special status species occur in Torrance County (BISON-M 2026). For the sake of brevity, species-specific information and likelihoods of occurrence are detailed in Table 12 only for special status species that have potential to occur, are likely to occur, or are confirmed to occur within the Study Area.

Table 12. Special status species in Torrance County (BISON-M 2026; BLM 2019a; USFS 2013a) that have potential to occur or are likely to occur within the Study Area.

Common Name	Scientific Name	Status*	Likelihood of Occurrence
Birds			
Baird's sparrow	*Centronyx bairdii*	NM-T, SGCN, USFS-S	**Potential.** Species is associated with grasslands. Suitable habitat exists within the Study Area, and the species may occur during migration.
bald eagle	*Haliaeetus leucocephalus*	BGEPA, SGCN, USFS-S	**Potential.** Species is typically associated with perennial water sources but is widespread and may occur within the Study Area during winter or migration and/or while foraging opportunistically.
Bendire's thrasher	*Toxostoma bendirei*	BLM-S, SGCN	**Potential.** Species is associated with arid grasslands and desert habitats. Suitable/preferred habitat exists within the Study Area.
black-throated gray warbler	*Setophaga nigrescens*	SGCN	**Occurs.** Species is associated with pine forests, pine-oak woodlands, and pinyon-juniper woodlands. Although suitable/preferred habitat is scarce within Palomas Wind South, suitable/preferred habitat occurs within the Palomas Wind North portion of the Study Area and the species was observed within the Palomas Wind North portion of the Study Area (Table 7).
burrowing owl	*Athene cunicularia*	BLMS-S, SGCN, USFS-S	**Likely.** Species is associated with arid grasslands. Suitable/preferred habitat exists within the Study Area.
Cassin's finch	*Haemorhous cassinii*	SGCN	**Potential.** Species is associated with coniferous forests, deciduous woodland, scrub, brush, and open areas with scattered trees. Suitable habitat exists within the Palomas Wind North and Palomas Wind South portion of the Study Area.
Cassin's sparrow	*Peucaea cassinii*	SGCN	**Likely.** Species is associated with dry grasslands. Suitable habitat exists within the Palomas Wind North and Palomas Wind South portions of the Study Area.
Grace's warbler	*Setophaga graciae*	SGCN	**Occurs.** Species is associated with ponderosa pine and pine-oak woodlands. Suitable/preferred habitat exists within Palomas Wind North portion of the Study Area and the species was observed in Palomas Wind North portion of the Study Area (Table 7).
gray vireo	*Vireo vicinior*	NM-T, SGCN	**Likely.** Species is associated with desert scrub. Suitable/preferred habitat exists within the Study Area.
juniper titmouse	*Baeolophus ridgwayi*	SGCN	**Likely.** Species is associated with pinyon-juniper woodlands. Suitable/preferred exists within the Palomas Wind North portion of the Study Area.
loggerhead shrike	*Lanius ludovicianus*	SGCN	**Occurs.** Species is associated with sparse thorny trees or vegetation and grasslands. Suitable/preferred habitat occurs within the Study Area and the species was observed within both the Palomas Wind North and Palomas Wind South portions of the Study Area (Table 7).
long-billed curlew	*Numenius americanus*	SGCN	**Likely.** Species is associated with short and mixed-grass prairies and grasslands. Suitable/preferred habitat exists within the Study Area.
Mexican whip-poor-will	*Antrostomus arizonae*	BLM-S, SGCN	**Potential.** Species is associated with pine-oak woodlands, pine-juniper-oak woodlands, and ponderosa pine woodlands. Suitable/preferred habitat exists within the Palomas Wind North portion of the Study Area.

mountain bluebird	*Sialia currucoides*	SGCN	**Occurs.** Species is associated with grasslands. Suitable/preferred habitat occurs within the Study Area and the species was observed within both the Palomas Wind North and Palomas Wind South portions of the Study Area (Table 7).
mountain plover	*Charadrius montanus*	SGCN, USFS-S	**Potential.** Species is associated with grasslands. Suitable/preferred habitat exists within the Study Area.
peregrine falcon	*Falco peregrinus*	SGCN, USFS-S	**Likely.** Species is associated with a variety of habitats, nests in cliffs, and forages in woodlands and grasslands. Suitable/preferred nesting and foraging habitat exists within the Palomas Wind North portion of the Study Area, and suitable foraging habitat exists within Palomas Wind South portion of the Study Area.
pinyon jay	*Gymnorhinus cyanocephalus*	BLM-S, SGCN	**Occurs.** Species is associated with pinyon-juniper woodlands. Suitable/preferred exists within the Palomas Wind North portion of the Study Area and the species was observed within Palomas Wind North (Table 7).
pygmy nuthatch	*Sitta pygmaea*	SGCN	**Potential.** Species is associated with ponderosa pine. Suitable/preferred habitat exists within the Palomas Wind North portion of the Study Area.
Sprague's pipit	*Anthus spragueii*	SGCN	**Potential.** Species is associated with grasslands. Suitable/preferred habitat exists within the Study Area.
vesper sparrow	*Pooecetes gramineus*	SGCN	**Occurs.** Species is associated with open, sparse shrublands and grasslands. Suitable/preferred habitat exists within the Study Area and species was observed in the Palomas Wind South portion of the Study Area (Table 7).
Virginia's warbler	*Leiothlypis virginiae*	BLM-S, SGCN	**Potential.** Species is associated with open pinyon-juniper woodlands and oak woodlands. Suitable/preferred exists within the Palomas Wind North portion of the Study Area.
western bluebird	*Sialia mexicana*	SGCN	**Occurs.** Species is associated with woodlands, edge habitats, and grasslands. Suitable/preferred habitat exists within the Study Area and the species was observed in the Palomas Wind South portion of the Study Area (Table 7).
Mammals			
black-tailed prairie dog	*Cynomys ludovicianus*	BLM-S, SGCN, USFS-S	**Potential.** Species is associated with arid grasslands. Suitable/preferred habitat exists within the Study Area.
Gunnison's prairie dog	*Cynomys gunnisoni*	BLM-S, SGCN, USFS-S	**Potential.** Species is associated with arid grasslands. Suitable/preferred habitat exists within the Study Area.
Townsend's big-eared bat	*Corynorhinus townsendii*	BLM-S, SGCN, USFS-S	**Likely.** Species is widespread and is associated with a variety of habitats including arid desert scrub and forests. Suitable/preferred habitat exists within the Palomas Wind North and Palomas Wind South portions of the Study Area.
Reptiles			
western massasauga	*Sistrurus tergeminus*	BLM-S, SGCN	**Potential.** Species is associated with grasslands on the edge of open woodlands or rocky hillsides. Suitable/preferred habitat exists within the Study Area.
Arthropods			
monarch butterfly	*Danaus plexippus plexippus*	ESA-PT, BLM-S	**Potential.** Species is widespread and associated with milkweed for breeding and a variety of flowering plants for foraging. Suitable/preferred habitat exists within the Study Area.

*BGEPA = Bald and Golden Eagle Protection Act, BLM-S = Bureau of Land Management Sensitive Species, ESA-PT = Endangered Species Act Proposed Threatened, NM-T = New Mexico State Threatened, SGCN = Species of Greatest Conservation Need, USFS-S = United States Forest Service Sensitive Species

Plants

A review of publicly available datasets was conducted to compile a list of special status plant species known to occur in Torrance County, New Mexico (BLM 2019b; NMRTPC 2026; USFS 2013b). Species-specific information and likelihoods of occurrence within the Study Area are provided in Table 13; species-specific information used to make likelihood of occurrence determinations follows Table 13.

Table 13. Special status plant species in Torrance County (NMRPTC 2026) and likelihoods of occurrence within the Study Area.

Common Name	Scientific Name	Status*	Likelihood of occurrence
dwarf milkweed	*Asclepias uncialis*	USFS-S	**Potential.** The species is associated with juniper woodlands and savannas. Suitable habitat exists within the Study Area.
Sandia Mountain alum-root	*Heuchera pulchella*	USFS-S	**Unlikely.** Species is associated with lower and upper montane forests. Suitable habitat does not exist within the Study Area.
tall bitterweed	*Hymenoxys brachyactis*	USFS-S	**Potential.** Species is associated with pinyon-juniper woodlands and ponderosa pine and oak forests. Suitable habitat exists within the Study Area.

*USFS-S = United States Forest Service Sensitive Species

Dwarf Milkweed

Dward milkweed (*Asclepias uncialis*) is a USFS sensitive species (NMRPTC 2026a, USFS 2013b). Dwarf milkweed is frequently associated with juniper woodlands and savanna habitats where the species is found solely in the grassland components of said habitats, typically growing in open spaces between bunch grasses (Center for Plant Conservation 2026a; NatureServe 2026a). The species often occurs at the base of escarpments or mesas, though is absent from disturbed habitats such as wash slopes or erosion channels (Center for Plant Conservation 2026a). Dwarf milkweed is known to occur in less than a third of the counties in New Mexico, including Torrance County (NMRPTC 2020). Accordingly, dwarf milkweed has potential to occur within the Study Area.

Sandia Mountain Alum-Root

Sandia Mountain alum-root (*Heuchera pulchella*) is a USFS sensitive species (NMRPTC 2026). Sandia Mountain alum-root is most abundant along the crest of the Sandia Mountains and is endemic to central New Mexico (Center for Plant Conservation 2026b). Generally, the species is associated with lower and upper montane coniferous forests where it grows on limestone cliffsides at elevations ranging from 8,000 ft to 10,700 ft (2,450 m to 3,260 m; NMRTPC 1999a). Sandia Mountain alum-root is known to occur in only three counties in New Mexico, including Torrance County, and is considered to be restricted to the Sandia and Manzano mountains (NMRPTC 1999a). The Study Area is outside the species' known range and lacks suitable habitat. Accordingly, Sandia Mountain alum-root is unlikely to occur within the Study Area.

Tall Bitterweed

Tall bitterweed (*Hymenoxys brachyactis*) is a USFS sensitive species (NMRPTC 2026; USFS 2013b). Tall bitterweed occupies dry sites with coarse soils or pine mulch and will occasionally occupy

disturbed areas (NatureServe 2026c; NMRPTC 1999a). The species typically occurs in pinyon-juniper woodlands and lower montane coniferous forests at elevations ranging from 6,900 ft to 8,200 ft (2,100 m to 2,500 m; NatureServe 2026c; NMRPTC 1999a) Associated species include ponderosa pine and Gambel oak (NatureServe 2026c; NMRPTC 1999a). Tall bitterweed is known to occur in only three counties in New Mexico, including Torrance County (NMRTPC 1999a, 2026). The Study Area is located within the known range for the species and contains suitable habitat. Accordingly, tall bitterweed has potential to occur within the Study Area.

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Exhibit G – Pattern New Mexico Best Management Practices

	Category	No.	Pattern Energy New Mexico Environmental Best Management Practices (October 10, 2025)
			New Mexico State Land Office Required Practices for Surface Users
New Mexico State Land Office Required Practices for Surface Users	Design	1	New surface disturbance will be minimized within 200 feet of the boundary of riparian areas, wetlands, playas or other water bodies (e.g., the ordinary high water mark) to the extent practicable. Where avoidance is not practicable, impacts will be minimized and comply with th U.S. Army Corps of Engineers Nationwide Permit under Section 404 of the Clean Water Act. Boring under these water features may be utilized where practicable and designs are approved. To minimize new surface disturbance within 200 feet of the boundary of any riparian area, wetland, playa or other water body means: only temporary use will be allowed; no blading, grading, or digging; no permanent structures; no permanent roads (with the exception of the permanent maintenance road where no other route is possible, but never acros playas); no introduction of outside material, (i.e. gravel, caliche, base course), no mechanical compaction, and full reclamation requiremen for any temporary use: flipping or ripping compacted temporary use areas if necessary; reseeding, weed control, re-contouring to previous condition. For any permanent maintenance road crossing a riparian area, to minimize new surface disturbance means the minimum width that is absolutely necessary, and the road must be designed to allow the natural hydrology of the basin to continue functioning as if the ro was not there: built to allow water to move under, through or across the road, without catchments or pooling or channeling, with erosion control structures and flow dispersal structures as necessary, and plantings as necessary to manage hydrologic functioning condition.
		2	All efforts should be made to minimize new surface disturbance: new roads and rights-of-way should make use of pre-existing disturbed areas, including existing roadbeds, pipeline or utility line rights-of-way, or in pre-existing or dedicated corridors when practicable.
		3	No new surface disturbance will be permitted within 200' feet of the centerline of ephemeral drainages, floodways, arroyos or other short duration flow channels, except when crossing these channels and drainages. Where avoidance is not practicable, impacts will be minimizec and comply with the U.S. Army Corps of Engineers Nationwide Permit under Section 404 of the Clean Water Act. Drainage crossings will be perpendicular to flow, and will be built to accommodate 25-year flood events and to control erosion. Boring under these water features ma be utilized where practicable and designs are approved.
		4	Establish property boundaries.
		5	Minimize new surface disturbance and design for minimum necessary width/area of impact according to expected purpose and use.
		6	Avoid wetlands, known critical habitat and protected areas.
		7	Avoid steep slopes (>12%) where practicable; grades from 4-10% are preferred for managing drainage; roads and rights-of-way are best placed at the toe of slopes where cross slope is between 5% and 40%.
		8	Preserve as much natural vegetation and living root structure as possible. If the material is less than three inches in diameter, lopping and scattering is permitted. If greater than three inches, the material can be chipped or masticated then spread to no thicker than four and a ha inches.
		9	Provide adequate surface drainage; as grade steepens drainage features, such as water bars, must be closer together; drainage features on fine grained soils should be closer together.
		10	Account for cultural resources at least in accordance with minimum standards as set forth in NMSLO policy ADM-0106.
		11	Account for biological resources at least in accordance with minimum standards as set forth in NMSLO Policy ADM-0105.
		12	Include a spill containment and prevention plan where hazardous materials are involved.
		13	Include a reclamation plan detailing soil stabilization and revegetation process.
		14	Include an access control plan.
		15	All reclamation success criteria shall follow federal NPDES guidelines whereas a minimum of 70% density (of pre-existing conditions) of native flora shall be successfully reestablished prior to release from permit requirements for ongoing inspections and maintenance of temporary ESC BMPs.
		16	Use only native weed-free certified seed for reclamation.
		17	Include a noxious weed prevention plan.
		18	Include a dust abatement plan.
		19	Address crown, inslope, outslope and shoulder design (roads).
		20	Address trenching and boring design, including depth, casing, core sampling, valve location and access management (pipelines).
		21	Define use, location and size of temporary work space, temporary storage and turnouts.
		22	Address logistics of construction.
	Construction Practices	23	Address all pertinent state and federal regulations.
		24	Control access to the construction site.
		25	Control unauthorized use of space adjacent to permitted rights-of-way and use areas.
		26	Maintain temporary erosion control structures, such as silt fencing to prevent sediment flow during construction.
		27	All water utilized for dust abatement shall be suitable for meeting federal NPDES guidelines for revegetation, whereby a minimum of 70% density (of pre-existing conditions) of native flora shall be successfully reestablished prior to release from permit requirements for ongoing inspections and maintenance of temporary ESC BMPs.
		28	When requested by the Commissioner, engage a compliance inspection officer to monitor quality control and compliance with NMSLO best management practices.
		29	Sample, test and monitor to ensure construction materials meet design specifications.
	Operation Practices	30	Dispose of unsuitable or excess excavation material in approved locations to minimize adverse impacts to water quality or other resources.
		31	Grade and shape roadway surfaces to maintain distinct inslope, outslope or crown shape to move water effectively off the road surface.
		32	Compact graded roadway surfaces to preserve hard driving surface; replace surface material when needed; implement dust abatement plans.
		33	Fill ruts and potholes with gravel or compacted fill or remove ruts through rolling dips and water bars; reshape structures to maintain proper function.
		34	Clean ditches and reshape when necessary to allow adequate flow capacity.
		35	Remove debris from the entrance of culverts to prevent plugging and overtopping; check for signs of damage.
		36	Replace or repair rock armor, erosion control structures, or vegetation used for slope protection, scour protection or energy dissipation.
		37	Inspect and repair fencing, gates, cattle-guards and other access control structures.
		38	Inspect reclamation, revegetation and noxious weed treatments and retreat as necessary to maintain proper functioning of erosion control and establishment of native vegetation.
		39	Seek a remediation right-of-entry for any reclamation of state trust land outside the bounds of the permitted right-of-way.
		40	Verify compliance with NMSLO biological and cultural resource policies (ADM-0105 and ADM-0106) for the area to be reclaimed.
		41	Sample, remove and properly dispose of any contaminated soils.
		42	Remove and properly dispose of any caliche or other surface base course.

Category	No.	Pattern Energy New Mexico Environmental Best Management Practices (October 10, 2025)
Reclamation	43	Contaminated soils and caliche should be disposed of only in state permitted disposal locations, such as land farms or hazardous disposal sites.
	44	Replace caliche, base course or contaminated soils with certified clean top soil comparable to undisturbed clean soils in the near vicinity.
	45	Contour the ground surface to blend in with the surrounding topography and to allow the natural hydrology of the basin to function without impediment or impact.
	46	Install erosion control structures as necessary to repair and control gullies, head-cuts, rills, and other forms of sediment movement.
	47	Erosion control structures should be designed to restore natural hydrologic function and to the extent possible should use local rock or bio-degradable materials and low-energy, minimum necessary designs.
	48	Structures may include, but are not limited to, one rock dams, rock mulch rundowns, zuni bowls, media lunas, swales, berms, terraces, wattles, rock or log mats, hay mulch, gabions, bales or other stabilizing enhancements to control erosion.
	49	Prepare the seedbed to maximize potential for success. This may include, but is not limited to, a combination of watering, mechanical packing to consolidate loose soils, disking to loosen compacted soils, or crimping hay mulch into the soil, (2 tons/acre), adding soil amendments, contouring and/or importing top soil.
	50	Install water bars, or other NMSLO approved flow control, at an angle of 30% to the grade along the contour of the road or right-of-way, up to two feet high and six feet wide; water bars should be placed on any slope greater than level, every ten feet in elevation change or every 300 feet, whichever is less.
	51	Seed the prepared seedbed with a drill seeder or hydraulic seeder. Hydroseeding will be used on 3:1 slopes or greater. The seed mix will be based on NMSLO revegetation guidelines and will be provided or approved by the NMSLO.
	52	In the event of a spill or hazardous materials release, the project SPCC Plan guidelines must be followed and reporting requirements set forth by NMED shall be followed. Provide draft copy of SPCC Plan to SLO for approval.
	53	A noxious weed plan will be developed and noxious weeds will be monitored and treated on an annual basis, or as needed, for three years post construction.
New Mexico State Land Office Minimum Requirements for Surface Reclamation		
Objective		To reduce and prevent erosion, remove contaminants and contaminated materials, restore clean soils, restore native plant diversity and abundance, restore and maintain hydrological regime, and restore and maintain productive habitat for livestock and wildlife.
Applicability		These Minimum Requirements are applicable to all reclamation activities on state trust lands including: hazardous materials spills/releases, site closure for oil and gas, mineral and business leases, plug and abandon site reclamation, mine site reclamation, pit, pad, or pond reclamation, illegal dump reclamation, road and pipeline reclamation, dairy farm or other agricultural impact reclamation, and any other clean up or reclamation activity on state trust land.
Access	1	If the spill/release or reclamation project extends beyond the lease boundary or permitted right of way, contact the NMSLO Rights Of Way Division and obtain a remediation right-of-entry
Compliance	2	Before commencing any new ground disturbing activity:
	3	(a). Conduct an archaeological survey of the impacted area, or verify that the area has already been surveyed and that no cultural properties will be impacted by ground disturbing activities;
	4	(b). If cultural properties have been impacted by a spill/release or reclamation project, immediately stop all ground disturbing activities and contact NMSLO for further direction;
	5	(c). Verify compliance with NMSLO biological and cultural resource policies (ADM-0105 and ADM-0106) for the area to be reclaimed; conduct surveys where necessary;
	6	(d). Verify compliance with all state and federal regulations, including but not limited to storm water pollution and prevention, air quality control, and hazardous materials disposal;
Hazard Material Spill / Releases	7	Other Spills/Releases: (i). Upon discovery of any non-oil and gas related hazardous material release, including mine waste, either current or historic, immediately notify NMED and NMSLO;
Delineation	8	Upon discovery of contaminated soils, delineate the horizontal and vertical extent of the contamination;
	9	For any spill on State Trust Lands: Written Report for all spills. For spills greater than 25 gallons, immediate notification (email address to be defined) to SLO within 24 hours;
	10	For non-oil and gas related contamination, the NMED may require delineation and monitoring related to surface and ground water impacts;
	11	The NMSLO may require any necessary sampling or reclamation related to the restoration of surface conditions within 60 days post-notification.
Reclamation Plan	12	A project revegetation plan will be designed to meet NPDES requirements and submitted to NMSLO for review and approval.
Removal/ Containment	13	Remove and replace, or stabilize and contain any contaminated soils, including contaminated caliche or base course; remove and replace all caliche or base course; contaminated soils and caliche should be disposed of only in state permitted disposal locations, such as land farms or hazardous disposal sites, and in accordance with state and federal regulations.
Soil Replacement	14	Replace contaminated soils, caliche or base course, and uncontaminated caliche or base course, with certified clean top soil; soils should have comparable structure and chemistry to healthy, native undisturbed soils in the vicinity.
Trash and Debris	15	Unless equipment is to be re-used onsite, any trash, debris, garbage, rubbish, junk, scrap, or broken or contaminated equipment, such as pipelines, plastic lining, surface flowlines, tanks, scrap materials of any kind, or other equipment must be removed and disposed of in accordance with state and federal regulations within 30 days of final use or completion of construction.
	16	No hazardous substances, trash or litter will be buried or placed in pits.
Surface Preparation	17	Contour the ground surface to blend in with the surrounding topography to allow the natural hydrology of the basin to function without impediment or impact.
	18	No major depressions or pits will be left that will trap water or cause ponding except where the project involves a mining pit where there is no possible outlet, such as a caliche pit.
Erosion Control	19	Where active transportation of sediment through gullying, headcutting, slumping or deep or excessive rills (greater than 3 inches deep) occurs within the lease area or within the adjacent area of impact, install erosion control structures to repair and control gullies, head-cuts, rills, and other forms of sediment movement.
	20	(a). Erosion control structures should be designed to restore natural hydrological function and flood regime, and to the extent possible should use local rock or biodegradable materials and low-energy, minimum-necessary designs.
	21	(b). Erosion control structures may include, but are not limited to, one rock dams, rock mulch rundowns, zuni bowls, media lunas, swales, berms, terraces, wattles, rock or log mats, hay mulch, gabions, bales or other stabilizing enhancements to control erosion.
Drainage Control	22	Drainage control structures should be designed to mimic natural hydrological function and flood regime as much as possible so as not to increase the erosional impact of hydrologic flows to the structure or to the upstream or downstream landscape; drainage control designs should be engineered and stamped by a PE.
	23	Drainage control structures may include but are not limited to road bars, culverts, water bars, parallel and lateral ditches, drains, and low water crossings.

	Category	No.	Pattern Energy New Mexico Environmental Best Management Practices (October 10, 2025)
	Seedbed Preparation	24	Revegetation to meet or exceed 70% density of surrounding cover. If straw/hay mulching is used, straw/hay must be certified weed free.
	Revegetation	25	On 3:1 slopes or greater additional revegetation BMPs shall be deployed (such as: hydromulching, crimp mulching, or erosion control blanket).
	Noxious Weeds	26	A noxious weed plan will be developed and approved by the NMSLO and noxious weeds will be monitored and treated on a semi-annual basis for three years post-construction.
	Access Control * applicable to SLO properties	27	a. Gate and Fencing Specifications: Unless otherwise directed by the NMSLO, a locked metal gate with 4-inch H-braces and a permanent fence extending at least 100 feet from either side of the gate, or to the next adjacent gate, will be installed to block public access to all closed reclamation sites; fence will be constructed with steel T-posts on 16-foot spacing, with stays every 8 feet and 4 strands of barbed wire; the top wire should be set at 42 inches above the ground surface; inline braces will be used at intervals not to exceed 660 feet; corne will be braced and set in concrete; fence wire will be attached on the outside of the T-posts with wire ties.
		28	b. Permanent Closure Specifications: Dirt berms, permanent hard barriers or rock barricades will be installed to block unauthorized access points to reclamation sites; berms and barriers will be at least 3 feet high and will extend the width of the access point; berms will be hard packed; barriers and barricades may be constructed of metal pipe rail, concrete, or rock and may be used in combination with berm work t ensure closure of an access point; Keep these areas from being general access routes for the public. Require fencing with requests for othe options on a case-by- case basis.
	Monitoring	29	The responsible party will monitor the reclamation site annually until relinquished by the NMSLO during restoration sign-off process and completion of action item list.
		30	Prior to relinquishment, the NMSLO will retain the right to inspect and to provide sign-off prior to release and may require supplemental clean up, maintenance of erosion control structures, additional reseeding efforts, or noxious weed treatments to ensure success of reclamation.
		31	The NMSLO may request detailed annual monitoring reports depending on the severity of the situation.
	Reporting	32	The NMSLO may require monthly updates during the course of the initial reclamation work; monthly updates will include a brief narrative statement of work completed with photo documentation; upon completion of the initial reclamation work, the responsible party will notify the NMSLO that the site is ready for inspection; rights of way lessees will provide an affidavit of completion (NMAC 19.2.10.21); annual monitoring reports may be required depending on the severity of the situation.
	Relinquishment	33	The NMSLO will inspect the initial reclamation work upon completion and will provide the responsible party with a statement indicating tha the initial work has been completed as required and detailing any follow up work that may be necessary prior to relinquishment; notice of relinquishment will be provided upon complete satisfaction of all NMSLO reclamation requirements.
New Mexico Forest Practices Guidelines	Watershed	34	Minimize the number of roads constructed in a watershed through comprehensive road planning, recognizing intermingled ownership, and foreseeable future uses.
		35	All personnel appointed as fire watch under hot work permitting will have immediate access to shovel, fire extinguisher, and backpack water sprayer. In addition, all project work will follow guidelines detailed in the site fire protection and prevention plan.
	Riparian/ Wetland Edge	36	No constructed features of the project should be located in a wetland. Linear features which must cross a riparian area will be required to follow U.S. Army Corps of Engineers regulations.
		37	Wetlands and other environmentally sensitive areas will be marked in the field for easy identification by crews. Sensitive features will be defined in Waters of the U.S. Report.
	Streamside Management Areas	38	200' minimum for Streamside Management Area (SMA) boundaries.
		39	Leave trees on the bank that will eventually fall across the stream, helping to create a stair step of pools in the stream channel, providing a fish habitat component. Larger trees increase the benefits for the habitat. Hazard trees may be felled and left in place at contractor's discretion.
		40	Do not service vehicles where chemicals, oil, or other toxic substances might contaminate soils, waterways, or waterbodies.
	Roads	41	Properly design roads and drainage facilities to prevent potential water quality problems before construction starts.
		42	Minimize the number of roads constructed in a watershed through comprehensive planning, recognizing intermingled ownership, and futur uses.
		43	Road design specifications should be included in a contract between the landowner and the road builder. The contract should include exact road locations, dimensions, erosion control and drainage features, stream crossing and structure specifications, season(s) of construction and use, and maintenance schedule, road closure and re-vegetation procedures, and penalties for non-compliance. The more specific the road contract, the more protection there is for the resources and landowner.
		44	Fit the road to the landscape. This entails altering natural drainage patterns as little as possible by following contours and minimizing cuts, fill, and stream crossings. Utilize natural road building locations away from streams.
		45	Avoid problem areas such as flood zones, narrow canyon bottoms, wet areas and highly erodible or unstable soils. Do not locate roads on slopes more than 60 percent.
		46	Keep the road grade to a minimum, usually less than 10 percent. This can be exceeded for short distances where necessary. An easy grade prevents runoff from building up erosive force and also provides for safer and more efficient travel.
		47	Prevent the concentration of water on the road by designing adequate drainage features. Some suggested drainage methods are insloping and outsloping the road surface, and installation of grade dips and cross drains. Installation of these features is explained in the civil details.
		48	When a stream crossing is necessary, locate the site on a stable, straight portion of the stream. The approach to the crossing should be at a minimal grade and a right angle to the stream.
		49	Leave 200' buffer of undisturbed soil and vegetation on either side of a stream being impacted.
		50	Schedule construction activities to avoid heavy seasonal rains. Excavation operations may expose mineral soil which is highly susceptible to erosion. Soil stabilization and erosion control measures should be completed before the monsoon (thunderstorm) season of July, August, and September. Clear only that part of the route that can be completed in the current season.
		51	Minimize disturbance during construction activities by restricting machinery to the designated road. Clear vegetation to the width required for cut and fill slopes. Excessive removal of vegetation further increases erosion and is more costly. Keep machinery out of streams except when absolutely necessary for culvert installation and bridge construction. Round the top of cut slopes only when this will provide more stability than a vertical cut.
		52	During clearing operations, do not mix organic debris with fill materials. Trees and brush will eventually decay in the fill material causing the road surface to become unstable. Dispose of organic debris properly by utilization, piling and burning, chipping, or lopping and scattering. A good use for slash is to place it along fill slopes to slow runoff and trap sediment.
		53	Remove debris from stream channels that was added during construction. It is a good practice to remove all debris from channels for at least 100 feet upstream from culverts to reduce the chance of the culvert becoming plugged. However, never remove well established logs from a stream, as this will likely cause accelerated channel erosion.

Category	No.	Pattern Energy New Mexico Environmental Best Management Practices (October 10, 2025)
Culverts	54	Deposit surplus soil and rock in designated areas where sediment from this material will not threaten streams. Do not simply cast surplus material downslope from the road. This material is highly susceptible to erosion and may have future value as fill.
	55	Compact all fill material. This can be done simply by running a bulldozer up and down the fill slope where it is safe to do so. Large fills should be constructed and compacted in layers of approximately 18 inches. The slots made perpendicular to the slope in the soil by the bulldozer's tracks retard runoff and moisture, thus inhibiting erosion and encouraging re-vegetation. In addition, the chance of fill slumping and requiring expensive repair will be reduced.
	56	Servicing and refueling machinery must be conducted well away from wetlands, lakes or watercourses. Fluids such as oil, diesel fuel, and antifreeze are easily washed or leached into streams and present a significant threat to water quality and aquatic life.
	57	Make certain the road surface is adequately drained. This can be accomplished in a number of ways depending on the site factors, the type and level of use, and the standard to which the road is built.
	58	A shallow gravel fill on either side of the culvert will lessen maintenance requirements. As with any cross drain, rocks and slash should be placed at the outlet to slow runoff and spread sediment. Size of the culverts, of any type, should follow recommendations. Care must be taken to disperse the discharge from these cross drains through vegetation.
	59	The culvert must be long enough to extend at least one foot beyond the fill.
	60	Align the culvert exactly with the stream, on the existing grade, and at the depth of the streambed.
	61	Culverts on fish-bearing streams must be installed to allow fish passage so as not to isolate populations.
Recommendations	62	Fill should be well compacted to half the diameter of the culvert, and fill over the culvert should be to a depth of half the diameter but not less than one foot. Compaction will prevent water from seeping around the culvert and washing away the fill material. Fill over the culvert must be deep enough to prevent damage from heavy vehicles. If more than one culvert must be installed side by side, they should spread half their diameter so that the fill may be compacted between them.
	63	Protect the fill material around the culvert inlets and outlets with riprap. Deep fills or culverts on large streams may require more elaborate protection such as wingwalls constructed of concrete or gabions.
	64	Inspect newly constructed roads after the first good rain to insure all drainage structures and erosion control features are functioning properly. Gullies forming on cut and fill slopes should be filled in and the drainage formed.
	65	Grade the road surface as needed to correct washboarding and rutting. Maintain the proper inslope, outslope, or crown, and reshape grade dips. Ditches should be disturbed only if they are becoming clogged with sediment. Apply gravel to spots on the road that are persistently wet.
	66	Inspect drainage structures frequently. Culverts and ditches should be cleared of sediment and debris.
	67	Application of chemicals to roads to reduce dust should be limited to those road sections where dust will cause major discomfort. Applications should be avoided where road runoff discharges into or near a stream.
	68	Inspect all tracked equipment for excessive soil prior to entering the site.

Notes:

These BMPs were developed in coordination with the NM State Land Office for the portions of Western Spirit Wind and SunZia Wind South located on New Mexico State Trust Lands (2022).

Practicability of these BMPs means capable of being done or feasible without significant or unreasonable costs or delay. Any such costs or delays must take into account the overall activity (e.g., a minor route adjustment of a road may increase cost in a non-significant degree but could result in a significant delay in construction schedule depending on the circumstance).

Any BMP that references coordination with or reporting to NM State Land Office or other agencies will be followed as applicable (e.g., on State Trust Lands for NM State Land Office).

Exhibit H – Sound Study

BURNS McDONNELL

PALOMAS POWER LLC

Sound Study

Palomas Wind Project – Torrance County

PROJECT NO. 196287

REVISION 0

JULY 7, 2026

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List of Abbreviations

Abbreviation	Term/Phrase/Name
ACP	American Clean Power Association
ANSI	American National Standards Institute
CadnaA	Computer Aided Noise Abatement
dB	decibel
dBA	A-weighted decibels
Developer	Palomas Power LLC
EPA	Environmental Protection Agency
GE	GE Vernova
Hz	hertz
IEC	International Electrotechnical Commission
ISO	International Organization for Standardization
L_{eq}	equivalent-continuous sound level
LNTE	Low-Noise Trailing Edge
NSA	noise-sensitive area
Pattern Energy	Pattern Energy Group LP
Project	Palomas Wind Project – Torrance County
the Act	Noise Control Act of 1972
WTG	wind turbine generator

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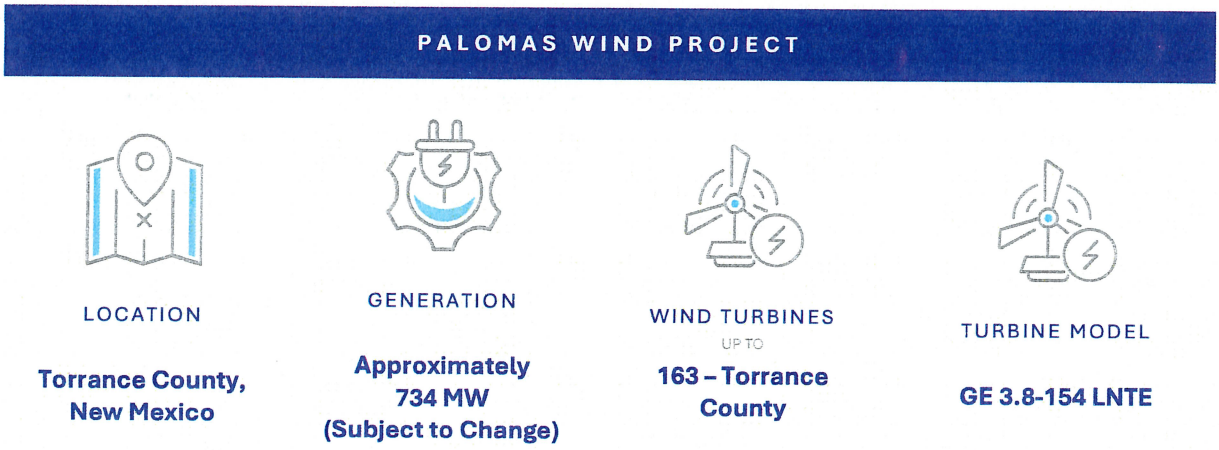
1.0 Introduction

1.1 Study Overview

Burns & McDonnell was retained by Palomas Power LLC ("Developer"), a limited liability company and subsidiary of Pattern Energy Group LP ("Pattern Energy") to conduct a sound study for the proposed Palomas Wind Project ("Project") in Torrance County. The objective of the sound study was to predict future noise impacts from the Project at neighboring noise-sensitive areas ("NSA"). The wind turbine generator ("WTG") locations were modeled with all potential WTGs operating at the maximum vendor-provided sound levels.

1.2 Project Overview

The proposed Project will be in Torrance County, New Mexico, approximately 30 miles east of the City of Moriarty. The Project will include up to a total of 163 WTGs located within Torrance County. This study addresses the impact of the 163 WTGs on NSAs that fall within Torrance County. The Project has been modeled with GE Vernova ("GE") 3.8-154 turbines with low-noise trailing edge ("LNTE") blades.



2.0 Acoustic Terminology

The term "sound level" is often used to describe two different sound characteristics: sound power and sound pressure. Every source that produces sound has a sound power level ("PWL"). The PWL is the acoustic energy emitted by a sound source and is an absolute number that is not affected by the surrounding environment. The acoustic energy produced by a source propagates through media as pressure fluctuations. These pressure fluctuations, also called sound pressure levels ("SPL"), are what human ears hear and microphones measure.

Sound is physically characterized by amplitude and frequency. The amplitude of sound is measured in decibels ("dB") as the logarithmic ratio of a sound pressure to a reference sound pressure (20 micropascals). The reference sound pressure corresponds to the typical threshold of human hearing. To the average listener, a 3-dB change in a continuous broadband sound is generally considered "just barely perceptible"; a 5-dB change is generally considered "clearly noticeable"; and a 10-dB change is generally considered a doubling (or halving, if the sound is decreasing) of the apparent loudness.

Sound waves can occur at many different wavelengths, also known as the frequency. Frequency is measured in hertz ("Hz") and is the number of wave cycles per second that occur. The typical human ear can hear frequencies ranging from approximately 20 to 20,000 Hz. Normally, the human ear is most sensitive to sounds in the middle frequencies (1,000 to 8,000 Hz) and is less sensitive to sounds in the lower and higher frequencies. As such, the A-weighting scale was developed to simulate the frequency response of the human ear to sounds at typical environmental levels. The A-weighting scale emphasizes sounds in the middle frequencies and de-emphasizes sounds in the low and high frequencies. Any sound level to which the A-weighting scale has been applied is expressed in A-weighted decibels, or dBA. For reference, the A-weighted sound pressure level and subjective loudness associated with some common sound sources are listed in Table 2-1.

Sound in the environment is constantly fluctuating, as when a car drives by, a dog barks, or a plane passes overhead. Therefore, sound metrics have been developed to quantify fluctuating environmental sound levels. These metrics include the exceedance sound level. The exceedance sound level is the sound level exceeded during "x" percent of the sampling period and is also referred to as a statistical sound level. Common exceedance sound level values are the 10-, 50-,90-percentile exceedance sound levels, denoted by L_{10}, L_{50}, and L_{90}. The equivalent-continuous sound level ("L_{eq}") is the logarithmic average of the varying sound over a given time period and is the most common metric used to describe sound.

Table 2-1: Typical Sound Pressure Levels Associated with Common Sound Sources

Sound Pressure Level (dBA)	Subjective Evaluation	Environment
140	Deafening	Jet aircraft at 75 feet
130	Threshold of pain	Jet aircraft during takeoff at a distance of 300 feet
120	Threshold of feeling	Elevated train
110	Very loud	Jet flyover at 1,000 feet
100		Motorcycle at 25 feet
90	Moderately loud	Propeller plane flyover at 1,000 feet
80		Diesel truck (40 mph) at 50 feet
70	Loud	B-757 cabin during flight
60	Moderate	Air-conditioner condenser at 15 feet
50	Quiet	Private Office
40		Farm field with light breeze, birdcalls
30	Very quiet	Quiet residential neighborhood
20		Rustling leaves
10	Just audible	--
0	Threshold of hearing	--

Sources:
(1) Adapted from *Architectural Acoustics, M. David Egan, 1988*
(2) *Architectural Graphic Standards*, Ramsey and Sleeper, 1994

3.0 Applicable Regulations

Federal, State of New Mexico, and Torrance County regulations were reviewed to determine the applicable overall sound level limits for the Project.

3.1 Federal Regulations

The Noise Control Act of 1972 ("the Act") mandated a national policy:

> *"...to promote an environment for all Americans free from noise that jeopardizes their health or welfare, to establish a means for effective coordination of Federal research activities in noise control, to authorize the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products." (U.S.C. 4901)*

As required by the Act, the Environmental Protection Agency ("EPA") established criteria for protecting the public health and wellbeing. However, these criteria do not constitute enforceable Federal regulations or standards. The EPA has since delegated regulatory authority to local entities. Therefore, no Federal noise regulations apply to this Project.

3.2 State Regulations

New Mexico statutes were reviewed and there were no sound level limits identified applicable to the Project. Noise standards for wind farms are instead determined at the county or local level.

3.3 Torrance County Regulations

The Torrance County Zoning Ordinance Section 16.D.10.f.4.a[1], revised November 13, 2024, defines noise limits as follows:

> *Audible noise due to wind energy facility operations shall not exceed fifty (50) dBA for any period of time, when measured at any occupied residence, school, hospital, church or public library existing on the date of approval of the wind energy facility.*

3.4 Regulation Summary

The applicable noise regulation for Torrance County limits noise generated by the Project to 50 dBA at residences, schools, hospitals, churches, public libraries, and other sensitive receptors. Therefore, the sound level limit for the Project at all NSAs is 50 dBA.

[1] Torrance County Zoning Ordinance

4.0 Modeling Parameters and Inputs

Industry-accepted sound modeling software, CadnaA (Version 2026, published by DataKustik, Ltd., Munich, Germany) was used to estimate expected sound levels from the Project. The model inputs and assumptions are described in this section.

4.1 Wind Turbine Sound Characteristics

The sound commonly associated with a wind turbine is described as a rhythmic "whoosh" caused by aerodynamic processes. This sound is created as air flow interacts with the surface of rotor blades. As air flows over the rotor blade, turbulent eddies form in the surface boundary layer and wake of the blade. These eddies are where most of the "whooshing" sound is formed. Additional sound is generated from vortex shedding produced by the tip of the rotor blade. Air flowing past the rotor tip creates alternating low-pressure vortices on the downstream side of the tip causing sound generation to occur. Older wind turbines, built with rotors which operate downwind of the tower (downwind turbines), often have higher aerodynamic impulse sound levels. This is caused by the interaction between the aerodynamic lift created on the rotor blades and the turbulent wake vortices produced by the tower. Modern wind turbine rotors are mostly built to operate upwind of the tower (upwind turbines). Upwind turbines are not impacted by wake vortices generated by the tower and, therefore, overall sound levels can be as much as 10 dBA less for similarly sized turbines. The rhythmic fluctuations of the overall sound level are less perceivable farther from the turbine. Additionally, multiple turbines operating at the same time will create the whooshing sound at different times. These non-synchronized sounds will blend together to create a more constant sound to an observer at most distances from the turbines. Another phenomenon that reduces perceivable noise from turbines is the wind itself. Higher wind speed produces noise that tends to mask (or drown out) the sounds created by wind turbines.

Advancement in wind turbine technology has reduced pure tonal emissions of modern wind turbines. Manufacturers have reduced distinct tonal sounds by reshaping turbine blades and adjusting the angle at which air contacts the blade. Pitching technology allows the angle of the blade to adjust when the maximum rotational speed is achieved, which allows the turbine to maintain a constant rotational velocity. Therefore, sound emission levels remain constant as the velocity remains the same.

Wind turbines can create noise in other ways as well. Wind turbines have a nacelle where the mechanical portions of the turbine are housed. The current generation of wind turbines use multiple techniques to reduce the noise from this portion of the turbine: vibration isolating mounts, special gears, and acoustic insulation. In general, all moving parts and the housing of the current generation wind turbines have been designed to minimize the noise they generate.

4.2 Model Inputs and Settings

The CadnaA program is a scaled, three-dimensional program that considers air absorption, terrain, ground absorption, and ground reflection for each piece of noise-emitting equipment and predicts downwind sound pressure levels. The model calculates sound propagation based on International Organization for Standardization ("ISO") 9613-2:2024, General Method of Calculation. ISO 9613, and therefore CadnaA, assesses the sound pressure levels based on the octave-band center-frequency range from 31.5 to 8,000 Hz. Predicted compliance with the regulations for all turbines operating implies predicted compliance for any combination of the turbines operating.

4.2.1 Project Layout

The Project may include up to 163 WTGs within Torrance County, when constructed. The Project has been modeled with GE 3.8-154 turbines with LNTE blades. A summary of the turbine parameters that were modeled as part of this study is included in Table 4-1.

Table 4-1: Turbine Model

Turbine Model	Blade Type	Quantity	Hub Height (m)	Rotor Diameter (m)	Sound Power Level (dBA)
GE 3.8-154	LNTE	163	98	154	107.5

The predictive model was completed using the proposed layout shown in Figure A-1 of Appendix A. The WTGs were modeled at their provided hub height. The turbine coordinates, turbine type, hub height, and mitigation are listed in the tables provided in Appendix A.

4.2.2 Receptors

A quantity of 29 receptors were modeled which includes homes, churches, agricultural buildings, and cemeteries. Of these 29 receptors, 19 would be considered NSAs. However, all 29 were modeled as NSAs surrounding the Project at the Developer-provided coordinates within Torrance County. Burns & McDonnell did not provide an independent verification of the location or occupied status of these receptors.

4.2.3 ANSI/ACP 111-1 (2022)

In an effort to standardize the calculation methodology for wind turbine sound levels, the American Clean Power Association ("ACP") developed a standard, recognized by the American National Standards Institute ("ANSI"), which outlines preferred modeling methods for predicting future sound levels from wind turbine generating projects. These methods, along with the wind turbine model-specific sound power levels (determined in accordance with International Electrotechnical Commission, IEC 61400-11), are to be used with ISO 9613 calculations and are expected to yield a conservative, worst-case condition with wind turbines operating at their highest rated sound power levels.

The standard, ANSI/ACP 111-1-2022, provides two options for modeling parameters which are to be implemented into the modeling software/calculations. Both options are expected to yield nearly identical results, per the standard. The Option 1 modeling parameters were selected for this study and are shown in Table 4-2 below.

Table 4-2: ANSI/ACP 111-1 (2022) Modeling Parameters

Model Parameter	Value
Ground Factor (G)	0
Receptor Height	1.5 meters
Turbine Source Height	Vendor-Provided Hub Height
Model Adjustments	None
Temperature	50 °F
Humidity	70%

4.2.4 Terrain and Vegetation

Terrain and attenuation from ground absorption and scattering can have a significant impact on sound transmission. U.S. Geological Survey ("USGS") Digital Elevation Model ("DEM") contours were imported into the model to account for topographic variations around the Project. The terrain around the proposed Project is mostly rural with minor changes in elevation.

4.2.5 Sound Propagation and Directivity

CadnaA calculates downwind sound propagation using ISO 9613 standards, which use omni-directional downwind sound propagation and worst-case directivity factors. In other words, the model assumes that each turbine always propagates its maximum sound level in all directions. This will likely over-predict upwind sound levels.

4.2.6 Sound Emission Data

Acoustic modeling was conducted for the Project using the expected loudest sound power levels for the respective WTG. The sound emissions data was developed using the International Electrotechnical Commission ("IEC") 61400-11 acoustic measurement standards. IEC 61400-11 is used to determine the max sound power level of the overall turbine assembly. The overall sound power levels were provided by the manufacturer at various wind speeds for all turbine models. The maximum operating sound power levels for the GE 3.8-154 turbines are displayed in Appendix B.

A point source located at the specific hub height of each proposed turbine location was used to model sound emissions from each of the wind turbines, per direction of ANSI/ACP 111-1. The sound levels shown in the table above were applied, as appropriate, to each point source. The proposed Project layout figure is provided in Appendix A, including the identified NSAs. Each residence was modeled as a receiver at a height of 1.5 meters (5.0 feet) above ground level.

4.3 Acoustic Modeling Results

Project-generated sound levels were calculated for the identified receivers in the CadnaA noise modeling program using the manufacturer-specified sound power levels at each octave-band frequency and the assumptions listed above. Noise modeling results have been demonstrated in previous studies to conservatively approximate real-life measured noise from a source when extraneous noises are not present. After modeling the Project based on the assumptions in Appendix A, all NSAs were modeled to comply with the Torrance County Zoning Ordinance Section 16.D.10.f.4.a sound level limits.

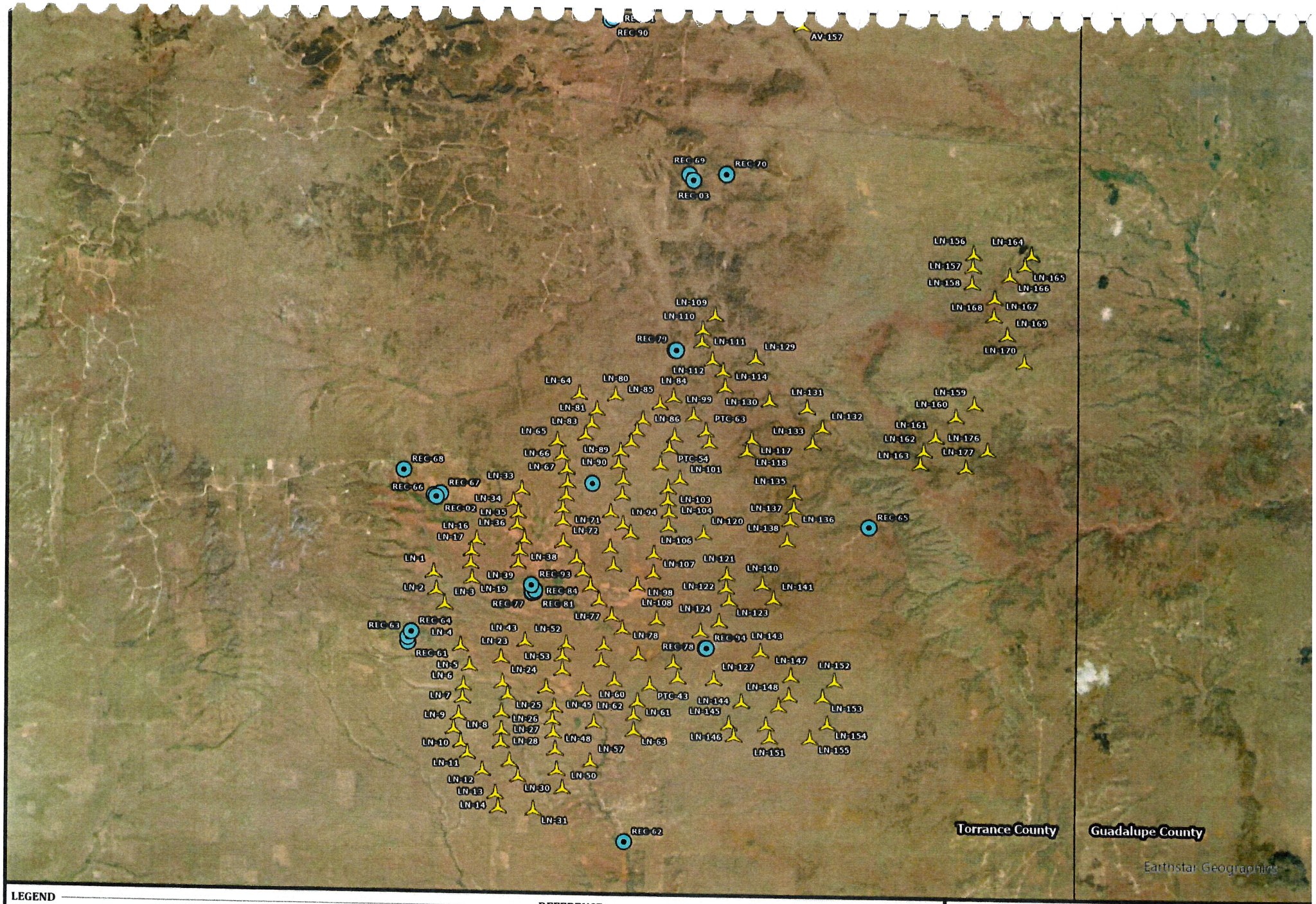
Appendix C includes the modeled sound impacts at each identified NSA in Torrance County. Appendix D includes Figure D-1 showing the sound level contours for the Project. As shown in the figure, the 50 dBA sound level contours do not extend to any NSA. The Project has been designed to meet the applicable noise regulations as specified by Torrance County.

5.0 Conclusions

Burns & McDonnell conducted a sound study for the Palomas Wind Project in Torrance County. The sound study included predictive modeling to estimate Project-generated sound levels in the surrounding environment.

Project sound levels were predicted using manufacturer-specified sound power levels for GE 3.8-154 turbines with LNTE blades. Various conservative assumptions were applied to estimate sound levels at the neighboring noise-sensitive areas. The Project has been designed to meet the applicable noise regulations as specified by Torrance County.

Appendix A – Project Layout


REC 90
AV-157
REC 69
REC 70
REC 03
LN-156
LN-164
LN-157
LN-165
LN-158
LN-166
LN-168
LN-167
LN-169
LN-170
LN-109
LN-110
REC 79
LN-111
LN-129
LN-112
LN-114
LN-64
LN-80
LN-85
LN-84
LN-99
LN-130
LN-131
LN-159
LN-160
LN-81
LN-83
LN-86
PTC-63
LN-132
LN-161
LN-65
LN-133
LN-162
LN-176
LN-66
LN-89
LN-117
LN-163
LN-177
REC 68
LN-67
LN-90
PTC-54
LN-118
LN-101
LN-33
REC 66
REC 67
LN-135
LN-34
LN-103
REC 02
LN-35
LN-94
LN-104
LN-137
LN-71
LN-120
LN-136
REC 65
LN-16
LN-36
LN-72
LN-138
LN-17
LN-106
LN-1
LN-38
LN-107
LN-121
LN-140
LN-39
REC 93
LN-2
LN-3
LN-19
REC 84
LN-98
LN-122
LN-141
REC 77
REC 81
LN-108
LN-124
LN-77
LN-123
REC 63
REC 64
LN-4
LN-43
LN-52
LN-78
REC 94
LN-143
LN-23
REC 78
REC 61
LN-53
LN-5
LN-127
LN-147
LN-152
LN-24
LN-6
LN-148
LN-7
LN-60
PTC-43
LN-144
LN-25
LN-45
LN-62
LN-153
LN-9
LN-61
LN-145
LN-8
LN-26
LN-27
LN-154
LN-10
LN-28
LN-48
LN-63
LN-146
LN-57
LN-151
LN-155
LN-11
LN-50
LN-12
LN-13
LN-30
LN-14
LN-31
REC 62
Torrance County
Guadalupe County
Earthstar Geographics
LEGEND
Project Turbines
Noise Sensitive Area (NSAs)
County Boundary
REFERENCE
0
2.5
5
MILES
0
2.5
5
N
Figure A-1
Torrance County Project Layout
LOCATION: Torrance County, NM
PROJECT: Palomas Wind
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WIND TURBINE COORDINATES - GE 3.8-154					
Turbine Name	Easting [m]	Northing [m]	Turbine Model	Turbine Sound Power Level [dBA]	Hub Height [m]
AV-157	461,978	3,877,137	GE 3.8-154	107.5	98
PTC-43	455,765	3,849,812	GE 3.8-154	107.5	98
PTC-46	456,774	3,850,731	GE 3.8-154	107.5	98
PTC-47	456,959	3,850,135	GE 3.8-154	107.5	98
PTC-53	456,767	3,860,144	GE 3.8-154	107.5	98
PTC-54	456,560	3,859,662	GE 3.8-154	107.5	98
PTC-63	458,079	3,860,379	GE 3.8-154	107.5	98
PTC-64	458,226	3,859,891	GE 3.8-154	107.5	98
LN-64	452,710	3,861,847	GE 3.8-154	107.5	98
LN-65	451,808	3,859,890	GE 3.8-154	107.5	98
LN-66	451,996	3,859,293	GE 3.8-154	107.5	98
LN-80	454,249	3,861,826	GE 3.8-154	107.5	98
LN-81	453,459	3,861,210	GE 3.8-154	107.5	98
LN-82	453,240	3,860,638	GE 3.8-154	107.5	98
LN-83	452,980	3,860,155	GE 3.8-154	107.5	98
LN-84	456,718	3,861,780	GE 3.8-154	107.5	98
LN-85	456,147	3,861,494	GE 3.8-154	107.5	98
LN-86	455,409	3,860,816	GE 3.8-154	107.5	98
LN-87	455,159	3,860,353	GE 3.8-154	107.5	98
LN-88	454,916	3,859,888	GE 3.8-154	107.5	98
LN-89	454,473	3,859,500	GE 3.8-154	107.5	98
LN-99	457,554	3,861,019	GE 3.8-154	107.5	98
LN-100	456,180	3,858,964	GE 3.8-154	107.5	98
LN-101	457,004	3,858,375	GE 3.8-154	107.5	98
LN-102	456,519	3,857,986	GE 3.8-154	107.5	98
LN-103	456,504	3,857,480	GE 3.8-154	107.5	98
LN-104	456,563	3,856,974	GE 3.8-154	107.5	98
LN-105	456,540	3,856,391	GE 3.8-154	107.5	98
LN-106	455,916	3,855,243	GE 3.8-154	107.5	98
LN-107	455,895	3,854,444	GE 3.8-154	107.5	98
LN-108	456,056	3,852,549	GE 3.8-154	107.5	98
LN-110	457,923	3,864,581	GE 3.8-154	107.5	98
LN-111	457,887	3,864,065	GE 3.8-154	107.5	98
LN-112	458,333	3,863,330	GE 3.8-154	107.5	98
LN-113	458,776	3,862,877	GE 3.8-154	107.5	98
LN-114	458,869	3,862,226	GE 3.8-154	107.5	98
LN-121	458,992	3,854,411	GE 3.8-154	107.5	98
LN-122	458,964	3,853,886	GE 3.8-154	107.5	98
LN-123	459,091	3,853,364	GE 3.8-154	107.5	98
LN-124	458,680	3,852,489	GE 3.8-154	107.5	98
LN-125	457,900	3,852,071	GE 3.8-154	107.5	98
LN-127	458,468	3,850,089	GE 3.8-154	107.5	98
LN-147	461,656	3,850,260	GE 3.8-154	107.5	98
LN-148	461,584	3,849,442	GE 3.8-154	107.5	98
LN-149	461,150	3,849,005	GE 3.8-154	107.5	98
LN-150	460,624	3,848,212	GE 3.8-154	107.5	98
LN-151	460,776	3,847,692	GE 3.8-154	107.5	98
LN-152	463,445	3,850,072	GE 3.8-154	107.5	98
LN-153	462,962	3,849,400	GE 3.8-154	107.5	98
LN-154	463,150	3,848,288	GE 3.8-154	107.5	98
LN-155	462,445	3,847,682	GE 3.8-154	107.5	98
LN-109	458,435	3,865,163	GE 3.8-154	107.5	98
LN-117	459,968	3,860,053	GE 3.8-154	107.5	98
LN-118	459,776	3,859,556	GE 3.8-154	107.5	98
LN-120	458,010	3,856,103	GE 3.8-154	107.5	98
LN-129	460,108	3,863,409	GE 3.8-154	107.5	98
LN-130	460,692	3,861,669	GE 3.8-154	107.5	98
LN-131	462,255	3,861,401	GE 3.8-154	107.5	98
LN-132	462,890	3,860,572	GE 3.8-154	107.5	98
LN-133	462,490	3,859,915	GE 3.8-154	107.5	98
LN-135	461,749	3,857,833	GE 3.8-154	107.5	98
LN-136	461,739	3,857,235	GE 3.8-154	107.5	98
LN-137	461,590	3,856,704	GE 3.8-154	107.5	98
LN-138	461,472	3,855,846	GE 3.8-154	107.5	98
LN-140	460,447	3,854,039	GE 3.8-154	107.5	98
LN-141	460,908	3,853,451	GE 3.8-154	107.5	98
LN-143	460,382	3,851,258	GE 3.8-154	107.5	98
LN-144	459,608	3,849,151	GE 3.8-154	107.5	98
LN-145	459,103	3,848,228	GE 3.8-154	107.5	98
LN-146	459,306	3,847,752	GE 3.8-154	107.5	98
LN-156	469,090	3,867,866	GE 3.8-154	107.5	98

WIND TURBINE COORDINATES - GE 3.8-154					
Turbine Name	**Easting [m]**	**Northing [m]**	**Turbine Model**	**Turbine Sound Power Level [dBA]**	**Hub Height [m]**
LN-157	469,056	3,867,347	GE 3.8-154	107.5	98
LN-158	469,023	3,866,656	GE 3.8-154	107.5	98
LN-159	469,154	3,861,651	GE 3.8-154	107.5	98
LN-160	468,387	3,861,129	GE 3.8-154	107.5	98
LN-161	467,562	3,860,262	GE 3.8-154	107.5	98
LN-162	467,089	3,859,681	GE 3.8-154	107.5	98
LN-163	466,950	3,859,146	GE 3.8-154	107.5	98
LN-164	471,466	3,867,874	GE 3.8-154	107.5	98
LN-165	471,196	3,867,427	GE 3.8-154	107.5	98
LN-166	470,558	3,866,979	GE 3.8-154	107.5	98
LN-167	469,948	3,866,047	GE 3.8-154	107.5	98
LN-168	469,919	3,865,318	GE 3.8-154	107.5	98
LN-169	470,475	3,864,548	GE 3.8-154	107.5	98
LN-170	471,187	3,863,417	GE 3.8-154	107.5	98
LN-176	469,697	3,859,737	GE 3.8-154	107.5	98
LN-177	468,816	3,859,026	GE 3.8-154	107.5	98
LN-1	446,705	3,854,343	GE 3.8-154	107.5	98
LN-2	446,817	3,853,617	GE 3.8-154	107.5	98
LN-3	447,168	3,853,044	GE 3.8-154	107.5	98
LN-4	447,834	3,851,329	GE 3.8-154	107.5	98
LN-5	448,219	3,850,516	GE 3.8-154	107.5	98
LN-6	447,965	3,849,695	GE 3.8-154	107.5	98
LN-7	447,929	3,849,178	GE 3.8-154	107.5	98
LN-8	447,769	3,848,469	GE 3.8-154	107.5	98
LN-9	447,559	3,847,895	GE 3.8-154	107.5	98
LN-10	447,866	3,847,331	GE 3.8-154	107.5	98
LN-11	448,148	3,846,901	GE 3.8-154	107.5	98
LN-12	448,767	3,846,206	GE 3.8-154	107.5	98
LN-13	449,309	3,845,242	GE 3.8-154	107.5	98
LN-14	449,424	3,844,674	GE 3.8-154	107.5	98
LN-16	448,489	3,855,724	GE 3.8-154	107.5	98
LN-17	448,277	3,855,256	GE 3.8-154	107.5	98
LN-18	448,250	3,854,743	GE 3.8-154	107.5	98
LN-19	448,303	3,854,110	GE 3.8-154	107.5	98
LN-23	449,514	3,850,850	GE 3.8-154	107.5	98
LN-24	449,573	3,849,826	GE 3.8-154	107.5	98
LN-25	449,790	3,849,328	GE 3.8-154	107.5	98
LN-26	449,540	3,848,593	GE 3.8-154	107.5	98
LN-27	449,543	3,847,869	GE 3.8-154	107.5	98
LN-28	449,520	3,847,356	GE 3.8-154	107.5	98
LN-29	449,869	3,846,591	GE 3.8-154	107.5	98
LN-30	450,237	3,845,966	GE 3.8-154	107.5	98
LN-31	450,889	3,844,593	GE 3.8-154	107.5	98
LN-33	450,338	3,857,848	GE 3.8-154	107.5	98
LN-34	449,982	3,857,349	GE 3.8-154	107.5	98
LN-35	450,190	3,856,859	GE 3.8-154	107.5	98
LN-36	450,144	3,856,359	GE 3.8-154	107.5	98
LN-37	450,459	3,855,775	GE 3.8-154	107.5	98
LN-38	450,273	3,855,293	GE 3.8-154	107.5	98
LN-39	450,200	3,854,776	GE 3.8-154	107.5	98
LN-43	450,512	3,851,565	GE 3.8-154	107.5	98
LN-44	451,407	3,849,641	GE 3.8-154	107.5	98
LN-45	451,745	3,848,845	GE 3.8-154	107.5	98
LN-46	451,665	3,848,331	GE 3.8-154	107.5	98
LN-47	451,707	3,847,790	GE 3.8-154	107.5	98
LN-48	451,787	3,847,097	GE 3.8-154	107.5	98
LN-49	451,855	3,846,261	GE 3.8-154	107.5	98
LN-50	452,090	3,845,501	GE 3.8-154	107.5	98
LN-52	452,223	3,851,465	GE 3.8-154	107.5	98
LN-53	452,070	3,850,973	GE 3.8-154	107.5	98
LN-54	452,063	3,850,393	GE 3.8-154	107.5	98
LN-55	452,931	3,849,529	GE 3.8-154	107.5	98
LN-56	453,399	3,848,212	GE 3.8-154	107.5	98
LN-57	453,249	3,846,621	GE 3.8-154	107.5	98
LN-58	453,817	3,851,445	GE 3.8-154	107.5	98
LN-59	453,700	3,850,757	GE 3.8-154	107.5	98
LN-60	454,268	3,849,973	GE 3.8-154	107.5	98
LN-61	455,247	3,849,117	GE 3.8-154	107.5	98
LN-62	455,081	3,848,553	GE 3.8-154	107.5	98
LN-63	455,080	3,847,918	GE 3.8-154	107.5	98
LN-67	452,199	3,858,731	GE 3.8-154	107.5	98

WIND TURBINE COORDINATES - GE 3.8-154					
Turbine Name	**Easting [m]**	**Northing [m]**	**Turbine Model**	**Turbine Sound Power Level [dBA]**	**Hub Height [m]**
LN-68	452,240	3,858,157	GE 3.8-154	107.5	98
LN-69	452,190	3,857,626	GE 3.8-154	107.5	98
LN-70	452,050	3,857,100	GE 3.8-154	107.5	98
LN-71	452,055	3,856,563	GE 3.8-154	107.5	98
LN-72	452,069	3,855,674	GE 3.8-154	107.5	98
LN-73	452,638	3,854,988	GE 3.8-154	107.5	98
LN-74	452,902	3,854,464	GE 3.8-154	107.5	98
LN-75	453,225	3,853,877	GE 3.8-154	107.5	98
LN-76	453,607	3,853,296	GE 3.8-154	107.5	98
LN-77	454,143	3,852,673	GE 3.8-154	107.5	98
LN-78	454,592	3,852,139	GE 3.8-154	107.5	98
LN-79	455,268	3,851,047	GE 3.8-154	107.5	98
LN-93	454,072	3,856,952	GE 3.8-154	107.5	98
LN-94	454,587	3,856,442	GE 3.8-154	107.5	98
LN-95	454,914	3,856,078	GE 3.8-154	107.5	98
LN-96	454,060	3,855,467	GE 3.8-154	107.5	98
LN-97	454,206	3,854,727	GE 3.8-154	107.5	98
LN-90	454,391	3,858,968	GE 3.8-154	107.5	98
LN-91	454,593	3,858,317	GE 3.8-154	107.5	98
LN-92	454,559	3,857,695	GE 3.8-154	107.5	98
LN-98	455,215	3,853,928	GE 3.8-154	107.5	98

Notes:

[1] All coordinates presented in UTM NAD83 Zone 13N (meters)

[2] Turbine coordinates were referenced from file "Palomas_L02R04_V163_Moves_20260522.shp"

Appendix B – Turbine Sound Levels

Turbine Sound Levels

Turbine Model	Frequency Spectra Level									
	31.5 (Hz)	63 (Hz)	125 (Hz)	250 (Hz)	500 (Hz)	1000 (Hz)	2000 (Hz)	4000 (Hz)	8000 (Hz)	Overall
	dBA	dBA	dBA	dBA	dBA	dBA	dBA	dBA	dBA	dBA
GE 3.8-154 LNTE	82	92	96	98	100	103	101	94	78	107.5

Appendix C – Model Impacts

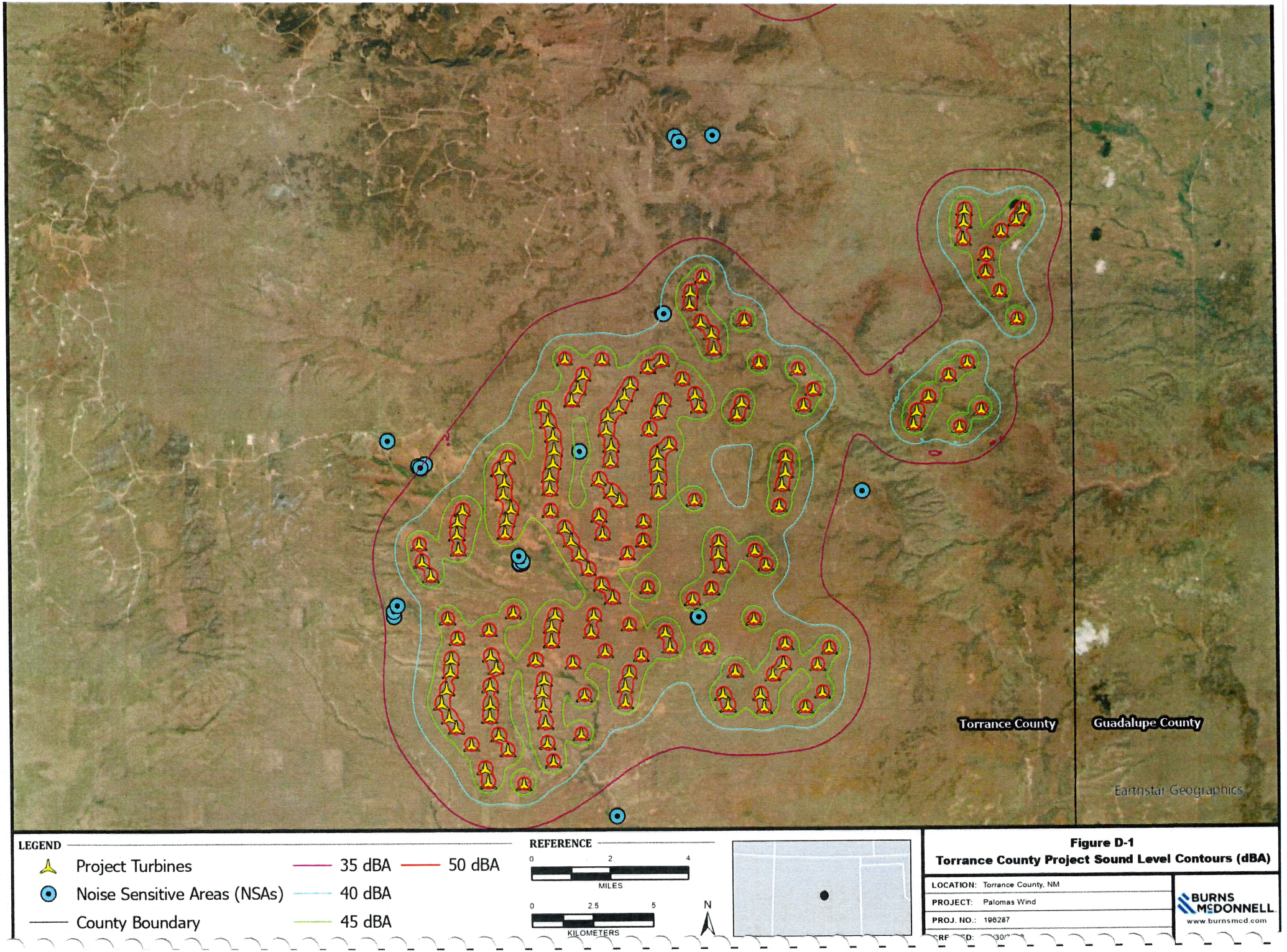
SOUND STUDY RESULTS - TORRANCE COUNTY					
Receptor Name	**Easting [m]**	**Northing [m]**	**County Name**	**Receptor Description**	**Sound Level [dBA]**
REC-02	446,804	3,857,405	Torrance	Red Hills Cemetery	35
REC-03	457,505	3,870,616	Torrance	Palma Townsite Cemetery	23
REC-61	445,655	3,851,376	Torrance	Inhabited Residence	36
REC-62	454,697	3,843,246	Torrance	Inhabited Residence	32
REC-63	445,653	3,851,579	Torrance	Inhabited Residence	36
REC-64	445,791	3,851,816	Torrance	Inhabited Residence	37
REC-65	464,831	3,856,409	Torrance	Inhabited Residence	33
REC-66	446,704	3,857,473	Torrance	Inhabited Residence	35
REC-67	446,962	3,857,547	Torrance	Inhabited Residence	35
REC-68	445,444	3,858,505	Torrance	Inhabited Residence	31
REC-69	457,326	3,870,843	Torrance	Church	22
REC-70	458,876	3,870,875	Torrance	Inhabited Residence	23
REC-75	450,770	3,853,734	Torrance	Inhabited Residence	41
REC-76	450,885	3,853,574	Torrance	Agricultural	41
REC-77	450,785	3,853,479	Torrance	Inhabited Residence	41
REC-78	458,099	3,851,310	Torrance	Inhabited Residence	43
REC-79	456,762	3,863,645	Torrance	Agricultural	40
REC-80	456,819	3,863,645	Torrance	Agricultural	41
REC-81	450,895	3,853,515	Torrance	Agricultural	41
REC-82	450,844	3,853,533	Torrance	Agricultural	41
REC-83	450,800	3,853,523	Torrance	Agricultural	41
REC-84	450,906	3,853,589	Torrance	Agricultural	41
REC-85	453,278	3,858,062	Torrance	Agricultural	45
REC-87	446,786	3,857,416	Torrance	Church	35
REC-88	457,496	3,870,623	Torrance	Church	23
REC-90	453,944	3,877,182	Torrance	Inhabited Residence	29
REC-91	454,053	3,877,261	Torrance	Non inhabited	30
REC-93	450,755	3,853,804	Torrance	Agricultural	42
REC-94	458,147	3,851,314	Torrance	Inhabited Residence	43

Notes:

[1] All coordinates presented in UTM NAD83 Zone 13N (meters)

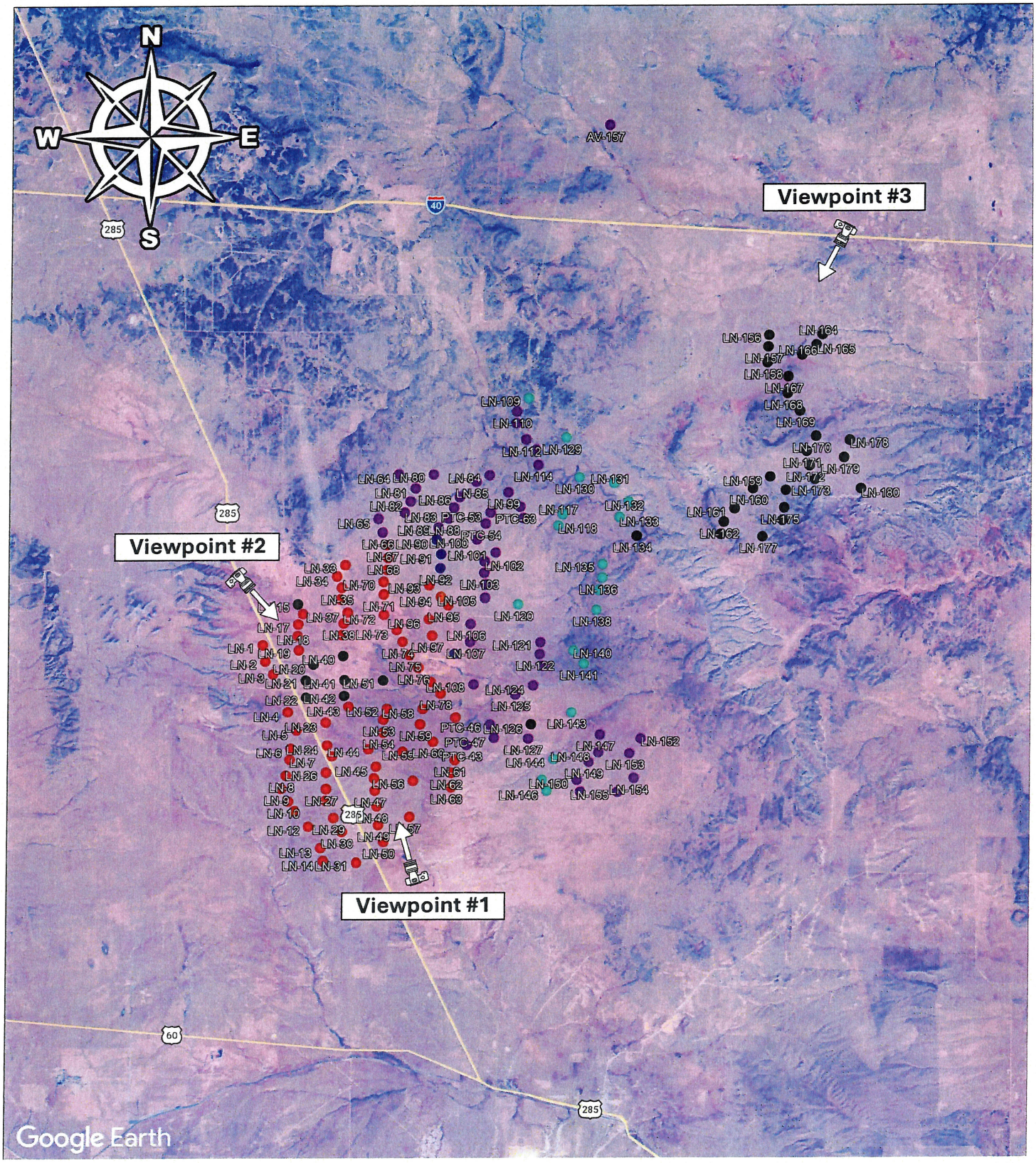
[2] Receptor coordinates were referenced from "Reexport- Palomas Receptor Data 05232026"

Appendix D – Sound Level Contours


Torrance County
Guadalupe County
Earthstar Geographics
LEGEND
Project Turbines
Noise Sensitive Areas (NSAs)
County Boundary
35 dBA
40 dBA
45 dBA
50 dBA
REFERENCE
0 2 4
MILES
0 2.5 5
KILOMETERS
N
Figure D-1
Torrance County Project Sound Level Contours (dBA)
LOCATION: Torrance County, NM
PROJECT: Palomas Wind
PROJ. NO.: 196287
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Exhibit I – Visual Simulations



Palomas Wind Project
Torrance County
Viewpoint Map

BURNS McDONNELL

Pattern



EXISTING



PROPOSED

BURNS McDONNELL

Palomas Wind Project
Torrance County

Viewpoint #1

Pattern



EXISTING



PROPOSED

BURNS McDONNELL

Palomas Wind Project
Torrance County

Viewpoint #2

Pattern



EXISTING



PROPOSED

BURNS McDONNELL

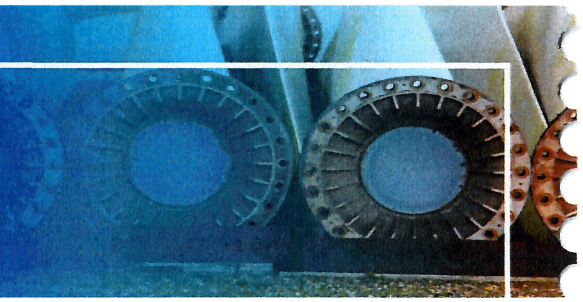
Palomas Wind Project
Torrance County
Viewpoint #3

Pattern

Exhibit J – Decommissioning Strategies

Wind

Wind Turbine Disposal and Recycling Strategies



The wind industry is working to help advance sustainable disposal solutions through advanced recycling and repurposing methods while minimizing waste—maximizing the environmental benefits of wind energy.

Key Takeaways

1. **Wind turbines are engineered for longevity,** reducing the need for replacement and minimizing waste.
2. Approximately 80-94% of a wind turbine's mass—including materials like steel, aluminum, and copper—is **readily recyclable.**
3. New recycling approaches **support a circular economy**, like converting turbine materials into raw fuel for cement production.
4. When landfilling is necessary, turbine materials are **among the least harmful wastes in terms of environmental impact.**

Background

Wind energy plays an important role in creating a cleaner, healthier environment. It decreases smog-creating air pollution, reduces energy sector greenhouse gas pollution, and saves billions of gallons of water annually. Studies show a typical wind turbine repays its carbon footprint within six months.



Wind turbines are made up of many materials that have substantial salvage value at the end of its operational life and are recyclable. In fact, 80-94% of a wind turbine's mass consists of easily recycled materials, such as steel / iron (approximately 88% of a turbine's mass), aluminum (approximately 0.7%), and copper (approximately 2.7%).[2,3,4]

Other wind turbine components such as blades, nacelle covers and rotor covers are made of up composite materials, mostly fiberglass and carbon fiber, which, while non-toxic and safe, are more difficult to process for other purposes. However, these components make up roughly only 8% of a wind turbine's total mass.[5] In addition, as described more below, the wind energy industry and other partners are expanding options to recycle and reuse even these historically tougher to process materials.

While wind energy projects are expected to operate for 20 to 35 years, individual wind turbine components like rotor blades and covers may need upgrading or replacing sooner because of normal wear from exposure to the elements, or improvements in technology.

Reduce

Reducing the need to replace components by extending the lifetime of existing blades is one of the most economically and environmentally friendly measures wind developers take to limit the number that need to be disposed of through reuse, recycling or landfilling. While the blades are very durable, decades of exposure to the elements can slowly chip away at their efficiency. Blade repair and monitoring technology is rapidly improving, allowing the industry to use fewer and fewer blades to produce the same amount of clean, zero-carbon electricity. General improvements in turbine technology are also leading to greater electricity generation per turbine, adding to these blade efficiency improvements. Improvements to wind resource assessment and modelling allow manufacturers to better understand the loads on blades, leading to improvements in life and maintenance costs.

Reuse

The U.S. wind power industry, along with multiple stakeholder groups including scientists, researchers, national laboratories, and environmental collaborators, is developing innovative methods to re-purpose turbine blades. Intact blades are being evaluated for reuse at other wind farms to improve performance or reshaped for use as utility poles. For blades that are not suitable for such projects, partial blade reuse may include repurposing as outdoor furniture (e.g., park benches, playground equipment,[6] storage enclosures,[7] etc.) and signage.

The U.S. Department of Energy (DOE) is partnering with businesses to research practical ways to repurpose wind turbine blades. Innovative partnerships like Re-Wind[8], a collaboration between the Georgia Institute of Technology and Queen's University Belfast, are deploying design and logistical concepts in the field, such as prototyping methods to reuse the decommissioned blades in buildings, infrastructure, landscape and public art.[9]

Recycle

Today, wind turbine blades are recycled into raw material and fuel for cement production, through a partnership between GE, Veolia North America, and other companies, generating jobs and reducing the emissions of cement production.[10] Although in the past, blades and other composite materials from wind turbines have been landfilled because of limited options in recycling technology and infrastructure to process and separate the reusable materials, many original equipment manufacturers (OEMs), research institutes and universities, and the DOE's national laboratories are solving the technological challenges of turbine blade recycling. The National Renewable Energy Laboratory is advancing recycling technologies by developing new materials (e.g., thermoplastic resin) that can be used to manufacture fully recyclable blades by making it easier to separate the layers and recapture the materials.[11] OEMs are also pledging zero waste by deploying recyclable blades within the next decade, creating a circular economy of use.[12]

Many OEMs have announced partnerships with companies to recycle blades by turning blade components into raw materials for use in cement manufacturing, other new composite materials, or reclaiming the glass and carbon fibers that can then reused.[13,14] Academic institutions like the University of Tennessee, funded with a grant from the DOE, are developing methods to turn blades into recycled composites for vehicles, other renewable energy system components, agricultural products, and performance sports equipment.[15]

Blade Landfill Disposal

Even if landfilled, wind turbine components are made from safe, non-toxic inert materials that do not represent a threat to the surrounding soil or groundwater. Further, turbine blades represent a vanishingly small portion of the waste going into U.S. landfills and are among the least environmentally harmful materials entering them. Turbine blade waste through 2050 is expected to represent only approximately 0.05 to 1.6% of all the municipal solid waste going to landfills every year.[16] The Electric Power Research Institute estimates there will be 2.1 - 4 million tons of cumulative blade waste between 2020 and 2050.[17] While landfill disposal has been the most common strategy for turbine blade disposal, there is growing research and technology innovations to recycle and repurpose blade waste. However, if landfill disposal is the only option at the time a turbine is decommissioned, like many other industries, the U.S. wind industry pays a fee to dispose some material in landfills.

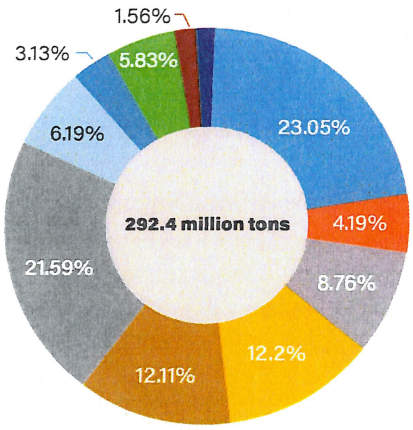
Other U.S. Waste Landfill Disposal

The Electric Power Research Institute estimates there will be 2.1 – 4 million tons of cumulative blades put in landfills between 2020 and 2050. In comparison, 292.4 million tons of municipal solid waste is generated every year on average and 146.1 million tons is landfilled.[18]

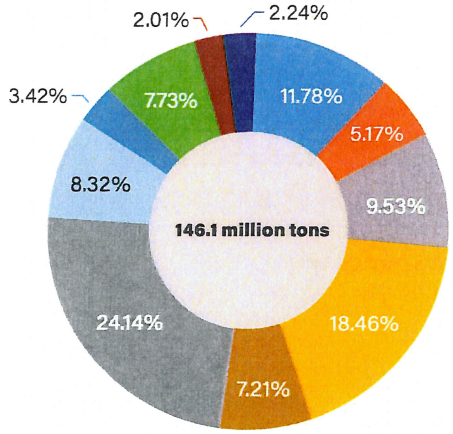
Sustainability

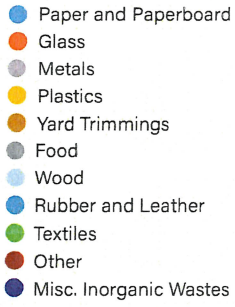
The range of turbine end-of-life technologies will continue to expand, given the continued focus on solutions from the industry, along with public and private organizations. The U.S. wind industry remains committed to protecting the environment by delivering carbon-free power through responsible development and sustainable solutions.

Total MSW Generated by Material, 2018



Total MSW Landfill by Material, 2018





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16 Liu, Pu & Barlow, Claire. (2017). Wind turbine blade waste in 2050. Waste Management. 62.10.1016/j.wasman.2017.02.007. Accessed 14 June 2022.

17 EPRI. 2018. End-of-Life Disposal and Recycling Options for Wind Turbine Blades. Accessed 14 June 2022.

18 EPA. National Overview: Facts and Figures on Materials, Wastes and Recycling | US EPA. Accessed 14 June 2022.

Wind Decommissioning



Our Approach to Decommissioning

Pattern develops comprehensive decommissioning plans for every wind project prior to construction, ensuring there is an optimal solution to responsibly retire the project. These plans typically include financial assurance requirements — such as bonds or other instruments — that must be secured by a specified point in the project's life to ensure funds are available for decommissioning regardless of changes in project ownership.

- Decommissioning requirements vary by local, state, and federal jurisdiction. Pattern's plans are developed on a project-by-project basis and are designed to meet all applicable regulatory requirements at every level.
- In most cases, wind projects nearing the end of their operational lives after 30 years are repowered — existing equipment is replaced with upgraded technology rather than removed. Full decommissioning is the exception, not the rule.
- As rapid technological advances are being made in blade recycling, Pattern is committed to following industry best practices at the time of decommissioning, including working with vendors using emerging and proven technologies to manage end-of-life blade materials responsibly.

Site Cleanup & Removal

If a project is decommissioned, Pattern is required to restore the land in accordance with lease agreements and applicable county and state ordinances.

- Decommissioning requirements vary by jurisdiction, but typically include removal of all above-ground equipment and foundations to a specified depth, as well as restoration of the land to its former or near-former condition.
- The specifics of land restoration are determined on a case-by-case basis, guided by lease agreements with landowners and the regulatory requirements of the applicable jurisdiction.

Blade & Materials Recycling

About 85 percent of wind turbine materials are recyclable. Pattern is committed to following industry best practices for responsible material disposal at the time of decommissioning.

- Recyclable components include steel, copper wire, electronics, and gearing. The remaining 15 percent is fiberglass from the blades, which requires specialized end-of-life handling.
- The blade recycling industry continues to advance rapidly. Pattern commits to applying industry best practices at the time of decommissioning, working with vendors using emerging technologies to responsibly manage end-of-life blade materials.


BURNS
McDONNELL



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 9

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 10-A

Proposed Amendments to the Economic Development Ordinance

Section 6. Economic Development Agency.

6.1 The governing body may assign an appropriate economic development agency the following responsibilities with regard to the economic development plan for the County of Torrance:

A. Reviewing and making recommendations to the governing body on applications for assistance for economic development projects; and

B. Reviewing and making recommendations to the governing body on applications for industrial revenue bonds (IRB'S).

6.2 The economic development agency shall at all times allow for representation for the County of Torrance by a representative designated by the Governing Body.

A)

Section 8.2 All applications for economic development projects requesting economic assistance from the County shall submit a cost benefit analysis. Preparing a cost benefit analysis shall be the responsibility of the applicant. The County retains the right to specify a format and methodology for the cost-benefit analysis. The economic development agency shall review and approve the methodology used. The source and rationale for any multiplier effects shall be identified. The cost-benefit analysis shall show that the County will recoup the value of its donation within a period of ten years. The analysis shall address the following:

A) The number and type of jobs to be created, both temporary construction jobs and permanent jobs (by New Mexico

Department of Labor job category);

B) Pay scale of jobs;

C) Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Tqn-anc;e area;

D) Total payroll expected at start-up and after one year;

E) Anticipated impact on local tax base; and,

F) Anticipated impact on local school systems.

ECONOMIC DEVELOPMENT REVISION REFERENCE SHEET

WHEREAS, substantially identical to the original version passed in 2003, EVEDA [Estancia Valley Economic Development Association] no longer exists. **[Page 1]**

Section 2. Authority. **[Page 1]**

2.1 The Economic Development Plan Ordinance is enacted pursuant to the statutory authority conferred upon ~~municipalities~~ counties to allow public support of economic development ~~(N.M. Stat. Ann. Section 5-10-1 through Section 5-10-13-1978.)~~ (NMSA 1978 Annotated Section 5-10-1 through Section 5-10-13). This Ordinance is adopted as part of the County's economic development plan.
[REV. Ord. No. 2003-1, 08/27/2003]

Section 3. Purpose. **[Page 1]**

3.1 **Local Economic Development Act.**

Local governments are allowed to provide direct or indirect assistance to qualifying business for furthering or implementing economic development plan and projects, furthermore local and regional governments have the authority to contribute assets to development projects; however, the imposition of a tax must be approved by the voters in referendum.

Eligible uses: ~~Municipalities~~ Counties may impose municipal infrastructure gross receipts tax and dedicate the revenue for economic development projects. A total of 0.25% tax (in four increment of 0.0625%) may be imposed.
[REV. Ord. No. 2003-1, 08/27/2003]

Section 6. ~~**Estancia Valley Economic Development Association.**~~ **[Page 3]**

Economic Development Agency.
[REV. Ord. No. 2003-1, 08/27/2003]

6.1 The governing body ~~assigns the~~ ~~EVEDA Board of Directors~~ may assign an appropriate economic development agency the following responsibilities with regard to the economic development plan for the County of Torrance:
[REV. Ord. No. 2003-1, 08/27/2003]

6.2 The ~~EVEDA~~ economic development agency shall at all times ~~provide for a Board of Directors position for the County of Torrance, the County Manager shall appoint a member of the Board of Directors with the advice and consent of the County Commissioners.~~ allow for representation for the County of Torrance by a representative designated by the Governing Body.
[REV. Ord. No. 2003-1, 08/27/2003]

Section 8.2 [Page 5]

All applications for economic development projects requesting economic assistance from the County shall submit a cost benefit analysis. Preparing a cost benefit analysis shall be the responsibility of the applicant. The County retains the right to specify a format and methodology used ~~for the cost-benefit analysis.~~ The ~~EVEDA~~ economic development agency shall review and approve the methodology used. The source and rationale for any multiplier effects shall be identified. The cost-benefit analysis shall show that the County will recoup the value of its donation within a period of ten years. The analysis shall address the following:
[REV. Ord. No. 2003-1, 08/27/2003]

Section 9. Public Safeguards [Page 6]

9.1 All economic development projects receiving assistance from the County shall be subject to an annual performance review by the ~~EVEDA~~.by the economic development agency assigned by the governing body.
[REV. Ord. No. 2003-1, 08/27/2003]

TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS
ORDINANCE NO. 2026- ____

TORRANCE COUNTY ECONOMIC DEVELOPMENT PLAN ORDINANCE

WHEREAS, the current version of the Torrance County Economic Development Plan Ordinance was adopted in 2003; and,

WHEREAS, substantially identical to the original version passed in 2003, EVEDA [Estancia Valley Economic Development Association] no longer exists.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO that the Torrance County Economic Development Ordinance adopted August 27, 2003 is hereby amended to read:

Section 1. ECONOMIC DEVELOPMENT PLAN

1.1 Short Title

This Ordinance may be cited as the "Economic Development Plan Ordinance."

Section 2. Authority

2.1 The Economic Development Plan Ordinance is enacted pursuant to the statutory authority conferred upon counties to allow public support of economic development (NMSA 1978 Annotated Section 5-10-1 through Section 5-10-13). This Ordinance is adopted as part of the County's Economic Development Plan.

Section 3. Purpose

3.1 The purpose of the Economic Development Plan/Ordinance is to allow public support of economic projects to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. Further, the purpose if the ordinance is to allow the County to enter into one or more joint powers agreement with other local governments to plan and support regional economic development projects.

3.2 **Local Economic Development Act**

Local governments are allowed to provide direct or indirect assistance to qualifying businesses for furthering or implementing economic development plans or projects, furthermore local or regional governments have the authority to contribute assets to develop projects; however, the imposition of a tax must be approved by the voters in referendum.

Eligible uses: Counties may impose county gross receipts tax and dedicate the revenue for economic development projects. A total of 0.25% tax (in four increments of 0.0625%) may be imposed.

Section 4. Definitions as used in the Economic Development Plan Ordinance

4.1 **Economic development project** means the provision of direct or indirect land, buildings or other infrastructure; public works improvements essential to the location assistance to a qualifying business and include the purchase, lease, grant, or construction, reconstruction, improvement or other acquisition or conveyance of expansion of a qualifying business; and payments for professional services contracts necessary for local or regional governments to implement a plan or project.

4.2 **Qualifying entity** means an existing or proposed corporation, limited liability company, partnership, joint venture, syndicate, association or other person that is one or combination of two or more of the following:

A. An industry for manufacturing, processing, or assembling of any agricultural or manufactured products;

B. A commercial enterprise for storing, warehousing, distributing, or selling products of agricultural, mining or industry, but other than provided in Paragraph (D) of this subsection, not including any enterprise for sale of good or commodities at retail or for the distribution to the public of electricity, gas, water, or telephone or other services commonly classified as public utilities;

C. A business which all or part of the activities of the business involves the supplying of services to the general public or to government agencies or to a specific industry or customer, but, other than provided in Paragraph (D) of this subsection, not including business primarily engaged in the sale of goods or commodities at retail;

D. A telecommunications sales enterprise that makes the majority of its sales to Persons outside of New Mexico.

4.3 **Project participation agreement** means an agreement between a qualifying entity and the County whereby the County provides assistance to an economic development project in exchange for the benefits received as set forth in this section

4.4 **Governing body** means the County Commissioners of Torrance County, New Mexico.

Section 5. Economic Development Plan

5.1 The County Manager after approval of the governing body may assist Economic Development Projects in any legally permissible manner including but not limited to provisions of land, buildings and infrastructure provided that all the requirements of this ordinance are met. The County may provide land, buildings or infrastructure it already owns, or it may build, purchase or lease the facilities needed for an economic development project. The County at its discretion may bear the full cost or contribute a portion of the costs.

5.2 The governing body may consider offering all forms of assistance allowed under this ordinance and any other legally permissible forms of assistance; however, this does not establish any obligation on the County's part to offer any specific type or level of assistance.

Section 6. Economic Development Agency

6.1 The governing body may assign an appropriate economic development agency the following responsibilities with regard to the economic development plan for the County of Torrance: [REV. Ord. No. 2003-1, 08/27/2003]

A. Reviewing and making recommendations to the governing body on applications for assistance for economic development projects; and
[REV. Ord. No. 2003-1, 08/27/2003]

B. Reviewing and making recommendations to the governing body on applications for Industrial Revenue Bonds (IRB'S).
[REV. Ord. No. 2003-1, 08/27/2003]

6.2 The economic development agency shall at all times allow for representation for the County of Torrance by a representative designated by the Governing Body.
[REV. Ord. No. 2003-1, 08/27/2003]

Section 7. Application Requirements

7.1 Any qualifying entity meeting the definition set forth in subsection 4.2 may propose an economic development project to the County. Meeting the definition of a qualifying entity does not create any obligation on the part of the County of Torrance.

7.2 Applications from qualifying entities shall be submitted to the County of Torrance on forms provided by the County.

7.3 Applications shall contain the following information for business applicants.

A. Identification information:

1) Complete name and address of entity;
2) Incorporation papers with by-laws;
3) List of board of directors and executive director, with addresses; and
4) Resumes of all directors and officers.

B. Evidence of financial solvency (personal statement of principals);

1) Financial statement (income statement and balance sheets) for the past three years;
2) Federal tax number, New Mexico State Taxation and Revenue number and County business license;
3) Projected income statement for at least three years.

C. Evidence of organizational capacity;

1) Brief history of the entity;
2) Organizational chart of the entity;
3) Business plans for the entity and proposed project (shall include pro-forma cash flow analysis);

D. The project participation agreement and any other pertinent information will be forwarded to the governing body for final consideration at a public meeting.

Section 8. Applicable Review Criteria

8.1 Applications for economic development projects requesting economic assistance from the County, which meet the policies and objectives of the County's economic development plan, shall receive priority.

Examples include, but are not limited to:

A) Manufacturing firms (including intellectual property such as computer software;
B) Projects, which enhance the exporting capacity of companies and/or provide goods and services, which currently have to be imported into Torrance;
C) Private companies seeking to build, expand or relocate facilities;
D) Private companies which provide facilities or services which enhance the ability of Torrance businesses to operate;
E) Organizations, which assist business start-ups or bring small companies together to increase their competitive abilities. This must involve a tangible project, which will create jobs and promote an industry.

Examples include, but are not limited to:
1) Business incubators
2) Art incubators or coalition (e.g. a performing arts coalition seeking construction rehearsal or performance facilities);
3) Public markets for farmers, gardeners, crafts etc; and
4) Organizations which foster economic development by promoting work force development efforts such as apprenticeships or other job training programs;

F) Projects in industry clusters listed above are particularly encouraged, but others are eligible to apply as well. The intention is to retain flexibility in the use of incentives; and,
G) Qualifying entities with existing contracts or projects with the County when this plan is adopted may propose a restructuring of their projects as an economic development project.

Section 8.2 All applications for economic development projects requesting economic assistance from the County shall submit a cost benefit analysis. Preparing a cost benefit analysis shall be the responsibility of the applicant. The County retains the right to specify a format and methodology used. The source and rationale for any multiplier effects shall be identified. The cost benefit analysis shall show that the County will recoup the value of its donation within a period of ten years. The analysis shall address the following:

A) The number and type of jobs to be created, both temporary and permanent jobs (by New Mexico Department of Labor job category):
B) Pay scale of jobs;
C) Determination of which jobs are expected to be filled locally and which will be filled by transfers from other facilities or recruited from outside the Torrance area;
D) Total payroll expected at start-up and after one year;
E) Anticipated impact on local tax base; and,
F) Anticipated impact on local school systems
[REV. Ord. No. 2003-1, 08/27/2003]

Section 8.3 All applicants for economic for economic development projects requesting economic assistance from the County shall require the same review required of industrial revenue bond applications. This review shall focus on environmental and community impacts of proposed projects. Special attention shall be given to job training and career advancement programs and policies. Projects shall demonstrate a strong commitment to providing career opportunities for Torrance area residents. Cultural impacts of projects shall also be considered.

8.4 Any qualifying entity seeking assistance shall prepare and make available a job training and career development plan for their employees.

8.5 All applicants for economic development projects requesting economic assistance from the County shall clearly demonstrate the benefits, which will accrue to the community as a result of the donation of public resources. The County has considerable flexibility in determining what is considered as adequate benefits. Benefits such as providing components or production capabilities, which enhance a targeted industry cluster, or addressing critical deficiencies in regional economy, may be recognized. The benefits claimed of any proposal will receive careful scrutiny. However, it is the intent of this ordinance to be flexible in the evaluation of these benefits, and to recognize the qualitative as well as quantitative impact of a proposal.

8.6 All applicants for economic development projects requesting assistance from the County shall clearly demonstrate how the qualifying entity is making a substantive contribution. The contribution shall be of value and may be paid in money, in-kind services, jobs, expanded tax base, property or other thing or service of value for the expansion or improvement of the economy. The County retains flexibility in defining the "substantive contributions." The benefits identified in the previous paragraphs may be accepted as adequate contributions on their own, or as cash donations may be required. Assistance in providing affordable housing to its employees or the community at large may also qualify. Determination of what constitutes an acceptable contribution for a given project shall be at the discretion of the governing body.

Section 9. Public Safeguards

9.1 All economic development projects receiving assistance from the County shall be subject to an annual performance review by the economic development agency assigned by the governing body. This review shall evaluate whether the project is attaining the goals and objectives set forth in the participation agreement. This review shall be presented to the governing body for their consideration. The governing body at a public hearing may terminate assistance to the economic development project by provisions set forth in the agreement, which terminates the agreement and specifies the disposition of all assets and obligations of the project.
[REV. Ord. No. 2003-1, 08/27/2003]

9.2 The County shall retain a security interest, which shall be specific in the project participation agreement. The type security given shall depend upon the nature of economic development project and assistance provided by the County.
Types of security may include, but are not limited to:

A) Letter of credit in the County's name;
B) Performance bond equal to the County's contribution;
C) A mortgage or lien on the property or equipment;
D) Pro-rated reimbursement of donation if company reduces work force or leaves the community before the term agreed to; and
E) Other security agreeable to both parties.

9.3 Should a qualifying entity move, sell, lease or transfer a majority interest in the economic development project before the expiration of the project participation agreement, the County retains the right to deny any and all assignments, sales, leases or transfers of any interests in the economic development project until adequate assurances are made that the transferee, assignee or lessee is a qualifying entity and that the terms of the agreement will be satisfied by the transferee, assignee or lessee. At its discretion, the County may choose to deny said assignment, lease or transfer or may negotiate a new agreement with the new operator, or the County may reclaim the facility and enter into an agreement with the new qualifying entity.

9.4 Any qualifying entity seeking assistance from public resources shall commit to operate in accordance with its project participation agreement for minimum of ten years from the date the ordinance is adopted and the governing body passes the project participation agreement.

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Section 10. Project Participation Agreement

10.1 The qualifying entity shall prepare with the County a project participation agreement. This agreement is the formal document, which states the contribution and obligation of all parties in the economic development project.

The agreement must state the following items:

A) The economic development goals of the project;
B) The contribution of the County and the qualifying entity;
C) The specific measurable objectives upon which the performance review will be read;
D) A schedule for project development and goal attainment;
E) The security being offered for the County's investment;
F) The procedures by which a project may be terminated and the County's investment recovered; and,
G) The time period for which the County shall retain an interest in the project. Each project agreement shall have a "sunset" clause after which the County shall relinquish interest in and oversight of the project.

10.2 Each project participation agreement shall be subject to review and approval by the governing body at a public hearing.

Section 11. Project Monies. All project monies shall be kept in a separate account by the entity and the County, with such account clearly identified. These accounts shall be subject to an annual independent audit.

Section 12. Termination. The governing body may terminate this ordinance and the County's economic plan and any or all project participation agreements undertaken under its authority. Termination shall be by ordinance at a public meeting or in accordance with the terms of the project participation agreement. If an ordinance or a project participation agreement is terminated, all contract provisions of the project participation agreement regarding termination shall be satisfied. Upon termination of the ordinance or any project participation agreement, any County monies remaining in the County project accounts shall be transferred to the County's general fund.

Section 13. Joint Regional Projects. The County may engage in economic development projects involving one or more other government entities for projects, which encompass more than one municipality or County. In such instances, the relevant governing bodies shall adopt a joint powers agreement. This agreement will establish the application criteria and the terms of project participation agreements. Criteria established under a joint powers agreement shall be consistent with the provisions of this ordinance.

Section 14. Effective Date.

Originally passed, approved, and signed on the 27th day of August, 2003.
Amendments to this Ordinance are effective when adopted by the County Commission according to the laws governing County ordinances.

AMENDED on the ___ day of October, 2026, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the ___ day of October, 2026 .

APPROVED AS TO FORM ONLY

BOARD OF COUNTY COMMISSIONERS

County Attorney

Ryan Schwebach, Chair

Kevin McCall, Member

Linda Jaramillo, Vice-Chair

Affidavit of Publication

STATE OF NEW MEXICO } SS
COUNTY OF BERNALILLO }

Ad Cost: $159.32
Ad Number: 462750
Account Number: 1005057
Classification: GOVERNMENT LEGALS

I, Steve Yoder, the undersigned, Legal Representative of the Albuquerque Journal, on oath, state that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, chapter 167, Session Laws of 1937, and payment of fees has been made of assessed and a copy of which is hereto attached, was published in said publication in the daily edition, 2 times on the following dates:

September 20, 2026
September 27, 2026

That said newspaper was regularly issued and circulated on those dates.
SIGNED:

Legal Representative

Subscribed to and sworn to me this 7th day of October 2026.

David Lindsey Montoya
Notary Public

County Bernalillo
ID#: 1140229
My commission expires: 04-26-2027

NOTICE OF PUBLIC HEARING
TORRANCE COUNTY, NEW MEXICO

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Torrance County, New Mexico, will hold a Public Hearing on October 14, 2026, beginning at 9:00 a.m.

The hearing will be held in the Commission Chambers at the Torrance County Administrative Offices, located at 205 S. Ninth Street, Estancia, NM 87016.

The purpose of the Public Hearing is to receive public comments, review, and consider revisions of the Torrance County Economic Development Plan. The plan outlines goals, policies, and target initiatives designed to promote economic growth, support local business expansion, diversify the regional economy, and improve job creation throughout the county.

All interested parties are invited to attend and will be given an opportunity to voice their opinions, submit testimony, or offer recommendations regarding the plan.

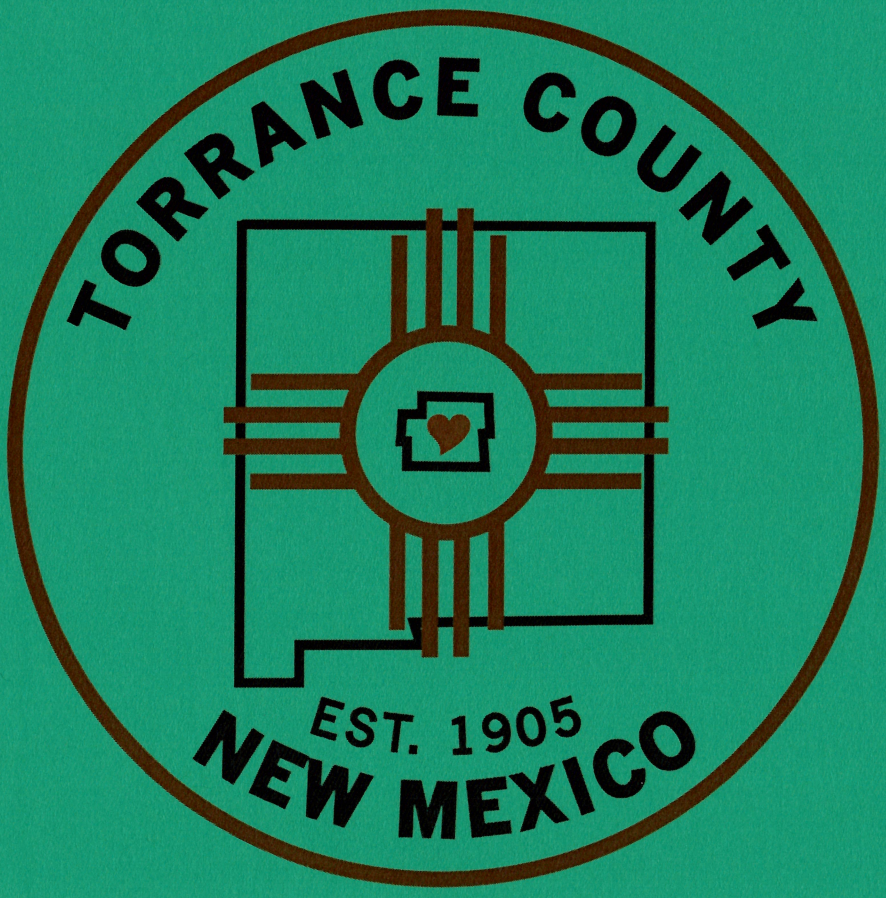
Written comments will also be accepted prior to the hearing. Please submit written feedback to the Torrance County Manager's Office, P.O. Box 48, Estancia, NM 87016, or via email to sreynolds@tcnm.us no later than Thursday, October 8, 2026 at 5:00 p.m.

Disability Accommodations: If you are an individual with a disability who requires a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact the Torrance County Manager's Office at (505) 544-4700 at least one week prior to the meeting or as soon as possible.

Journal: September 20, 27, 2026

TORRANCE CNTY
TORRANCE COUNTY
FINANCE/PURCHASING DEPT
CHIEF PROCUREMENT OFFICER
PO BOX 48
205 S 9TH ST
ESTANCIA, NM 87016

STATE OF NEW MEXICO
NOTARY PUBLIC
DAVID LINDSEY MONTOYA
COMMISSION NUMBER 1140229
EXPIRATION DATE 04-26-2027



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 10-B

TORRANCE COUNTY
RESOLUTION NO. 2026 -

A RESOLUTION AUTHORIZING THE AMENDMENT OF THE TORRANCE COUNTY ECOMONIC DEVELOPMENT ORDINANCE 2003-01

WHEREAS, the Commission of Torrance County of the State of New Mexico had adopted an ordinance adopting an economic development plan under the Local Economic Development Act, Sections 5-10-1 through 5-10-13 NMSA 1978 and

WHEREAS, the Torrance County Economic Development Ordinance 2003-01 references the Estancia Valley Economic Development Association (EVEDA) as the county's economic development agency and,

WHEREAS, EVEDA is no longer an active agency and,

WHEREAS, Torrance County desires the ability to assign an appropriate active economic development agency responsibilities regarding the economic development plan for the County of Torrance and,

WHEREAS, a public hearing and all required procedural steps under state statute have been duly conducted and satisfied;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF TORRANCE COUNTY:

Section 1. Adoption of Amendment.
The amended ordinance, attached hereto as **Exhibit A** and incorporated herein by reference, is hereby formally adopted and approved.

Section 2. Superseding Prior Provisions.
Any previous resolutions, ordinances, or provisions conflicting with the terms of this amended ordinance are hereby repealed or modified to the extent of such conflict.

Section 3. Effective Date.
This Resolution and the attached amended ordinance shall take effect immediately upon its passage

and approval, or on October 14, 2026.

PASSED, APPROVED, AND ADOPTED by the Governing Body of Torrance County on this 14th day of October 2026.

BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY:

_____
Ryan Schwebach, Chair, District 2

_____
Kevin McCall, Member, District 1

_____
Linda Jaramillo, Vice-Chair, District 3

ATTEST:

_____ _____
Sylvia Chavez, Torrance County Clerk Date

APPROVED AS TO FORM:

_____
Michael Garcia, Torrance County Attorney

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 10-C

TORRANCE COUNTY RESOLUTION NO. 2026 -

A RESOLUTION APPROVING PARTICIPATION IN TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION AMENDED to Correct Total Project Cost

WHEREAS, the Torrance County and the New Mexico Department of Transportation have entered into a grant agreement under the Transportation Fund Program for a local road project.

WHEREAS, the total cost of the project will be $1,777,171.80 to be funded in proportional share by the parties hereto as follows:

New Mexico Department of Transportation's share shall be 95% or $1,688,313.21

and

Torrance County's proportional matching share shall be 5% or $88,858.59

TOTAL PROJECT COST IS $1,777,171.80

The Torrance County shall pay all costs, which exceed the total amount of $1,777,171.80.

Now therefore, be it resolved in official session that Torrance County determines, resolves, and orders as follows:
That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on June 30, 2029 and the Torrance County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

Now therefore, be it resolved by the Torrance County to enter into Cooperative Agreement for Project Control Number LP50086 with the New Mexico Department of Transportation for the TPF Program for year 2027 for Lexco Road Improvements-Pavement rehabilitation/improvements, drainage improvements, and miscellaneous to 7 miles of Lexco Road, from Old Route 66 going south. Torrance County intends to apply a two inch overlay of pavement to 7 miles of Lexco road, from Old Route 66 going South.

Project also includes cleaning roadside ditch, culverts, and applying new road stripping. Project will be completed in a year.- within the control of the Torrance County in New Mexico.

PASSED, APPROVED, AND ADOPTED THIS 14TH DAY OF October, 2026.

BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY:

_____
Ryan Schwebach, Chair, District 2

_____
Kevin McCall, Member, District 1

_____
Linda Jaramillo, Vice-Chair, District 3

ATTEST:

_____ _____
Sylvia Chavez, Torrance County Clerk Date

APPROVED AS TO FORM:

_____
Michael Garcia, Torrance County Attorney

TORRANCE COUNTY RESOLUTION NO. 2026 - 35

A RESOLUTION APPROVING PARTICIPATION IN TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the Torrance County and the New Mexico Department of Transportation have entered into a grant agreement under the Transportation Fund Program for a local road project.

WHEREAS, the total cost of the project will be $1,777,172.00 to be funded in proportional share by the parties hereto as

Nfollows: ew Mexico Department of Transportation's share shall be 95% or $1,688,313.21

and

Torrance County's proportional matching share shall be 5% or $88,858.59

TOTAL PROJECT COST IS $1,777,171.80

The Torrance County shall pay all costs, which exceed the total amount of $1,777,171.80.

Now therefore, be it resolved in official session that Torrance County determines, resolves, and orders as follows:
That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on June 30, 2029 and the Torrance County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

Now therefore, be it resolved by the Torrance County to enter into Cooperative Agreement for Project Control Number LP50086 with the New Mexico Department of Transportation for the TPF Program for year 2027 for Lexco Road Improvements-Pavement rehabilitation/improvements, drainage improvements, and miscellaneous to 7 miles of Lexco Road, from Old Route 66 going south. Torrance County intends to apply a two inch overlay of pavement to 7 miles of Lexco road, from Old Route 66 going South. Project also includes cleaning roadside ditch, culverts, and applying new road stripping.

Project will be completed in a year.- within the control of the Torrance County in New Mexico.

PASSED, APPROVED, AND ADOPTED THIS 23rd DAY OF September, 2026.

BOARD OF COUNTY COMMISSIONER OF TORRANCE COUNTY:

Ryan Schwebach, Chair, District 2

Kevin McCall, Member, District 1

Linda Jaramillo, Vice-Chair, District 3

ATTEST:

TORRANCE COUNTY SEAL CLERK STATE OF NEW MEXICO

Sylvia Chavez, Torrance County Clerk

9/23/2026
Date

APPROVED AS TO FORM:

Michael Garcia, Torrance County Attorney



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-A

CRYSTAL SALAS
SENIOR LEAD
NM CERTIFIED APPRAISER

TANNER SOLOMON
NM CERTIFIED APPRAISER

VICTORIA ASTORGA
APPRAISER I

SHELLY CAGE
APPRAISER TECH

MARIAH ORTEGA
APPRAISER APPRENTICE

JESSE LUCERO
COUNTY ASSESSOR

205 S. NINTH STREET
POST OFFICE BOX 258
ESTANCIA, NEW MEXICO 87016
Phone (505) 544-4300 Fax (505) 384-4362
tcassessor@tcnm.us
www.torrancecountynm.org

LINDA L. GALLEGOS
CHIEF DEPUTY
ASSESSOR

H. GENO JONES
OFFICE MANAGER

ALANNA CHAVEZ-MITCHELL
CUSTOMER SERVICE
SPECIALIST II

EMILY SPURRIER
CUSTOMER SERVICE
SPECIALIST I

CASSIE KNOTEN
CAMA SPECIALIST

October 8, 2026

Chairman Ryan Schwebach
Commissioner Kevin McCall
Commissioner Linda Jaramillo
County Manager Stephanie Reynolds

Ladies and Gentlemen,

On behalf of the Torrance County Assessor's Office, I respectfully request that the following budget adjustment proposals be considered:

- Reorganize and restructure employee classifications to better align with their actual job descriptions, responsibilities, and duties.

- Update job titles to more accurately reflect the specific functions and responsibilities of each position.

- Clarify the Appraisal Department's certification levels while emphasizing the importance of becoming expertise in the attainable levels of certification as necessary to become expertise is this critical area of the Assessor's department which is valuation of properties for ad valorum taxes (property tax) – a large revenue stream for the County. The increase in salary for each certification level also provides an attainable goal for each employee to motivate themselves in higher education for fair, equitable, current and correct property assessments.

We sincerely appreciate your attention and acceptance of our request.

Respectfully submitted,
Linda L. Gallegos

Linda L Gallegos
Chief Deputy Assessor

/llg - Attachments

						2026 Rate	3.50% Increase	2027 Rate	Proposed Increase	Budget Increase
CHAVEZ, SYLVIA B	401-020-2101	CLERK	County Clerk	Elected	Full Time	35.24		35.24		
ANAYA, SENAIDA Y	401-020-2102	CLERK	Deputy County Clerk	Appointed	Full Time	33.58	1.1753	34.76		
CHAVEZ-MORRIS, GENELL C	401-020-2102	CLERK	Clerk I/Administrative Assistant	80	Full Time	21.75	0.76125	22.51	?	
VACANT	401-020-2102	CLERK	Clerk II/Administrative Assistant	80	Full Time	20.25	0.70875	20.96	?	
VACANT	401-020-2102	CLERK	Bureau of Elections Administrative Clerk	80	Full Time	20.00	0.7000	26.00	?	
CARLSON, MACKENZIE L	401-020-2102	CLERK	Clerk I/Administrative Assistant	80	Full Time	20.25	0.70875	20.96	?	
	401-020	Subtotal					0	0		
	401-021-2103	ELECTIONS	Early Voting Election Workers		Part Time		0	0		
	401-021-2103	ELECTIONS	Voting Machine Technician		Part Time		0	0		
	401-021	Subtotal					0	0		
HERNANDEZ, KATHYRN M	401-030-2101	TREASURER	County Treasurer	Elected	Full Time	35.23		35.23		
GUTIERREZ, HELEN	401-030-2102	TREASURER	Deputy County Treasurer	Appointed	Full Time	33.58	1.17544	34.75944		
ARAGON, CAROL	401-030-2102	TREASURER	Treasury Controller	80	Full Time	26.75	0.93625	27.68625		
VACANT	401-030-2102	TREASURER	Tax Specialist III	80	Full Time	23.22	0.8127	24.0327		
CHAVEZ, FRANCHESCA	401-030-2102	TREASURER	Tax Specialist II	80	Full Time	22.08	0.7728	22.8528		
RODRIGUEZ, MILES	401-030-2102	TREASURER	Delinquent Field Tax Specialist	80	Full Time	19.75	0.69125	20.44125		
WEAVER, ERIC	401-030-2102	TREASURER	Delinquent Tax Specialist	80	Full Time	19.75	0.69125	20.44125		
VACANT	401-030-2102	TREASURER	Tax Specialist I	80	Full Time	18.00	0.63	18.63		
	401-030	Subtotal					0	0		
LUCERO, JESUS M	401-040-2101	ASSESSOR	County Assessor	Elected	Full Time	33.24	1.16354	34.40754		N/C
GALLEGOS, LINDA L	401-040-2102	ASSESSOR	Deputy County Assessor	Appointed	Full Time	33.58	1.1753	34.7553		N/C
KNOTEN, CASSANDRA N	401-040-2102	ASSESSOR	Data Analyst/Cama Appraiser	80	Full Time	25.00	0.875	25.875	0.750	26.625
JONES, HUGH G	401-040-2102	ASSESSOR	Office Manager/Administrative Assistant	80	Full Time	23.89	0.83615	24.72615	1.500	26.227
CHAVEZ, ALANNA	401-040-2102	ASSESSOR	Administrative Assistant/Deed Processor	80	Full Time	18.75	0.65625	19.40625	1.344	20.750
SPURRIER, EMILY	401-040-2102	ASSESSOR	Administrative Assistant/BPP Specialist	80	Full Time	16.75	0.58625	17.33625	2.164	19.500
SALAS, CRYSTAL M	401-040-2102	ASSESSOR	Senior Lead-State Certified Appraiser	80	Full Time	23.09	0.80815	23.89815	1.260	25.159
SOLOMON, TANNER R	401-040-2102	ASSESSOR	State Certified Appraiser	80	Full Time	20.18	0.7063	20.8863	2.120	23.007
CAGE, SHELLY	401-040-2102	ASSESSOR	State Certified Appraiser	80	Full Time	17.22	0.6027	17.8227	4.178	22.000
ASTORGA, VICTORIA	401-040-2102	ASSESSOR	Certified Appraiser I/Livestock Specialist	80	Full Time	17.22	0.6027	17.8227	3.178	21.000
ORTEGA, MARIAH	401-040-2102	ASSESSOR	Certified Appraiser I	80	Full Time	17.22	0.6027	17.8227	2.178	20.000
	401-040	Subtotal							18.67	

Admin Assistant - Finance	$28.90	**Average**
Office Mgr/Admin Asst - Sheriff	$22.75	**$25.23**
Tax Specialist/Supervisor - Treasurer	$24.03	

Sr. Lead State Certified Appraiser	$24.00
State Certified Appraiser (IV)	$23.00
Certified Appraiser (III)	$22.00
Certified Appraiser (II)	$21.00
Certified Appraiser (I)	$20.00
Appraiser Tech	$19.00

Torrance County

Job Description

Job Title: Office Manager/Administrative Assistant

Department: Assessor

Reports to: County Assessor/Chief Deputy Assessor

We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all our job openings. We are an equal opp01tunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, genetic information and testing, Family and Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

- **Overall, an office manager plays a pivotal role in ensuring the smooth operation of an office environment and is diverse and demanding, requiring a blend of organizational, administrative, and interpersonal skills to effectively support the operations of the department.**

Responsibilities:

- **Administrative Support:** Office manager provides support to supervisor and department leadership and serves as the primary point of contact for internal and external inquiries. Responsible for correspondence, emails, phone calls, and coordination of daily mail pickup and processing incoming mail (approx. 50 K-60K pieces each year) while directing all correspondence to the appropriate staff member or department. This involves organizational skills, strong communication skills, and the ability to multi-task effectively.

- **Employee Integration:** Assisting with the new hires integration process, which may involve setting up workstations, preparing welcome packages, and guiding new employees through company policies and procedures.

- **Financial Administration:** Office manager handles budgeting and expense tracking for office related expenditures. This includes processing invoices, requisition orders, and reconciling expenses against budget allocation.

- **Special Projects:** Office manager may be assigned special projects or initiatives aimed at improving office efficiency, productivity, or employee satisfaction.

- **Event Planning:** Organizes office events such as County Satellite Outreach Programs for the community, holiday parties, team building, and staff appreciate events.

Knowledge and Skills

- Operational characteristics, services, and activities of the Office including business principles and practices.
- Appraisal principles, procedures, and techniques.
- Statutes, rules, and regulations governing the valuation and assessment of real and personal property for tax purposes.
- Principles of record keeping and records management.
- Effective communication principles and practices including oral and written communication.
- Modern office procedures, methods, and equipment including computers, computer applications such as word processing, spreadsheets, and statistical databases.
- English usage, spelling, grammar, and punctuation.
- Principles of business letter writing.

Physical Functions:

- Work is performed in a standard office environment.
- Work may be performed in a temporary remote location during Assessor's public relations events.
- Operate a County vehicle to drive to meetings and training as required.

Requirements:

- High School Diploma/GED Certificate.
- Experience in office management and supervision.
- Administrative assistance experience and clerical support experience relating to customer service functions.
- Valid New Mexico Driver's License.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

Torrance County

Job Description

Job Title: Administrative Assistant/Deed Processor

Department: Assessor

Reports Directly to: County Assessor/Chief Deputy Assessor/Office Manager

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We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer, and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, Genetic information & Testing, Family & Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

Under close supervision, verifies & enters all changes in ownership on incoming transfer documents, processes exemptions and change of address request, performs data entry of various reporting forms from the public, performs assigned support work providing information and services to external customers within a highly visible high volume customer service area of Torrance County; provides general clerical support work at a counter, teller window, or over the telephone; provides the public with explanations and interpretation of policies and procedures; assists with a variety of forms; operates a computer and/or calculator and types various forms and logs; performs other duties as assigned.

Responsibilities:

- Provides support to supervisor and department leadership on special projects.
- Meet and greet visitors to the department; respond to questions or requests as appropriate; explain information to the public, including requirements related to County policies and procedures; correct forms to be filled out; explain the process for obtaining various licenses, certificates, registrations, and forms.
- Operate a variety of office equipment including copy machine, calculator, computer, scanner, facsimile machine, and computer peripheral equipment.

- Record keeping practices.
- Principles of customer service and public relations.
- Basic research methods and report presentation.
- Arithmetical computations skills adequate to correctly perform work.
- Effective communication principles and practices including oral and written communication.
- Modern office procedures, methods, and equipment including computers, computer applications such as word processing, spreadsheets, and statistical databases.
- English usage, spelling, grammar, and punctuation.

Working Conditions:

- Work is performed in a standard office environment.
- Work may be performed in a temporary remote location during Assessor's public relations events.

Minimum Qualifications:

- High School Diploma/GED Certificate and three months of basic clerical support experience that includes data processing and exposure to customer service functions.
- Valid New Mexico Driver's License

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

_____

Printed Name

_____

Signature Date

Torrance County

Job Description

Job Title: Administrative Assistant/Business Personal Property Specialist

Department: Assessor

Reports Directly to: County Assessor/Chief Deputy Assessor/Office Manager

---

We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer, and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, Genetic information & Testing, Family & Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

Under close supervision, verifies & enters all changes in ownership on incoming transfer documents, processes exemptions and change of address request, performs data entry of various reporting forms from the public, performs assigned support work providing information and services to external customers within a highly visible high volume customer service area of Torrance County; provides general clerical support work at a counter, teller window, or over the telephone; provides the public with explanations and interpretation of policies and procedures; assists with a variety of forms; operates a computer and/or calculator and types various forms and logs; performs other duties as assigned.

Responsibilities:

- Provides support to supervisor and department leadership on special projects.
- Meet and greet visitors to the department; respond to questions or requests as appropriate; explain information to the public, including requirements related to County policies and procedures; correct forms to be filled out; explain the process for obtaining various licenses, certificates, registrations, and forms.
- Operate a variety of office equipment including copy machine, calculator, computer, scanner, facsimile machine, and computer peripheral equipment.

- Basic research methods and report presentation.
- Arithmetical computations skills adequate to correctly perform work.
- Effective communication principles and practices including oral and written communication.
- Modern office procedures, methods, and equipment including computers, computer applications such as word processing, spreadsheets, and statistical databases.
- English usage, spelling, grammar, and punctuation.

Working Conditions:

- Work is performed in a standard office environment.
- Work may be performed in a temporary remote location during Assessor's public relations events.

Minimum Qualifications:

- High School Diploma/GED Certificate and three months of basic clerical support experience that includes data processing and exposure to customer service functions.
- Valid New Mexico Driver's License

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

Printed Name

Signature

Date

Torrance County

Job Description

Job Title: Agriculture/Livestock Specialist

Department: Assessor

Reports to: County Assessor/Chief Deputy Assessor/Office Manager

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We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, Genetic information & Testing, Family & Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

The Agriculture/Livestock Specialist is responsible for the collection of Agricultural documents in accordance with 7-36-20 NMSA and Taxation and Revenue Department guidelines.

Responsibilities:

- Perform data entry activities into a computer mass appraisal system; input and retrieve data; generate reports as assigned.
- Responsible for the entry of livestock rendition forms.
- Prepares schedules for mailing in accordance with applicable state statutes.
- Completes discovery of new and existing accounts by keeping up with ownership changes and Agricultural applications.
- Responsible for ensuring all accounts have special method of valuation applications and/or leases in place.
- Assists and provides the general public with information concerning their agricultural properties, livestock reports, and special method of valuation.
- Participates as a team member on completing duties of the department, participating in meetings, and submitting reports to supervisors.
- Knowledge of applicable state statutes and regulations pertaining to Agricultural classified properties.

- Office procedures, methods, and equipment including computers, computer applications such as word processing, spreadsheets, and statistical databases.
- English usage, spelling, grammar, and punctuation.

Working Conditions:

- Primary responsibilities are performed indoors and outdoors.
- Indoor responsibilities are performed in temperature-controlled environment.
- Employee may be exposed to natural weather conditions while performing outdoor duties and may be on surfaces which may be even or uneven.
- Work may be performed in a Temporary Remote Location.

Minimum Qualifications:

- High School Diploma/GED Certificate and three months of basic clerical support experience that includes data processing and exposure to customer service functions.
- Valid New Mexico Driver's License

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

Printed Name

Signature

Date

Torrance County

Job Description

Job Title: Appraiser Apprentice

Department: Assessor

Reports to: County Assessor and/or Chief Deputy Assessor/Office Manager

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Summary:

Under close supervision, performs appraisal assistance and support functions for the Assessor's office; assists in conducting appraisals, on-site inspections, data entry of appraisal information into property records, title research, and processes notifications to property owners; assists taxpayers or refers them to other appraisal staff; performs other related appraisal duties; and other duties as assigned.

Responsibilities:

- Under supervision, utilizes effective appraisal methods and analytical practices; assists in determining values; makes on-site inspections of new construction and existing property to assist in the appraisal and classification of property for ad valorem tax purposes; assists with other projects as assigned/directed.
- Assists appraisers in updating and maintaining files of property record cards, deeds, and other related appraisal correspondence; works closely with staff in mapping to obtain legal descriptions, acreage, maps, and ownership information; takes photos of structures to ascertain property changes; contacts representatives of state, county and federal government, private concerns, Realtors, property owners and others as needed to secure information in the appraisal of real property; works with appraisers on values on transactions to ensure the proper sale price is

- Preparing and maintaining files and records in both manual and computer-based systems.
- Interpreting policies and procedures sufficiently to discuss and explain them.

Physical Functions:

- Approximately 50 percent of work is fieldwork; 50 percent of work is performed in a standard office environment.
- Will travel to various inspection sites and occasionally may be exposed to extreme weather and potential physical harm when assisting with on-site property inspections.
- Work may be performed in a Temporary Remote Location.

Requirements:

- Must be 18 years or older and in possession of a valid New Mexico Driver's License.
- High School diploma or GED required
- Six (6) months experience performing general office work, field support, surveying, or construction, preferably in real estate appraisal or related office/field setting.
- Must take and pass the first International Association of Assessing Officers (IAAO) course within one year of employment (4 courses total are required to become a Certified Appraiser).
- Ability to understand and communicate in English/Spanish preferred.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

Printed Name

Signature Date

Torrance County

Job Description

Job Title: Appraiser I, II, III, State Certified

Department: Assessor

Reports to: County Assessor/Chief Deputy Assessor/Office Manager

---

We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer, and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, Genetic information & Testing, Family & Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

Under the supervision of the Lead Appraiser, Chief Deputy Assessor, and/or County Assessor, perform moderate to highly complex commercial and residential assessments and valuations utilizing accepted property appraisal methods and computer-assisted appraisal format which requires effective decision-making, multi-tasking, timely and accurate execution of appraisal duties and responsibilities.

Responsibilities:

- Appraisal of all assigned property parcels; duties consist of field inspection, data collection, review and analysis of value and real estate sales data. Apply appraisal skills to perform all property appraisal functions.
- Establish values for residential and commercial properties. This includes the valuation of new homes, additions, and remodeled homes. Use county maps to locate properties to be appraised.
- Establish property grade, based on type of construction, quality of construction, special features of home, access to utilities, and other pertinent criteria.
- Take measurements of structures on property and sketch structures on property card. Enter all information regarding property grade and calculation of property value on property card. Enter the same information on computer system.

- Must be able to push/pull with arms, with five (5) pounds of force.
- Must be able to work with arms extended for brief periods of time. Must be able to work with arms bent for up to Four (4) hours at one time, and up to eight (8) hours a day. Must be able to reach away from body or overhead with arms as needed.
- Must be able to lift and carry objects for short distances weighing up to 55 pounds as needed.
- Must be able to coordinate use of legs and feet to operate motor vehicle when needed.
- Must be able to use hands and fingers to grasp/manipulate equipment and materials in a bilaterally coordinated manner in performing essential duties.
- Must possess sufficient eyesight to work with property cards and/or a computer terminal for long periods of time.

Requirements:

- Must be 18 years or older and in possession of a valid New Mexico Driver's License.
- High School diploma or GED required.
- Must take and pass International Association of Assessing Officers (IAAO) Course #101 – Fundamentals of Real Property Appraisal – during the first year of employment AND Take and pass subsequent International Association of Assessing Officers (IAAO) courses (at least 1 course per year (4 courses total are required to obtain a Designation of "New Mexico Certified Appraiser" through the New Mexico Taxation and Revenue Department - Property Tax Division).
- Maintain certification through continuing education every 3 years.
- Ability to understand and communicate in English/Spanish preferred.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

Printed Name

Signature Date

Torrance County

Job Description

Job Title: CAMA/Appraisal Database Analyst

Department: Assessor

Reports Directly to: County Assessor/Chief Deputy Assessor/Office Manager

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We conform to all the laws, statues, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all our job openings. We are an equal opp01tunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, genetic information and testing, Family and Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

- Under general supervision, performs Computer Assisted Mass Appraisal (CAMA) system analysis for property valuation, performs system troubleshooting;
- Generate reports and proposed steps to implement valuation techniques and methods to appraisers, supervisors, and the Assessor;
- Generate the annual Notice of Value files and tax roll;
- Assist management in obtaining appropriate and accurate data for reports and analysis;
- Aid the department regarding statutory regulations and implement methodology for office procedures;
- Create List Builder pulls and develop workflow processes;
- Resolve technical issues and ensure compliance with program goals and County policies;
- Responsible for quality control of work products related to the countywide reappraisal, new construction, and sales data;
- Perform other duties as assigned.

Responsibilities:

- Perform Computer Assisted Mass Appraisal (CAMA) system and data analysis for property valuations; assists management in obtaining appropriate and accurate data for reports and analysis; and generates a variety of required and/or requested data reports.
- Perform system troubleshooting; identifies problems within the system and takes corrective measures to obtain correct and accurate data.
- Generate the Notice of Value files and tax rolls.

Physical Functions:

- Work is performed in a standard office environment.
- Operate a County vehicle to drive to meetings and training as required.

Requirements:

- A High School Diploma/GED Certificate.
- One year of experience in the area of assignment, which includes direct work experience with Computer Assisted Mass Appraisal (CAMA) or related software programs for the valuation of various property classifications; knowledge and experience working with various report databases and ability to understand how databases work; experience with appraisal techniques, practices and procedures involved in the valuation of various property, and knowledge of the state statutes related to property taxes; OR an equivalent combination of education, training, and experience.
- Valid New Mexico Driver's License.
- International Association of Assessing Officers (IAAO) training and certifications OR equivalent education experience in appraisal or real estate.
- IAAO I, II, III & IV certifications required within four years of hire if no IAAO certifications have previously been obtained (contingent upon availability of training).

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

_____

Printed Name

_____

Signature Date



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-B

AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT

For EMS and Dispatch Medical Direction Services
Between Torrance County, New Mexico and Rio Grande Medical Direction, LLC

This Amendment No. 1 ("Amendment") modifies the Professional Services Agreement for EMS and Dispatch Medical Direction Services between Torrance County, New Mexico ("Torrance County") and Rio Grande Medical Direction, LLC, by and through John Kah, MD ("Dr. Kah"), effective July 1, 2026 (the "Agreement").

1. Office of Emergency Management Medical Direction

Section 1(b), Scope of Services, is supplemented by the following:

> For purposes of this Agreement, Torrance County EMS includes appropriately licensed or certified EMS personnel employed by or assigned to the Torrance County Office of Emergency Management who may perform EMS functions within the scope of their New Mexico EMS licensure or certification. Such personnel shall fall within the EMS medical direction provided by Dr. Kah under this Agreement while performing such functions.

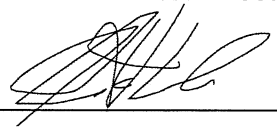
2. No Other Changes

Except as expressly modified by this Amendment, all other terms and conditions of the Agreement remain unchanged and in full force and effect.

3. Approval and Effective Date

This Amendment shall become effective upon execution by the Parties and approval by the Torrance County Commission as required by applicable county law.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates written below.

Torrance County, NM	**Rio Grande Medical Direction, LLC**
By: _____	By: John Kah, MD
Name: _____	Title: Member / EMS Medical Director
Title: _____	
Signature: _____	Signature: 
Date: _____	Date: 9/25/26

PROFESSIONAL SERVICES AGREEMENT

For EMS and Dispatch Medical Direction Services
Between Torrance County, NM and Rio Grande Medical Direction, LLC

This Professional Services Agreement ("Agreement") is made and entered into this 1st day of July, 2026, by and between Torrance County, New Mexico, hereinafter referred to as "Torrance County," and Rio Grande Medical Direction, LLC, by and through John Kah, MD, hereinafter referred to as "Dr. Kah," collectively referred to as the "Parties."

RECITALS

WHEREAS, Torrance County operates certified emergency medical services (EMS) personnel and its Dispatch Center, which require medical direction, continuing education, quality assurance, and representation in accordance with applicable state and federal laws; and

WHEREAS, Rio Grande Medical Direction, LLC, by and through John Kah, MD, is willing and qualified to serve as Medical Director for Torrance County EMS and Dispatch Center;

WHEREAS, Torrance County desires to engage Dr. Kah to provide medical direction services for Torrance County EMS and Dispatch Center pursuant to the requirements of the New Mexico Administrative Code, 7 NMAC 27.3, and other applicable standards.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the Parties agree as follows:

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1. Appointment and Scope of Services

a. Appointment. Torrance County hereby engages Rio Grande Medical Direction, LLC, by and through John Kah, MD, as the EMS and Dispatch Medical Director to perform the services set forth in this Agreement.

b. Scope of Services. In addition to all duties required under 7 NMAC 27.3 and other applicable laws, Dr. Kah shall provide medical direction services for Torrance County EMS and Dispatch Center and shall:

1. Approve the level of care that may be rendered by each EMS provider affiliated with Torrance County Fire Department, regardless of certification level.
2. Establish and maintain written treatment protocols and standing orders, including authorization for special skills as appropriate.

3. Provide twenty-four (24) hour, seven (7) day per week on-call access for emergency medical consultation and field response when available.
4. Participate in quality assurance reviews, continuing education, and EMS and dispatch personnel evaluations as reasonably required.
5. Represent Torrance County EMS and Dispatch Center as Medical Director to the New Mexico EMS Bureau as required.

c. No Direct Patient Care. The services provided under this Agreement are limited to EMS and dispatch medical direction, protocol development, quality assurance, education, supervision, and consultation to EMS and dispatch personnel. Dr. Kah is not engaged under this Agreement to provide routine direct patient examination, diagnosis, treatment, transport care, or other bedside clinical services to individual patients, and shall not be deemed the treating physician for any individual patient solely by virtue of this Agreement.

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2. Term and Termination

a. Term. This Agreement shall commence upon execution and approval by the Torrance County Commission and shall remain in effect for an initial term of eleven (11) months.

b. **Renewal.** This Agreement shall automatically renew for successive one (1) year terms unless terminated as provided herein.

c. **Termination Without Cause.** Either party may terminate this Agreement without cause upon **sixty (60) days written notice** to the other party.

d. **Termination for Cause.** If either party fails to perform any obligation under this Agreement and does not cure such failure within **five (5) days** after written notice, the other party may terminate for cause.

e. Payment Upon Termination. Torrance County shall pay Dr. Kah for all services satisfactorily performed through the date of termination.

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3. Compensation

a. Compensation. Torrance County agrees to compensate Rio Grande Medical Direction, LLC at a rate of $2,000 per month, plus applicable New Mexico gross receipts tax, based on an average of ten (10) hours of service per month (equivalent to $200 per hour).

b. Annual Increase. Beginning on the first anniversary of this Agreement, and on each anniversary thereafter, the compensation rate shall automatically increase by two percent (2%).

c. Additional Services. Should Torrance County request services in excess of the anticipated time commitment, the Parties shall negotiate additional compensation in good faith.

d. Payment Method. Rio Grande Medical Direction, LLC shall submit an invoice monthly for services rendered during the prior month. Payment shall be made by Torrance County within thirty (30) days of receipt of invoice.

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4. Independent Contractor Status

Rio Grande Medical Direction, LLC is an independent contractor and not an employee of Torrance County. Nothing in this Agreement shall be construed to create an employer-employee relationship with either Rio Grande Medical Direction, LLC or Dr. Kah. Dr. Kah shall not be entitled to workers' compensation, retirement, leave, or other benefits provided to Torrance County employees.

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5. Insurance

a. **Professional Liability Insurance.** Dr. Kah shall maintain professional liability insurance meeting or exceeding the requirements of the **New Mexico Medical Malpractice Act** (minimum $250,000 per claim / $750,000 aggregate).

b. Proof of Coverage. Upon request, Dr. Kah shall provide Torrance County with proof of current professional liability insurance coverage.

(Other forms of insurance such as general or auto liability are not required under this Agreement.)

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6. Compliance with Laws

Dr. Kah shall comply with all applicable federal, state, and local laws, ordinances, rules, and regulations in the performance of services under this Agreement.

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7. Non-Discrimination

In performing services under this Agreement, Dr. Kah shall not discriminate on the basis of race, color, religion, gender, gender identity, sexual orientation, national origin, ancestry, age, or disability, in accordance with federal and state laws.

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8. Ownership and Use of Materials

All reports, protocols, or materials developed by Dr. Kah for Torrance County EMS in connection with this Agreement shall be the property of Torrance County. Torrance County shall have unrestricted authority to use or reproduce such materials as permitted by law.

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9. Notices

All notices required under this Agreement shall be in writing and delivered personally, by mail, or by email to the following addresses (or as otherwise designated by written notice):

For Torrance County:
Torrance County
PO Box 48

Estancia, NM 87016
Email: gsmith@tcnm.us

For Dr. Kah / Rio Grande Medical Direction, LLC:
Rio Grande Medical Direction, LLC
85A Three Rock Road

Santa Fe, NM 87506
Email: johnfkah@gmail.com

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10. Dispute Resolution

The Parties agree to attempt to resolve any disputes arising from this Agreement through **mediation** prior to initiating any legal action. Mediation costs shall be shared equally by both parties.

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11. Governing Law and Venue

This Agreement shall be governed by and construed in accordance with the laws of the **State of New Mexico**, and venue shall lie in the appropriate **District Court of Torrance County, New Mexico.**

12. Entire Agreement

This Agreement constitutes the entire understanding between the Parties and supersedes all prior agreements or understandings, whether written or oral, relating to the subject matter hereof.

13. Severability

If any provision of this Agreement is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

14. Force Majeure

Neither party shall be liable for failure to perform due to acts of God, natural disaster, war, civil unrest, epidemic, or other circumstances beyond reasonable control, provided that the affected party acts promptly to resume performance.

15. Cooperation

The Parties agree to fully cooperate with one another in carrying out the intent and terms of this Agreement.

16. Approval

This Agreement shall not become effective until approved by the Torrance County Commission as required by applicable county law.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the dates written below.

Torrance County, NM

By: _____

Name: Ryan Schwebach

Title: Commissioner, District 2

Date: 06.10.26

Rio Grande Medical Direction, LLC

By: John Kah, MD

Title: Member / EMS Medical Director

Signature: _____

Date: 6/12/26



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-C

Docusign Envelope ID: 68956C6D-50F7-486C-9D41-8733120AC648

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
GENERAL FUND 93100 CAPITAL APPROPRIATION PROJECT

THIS AGREEMENT is made and entered into as of the date it is executed, by and between the Department of Finance and Administration, hereinafter called the "Department" or abbreviation such as "DFA/LGD", and **TORRANCE COUNTY**, hereinafter called the "Grantee". This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the **Laws of 2024, Chapter 66, Section 28, Paragraph 540**, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, pursuant to Sections 9-6-5 and 9-6-5.1 NMSA 1978, the Secretary of the Department of Finance and Administration has the power and the authority to (i) maintain long-range estimates and plans for capital projects and develop standards for measuring the need for, and utility of, proposed projects; (ii) contract for, receive and utilize any grants or other financial assistance made available by the United States government or by any other source, public or private; (iii) provide planning and funding assistance to units of local government, council of government organizations, Indian tribal governments situated within New Mexico, and to nonprofit entities having for their purpose local, regional or community betterment; (iv) incident to any such programs, may enter into contracts and agreements with such units of local government, council of government organizations, Indian tribal governments, nonprofit entities and the federal government; and (v) delegate such authority to the Local Government Division as being necessary and appropriate to such delegation;

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

24-I3182 **$90,000.00** **APPROPRIATION REVERSION DATE: June 30, 2028**

Laws of 2024, Chapter 66, Section 28, Paragraph 540, Ninety Thousand ($90,000.00), from the General Fund 93100 to develop a comprehensive plan to design, construct and equip projects for the fire districts in Torrance county;

The Grantee's total reimbursements shall not exceed Ninety Thousand $90,000.00 (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP amount")[1], if applicable, Zero $0.00, which equals Ninety Thousand $90,000.00 (the "Adjusted Appropriation Amount").

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I(A), the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I(A) is referred to collectively throughout the remainder of this Agreement as the "Project Description." [Optional Language if special conditions apply. Attachment A sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Optional Attachment A imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment A shall prevail, in the event of irreconcilable conflict.] The Grantee shall reference the Project's number in all correspondence with and submissions to the Department concerning the Project, including, but not limited to, Requests for Payment and reports.

Docusign Envelope ID: 68956C6D-50F7-486C-9D41-8733120AC648

ARTICLE II. LIMITATION ON DEPARTMENT'S OBLIGATION TO MAKE GRANT DISBURSEMENT TO GRANTEE

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued and the Grantee has received a Notice of Department's Obligation to Reimburse Grantee (hereinafter referred to as "Notice of Obligation"). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

i. Irrespective of any Notice of Obligation, the Grantee's expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and

ii. The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee's Third Party Obligation(s), as defined in subparagraph iii of this Article II(A); and

iii. The Grantee's expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as "Third Party Obligations"; and

iv. The Grantee's submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and

v. In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:

a. must be approved by the applicable oversight entity (if any) in accordance with law; or

b. if no oversight entity is required to approve the transaction, the Department must approve the transaction as complying with law.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

vi. The Grantee shall request approval of its obligation(s) by submitting a Notice of Obligation form as provided by the Department. The Grantee's submission of documentation of all Third Party Obligations and amendments thereto (including terminations) to the Department and the Department's issuance and the Grantee's receiving of a Notice of Obligation for a particular amount in accordance with the terms of this Agreement shall be governed by the following:

a. The Grantee shall submit to the Department one copy of all Third Party Obligations and amendments thereto (including terminations) as soon as possible after execution by the Third Party **but prior to execution by the Grantee.**

b. Grantee acknowledges and agrees that if it chooses to enter into a Third Party Obligation prior to receiving a Notice of Obligation that covers the expenditure, it is solely responsible for such obligations.

c. The Department may, in its sole and absolute discretion, issue to Grantee a Notice of Obligation for the particular amount of that Third Party Obligation that only obligates the Department to reimburse Grantee's expenditures made on or before the Reversion Date or an Early Termination Date.

d. The date the Department signs the Notice of Obligation is the date that the Department's Notice of Obligation is effective. After that date, the Grantee is authorized to budget the particular amount set forth in the Notice of Obligation, execute the Third Party Obligation and request the Third Party to begin work. Payment for any work performed or goods received prior to the effective date of the Notice of Obligation is wholly and solely the obligation of the Grantee.

B. The Grantee shall implement, in all respects, the Project. The Grantee shall provide all necessary qualified personnel, material, and facilities to implement the Project. The Grantee shall finance its share (if any) of the costs of the Project, including all Project overruns.

C. Project funds shall not be used for purposes other than those specified in the Project Description.

D. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs.

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[1]The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars ($200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars ($100,000)." Section 13-4A-4 NMSA 1978.

[2]"Reimburse" as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT DESIGNATED REPRESENTATIVES

Whenever written notices, including written decisions, are to be given or received, related to this Agreement, the following provisions shall apply.

The Grantee designates the person(s) listed below, or their successor, as their official representative(s) concerning all matters related to this Agreement:

Grantee: TORRANCE COUNTY
Name: Janice Barela
Title: County Manager
Address: 205 S Ninth Street, Estancia, NM 87016
Email: jbarela@tcnm.us
Telephone: 505-544-4703

The Grantee designates the person(s) listed below, or their successor, as their Fiscal Officer or Fiscal Agent concerning all matters related to this Agreement:

Grantee: TORRANCE COUNTY
Name: Amanda Lujan
Title: Grants Administrator
Address: 205 S Ninth Street, Estancia, NM 87016
Email: alujan@tcnm.us
Telephone: 505-544-4309

The Department designates the persons listed below, or their successors, as the Points of Contact for matters related to this Agreement.

Department: DFA/Local Government Division
Name: Melody Montoya
Title: Program Manager
Address: Bataan Memorial Bldg. Rm 202, Santa Fe, NM 87501
Email: Melody.Montoya@dfa.nm.gov
Telephone: 505-670-4395

The Grantee and the Department agree that either party shall send all notices, including written decisions, related to this Agreement to the above named persons by email or regular mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving party's actual receipt or five calendar days after mailing, whichever shall first occur. In the case of email transmissions, the notice shall be deemed to have been given and received on the date reflected on the delivery receipt of email.

ARTICLE IV. REVERSION DATE, TERM, DEADLINE TO EXPEND FUNDS

A. As referenced in Article I(A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the "Reversion Date." Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the Department. It shall terminate on **June 30, 2028** the Reversion Date unless Terminated Before Reversion Date ("Early Termination") pursuant to Article V herein.
B. The Project's funds must be expended on or before the Reversion Date and, if applicable, Early Termination Date of this Agreement. For purposes of this Agreement, it is not sufficient for the Grantee to encumber the Project funds on its books on or before the Project's Reversion Date or Early Termination Date. Funds are expended and an expenditure has occurred as of the date that a particular quantity of goods are delivered to and received by the Grantee or title to the goods is transferred to the Grantee and/or as of the date particular services are rendered for the Grantee. Funds are ***not*** expended and an expenditure has ***not*** occurred as of the date they are encumbered by the Grantee pursuant to a contract or purchase order with a third party.

ARTICLE V. EARLY TERMINATION

A. Early Termination Before Reversion Date Due to Completion of the Project or Complete Expenditure of the Adjusted Appropriation or Violation of this Agreement

Early Termination includes:

i. Termination due to completion of the Project before the Reversion Date; or
ii. Termination due to complete expenditure of the Adjusted Appropriation Amount before the Reversion Date; or
iii. Termination for violation of the terms of this Agreement; or
iv. Termination for suspected mishandling of public funds, including but not limited to, fraud, waste, abuse, and conflicts of interest.

Either the Department or the Grantee may early terminate this Agreement prior to the Reversion Date by providing the other party with a minimum of fifteen (15) days' advance, written notice of early termination. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(A).

B. Early Termination Before Reversion Date Due to Non-appropriation

The terms of this Agreement are expressly made contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. Throughout this Agreement the term "non-appropriate" or "non-appropriation" includes the following actions by the New Mexico Legislature: deauthorization, reauthorization or revocation of a prior authorization. The Legislature may choose to non-appropriate the Appropriation referred to in Article I and, if that occurs, the Department shall early terminate this Agreement for non-appropriation by giving the Grantee written notice of such termination, and such termination shall be effective as of the effective date of the law making the non-appropriation. The Department's decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Grantee and shall be final. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(B).

C. Limitation on Department's Obligation to Make Grant Disbursements to Grantee in the Event of Early Termination

In the event of Early Termination of this Agreement by either party, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth Article II.

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

A. The Department may choose, in its sole and absolute discretion, to provide written notice to the Grantee to suspend entering into new and further obligations. Upon the receipt of such written notice by the Grantee:

i. The Grantee shall immediately suspend entering into new or further written obligations with third parties; and
ii. The Department will suspend the issuance of any new or further Notice of Obligation under this Agreement; and
iii. The Department may direct the Grantee to implement a corrective action plan in accordance with Article VI(D) herein.

B. In the event of Suspension of this Agreement, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth in Article II herein.

C. A suspension of new or further obligations under this Agreement shall remain in effect unless or until the date the Grantee receives written notice given by the Department informing the Grantee that the Suspension has been lifted or that the Agreement has been Early Terminated in accordance with Article V herein. If the Suspension is lifted, the Department will consider further requests for Notice of Obligation.

D. Corrective Action Plan in the Event of Suspension

In the event that the Department chooses, in its sole and absolute discretion to direct the Grantee to suspend entering into new or further written obligations with third parties pursuant to Article VI(A), the Department may, but is not obligated to, require the Grantee to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such corrective action plan must be approved by the Department and be signed by the Grantee. Failure to sign a corrective action plan or meet the terms and deadlines set forth in the signed corrective action plan, is hereby deemed a violation of the terms of this Agreement for purposes of Early Termination, Article V(A)(iii). The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy, including but not limited to Early Termination.

ARTICLE VII. AMENDMENT

This Agreement shall not be altered, changed, or amended except by instrument in writing duly executed by both the parties hereto.

ARTICLE VIII. REPORTS

A. Database Reporting

The Grantee shall report quarterly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration. Additionally, the Grantee shall certify on the Request for Payment form that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or potentially jeopardize the reimbursement of funds. The Department shall give Grantee a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

Quarterly reports are due on the last day of each quarter. Quarter end reporting periods are September 30th, December 31st, March 31st, and June 30th.

B. Requests for Additional Information/Project Inspection

During the term of this Agreement and during the period of time during which the Grantee must maintain records pursuant to Article VIII, the Department may:

i. request such additional information regarding the Project as it deems necessary; and
ii. conduct, at reasonable times and upon reasonable notice, onsite inspections of the Project.

Grantee shall respond to such requests for additional information within a reasonable period of time, as established by the Department.

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

A. The Grantee shall request payment by submitting a Request for Payment, in the form provided by the Department. Payment requests are subject to the following procedures:
   i. The Grantee must submit a Request for Payment; and
   ii. Each Request for Payment must contain proof of payment by the Grantee or liabilities incurred by the Grantee showing that the expenditures are valid or are liabilities incurred by the Grantee in the form of actual unpaid invoices received by the Grantee for services rendered by a third party or items of tangible personal property received by the Grantee for the implementation of the Project; provided, however, that the Grantee may be reimbursed for unpaid liabilities only if the Department, in its sole and absolute discretion, agrees to do so and in accordance with any special conditions imposed by the Department.
   iii. In cases where the Grantee is submitting a Request for Payment to the Department based upon invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee, the Grantee shall make payment to those contractors or vendors within five (5) business days from the date of receiving reimbursement from the Department or such shorter period of time as the Department may prescribe in writing. The Grantee is required to certify to the Department proof of payment to the third party contractor or vendor within ten (10) business days from the date of receiving reimbursement from the Department.

B. The Grantee must obligate 5% of the Adjusted Appropriation Amount within six months of execution of the grant agreement and must have expended no less than 85% of the Adjusted Appropriation Amount six months prior to the reversion date.

C. Deadlines

Requests for Payments shall be submitted by Grantee to the Department on the earlier of:
   i. Immediately as they are received by the Grantee but at a minimum thirty (30) days from when the expenditure was incurred or liability of the Grantee was approved as evidenced by an unpaid invoice received by the Grantee from a third party contractor or vendor; or
   ii. Twenty (20) days from date of Early Termination; or

iii. Twenty (20) days from the Reversion Date.

D. The Grantee's failure to abide by the requirements set forth in Article II and Article IX herein will result in the denial of its Request for Payment or will delay the processing of Requests for Payment. The Department has the right to reject a payment request for the Project unless and until it is satisfied that the expenditures in the Request for Payment are for permissible purposes within the meaning of the Project Description and that the expenditures and the Grantee are otherwise in compliance with this Agreement, including but not limited to, compliance with the reporting requirements and the requirements set forth in Article II herein to provide Third Party Obligations and the Deadlines set forth in Article IX herein. The Department's ability to reject any Request for Payment is in addition to, and not in lieu of, any other legal or equitable remedy available to the Department due to Grantee's violation of this Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

A. The following general conditions and restrictions are applicable to the Project:

i. The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).

ii. The Project must be implemented in accordance with the New Mexico Public Works Minimum Wage Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars ($60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.

iii. The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."

iv. The Grantee shall not for a period of 10 years from the date of this agreement convert any property acquired, built, renovated, repaired, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance, written approval, which may include a requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.

v. The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.

B. The Grantee hereby represents and warrants the following:

i. The Grantee has the legal authority to receive and expend the Project's funds.

ii. This Agreement has been duly authorized by the Grantee, the person executing this Agreement has authority to do so, and, once executed by the Grantee, this Agreement shall constitute a binding obligation of the Grantee, enforceable according to its terms.

iii. This Agreement and the Grantee's obligations hereunder do not conflict with any law or ordinance or resolution applicable to the Grantee, the Grantee's charter (if applicable), or any judgment or decree to which the Grantee is subject.

iv. The Grantee has independently confirmed that the Project Description, including, but not limited to, the amount and Reversion Date, is consistent with the underlying appropriation in law.

v. The Grantee's governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the Grantee to sign the Agreement and to sign Requests for Payment.

vi. The Grantee shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower

protection. The Grantee specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Grant, during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed or goods to be received, pursuant to this Grant. Further, Grantee shall require all of its contractors to incorporate in all subcontracts the language set forth in this paragraph prohibiting conflicts of interest.

vii. No funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any Third Party Obligation and that the Grantee shall require certifying language prohibiting lobbying to be included in the award documents for all subawards, including subcontracts, loans and cooperative agreements. All subrecipients shall be required to certify accordingly.

ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS; PROJECT RECORDS

A. The Grantee shall be strictly accountable for receipts and disbursements relating to the Project's funds. The Grantee shall follow generally accepted accounting principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds to assure separate budgeting and accounting of the funds.

B. For a period of six (6) years following the Project's completion, the Grantee shall maintain all Project related records, including, but not limited to, all financial records, requests for proposals, invitations to bid, selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and such other records as the Department shall prescribe.

C. The Grantee shall make all Project records available to the Department, the Department of Finance and Administration, and the New Mexico State Auditor upon request. With respect to the funds that are the subject of this Agreement, if the State Auditor or the Department of Finance and Administration finds that any or all of these funds were improperly expended, the Grantee may be required to reimburse to the State of New Mexico, to the originating fund, any and all amounts found to be improperly expended.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the Department determines that part or all of the Appropriation Amount was improperly reimbursed to Grantee, including but not limited to, Project funds reimbursed to Grantee based upon fraud, mismanagement, misrepresentation, misuse, violation of law by the Grantee, or violation of this Agreement, the Grantee shall return such funds to the Department for disposition in accordance with law.

ARTICLE XIII. LIABILITY

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XIV. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Grantee and Department concerning the subject matter hereof. The Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal.

ARTICLE XV. REQUIRED NON-APPROPRIATIONS CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

The Grantee acknowledges, warrants, and agrees that Grantee shall include a "non-appropriations" clause in all contracts between it and other parties that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement that states:

"The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the **TORRANCE COUNTY** may immediately terminate this Agreement by giving Contractor written notice of such termination. The **TORRANCE COUNTY**'s decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the **TORRANCE COUNTY** or

the Department of Finance and Administration, Local Government Division (DFA/LGD) or the State of New Mexico in the event of immediate or Early Termination of this Agreement by the **TORRANCE COUNTY** or the Department"

ARTICLE XVI. REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

Grantee acknowledges, warrants, and agrees that Grantee shall include the following termination clause in all contracts that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

"This contract is funded in whole or in part by funds made available under a DFA/LGD Grant Agreement. Should the DFA/LGD early terminate the grant agreement, the TORRANCE COUNTY may early terminate this contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the TORRANCE COUNTY only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date."

Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department.

ARTICLE XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA.

A. Throughout the term of this Agreement, Grantee shall:
   1. submit all reports of annual audits and agreed upon procedures required by Section 12-6-3(A)-(B) NMSA 1978 by the due dates established in 2.2.2 NMAC, reports of which must be a public record pursuant to Section 12-6-5(A) NMSA 1978 within forty-five days of delivery to the State Auditor;
   2. have a duly adopted budget for the current fiscal year approved by its budgetary oversight agency (if any);
   3. timely submit all required financial reports to its budgetary oversight agency (if any); and
   4. have adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds.

B. In the event Grantee fails to comply with the requirements of Paragraph A of this Article XVII, the Department may take one or more of the following actions:
   1. suspend new or further obligations pursuant to Article VI(A) of this Agreement;
   2. require the Grantee to develop and implement a written corrective action plan pursuant to Article VI(D) of this Agreement to remedy the non-compliance;
   3. impose special grant conditions to address the non-compliance by giving the Grantee notice of such special conditions in accordance with Article III of this Agreement; the special conditions shall be binding and effective on the date that notice is deemed to have been given pursuant to Article III; or
   4. terminate this Agreement pursuant to Article V(A) of this Agreement.

ARTICLE XVIII. SEVERANCE TAX BOND AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee's sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department's failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

B. Grantee acknowledges and agrees that the SBOF may in its sole and absolute discretion remove a project's assigned bond proceeds if the project doesn't proceed sufficiently. Entities must comply with the requirement to encumber five percent (5%) of Project funds within six months of bond issuance as certified by the grantee in the Bond Questionnaire and Certification documents submitted to the SBOF. Failure to comply may result in the bond proceeds reassignment to a new ready project. If this should occur this grant agreement will be suspended until the entity has demonstrated readiness as determined by the SBOF and the Department.

C. Grantee acknowledges and agrees that this Agreement is subject to the SBOF's Bond Project Disbursements rule, NMAC 2.61.6, as may be amended or re-codified. The rule provides definitions and interpretations of grant language for the purpose of determining whether a particular activity is allowable under the authorizing language of the agreement.

[THIS SPACE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date of execution by the Department.

GRANTEE

Torrance County
Entity Name

Signature of Official with Authority to Bind Grantee

By: Kevin McCall
(Print Name)

Its: Commission Vice Chair
(Title)

7.24.2024
Date

DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION

Jeannette Gallegos
020E740B753A4C1...
By: Jeannette Gallegos

Its: Cabinet Secretary or Designee

8/3/2024
Date



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-D

PUBLIC SAFETY WORKFORCE CAPACITY INITIATIVE

A Comprehensive Two-Year Funding Proposal under New Mexico House Bill 255

APPLICANT:
Torrance County Fire Department (TCFR)
205 S. Ninth Street | P.O. Box 48
Estancia, NM 87016

SUBMITTED TO:
New Mexico Department of Finance and Administration (DFA)
Public Safety Workforce Capacity Building Fund Committee

DATE: October 7, 2026

HB 255 STATUTORY COMPLIANCE CHECKLIST

HB 255 Statutory Requirement	TCFR Operational Metric	Local Matching Sourcing Resolution (Year 2)
Workforce Capacity Building	Funding strictly applied to non-salary capacity expansions, advanced recruitment, and safety tool implementations in Year 1.	N/A - 100% State Funded in Year 1
Shift Commander Stabilization	Three (3) Command Captains deployed on an active 48/96 operational rotation to safeguard community infrastructure.	Staggered 50% Local Cost-Share Framework Enacted
Track A Sourcing (Two Positions)	Paramedic Captain (Community Paramedicine Asset) & Fire Safety Captain (Preventative Risk Specialist).	$103,113.34 allocated directly from the restricted National Opioid Settlement Fund.
Track B Sourcing (One Position)	Wildland Captain (Wildland-Urban Interface [WUI] Suppression & Risk Reduction Operations Coordinator).	$51,556.67 allocated directly from the restricted Wildland Deployment Reimbursement Account.
Total Year 2 Local Cost-Share	Fully balanced matching allocations establishing absolute long-term fiscal solvency	Total Local Obligation Secured: $154,670.01 (Zero General Fund Dependency)

GRANT PROJECT PROPOSAL & SUSTAINABILITY FRAMEWORK

1. Executive Summary

The Torrance County Fire Department (TCFR) is requesting funding from the New Mexico Public Safety Workforce Capacity Building Fund to introduce three (3) highly specialized Shift Commander Captains. These officers will function as autonomous Quick Response Unit (QRU) emergency assets, providing vital cross-jurisdictional mutual aid throughout Torrance County. Operating on a rotating 48-on / 96-off schedule, these on-duty shift commanders will ensure a seamless, county-wide NIMS command layer while pioneering dedicated, preventative regional community programs.

2. Core Personnel Cost Breakdown & Albuquerque Benefits Pool Transition

A key cost-containment strategy of this proposal is the transition of employee health benefits to the City of Albuquerque's shared municipal group coverage plan. By tapping into this scaled, high-volume insurance framework, Torrance County significantly reduces fringe overhead inflation while securing top-tier coverage to attract elite personnel. The loaded personnel request precisely reflects $103,113.34 annually per Captain position, creating an aggregate Year 1 state grant request of $309,340.02.

- **Base Hourly Wage:** $26.91 per hour (2,912 annual hours on a 48/96 rotating matrix)
- **Scheduled Overtime Wage:** $40.36 per hour (FLSA public safety compliance threshold allocations)
- **Annual Base Salary Per Position:** $84,755.50 (Calculated dynamically across 27 operational pay cycles)
- **City of Albuquerque Shared Benefits Pool:** $18,357.84 annually per position ($17,466.30 Health, $788.94 Dental, $102.60 Vision)
- **Total Loaded Cost Per Command Position:** $103,113.34 annualized
- **Total Global Project Cost (3 Positions):** $309,340.02 (Year 1 Request Portfolio)

3. Specialized Command Tracks & Target Metrics

- **Paramedic Captain (Community Paramedicine & High-Frequency User Intervention)**

  Deploys as an autonomous QRU asset response resource while managing a proactive community health infrastructure. Tasked with conducting advanced wellness checks on vulnerable populations and leveraging specialized behavioral health training to build care management pathways for system 'frequent flyers'.
  Target Objective: Achieve a 25% reduction in high-frequency, non-emergency 911 dispatches within the initial 12 months.

- **Fire Safety Captain (Community Risk Reduction & Preventative Compliance)**

  Manages comprehensive county-wide pre-fire plans, facility checks, and outreach initiatives. Integrates in structural lockstep with local Planning & Zoning boards to handle professional

commercial plans checks and blueprint reviews.
Target Objective: Complete 100% of mandatory commercial inspections and eliminate legacy safety code enforcement backlogs.

- **Wildland Captain (Wildland-Urban Interface [WUI] Mitigation & Hazard Reduction)**

  Coordinates localized WUI suppression tactics, protective fuel thinning programs, and defensive-space mapping. Establishes widespread community education modules to build resilience against high-loss catastrophic structural wildfires.
  Target Objective: Formally certify four (4) new communities under the national Firewise USA standard by close of the grant cycle.

4. Post-Grant Strategic Sustainability Plan

To insulate Torrance County taxpayers from long-term fiscal burdens, the final step-down operational phase shifts from 100% state grant coverage in Year 1 to a 50% cost-shared model in Year 2. The remaining 50% local obligation ($154,670.01) is completely sustained by non-general-tax revenues, ensuring absolute financial solvency and operational continuity:

1. Track A (Two Positions - Paramedic & Fire Safety Captains): Exactly $103,113.34 is allocated out of the restricted National Opioid Settlement Fund to back the community health, substance-mitigation, and safety compliance tracks.
2. Track B (One Position - Wildland Captain): Exactly $51,556.67 is drawn from the county's restricted Wildland Deployment Reimbursement Account, matching regional mobilization revenues directly into local safety infrastructure.

Torrance County Fire Rescue (TCFR)

HB 255 Public Safety Capacity Grant — Detailed Operational Budget Ledger

1. Core Compensation & Hourly Math (Per Individual Captain)

Personnel operate on a standard firefighter 48 on / 96 off schedule, accumulating 2,912 operating hours annually. Standard bi-weekly blocks adjust across 26 pay cycles to reflect shifts worked.

Compensation Category	Rate / Calculation Formula	Annual Total
Base Hourly Wage	$26.91 / hour	—
Overtime Hourly Wage	$40.36 / hour (FLSA 1.5x regular rate)	—
Standard Pay Cycle Block	106 Hours Straight Time ($2,852.46) + 14 Hours Overtime ($565.11)	—
18 Paychecks (120-hour cycle)	$3,417.57 per paycheck	$61,516.26
9 Paychecks (96-hour cycle)	$2,583.36 per paycheck	$23,250.24
Estimated Annual Base Salary	**26 Pay Cycles Totaling 2,912 Hours**	**$84,755.50**

2. City of Albuquerque Benefits Tier (Couple Rate Placement)

Personnel are transitioned onto the competitive City of Albuquerque health benefits plan to establish an attractive destination recruitment package without causing local base-wage inflation.

Coverage Type	Bi-Weekly Payroll Premium Cost	Annual Budget Obligation
Health Insurance	$646.90 per pay cycle	$17,466.30
Dental Insurance	$29.22 per pay cycle	$788.94
Vision Insurance	$3.80 per pay cycle	$102.60
Total Benefits Overhead	**Per Position Component**	**$18,357.84**

3. Line-Item Operational Budget Ledger (All 3 Captain Positions Combined)

Summary of direct program costs. Administrative overhead requests are set strictly to $0.00 (0%).

Personnel Budget Line-Item	Cost Per Position	Year 1 (3 Captains)	Year 2 (3 Captains)
Gross Regular & FLSA Overtime Wages	$84,755.50	$254,266.50	$254,266.50
City of Albuquerque Health Premium	$17,466.30	$52,398.90	$52,398.90
City of Albuquerque Dental Premium	$788.94	$2,366.82	$2,366.82
City of Albuquerque Vision Premium	$102.60	$307.80	$307.80
Administrative Overhead Allocation	$0.00 (0%)	$0.00	$0.00
Total Personnel Funding Requirement	**$103,113.34**	**$309,340.02**	**$309,340.02**

4. 2-Year Funding Architecture & Cost-Share Timeline

Funding Component	Year 1 (100% Grant)	Year 2 (50/50 Share)	Total Program Cycle
HB 255 State Grant Contribution	$309,340.02	$154,670.01	$464,010.03
Torrance County Local Matching Share	$0.00	$154,670.01	$154,670.01
Total Combined Personnel Funding	**$309,340.02**	**$309,340.02**	**$618,680.04**

5. Year 2 Net-Zero Local Matching Sourced Tracks

To completely shield the Torrance County General Fund from tax liabilities, the local share is split into two non-tax revenue accounts mapped strictly to specialized position responsibilities:

- **Track A: National Opioid Settlement Fund ($103,113.34):** Dedicated to fully funding the Paramedic/Community Paramedic Captain position profile. Fulfills state remediation tracking through targeted behavioral health, substance abuse outreach, and chronic 911 utilizer casework loops.
- **Track B: Wildland Deployment Reimbursement Account ($51,556.67):** Sourced entirely from historical out-of-county state/federal emergency fire service deployment reimbursements. Sustains the matching portions for the Wildland Captain and Fire Safety Captain portfolios.

TORRANCE COUNTY FIRE RESCUE (TCFR)

HB 255 Public Safety Capacity Grant — 24-Month Project Implementation Schedule

Prepared for Administrative Review & Submission Portal Entry

Phase 1: Authorization and Structuring (Months 1–2)

- **Month 1:** Formal execution of the HB 255 grant agreement following Torrance County Commission authorization. Transition finalized for the 3 Captain positions to the City of Albuquerque benefits schedule.
- **Month 2:** Public posting and regional recruitment campaigns initiated targeting experienced public safety professionals meeting NIMS and Incident Safety Officer (ISO) pre-requisites.

Phase 2: Personnel Selection and Procurement (Months 3–4)

- **Month 3:** Panel interviews, comprehensive background reviews, and selection of the three Captain candidates. Procurement process initiated for Quick Response Unit (QRU) standard medical and tactical equipment field loadouts.
- **Month 4:** Formal onboarding of personnel into the stable 48/96 shift command rotation.

Phase 3: Specialized Credentialing and Program Launch (Months 5–6)

- **Month 5:** Completion of certified Incident Safety Officer (ISO) validations and specialized NIMS command training. Advanced behavioral health and substance abuse curriculum tracking completed for the Paramedic Captain.
- **Month 6:** Active deployment of all 3 Captains in QRUs as autonomous field elements. Launch of the targeted Community Paramedicine caseload pipeline, Planning & Zoning joint structural code reviews, and Wildland-Urban Interface (WUI) fuel thinning mapping.

Phase 4: Mid-Term Performance Evaluation (Months 7–12)

- **Months 7–9:** Ongoing field operations and multi-agency shift command. First quarterly data review of 911 frequent flyer utilization reductions and commercial inspection compliance volumes.
- **Months 10–12:** Execution of localized community Firewise education programs and countywide evacuation plan revisions. Closeout of Year 1 budget ledger under 100% state grant funding.

Phase 5: Year 2 Cost-Share Transition and Sustainability (Months 13–24)

• **Month 13:** Activation of the Year 2 50/50 cost-share funding model. Administrative execution of revenue transfers from Track A (National Opioid Settlement Fund) and Track B (Wildland Deployment Reimbursement Account) to sustain operations.

• **Months 14–23:** Continuous program delivery across all fire districts.

• **Month 24:** Comprehensive performance reporting submitted to state grant administrators detailing capacity impacts on regional response, case management pipelines, and pre-fire investigative planning.

Financial Parameter	Value / Calculation
Base Hourly Wage	$26.91
Overtime Hourly Wage (FLSA 1.5x)	$40.36
Annual Operating Hours (48/96 Shift)	2,912 hours
Bi-Weekly Straight Time Block (106 Hours)	$2,852.46
Bi-Weekly Scheduled Overtime Block (14 Hours)	$565.11
Estimated Annual Base Salary per Captain	$84,755.50
City of Albuquerque Health Insurance (Annual)	$17,466.30
City of Albuquerque Dental Insurance (Annual)	$788.94
City of Albuquerque Vision Insurance (Annual)	$102.60
Total Annual Benefits Overhead per Captain	$18,357.84
Total Single Officer Cost (Salary + Benefits)	$103,113.34

Local Comparable Market Compensation Summary

Torrance County Fire Rescue (TCFR) — HB 255 Grant Proposal Support

To justify the proposed compensation structure for the three (3) On-Duty Shift Captain positions under the **HB 255 Public Safety Capacity Grant**, Torrance County's requested rates are positioned competitively yet conservatively against regional public safety standards in the central New Mexico market. The proposed base pay rate of **$26.91 per hour** (yielding an estimated **$84,755.50 annual base salary** per Captain based on a 2,912-hour annual schedule) reflects extreme fiscal discipline. It deliberately sits below major municipal departments to prevent wage inflation, while remaining high enough to recruit and retain the required highly experienced public safety professionals.

Regional Compensation Comparison Matrix

Jurisdiction / Agency	Avg Base Hourly	Avg Annual Base	Key Structural Context
Torrance County (Proposed)	**$26.91 / hr**	**$84,755.50**	Positioned below dominant regional scales but introduces the highly competitive City of Albuquerque benefits package to secure seasoned professionals.
New Mexico (Statewide)	$36.34 - $38.00	$75,577 - $79,127	Higher base hourly lines typically reflect 40-hour administrative schedules; annualized totals closely match due to standard firefighter overtime adjustments.
City of Albuquerque (AFR)	$42.26 - $44.38	$92,223 - $92,310	The primary regional competitor. Proposed Torrance County base rates sit roughly 36% below Albuquerque's metro scale, avoiding wage inflation.
City of Santa Fe (Fire Dept.)	$36.38 - $36.74	$75,670 - $76,419	Establishes the market standard baseline for training and operational officers in adjacent municipal jurisdictions.
Torrance County (Historical)	$23.29 / hr	$67,820	Historical baseline top-step paramedic rate. Moving to $26.91 establishes a clear, necessary command-tier structure above line staff.

Market Justification for Grant Reviewers

• **Hourly Fiscal Responsibility ($26.91/hr):** Public safety and labor market aggregates benchmark the average New Mexico Fire Captain hourly wage between $36.34 and $38.00. Torrance County's requested base rate is significantly lower than this market average, demonstrating financial stewardship to state auditors.

• **Annualized Totals & Schedule Reality ($84,755.50):** Because these Shift Commanders operate on a 48/96 schedule (2,912 hours/year), they accumulate mandatory federal FLSA straight time and overtime (14 hours per pay cycle block). This operational framework naturally brings the annualized salary to $84,755.50, which lines up accurately within the standard $68,610 to $90,860 earning range for experienced New Mexico fire officers.

• **The Benefits Leveraging Strategy:** Rather than trying to match unfeasible base salaries of metropolitan departments, this initiative utilizes a transition to the City of Albuquerque benefits schedule (Couple tier total of $18,357.84 annually). This strategy gives Torrance County a premier recruiting tool to draw top-tier veterans into rural service without inflating baseline municipal salaries.

Torrance County Local Crime Rate Summary

Source: New Mexico Department of Public Safety (DPS) Uniform Crime Reporting (UCR) Program & FBI Summary Reporting System

This summary compiles the multi-agency crime data for Torrance County, New Mexico, establishing the structural justification for adding three (3) On-Duty Shift Captains / Incident Safety Officers under the HB 255 Capacity Grant.

Annual Documented Crime Volume (Countywide Baseline)

Offense Category	Annual Reported Volume	Percentage Share / Context
Aggravated Assault	59	90.7% of all violent crimes. Highlights volatile field hazards.
Burglary	57	54.2% of property crimes. Vacant rural building targets.
Larceny-Theft	25	General theft incidents across county corridors.
Motor Vehicle Theft	23	Creates traffic enforcement and severe tracking overlaps.
Rape	5	Documented personal crimes within local footprint.
Robbery	1	Acute property/personal confrontation index.
Murder	0	Stable low homicide metric within local tracking.

Grant Application Translation and Justification

- **Officer Scene Safety (Aggravated Assault Metrics):** Because aggravated assaults make up over 90% of violent crime indexes in the county, emergency personnel routinely deploy to volatile environments before active law enforcement control can be established. Embedding certified Incident Safety Officers ensures continuous active risk tracking to defend interior field crews.

- **Investigative and Code Enforcement Support:** High burglary rates underscore a prevalence of compromised, vacant, or unmonitored commercial structures. The Fire Safety Captain portfolio directly combats these issues by implementing code tracking, blueprint reviews with Planning & Zoning, and countywide pre-fire intelligence mapping.

- **Response Capacity:** Motor vehicle theft and associated arterial roadway incidents create massive logistics strains. Deploying mobile Quick Response Units (QRUs) allows autonomous Captains to systematically establish field command structures across decentralized central New Mexico corridors.

This is for informational purposes only. For medical advice or diagnosis, consult a professional. AI responses may include mistakes.

HOUSE BILL 255

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Charlotte Little and Meredith A. Dixon and Sarah Silva

and Cathrynn N. Brown

AN ACT

RELATING TO PUBLIC SAFETY; CREATING THE PUBLIC SAFETY WORKFORCE BUILDING PROGRAM; CREATING THE PUBLIC SAFETY WORKFORCE CAPACITY BUILDING FUND AS A NONREVERTING FUND IN THE STATE TREASURY; PROVIDING FOR EXPENDITURES FROM THE FUND; PROVIDING GRANT AWARD CRITERIA PRIORITIZING RECRUITMENT, JURISDICTIONAL COLLABORATION AND INVESTIGATIONS; LIMITING THE USES OF GRANT MONEY; REQUIRING REPORTS; TRANSFERRING TO THE PUBLIC SAFETY WORKFORCE CAPACITY BUILDING FUND THE REMAINING BALANCES FROM THE LAW ENFORCEMENT WORKFORCE CAPACITY BUILDING FUND, THE PUBLIC ATTORNEY WORKFORCE CAPACITY BUILDING FUND AND THE DETENTION AND CORRECTIONS WORKFORCE CAPACITY BUILDING FUND; REPEALING SECTIONS 9-6-17 THROUGH 9-6-19 NMSA 1978 (BEING LAWS 2023, CHAPTER 188, SECTIONS 1 THROUGH 3); MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

.233268.2

underscored material = new
[~~bracketed material~~] = delete

SECTION 1. [NEW MATERIAL] PUBLIC SAFETY WORKFORCE BUILDING PROGRAM--GRANTS.--

A. The "public safety workforce building program" is created in the department to provide grant funding for initiatives to increase the state's available workforce and capacity for employment of public safety professionals in law enforcement, firefighting, detention or corrections and licensed attorneys working in district attorney offices or public defender offices and to purchase equipment in furtherance of the program's objectives.

B. To receive a grant, an applicant shall apply to the department on a form and in a manner prescribed by the department. An application shall include:

(1) a description of the initiative proposed by the applicant;

(2) a description of the initiative that demonstrates it will meet an objective of the program; and

(3) details and specifics as to the reasonable expected costs and completion date of the proposed initiative.

C. The department shall determine which proposed initiatives are approved to receive a grant through a competitive review process pursuant to rules promulgated by the department. The department may adjust the amount of money requested for a proposed initiative based on its determination of the reasonable costs of the initiative. Once an initiative

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is approved, the department shall promptly offer each applicant a grant, as appropriate. If a grantee accepts an offer, the initiative may commence, and the grantee shall report to the department on the progress of the initiative on a periodic basis, as determined by the department, including an accounting of expenditures made for the initiative. Funds allocated to an approved initiative shall be spent within two years of receiving a grant, and if any unexpended balance remains at the end of the initiative period, the grantee shall immediately return that balance to the department. The department shall deposit returned amounts in the public safety workforce capacity building fund.

D. The department shall develop criteria to guide determinations for awarding a grant and shall:

(1) take into consideration:

(a) an applicant's public safety professional vacancy rate;

(b) the cost of living and comparable market compensation for an applicant's locality; and

(c) the crime rates in an applicant's locality; and

(2) prioritize consideration of applicant proposals for initiatives that:

(a) target the recruitment of individuals who are experienced public safety professionals and

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not currently employed by a governmental entity within the state;

(b) include collaborations between overlapping jurisdictions; and

(c) increase investigative, response or case management capacity, including recruitment or retention of personnel or training existing personnel to serve in new public safety roles.

E. The department may award a grant to an eligible entity and shall allocate grant money equitably. For the purposes of this subsection, if applicants whose primary jurisdictions are within different counties apply jointly for a grant and the grant is awarded, each applicant shall receive an award amount based on the applicant's county. The department shall award grants based on an applicant's county as follows:

(1) up to twenty-five percent of the money in the fund at the time of the award, less administrative costs as provided in Section 2 of this 2026 act, for grants awarded to applicants whose primary jurisdiction is within a county with a population of at least five hundred thousand according to the most recent federal decennial census;

(2) up to thirty-five percent of the money in the fund at the time of the award, less administrative costs as provided in Section 2 of this 2026 act, for grants awarded to applicants whose primary jurisdiction is within a county with a

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population of at least one hundred thousand but less than five hundred thousand according to the most recent federal decennial census; and

(3) any amount of available money remaining in the fund for grants awarded to applicants whose primary jurisdiction is within a county with a population of less than one hundred thousand according to the most recent federal decennial census.

F. A grantee may use a grant to:

(1) provide a recruitment differential disbursement, including a disbursement for relocation expenses for a newly hired public safety professional; provided that the public safety professional hired remains employed with the grantee for a period of time as provided by rule of the department;

(2) provide a retention differential disbursement to a public safety professional who is already employed by the grantee and who is not an elected public official; provided that the public safety professional remains employed with that grantee for a period of time as provided by rule of the department;

(3) implement professional development initiatives designed to recruit, train or retain public safety professionals;

(4) implement campaigns to recruit in-state or

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out-of-state public safety professionals; or

(5) pay for equipment or equipment upgrades tied to professional development initiatives designed to recruit public safety professionals.

G. A grantee shall not use a grant:

(1) for a recurring initiative, unless the grantee first provides a plan to replace nonrecurring funds with recurring funds to fund the initiative; or

(2) to create a public safety professional position or fund the base salary of an existing public safety position.

H. Within ninety days of receiving a grant, and every ninety days thereafter until the earliest of either the completion of the grantee's initiative or when the funds are expended, the grantee shall provide to the department a report containing the grantee's initiative expenditures. Any unexpended balance remaining after completion of the initiative shall revert to the fund within thirty days of completion.

I. By November 1 of each fiscal year, the department shall provide an annual report regarding the program to the legislative finance committee that includes:

(1) information about each grant applicant, the grant amount requested and the title and description of the applicant's proposed initiative;

(2) grantee information, including the

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grantee's agency, the grant amount awarded and the title and description of the grantee's initiative;

(3) data collected and evaluations by the department regarding the efficacy of the initiatives of grant award recipients; and

(4) the status of ongoing workload studies and the results of completed workload studies.

J. The department shall promulgate rules to administer the program. At a minimum, the rules shall include provisions to:

(1) establish procedures for submission of applications and review, evaluation and approval of proposed initiative applications;

(2) accord priority attention to areas with the greatest need; and

(3) evaluate the ability and competence of an applicant to provide efficiently and adequately for the completion of a proposed initiative.

K. As used in this section:

(1) "department" means the department of finance and administration;

(2) "eligible entity" means the state or a political subdivision of the state; and

(3) "fund" means the public safety workforce capacity building fund.

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SECTION 2. [NEW MATERIAL] PUBLIC SAFETY WORKFORCE CAPACITY BUILDING FUND--CREATED.--The "public safety workforce capacity building fund" is created as a nonreverting fund in the state treasury to support the objectives of the public safety workforce building program. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment of the fund. Money in the fund is appropriated to the department of finance and administration. Expenditures from the fund shall be made on warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of finance and administration or the secretary's authorized representative. The department of finance and administration shall administer the fund to provide grant disbursements and pay administrative costs necessary to carry out the provisions of Section 1 of this 2026 act; provided that the amount expended for administrative costs shall not exceed three percent of the annual balance of the fund.

SECTION 3. TEMPORARY PROVISION.--On and after July 1, 2026, statutory references to the law enforcement workforce capacity building fund, the public attorney workforce capacity building fund or the detention and corrections workforce capacity building fund shall be deemed to be references to the public safety workforce capacity building fund, and on July 1, 2026:

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A. the balance in the law enforcement workforce capacity building fund is transferred to the public safety workforce capacity building fund;

B. the balance of the public attorney workforce capacity building fund is transferred to the public safety workforce capacity building fund;

C. the balance of the detentions and corrections workforce capacity building fund is transferred to the public safety workforce capacity building fund;

D. the balance from the appropriations in Subsection (7) of Section 10 of Chapter 54 of Laws 2022 is transferred to the public safety workforce capacity building fund;

E. the balance from the appropriations in Subsection (48) of Section 5 of Chapter 210 of Laws 2023 is transferred to the public safety workforce capacity building fund; and

F. the balances from the appropriations in Subsections (36) and (42) of Section 5 of Chapter 69 of Laws 2024 are transferred to the public safety workforce capacity building fund.

SECTION 4. REPEAL.--Sections 9-6-17 through 9-6-19 NMSA 1978 (being Laws 2023, Chapter 188, Sections 1 through 3) are repealed.

SECTION 5. EFFECTIVE DATE.--The effective date of the

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provisions of this act is July 1, 2026.

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TORRANCE COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2026-36

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW MEXICO HB 255 PUBLIC SAFETY CAPACITY GRANT PROGRAM AND DESIGNATING AUTHORIZED SIGNATORIES FOR GRANT DISBURSEMENT AND COMPLIANCE DOCUMENTS.

WHEREAS, the Board of County Commissioners of Torrance County, New Mexico, met in public session at the Torrance County Administrative Offices in Estancia, NM, on October 8, 2026, at 9:00 AM as required by law; and

WHEREAS, the State of New Mexico has enacted House Bill 255, creating the Public Safety Capacity Grant Program to build localized emergency response resilience, support workforce expansion, and stabilize regional emergency management infrastructures; and

WHEREAS, Torrance County Fire Rescue (TCFR) has identified critical regional public safety needs, including severe Wildland-Urban Interface (WUI) wildfire threats, heavy systemic 911 EMS over-utilization, and rural supervisory command gaps that directly impact the physical safety of emergency personnel; and

WHEREAS, TCFR has developed a comprehensive 24-month project initiative to embed three (3) On-Duty Shift Captain positions acting as NIMS Shift Commanders and certified Incident Safety Officers, operating on a 48/96 professional shift rotation with a frontline personnel cash budget of $309,340.02 annually ($618,680.04 total over the 2-year cycle); and

WHEREAS, Torrance County has engineered a strict 0% administrative overhead structure for this project, committing to absorb all internal payroll and processing costs within existing operating lines; and

WHEREAS, Torrance County formally certifies its commitment to the 50% local cost-share match requirement ($154,670.01) during the Year 2 grant cycle, utilizing a specialized net-zero impact funding framework drawn from the National Opioid Settlement Fund ($103,113.34) and the Wildland Deployment Reimbursement Account ($51,556.67).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO:

1. SUBMITTAL AUTHORIZATION: The Board hereby authorizes and approves the submission of the official HB 255 Public Safety Capacity Grant Application to the State of New Mexico in the direct personnel amount of $464,010.03 in state grant shares.

2. SIGNATORY DESIGNATION: The Torrance County Manager and the Fire Chief of Torrance County Fire Rescue are hereby designated as Authorized Agent Signatories for this project. They are granted full executive authority to execute the final grant agreement, process reimbursement requests, and sign all quarterly performance tracking or technical compliance documentation required by state grant administrators.

3. REVENUE ALLOCATION: The Torrance County Finance Department is directed to establish and manage the distinct, non-tax local ledger accounts required to securely transfer Track A (Opioid Settlement Account) and Track B (Wildland Account) cost-shares during the Year 2 performance window.

PASSED, APPROVED, AND ADOPTED this 8th day of October, 2026.

BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO

Chairman, Board of County Commissioners

ATTEST:

Torrance County Clerk

TORRANCE COUNTY SEAL STATE OF NEW MEXICO CLERK



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-E

TLC UNIFORMS

925 SECOND ST NW
ALBUQUERQUE, NM 87102
Phone : (505) 247-8900 Fax : (505) 247-8999

STATEMENT

TORRANCE COUNTY FIRE

7/17/2026

Invoice #	Date	PO #	Name	Amount
306404	6/4/2026	26-01258	JOSHUA BARTON	$ 664.16
			TOTAL AMOUNT DUE	**$ 664.16**

PAST DUE PLEASE PAY ASAP

TLC UNIFORMS
925 SECOND ST NW
ALBUQUERQUE NM 87102

Phone (505) 247-8900
Fax : (505) 247-8999

Receipt
Reg 1

+AGTOCOFD
*TORRANCE COUNTY FIRE
JOSHUA BARTON

Invoice # 306404
PO# Date Jun 04, 2026
Sales Rep BC Time 4:22 PM

Item/Description		Amt
PO 26-01258		
1.0	0.0000	0.00
1511T-50		
BELT GARRISON #1511T-50		
1.0@	42.9900	38.69
	10.00%	
FP52NV-48X32		
PANT NAVY NOMEX FULL CUT		
2.0@	249.9900	449.98
	10.00%	
2091-14M		
BOOT PARATROOPER 7" #2091-14M		
1.0@	194.9900	175.49
	10.00%	

Sub-Total :	664.16
Tax :	0.00
Net Due :	664.16
Amt.Paid :	0.00
Balance Due:	664.16

CHARGE

Signature:_____

Phone:_____

THANK YOU AND HAVE A NICE DAY
ALL CLAIMS AND RETURNED GOODS MU
ACCOMPANIED BY THIS RECEIPT WITHI
DAYS. ITEMS NOT RETURNABLE IF WAS
WORN, ALTERED, OR CUSTOMIZED UNL
DEFECTIVE

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-F

University of New Mexico
EMS Academy
1 University of New Mexico
MSC11 6260
Albuquerque, NM 87131

INVOICE

Phone (505) 272-5757
Fax (505) 272-6503
hsc-EMSA@salud.unm.edu
Tax ID 85-6000642
https://emed.unm.edu/EMSA/

Jelson, Andrew M
11013 Claremont Ave
Albuquerque, New Mexico 87112

Invoice Number	Date	Purchase Order	Due Date	Billing Term
24117	11/11/2025			

Registrant	Item	Quantity	Rate	Amount
Jelson, Andrew M ID# EMS113103	"Intermediate Emergency Medical Technician Training Course Course Code: INT126003 Session: 2026 Dates: 01/12/2026 / 05/30/2026 Tuition / Acct:	1.00	2,030.00	2,030.00

*OnAccount Given payments do not calculate into Paid or Due amounts.

Total	**2,030.00**
Paid	**2,030.00**
Due	**0.00**

Payments

Receipt#	Date	Amount	Pay Type*	Course	Paid By	Refund	Chk/Card#
14677	11/11/25	$2,030.00	MasterCard	INT126003	Andrew Jelson	No	...

Please log in to your account at https://registration.xendirect.com/unmemsa to pay your invoice.

General Refund Policy:
*** If the course code is followed by an asterisk, an alternate refund policy is in effect.**
Returned Check Fee: $35.00

Initial Licensure Training: Full refund for cancellations up to 3 weeks before the start date; a $250.00 fee applies to cancellations after that. No refunds or invoice adjustments are available for cancellations received after 5 PM the day before class begins. Applies to Initial Licensure courses: First Responder/EMR, EMT-Basic/EMT, EMT-Intermediate/Advanced EMT.

Specialized Training*, CE Packages, Transition Courses, etc.: Full refund for cancellations up to 2 weeks before the start date; a $50.00 fee applies to cancellations after that. No refunds or invoice adjustments are available for cancellations received after 5 PM the day before class begins. *Note: Book costs will be deducted from any refund unless the book is returned in original, unopened condition.

SCHOOL OF MEDICINE
EMERGENCY MEDICAL SERVICES ACADEMY

The University of New Mexico School of Medicine Emergency Medical Services Academy certifies that

Andrew Jelson

has completed the following course
taught by UNM EMS Academy affiliated Instructor Coordinator Clark Adams

Emergency Medical Technician - Intermediate Training Course

June 11, 2026

EMS Academy Director – Sahaj Khalsa, MBA, NRP

Medical Director – Whitney Barrett, MD

COURSE #126INT003 – This course meets or exceeds US Department of Transportation National EMS Education Standards, New Mexico Scope of Practice for Emergency Medical Technician-Intermediate, and National Registry requirements for Advanced Emergency Medical Technician.

National Registry
Emergency Medical Technicians

Hereby Certifies

Andrew M. Jelson

as an

Advanced Emergency Medical Technician

duly registered together with all the rights and privileges appertaining thereto in consideration of having satisfied the prescribed national standards for certification. In Testimony Whereof, the seal of the National Registry of Emergency Medical Technicians and signatures as authorized by the Board of Directors are hereunto affixed this Thirty-first day of July, 2026 A.D.

Scott Gilmore
Board Chair

NATIONAL REGISTRY - EMERGENCY MEDICAL TECHNICIANS

William Hafstad
Chief Executive Officer & Executive Director

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-G

Airgas
an Air Liquide company

AIRGAS USA, LLC
PO Box 1152
Tulsa, OK 74101

CYLINDER RENTAL INVOICE

INVOICE DATE	PAYER	INVOICE NO.	DUE DATE	PAY THIS AMOUNT
05/31/2026	2287851	5525219567	06/30/2026	$ 2,393.39

Manage Your Account Online 24/7
Access order history, view cylinder balances, get proofs of delivery, pay invoices and more -- visit Airgas.com today

Please send new or updated blanket purchase orders to: CEBSCPOCoordinator@airgas.com

SOLD BY
AIRGAS USA, LLC (C323)
2929 VASSAR DR NE
ALBUQUERQUE NM 87107-1805
505-884-1450

PLEASE MAKE CHECKS PAYABLE AND REMIT TO:

BILL TO
TORRANCE COUNTY
FIRE DEPARTMENT DIST 5
PO BOX 449
MCINTOSH NM 87032-0449

Airgas USA, LLC
PO BOX 734671
DALLAS TX 75373-4671

2287851155252195670000239397

TO ENSURE PROPER CREDIT, PLEASE RETURN THE UPPER PORTION WITH YOUR REMITTANCE. FOR QUESTIONS ON YOUR ACCOUNT PLEASE CALL: 1-855-470-2666

INVOICE NO.	SOLD TO NUMBER	SHIP TO	INVOICE DATE	RENTAL PURCHASE ORDER NO.	TERMS
5525219567	2287851	2198405	05/31/2026	RENT	NET 30

MATERIAL / DESCRIPTION DOCUMENT / DATE	BEG BAL	SHIP	RETURN	ADJ	END BAL	LEASES	SUBJECT TO RENT	NET DAYS	RATE	PRICE
RRCYLMLG-OX - Rent Cyl Med Large Oxygen	**26**	**4**	**6**	**0**	**24**	**14**	**10**		**$35.41/ZM**	**$354.10 T**
CY-OX USP125 - CYL OXYGEN USP 125	21	4	6	0	19					
8163062475 - 05/21/2026		4	6	0		PO : none				
CY-OX USP200 - CYL OXYGEN USP MEDICAL PURE 200 CGA	5	0	0	0	5					
RRCYLMXS-OX - Rent Cyl Med Xs Oxygen	**55**	**18**	**20**	**0**	**53**	**0**	**53**		**$31.57/ZM**	**$1,673.21 T**
CY-OX USPDA - CYL OXYGEN USP DA MED CGA 870	55	18	20	0	53					
8163062475 - 05/21/2026		18	20	0		PO : none				
	81	22	26	0	77					$2,027.31

Airgas Hazmat Charge (H) - see Itemized Charges on reverse or visit www.Airgas.com/terms-of-sale

Effective 9/15/2025, we may impose a surcharge of 3% on the transaction amount for credit card transactions on account, which is not greater than our cost of acceptance. We do not impose a surcharge on debit cards or auto-pay transactions.

For customers with a Billing Zip Code in Colorado, see terms of payment on reverse or visit www.airgas.com/terms-of-sale.

Rental Period
From: 05/01/2026 To: 05/31/2026

Hazmat:	220.00
Sales Tax:	146.08
AMOUNT	$ 2,393.39

Important. See the Notice Regarding Cylinder Rentals/Leases and Responsibility on the Reverse side of this form. You will be deemed to have accepted the provisions in the said Notice as part of the contractual arrangements between you and us, unless you reject such provisions by written advice to us within (15) days after the date of this document.

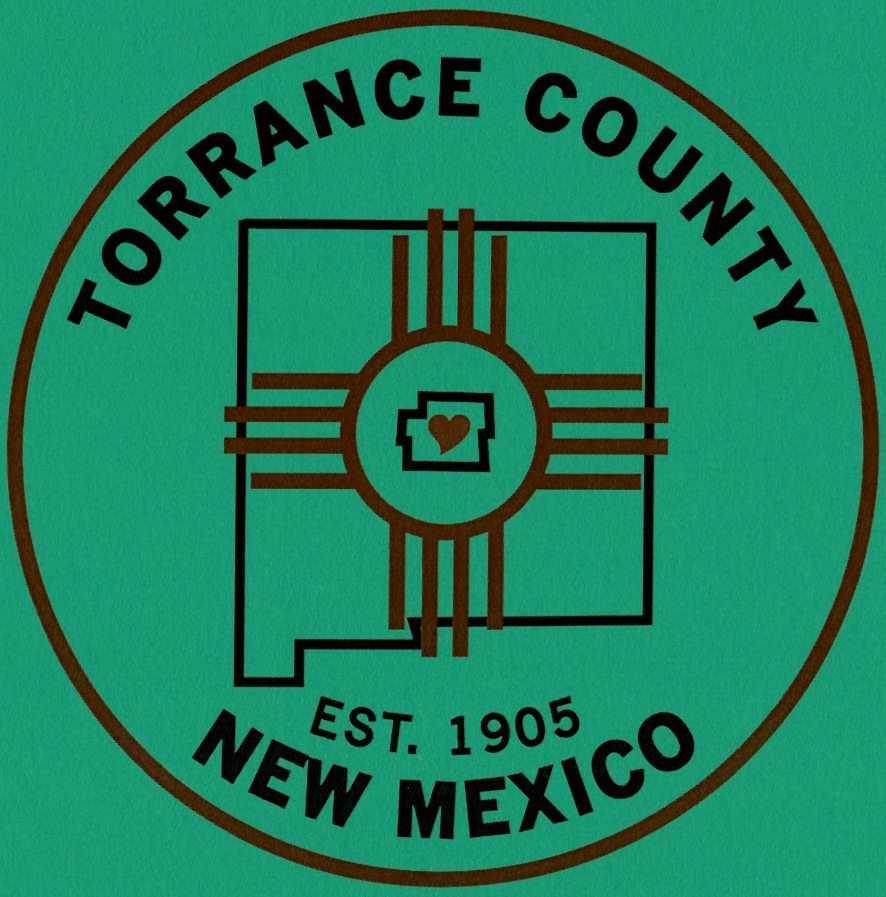
FOR WIRE TRANSFER PAYMENTS
Airgas USA, LLC
Acct No 550372236
JPMC Bank, ABA No 021000021
ww-global-remits@airgas.com

Airgas
an Air Liquide company

AIRGAS USA, LLC
PO Box 1152
Tulsa, OK 74101

SHIP TO: 2198405
TORRANCE COUNTY DIST 5
34 CARL CANNON ROAD
MORIARTY NM 87035-5298

FOR CHANGE OF ADDRESS Email: cdiv.return.mail@airgas.com Phone: 855-470-2666



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-H

Torrance County Grant Review Form

Meeting Date 10/5/26

Be prepared to discuss all items below with the Grants Committee.

Committee Action					
Approved	☐	Approved with Conditions	☐	Not Approved	☐
Conditions to be Met	Request specifications for a Type I Ambulance, Submit special projects application, if approved, request PO and purchase				

Grant Name	EMS Fund Act Special Projects Grant	**Agreement Number**	J3186
Amount Awarded	$ -	**Match Amount**	$ -

Reason for Grant Committee Review	Application Approval	Award Acceptance	**Grant Term**
	New ☑	New ☑	1 Year
	Renewal ☐	Amendment ☐	
		Renewal ☐	

Requesting Department:	Fire/EMS	**Funding Department**	EMS Bureau/State of New Mexico

Type of Grant	Reimbursement	Disbursement	Pass Through
	☐	☑	☐

Funding Type If other, please explain.		
	State ☑	
	Federal ☐	
	Private ☐	
	Other ☐	

Program/Project Summary (include specific deliverables. i.e., 55 hours of staff training, 50 youth through Teen Court, 2 miles of road paved, 16 deputes paid, etc.)	New ambulance applied through District 2 as allocated by the EMS Bureau
Program/Project Budget Summary	Grant requires a 25% cash match. Funds are available through FPF rollover within the district budget.
Impact of Funding	N/A
Committee Notes	

Torrance County Grant Review Form

Reporting Information What documents are required for reporting? (i.e., funder generated form, payment packets, paychecks, employee salary and benefit reports, program reports,etc.)	Monthly ☐ Quarterly ☐ Annually ☑ Other ☐	**How are reports submitted?**	Email ☑ Online Platform ☐ Other ☐
Funding Agency Contact Information	NM EMS Bureau Region I: Samantha Griego - (575) 769-2639		

External Compliance with Funding Agencies		
Is your department up to date with reporting of all your current grants?	Yes ☑	No ☐
Has your department been non-compliant with any reporting, or other items in the last year?	Yes ☐	No ☑

Internal Compliance with Grants Policy and Procedure		
Has your department submitted all required items to the Grants Department for current grants?	Yes ☑	No ☐
Has your department been non-compliant with any portion of the Grants Policy in the last year?	Yes ☐	No ☑

Legal Requirements			
Are there any additonal legal requirements for this grant? If yes, please explain.	Yes ☐	No ☑	N/A ☐

Finance and Planning			
Will this grant require new contracts?	Yes ☐	No ☑	N/A ☐
Will this grant require a change to existing contracts/vendors?	Yes ☐	No ☑	N/A ☐
Will this grant require a budget change before the Commission?	Yes ☐	No ☑	N/A ☐
Is this project in the ICIP or other County plan?	Yes ☐	No ☑	N/A ☐
Does this project/program currently have pending grant applications or other funding sources?	Yes ☐	No ☑	N/A ☐

Agenda Request Form	Date Submitted 10/5/2026	**Commission Meeting Date**	10/14/2026
Commission Action	Approved ☐ Rejected ☐ Deferred ☐ Changes ☐	**Resolution #**	
Comments or Concerns			
Line Item Request	Date Submitted	**Line Item Numbers Created**	Date

County Manager's Office

Treasurer's Office

Requesting Department

Finance Office

Chief Procurement Officer

Grants Administrator



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-I

September 21, 2026

Torrance County Commission:

The Estancia Valley Youth and Family Council (EVYFC), also known as the local Juvenile Justice Board of Torrance County, hereby requests re-appointment of all of our current voting board members, for a 2-year term, according to the Bylaws, which includes FY27-FY28.

The chart of Current voting members is listed below:

	Organization	Name	Title
Chair	**7th Judicial Court**	Shannon Murdock	Division III Judge
2	**7th Judicial DA office**	Stacey Ward	Deputy District Attorney
3	**MESD Schools**	Natalie Romero	Highschool Principal
4	**Estancia Schools**	John Maldonado	Operational Principal
5	**EVCA School**	Josh McCleave	Executive Director
6	**Mountainair Schools**	Dr. Pete Vallejo	Superintendent
7	**Juvenile Probation**	Kimberlee Connell	JPO District 7
8	**County Rep**	Michelle Jones	Deputy County Manager
9	**TC Sheriff Office**	David Frazee	Sheriff
10	**Mountainair PD**	Paul Lucero	Chief
11	**Moriarty Police**	Jermaine Harris	Resource officer
12	**Edgewood Police**	vacant	SRO
13	**Estancia Police**	Tom Carter	Chief
14	**Public Defender**	Peter Ortega	LOPD
15	**Youth Member**	Stormie Looper	
16	**CYFD Protective Services**	Manfred Failla	Investigation Supervisor
17	**Non-profit**	Debbie Ortiz	OSAP, PHTC, MOPT

Sincerely,

Judge Shannon Murdock, EVYFC Chair



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11-J

TORRANCE COUNTY ZONING ORDINANCE AMENDMENTS

WHEREAS, the current version of the Torrance County Zoning Ordinance was last revised in 2024; and,

WHEREAS, the current version of the Torrance County Zoning Ordinance was last revised in 2024, it did not adequately address used mobile home standards; and,

WHEREAS, the 2024 version of the Torrance County Zoning Code did address poultry; and,not directly

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding Feedlots; and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding Special Use Districts: and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding residential and commercial kennels.

WHEREAS, the 2024 version of the Torrance County Zoning Ordinance did not adequately cannabis operations.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO that the Torrance County Zoning Ordinance of 1990, last revised November 13, 2024 is hereby amended to read:

SECTION 4. DEFINITIONS. (PAGE 2)

6. "Building" means any relatively permanent ~~enclosed~~ structure having a roof. Buildings meeting New Mexico Regulation & Licensing Construction Industries Division size standard for a required building permit are subject to the provisions specified in Section 19.F.1 of this ordinance. [REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

16. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any

time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. ~~20 to 200 head of animals, and a Large Feedlot shall contain more than 200 head of animals. A Small Feed lot shall be centered on at least 100 acres.~~ A Large Feedlot shall not be allowed, except in a special use ~~zone~~ district. Operators are suggested to obtain any and all State and Federal permits needed.

[REV: Ord. No. 2008-003, 4/23/08, Ord. No 2024-04, 11/13/24]

24. "Kennel" means any building or buildings or land designed or arranged for housing dogs, cats, and other household pets, and where grooming, breeding, boarding, training, or selling animals is conducted. For purposes of this Ordinance, the housing or boarding of more than five (5) dogs or cats in any combination thereof shall constitute a kennel. Kennels: Residential: 6 to 9 dogs, cats or combination thereof; Kennels: Commercial: 10 or more dogs, cats or combination thereof;
Kennels: Foster/Rescue: 10 or more dogs, cats or combination thereof. In addition to complying with the requirements of this Ordinance, Kennels must comply with the requirements of the Torrance County Animal Control Ordinance.

[REV: Ord. No. 94-2, 2/9/94; Ord. No. 95-5, 6/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

26. "Livestock" means all domestic or domesticated animals that are used or raised on a farm or ranch, including the carcasses thereof, and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, ostriches, emus, rheas, camelids and farmed cervidae (deer). For purposes of determining the number of livestock on a lot, one (1) horse or cow equals ~~three (3)~~ five (5) goats or ~~three (3)~~ five (5) sheep or combination thereof.

[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

29. "Mobile Home Park" means ~~an un-platted~~ a tract of land under one ownership on which spaces are leased or rented for occupancy for 30 days or more by mobile homes, and which contains a centralized system of connections for utility services.

[REV: Ord. No. 95-5, 6/10/95, Ord. No. 2024-06, 11/13/2024]

32. "Poultry" means domestic fowl, such as chickens, turkeys, ducks, and geese, but does not include any animal defined as livestock. No more than 24 poultry are allowed in any combination per household. One turkey or goose equals two ducks or chickens. More than 24 poultry will constitute commercial activity and may require a Conditional Use permit.

[REV: Ord. No. 2024-04, 11/13/24]

45. "Temporary" For purposes of this Ordinance temporary constitutes 60 days or less.
Exception: Livestock including pigs temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.

[REV: Ord. No. 2020-06, 7/8/20; Ord. No. 2024-04, 11/13/2024]

47. "Variance" means a relaxation of the terms of this Ordinance where such relaxation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results or actions of the applicant, a literal enforcement of this Ordinance would result in unnecessary hardship. As used in this Ordinance, a variance may be authorized only for area,

height, dimension, distance, setback, walls, off- street parking, and off-street loading requirements. Financial gain or loss shall not be a ~~the only~~ determining factor in deciding a variance. [REV: Ord. No. 2024-04]

49. "Zone ~~District~~" means a section of the County, designated in the text of this Ordinance and delineated on the Torrance County Zoning Map, in which requirements for the use of land and building and development standards are prescribed. Boundaries of zones ~~districts~~ shall follow existing property lines unless clearly otherwise shown on the Zoning Map, in which case, such boundary shall be defined by dimension and distance from existing property lines. [REV: Ord. No. 2024-04]

SECTION 5. INTERPRETATION (PAGE 9)

B. Interpretation of Zoning Map. Where, due to illegibility of the Zoning Map or other irregularity, there is any uncertainty as to the intended location of any zone ~~district~~ boundaries, interpretation concerning the exact location of such boundaries shall be determined by the Zoning Board. [REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

C. Interpretation of Land Uses. The County Commission shall render interpretations of land uses in any zone or district not expressly enumerated in this ordinance, subject to the following standards and procedures: [REV: Ord. No. 2024-04, 11/13/2024]

4.b No use interpretation shall permit any use in a zone or district that is not in accordance with the stated intent for that zone district. [REV: Ord. No. 2024-04, 11/13/2024]

4.d If the proposed use is more similar to an identified conditional use in a zone or district, then any use interpretation shall specify conditional or special use requirements in accordance with this Ordinance. [REV: Ord. No. 2024-04, 11/13/2024]

SECTION 6. GENERAL PROVISIONS (PAGE 10)

C. Mobile Home Installation. No mobile home shall be occupied unless it is connected to adequate utilities, provided with skirting of a durable material if not installed at ground level, and stabilized and anchored, all in accordance with the regulations promulgated by the Manufactured Housing Act of New Mexico[60-14-1 et seq., NMSA 1978]. No mobile home older than 30 years ~~manufactured before the current federal HUD standard (1976 as of this printing)~~ shall be installed anywhere in the jurisdiction of Torrance County. As noted in Section 19.F.1, a Torrance County Mobile Home Development Permit is required before any mobile home is placed on a property.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

I. ~~Small~~ Feedlots. ~~Small~~ Feedlots are subject to the following minimum requirements:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

I.3. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is

between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. A Large Feedlot shall not be allowed, except in a special use zone. Operators are suggested to obtain any and all State and Federal permits needed.

[REV: Ord. No. 2024-04, 11/13/2024]

L. Sheds. Sheds are a structure intended for storage and are not intended for use as a dwelling. Living in a shed will not be permitted unless preapproved plans by CID for construction or modification to use as a dwelling are provided, or the shed is manufactured at full Residential Dwelling ANSI standards. Violation may result in a fine of up to $300.00 and/or 90 days in jail.

[REV: Ord. No. 2024-04]

M. Commercial Greenhouse operations for growing cannabis will be subject to the following regulations:

[Rev Ord. No. 2024-04, 11/13/2024]

1. In zones where commercial greenhouse operations may take place a Conditional Use permit is required.

2. Number of plants intended to be applied for with the CCD (Cannabis Control Division) shall be disclosed.

3. One State issued cannabis grow and or production license per parcel.

4. A copy of the license issued by the CCD will be provided for the Conditional Use to go into full effect.

5. Facility square footage will be dictated by number of plants, e.g.: 200 plants= 700 sq. ft.; 500 plants= 1750 sq. ft; 1000 plants= 3500 sq. ft. ; extrapolations to the maximum of 20,000 plants will dictate size of facility (minor variation allowed).

6. Conditional Uses will be granted only for the number of plants disclosed. Future changes to the size of operation will require a modification to the Conditional Use granted by The Planning & Zoning Board.

7. Violation of these regulations may result in revocation of the Conditional Use permit.

SECTION 7. ESTABLISHMENT OF ZONES and DISTRICTS. (PAGE 14)

[Rev Ord. No. 2024-04, 11/13/2024]

A. Zones ~~Districts~~. For the purpose of this Ordinance, the following zones ~~districts~~ are established: Conservation ~~District~~ (C), Agricultural ~~District~~ (A), Agricultural Preservation ~~District~~ (AP-5, AP-10, & AP-40), Pre-platted Lands ~~District~~ (PL), Rural Residential ~~District~~ (RR), Minor Development ~~District~~ (D-1), Major Development ~~District~~ (D-2), Major Development ~~District~~, Adult Land Uses (D-3), Village Community Preservation ~~District~~ (VCP), Rural Community Preservation ~~District~~ (RCP). ~~and~~ Special Use (SU) and Solid Waste (SW) are established as Districts within a Zone.

[REV: Ord. No. 95-9, 10/13/95; Ord. No. 95-11, 11/10/95; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

B. Zoning Map. The boundaries of the zones and districts shall be shown on the adopted "Torrance County Zoning Map". The original copies of the zoning map and this Ordinance, and subsequent amendments thereto, shall be maintained by the Planning & Zoning Office and GIS Office ~~County Clerk~~ of Torrance County. Zoning maps shall be made available for public reference by the Zoning Director. A Zoning Map can be obtained for a fee in the GIS Office. ~~There is a fee for a copy of an enlarged zoning map and a copy of the Zoning Ordinance set by the County Commission. A schedule of fees is available from the Zoning Director.~~
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 8.0. CONSERVATION ZONE ~~DISTRICT~~ (C). (PAGE 14)
[Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:
[Rev. Ord. No. 2024-04, 11/13/2024]

2. Small Bed and Breakfast operations limited to two guest bathrooms and no more than 8 (eight) guests; [REV. Ord. No. 2024-04, 11/13/2024]

8. One supplemental residential dwelling unit allowed on a parcel meeting ~~district~~ zone minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section. [REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land use within this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

e. One supplemental residential dwelling unit is allowed on a parcel meeting ~~district~~ zone minimum standards. If a parcel is at least eighty acres or a 1/8 section in area, then up to two supplemental residential dwelling units are allowed on such a parcel.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08; Ord. No. 2024-04, 11/13/2024]

SECTION 8.1 AGRICULTURAL ~~DISTRICT~~ ZONE (A). (PAGE 17)
[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ is intended to preserve large areas of land traditionally used for farming and ranching operations and other agricultural uses. This zone ~~district~~ is characterized by arid rangeland, extreme limitations on water resources and minimal development. The standards prescribed for this ~~district~~ zone are intended to preserve the traditional uses of the land and thereby protect the business of agriculture and related work. Development may be considered within a 1 mile buffer zone where the "A" Zone joins another zone ~~district~~ and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

8. Accessory uses and structures necessary and in proportion to the conduct of normal agricultural production .
(See C.9) [REV: Ord. No. 95-11, 11/10/95, Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:
[Rev. Ord. No. 24-04, 11/13/2024]

4. Small Bed and Breakfast operations limited to two guest bathrooms, and no more than 8 (eight) guests. [Rev. Ord. No. 24-04, 11/13/2024]

9. One supplemental residential dwelling unit allowed on a parcel meeting ~~district~~ zone minimum standards, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

10. ~~Small~~ Feedlot ~~centered on at least 100 acres.~~ A Feedlot is subject to the following requirements: Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre.
[Rev. Ord. No 2024-04, 11/13/2024]

c. Feedlot means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. A Large Feedlot shall not be allowed, except in a special use zone. Operators are suggested to obtain any and all State and Federal permits needed.
[Rev. Ord. No 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~district~~

[Rev. Ord. No 2024-04, 11/13/2024]

2. A one mile buffer zone will be established around the periphery of the "A" zone where it comes in contact with another zone ~~district~~. Within the buffer zone, the Zoning Board may allow development to take place which is consistent with the zone ~~district~~ to which it joins.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 9. AGRICULTURAL PRESERVATION ~~DISTRICT~~ ZONE (AP-5, AP-10 & AP-40). (PAGE 20) [Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ is intended to protect and preserve areas of suitable agricultural soil for agricultural and agriculture-related uses. The standards prescribed for this ~~district~~ zone are intended to preserve the open character of the area and thereby to protect the business of agriculture. The minimum lot size in this zone ~~district~~ shall be either five acres (AP-5), ten acres (AP-10), or forty acres (AP- 40), as indicated on the Zoning Map. [Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

3. Raising, breeding, management and sales of livestock, ~~excluding pigs~~ as long as such use is not a Feedlot.
[REV: ~~Ord. No. 2001-2, 3/14/2007~~ (obviously in error), Ord. No. 2024-04, 11/13/2024]]

a. AP-5 ~~districts~~ zones have the following restrictions on the number of livestock used as pleasure animals or animals for personal use according to lot size; minimum 1 acre: No more than one (1) horse or one (1) cow or an equivalent number of sheep or goats. [Rev. Ord. No. 2024-04, 11/13/2024]

b. Equivalency is determined as one (1) horse or cow equals ~~three (3)~~ five (5) goats or ~~three (3)~~ five (5) sheep or combination thereof.

d. Exception: Livestock ~~including pigs~~ temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.
[Rev. Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. One supplemental residential dwelling unit allowed on a parcel meeting zone ~~district~~ minimum standards; in the AP-5 and AP-10 zones ~~districts~~, a temporary supplemental residential dwelling unit may only be used so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit; in the AP-40 zone ~~district~~, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

4. ~~Large-scale~~ Commercial processing of agricultural products;
[Rev. Ord. No. 24-04, 11/13/2024]

9. A Small Feedlot ~~shall be centered on at least 100 acres~~. A Feedlot is subject to the following requirements: Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between

the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

2. AP-5 ~~districts~~ zones have the following restrictions on the number of livestock used as animals for personal use according to lot size:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

a. On lots that do not conform to the zone ~~district~~ minimum standard but are at least 1 acre in area, there shall be no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats per acre [Rev. Ord. no. 2024-04, 11/13/2024]

b. On lots that exceed the zone ~~district~~ minimum standard for acreage, additional livestock units are allowed based upon one (1) horse or cow unit per each additional acre of land.
[Rev. Ord. No. 2024-04, 11/13/2024]

SECTION 10. PREPLATTED LANDS ZONE ~~DISTRICT~~ (PL). (PAGE 24)
[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ provides for the appropriate development of pre-platted subdivisions which are not considered adequate by current planning or environmental standards. This zone ~~district~~ is comprised of certain Type 1 and Type 2 subdivisions platted and placed on record with the County Clerk prior to 1973, often held in multiple ownership, and substantially or totally undeveloped. This zone ~~district~~ is established to encourage and promote private land readjustment through techniques such as subdivision re-platting or lot consolidation, followed by a change to a more appropriate zone ~~district~~, if necessary. [Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. All Permissive Uses allowed in the RR Zone ~~District~~.
[Rev. Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

1. All Conditional Uses allowed in the RR Zone ~~District~~.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

2. The Zoning Board may determine that a Variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone ~~district~~.
[REV. Ord. No. 2020-06, 7/8/20, Ord. No. 2024-04, 11/13/2024]

D. District Standards. The following standards apply to all land uses within this zone ~~district~~:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Lots shall not be further subdivided or re-platted into lots smaller than the nearest prevailing zone ~~district~~. [REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]]

2. In the event that contiguous lots within a specified area are assembled for readjustment and a master plan or site plan for future development is proposed, then such area shall be subject to the setback requirements established for the RR zone ~~district~~.

[REV: Ord. No. 95-5, 6/10/95, Ord. No. 2024-04, 11/13/2024]

SECTION 11. RURAL RESIDENTIAL ~~DISTRICT~~ ZONE (RR). (PAGE 25)

[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ accommodates rural residential development and certain agricultural uses such as irrigated croplands and limited livestock management. Large-lot residential land subdivision is characteristic of this zone ~~district~~.

[Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:

[Rev. Ord. No. 2024-04, 11/13/2024]

e. 1 acre (minimum): No more than one (1) horse or cow or an equivalent number of sheep or goats. Equivalency is determined as one (1) horse or cow equals ~~three (3)~~ five (5) goats or ~~three (3)~~ five (5) sheep or combination thereof. [REV: Ord. No. 2020-06, 7/8/20; Ord. No. 24-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:

[Rev. Ord. No. 2024-04, 11/13/2024]

3. One temporary supplemental residential dwelling unit allowed on a parcel meeting ~~district~~ zone minimum standards so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit;

[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~district~~:

[Rev. Ord. no. 2024-04, 11/13/2024]

SECTION 12. MINOR DEVELOPMENT ~~DISTRICT~~ ZONE (D-1). (PAGE 29)

[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ provides for commercial and business uses intended to serve the surrounding neighborhoods on a day-to-day basis including retailing and personal services. Development in this zone ~~district~~ shall be characterized as low intensity or small-scale, and shall not be detrimental to nearby residential uses.

[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:

[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board:

[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2020-06, 7/8/20, Ord. No. 2024-04, 11/13/2024]

b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zones ~~districts~~, and [REV. Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~ing district~~:
[REV. Ord. No. 2024-04, 11/13/2024]

4. Any non-residential activity in this zone ~~ing district~~ that requires outdoor storage of supplies or material, other than living plants, must provide an outdoor storage area enclosed by a six (6) foot wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zones ~~districts~~; and
[REV. Ord. No. 2024-04, 11/13/2024]

SECTION 13.0 MAJOR DEVELOPMENT ZONE ~~DISTRICT~~ (D-2) (PAGE 34)
[REV. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ accommodates the major business activities in the area, including highway-related commercial activities, office and entertainment facilities, wholesale and retail sales, and service providers. The land uses within this zone ~~district~~ shall be developed with adequate transportation access and appropriate design to minimize any negative impacts to abutting lands.
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

2. All permissive uses allowed in the D-1 zone ~~district~~;
[REV. Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board;
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zone ~~district~~, and
[REV. Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~ing district~~:
[REV. Ord. No. 2024-04, 11/13/2024]

4. Any non-residential activity in this zone ~~ing district~~ that requires outdoor storage of supplies or materials, other than living plants, must provide an outdoor storage area enclosed by a wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95; ORD. No. 2024-04, 11/13/2024]

b. A solid wall or fence at least six (6) feet high is erected between the activity and any abutting residential zone ~~district~~, and
[REV. Ord. No. 2024-04, 11/13/2024]

SECTION 13.1 MAJOR DEVELOPMENT ZONE ~~DISTRICT~~, UNDETERMINED IMPACT AND ADULT LAND USES (D-3). (PAGE 37)
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone is intended to allow the uses and apply the standards described in the D-2 Zone ~~District~~ with the addition of a conditional use and additional standards and procedures for Adult Land Uses. [REV: ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. The following permissive uses are allowed in this zone ~~district~~:
[REV: Ord. No. 2024-04, 11/13/2024]

1. All permissive uses allowed in D-2 Zone ~~District~~;
[REV: Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board: All conditional uses allowed in the D-2 Zone and Adult Land Uses, as described and authorized in Subsection E below.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No 2024-04, 11/13/2024]

2. Cannabis product retail or wholesale outlets and lounges.
[REV: Ord. No. 2020-06, 7/8/20]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~district~~: All the District Standards required in the D-2 Zone ~~District~~.
[REV: Ord. No. 2024-04, 11/13/2024]

E. Additional Standards and Procedures for Adult Land Uses. In addition, the following standards and procedures apply to the below-defined Adult Land Uses that are lawful as conditional uses in the D-2 Zone ~~District~~:
[REV: Ord. No. 2024-04, 11/13/2024]

1) An Application meeting the submittal deadline shall be heard at ~~submitted 15 or more days prior to~~ the next regularly scheduled Zoning Board monthly meeting ~~shall be heard at that meeting~~;
[REV. Ord. No. 2024-04, 11/13/2024]

2) Unless Applicant requests or consents to a deferral, the Zoning Board shall render its ~~oral~~ recommendation at the time of its meeting ~~and, within 7 days following the meeting, the Zoning Board shall submit a written Recommendation to the County Commission;~~
[REV. Ord. No. 2024-04, 11/13/2024]

3) ~~Directly f~~ Following the Zoning Board meeting, and the 14 day appeal period per Statute the County Commission shall call for a public meeting as soon as is practical by notification of the time and place of the public hearing published in the next available newspaper of general circulation in the County at least 15 days prior to the hearing; and
[REV. Ord. No. 2024-04, 11/13/2024]

~~4) From the date of submission of a completed application, a decision of the County Commission must be made within 60 days If a decision is not rendered, either approving or denying the Conditional Use Application, within the 60-day period, the Application will be approved and issued as a matter of law. Any time that lapses during a deferral requested by or consented to by the Applicant shall be excluded from the calculation of the 60-day period.~~The hearing of the Application shall take place at the next

regularly scheduled bi-weekly meeting of the County Commission following the expiration of the 15-day notice period. Upon conducting its public hearing, the County Commission shall render an oral decision, either to approve or deny the Conditional Use Permit, at the conclusion of the hearing. The Commission may adopt a written decision at its next regularly scheduled meeting.
[REV. Ord. No. 2024-04, 11/13/2024]

~~[REV: Ord. No. 2008-003, 4/23/08]~~

SECTION 14.0 VILLAGE COMMUNITY PRESERVATION ZONE ~~DISTRICT~~ (VCP). (PAGE 45)
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone ~~district~~ preserves residential clusters in established unincorporated communities, and is intended to protect development of historic significance. This ~~district~~ zone allows residential development with necessary commercial, business, and other non-residential activities which serve local residents. The ~~district~~ zone regulations permit future development consistent with the existing character of the community, subject to health and safety standards.
[Rev: Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97; Ord. No. 2001-2, 3/14/01 Ord. no. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone ~~district~~ only upon permit granted by the Zoning Board: All Conditional Uses allowed in the RR Zone ~~District~~ for business, service and commercial establishments, primarily intended to service local residents.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2020-06, 7/8/20, Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land uses within this zone ~~district~~:
[Rev: Ord. No. 2024-04, 11/13/2024]

SECTION 14.1 RURAL COMMUNITY PRESERVATION ZONE ~~DISTRICT~~ (RCP). (PAGE 46)
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone ~~district~~:
[Rev: Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this ~~district~~ zone only upon permit granted by the Zoning Board:
[Rev: Ord. No. 2024-04, 11/13/2024]

2. Small Bed and Breakfast operations limited to two guest bathrooms and no more than 8 (eight) guests; [Rev: Ord. No. 2024-04, 11/13/2024]

8. One supplemental residential dwelling unit allowed on a parcel meeting zone ~~district~~ minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section. [Rev: Ord. No. 2024-04, 11/13/2024]

D. ~~District~~ Zone Standards. The following standards apply to all land use within this zone ~~district~~:
[Rev: Ord. No. 2024-04, 11/13/2024]

SECTION 15. SOLID WASTE MANAGEMENT DISTRICT (SW) (PAGE 49)

A. Intent. This ~~zone~~ district provides for the siting, development, and operation of solid waste facilities in Torrance County. The boundaries of this ~~zone~~ district shall be defined as needed on a case-by-case basis following the amendment procedures and siting criteria provided in this Ordinance. Disposal of solid waste within Torrance County shall be regulated in accordance with all relevant laws including this Ordinance, the Torrance County Solid Waste Management Ordinance (Ord. No. 94-12), and all other applicable municipal, county, state, and federal laws pertaining to solid waste. Furthermore, no solid waste facility shall be established or operated without first obtaining a Solid Waste Facility Permit from the County Commission in accordance with the procedures set forth in this Ordinance.
[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]]

C. Application for ~~Zoning~~ District Amendment. Each application ~~for a zone change~~ to establish a Solid Waste Management District must be accompanied by a facility development report and site plan of sufficient size and scale in order to show:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

4. The Zoning Board shall prepare and transmit a ~~recommendation~~ decision in writing to the County Commission ~~within 7 days~~ after the 14 day appeal period after their review of the application is completed. The County Commission shall review the application, the ~~recommendations~~ decision of the Zoning Board, and any relevant public comment at a regularly scheduled meeting. Upon determining that the application for the solid waste facility is in compliance with this Ordinance, the County Commission shall grant a Solid Waste Facility Permit.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

E. Siting Criteria. This ~~zone~~ district shall be subject to the following siting criteria:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

F. Operational Criteria. This ~~zone~~ district shall be subject to the following operational criteria:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

SECTION 16. SPECIAL USE DISTRICT (SU) (PAGE 52)

A. Intent. This ~~zone~~ district provides for singular developments which require special consideration because of their magnitude, unusual nature, infrequent operations, questionable impact on surrounding property, or other such reason. The boundaries of this ~~zone~~ district shall be defined as needed on a case-by-case basis following the amendment procedures provided in this Ordinance. Special conditions may be imposed by the County Commission following ~~recommendation~~ a decision by the Zoning Board. The County Commission may not grant ~~a zone change for~~ the establishment of a Special Use District unless satisfactory provisions have been made:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

2. To preserve the integrity and character of the area in which the Special Use District will be located, and the utility and value of property in the Special Use District and in adjacent zones ~~districts~~; and [Rev: Ord. No. 2024-04, 11/13/2024]

B. Application. Each application ~~for a zone change~~ to establish a Special Use District must declare the proposed use and, unless otherwise specified, must be accompanied by a site development plan of sufficient size and scale in order to:

[Rev: Ord. No. 2024-04, 11/13/2024]

C. Removal of ~~Zones~~Districts. In the event that a use authorized as a Special Use District is permanently discontinued, the Special Use District may be canceled and removed under the provisions of ~~for an amendment to~~ this Ordinance. That area delineated by a discontinued Special Use District shall ~~be rezoned~~ revert to the prevailing zone ~~district~~ as determined by the County Commission following recommendation by the Zoning Board.

[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

D. Uses Allowed in Special Use District. A Special Use District may be authorized only for uses designated by the County Commission that are not permissive or conditional uses as defined by the Zones ~~Districts~~ enumerated above. Designated uses for ~~this zone~~ a Special Use district which are subject to specific requirements or regulations are prescribed as follows:

[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

4. Dairies, slaughter houses, and Large Feedlots (more than 201 head of animals);

[REV. Ord. No. 2024-04, 11/13/2024]

c. Solar Energy Facility Permit: If the County Commission approves a special use district for a Solar Energy Facility, the County Commission shall also issue to the applicant a Solar Energy Facility Permit. The Solar Energy Facility Permit shall specify additional conditions that apply to the Solar ~~Wind~~ Energy Facility. [REV. Ord. No. 2024-04, 11/13/2024]

4) A survey map at an appropriate scale showing the proposed location of the solar energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences/schools, churches, hospitals, or libraries to a distance of 2,000 feet ~~(or other measure).~~ [REV. Ord. No. 2024-04, 11/13/2024]

2) Siting and Installation:

a) To the extent practic~~bal~~e, the facility shall combine transmission lines and points of connection to local distribution lines. [REV. Ord. No. 2024-04, 11/13/2024]

b) To the extent practic~~bal~~e, the facility shall connect to existing substations, or if new substations are needed, minimize the number of new substations. [REV. Ord. No. 2024-04, 11/13/2024]

b. A PAD may be constructed in increments provided a development phasing schedule showing anticipated initiation and completion of each phase is documented, and provided each phase includes a site development plan as required for this zoning ~~district~~ and is reviewed and approved prior to development as a separate but component plan of the PAD,

[Rev: Ord. No. 2024-04, 11/13/2024]

SECTION 16.1. TEMPORARY LAND USE OR SPECIAL EVENT PERMIT (PAGE 65)

Incidental or infrequent uses/events such as but not limited to circuses, fairs, carnivals, and outdoor sales that are commonly associated with a business or club which include but is not limited to civic, fraternal, charitable, religious, and patriotic organizations or temporary outdoor sales, or other commercial uses, may be allowed in "D" zones ~~districts~~ or on properties with an active Conditional Use or Special Use permit. Temporary Land Use or Special Event

Permits shall be issued by the Planning and Zoning Director or designee, and shall be subject to the following conditions:
[Rev: Ord. No. 2024-04, 11/13/2024]

NO CHANGES TO SECTIONS 17 AND 18

SECTION 19. ADMINISTRATION. (PAGE 71)

3. Zone and District Changes;
[Rev: Ord. No. 2024-04, 11/13/2024]

3) Submit the appropriate ~~septic~~ liquid waste permit by the State Environment Department. [REV. Ord. No. 2024-04, 11/13/2024]

F. Development Review Permit. For purposes of this Ordinance, with respect to any premises within the jurisdiction of Torrance County:

4) Submit the appropriate well permit issued by the State Engineer's Office or letter of intent from a centralized water system which states the proper legal description for the subject property and confirms there is a sufficient amount of water to provide for potable, sanitary, and minor fire suppression service to the dwelling or accessory structure. Applications which rely upon water harvesting or hauling water from a source off-premise must have on-premise storage capacity sufficient to provide the services listed above may be designed by a licensed contractor, New Mexico licensed engineer, or architect. The contractor will include a copy of their current license issued by CID. Systems designed by the property owner will be reviewed and stamped ~~designed~~ by a New Mexico licensed engineer or architect. [REV. Ord. No. 2024-04, 11/13/2024]

5) Submit a copy of the (1) New Mexico Registration and Title, or (2) Manufacture Certificate of Origin, or (3) a purchase agreement for a mobile or modular home. [REV. Ord. No. 2024-04, 11/13/2024]

6) Submit a statement, i.e. a construction account for new development or a copy of a current permit if there is existing development, from the Solid Waste Authority ~~that you will be receiving their services for developments of human occupation.~~ [REV. Ord. No. 2024-04, 11/13/2024]

9) Where the property to be developed lies within a special flood hazard area, submit a preconstruction elevation certificate, and within one year a post-elevation certificate will be required, Failure to do so may result in a fine of $300.00 and/or 90 days in jail. Additional information and documentation as provided in the Flood Damage Prevention Ordinance,92-4, or the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP).
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 20. NONCONFORMITIES. (PAGE 74)

A. Definition. Within the zones ~~districts~~ established by this Ordinance, there exist: lots, structures, or uses of land or structures which were lawful before this Ordinance was passed or amended, but would be prohibited or restricted under the terms of this Ordinance. It is the intent of this Ordinance to allow these nonconformities to continue until they are removed, but not to encourage their survival.
[Rev: Ord. No. 2024-04, 11/13/2024]

SECTION 21. CONDITIONAL USE PERMITS. (PAGE 75)

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved, no less than 15 days prior to the date of the Zoning Board meeting at which the Conditional Use Permit application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. ~~The applicant is responsible for removing~~ Planning & Zoning will remove such signs within five days after a decision is made on the Conditional Use Permit. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, ~~except the applicant or an agent for the applicant or the Zoning Director,~~ to remove any such sign during the period it is required to be maintained under this paragraph. Failure to properly maintain signs is grounds for deferral or denial of the application.

[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08, Rev. Ord. No. 2024-04, 11/13/2024]

2. Where there has been a significant change in the physical extent, operations, or character of a permitted conditional use, the Zoning Board may require a renewal of the original Conditional Use Permit. Significant change shall be determined by the Zoning Board, based on a scheduled review of the Conditional Use Permit.

[REV: Ord. No. 2008-003, 4/23/08]

3. Cannabis production and/or manufacturer operations are subject to the following:

a) One State issued cannabis production and or manufacturer license per parcel.

b) Number of plants applied for with the CCD shall be disclosed.

c) Facility square footage will be dictated by number of mature plants,
e.g.: 500 [mature] plants= 1750 sq.ft 1000 [mature] plants= 3500 sq ft,
up to 70,000 square feet for a 20,000 [mature] plant operation (minor variation allowed)

d) CUP will be conditional on number of plants and facility square footage. Any desired change of facility square footage or number of plants will require a modification to the existing Conditional Use permit, approved by the Planning & Zoning Board.

e) Violation of these regulations may result in revocation of the Conditional Use permit.

[REV. Ord. No. 2024-04, 11/13/2024]

6. The County Commission may revoke a permit if the requirements and restrictions required by this Ordinance are not met. Before a permit may be revoked, the permittee must be given ~~at least 10 days~~ written notice of the specific charges and be given the opportunity for a hearing before the County Commission.

[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 22. VARIANCES. (PAGE 78)

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the variance application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which

abuts the premises involved. Planning & Zoning ~~The applicant~~ is responsible for removing such signs within five days after a decision is made on the variance. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except ~~the applicant or an agent for the applicant or~~ the Zoning Director, to remove any such sign during the period it is required to be maintained under this paragraph.
[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 23. WATER USAGE. (PAGE 79)

D. Agency Response.
~~The state and/or local agencies shall be given forty-five (45) days from their receipt of the application to review and return an opinion regarding its effect on water resources within the County. The Zoning Director shall obtain receipts or other proof showing the date the opinion request was received by each state or local agency. In reviewing an application, the Zoning Board shall consider any timely agency response or comment in making a decision or recommendation on the application.~~
If a response from the respective agencies is received the response will be considered by the Zoning Board at the next regularly scheduled meeting.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

3. Effects on water quantity, including potential impairment of prior existing water uses, individual domestic wells will not be considered to be an impairment of prior existing water uses.
[Rev. Ord. No. 2024-04, 11/13/2024]

SECTION 24. AMENDMENTS. (PAGE 80)

A. Amendment. The County Commission may amend any part of this Ordinance, including the zone or district boundaries. The County Commission may elect to submit a proposal for amendment to the Zoning Board for review and recommendation made by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

B. Application. Any request for an amendment to this Ordinance, not originating from the County Commission or from a committee established by the County Commission to propose an amendment, shall be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. The Zoning Board shall prepare and transmit a recommendation in writing to the County Commission ~~within 7~~ 30 ~~days~~ after their review of the proposed amendment is completed. To the extent possible, all abutting property owners of any land proposed for a zone change shall be notified of the Zoning Board meeting at which a zone change will be reviewed for recommendation to the County Commission. An application to amend the zone map for specific parcel of land must be accompanied by a site development plan showing to scale and in detail the proposed structures on the site, distance from structures on adjoining properties, ingress and egress, parking and signage. If the application is approved by the County Commission, the land uses on the parcel shall conform to the site development plan and may only be modified by approval of the Zoning Board of a revised plan.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Rev. Ord. No. 2024-04, 11/13/2024]

D. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the amendment application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the public hearing at which the zoning action will be considered. At least one on-premise sign shall be visible from each road

which abuts the premises involved. Planning & Zoning ~~The applicant~~ is responsible for removing such signs within five days after a decision is made by the County Commission on the application for amendment. Failure to properly ~~post~~ maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except ~~the applicant or an agent for the applicant or the~~ ~~Zoning Director~~ Planning & Zoning, to remove any such sign during the period it is required to be maintained under this paragraph.

[REV: Ord. No. 97-6, 6/27/97, Ord. No. 2024-04, 11/13/2024]

E. ~~Notification by Mail. Whenever a property owner initiates a zone change for an area of one block or less (or 5 acres or less), notice of the public hearing shall be mailed by certified mail, return receipt requested, to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Whenever a property owner initiates a zone change for an area of more than one block (or more than 5 acres), notice of the public hearing shall be mailed by first class mail to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. If any notice by first class mail is returned undeliverable, the County shall attempt to discover the owner's most recent address and shall remit the notice by certified mail, return receipt requested, to that address.~~

Notification by Mail. Whenever a property owner initiates a zone change for an area of one block or less (or 5 acres or less), notice of the public hearing shall be mailed by first class mail, to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Whenever a property owner initiates a zone change for an area of more than one block (or more than 5 acres), notice of the public hearing shall be mailed by first class mail to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Notification by mail is not required for County-wide changes, initiated by the County, for purposes of revising or adopting a new zoning category; however, such changes are subject to the public notice requirements provided herein for the public hearing to consider an amendment to this Ordinance.

[REV: Ord. No. 97-2, 3/26/97, Ord. No. 2024-04, 11/13/2024]

F. Procedure. The Zoning Board shall make its decision on each application and shall make a recommendation to the Board of County Commissioners. The Board of County Commissioners shall act to uphold, overturn, or remand the decision to the Zoning Board no later than the next regularly scheduled meeting of the Board of County Commissioners ~~immediately~~ following the Appeal Period.

[Rev. Ord. No. 2024-04, 11/13/2024]

NO CHANGE TO SECTION 25

SECTION 26. FEES. (PAGE 82)

A. Applications. Any applications required by this Ordinance shall be filed on prescribed forms obtainable from the Zoning Director ~~upon~~ and payment of the filing fee. Such fees shall not be required where the County or any official thereof is the moving party. The purpose of the filing fee is to cover administrative and processing costs and shall not be refundable.

[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]]

4. Zone ~~District~~ Change Permit [Rev: Ord. No. 2024-04, 11/13/2024]

12. Enlarged Zoning Maps [REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

NO CHANGES TO SECTIONS 27 AND 28

SECTION 29. EFFECTIVE DATE. (PAGE 83)

This Ordinance shall become effective on the 20th day of April 1990, following publication of title and general summary. Amendments to this Ordinance are effective when adopted by the County Commission according to the laws governing County ordinances.
[REV: Ord. No. 2008-003, 4/23/08]

ORIGINALLY PASSED APPROVED AND SIGNED the 21st day of March 1990, by the Board of County Commissioners of Torrance County, New Mexico.

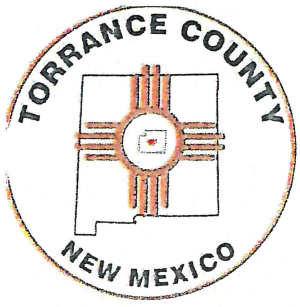
AMENDED on the 11th day of May 2016, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 8th day of July 2020, by the Board of County Commissioners of Torrance County, New Mexico, Amendments shall be effective on the 1st day of August 2020.

AMENDED on the 13th day of November, 2024, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the __13th_ day of _November, 2024 .

AMENDED on the ___ day of XXX, 2026, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the ___ day of XXX, 2026.

PASSED, APPROVED, AND ADOPTED THIS ___ DAY OF_____, 2026



TORRANCE COUNTY ZONING ORDINANCE

Adopted by the Board of County Commissioners of Torrance County on
March 21, 1990
[Including revisions to: Month, day, 2026)

TORRANCE COUNTY

BOARD OF COUNTY COMMISSIONERS

ORDINANCENO. 2026-____

BE IT ENACTED BY THE COUNTY COMMISSION OF TORRANCE COUNTY:

TORRANCE COUNTY ZONING ORDINANCE AMENDMENTS

WHEREAS, the current version of the Torrance County Zoning Ordinance was last revised in 2024; and,

WHEREAS, the 2024 version of the Torrance County Zoning Ordinance did not adequately address used mobile home standards; and,

WHEREAS, the 2024 version of the Torrance County Zoning Ordinance did not directly address poultry; and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding Feedlots; and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding Zones and Districts: and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding residential and commercial kennels.

WHEREAS, the 2024 version of the Torrance County Zoning Ordinance did not adequately cannabis operations.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO that the Torrance County Zoning Ordinance of 1990, last revised November 13, 2024 is hereby amended to read:

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ZONING ORDINANCE
FOR
TORRANCE COUNTY, STATE OF NEW MEXICO

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS AND A ZONING MAP FOR THE UNINCORPORATED AREAS OF TORRANCE COUNTY, NEW MEXICO; AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF.

SECTION 1. TITLE.

These regulations shall be known as the "TORRANCE COUNTY ZONING ORDINANCE" and shall be referred to herein as "this Ordinance".

SECTION 2. PURPOSE.

The provisions of this Ordinance are designed to promote health and the general welfare of the County; to secure safety from fire, flood, and other dangers; to protect local water resources; to facilitate adequate provisions for transportation, solid waste management, water and wastewater systems, schools, parks and other community requirements; to conserve the value of property; and to provide for the compatible development of land and other natural resources in the County. This Ordinance shall be interpreted to be in accordance with the current Torrance County Comprehensive Land Use Plan.
[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08]

SECTION 3. JURISDICTION.

This Ordinance shall apply to all or any portion of the territory within the County that is not within the zoning jurisdiction of an incorporated municipality or any joint municipal-county extraterritorial zoning authority, and is not held in trust or ownership by the Federal Government or the State of New Mexico. Boundaries delineating the zoning jurisdiction of the County shall be as indicated on the adopted "Torrance County Zoning Map" and amendments hereto, which are made a part of this Ordinance as if described herein.

SECTION 4. DEFINITIONS.

A. Word Forms. Words used in the present tense include the future tense, and words used in the future tense include the present tense. The singular number includes the plural number, and the plural number includes the singular number. The Words "shall" and "must" are mandatory, and the word "may" is permissive.

B. Definitions. The following definitions apply to this Ordinance:

1. "Accessory Uses and Structures" are customarily accessory but clearly incidental and subordinate to principal uses and structures on a premises.
[REV: Ord. No. 95-11, 11/10/95]

2. "Agricultural use - low intensity" means certain agricultural uses such as irrigated croplands and limited livestock management other than dairies, feedlots, or other activities which require special consideration by the Planning & Zoning Board and/or County Commission.
[REV: Ord. No. 2008-003, 4/23/08]

3. "Agricultural use - high intensity" means those agricultural uses such as, but not limited to, dairies and feedlots which require special consideration by the Planning and Zoning Board and/or the County Commission.
[REV: Ord. No. 2008-003, 4/23/08]

4. "Appeal Period" - the fourteen day (14) period beginning on the day of the signing of the Planning and Zoning Board's Findings and Conditions.
[REV: Ord. No. 2020-06, 7/8/20]

5. "Boarding, Rooming, or Lodging House" means a building other than a hotel or restaurant where lodging, with or without meals, is provided for compensation. This definition includes a "Bed and Breakfast" enterprise.

6. "Building" means any relatively permanent structure having a roof. Buildings meeting New Mexico Regulation & Licensing Construction Industries Division size standard for a required building permit are subject to the provisions specified in Section 19.F.1 of this ordinance.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

7. Commercial Greenhouses" are enclosed spaces used for the growth of plants where ventilation and/or grow lights are used, with the intent of trade.
[REV: Ord. No. 2020-06, 7/8/20]

8. "Conditional Use" means a use which may be or become a nuisance or hazard to neighboring properties if proper safeguards are not taken. Such uses require individual review and approval by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

9. "County" means Torrance County, New Mexico.

10. "County Commission" means the Board of County Commissioners of Torrance County, New Mexico.
[REV: Ord. No. 2008-003, 4/23/08]

11. "Dwelling Unit" means a structure or part of a structure containing one or more connected rooms designed for and occupied by no more than one family for living and sleeping purposes.

12. "Dwelling Unit, Singular" means a dwelling unit which is not physically connected to any other dwelling unit.

13. "Dwelling Unit, Multiple" means a structure containing two or more dwelling units.

14. "Dwelling Unit, Cluster" means a development pattern consisting of a grouping of dwelling units on a portion of available land, reserving not less than 40 percent of the development site as protected and permanent open space.
[REV: Ord. 2008-003, 4/23/08]

15. "Family" means one or more persons living together in a dwelling unit, provided that unless all members are related by blood, marriage, adoption, or legal assignment, no such family shall include or contain more than 5 unrelated persons.

16. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. A Large Feedlot shall not be allowed, except in a special use district. Operators are suggested to obtain any and all State and Federal permits needed.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No 2024-04, 11/13/24]

17. "Flea Market" means an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public. A flea market shall not include temporary residential garage sales lasting no more than three days per six-month period, and seasonal agricultural produce stands.
[REV: Ord. No. 94-2, 2/9/94]

18. "Floor Area" means the total area of all floors of a building.

19. "Floor Area Ratio" means the relationship of the floor area to the lot area, computed by dividing the floor area by the lot area.

20. "Height" means the vertical distance measured from the lowest ground elevation of a structure to the highest point of a structure.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]

21. "Home Occupation" means a business, commercial, or manufacturing activity that is clearly a secondary use of the premises for a dwelling unit, and which results in a product or service for financial gain. Whenever a dwelling unit and/or its premises are used for a home occupation and there is no outside appearance or other off-site evidence of the conduct of a home occupation, the Zoning Director may find such a home occupation as a permissive use in any zone district, subject to the requirements of this Ordinance and business registration requirements. However, any home occupation that exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands shall require a Conditional Use Permit subject to special requirements provided by this Ordinance.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 95-5, 6/10/95; Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

22. "Horticultural Operations" means the cultivation and harvesting of plants.
[REV: Ord. No. 2008-003, 4/23/08]

23. "Immediate Family Member" means family relations up to and including the Grandparent, Parent, Brother, Sister, and Child, whether by blood, marriage, adoption, or legal assignment. Relationships of half-blood shall be recognized as natural relationships so long as the step relationship is legally extant at the time of a family transfer of land. Land divisions for the purpose of achieving a family transfer shall be subject to the exemption procedures of the Torrance County Subdivision Regulations.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08; Ord. No. 2008-003, 4/23/08]

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24. "Kennel" means any building or buildings or land designed or arranged for housing dogs, cats, and other household pets, and where grooming, breeding, boarding, training, or selling animals is conducted. For purposes of this Ordinance, the housing or boarding of more than five (5) dogs or cats in any combination thereof shall constitute a kennel. Kennels: Residential: 6 to 9 dogs, cats or combination thereof; Kennels: Commercial: 10 or more dogs, cats or combination thereof; Kennels: Foster/Rescue: 10 or more dogs, cats or combination thereof. In addition to complying with the requirements of this Ordinance, Kennels must comply with the requirements of the Torrance County Animal Control Ordinance.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 95-5, 6/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

25. "Liquid Waste Disposal Regulations" means the Liquid Waste Disposal Regulations adopted by the Environmental Improvement Board of New Mexico and administered by the New Mexico Environment Department.

26. "Livestock" means all domestic or domesticated animals that are used or raised on a farm or ranch, including the carcasses thereof, and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, ostriches, emus, rheas, camelids and farmed cervidae (deer). For purposes of determining the number of livestock on a lot, one (1) horse or cow equals five (5) goats or five (5) sheep or combination thereof.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

27. "Lot" means a parcel of real property described by deed, or a tract of land described by metes and bounds on a plat and recorded in the County Clerk's records in accordance with appropriate laws, and with access to public right-of-way.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

28. "Mobile Home" (also known as Manufactured Housing) means a transportable structure, at least 8 feet by 32 feet, built to be towed on its own chassis, and designed to be used as a movable dwelling unit for connection to permanent utilities.

29. "Mobile Home Park" means a tract of land under one ownership on which spaces are leased or rented for occupancy for 30 days or more by mobile homes, and which contains a centralized system of connections for utility services.
[REV: Ord. No. 95-5, 6/10/95, Ord. No. 2024-06, 11/13/2024]

30. "Nonconformities" are any structures or portions thereof, or uses of any land or structures, or lots which do not conform to the regulations of this Ordinance but which lawfully exist on the effective date of the regulations to which it does not conform.

31. "Permissive Use" means a use which is allowed in a particular zone.

32. "Poultry" means domestic fowl, such as chickens, turkeys, ducks, and geese, but does not include any animal defined as livestock. No more than 24 poultry are allowed in any combination per household. One turkey or goose equals two ducks or chickens. More than 24 poultry will constitute commercial activity and may require a Conditional Use permit.
[REV: Ord. No. 2024-04, 11/13/24]

33. "Premises" means any lot or combination of contiguous lots held in single ownership, together with the development thereon.

34. "Recreational Vehicle" means a vehicle which is designed or used as temporary living quarters for recreation, camping, or travel and which may be a self-propelled motor vehicle or designed to be towed or mounted on a motor vehicle.

35. "Right-of-way" means dedicated public land deeded, reserved by plat, or otherwise acquired by the County, municipalities, or the State for use by the public for the movement of people, goods, and vehicles.

36. "Roadway" means that portion of a right-of-way or a private easement which is primarily devoted to vehicular use.

37. "Salvage Yard" means an enclosed building or outside area where used or secondhand materials are bought, sold, exchanged, stored, processed, or handled. Such materials include but are not limited to metals, paper, textiles, glass, 3 or more unregistered motor vehicles (excluding agricultural equipment), and components of motor vehicles. This definition does not include solid waste transfer stations or sanitary landfills.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

38. "Setback" means the required distance between every building or structure and a boundary line of the lot upon which it is located. Setbacks shall consist of an open space, unoccupied and unobstructed by any part of a building or structure, except as otherwise provided in this Ordinance. Setbacks shall not apply to walls, fences, and free-standing signs, unless a building or structure creates a visual obstruction to vehicles passing or accessing the property upon which such building or structure is located.
[REV: Ord. No. 94-2, 2/9/94]

39. "Setback, Front" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, bordering on a roadway. No more than one front setback shall be designated on corner lots or double frontage lots. For any roadway easement less than 60 feet in width, setback shall be measured from a point located 30 feet from the centerline of the roadway easement.
[REV: Ord. No. 94-2, 2/9/94]

40. "Setback, Rear" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, which is opposite and most distance from a roadway and does not intersect with a roadway. On double frontage lots, the rear setback shall be designated on the opposite side of the lot from the designated front setback.
[REV: Ord. No. 94-2, 2/9/94]

41. "Setback, Side" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, which intersects a roadway. On corner lots, a side setback shall be designated along the lot line bordering a roadway that is not designated as the front setback.
[REV: Ord. No. 94-2, 2/9/94]

42. "Shopping Center" means an integrated retail commercial development occupying a site of 3 or more acres under a single ownership, control or interest, and containing 5 or more connected stores or a total gross floor area in a single structure which is greater than 25,000 square feet.

43. "Structure" means anything constructed, placed, or erected on the ground or which is attached to something located on the ground. For purposes of this Ordinance, the term "structure" does not include vehicles, vegetation, or public utility poles.

44. "Supplemental Residential Dwelling Unit" means a secondary or auxiliary structure used for residential purposes on land not within a previously approved subdivision for use by family members or guests and which may not be leased or rented.
[REV: Ord. No. 2001-2, 3/14/01]

45. "Temporary" For purposes of this Ordinance temporary constitutes 60 days or less. Exception: Livestock including pigs temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.
[REV: Ord. No. 2020-06, 7/8/20; Ord. No. 2024-04, 11/13/2024]

46. "Travel Trailer or Recreational Vehicle Park" means an area of land used for transient commercial parking of occupied travel trailers, pick-up campers, converted buses, recreational vehicles, tents, or any other similar devices used for temporary portable housing.

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47. "Variance" means a relaxation of the terms of this Ordinance where such relaxation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results or actions of the applicant, a literal enforcement of this Ordinance would result in unnecessary hardship. As used in this Ordinance, a variance may be authorized only for area, height, dimension, distance, setback, walls, off- street parking, and off-street loading requirements. Financial gain or loss shall not be a determining factor in deciding a variance.
[REV: Ord. No. 2024-04, 11/13/2024]

48. "Wall" means a solid wall or fence which is visually solid, or a suitable screen of landscaping intended to provide a visual barrier. Materials used in the construction of a wall or fence shall not pose health or safety hazards to the community and shall not be disruptive to the character of surrounding properties.
[REV: Ord. No. 94-2, 2/9/94]

    a. For purposes of this Ordinance plastic sheeting materials or mesh shall not constitute an acceptable visual barrier.
    [REV: Ord. No. 2020-06, 7/8/20]

49. "Zone" means a section of the County, designated in the text of this Ordinance and delineated on the Torrance County Zoning Map, in which requirements for the use of land and building and development standards are prescribed. Boundaries of zones shall follow existing property lines unless clearly otherwise shown on the Zoning Map, in which case, such boundary shall be defined by dimension and distance from existing property lines.
[REV: Ord. No. 2024-04]

50. "Zoning Board" means the Torrance County Planning and Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

51. "Zoning Enforcement Officer" means the official person designated by the Zoning Director as the enforcement officer of this Ordinance.
[REV: Ord. No. 2008-003, 4/23/08]

52. "Zoning Director" means the official person designated as the principal administrator and enforcement officer of this Ordinance.
[REV: Ord. No. 2008-003, 4/23/08]

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SECTION 5. INTERPRETATION

A. Interpretation of Ordinance. No structure shall be constructed, placed or maintained, and no land use commenced or continued within the jurisdiction of this Ordinance except as authorized by this Ordinance and amendments thereto. The provisions of this Ordinance are held to be minimum requirements to carry out the purpose of this Ordinance and are not intended to interfere with any other laws, covenants, or ordinances. Whenever any provisions of this Ordinance are more or less restrictive than other laws, covenants, or ordinances, then whichever is more restrictive shall govern. However, the County shall not enforce private covenants, unless such private covenants are incorporated into an approval of a subdivision by the County Commission.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]

B. Interpretation of Zoning Map. Where, due to illegibility of the Zoning Map or other irregularity, there is any uncertainty as to the intended location of any zone boundaries, interpretation concerning the exact location of such boundaries shall be determined by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

C. Interpretation of Land Uses. The County Commission shall render interpretations of land uses in any zone or district not expressly enumerated in this ordinance, subject to the following standards and procedures:
[REV: Ord. No. 2024-04, 11/13/2024]

1. Request for Interpretation. Any request for an interpretation of a use of land not specifically listed herein shall be submitted to the Zoning Board through the Zoning Director. The Zoning Director may create forms for such an application.

2. Following the receipt of a request for interpretation of land use, the Zoning Board shall recommend an interpretation of land use for the applicant at their next scheduled meeting. The Zoning Board recommendation shall be transmitted to the County Commission for consideration at the next scheduled Commission meeting. The County Commission shall approve, deny, or modify the Zoning Board's recommended interpretation.

3. The interpretation of land use shall be documented and a letter summarizing the interpretation shall be mailed to the applicant, and shall explain the reasons upon which the interpretation is based.

4. Guidelines. Interpretations shall be governed by the following conditions:
[REV: Ord. No. 2008-003, 4/23/08]

   a. No use interpretation shall allow the establishment of any use which was previously considered and rejected by the County Commission.

b. No use interpretation shall permit any use in a zone or district that is not in accordance with the stated intent for that zone or district.
[REV: Ord. No. 2024-04, 11/13/2024]

c. No use interpretation shall permit any use in a particular zone unless that use is substantially similar to other uses permitted in that zone.

d. If the proposed use is more similar to an identified conditional use in a zone or district, then any use interpretation shall specify conditional or special use requirements in accordance with this Ordinance.
[REV: Ord. No. 2024-04, 11/13/2024]

e. Any use that is allowed by right or as a conditional use following a use interpretation shall comply with all standards and requirements imposed by this Ordinance.

SECTION 6. GENERAL PROVISIONS

A. Access to Structures. All structures shall be located such that safe and convenient access is provided for use of the structure, fire protection, and any required off-street parking or loading.

B. Height Regulations. Any structure may not exceed 80 feet in height unless granted a variance in accordance with this Ordinance. This restriction does not apply to public utility poles.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]

C. Mobile Home Installation. No mobile home shall be occupied unless it is connected to adequate utilities, provided with skirting of a durable material if not installed at ground level, and stabilized and anchored, all in accordance with the regulations promulgated by the Manufactured Housing Act of New Mexico
[60-14-1 et seq., NMSA 1978]. No mobile home older than 30 years shall be installed anywhere in the jurisdiction of Torrance County. As noted in Section 19.F.1, a Torrance County Mobile Home Development Permit is required before any mobile home is placed on a property.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

D. Water and Wastewater Requirements. All lots and all structures located thereon shall be in compliance with applicable statutes as well as any regulations established by the New Mexico Environment Department and the New Mexico State Engineer's Office concerning water, wastewater and liquid waste disposal.
[REV: Ord. No. 2008-003, 4/23/08]

E. Home Occupations. All property owners of lands containing home occupations must file a complete copy of the Torrance County Business Registration Application with the Zoning Director for each home occupation. In order to designate a home occupation as a Permissive Use, the property owner may file a written statement with the Zoning Director declaring that the home occupation will not create any off-site impacts or a non-residential appearance. Upon confirmation of no outside appearance or other off-site evidence of the conduct of a home occupation, the Zoning Director may find such a home occupation as a permissive use in any zone district. The Zoning Director shall inform the property owner in writing of such a finding and the date of such a finding. However, any home occupation that exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands, shall require a Conditional Use Permit subject to special requirements provided by this Ordinance. Additionally, any home occupation found to be permissive that later exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands, shall require a Conditional Use Permit subject to special requirements provided by this Ordinance.
[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

The following restrictions apply to Home Occupations, whether authorized as a permissive use by the Zoning Director or as a conditional use by the Zoning Board:
[REV: Ord. No. 2008-003, 4/23/08]

1. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,

2. No more than three (3) non-resident employees shall be stationed on the premises,

3. There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall,
[REV: Ord. No. 2020-06, 7/8/20]

4. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,

5. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,

6. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and

7. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size.

F. Non-Commercial Cemetery. A parcel used as a Non-Commercial Cemetery, such as a family burial ground, shall be at least 5 acres in area.
[REV: Ord. No. 2008-003, 4/23/08]

G. Public Utility Structure. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel used for essential public utility distribution structures or for communication structures or facilities shall be at least 5 acres in area.
[REV: Ord. No. 2008-003, 4/23/08]

H. Kennels. Kennels are subject to the Torrance County Animal Control Ordinance and the following minimum standards:
[REV: Ord. No. 2008-003, 4/23/08]

1. Minimum lot size for a Residential kennel shall be one (1) acre,
[REV: Ord. No. 2020-06, 7/8/20]

2. Minimum lot size for a Commercial kennel shall be five (5) acres,
[REV: Ord. No. 2020-06, 7/8/20]

3. All animals shall be contained on the premises in a manner that prevents escape of kennel animals or entry by other animals,

4. All animal containment structures, including outdoor runs, shall maintain a setback of no less than 50 feet from any property line.

5. Animal quarters shall be designed and maintained to ensure safe, healthy, and sanitary conditions for all animals on the premises, and

6. Facilities shall be operated and maintained to discourage the concentration and breeding of insects and rodents.

I. Feedlots. Feedlots are subject to the following minimum requirements:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

1. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and

2. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.

3. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. A Large Feedlot shall not be allowed, except in a special use zone. Operators are suggested to obtain any and all State and Federal permits needed.
[REV: Ord. No. 2024-04, 11/13/2024]

J. Setbacks. Unless otherwise specifically provided herein, all structures shall be located with a front and rear setback of at least 25 feet and side setback of at least 15 feet from the lot or property line, roadway right-of-way, or roadway easement. All corner lots shall maintain a minimum 20 foot sight angle for roadway intersections.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

K. Recreational Vehicles. Full time living in Recreational Vehicles shall not be allowed except in permitted Recreational Vehicle parks.
[REV: Ord. No. 2020-06, 7/8/20]

L. Sheds. Sheds are a structure intended for storage and are not intended for use as a dwelling. Living in a shed will not be permitted unless preapproved plans by CID for construction or modification to use as a dwelling are provided, or the shed is manufactured at full Residential Dwelling ANSI standards. Violation may result in a fine of up to $300.00 and/or 90 days in jail.
[REV: Ord. No. 2024-04]

M. Commercial Greenhouse operations for growing cannabis will be subject to the following regulations:
[Rev Ord. No. 2024-04, 11/13/2024]

1. In zones where commercial greenhouse operations may take place a Conditional Use permit is required.

2. Number of plants intended to be applied for with the CCD (Cannabis Control Division) shall be disclosed.

3. One State issued cannabis grow and or production license per parcel.

4. A copy of the license issued by the CCD will be provided for the Conditional Use to go into full effect.

5. Facility square footage will be dictated by number of plants, e.g.: 200 plants= 700 sq. ft.; 500 plants= 1750 sq. ft; 1000 plants= 3500 sq. ft. ; extrapolations to the maximum of 20,000 plants will dictate size of facility (minor variation allowed).

6. Conditional Uses will be granted only for the number of plants disclosed. Future changes to the size of operation will require a modification to the Conditional Use granted by The Planning & Zoning Board.

7. Violation of these regulations may result in revocation of the Conditional Use permit.

SECTION 7. ESTABLISHMENT OF ZONES and DISTRICTS.

[Rev Ord. No. 2024-04, 11/13/2024]

A. Zones. For the purpose of this Ordinance, the following zones are established: Conservation (C), Agricultural (A), Agricultural Preservation (AP-5, AP-10, & AP-40), Pre-platted Lands (PL), Rural Residential (RR), Minor Development (D-1), Major Development (D-2), Major Development, Adult Land Uses (D-3), Village Community Preservation (VCP), Rural Community Preservation (RCP). Special Use (SU) and Solid Waste (SW) are established as Districts within a Zone.
[REV: Ord. No. 95-9, 10/13/95; Ord. No. 95-11, 11/10/95; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

B. Zoning Map. The boundaries of the zones and districts shall be shown on the adopted "Torrance County Zoning Map". The original copies of the zoning map and this Ordinance, and subsequent amendments thereto, shall be maintained by the Planning & Zoning Office and GIS Office of Torrance County. Zoning maps shall be made available for public reference by the Zoning Director. A Zoning Map can be obtained for a fee in the GIS Office.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 8.0. CONSERVATION ZONE, (C).

[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone protects and preserves areas within the County which are characterized by their limited access, minimal development, limitations on water resources, natural beauty, fragile environment and native wildlife populations. Dispersed, very low density residential development and low intensity agricultural activities are allowed. Other agriculturally related activities may be allowed. Commercial uses will not be allowed except on a case by case basis in which the primary concern of the Zoning Board will be to minimize the environmental impact on the area. Development may be considered within a 1 mile buffer zone where the "C" Zone joins an incorporated municipality and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Low intensity agricultural operations such as livestock grazing and related ranching activities;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 95-11, 11/10/95]

2. Horse breeding, boarding and training;

3. Other low intensity production agriculture;
4. Cultivation and harvesting of plants and croplands;

5. Wood cutting and other activities related to harvesting trees;

6. Singular residential dwelling unit provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations; and

7. Accessory uses and structures necessary to carry out the above listed permissive uses.

8. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2001-2, 3/14/01]

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Home occupations provided they are confined to the residence or accessory structure, are clearly a secondary use of the structure and present no visual impact to neighbors as viewed from adjoining property or public thoroughfare;

2. Small Bed and Breakfast operations limited to two guest bathrooms and no more than 8 (eight) guests; [REV. Ord. No. 2024-04, 11/13/2024]

3. Horseback riding stables, provided sufficient land exists to support the number of animals maintained;

4. Dude ranch or other agricultural work experience operation;

5. Outfitters;

6. Essential public utility distribution structures;
[REV: Ord. No. 95-11, 11/10/95]

7. Communication structures and facilities; and
[REV: Ord. No. 90-4, 6/12/99]

8. One supplemental residential dwelling unit allowed on a parcel meeting zone minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2024-04, 11/13/2024]

D. Zone Standards. The following standards apply to all land use within this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Minimum parcel size will be forty acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:
[REV: Ord. No. 2008-003, 4/23/08]

a. Parcels smaller than the minimum parcel size which existed upon the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as allowed by Section 8.0.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
[REV: Ord. No. 2008-003, 4/23/08]

b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than 5 acres in size with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
[REV: Ord. No. 2001-2, 3/14/01]

c. A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

d. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel used for essential public utility distribution structures or for communication structures or facilities shall be at least 5 acres in area.
[REV: Ord. No. 90-4, 6/12/99; Ord. No. 2008-003, 4/23/08]

e. One supplemental residential dwelling unit is allowed on a parcel meeting zone minimum standards. If a parcel is at least eighty acres or a 1/8 section in area, then up to two supplemental residential dwelling units are allowed on such a parcel.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08; Ord. No. 2024-04, 11/13/2024]

2. In the event contiguous parcels within the zone are assembled, any of which may be less than the smaller of forty acres or 1/16 section, no future land division of that assembled parcel will be allowed, except as noted in paragraph 8.0.C.1.b. & c. supra, if any portion of the land division will result in a parcel of less than forty acres or 1/16 section. It is the intent of these standards to restrict parcel size within this zone to a minimum of forty acres or 1/16 section and where possible to reassemble smaller existing parcels into larger parcels more closely approaching the forty acre, 1/16 section minimum.
[REV: Ord. No. 2008-003, 4/23/08]

3. This change will not affect any subdivision plans which have been submitted to the Zoning Board prior to the effective date of this section.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08]

4. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/29]

5. Commercial Greenhouse operations are prohibited in this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 8.1 AGRICULTURAL ZONE (A).
[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone is intended to preserve large areas of land traditionally used for farming and ranching operations and other agricultural uses. This zone is characterized by arid rangeland, extreme limitations on water resources and minimal development. The standards prescribed for this zone are intended to preserve the traditional uses of the land and thereby protect the business of agriculture and related work. Development may be considered within a 1 mile buffer zone where the "A" Zone joins another zone and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Livestock grazing and related ranching activities;

2. Horse breeding, boarding or training activities;

3. Other livestock raising and breeding operations to include exotic birds and exotic wildlife; as long as such use is not a Feedlot.
[REV: Ord. No. 2001- 2, 3/14/01]

4. Cultivation and harvesting of plants and croplands;

5. Wood cutting and other activities related to harvesting of trees;

6. Livestock related training facilities, e.g. Rodeo training facilities, roping arenas, vet training facilities, etc.;

7. Single residential dwelling units subject to the provisions of Section 19 (F) of this Ordinance; and

8. Kennel subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.

9. Accessory uses and structures necessary and in proportion to the conduct of normal agricultural production .

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[Rev. Ord. No. 24-04, 11/13/2024]

1. Veterinary hospitals;

2. Home occupations provided they are clearly secondary to the agricultural use of the property;

3. Dude ranches or working ranch vacations/experiences;

4. Small Bed and Breakfast operations limited to two guest bathrooms, and no more than 8 (eight) guests. [Rev. Ord. No. 24-04, 11/13/2024]

5. Roadside stands which sell locally produced agricultural products or locally made home crafted items;

6. Convenience services along a highway such as a service/gas station, or restaurant;

7. Essential public utilities distribution structures.
[REV: Ord. No. 95-11, 11/10/95]

8. Communication structures and facilities;
[REV: Ord. No. 90-4,6/12/99]

9. One supplemental residential dwelling unit allowed on a parcel meeting zone minimum standards, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

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10. Feedlot. A Feedlot is subject to the following requirements: Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre.
[Rev. Ord. No 2024-04, 11/13/2024]

    a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and

    b. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.
    [REV: Ord. No. 2001- 2, 3/14/01]

    c. Feedlot means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre. A Medium Feedlot will be 101 to 200 head of animals and have a maximum density of 20 head per acre. A Large feedlot will be 201+ head of animals and have a maximum density of 10 head per acre. Small and Medium Feedlots will require a Conditional Use. A Large Feedlot shall not be allowed, except in a special use ~~zone~~ district. Operators are suggested to obtain any and all State and Federal permits needed.
    [REV: Ord. No. 2008-003, 4/23/08, Ord. No 2024-04, 11/13/24]

D. Zone Standards. The following standards apply to all land uses within this zone:
[Rev. Ord. No 2024-04, 11/13/2024]

1. Minimum parcel size will be 40 acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:
[REV: Ord. No. 2008-03, 4/23/08]

    a. Parcels smaller than the minimum parcel size which existed on the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as may be allowed by Section 8.1.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.

b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than five acres in size, with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
[REV: Ord. No. 2001-2, 3/14/01]

c. A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

d. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel, or a portion thereof, which shall be used for essential public utility distribution structures or for communication structures or facilities shall be at least 2.5 acres in area.
[REV: Ord. No. 90-4, 6/12/99; Ord. No. 2008-003, 4/23/08]

2. A one mile buffer zone will be established around the periphery of the "A" zone where it comes in contact with another zone. Within the buffer zone, the Zoning Board may allow development to take place which is consistent with the zone to which it joins.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

4. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 9. AGRICULTURAL PRESERVATION ZONE (AP-5, AP-10 & AP-40).
[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone is intended to protect and preserve areas of suitable agricultural soil for agricultural and agriculture-related uses. The standards prescribed for this zone are intended to preserve the open character of the area and thereby to protect the business of agriculture. The minimum lot size in this zone shall be either five acres (AP-5), ten acres (AP-10), or forty acres (AP- 40), as indicated on the Zoning Map.
[Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. One singular dwelling unit per lot;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97]

2. Cultivation and harvesting of plants and croplands;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97]

3. Raising, breeding, management and sales of livestock, as long as such use is not a Feedlot.
[REV: Ord. No. 2024-04, 11/13/2024]

   a. AP-5 zones have the following restrictions on the number of livestock used as pleasure animals or animals for personal use according to lot size; minimum 1 acre: No more than one (1) horse or one (1) cow or an equivalent number of sheep or goats. [Rev. Ord. No. 2024-04, 11/13/2024]

   b. Equivalency is determined as one (1) horse or cow equals five (5) goats or five (5) sheep or combination thereof.

   c. Additional livestock units allowed is based upon one (1) horse or cow unit per each additional acre of land.

   d. Exception: Livestock temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.
   [Rev. Ord. No. 2024-04, 11/13/2024]

4. Kennel, subject to the regulations of Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. One supplemental residential dwelling unit allowed on a parcel meeting zone minimum standards; in the AP-5 and AP-10 zones, a temporary supplemental residential dwelling unit may only be used so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit; in the AP-40 zone, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

2. Home occupation, subject to the following provisions:
[REV: Ord. No. 95-5, 6/10/95]

a. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,

b. No more than three (3) non-resident employees shall be stationed on the premises,

c. There shall be no exterior storage of materials unless completely enclosed by a wall,

d. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,

e. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,

f. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and

g. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size;

3. Farm equipment stores, animal feed stores, tack shops, and other agricultural support services;

4. Commercial processing of agricultural products;
[Rev. Ord. No. 24-04, 11/13/2024]

5. Business, service, and commercial establishments, primarily serving agricultural and agricultural-related uses;
[REV: Ord. No. 2001-2, 3/14/01]

6. Veterinary hospitals;
[REV: Ord. No. 94-2, 2/4/94]

7. Essential public utility distribution structures;

8. Communication structures and facilities; and
[REV: Ord. No. 90-4, 6/12/99]

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9. Small Feedlot. A Feedlot is subject to the following requirements: Feedlots can be placed on property that is <5% slope and must be at least 100 feet from any water way (stream, creek, arroyo, or ditch that may convey any water at any time of year). Any feedlot must have a filter strip of at least 25 feet on any side of the lot that is between the lot and any waterway. Feedlots of any size are prohibited within Residential Zones. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to not more than 100 head of animals and shall have a maximum density of 20 head per acre.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

   a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and

   b. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.

D. Zone Standards. The following standards apply to all land uses within this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Minimum lot size shall be five acres where identified as AP-5 on the Zoning Map, ten acres where identified as AP-10 on the Zoning Map, and forty acres where identified as AP-40 on the Zoning Map; a parcel used for essential public utility distribution structures or for communication structures or facilities may be 5 acres or larger, with the following exceptions:
[REV: Ord. No. 99-1, 4/10/99; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

   a. Parcels smaller than the minimum parcel size that existed on the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as may be allowed by Section 9.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
   [REV: Ord. No. 2008-003, 4/23/08]

   b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of the property provided it is not less than five (5) acres in size, with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the borrower defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.

c. A parcel where a cemetery is to be placed shall be at least 5 acres in area. [REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

2. AP-5 zones have the following restrictions on the number of livestock used as animals for personal use according to lot size:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

a. On lots that do not conform to the zone minimum standard but are at least 1 acre in area, there shall be no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats per acre.
[Rev. Ord. no. 2024-04, 11/13/2024]

b. On lots that exceed zone minimum standard for acreage, additional livestock units are allowed based upon one (1) horse or cow unit per each additional acre of land.
[Rev. Ord. No. 2024-04, 11/13/2024]

c. Exception: Livestock, including pigs, temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America are not restricted.

3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

4. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 10. PREPLATTED LANDS ZONE (PL).

[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone provides for the appropriate development of pre-platted subdivisions which are not considered adequate by current planning or environmental standards. This zone is comprised of certain Type 1 and Type 2 subdivisions platted and placed on record with the County Clerk prior to 1973, often held in multiple ownership, and substantially or totally undeveloped. This zone is established to encourage and promote private land readjustment through techniques such as subdivision re-platting or lot consolidation, followed by a change to a more appropriate zone, if necessary.
[Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. All Permissive Uses allowed in the RR Zone.
[Rev. Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

1. All Conditional Uses allowed in the RR Zone.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

2. The Zoning Board may determine that a Variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone.
[REV. Ord. No. 2020-06, 7/8/20, Ord. No. 2024-04, 11/13/2024]

D. District Standards. The following standards apply to all land uses within this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. Lots shall not be further subdivided or re-platted into lots smaller than the nearest prevailing zone.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

2. In the event that contiguous lots within a specified area are assembled for readjustment and a master plan or site plan for future development is proposed, then such area shall be subject to the setback requirements established for the RR zone.
[REV: Ord. No. 95-5, 6/10/95, Ord. No. 2024-04, 11/13/2024]

3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

4. Commercial Greenhouse operations are prohibited within this zone.
[REV. Ord. No. 2020-06, 7/8/20]

SECTION 11. RURAL RESIDENTIAL ZONE (RR).

[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone accommodates rural residential development and certain agricultural uses such as irrigated croplands and limited livestock management. Large-lot residential land subdivision is characteristic of this zone.
[Rev. Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[Rev. Ord. No. 2024-04, 11/13/2024]

1. One singular dwelling unit per lot subject to the provisions of Section 19 (F) of this Ordinance;

2. Accessory uses and structures;

3. Cultivation and harvesting of croplands;

4. Raising, breeding, and sales of livestock, subject to the following requirements:

   a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents which are detrimental to human habitation, and

   b. It shall be unlawful for any owner or keeper of livestock to allow such livestock to run at large on public right-of- way;

   c. Such land use shall not constitute a Feedlot and the number of livestock on the parcel shall not exceed an average density of one head per two acres.
   [REV: Ord. No. 2001-2, 3/14/01]

   d. This does not apply to pleasure animals or animals for personal use which are subject to the following restrictions on numbers according to lot size;

   e. 1 acre (minimum): No more than one (1) horse or cow or an equivalent number of sheep or goats. Equivalency is determined as one (1) horse or cow equals five (5) goats or five (5) sheep or combination thereof.
   [REV: Ord. No. 2020-06, 7/8/20; Ord. No. 24-04, 11/13/2024]

   f. Additional livestock units allowable is based upon one (1) horse or cow unit per each additional acre of land.

   g. Exception: Livestock including pigs temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.

5. Residential Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
   [REV: Ord. No. 2020-06, 7/8/20]

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
   [Rev. Ord. No. 2024-04, 11/13/2024]

1. Home occupation, subject to the following provisions:
   [REV: Ord. No. 95-5, 6/10/95]

   a. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,

   b. No more than three (3) non-resident employees shall be stationed on the premises,

c. There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall,
[REV: Ord. No. 2020-06, 7/8/20]

d. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,

e. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,

f. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and

g. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size;

2. Religious and educational institutions;

3. One temporary supplemental residential dwelling unit allowed on a parcel meeting zone minimum standards so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit;
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

4. Essential public utility distribution structures;

5. Boarding, rooming, or lodging house for no more than 12 residents;
[REV: Ord. No. 2001-2, 3/14/01]

6. Residential group training home for developmentally or physically handicapped, and residential nursing home, providing for no more than 12 persons at any one time; and
[REV: Ord. No. 2001-2, 3/14/01]

7. Day care or child care services as regulated by the New Mexico Children Youth and Families Department.
[REV: Ord. No. 2001-2, 3/14/01]

8. Kennel, Commercial or Foster/Rescue, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
[REV: Ord. No. 2008-003, 4/23/08]

D. Zone Standards. The following standards apply to all land uses within this zone:
[Rev. Ord. no. 2024-04, 11/13/2024]

1. Minimum lot size shall be two and one-half acres for dwelling units served by individual private wells, and one acre for dwelling units with connections to a centralized water system. For purposes of determining minimum lot size, the calculation of acreage shall include common easements and private roadways for ingress and egress for adjoining lots. A shared domestic well permitted under Section 72-12-1 NMSA 1978 does not qualify as a "centralized water system."
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

2. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

3. Inoperable vehicles or vehicles which have no current registration or licensing stored on a parcel of land are limited to two (2) on a 1/2 acre lot. Additional inoperable or un-registered vehicles may be allowed at one (1) per additional acre of land but in no case shall exceed five (5) regardless of parcel acreage. Inoperable vehicles stored on a property shall be kept from view, enclosed behind a six (6) foot wall, and have body parts and glazing intact.
[REV: Ord. No. 2008-003, 4/23/08]

4. Raising, breeding, management, and sales of livestock, subject to the following requirements:

   a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents which are detrimental to human habitation;

   b. It shall be unlawful for any owner or keeper of livestock to allow such livestock to run at large on public right-of-way;

   c. The number of livestock on a parcel shall not exceed an average density of one head per two acres;
   [REV: Ord. No. 2001-2, 3/14/01]

   d. The above described restriction does not apply to animals for non-commercial use as follows:

      1) A lot of minimum 1 acre in area, may support no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats. Additional non-commercial livestock units are allowed based upon one (1) horse or cow unit or equivalent per each additional acre of land.
      [REV: Ord. No 2020-06, 7/8/20]

2) Exception: Livestock, including pigs, temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America are not restricted.
[REV: Ord. No. 2008-003, 4/23/08]

5. Commercial agricultural & horticultural operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 3, 4, & 5 subdivisions a Conditional Use Permit may be required. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 12. MINOR DEVELOPMENT ZONE (D-1).
[Rev. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone provides for commercial and business uses intended to serve the surrounding neighborhoods on a day-to-day basis including retailing and personal services. Development in this zone shall be characterized as low intensity or small-scale, and shall not be detrimental to nearby residential uses.
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

1. Accounting, bookkeeping, CPA;
2. Ambulance service, rescue service;
3. Antique dealers;
4. Appliance sales, service, and repair;
5. Art gallery or museum;
6. Bakery, confectionery;
7. Ballrooms, dancing instruction;
8. Bank, ATM, Savings and Loan, Credit Union;
9. Barber or beauty shop;
10. Books, video, compact-disk sales, service, and rental;
11. Bowling alley, video game arcade;
12. Carpet, floor coverings, cleaning and sales;
13. Ceramics sales;
14. Clinic (dental or medical), hospital, sanatorium, nursing home;
15. Clothing or dry goods sales;
16. Club, lodge (without liquor license);
17. Data processing, computers, electronics, sales, service, repair;
18. Dermagraphics Studio;
19. Department store, variety store, sales;
20. Drug store, pharmacy, cosmetics, sales;
21. Dwelling unit (singular) one unit per lot subject to the provisions of Section 19 (F) of this ordinance;

22. Dwelling unit (multiple) subject to the following provisions;
    a. Gross density for any lot shall not exceed three dwelling units per acre,
    b. The above stated gross density may be exceeded only upon permit granted by the New Mexico Environment Department if site conditions are suitable for compliance with the Liquid Waste Disposal Regulations, and
    c. If centralized water and sewer systems are available to the site, then a floor area ratio of 0.3 is permitted for each lot;

23. Dwelling unit (cluster) subject to the following provisions:
    [REV: Ord. No. 2008- 003, 4/23/09]
    a. A site development plan shall be provided to adequately describe a unified scheme for residential and other supportive land uses which cover any size acreage,
    b. The site development plan shall include written statements and information describing types and locations of structures, utilities, internal circulation and traffic impact, landscaping and site drainage, and a development phasing schedule if appropriate,
    c. The gross density of a cluster development shall not exceed two dwelling units per acre, however, structural densities shall be in accordance with the water supply well and wastewater treatment standards set by the New Mexico Environment Department,
    d. A portion of the land within a cluster development, comprising no less than 40 percent of the development site, shall be designated as open space for the common use of the residents or for preservation of an environmentally sensitive area,
    e. Ownership of the common area shall be clearly defined with appropriate covenants forbidding future partition, and the responsibility for improvements and maintenance of the common area shall be established with a procedure for funding such improvement and maintenance of the common area;
24. Dwelling, boarding, rooming, or lodging houses for no more than 12 residents;
25. Equipment and tools, rental, sales, or service;
26. Floral shop, plant store;
27. Food products, sales or storage
28. Food store, grocery store, convenience store,
29. Funeral home, mortuary
30. Gift shop, crafts store, curios shop;
31. Glass products, sales, service, installation;
32. Gunsmith, gun sales and service;
33. Hardware sales;
34. Hospital equipment and supplies, sales and services;
35. Home furnishings, sales and services;
36. Ice cream store;
37. Interior decorator;
38. Janitorial service and supplies;
39. Jewelry, sales and manufacture;

40. Kennel, subject to regulations of the Torrance County Animal Control Ordinance and the provisions listed under Section 6 of this Ordinance;
41. Laboratory, dental or medical;
42. Laundromat, dry cleaner;
43. Library (Public);
44. Linen supply, sales, and service;
45. Locksmith;
46. Music store;
47. Offices, professional, semi-professional, administrative, clerical.
48. Office equipment and supplies, sales, and services.
49. Parcel, package, delivery services;
50. Pest control, exterminator;
51. Photographic (equipment, supplies, studio) sales, service, repair;
52. Piercing Studio or Tattoo Parlor;
53. Printing;
54. Reducing salon, health spa, aerobic exercise, racquetball court;
55. Restaurant, cafe, cafeteria, delicatessen, catering;
56. Shoes, boots, sales, repair;
57. Sporting goods, sales, services, rental;
58. Tailor shop;
59. Theater;
60. Vehicle parts, sales, supplies; and
61. Watch repair, sales, and service.

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2020-06, 7/8/20, Ord. No. 2024-04, 11/13/2024]

1. Accessory buildings;
2. Automobile, truck, trailer, camper, RV, boat, sales, service, repair, rental;
3. Bars, lounges, package liquor sales;
4. Bus (common carriers) depot;
5. Cabinets, furniture, upholstery, manufacture, sales, and services;
6. Cable TV, receiving center, distribution center, service center;
7. Cannabis product retail or wholesale outlets and lounges;
8. Churches, places of worship;
9. Club, lodge (with liquor license);
10. Construction contractor, building trade contractor, storage, sales, and service;
11. Dwelling, temporary watchman or caretaker;
12. Farm supplies or equipment, sales and service;
13. Fireworks stand (temporary), sales;
14. Gasoline service station, commercial garage subject to the following regulations;
    a. All major repair work on vehicles shall be conducted within an enclosed building.

b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zones, and

[REV. Ord. No. 2024-04, 11/13/2024]

c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high;

15. Greenhouse, nursery, landscaper;
[REV: Ord. No. 2020-06, 7/8/20]
16. Home occupation;
17. Hotel, motel, motor lodge;
18. Motorcycles, sales, service, repair, rental;
19. Offices, temporary;
20. Ornamental iron products, sales, assembly, repair;
21. Pawn shop, surplus, salvage goods, second-hand store, sales, trades (indoor only);
22. Recreation hall, billiard parlor;
23. Restaurant (with liquor license);
24. Signs, sales and manufacture;
25. Storage sheds, rental;
26. Storage (outside), rental, warehousing, rental;
27. Taxidermist; and
28. Telephone switching facility (toll or local).

D. Zone Standards. The following standards apply to all land uses within this zone:
[REV. Ord. No. 2024-04, 11/13/2024]

1. Minimum lot size shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations;

2. All structures shall be located with a front setback of no less than 25 feet, unless otherwise specified in this Ordinance;

3. Non-residential buildings shall be situated no less than 25 feet from any lot in residential use, unless otherwise specified in this Ordinance;

4. Any non-residential activity in this zone that requires outdoor storage of supplies or material, other than living plants, must provide an outdoor storage area enclosed by a six (6) foot wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

5. Dwelling units (multiple) are subject to the following provisions:

a. Gross density for any lot shall not exceed three dwelling units per acre;

b. The above stated gross density may be exceeded only upon permit granted by the New Mexico Environment Department if site conditions are suitable for compliance with the Liquid Waste Disposal Regulations; and

c. If centralized water and sewer systems are available to the site, then a floor area ratio of 0.3 is permitted for each lot.
[REV: Ord. No. 2008-003, 4/23/08]

6. Dwelling units (cluster) are subject to the following provisions:
[REV: Ord. No. 2008-003, 4/23/08]

a. A site development plan shall be provided to adequately describe a unified scheme for residential and other supportive land uses which cover any size acreage;

b. The site development plan shall include written statements and information describing types and locations of structures, utilities, internal circulation and traffic impact, landscaping and site drainage, and a development phasing schedule if appropriate;

c. The gross density of a cluster development shall not exceed two dwelling units per acre, however, structural densities shall be in accordance with the water supply well and wastewater treatment standards set by the New Mexico Environment Department;

d. A portion of the land within a cluster development, comprising no less than 40 percent of the development site, shall be designated as open space for the common use of the residents or for preservation of an environmentally sensitive area; and

e. Ownership of the common area shall be clearly defined with appropriate covenants forbidding future partition, and the responsibility for improvements and maintenance of the common area shall be established with a procedure for funding such improvement and maintenance of the common area.
[REV: Ord. No. 2008-003, 4/23/08]

7. Gasoline service station or a commercial garage is subject to the following regulations:

a. All major repair work on vehicles shall be conducted within an enclosed building;

b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zones; and
[REV. Ord. No. 2024-04, 11/13/2024]

c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high.
[REV: Ord. No. 2008-003, 4/23/08]

8. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

9. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 13.0 MAJOR DEVELOPMENT ZONE (D-2)

[REV. Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone accommodates the major business activities in the area, including highway-related commercial activities, office and entertainment facilities, wholesale and retail sales, and service providers. The land uses within this zone shall be developed with adequate transportation access and appropriate design to minimize any negative impacts to abutting lands.
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

1. Accessory buildings subject to the provisions of Section 19 (F) of this Ordinance;
2. All permissive uses allowed in the D-1 zone;
[REV. Ord. No. 2024-04, 11/13/2024]
3. Animal shelter, animal pound, animal kennel subject to the provisions of Section 6 of this Ordinance and the Torrance County Animal Control Ordinance;
4. Auction house (excluding livestock);
5. Automobile, truck, trailer, camper, RV, boat, sales, service, repair, rental;
6. Bars, lounges, package liquor sales;
7. Bottling plant;
8. Bus (common carriers) depot;
9. Cabinets, furniture, upholstery, manufacture, sales, services;
10. Cable TV, receiving center, distribution center, service center;
11. Candle, manufacture;
12. Car wash;
13. Club, lodge (with liquor license);
14. Cold storage plant;
15. Construction contractor, building trade contractor, storage, sales, service;
16. Dairy products, wholesale;
17. Farm supplies or equipment, sales, service;
18. Hotel, motel, motor lodge;
19. Liquor wholesaler;
20. Lumber yard, sales and storage, firewood sales and storage;
21. Masonry, plastics, fiberglass, sales and service;
22. Mobile home sales, service, repair;
23. Motorcycle, sales, service, repair, rental;

24. Moving and transfer company (including warehouse);
25. Ornamental iron products, sales, assembly, repair;
26. Pawn shop, surplus, salvage goods, second-hand store, sales, trades (indoor only);
27. Radio or microwave transmission, repeater, multiplexing, dispatching;
28. Recreation hall, billiard parlor;
29. Restaurant (with liquor license);
30. Shopping center;
31. Signs, sales, manufacture;
32. Skating rink;
33. Storage sheds, rental;
34. Taxidermist; and
35. Veterinary hospital (small animals).

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board;
[REV: Ord. No. 95-9, 10/13/95, Ord. No. 2024-04, 11/13/2024]

1. Amusement parks, carnival, circus;
2. Cannabis product retail or wholesale outlets and lounges;
3. Ceramics, manufacture;
4. Churches, places of worship;
5. Dwelling, temporary watchman or caretaker;
6. Fireworks stand (temporary), sales;
7. Flea market subject to the following requirements;
   a. Adequate off-street parking shall be provided to contain the largest anticipated crowd,
   b. The site shall be kept free of litter and adequate refuse containers shall be provided,
   c. Overnight storage of merchandise shall be prohibited, and
   d. Adequate sanitary facilities (rest rooms) either portable or permanent shall be provided on site for use by patrons;
8. Gasoline service station, commercial garage subject to the following regulations:
   a. All major repair work on vehicles shall be conducted within an enclosed building
   b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zone, and
      [REV. Ord. No. 2024-04, 11/13/2024]
   c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high;
9. Greenhouse, nursery, landscaper
   [REV: Ord. No. 2020-06, 7/8/20]
10. Home occupation;
11. Laboratory, research;
12. Offices, temporary;
13. Radio or television station;

14. Storage (outside), rental, warehousing, rental;
15. Telephone switching facility (toll or local);
16. Truck terminal and maintenance;
17. Utility company, service center, storage;
18. Veterinary hospital (large animals); and
19. Welding shop.

D. Zone Standards. The following standards apply to all land uses within this zone:
[REV. Ord. No. 2024-04, 11/13/2024]

1. Minimum lot size shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations;

2. All structures shall be located within a front setback of no less than 25 feet, unless otherwise specified in this Ordinance;

3. Non-residential buildings shall be situated no less than 25 feet from any lot in residential use, unless otherwise specified in this Ordinance;

4. Any non-residential activity in this zone that requires outdoor storage of supplies or materials, other than living plants, must provide an outdoor storage area enclosed by a wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95; ORD. No. 2024-04, 11/13/2024]

5. Flea markets are subject to the following requirements;
[REV: Ord. No. 2008-003, 4/23/08]

   a. Adequate off-street parking shall be provided to contain the largest anticipated crowd,

   b. The site shall be kept free of litter and adequate refuse containers shall be provided,

   c. Overnight storage of merchandise shall be prohibited, and

   d. Adequate sanitary facilities (rest rooms) either portable or permanent shall be provided on site for use by patrons;

6. Gasoline service station or a commercial garage is subject to the following regulations:
[REV: Ord. No. 2008-003, 4/23/08]

   a. All major repair work on vehicles shall be conducted within an enclosed building,

b. A solid wall or fence at least six (6) feet high is erected between the activity and any abutting residential zone, and
[REV. Ord. No. 2024-04, 11/13/2024]

c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six (6) feet high; and

7. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

8. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 13.1 MAJOR DEVELOPMENT ZONE, UNDETERMINED IMPACT AND ADULT LAND USES (D-3).
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone is intended to allow the uses and apply the standards described in the D-2 Zone with the addition of a conditional use and additional standards and procedures for Adult Land Uses.
[REV: ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. The following permissive uses are allowed in this zone:
[REV: Ord. No. 2024-04, 11/13/2024]

1. All permissive uses allowed in D-2 Zone;
[REV: Ord. No. 2024-04, 11/13/2024]

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board: All conditional uses allowed in the D-2 Zone and Adult Land Uses, as described and authorized in Subsection E below.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No 2024-04, 11/13/2024]

1. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

2. Cannabis product retail or wholesale outlets and lounges.
[REV: Ord. No. 2020-06, 7/8/20]

D. Zone Standards. The following standards apply to all land uses within this zone: All the Zone Standards required in the D-2 Zone.
[REV: Ord. No. 2024-04, 11/13/2024]

E. Additional Standards and Procedures for Adult Land Uses. In addition, the following standards and procedures apply to the below-defined Adult Land Uses that are lawful as conditional uses in the D-2 Zone:
[REV: Ord. No. 2024-04, 11/13/2024]

1. DEFINITIONS:

1) Adult Amusement Establishment.

a. An establishment which provides amusement or entertainment which is distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas;

1) Specified Anatomical Areas, means:

a) Less than completely and opaquely covered by clothing:

(1) Human genitals or pubic region;

(2) Buttock; and

(3) Female breast below a point immediately above the top of the areola; and

b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2) Specified Sexual Activities, including the following:

a) Human genitals in a state of sexual stimulation or arousal;

b) Acts of human masturbation, sexual intercourse, or sodomy; and

c) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

b. An establishment which features topless dancers, exotic dancers, strippers, male or female impersonators, or similar entertainment; or

c. An establishment which, upon payment of a fee, provides an escort or a partner to its patrons; or

d. An establishment which, upon payment of a fee, provides its patrons with a male or female model fully or partially clothed or nude for the purposes of demonstrating body oils, body lotions or devices.

2) Adult Bookstore. An establishment having a substantial or significant portion of its stock in film, video tapes, trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such material.

3) Adult Photo Studio. An establishment which, upon payment of a fee, provides photographic equipment or models for the purpose of photographing specified anatomical areas.

4) Adult Theater. A theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

5) Adult Land Use(s). Any one, any combination, or all of the following uses: Adult Amusement, Adult Bookstore, Adult Photo Studio, Adult Theater.

2. PROCEDURES FOR OBTAINING CONDITIONAL USE PERMIT

a. Application. In addition to the requirements described in Section 21.B & C of the Zoning Ordinance, an applicant seeking approval for an Adult Land Use defined above must show that the proposed land use satisfies the Approval Requirements stated below, and must provide the following information:

1) The name, address, telephone number, principal occupation, and age of the applicant;

2) The name, address and principal occupation of the managing agent or agents of the business;

3) The business name, business address and business telephone number of the establishment or proposed establishment, together with a description of the nature of the business;

4) Whether the business or proposed business is the undertaking of a sole proprietorship, partnership or corporation. If a sole proprietorship, the application shall set forth the name, address, telephone number and principal occupation of the sole proprietor. If a partnership, the application shall set forth the names, addresses, telephone numbers, principal occupations and respective ownership shares of each partner, whether general, limited or silent. If a corporation, the application shall set forth the corporate name, a copy of the articles of incorporation, and the names, addresses, telephone numbers and principal occupations of every officer, director and shareholder (having more than ten percent of the outstanding shares), and the number of shares held by each;

5) The names, addresses, telephone numbers and principal occupations of every person, partnership or corporation having any interest in the real property utilized or to be utilized by the business or proposed business;

6) A description of all other business enterprises (sales or services), which shall occur on the premises;

7) Whether the applicant, anyone having a ten percent or more ownership interest in the business or proposed business has:

   a) ever had a business license denied, revoked or charges filed therefore, and if so, the application shall state the name of the business, date, jurisdiction, and outcome of any hearing,

   b) ever owned or operated an Adult Land Use business, and if so, the name of the business and address, dates involved and position or interest therein,

   c) been convicted within five years of application or renewal, of any felonious crime (and if so, shall state the person involved, the charge, date, court and disposition of the charges).

b. Time Limits. Review by the Zoning Board shall be advisory to the County Commission which shall decide whether to grant or deny the Application. The County shall render its decision according to the following time limits:

1) An Application meeting the submittal deadline shall be heard at the next regularly scheduled Zoning Board monthly meeting;
[REV. Ord. No. 2024-04, 11/13/2024]

2) Unless Applicant requests or consents to a deferral, the Zoning Board shall render its recommendation at the time of its meeting.
[REV. Ord. No. 2024-04, 11/13/2024]

3) Following the Zoning Board meeting, and the 14 day appeal period per Statute the County Commission shall call for a public meeting by notification of the time and place of the public hearing published in the next available newspaper of general circulation in the County at least 15 days prior to the hearing; and
[REV. Ord. No. 2024-04, 11/13/2024]

4) The hearing of the Application shall take place at the next regularly scheduled bi-weekly meeting of the County Commission following the expiration of the 15-day notice period. Upon conducting its public hearing, the County Commission shall render an oral decision, either to approve or deny the Conditional Use Permit, at the conclusion of the hearing. The Commission may adopt a written decision at its next regularly scheduled meeting.
[REV. Ord. No. 2024-04, 11/13/2024]

3. APPROVAL REQUIREMENTS

The approval standards of Section 21.D of the Zoning Ordinance shall be satisfied if the Application meets all of the following Approval Requirements:

a. The proposed land use will not violate any civil or criminal law otherwise applicable, including, but not limited to, this Ordinance and the applicable building, fire and health regulations; criminal code sections 30-9-14, -14.1, -14.2 & -14.3 NMSA 1978 prohibiting indecent exposure, indecent dancing, indecent waitering and aggravated indecent exposure; and the Liquor Control Act, sections 60-3A-1, et seq., NMSA 1978, and all regulations promulgated there- under;

b. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any building approved for another Adult Land Use, as measured in a straight and the most direct line;

c. The closest edge or corner of the building proposed for an Adult Land Use is at least 1000 feet from the closest edge or corner of any conforming residential dwelling, as measured in a straight and the most direct line, except that this provision may be waived if the owner(s) of any residential dwelling(s) located closer than the minimum separation distance consents in writing to the proposed use;

d. The closest edge or corner of the building proposed for an Adult Land Use is at least 300 feet from the closest edge or corner of any conforming commercial structure and has a side setback of at least 150 feet, as measured in a straight and the most direct line, except that this provision may be waived if the owner(s) of any commercial structure(s) or property located closer than the minimum separation distance consent in writing to the proposed use;

e. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any church or from its grounds, whichever is closer, as measured in a straight and the most direct line. Church "grounds" are any developed, fenced or enclosed outside area used by church members proximate to a church;

f. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any primary or secondary school or from its grounds, whichever is closer, as measured in a straight and the most direct line. School "grounds" are any developed, fenced or enclosed outside area used by school children proximate to a school;

g. The Applicant, whether an individual or any of the stockholders, officers or directors, if a corporation, or any of the partners, if a partnership, including limited partners, or the manager or other person principally in charge of the operation of the business, or any person receiving, or having a right to receive any sum from, or percentage of the profits due to an interest in or sale of the business, has not been convicted within a five-year period immediately prior to the application, of any crimes involving fraud, consumer fraud or intent to defraud, prostitution;

h. Neither the applicant nor any ten percent corporation shareholder nor a corporate officer has had a revocation of a business license for violations of code regulations relating to Adult Land Uses within the preceding two years;

i. The land use will meet the parking requirements of Section 17; and

j. The applicant has provided all required information.

4. APPEALS

An appeal to the District Court for the County of Torrance may be made within 30 days after a denial.

5. OPERATION REQUIREMENTS AND RESTRICTIONS.

Once the Applicant has received a permit for an Adult Land Use, the permittee shall abide by the following requirements and restrictions:

a. Signs. In addition to the sign regulations stated in Section 18 of this Ordinance, any sign advertising an Adult Land Use shall not contain any emphasis, either by wording, picture or otherwise, on matters related to specified sexual activities or specified anatomical areas.

b. Exterior Display. No Adult Land Uses shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public way or from any property not permitted for the Adult Land Use. This provision shall apply to any display decoration, sign, show window or other opening.

c. Employee Records. The permittee shall at all times maintain and retain for the preceding three years the legal names/aliases and addresses of all persons employed as dancers by the permittee.

d. Employee Age Minimum. The permittee shall not employ or allow as a dancer a person under the age specified by state law or regulation where alcohol is consumed.

e. Admittee Age Minimum. No person under the age of 18 years shall be admitted where a nonalcoholic Adult Land Use is permitted. No person under the age of 21 years shall be admitted where an Adult Land Use with a liquor license is permitted. No employee of an Adult Land Use establishment shall allow any minor to loiter around or to frequent the establishment or to allow any minor to view a permitted Adult Land Use.

f. Consumption of Alcohol. No permittee shall serve, sell, distribute or suffer the consumption or possession of any intoxicating liquor, or any beverage represented as containing any alcohol, upon the permitted premises without a valid liquor license.

g. Display of Licenses. The permittee shall conspicuously display all licenses required by this Ordinance.

h. No Dancing in Concealed Areas. All dancing permitted as part of an Adult Amusement Enterprise shall take place within an area which is visible immediately upon entrance to the establishment premises, or is visible immediately from the entry room area of the establishment's premises; however, no permitted dancing shall be visible to or from any outside or un-permitted areas.

i. Contact Limitation. No dancer shall touch, fondle or caress any patron and no patron shall touch, fondle or caress any dancer on either the dancer's or patron's genitals, pubic region, buttock or female breast.

j. Advertisement Disclaimer. Any Adult Land Use establishment that does not have a liquor license and which uses the words that imply the availability of alcoholic liquor on the premises, such as "bar," or "lounge" or "saloon," in any advertisement or name must state in all such advertisements that alcoholic beverages are not sold or allowed on the premises.

k. Posted Warning. All Adult Land Use establishments shall post at each entrance door, and not more than five inches above each entrance doorway if no door is present during hours of operation, and in at least three places behind any bar a sign with letters not less than three inches high stating:

"PROSTITUTION IS UNLAWFUL"

All Adult Land Use establishments that are not licensed to sell alcoholic beverages shall post at each entrance door, and not more than five inches above each entrance doorway if no door is present during hours of operation, and in at least three places behind the bar a sign with letters not less than three inches high stating:

"ALCOHOL IS NOT SOLD HERE"

The letters for all such signs must be black on a yellow background and the sign at each entrance door and behind the bar must be between four and six feet above floor level. Each sign must be located and illuminated sufficient to be visible by a person with normal eyesight or eyesight corrected to 20/20, thirty feet from the sign.

l. The permittee shall maintain at least 10 foot candles of light in the public portions of the establishment, including aisles, at all times. However, if a lesser level of illumination in the aisles shall be necessary to enable a patron to view the adult entertainment in a booth, room or cubicle adjoining an aisle, a lesser amount of illumination may be maintained in such aisles, provided, however, at no time shall there be less than one (1) foot candle of illumination in said aisles, as measured from the floor.

m. The permittee must meet the parking requirements of Section 17.

6. RESPONSIBILITIES OF THE OPERATOR

a. It is the responsibility of the permittee to assure that the requirements of this Ordinance are satisfied in the exercise of the permit for an Adult Land Use. Every act or omission by an employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the permittee, if such act or omission occurs either with the authorization, knowledge, or approval of the permittee, or as a result of the permittee's negligent failure to supervise the employee's conduct, and the permittee shall be punishable for such act or omission in the same manner as if the permittee committed the act or caused the omission.

b. Any act or omission of any employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the permittee for purposes of determining whether the permittee's permit shall be revoked, suspended or renewed.

c. The permittee shall insure compliance of the establishment and its patrons with the provisions of this Ordinance.

7. RENEWAL

After the first issuance of a Conditional Use Permit for an Adult Land Use, the permit shall terminate upon the first-year anniversary of its issuance, unless it is renewed. Once the permit is renewed, it shall terminate upon the five-year anniversary of its most recent renewal, unless renewed again. There is no limit to the number of times a permit may be renewed. Any application for renewal must comply with the rules and regulations in effect at the time the application for renewal is submitted.

SECTION 14.0 VILLAGE COMMUNITY PRESERVATION ZONE (VCP).

[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone preserves residential clusters in established unincorporated communities, and is intended to protect development of historic significance. This zone allows residential development with necessary commercial, business, and other non-residential activities which serve local residents. The zone regulations permit future development consistent with the existing character of the community, subject to health and safety standards.
[Rev: Ord. No. 2024-04, 11/13/2024]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97; Ord. No. 2001-2, 3/14/01; Ord. no. 2024-04, 11/13/2024]

1. One singular dwelling unit per lot, provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations and the provisions of Section 19 (F) of this Ordinance;

2. Accessory uses and structures provided the structures are compliant with Section 19 (F) of this Ordinance.

3. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and the provisions of Section 6 of this Ordinance.

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board: All Conditional Uses allowed in the RR Zone for business, service and commercial establishments, primarily intended to service local residents.
[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2020-06, 7/8/20; Ord. No. 2024-04, 11/13/2024]

D. Zone Standards. The following standards apply to all land uses within this zone:
[Rev: Ord. No. 2024-04, 11/13/2024]

1. Minimum lot size for dwelling units served by individual private wells shall be two and one-half net acres. Minimum lot size for dwelling units served by a centralized water system shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations. For purposes of determining minimum lot size, the calculation of acreage shall include common easements and private roadways for ingress and egress for adjoining lots. A shared domestic well permitted under Section 72-12-1 NMSA 1978 does not qualify as a "centralized water system";
[REV Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

2. All structures shall be located with a front setback of no less than 15 feet;

3. A proposed land use must comply with Section 23, pertaining to water usage; and
[REV No. 97-7, 6/27/97]

4. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 14.1 RURAL COMMUNITY PRESERVATION ZONE (RCP).

[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2024-04, 11/13/2024]

A. Intent. This zone protects and preserves areas within the County which are characterized by their limited access, minimal development, limitations on water resources, natural beauty, fragile environment and native wildlife populations. Dispersed, very low density residential development and low intensity agricultural activities are allowed. Other agriculturally related activities may be allowed. Commercial uses will not be allowed except on a case-by-case basis in which the primary concern of the Zoning Board will be to minimize the environmental impact on the area. Development may be considered within a 1 mile buffer zone where the "RCP" Zone joins an incorporated municipality and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.
[REV: Ord. No. 2008-003, 4/23/08]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone:
[Rev: Ord. No. 2024-04, 11/13/2024]

1. Low intensity agricultural operations such as livestock grazing and related ranching activities;

2. Horse breeding, boarding and training;

3. Other low intensity production agriculture;

4. Cultivation and harvesting of plants and croplands;

5. Woodcutting and other activities related to harvesting trees;

6. Singular residential dwelling unit provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations and the provisions of Section 19 (F) of this Ordinance; and

7. Accessory uses and structures necessary to carry out the above-listed permissive uses.

8. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and the provisions of Section 6 of this Ordinance.

C. Conditional Uses. The following uses may be allowed in this zone only upon permit granted by the Zoning Board:
[Rev: Ord. No. 2024-04, 11/13/2024]

1. Home occupations provided they are confined to the residence or accessory structure, are clearly a secondary use of the structure and present no visual impact to neighbors as viewed from adjoining property or public thoroughfare;

2. Small Bed and Breakfast operations limited to two guest bathrooms and no more than 8 (eight) guests; [Rev: Ord. No. 2024-04, 11/13/2024]

3. Horseback riding stables, provided sufficient land exists to support the number of animals maintained;

4. Dude ranch or other agricultural work experience operation;

5. Outfitters;

6. Essential public utility distribution structures;

7. Communication structures and facilities; and

8. One supplemental residential dwelling unit allowed on a parcel meeting zone minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[Rev: Ord. No. 2024-04, 11/13/2024]

D. Zone Standards. The following standards apply to all land use within this zone:
[Rev: Ord. No. 2024-04, 11/13/2024]

1. Minimum parcel size will be forty acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:

   a. Parcels smaller than the minimum parcel size which existed upon the effective date of these standards shall be allowed. to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as allowed by Section 14.1.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
   [REV: Ord. No. 2008-003, 4/23/08]

   b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than 5 acres in size with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.

2. In the event contiguous parcels within the zone are assembled, any of which may be less than the smaller of forty acres or 1/16 section, no future land division of that assembled parcel will be allowed, except as noted in paragraph 0.1.b. & c. supra, if any portion of the land division will result in a parcel of less than forty acres or 1/16 section. It is the intent of these standards to restrict parcel size within this zone to a minimum of forty acres or 1/16 section where possible to reassemble smaller existing parcels into larger parcels more closely approaching the forty acre, 1/16 section minimum.

3. This change will not affect any subdivision plans which have been submitted to the Zoning Board prior to the effective date of this section.
[REV: Ord. No. 2008-003, 4/23/08]

4. A proposed land use must comply with Section 23, pertaining to water usage.

5. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 15. SOLID WASTE MANAGEMENT DISTRICT (SW)

A. Intent. This district provides for the siting, development, and operation of solid waste facilities in Torrance County. The boundaries of this district shall be defined as needed on a case-by-case basis following the amendment procedures and siting criteria provided in this Ordinance. Disposal of solid waste within Torrance County shall be regulated in accordance with all relevant laws including this Ordinance, the Torrance County Solid Waste Management Ordinance (Ord. No. 94-12), and all other applicable municipal, county, state, and federal laws pertaining to solid waste. Furthermore, no solid waste facility shall be established or operated without first obtaining a Solid Waste Facility Permit from the County Commission in accordance with the procedures set forth in this Ordinance.
[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]]

B. Solid Waste Definition. The specific terms, "solid waste" and "solid waste facility" as defined by the Torrance County Solid Waste Management Ordinance (Ord. No. 94-12) are hereby adopted and incorporated herein by reference and made a part of this Ordinance.

C. Application for District Amendment. Each application to establish a Solid Waste Management District must be accompanied by a facility development report and site plan of sufficient size and scale in order to show:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

1. Boundaries of the proposed district and existing land uses and structures within the proposed district and within 500 feet of the proposed district boundaries;

2. Routes and design specifications of all proposed access roadways and/or railways within the proposed district and within one mile of the proposed district boundaries;

3. Existing topography, and re-grading plans if applicable, within the proposed district at a contour interval of two feet, based on mean sea level datum. All natural watersheds, watercourses, and floodplains shall be identified in accordance with the siting criteria established for this zone district;

4. Hydro-geologic data sufficient to define the groundwater level or water table underlying the proposed district. Such data shall be confirmed by the N.M. State Engineer Office in writing;

5. Location and estimated pumping rates of all water wells, including abandoned wells, within the proposed district and within 500 feet of the proposed district boundaries;

6. The proposed design and operation of the solid waste facility in detail, with supporting narrative to adequately describe the facility in terms of any impact to water resources, air quality, surrounding properties and land use, and local transportation systems;

7. Documentation of ownership and financial interests of the proposed solid waste facility; and

8. Location and dimensions of all proposed land use activities including structures, landscaping, on-site traffic circulation, and any other improvements to the land.

D. Special Permit Required. No person shall operate a solid waste facility without a Solid Waste Facility Permit issued by the County Commission in accordance with the procedures and criteria set forth in this Ordinance. Torrance County and the Torrance County Solid Waste Authority shall be exempt from filing and renewal fees as specified in this Ordinance. The purpose of the permit procedure is to ensure that the solid waste facility is in compliance with the regulations established by this Ordinance. The procedure for obtaining a Solid Waste Facility Permit shall be as follows:
[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08]

1. Any operator of a solid waste facility must submit an initial application with filing fee to the Zoning Board on a prescribed form obtainable from the Zoning Director. The initial application filing fee shall be $2,500 to cover the site inspection, technical review, and related administrative costs of the County.
[REV: Ord. No. 2008-003, 4/23/08]

2. The Solid Waste Facility Permit shall be subject to expiration and renewal after a period of one year. At least 30 days prior to the expiration date of a Solid Waste Facility Permit, an application for renewal may be submitted and processed in the same manner as the initial application. A filing fee of $1,000 must be submitted with an application to renew a Solid Waste Facility Permit. The purpose of the filing fee is to cover ongoing site inspection and related administrative costs of the County. Operators of existing facilities may continue to operate provided they apply for a permit 30 days before the anniversary date of the existing permit and upon proof of continued compliance with the requirements of this Ordinance.

3. Upon receipt of a Solid Waste Facility Permit application, the Zoning Board shall review the application to determine compliance with this Ordinance at a regularly scheduled meeting. The Zoning Board may request information regarding the operation of the solid waste facility as deemed appropriate. The Zoning Board may also request comments in writing from relevant state or federal agencies regarding the operation of the solid waste facility.
[REV: Ord. No. 2008-003, 4/23/08]

4. The Zoning Board shall prepare and transmit a decision in writing to the County Commission after the 14 day appeal period. after their review of the application is completed. The County Commission shall review the application, the recommendations of the Zoning Board, and any relevant public comment at a regularly scheduled meeting. Upon determining that the application for the solid waste facility is in compliance with this Ordinance, the County Commission shall grant a Solid Waste Facility Permit.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

5. Renewal of a Solid Waste Facility Permit may be denied for failure to comply with this Ordinance, making any misrepresentation or omission of any relevant fact in the application, or for failure to comply with any other applicable municipal, county, state, or federal laws pertaining to solid waste.

E. Siting Criteria. This district shall be subject to the following siting criteria:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

1. District boundaries shall be no closer than 10,000 feet from any airport or aviation facility subject to regulation by the Federal Aviation Administration;

2. District boundaries shall be no closer than two miles from perennial streams or wetlands as designated by the U.S. Fish and Wildlife Service;

3. This district, or any portion thereof, shall not be located within any 100- year floodplain as designated by the Federal Emergency Management Agency;

4. No solid waste facility shall be established within a natural watercourse with visible evidence of the occasional flow of water; and

5. No solid waste facility shall be established where the ground water or the water table is less than 100 feet below the surface of the land or the bottom surface of any proposed pit, whichever is more restrictive.

F. Operational Criteria. This district shall be subject to the following operational criteria:
[REV: Ord. No. 95-4, 6/10/95, Ord. No. 2024-04, 11/13/2024]

1. Solid waste facilities shall be designed and operated to minimize blowing litter both on-site and off-site. Durable fencing shall be installed at least 6 feet in height around active areas for purposes of debris retention and site security;

2. Solid waste facilities shall be provided with all-weather access roads built to a standard adequate to bear anticipated traffic generated by the facility;

3. Solid waste facilities shall be designed and operated to minimize soil erosion and to mitigate storm-water runoff pollution; and

4. Solid waste facilities shall be monitored in accordance with state and federal standards to detect the release of gaseous, liquid, or solid pollutants from the solid waste facility.

G. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

SECTION 16. SPECIAL USE DISTRICT (SU)

A. Intent. This district provides for singular developments which require special consideration because of their magnitude, unusual nature, infrequent operations, questionable impact on surrounding property, or other such reason. The boundaries of this district shall be defined as needed on a case-by-case basis following the amendment procedures provided in this Ordinance. Special conditions may be imposed by the County Commission following a decision by the Zoning Board. The County Commission may not grant the establishment of a Special Use District unless satisfactory provisions have been made:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

1. To assure that compatibility of property uses shall be maintained in the general area;

2. To preserve the integrity and character of the area in which the Special Use District will be located, and the utility and value of property in the Special Use District and in adjacent zones; and
[Rev: Ord. No. 2024-04, 11/13/2024]

3. To assure that the Special Use District will not become detrimental to the public health, safety, or general welfare of the County.

B. Application. Each application to establish a Special Use District must declare the proposed use and, unless otherwise specified, must be accompanied by a site development plan of sufficient size and scale in order to:
[Rev: Ord. No. 2024-04, 11/13/2024]

1. Show boundaries and topography of the property to be developed;

2. Show the proposed size, location, use, and arrangement of all structures, signs, parking and loading areas, drainage facilities, landscaping, and traffic and pedestrian circulation routes; and

3. Indicate the location, type, use and size of structures on adjacent properties within 100 feet of the proposed Special Use District boundary.

C. Removal of Districts. In the event that a use authorized as a Special Use District is permanently discontinued, the Special Use District may be canceled and removed under the provisions of this Ordinance. That area delineated by a discontinued Special Use District shall revert to the prevailing zone as determined by the County Commission following recommendation by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

D. Uses Allowed in Special Use District. A Special Use District may be authorized only for uses designated by the County Commission that are not permissive or conditional uses as defined by the Zones enumerated above. Designated uses for a Special Use district which are subject to specific requirements or regulations are prescribed as follows:
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

1. Airports, airstrips and heliports subject to the following requirements:
[REV: Ord. No. 2008-003, 4/23/08)

   a. Application for airport development shall be accompanied by a site plan showing: boundary lines including approach zones; runway layout with aprons, taxi strips, and parking and tie-down area; locations and heights of all buildings, structures, trees, and overhead wires within the airport boundary and the approach zones and also within 100 feet outside of such boundary; and other pertinent data such as topography and grading plan, drainage, water and sewer services, and access roadway,

   b. The planned airport area shall be sufficient to meet Federal Aviation Administration requirements for the class of airport proposed, and

   c. Any buildings or other structures in the proposed airport development shall be at least 100 feet from any right-of-way or lot line;

2. Commercial or cooperative cemetery, mausoleum, or crematory;

3. Correction, detention, or penal institution;

4. Dairies, slaughter houses, and Large Feedlots (more than 201 head of animals);
[REV. Ord. No. 2024-04, 11/13/2024]

5. Fuel wholesalers and storage (gasoline, liquefied petroleum) provided that all facilities shall not be within 500 feet of any dwelling unit unless sufficient blast, explosion, or fire confinement structures are installed according to appropriate State regulatory agencies;

6. Hospital, sanatorium, nursing home, or mental institution;

7. Limited industrial activities subject to the following regulations:
[REV: Ord. No. 95-5, 6/10/95]

   a. The manufacturing, processing, assembling, renovating, treatment, storage, or warehousing of raw materials, goods, merchandise, or equipment shall be conducted within an enclosed building and/or within an area completely enclosed by a wall,

   b. No building for manufacturing purposes shall be located less than 150 feet from any existing dwelling unit, except for a resident caretaker dwelling,

   c. Any process using explosive material shall not be located within 500 feet of any dwelling unit unless sufficient blast, explosion, or fire confinement structures are installed according to appropriate State regulatory agencies,

   d. All buildings on a manufacturing site shall not cover an aggregate area of more than 40 percent of such site, and

   e. All manufacturing activities shall be conducted in accordance with State and Federal environmental standards;

8. Mining, processing, or stockpiling of rock, sand, gravel, clay, or similar materials; provided it complies with the following requirements for land rehabilitation:

   a. Backfilling shall be made with non-noxious and non-combustible materials, and

   b. Peaks and depressions of the land resulting from the operation shall be reduced to a surface which is in substantial conformity to the surrounding topography and measures are taken to minimize erosion;

9. Mobile Home Park, subject to the following requirements:

   a. The maximum density of the Mobile Home Park shall be subject to the approval of the New Mexico Environment Department; however, if public water and sewer systems are available, then maximum density of the Mobile Home Park shall be 6 mobile homes per acre,

   b. No mobile home shall be located within 40 feet of any other mobile home,

   c. Any mobile home shall be located at least 25 feet from the right-of-way line of any roadway and at least 25 feet from any property line of the Mobile Home Park, and

   d. All interior roadways shall be at least 25 feet wide, and shall be either paved or graveled;

10. Wind Energy Facilities, subject to the following requirements:

    a. Purpose: The County encourages the development of businesses that harness wind energy. The purpose of this special use district is to foster the development of the County's wind power resources while preserving traditional land uses.

    b. Findings: The County finds that wind energy is an abundant, renewable and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. Wind energy systems also enhance the reliability and power quality of the power grid, reduce peak power demands and help diversify the state's energy supply portfolio. Wind energy power plants stimulate economic development directly and indirectly.

    c. Wind Energy Facility Permit: If the County Commission approves a special use district for a Wind Energy Facility, the County Commission shall also issue to the applicant a Wind Energy Facility Permit. The Wind Energy Facility Permit shall specify additional conditions that apply to the Wind Energy Facility.

        1) Wind Energy Facility Permit. Prior to any change in ownership or controlling interest of any entity owning a wind energy facility permitted in Torrance County, application shall be made to the Zoning Board, requesting transfer of the wind energy facility siting permit. Approval of such transfer shall be conditioned upon explicit agreement by the new permitee to comply with all provisions of this Ordinance and the original permit. The application may be in letter form and shall be signed by the authorized representatives or agents of both the current permitee and the prospective permitee.

    d. Definitions:

        1) Wind Energy Facility: An electricity-generating facility consisting of two or more wind turbines under common ownership or operating control that includes substations, MET towers, cables/wires and other building accessories to such facility, whose main purpose is to supply electricity to off-site customer(s).

        2) Permittee: The developer, owner or operator of a Wind Energy Facility who applies for a special use district and receives a Wind Energy Facility Permit.

e. Additional Information to be submitted with the application:

1) The applicant and landowner's name and contact information.

2) The Assessor's parcel map numbers, existing use and acreage of the site parcel.

3) A survey map at an appropriate scale showing the proposed location of the wind energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences/schools, churches, hospitals, or libraries to a distance of 2,000 feet (or other measure).

4) A survey map at an appropriate scale showing any federal, state, county or local parks, recognized historic or heritage sites, state-identified wetlands or important bird areas as identified in federal, state, county, or local GIS databases or other generally-available documentation.

5) Standard drawings of the wind turbine structure, including the tower, base and footings, drawings of access roads, and including an engineering analysis and certification of the tower, showing compliance with the applicable building code.

6) Data pertaining to the tower's safety and stability, including safety results from test facilities.

7) Proposal for landscaping and screening.

8) A completed Environmental Assessment Report.

9) A project visibility map, based on a digital elevation model, showing the impact of topography upon visibility of the project from other locations, to a radius of three miles from the center of the project. The scale used shall depict the three-mile radius as no smaller than 2.7 inches, and the base map used shall be a published topographic map showing man-made features, such as roads and buildings.

10) No fewer than four color photos, no smaller than 4" by 6", taken from each of the four cardinal directions from locations within a three-mile radius from the site.

11) Images of the photos from paragraph 10 above shall be computer-enhanced to simulate the appearance of the as-built site facilities as they would appear from the locations where the photos were taken.

f. Additional Approval Standards:

1) Safety:

a) The minimum distance between the ground and any part of the rotor blade system shall be thirty (30) feet.

b) Wind turbine towers shall not be climbable up to 15 feet above ground level by external ladders.

c) All access doors to wind turbine towers and electrical equipment shall be lockable.

d) Appropriate warning signage shall be placed on wind turbine towers, electrical equipment and wind energy facility entrances.

e) Wind energy facilities shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.

f) All wind turbines shall conform to industry standards for automatic braking, governing or feathering to prevent uncontrolled rotation, over-speeding and excessive pressure on the tower structure, rotor blades and turbine components.

g) As a condition of approval, prior to the construction of the facility the applicant shall submit to the County proof of insurance [in an amount to be determined by the County in consultation with the County's insurer], to cover damage or injury that might result from the failure of a tower or towers or any other part or parts of the generation and transmission facility.

h) Any wind energy system found to be unsafe by a local, state or federal agency shall be repaired by the owner to meet federal, state and local safety standards or removed within six months.

i) If any turbine is not operated for a continuous period of 12 months, the owner shall notify the County within 30 days of such occurrence and shall set forth reasons for the operational difficulty and propose a corrective action plan. The corrective action shall be completed within 6 months. If the corrective action is not completed, the County may require removal of the inoperative turbine and tower.

2) Siting and Installation:

a) To the extent practicable, the facility shall combine transmission lines and points of connection to local distribution lines.

b) To the extent practicable, the facility shall connect to existing substations, or if new substations are needed, minimize the number of new substations.

c) Electrical controls and control wiring and power lines shall be wireless or underground except where wind farm collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.

3) Setbacks:

a) Each wind turbine shall be set back from the nearest property line a distance no less than 1.1 times its total height, unless appropriate easements are secured from adjacent property owners.

b) Each wind turbine shall be set back from the nearest public road a distance no less than 1.1 times its total height, determined at the nearest boundary of the underlying right- of-way for such public road.

c) Each wind turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than 1.1 times its total height, determined from the existing power line or telephone line.

4) Nuisance:

a) Audible noise due to wind energy facility operations shall not exceed fifty (50) dBA for any period of time, when measured at any occupied residence, school, hospital, church or public library existing on the date of approval of the wind energy facility.

b) The applicant shall minimize or mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by any wind energy facility.

c) No individual tower facility shall be installed in any location where its proximity with fixed broadcast, retransmission or reception antenna for radio, television or wireless phone or other personal communications systems would produce electromagnetic interference with signal transmission or reception.

5) Environmental and Visual:

a) Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.

b) The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

c) No individual tower facility shall be installed at any location that would substantially detract from or block the view of the major portion of a recognized scenic vista, as viewed from any public road right-of-way or publicly- accessible parkland or open space within the County.

d) Wind turbines shall be set back at least 2,500 feet from important bird areas as identified by [state, feds].

6) Restoration of Property:

a) As a condition of approval of a special use district for a Wind Energy Facility, within one year of the termination or abandonment of leases, easements or operations of a Wind Energy Facility, the permittee shall cause, at its own expense, the restoration of the land to its pre-facility condition.
[REV: Ord. No. 2008-003, 4/23/08]

11. Solar Energy Facilities, subject to the following requirements:

a. Purpose: The County encourages the development of businesses that harness solar energy. The purpose of this special use district is to foster the development of the County's solar power resources while preserving traditional land uses.

b. Findings: The County finds that solar energy is an abundant, renewable and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. Solar energy systems also enhance the reliability and power quality of the power grid, reduce peak power demands and help diversify the state's energy supply portfolio. Solar energy power plants stimulate economic development directly and indirectly.

c. Solar Energy Facility Permit: If the County Commission approves a special use district for a Solar Energy Facility, the County Commission shall also issue to the applicant a Solar Energy Facility Permit. The Solar Energy Facility Permit shall specify additional conditions that apply to the Solar Energy Facility. [REV. Ord. No. 2024-04, 11/13/2024]

1) Solar Energy Facility Permit. Prior to any change in ownership or controlling interest of any entity owning a solar energy facility permitted in Torrance County, application shall be made to the Zoning Board, requesting transfer of the solar energy facility siting permit. Approval of such transfer shall be conditioned upon explicit agreement by the new permittee to comply with all provisions of this Ordinance and the original permit. The application may be in letter form and shall be signed by the authorized representatives or agents of both the current permittee and the prospective permittee.

d. Definitions:

1) Solar Energy Facility: An electricity-generating facility consisting of any solar collector, as defined in the New Mexico Solar Rights Act, NMSA 1978, § 47-3-1 through 47-3-5, as amended, or combination of solar collectors under common ownership or operating control that includes substations, cables/wires and other building accessories to such facility, whose main purpose is to supply electricity to off-site customer(s).

2) Permittee: The developer, owner or operator of a Solar Energy Facility who applies for a Special Use district and receives a Solar Energy Facility Permit.

e. Additional Information to be submitted with the application:

1) The applicant and landowner's name and contact information.

2) The Assessor's parcel map numbers, existing use and acreage of the site parcel.

3) Demonstration:

a) of solar rights, recorded pursuant to the Solar Recordation Act, NMSA 1978, § 47-3-6 through§ 47-3-12, to support the Solar Energy Facility; or
b) that activities on neighboring properties will not impair the line-of-sight path from the solar collector or collection of solar collectors to the sun.

4) A survey map at an appropriate scale showing the proposed location of the solar energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences/schools, churches, hospitals, or libraries to a distance of 2,000 feet.
[REV. Ord. No. 2024-04, 11/13/2024]

5) A survey map at an appropriate scale showing any federal, state, county or local parks, and recognized historic or heritage sites, as identified in federal, state, county, or local GIS databases or other generally- available documentation.

6) Standard drawings of a solar collecting device structure(s), including the bases and footings, drawings of access roads, and including an engineering analysis and certification showing compliance with the applicable building code.

7) Data pertaining to the solar collecting device's safety and stability, including safety results from test facilities.

8) Proposal for landscaping, screening, and storm water management.

9) A completed Environmental Assessment Report.

10) A project visibility map, based on a digital elevation model, showing the impact of topography upon visibility of the project from other locations, to a radius of three miles from the center of the project. The scale used shall depict the three-mile radius as no smaller than 2.7 inches, and the base map used shall be a published topographic map showing man-made features, such as roads and buildings.

11) No fewer than four color photos, no smaller than 4" by 6", taken from the each of the four cardinal directions from locations within a three-mile radius from the site.

12) Images of the photos from paragraph 10 above shall be computer-enhanced to simulate the appearance of the as-built site facilities as they would appear from the locations where the photos were taken.

f. Additional Approval Standards:

1) Safety:

a) The solar energy facility has been designed and would be operated to prevent the misdirection of concentrated solar radiation onto nearby property, public roads or other areas accessible by the public.

b) The solar energy facility has been designed and would be operated to protect public safety, including development and implementation of a plan of operating procedures to prevent public access to hazardous areas, including appropriate warning signage on electrical equipment and at the solar energy facility entrances.

c) The solar energy facility is not located adjacent to, or within the control zone, of any airport.

d) During the operation, all chemicals or solvents used to clean photovoltaic panels or heliostats would be low in volatile organic compounds and the operator would use recyclable or biodegradable products to the extent possible.

e) Any component of the solar energy facility found to be unsafe by a local, state or federal agency shall be repaired by the owner to meet federal, state and local safety standards or removed within six months.

f) If the solar energy facility is not operated for a continuous period of 12 months, the owner shall notify the County within 30 days of such occurrence and shall set forth reasons for the operational difficulty and propose a corrective action plan. The corrective action shall be completed within 6 months. If the corrective action is not completed, the County may require removal of the solar energy facility.

2) Siting and Installation:

a) To the extent practicbale, the facility shall combine transmission lines and points of connection to local distribution lines. [REV. Ord. No. 2024-04, 11/13/2024]

b) To the extent practicbale, the facility shall connect to existing substations, or if new substations are needed, minimize the number of new substations. [REV. Ord. No. 2024-04, 11/13/2024]

c) Electrical controls and control wiring and power lines shall be wireless or underground except where solar collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.

3) Environmental and Visual:

a) The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

b) No solar energy facility shall be installed at any location that would substantially detract from or block the view of the major portion of a recognized scenic vista, as viewed from any public road right-of-way or publicly-accessible parkland or open space within the County.

c) No solar energy facility shall cause unnatural flooding of adjacent properties.

4) Restoration of Property

a) As a condition of approval of a special use district for a Solar Energy Facility, within one year of the termination or abandonment of leases, easements or operations of a Solar Energy Facility, the permittee shall cause, at its own expense, the restoration of the land to its pre-facility condition.
[REV: Ord. No. 2008-003, 4/23/08]

12. Major power generation facilities including fuel-fired power plants as well as region-serving developments of solar or wind-driven energy generators.
[REV: Ord. No. 94-2, 2/9/94]

13. Planned Area Development (PAD), subject to the following requirements:

a. A PAD shall incorporate a unified planning scheme for residential comprised of singular, multiple, and/or cluster dwelling units and other supportive land uses which cover an area of 40 acres or more,
[REV: Ord. No. 2008-003, 4/23/08]

b. A PAD may be constructed in increments provided a development phasing schedule showing anticipated initiation and completion of each phase is documented, and provided each phase includes a site development plan as required for this zoning and is reviewed and approved prior to development as a separate but component plan of the PAD,
[Rev: Ord. No. 2024-04, 11/13/2024]

c. A Supportive Data Document shall be required and shall contain statements and information concerning the following:
[REV: Ord. No. 2008-003, 4/23/08]

1) purpose and intent of the PAD,

2) internal and external land use relationships,

3) distribution, type, and intensity of land uses,

4) development phasing schedule, if applicable,

5) proposed public features,

6) projected traffic impact when PAD is fully built out, and

7) consideration of the view shed among all other factors.

d. The gross density of the PAD shall not exceed 3 dwelling units per acre, unless the dwelling units are served by public water and/or sewer systems, in which case the maximum gross density may be increased to a density which is appropriate for the area as determined by the Zoning Board;
[REV: Ord. No. 2008-003, 4/23/08]

e. A portion of the land within a PAD may be designated as open-space common area for resident use, provided ownership of the common area is clear, with appropriate covenants forbidding partition for future sale and development, and provided the maintenance responsibility for the common area is definite, and a method is provided for funding such maintenance of the common area;

f. Minimum lot size shall be one-and-one-half acres, or shall be subject to approval by the Zoning Board in areas where public water and sewer systems are available; and
[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

g. All building setbacks within the PAD shall be subject to approval by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

14. Salvage yards for scrap material, including automobile bodies, provided that:
[REV: Ord. No. 95-5, 6/10/95]

a. All activities are conducted within an enclosed building or within an area completely enclosed by a wall,

b. Outside storage of salvage materials or automobile bodies may not be stacked higher than the surrounding wall,

c. Any walls surrounding outside storage of materials shall be located with a front setback of no less than 50 feet, and

d. The entire site for a salvage yard shall not exceed five acres;

15. Shopping Centers, subject to the following requirements:

a. The shopping center site shall be located with direct access to a State or Federal arterial highway, or a designated County arterial road,

b. All buildings must be placed at least 30 feet from any property line of the shopping center land,

c. At least 10 percent of the required off-street parking area shall be landscaped and maintained in a clean and healthy condition,

d. The exterior lighting of all buildings, structures, and surrounding grounds shall provide illumination for safety purposes, and shall be placed and screened to the extent possible such that it does not shine directly or reflect into any adjoining residential properties or public roadways,

e. Loading docks and outside storage areas shall be screened from public roadways and abutting residential properties,

f. Any shopping center proposal for an ultimate development containing more than 100,000 square feet of floor area shall include a traffic impact analysis of traffic generated by the shopping center and its effect on the surrounding roadway system, and

g. No shopping center shall cause unnatural flooding of adjacent properties from storm water runoff.

16. Travel Trailer or Recreational Vehicle Park provided it complies with the following requirements:

a. The minimum park size shall be 2 acres,

b. The park site shall be graded, drained, and free of rubbish,

c. The park site shall have a wall, fence or planted area, 6 feet in height, that buffers the site from adjoining areas, and

d. The park shall contain individual campgrounds and each campground shall be at least 1,000 square feet in area with adequate parking such that no portion of any vehicle extends into a road within the park.

E. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

SECTION 16.1. TEMPORARY LAND USE OR SPECIAL EVENT PERMIT

Incidental or infrequent uses/events such as but not limited to circuses, fairs, carnivals, and outdoor sales that are commonly associated with a business or club which include but is not limited to civic, fraternal, charitable, religious, and patriotic organizations or temporary outdoor sales, or other commercial uses, may be allowed in "D" zones or on properties with an active Conditional Use or Special Use permit. Temporary Land Use or Special Event Permits shall be issued by the Planning and Zoning Director or designee, and shall be subject to the following conditions:
[Rev: Ord. No. 2024-04, 11/13/2024]

A. Limitations. A Temporary Land Use or Special Event Permit shall not be issued for events/uses where the duration exceeds forty-five (45) days. The use/event shall not require the construction of permanent facilities or structures that will survive the conclusion of the event or use for which the temporary permit is issued. Applicants/landowners shall be limited to two Temporary Land Use or Special Event Permits per calendar year for a specific property and shall not be issued consecutively. The Planning and Zoning Director shall not issue a Temporary Land Use or Special Event Permit where the use is deemed to be incompatible with surrounding land uses.

B. Permission. Prior to commencement of the temporary use or special event, the applicant shall provide a notarized statement from the property owner granting permission for the applicant to conduct the temporary use or event at the proposed site.

C. Licensing. Applicants shall be required to obtain a temporary Torrance County business registration covering the proposed duration of the event/ use. A copy of the temporary business registration shall be submitted with the application.

D. Safety. Any applicant whose temporary use/special event is deemed to present an increased risk to the public's health, safety, welfare and/or property, shall be required to obtain the approval of the County Sheriff and/or the County Fire Chief. Applicants shall be required to provide detailed plans to address any identified safety concerns that arise from the use/event. Applicants shall be required to bear the cost of any required Fire/EMS or law enforcement services deemed necessary to protect the public.

E. Appeal. Issuance or denial of Temporary Land Use or Special Event Permits may be appealed to the Board of County Commissioners.

SECTION 17. OFF-STREET PARKING AND LOADING.

A. Parking and Loading Space Required. There shall be provided on site, when any new building is erected, or change of land use is approved, off-street parking and loading spaces as set forth herein. Existing buildings continuing existing land uses need supply such parking and loading space only to the extent ground space is available on site. [REV: Ord. No. 2001-2, 3/14/01]

B. Number of Parking Spaces. The minimum number of parking spaces to be provided shall be as follows:

1. Dwelling units: 2 spaces per dwelling unit;

2. Eating and drinking establishments: one space per 100 square feet of floor area;

3. Industrial, manufacturing, and wholesaling establishments: one space per 2 employees on largest shift;

4. Medical and dental offices, clinics, including veterinary clinics: 5 spaces per doctor;

5. Offices, public buildings, and service establishments: one space per 300 square feet of floor area;

6. Places of public assembly: one space per 5 seats when fully occupied;

7. Retail and commercial business establishments: one space per 200 square feet of floor area;

8. Rooming or boarding house: one space for each 2 rooms; and

9. Additional space for parking may be required to prevent the occurrence of off-site parking along roadways and rights-of-way and on adjoining property.
[REV: Ord. No. 2001-2, 3/14/01]

C. Parking Design Standards. The following standards shall be applied to off-street parking area:

1. All parking spaces shall be provided with adequate circulation and access to a road or street;

2. Each parking space shall consist of an area not less than 9 feet by 20 feet; and

3. Where parking is used for larger vehicles such as semi-tractor trailers, spaces of sufficient size and adequate circulation and access for such vehicles must be provided.
[REV: Ord. No. 2001-2, 3/14/01]

D. Off-Street Loading Requirements. Sufficient off-street loading space shall be provided on all premises which receive or distribute bulk materials by motor vehicle. Off-street loading space shall not be located on designated off-street parking space or public right-of-way.

SECTION 18. SIGN REGULATIONS.

A. Purpose. The purpose of this Section is to allow such signs that will not endanger the public safety, will not obstruct or detract from visibility necessary for traffic safety, and will not be detrimental to the land use objectives set by this Ordinance. No sign shall be placed or erected in Torrance County unless such sign conforms to the regulations herein. In addition, these sign regulations shall be supplemental to the regulations promulgated by the New Mexico Highway Beautification Act [67- 12-1 to 67-12-14 NMSA 1978] concerning the regulation of outdoor advertising along public highways.
[REV: Ord. No. 96-4, 4/27/96]

B. Definition. For purposes of this Ordinance, a sign shall mean a device which is constructed to convey information visually and which is exposed to public view. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. The following shall not be included in the application of regulations herein:
[REV: Ord. No. 96-4, 4/27/96]

1. Signs bearing only property numbers, postal box numbers, farm and ranch names, or individual names of occupants of premises;

2. Flags, insignia, or signs of any government, including legal notices, identification information, or directional signs;

3. Signs placed by a public utility for the health, safety, welfare, or convenience of the public; and

4. Temporary holiday decorations.

C. Sign Size. The size of signs within the County shall be regulated according to the sign face which shall mean that area of the sign or signs which is enclosed by a continuous line, connecting the extreme points or edges of the sign, but not including structural supports of the sign. On any two-sided sign, only one sign face shall be counted in calculating the design size.
[REV: Ord. No. 96-4, 4/27/96]

D. Business Signs. The following regulations shall apply to all signs relating to business, commercial, industrial, and service activities throughout the County, including both on-premise and off-premise signs:
[REV: Ord. No. 96-4, 4/27/96]

1. For purposes of this Ordinance, an off-premise sign means a sign that is not physically located on the premises to which the sign refers;

2. For any free-standing sign, attached to an independent supporting structure which is not an integral part of a building, the sign face shall not exceed 800 square feet if located within 350 feet of the right-of-way line of an Interstate Highway. Free-standing signs which are not located within 350 feet of the right-of-way line of an Interstate Highway shall not exceed 300 square feet of sign face;

3. Building-mounted signs shall not exceed 100 square feet of sign face per tenant, unless the building is located within 350 feet of the right-of-way line of an Interstate Highway wherein a building-mounted sign shall not exceed 300 square feet of sign face per tenant;

4. No more than one on-premise, free-standing sign adjacent to each abutting roadway may be allowed. In any case of multiple enterprises on the premises, one free-standing sign may be allowed for each enterprise provided that no single sign shall exceed 800 square feet of sign face and the aggregate of all free-standing signs shall not exceed a sum of 1200 square feet of sign face on the premises;

5. Signs may be illuminated by any manner, provided there is no direct or reflected light onto highways or into residential areas;

6. Free-standing signs shall not exceed 30 feet in height, however, free- standing signs located within 350 feet of the right-of-way line of an Interstate Highway may be constructed to a maximum of 80 feet in height. Building- mounted signs shall not exceed the height of the building unless granted a variance in accordance with this Ordinance; and

7. One non-illuminated sign is allowed for each home occupation permitted by the County, provided that no such sign shall exceed six square feet of sign face;

8. All free-standing business signs are required to display a County Business License number and must pay a one-time fee of $25 (twenty-five dollars) to cover administrative and inspection costs.

E. Auxiliary Signs. The following regulations for auxiliary signs shall apply County-wide:
[REV: Ord. No. 96-4, 4/27/96]

1. Signs visible from public right-of-way directing and guiding traffic and parking on private property shall not exceed ten square feet of sign face, may be illuminated by any manner provided there is no direct or reflected light onto highways or into residential areas, and shall display no advertising matter. For an enterprise which provides services to commercial trucking, such signs may be allowed that will not exceed 150 square feet of sign face, will not exceed 20 feet in height, and will not exceed 20 feet in length;

2. Informational signs intended to identify name, location, activities, or occupant of non-residential premises shall be limited to two signs, each of which shall not exceed 32 square feet of sign face and may be illuminated only by indirect light; and

3. No auxiliary sign shall be higher than its distance to the nearest point on the property line, but in no case higher than the height of the highest building on the premises.

F. Temporary Signs. Requirements for temporary signs which are placed for a limited period of time are as follows:
[REV: Ord. No. 96-4, 4/27/96]

1. No temporary sign may be placed unless identification of the responsible agent is clearly posted on the sign;

2. Signs relating to the sale, lease, or development of real estate shall comply with the following regulations:

   a. One on-premise sign per lot is permitted, provided that no such sign face shall exceed ten square feet,

   b. Off-premise signs directing or leading prospective buyers to real estate for sale or lease shall be limited to no more than five signs for each property, provided that no such sign face shall exceed ten square feet,

   c. Signs promoting or advertising subdivisions for sale shall not have a sign face greater than 32 square feet, and

   d. All real estate signs shall be removed within five days after the property is sold;

3. Signs relating to a political campaign prior to an election may be permitted on any lot provided such signs shall not be placed more than 90 days prior to the election and shall be removed within 10 days following the election;

4. Temporary signs which are not related to a political campaign shall be placed for a maximum of 90 days, which may be extended no more than twice for periods of 60 days each, following separate written requests for renewal to the Zoning Director;
   [REV: Ord. No. 2008-003, 4/23/08]

5. No temporary sign shall be higher than its distance to the nearest point on the property line, but in no case higher than the height of the highest building on the premises; and

6. Temporary signs shall be non-illuminated and shall not exceed 32 square feet of sign face.

G. Prohibited Signs. The following signs are prohibited within the County:
[REV: Ord. No. 96-4, 4/27/96]

1. Signs located within dedicated public right-of-way or an easement for a roadway;

2. Signs applied to trees, rocks, or other natural objects;

3. Signs which are or may become a public safety hazard.

H. Nonconforming Signs. Any sign that does not comply with a regulation concerning sign dimensions, number, and location as stated herein, but which existed prior to the effective date of such sign regulation, shall be considered a nonconforming sign and shall be subject to the following requirements:
[REV: Ord. No. 96-4, 4/27/96]

1. The nonconforming sign shall not be expanded or extended; and

2. Routine maintenance of a nonconforming sign is allowed.

SECTION 19. ADMINISTRATION.

A. Administrative Official. A Zoning Director shall be appointed by the County Commission to administer the provisions of this Ordinance. The Zoning Director may also serve in some other capacity as an employee or appointed official of the County. [REV: Ord. No. 2008-003, 4/23/08]

B. Authority of Zoning Director. The Zoning Director is authorized to take reasonably necessary actions to administer and enforce this Ordinance, including:

1. Conducting inspections of buildings, structures, and the uses of land to determine compliance with this Ordinance;

2. Investigating resident complaints alleging violations of this Ordinance;

3. Issuing notices of violations of this Ordinance;

4. Issuing citations charging violations of this Ordinance;

5. Prosecuting charges for violations, including negotiating and entering into plea agreements, before the Torrance County Magistrate Court. [REV: Ord. No. 2008-003, 4/23/08]

C. Authority of Zoning Enforcement Officer. The Zoning Director may designate a Zoning Enforcement Officer and delegate the Zoning Director's full authority to enforce this Ordinance to the Zoning Enforcement Officer. If a Zoning Enforcement Officer is so designated, then any restrictions, limitations or requirements placed upon the Zoning Director for the enforcement of this Ordinance shall apply to the Zoning Enforcement Officer. [REV: Ord. No. 2008-003, 4/23/08]

D. Inspections and Investigations. The Zoning Director shall carry an identification card provided by the County during all inspections and investigations. This provision does not grant right of entry without due process of law if necessary. The Zoning Director shall conduct on-site inspections and collect other relevant information which may be requested by the County Commission or the Zoning Board as necessary to carry out the purpose of this Ordinance. [REV: Ord. No. 2008-003, 4/23/08]

E. Information and Records. The Zoning Director shall maintain an office to supply the public with information concerning this Ordinance, and shall maintain copies of this Ordinance and the County Zoning Map in an updated form. A "Zoning Action File" shall be maintained and shall contain records of the following: [REV: Ord. No. 2008-003, 4/23/08]

1. Conditional Use Permits;

2. Variances Allowed Under this Ordinance;

3. Zone and District Changes;
[Rev: Ord. No. 2024-04, 11/13/2024]

4. Special Use Permits;

5. Requests for Use Interpretation;

6. Applications for Amendments to this Ordinance;

7. Certificates of Nonconformance;

8. Zoning Appeals;

9. Zoning Violations and Complaints;

10. Development Review Permits; and

11. Building Permit Applications.
[REV: Ord. No. 97-5, 6/27/97; Ord. No. 2008-003, 4/23/08]

F. Development Review Permit. For purposes of this Ordinance, with respect to any premises within the jurisdiction of Torrance County:

1. No accessory structure or building meeting current New Mexico Regulation & Licensing Construction Industries Division size requirement for a building permit nor mobile home shall be placed, constructed, or installed, nor;
[REV: Ord. No. 2008-003, 4/23/08]

a. Shall electric service be connected to any accessory structure, building or mobile home if such building or mobile home has not already had electric service previously connected or has not already been issued a Development Review Permit in connection with such electric service, nor;

b. Shall any building or mobile home be used as a residence if the building has not previously been used as a residence or has not previously been issued a Development Review Permit in connection with such use as a residence, without first being reviewed by the Planning and Zoning Director, and issued a Development Review Permit. In addition to these requirements, an applicant for a Development Review Permit shall:
[REV: Ord. No. 2008-003, 4/23/08]

1) Submit a recorded deed or real estate contract that the applicant is the owner in fee simple or equitable title owner of the property or, proof that owner has authorized the application, through lease or other written authority.

2) Submit a suitable Building Permit or appropriate documentation establishing the applicant's right to construct a building or residence.

3) Submit the appropriate liquid waste permit by the State Environment Department. [REV. Ord. No. 2024-04, 11/13/2024]

4) Submit the appropriate well permit issued by the State Engineer's Office or letter of intent from a centralized water system which states the proper legal description for the subject property and confirms there is a sufficient amount of water to provide for potable, sanitary, and minor fire suppression service to the dwelling or accessory structure. Applications which rely upon water harvesting or hauling water from a source off-premise must have on-premise storage capacity sufficient to provide the services listed above may be designed by a licensed contractor, New Mexico licensed engineer, or architect. The contractor will include a copy of their current license issued by CID. Systems designed by the property owner will be reviewed and stamped by a New Mexico licensed engineer or architect. [REV. Ord. No. 2024-04, 11/13/2024]

5) Submit a copy of the (1) New Mexico Registration and Title, or (2) Manufacture Certificate of Origin, or (3) a purchase agreement for a mobile or modular home. [REV. Ord. No. 2024-04, 11/13/2024]

6) Submit a statement, i.e. a construction account for new development or a copy of a current permit if there is existing development, from the Solid Waste Authority.
[REV. Ord. No. 2024-04, 11/13/2024]

7) Submit a statement from the Torrance County Treasurer showing taxes are paid to date.

8) Submit the applicable permit fee to the Planning and Zoning Director.

9) Where the property to be developed lies within a special flood hazard area, submit a preconstruction elevation certificate, and within one year a post-elevation certificate will be required, Failure to do so may result in a fine of $300.00 and/or 90 days in jail. Additional information and documentation as provided in the Flood Damage Prevention Ordinance, 92-4, or the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP).
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

2. Upon the review and approval of the Planning and Zoning Director, a Development Review Permit will be issued, a property address can be assigned, and a site inspection will be performed.
[REV: Ord. No. 2008-003, 4/23/08]

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G. Violations and Enforcement. Whenever a violation of this Ordinance is discovered or is alleged to have occurred, the Zoning Director shall investigate and inspect the site of the violation or alleged violation and take action as follows:
[REV: Ord. No. 2008-003, 4/23/08]

1. Any person aggrieved by an apparent violation of this Ordinance may file a written complaint with the Zoning Director. Such complaint shall describe the location and circumstances of the apparent violation with specific references to the provisions of this Ordinance which are alleged to have been violated.
[REV: Ord. No. 2008-003, 4/23/08]

2. Whenever the Zoning Director finds probable cause to believe a violation of this Ordinance exists, whether acting on independent initiative or in response to a written complaint, the Zoning Director shall notify the person responsible for the alleged violation. Such notification shall be made in writing to the owner or tenant of the property, indicating the nature of the violation and ordering the action necessary to correct the violation. Corrective action may require discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall require the taking of any other action authorized by this Ordinance to ensure compliance with or to prevent violations of the provisions of this Ordinance. Absence of personal service of the notice of violation shall not constitute a defense when the Zoning Director has made a diligent effort to locate the owner or tenants.
[REV: Ord. No. 2008-003, 4/23/08]

3. Action to correct a violation of this Ordinance shall be completed within 60 days following the date of notification by the Zoning Director. If a violator fails to take corrective action within 60 days, the County shall seek imposition of the penalties set forth in this Ordinance.
[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

SECTION 20. NONCONFORMITIES.

A. Definition. Within the zones established by this Ordinance, there exist: lots, structures, or uses of land or structures which were lawful before this Ordinance was passed or amended, but would be prohibited or restricted under the terms of this Ordinance. It is the intent of this Ordinance to allow these nonconformities to continue until they are removed, but not to encourage their survival.
[Rev: Ord. No. 2024-04, 11/13/2024]

B. Certificate of Nonconformance. Nonconformities shall be identified and issued Certificates of Nonconformance as determined by the Zoning Director. Upon receipt of a written notification from the Zoning Director, it shall be the responsibility of owners of nonconforming property to obtain a Certificate of Nonconformance from the Zoning Director within 60 days after the date of notification.
[REV: Ord. No. 2008-003, 4/23/08]

C. Nonconformities Allowed. A nonconformity existing at the time this Ordinance takes effect may be continued under the Certificate of Nonconformance. The authority to continue a nonconforming use is transferable to the successors and assigns of the owner. The transfer of authority shall be evidenced by transfer of the Certificate of Nonconformance to the successor or assignee. A continuing nonconforming use may also be referred to as a "grandfathered use".

D. Expansion. A nonconformity shall not be enlarged, expanded, or extended. However, the addition of a lawful use to any portion of a nonconforming building shall not be deemed an extension of such nonconforming building.

E. Restoration. If a nonconforming use or structure is damaged or destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, then restoration must be for a permitted use. Singular dwelling units, however, may be exempt from this restoration requirement if approved by the Zoning Board and the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations.
[REV: Ord. No. 2008-003, 4/23/08]

F. Abandonment. Whenever a nonconforming use has been discontinued or abandoned for a period of one year or more, such use shall not thereafter be reestablished, and any future use must be in conformance with the provisions of this Ordinance. Any nonconforming dry land or irrigated farmland shall be exempt from this abandonment requirement.

G. Nonconforming Lot Size. Any lot of record existing prior to the effective date of this Ordinance, which fails to meet the minimum area requirements, may be developed, redeveloped, or improved provided that any other requirements of the lot are in conformance with the provisions of this Ordinance. Unless specifically cited by the Zoning Board, a Certificate of Nonconformance will not be required for nonconforming lots.
[REV: Ord. No. 2008-003, 4/23/08]

SECTION 21. CONDITIONAL USE PERMITS.

A. Approval and Permit Required. Conditional uses established by this Ordinance shall not be allowed without the review and approval of the Zoning Board, which shall be guided in making a decision by the criteria set forth in this section. Anyone seeking a Conditional Use Permit shall provide to the Zoning Director such information as may be reasonably required to determine whether the requested conditional use is consistent with the intent and purpose of this Ordinance.
[REV: Ord. No. 2008-003, 4/23/08]

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B. Application. Any request for a Conditional Use Permit shall be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. To the extent possible, all abutting property owners shall be notified of the Zoning Board meeting at which the Conditional Use Permit application will be considered.
[REV: Ord. No. 2008-003, 4/23/08]

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved, no less than 15 days prior to the date of the Zoning Board meeting at which the Conditional Use Permit application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. Planning & Zoning will remove such signs within five days after a decision is made on the Conditional Use Permit. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, to remove any such sign during the period it is required to be maintained under this paragraph. Failure to properly maintain signs is grounds for deferral or denial of the application.
[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08, Rev. Ord. No. 2024-04, 11/13/2024]

D. Guidelines. The Zoning Board shall not approve any Conditional Use Permit unless satisfactory provision has been made concerning the following, where applicable:
[REV: Ord. No. 2008-003, 4/23/08]

1. Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood, or catastrophe;

2. Off-street parking and loading areas where required, with particular attention to the refuse and service areas;

3. Water and liquid waste facilities, with reference to soil limitations, locations, and public health;

4. The economic, noise, glare, or odor effects of the conditional use on adjoining properties;

5. General compatibility with adjacent properties; and

6. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

E. Limitations. Conditional Use Permits issued in accordance with this Ordinance shall be considered permanent, with the following exceptions:
[REV: Ord. No. 95-5, 6/10/95]

1. For any conditional uses that have an exceptional tendency, because of their nature or character, to create an adverse impact on neighboring properties, the Zoning Board may limit the term of the permit to a specified length of time after which the permit shall expire and may be renewed. An application for renewal of the Conditional Use Permit may be submitted and processed in the same manner as the original application, with reduced filing fee.
[REV: Ord. No. 2008-003, 4/23/08]

2. Where there has been a significant change in the physical extent, operations, or character of a permitted conditional use, the Zoning Board may require a renewal of the original Conditional Use Permit. Significant change shall be determined by the Zoning Board, based on a scheduled review of the Conditional Use Permit.
[REV: Ord. No. 2008-003, 4/23/08]

3. Cannabis production and/or manufacturer operations are subject to the following:

   a) One State issued cannabis production and or manufacturer license per parcel.

   b) Number of plants applied for with the CCD shall be disclosed.

   c) Facility square footage will be dictated by number of mature plants,
   e.g.: 500 [mature] plants= 1750 sq.ft 1000 [mature] plants= 3500 sq ft,
   up to 70,000 square feet for a 20,000 [mature] plant operation (minor variation allowed)

   d) CUP will be conditional on number of plants and facility square footage. Any desired change of facility square footage or number of plants will require a modification to the existing Conditional Use permit, approved by the Planning & Zoning Board.
   [REV. Ord. No. 2024-04, 11/13/2024]

4. An approved Conditional Use Permit shall become void one (1) year after the date of approval if the rights and privileges granted thereby have not been utilized.

5. An approved Conditional Use Permit shall become void if, after the use has begun, it ceases on the approved site for a continuous period of one (1) year or more.

6. The County Commission may revoke a permit if the requirements and restrictions required by this Ordinance are not met. Before a permit may be revoked, the permittee must be given written notice of the specific charges and be given the opportunity for a hearing before the County Commission.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

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SECTION 22. VARIANCES.

A. Definition. The Zoning Board may approve a variance from the strict application of area, dimension, distance, setback, off-street parking, and off-street loading requirements of this Ordinance in the case of exceptional physical conditions where the strict application of the requirements of this Ordinance would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of land or building.
[REV: Ord. No. 2008-003, 4/23/08]

B. Application. Any request for a variance should be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. To the extent possible, all abutting property owners shall be notified of the Zoning Board meeting at which the variance application will be considered.
[REV: Ord. No. 2008-003, 4/23/08]

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the variance application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. Planning & Zoning is responsible for removing such signs within five days after a decision is made on the variance. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except, to remove any such sign during the period it is required to be maintained under this paragraph.
[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

D. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

E. Requirements. The Zoning Board may impose any necessary requirements in approving a variance to assure that the requested variance:
[REV: Ord. No. 2008-003, 4/23/08]

1. Will cause no significant hazard, annoyance, or inconvenience to the owners or occupants of nearby property; and

2. Will not significantly change the character of the neighborhood or reduce the value of nearby property.

SECTION 23. WATER USAGE.

A. Purpose. Given the effects that water usage associated with a proposed land use may have on water resources within the County, both as to quality and quantity, the purpose of this section is to promote the health, safety and welfare of County inhabitants; to promote the conservation and beneficial use of water resources within the County; and to protect prior existing water rights and interests.
[REV: Ord. No. 97-7, 6/27/97]

B. Application. Every application under the Zoning Ordinance will be evaluated as to its potential effect on water resources within the County. Every application shall contain with it a statement of the water usage associated with or required to carry out the proposed land usage. Either the Zoning Director or Zoning Board shall make an initial review of the associated water usage and shall determine whether the proposed usage is of such an extent or nature that referral for comment to an appropriate public agency is in order.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

C. Referral to Public Agency. After an application is deemed complete, the County Zoning Director or Zoning Board may forward a copy of the application to any of the following state or local agencies by mail with a request for review and opinion:
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

1. New Mexico State Engineer's Office;

2. New Mexico Environment Department;

3. Soil and Water Conservation District in which the proposed land usage would occur;

4. The Estancia Basin Water Planning Committee; and

5. Such other public agencies as the County deems necessary or appropriate.

D. Agency Response.
If a response from the respective agencies is received the response will be considered by the Zoning Board at the next regularly scheduled meeting.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08;
Ord. No. 2024-04, 11/13/2024]

E. Guidelines. In evaluating a water usage associated with a proposed land use, the County shall consider the following factors, where applicable:
[REV: Ord. No. 97-7, 6/27/97]

1. The effect or impacts on the public safety, health and welfare of County inhabitants, particularly those in the vicinity of the proposed water usage;

2. The potential adverse effects on water quality;

3. Effects on water quantity, including potential impairment of prior existing water uses, individual domestic wells will not be considered to be an impairment of prior existing water uses, and
[Rev. Ord. No. 2024-04, 11/13/2024]

4. Whether the water use is consistent with conservation and beneficial use of water.

SECTION 24. AMENDMENTS.

A. Amendment. The County Commission may amend any part of this Ordinance, including the zone or district boundaries. The County Commission may elect to submit a proposal for amendment to the Zoning Board for review and recommendation made by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

B. Application. Any request for an amendment to this Ordinance, not originating from the County Commission or from a committee established by the County Commission to propose an amendment, shall be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. The Zoning Board shall prepare and transmit a recommendation in writing to the County Commission 30 after their review of the proposed amendment is completed. To the extent possible, all abutting property owners of any land proposed for a zone change shall be notified of the Zoning Board meeting at which a zone change will be reviewed for recommendation to the County Commission. An application to amend the zone map for specific parcel of land must be accompanied by a site development plan showing to scale and in detail the proposed structures on the site, distance from structures on adjoining properties, ingress and egress, parking and signage. If the application is approved by the County Commission, the land uses on the parcel shall conform to the site development plan and may only be modified by approval of the Zoning Board of a revised plan.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08, Rev. Ord. No. 2024-04, 11/13/2024]

C. Public Hearing. A public hearing on all applications for a text change to the ordinances or change of the Zone Map, shall be held by the Torrance County Planning and Zoning Board. Notification of the time and place of the public hearing shall be published in a newspaper of general circulation in the County at least 15 days prior to the hearing.

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D. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the amendment application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the public hearing at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. Planning & Zoning is responsible for removing such signs within five days after a decision is made by the County Commission on the application for amendment. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except Planning & Zoning, to remove any such sign during the period it is required to be maintained under this paragraph.
[REV: Ord. No. 97-6, 6/27/97, Ord. No. 2024-04, 11/13/2024]

E. Notification by Mail. Whenever a property owner initiates a zone change for an area of one block or less (or 5 acres or less), notice of the public hearing shall be mailed by first class mail, to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Whenever a property owner initiates a zone change for an area of more than one block (or more than 5 acres), notice of the public hearing shall be mailed by first class mail to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Notification by mail is not required for County-wide changes, initiated by the County, for purposes of revising or adopting a new zoning category; however, such changes are subject to the public notice requirements provided herein for the public hearing to consider an amendment to this Ordinance.
[REV: Ord. No. 97-2, 3/26/97, Ord. No. 2024-04, 11/13/2024]

F. Procedure. The Zoning Board shall make its decision on each application and shall make a recommendation to the Board of County Commissioners. The Board of County Commissioners shall act to uphold, overturn, or remand the decision to the Zoning Board no later than the next regularly scheduled meeting of the Board of County Commissioners following the Appeal Period.
[Rev. Ord. No. 2024-04, 11/13/2024]

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SECTION 25. APPEALS.

A. Right of Appeal. Anyone aggrieved by a decision of the Zoning Director or the Zoning Board in carrying out the provisions of this Ordinance may appeal such decision to the County Commission. Such appeal must set forth specifically wherein it is claimed there was an error or an abuse of discretion, or where the decision was not supported by evidence in the matter.
[REV: Ord. No. 2008-003, 4/23/08]

B. Application. Any appeal following a decision of the Zoning Director or the Zoning Board shall be made in writing to the County Commission on prescribed forms obtainable from the Zoning Director upon payment of the applicable filing fee. Any appeal not submitted within fourteen (14) days after the decision which is the subject of the appeal shall not be considered by the County Commission.
[REV: Ord. No. 2008-003, 4/23/08]

C. Public Hearing. The decision on an appeal shall be made by the County Commission following a public hearing. Notification of the time and place of the public hearing shall be published in a newspaper of general circulation in the County at least 15 days prior to the hearing.
[REV: Ord. No. 2008-003, 4/23/08]

D. Stay of Proceedings. An appeal shall stay all proceedings in the action unless the Zoning Director or Zoning Board certifies that a stay will cause imminent peril to life or property. Upon such certification, the proceedings shall not be stayed except by order of district court.
[REV: Ord. No. 2008-003, 4/23/08]

E. Decision. An appeal shall be decided within 45 days of the date of application of the appeal. A majority vote of the members of the County Commission is required to reverse, change, or affirm a decision made by the Zoning Director or the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

SECTION 26. FEES.

A. Applications. Any applications required by this Ordinance shall be filed on prescribed forms obtainable from the Zoning Director and payment of the filing fee. Such fees shall not be required where the County or any official thereof is the moving party. The purpose of the filing fee is to cover administrative and processing costs and shall not be refundable.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

B. Fees. Fees under this Ordinance are required for the following actions. The Commission shall set the amount of fees by resolution. The Zoning Director shall maintain a copy of the fees resolution and make it available to the public and applicants:
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

1. Conditional Use Permit

2. Conditional Use Permit renewal

3. Variance

4. Zone Change Permit
   [Rev: Ord. No. 2024-04, 11/13/2024]

5. Special Use Permit, including Wind Energy Permit or Solar Energy Permit

6. Request for Use Interpretation

7. Amendment to this Ordinance

8. Appeal

9. Development Review Permit

10. Initial Solid Waste Facility Permit

11. Solid Waste Facility Permit Renewal

12. Enlarged Zoning Maps
    [REV: Ord. No. 2008-003, 4/23/08, Ord. No. 2024-04, 11/13/2024]

SECTION 27. PENALTIES.

Anyone violating any of the provisions of this Ordinance shall upon conviction be subject to a fine not exceeding $300 or imprisonment for a period not exceeding 90 days, or both such fine and imprisonment. Any violation continued for a period of 30 days after conviction shall be prosecuted and treated as a separate offense.

SECTION 28. SEVERABILITY.

The provisions of this Ordinance shall be deemed to be severe, and should any sentence, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 29. EFFECTIVE DATE.

This Ordinance shall become effective on the 20th day of April 1990, following publication of title and general summary. Amendments to this Ordinance are effective when adopted by the County Commission according to the laws governing County ordinances.
[REV: Ord. No. 2008-003, 4/23/08]

ORIGINALLY PASSED APPROVED AND SIGNED the 21st day of March 1990, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 11th day of May 2016, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 8th day of July 2020, by the Board of County Commissioners of Torrance County, New Mexico, Amendments shall be effective on the 1st day of August 2020.

AMENDED on the 13th day of November, 2024, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the 13th day of November, 2024 .

AMENDED on the ____ day of month , 2026, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the ___ day of month, 2026.

PASSED, APPROVED, AND ADOPTED THIS ___ DAY OF_____, 2026

BOARD OF COUNTY COMMISSIONERS

TORRANCE COUNTY, NEW MEXICO

APPROVED AS TO FORM ONLY:

_____
County Attorney

BOARD OF COUNTY COMMISSIONERS:

_____
Ryan Schwebach, Chair

_____
Kevin McCall, Vice Chair

_____
Linda Jaramillo, Member

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 12-A



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 12-B

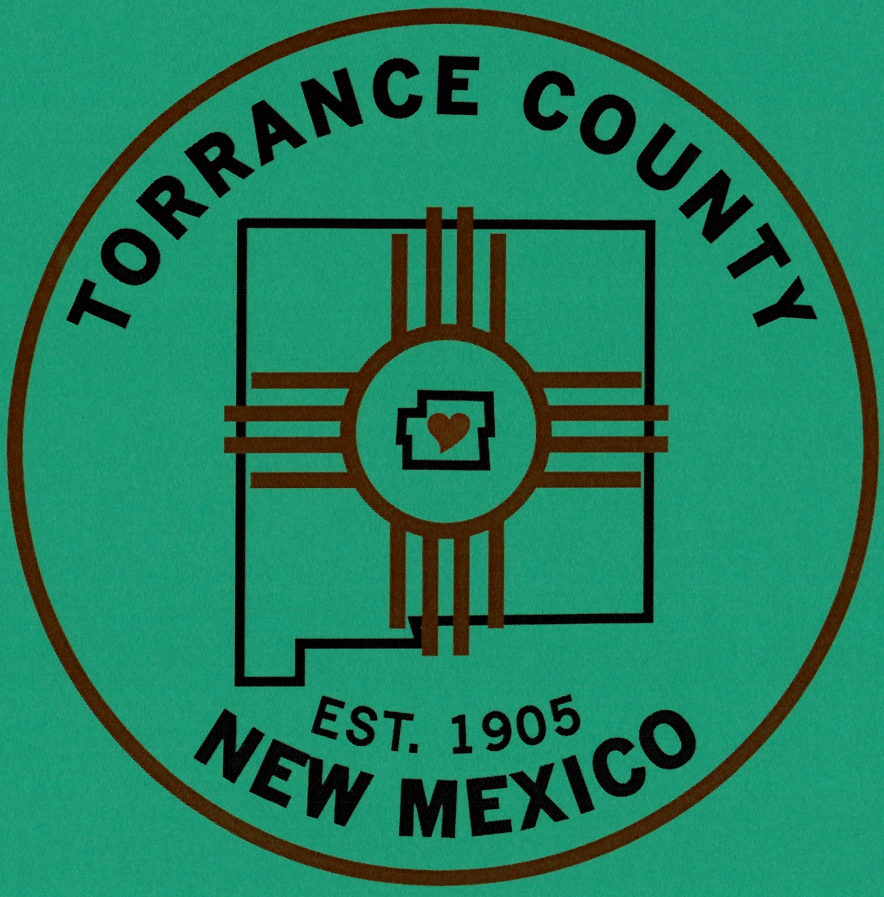
TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 12-C



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13-A



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13-B



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13-C

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13-D



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 14-A

TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 14-B

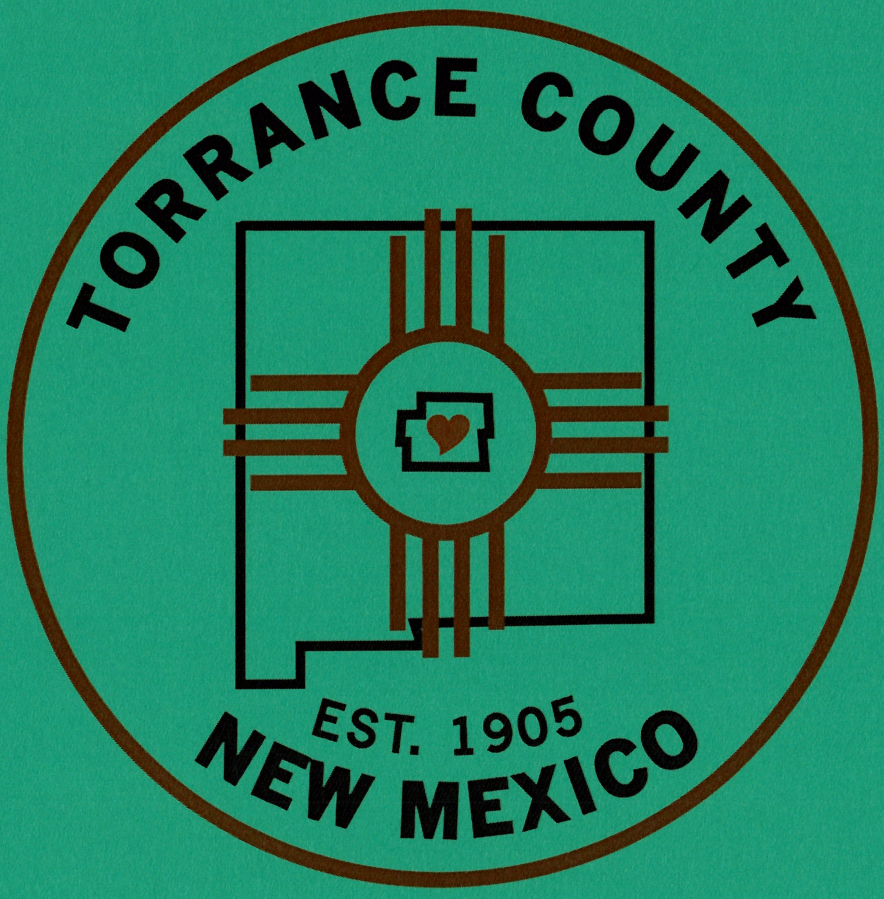
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COMMISSION MEETING

Agenda Item
No. 14-D



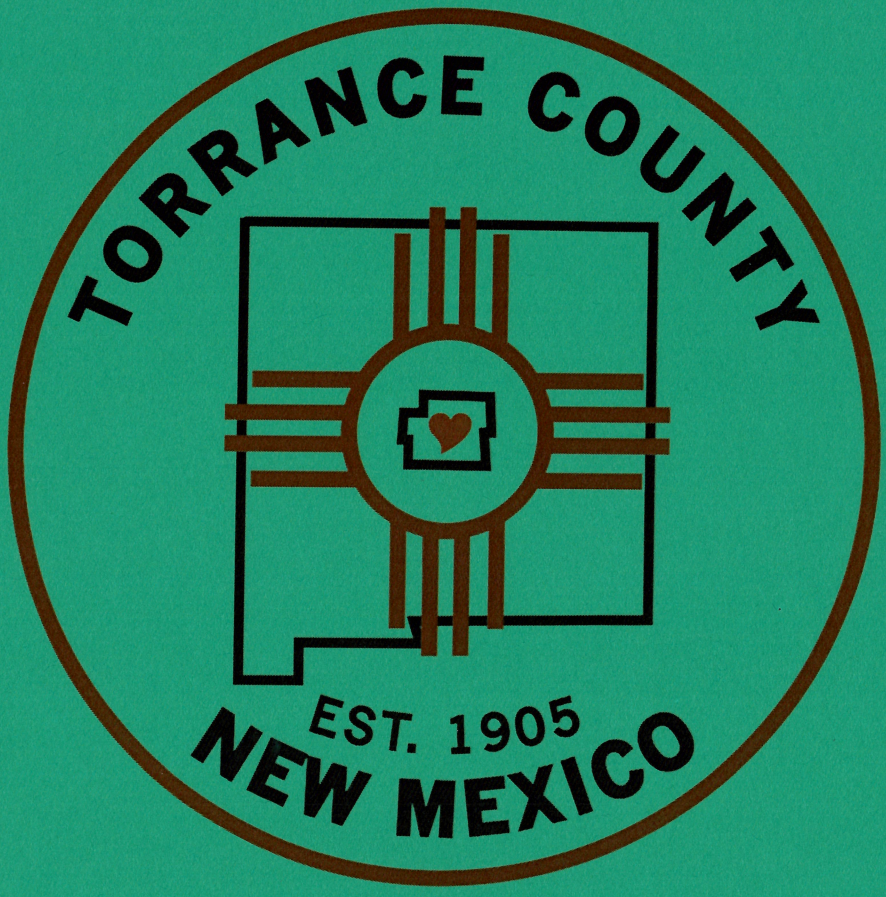
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COMMISSION MEETING

Agenda Item
No. 15



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 16



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 17