

1. Document needs an extensive definition Section
2. Para. 1. **An Ordinance for the Surface Land Regulation.** Please add Disposal Requirements to this paragraph and throughout document. Please define the monitoring and enforcement parameters and requirements pertaining to NM Tech with regard to all aspects of this document.
3. 1.2 Authority, Applicability. This document should include all lands when and if those lands might be legally included. This document is a surface land regulation and should not exclude construction and operation of Oil or Gas Facilities where the mineral right(s) associated with such Facilities are owned partially or in their entirety by the United States government, the State of New Mexico, or a Tribe or Pueblo, **if the surface rights are within the legal jurisdiction of the county.**
4. 1.3 Scope. Please add reference to **Disposal** of any byproduct of any process.
5. 1.4 Purpose. This Ordinance is a comprehensive zoning and public nuisance ordinance enacted to protect and promote the health, safety and general welfare of present and future residents of the County **while providing necessary protective guidelines that allow for responsible extraction of oil and gas within the county.**
6. 1.5 Senate Joint Memorial 71. I believe this to be possibly the most important aspect of this document in that it references and describes in part the **Precautionary Principal**. This document must be driven by this **Precautionary Principal**. Realistically I see no need to include reference to the Senate Joint Memorial 71 since that could be confusing in future interpretations. The wording within that memorial is sufficient a defining the Precautionary Principal is most important.
7. 1.6 Use Category For Oil and Gas Facilities. There are numerous references to and regarding the Sandoval County Comprehensive Zoning Ordinance and The SC Comprehensive Plan. References to outside documents should be explicit and well defined within this document. example. "Extractive Industrial Land Use as defined..."
8. Will there be any necessary changes to Area Plans.
9. Require all drilling and development to prove water needs availability and accompanied with all legal contractual information regarding water ownership and or water rights.

10. Ordinance as it pertains to **Extraterritorial Zones Defined**. Extraterritorial Zones are established by New Mexico Statute 3-19-5 (19. Planning and Platting, 3-19-1 through 3-19-12. and 3-20-5 (20. Subdivisions; Planning and Platting, 3-20-1 through 3-20-16.) pertaining to Municipalities.

A municipality having a population fewer than two hundred thousand people and greater than twenty five thousand people and located in a class A County has jurisdiction over subdivision, which includes all territory within five miles of the boundary of the municipality. Each municipality shall have planning and platting jurisdiction within its municipality and all territory within five miles of its boundary.