Special Use District Permit Application Written Report for the Diamond Tail Solar Project in Sandoval County, New Mexico

October 2024

PREPARED BY PCR Investments SP4 LLC

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1 INTRODUCTION

PCR Investments SP4 LLC (PCR), is proposing to build the Diamond Tail Solar Project (Project). The Project would include a 1300-acre solar facility, a 2-acre collector substation, a 3-acre battery energy storage system (BESS), a 5.6-mile generation tie-in line (gen-tie), a 1,5-mile access road, a 26.3-feet diameter by 7.2-feet above ground water storage tank (110k liters or 30k gallons of water), and a 1,400-square-feet (130 m2) by approximately 18 feet (5 mts) above ground Operations Building, on private land in Sandoval County, New Mexico (analysis area) (Figure 1.1). The Project would be approximately 3 miles NW of Golden and approximately 7 miles east of Placitas.

The Project would generate 220 megawatts (MW), and would include 110 MW of four-hour duration BESS, for storage and delivery of renewable solar energy to customers throughout New Mexico. The energy supplied by the solar facility is intended to replace part of Public Service Company of New Mexico (PNM) fossil-based assets and would help fulfill New Mexico's renewable portfolio standard of 50 percent renewable energy by 2030 and 100 percent carbon-free energy by 2045 for investor-owned utilities, as promulgated by the Energy Transition Act of 2019.

This Written Report was prepared to support PCR's Special Use District application to Sandoval County for compliance with Sandoval County's Comprehensive Zoning Ordinance (10-11-18.7A, June 2020 Amended), which identifies a Power Plant as a designated use (Ordinance). The Ordinance governs land use and development throughout the unincorporated areas of the county. The Ordinance contains the regulations that a property owner must follow when building or remodeling a structure. Sandoval County's SUD Submittal Checklist specifies a Written Report, addressing Design Standards outlined in Section 10, 14, and 19. The purpose of this Written Report is to fulfill the requirements of the SUD.

1.1 Project Location

The project site is located on 1,833 acres within the following parcels, which comprise part of Diamond Tail Ranch:

1035072263264	1036073062200	1035072241370	1035073265396
1034073400260	1035073330135	1036073338275	

Diamond Tail Ranch, comprised of a total of 19,052 acres in Sandoval County, is currently zoned Rural Residential/Agricultural District zone (RRA). PCR is authorized by the landowner to obtain necessary approvals for the Project. To facilitate Project development, PCR is requesting a Zone Map Amendment to establish a Special Use District for the planned project area, according to Sandoval County's Comprehensive Zoning Ordinance (10-11-18.7A, June 2020 Amended), which identifies a Power Plant as a designated use.

1.1.1 Applicant or Authorized Representative

PCR Investments SP4 LLC
1134 Brittmoore Rd, suite 2407
Houston, TX 77043
Attn: Mariano Brandi, President (832) 970-3352 / Cynthia Schuchner, EPC Manager / (832) 941-2460

1.1.2 Property Owner

Diamond Tail Limited
6 Cicero Lane, Austin, TX, 78746

Attn: Dennis Wilkinson, President (650) 521-2891

1.2 Decision to be Made

PCR is applying to Sandoval County for SUD approval of the proposed Project as is required under the Ordinance. This Written Report will facilitate Sandoval County Planning Commission's review of the application. Under the Ordinance, the Sandoval County Planning Commission will evaluate the documentation submitted by PCR and if in agreement, proceed to recommend to the Board of Directors approval of the proposed Project location request.

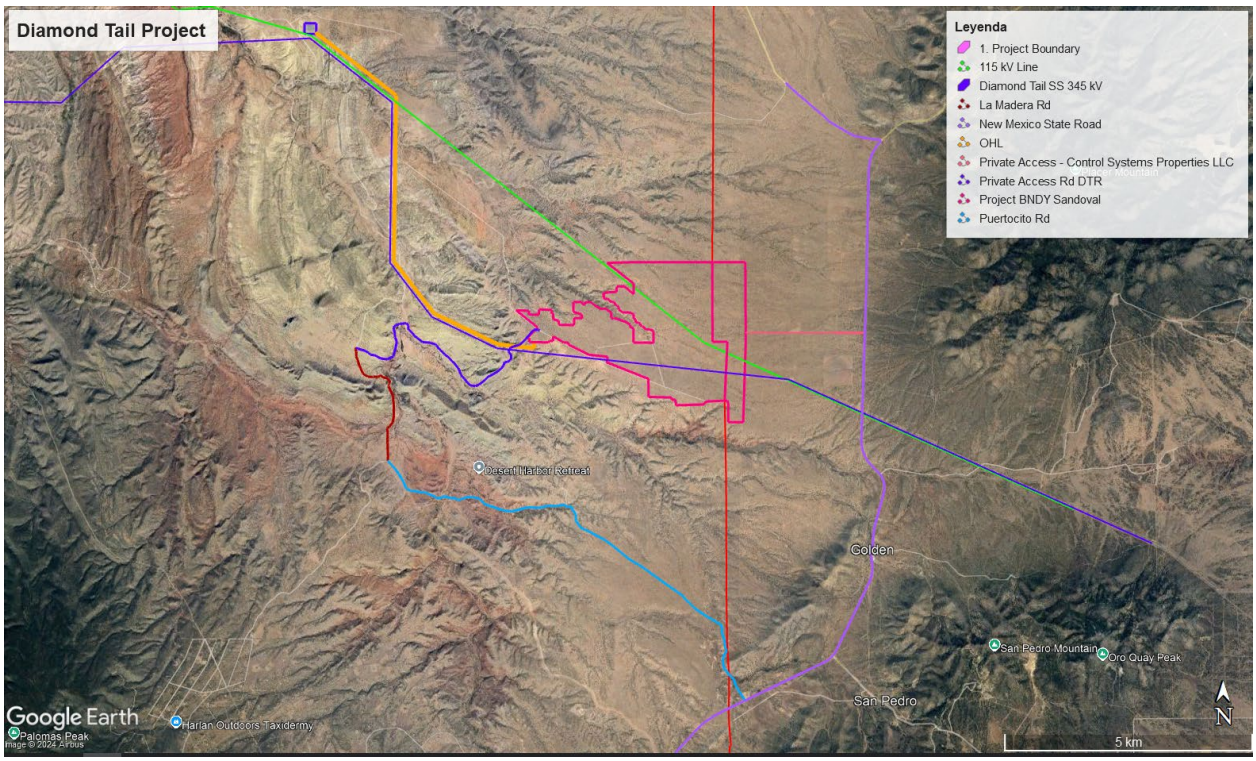


Figure 1.1. Vicinity Map.

2 DESIGN STANDARDS

2.1 Section 10 A&B and 19 F

PCR has reviewed the Sustainable Design Standards and, where applicable, has incorporated them into the Project's detailed site development plan. The final Project placement, design, and engineering will comply with the below listed Special Use District (SUD) – Design Standards outlined in the Ordinance, where applicable.

- Applicability
- Fire and Building Codes
- Residential Performance Standards (Lots, Blocks, Setbacks)
- Access and Easements
- Fire Protection
- Landscaping and Buffering
- Fences and Walls
- Lighting
- Signs
- Parking and Loading
- Road Design Standards
- Utilities
- Water Supply, Wastewater and Water Conservation
- Energy Efficiency
- Open Space
- Protection of Historic and Archaeological Resources
- Terrain Management
- Flood Prevention and Flood Control
- Solid Waste
- Air Quality and Noise
- Operation and Maintenance of Common Improvements
- Special Protection of Riparian Areas
- Infrastructure and Right-of-Way Improvements

2.2 Overlay Districts

The project site is within the Rural zoning district and the gen-tie corridor extends in Diamond Tail Ranch. The Project will have two access routes, utilized for different purposes:

1. During construction and for emergency cases, the Project site will be accessed from NM-14 across the Rancho de Chavez, located in Santa Fe County. This access route across private land will also be used in the event of an emergency during the operation period of the project. PCR has entered into an agreement with the landowner to facilitate the use of this access route. The executed Memorandum agreement was recorded at Santa Fe County.
2. Once construction is complete, operations and maintenance (O&M) vehicles will access the Project site from NM-14 using Puertocito Road, which is open to public use under a Sandoval County prescriptive easement.

Per the current Ordinance solar energy production facilities are permitted only after review and approval of a Special Use District.

2.3 Studies Reports and Assessments

The following studies, reports, and assessments (SRAs) have been completed, and are included herein as Enclosures.

- Phase I Environmental Site Assessment
- Wetland and Waters of the United States Delineation Report
- Geotech Report
- Class III Cultural Resources Survey and Report, and State Historic Preservation Officer concurrence letters
- Natural Resources Assessment Report
- Mineral rights
- Grading and drainage
- Topographic
- Route survey
- Decommissioning Plan

2.4 Special Use District

The proposed project complies with the purpose and intent of the SUD Approval Criteria.
Specifically, the Diamond Tail Solar Project will not:

1. be detrimental to the health, safety and general welfare of the area;

The Diamond Tail Solar Project is designed and implemented to not adversely impact the health, safety and welfare of the surrounding area. The Diamond Tail Solar Project is a static, nonobtrusive, use of land that will be compatible with surrounding land uses.

- Solar projects do not create significant noise, light, traffic, or other operational impacts.
- This project will not endanger the public health or safety in the location proposed.
-

2. tend to create congestion in roads;

Access to and from the solar facility will be in conformance with NM State Highway access permit standards.

During construction, the Project site will be accessed from NM-14 across the Rancho de Chavez, located in Santa Fe County. This access route across private land will also be used in the event of an emergency during the operation period of the project. PCR has entered into an agreement with the landowner to facilitate use of this access route. The executed Memorandum agreement was recorded at Santa Fe County.
Once construction is complete, operations and maintenance (O&M) vehicles will access the Project site from NM-14 using Puertocito Road, which is open to public use under a Sandoval County prescriptive easement.

Souder, Miller and Associates (SMA) and PCR submitted a Site Threshold Analysis to NMDOT District 5 in support of the NMDOT Access and Transit Permit, which was approved on March

28, 2024. The STA examined existing roadway volumes and anticipated site trip generation for the purpose of determining if additional analyses are required as defined by the District Traffic Engineer.

Construction Phase

- Temporary, 18/24-month period.
- Construction is anticipated to require approximately 300 workers on-site per day. The personnel will be encouraged to carpool to the site each day.
- Typical construction work schedules are expected to be from 7:00 a.m. to 7:00 p.m., Monday through Friday, with the potential for work to occur from 7:00 a.m. to 7:00 p.m. on Saturday. Work on the gen-tie may occur at night to minimize outages. In addition, certain activities, such as concrete pours, may occur outside of the specified hours when heat conditions are conducive to the activity.

Operations & Maintenance

- Operations and maintenance of the Project will be performed by qualified personnel, including 8 technicians which will work out of the onsite Operations Building generally during the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, with the potential for work to occur from 7:00 a.m. to 7:00 p.m. on Saturday.
- Maintenance of the solar facility may include periodic washing of solar panels, general equipment maintenance, and vegetation trimming.
- As a result, the number of employee vehicle trips generated by the site during typical operations is considered negligible.

In summary, this project will have higher traffic volume during construction but ultimately have exceptionally low traffic generations once operational.

3. create a potential hazard for fire, panic, or other danger;

PCR Investments SP4 LLC shall comply with the most current applicable codes adopted by the State of New Mexico, Sandoval County, and other entities, including but not limited to the following:

- International Fire Code, 2021 edition, as adopted by 10.25.2 NMAC ("Fire Prevention and Public Occupancy") and 2021 International Wildland Urban-Interface Code (IWUIC).

- Sandoval County's Comprehensive Zoning Ordinance (10-11-18.7A, June 2020 Amended) by the Board of County Commissioners.

- National Fire Protection Association (NFPA) 855, *Standard for the Installation of Energy Storage Systems* (2023 edition)

- New Mexico Commercial Building Code as adopted by 14.7.2 NMAC ("2009 New Mexico Commercial Building Code") which adopts by reference the 2009 International Building Code.

- Proactively, PCR Investments SP4 LLC has been working closely with Sandoval County Fire Department to design and construct the project's access, circulation, and emergency measures.

4. tend to overcrowd land and cause undue concentration of population;

This project will not be detrimental to the use or development of adjacent land, and in fact is entirely harmonious with its rural agricultural character. Diamond Tail Solar project is a static, non-obtrusive, use of land that will not overcrowd the land nor cause undue concentration of population. The facility will not change any of the existing population patterns.

5. interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;

As compared to the permitted uses in the Rural Fringe Zone District (RUR-F), this project will provide a net positive impact to Sandoval County services such as schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements. In terms of water and sewer requirements,

- Diamond Tail Solar project will not require a significant long-term water supply. Water for construction would be approximately 85 MM liters (~water a golf course) – 15/20 trucks/day over an 18/24-month construction period and will be delivered to the Project site by water trucks. Water may be acquired from offsite sources Henderson Store Allen Pielhau; and any other legally permitted commercial water sales. Construction water will be used for equipment washing and dust abatement and to support general construction activities (concrete foundations, etc.). Long term water uses would be for cleaning solar panels once a year (for 2 months) (one l/panel ~500k panels → 25 trucks/m), ~ the annual water for 15 homes; and to supply potable water to the 5,000 gallon potable water tank at the Operations Building.

- Portable toilets would be used during construction. Once constructed, a septic tank will be included to meet the wastewater needs of the Operations Building.

6. interfere with adequate light and air;

Lighting – Any required lighting will be downcast and comply with the lighting standards outlined in Section 10 F 4 of the Ordinance. This project will not impact the County's night sky ordinance.

Air – Only minimal, short-term emissions would be expected from equipment use and fugitive dust from access road travel during the operations and maintenance phase.

7. be inconsistent with the purposes of the property's zoning classification or in any other way inconsistent with the spirit and intent of the Ordinance

The project site is within the Rural Fringe (RUR-F) zoning district.

The RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses, and renewable resource-based activities, seeking a balance between conservation, environmental protection, and reasonable opportunity for development. Density transfers and clustered development shall be allowed to support continued farming and/or ranching activities, conserve open space, or protect scenic features and environmentally sensitive areas. Per the Ordinance, solar energy production facilities are permitted within the RUR-F zoning district only after review and approval of a Special Use District.

3 SITE DEVELOPMENT CONSIDERATIONS

3.1 Fire and Building Codes (Section 19 F 1, Ordinance)

The Project has been designed to comply and conform with the New Mexico Fire Code (or other applicable fire code as established by NMAC 10.25.5.8, and the Sandoval County Fire Code, including:

- Sandoval County's Comprehensive Zoning Ordinance (10-11-18.7A, June 2020 Amended),
- 2021 International Fire Code (IFC) and 2021 International Wildland Urban-Interface Code (IWUIC)
- National Fire Protection Association (NFPA) 855, *Standard for the Installation of Energy Storage Systems* (2023 edition)

Refer to section 3.3 (Fire Protection) for additional fire-related details.

3.2 Access and Easements (Section 19 F 1, Ordinance)

The Project has been designed to comply and conform with applicable access and easement requirements.

During construction, the Project site will be accessed from NM-14 across the Rancho de Chavez, located in Santa Fe County. This access route across private land will also be used in the event of an emergency during the operation period of the project. PCR has entered into an agreement with the landowner to facilitate use of this access route.

This entry will be improved, as specified in the approved permit, to facilitate traffic for the construction of the solar facility

Once construction is complete, operations and maintenance (O&M) vehicles will access the Project site from NM-14 using Puertocito Road, which is open to public use under a Sandoval County prescriptive easement.

The table below shows the estimated trucks per month during the construction and operation stage

DIAMOND TAIL
LOGISTICS PLAN

jun-24

Construction solar + BESS	Planned date	40´ containers (unit)	Max weight (lbs) (includes truck´s weight)	
Mobilization	mar-27	10	80.000	
Fence	abr-27	7	80.000	
Piles and racking (1/4)	jun-27	176	80.000	
Piles and racking (2/4)	jul-27	176	80.000	
Piles and racking (3/4)	ago-27	176	80.000	
Piles and racking (4/4)	sep-27	175	80.000	
Cables (1/2)	sep-27	29	80.000	
Cables (2/2)	ene-27	29	80.000	
Pannels (1/4)	sep-27	287	80.000	
Pannels (2/4)	oct-27	287	80.000	
Pannels (3/4)	nov-27	287	80.000	
Pannels (4/4)	dic-27	287	80.000	
Inverters (1/2)	mar-28	35	80.000	
Inverters (2/2)	apr-28	35	80.000	
Batteries (1/3)	may-28	45	84.000	overweight
Batteries (2/3)	jun-28	45	84.000	overweight
Batteries (3/3)	jul-28	44	84.000	overweight
Total Solar+BESS		2.130		

Planned date	40´ containers (unit)	Daily average
mar-27	10	0,5
abr-27	7	0,3
jun-27	176	8,0
jul-27	176	8,0
ago-27	176	8,0
sep-27	491	22,3
oct-27	287	13,0
nov-27	287	13,0
dic-27	292	13,3
ene-28	54	2,5
feb-28	20	0,9
mar-28	37	1,7
abr-28	37	1,7
may-28	49	2,2
jun-28	45	2,0
jul-28	44	2,0
	2.188	6

Construction Transmission line & SS	Planned date	40´ containers (unit)	Max weight (lbs) (includes truck´s weight)	
SS equipment (1/3)	dic-27	5	80.000	
SS equipment (2/3)	ene-28	5	80.000	
SS equipment (3/3)	may-28	4	80.000	
Main transformer SS	apr-28	1	90.000	oversize/overweight
Cable transmission line (1/2)	mar-28	2	80.000	
Cable transmission line (2/2)	abr-28	1	80.000	
Posts transmission line (1/2)	ene-28	20	80.000	
Posts transmission line (2/2)	feb-28	20	80.000	
Total SS+transmission line		58		

TOTAL DURING CONSTRUCTION	2.188
Daily average	6

LABORERS transportation during construction (average 165 employees)	
Daily buses	5
Daily SUV	7
Daily cars	15

TOTAL DURING OPERATION & MAINTENANCE	
Daily SUV	4
Monthly 40´containers	0,5

3.3 Fire Protection (Section 19 F 1, Ordinance)

The Project has been designed to comply and conform with the New Mexico Fire Code (or other applicable fire code as established by NMAC 10.25.5.8, and the Sandoval County Fire Code, including:

- Sandoval County's Comprehensive Zoning Ordinance (10-11-18.7A, June 2020 Amended),
- 2021 International Fire Code (IFC) and 2021 International Wildland Urban-Interface Code (IWUIC)
- National Fire Protection Association (NFPA) 855, *Standard for the Installation of Energy Storage Systems* (2023 edition)

The project has been designed to include an inside turning radio of 28 feet and gates will be equipped with emergency unlocking/opening systems (Knox Box). In addition, PCR will work with appropriate third parties to provide safety and fire management training for fire departments located within the

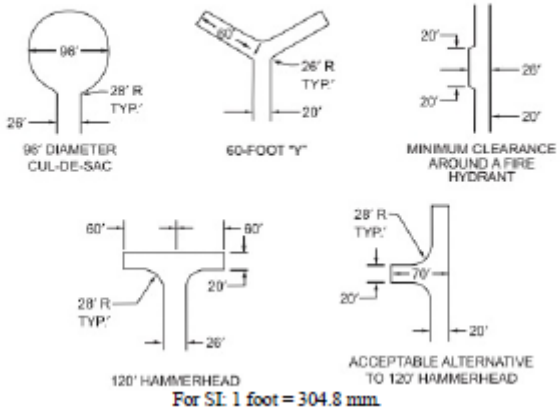
vicinity of the project. This training will occur prior to the completion and energization of the facility. The training will also include "train the trainer" sessions for future emergency response teams.

A Hazard Mitigation Analysis (HMA) will be prepared for the project as part of the detailed engineering process. This HMA will include site and product-specific fire risk assessment and a first responder plan. Local first responders will have access to these reports.
PCR will provide on-site and in-person training to the local responders prior to commercial operation of the system. There are no special materials required to respond to a fire event for the containerized BESS units. Only standard water application to the adjacent BESS containers is required, and this is only in the case where all internal fire suppression systems may fail. All information required by the first responders will be included in the first responder plan part of the HMA.

If a battery fire is initiated, the enclosures planned for this site would release fire suppressant in large concentrations directly into the initiating cell, removing heat and preventing thermal runaway throughout the enclosure. UL 9540 certification addresses safety and requires UL 9540a test results to be available for review. The UL 9540a tests of this system indicate adequate prevention of thermal runaway. The PCR Energy Storage solution will achieve UL 9540 certification prior to site commercial operation.

The location, road widths and turning radii have been designed on the basis of the information provided by the fire department of Sandoval County.

Sandoval County Fire Apparatus Access Roads



For SI: 1 foot = 304.8 mm.

3.4 Landscape and Buffering (Section 10 B 3, Ordinance)

The project site will have a minimum 500-foot set-back from any adjacent property line. Landscaping is not proposed as part of the project.

3.5 Fences and Walls (Section 10 B 3, Ordinance)

The perimeter of the solar project will be enclosed by an agricultural style fence, which is wildlife friendly, and posts will be 7 feet tall. The on-site collector substation and BESS may be enclosed by a chain-link fence.

3.6 Lighting (Section 10 F 4, Ordinance)

It is anticipated there will be motion sensor, downcast shaded security lighting at the access gate, battery storage and substation location, operations building, and solar pads. Lighting will be downcast shaded, per the state and local ordinance. Downcast lighting protects the ability to view the night sky by restricting unnecessary upward projection of light.

3.7 Signs (Section 10 B 2, Ordinance)

A small facility identification sign may be posted at the project entry gate. Within the Project site, and adjacent to the water storage tank, signage will be placed along the road, 40-feet apart and centered on the water storage tank, that states: "No Parking – Fire Lane."

3.8 Parking and Loading (Section 10 B 2 & 19 F 2, Ordinance)

Worker parking during construction would be limited to designated parking areas within the project boundary. It anticipated that the duration of construction would be approximately 18/24 months. Typical construction work schedules are expected to be from 7:00 a.m. to 7:00 p.m., Monday through Friday, with the potential for work to occur from 7:00 a.m. to 7:00 p.m. on Saturday. Work on the gen-tie may occur at night to minimize outages. In addition, certain activities, such as concrete pours, may occur outside of the specified hours when heat conditions are conducive to the activity. Material delivery would generally occur during specified construction work hours. During operations, worker parking would occur at the operations building and any loading activities would generally occur during the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, with the potential for work to occur from 7:00 a.m. to 7:00 p.m. on Saturday

3.9 Road Design Standards/Plan & Profile (Section 10 B 2 & 19 F 1, Ordinance)

PCR will use existing state roads (NM 14) to access during the construction period. No additional public road construction is planned. To the extent practical, the private all-weather access road, which will traverse west from NM 14 to the project site, will be composed of compacted earth and will provide private ingress and egress access routes to project facilities, including downline gen-tie access. Where needed, additional compacted earth access roads will be developed to access solar panels, the project substation and BESS, and temporary laydown areas. This private project access road will be acquired as part of the lease right of way. Approximately, 1,5 miles of private access road are estimated.

During the Operation and Maintenance period, PCR will use public roads (NM 14, Puertocito, and La Madera Rd).

3.10 Utilities (Section 10 B 3, Ordinance)

Operational electrical needs will be provided to the facility via utility backfeed from the project substation.

3.11 Water Supply, Wastewater and Water Conservation (Section 19 F 3, Ordinance)

Diamond Tail Solar project will not require a significant long-term water supply. Water for construction would be approximately 85 MM liters (~water a golf course) – 15/20 trucks/day over an 18/24-month construction period and will be delivered to the Project site by water trucks. Water may be acquired from offsite sources Henderson Store Allen Pielhau; and any other legally permitted commercial water sales. Construction water will be used for equipment washing and dust abatement and to support general construction activities (concrete foundations, etc.).

Long term water uses would be for cleaning solar panels once a year (for 2 months) (one l/panel ~500k panels → 25 trucks/m), ~ the annual water for 15 homes; and to supply potable water to the 5,000 gallon potable water tank at the Operations Building.

Portable toilets would be used during construction. Once constructed, a septic tank will be included to meet the wastewater needs of the Operations Building Portable toilets would be used during construction. Once constructed, a septic tank will be included to meet the wastewater needs of the Operations Building.

3.12 Energy Efficiency – Nonresidential Structures (Section 19 F 4, Ordinance)

Once in operation, the Project will produce energy from sunrise to sunset, seven days a week.

3.13 Open Space (Section 19 F 5, Ordinance)

The project will be located on land that is zoned as Rural Fringe (RUR-F) and is outside of designated open space areas.

3.14 Protection of Historic and Archaeological Resources

SWCA Environmental Consultants (SWCA) was contracted to conduct an intensive, pedestrian cultural resources inventory of all land within the proposed project area.

A Class III archaeological survey was conducted between November 9–13, 2022 and other investigations resulted in one newly recorded archeological site (LA 202068), 49 isolated artifacts, and three (3) isolated features.

A new recorded site, LA 202068 is located on a low rise of a large alluvial fan extending eastward from the Ortiz Mountains. The site is located near the northeastern corner of the project area, within the easement of a transmission line corridor. Vegetation on the site consists of small juniper trees as well as cholla, bunch grasses, Russian thistle, and prickly pear. LA 202068 appears fairly intact though the site does exhibit some evidence of water erosion and bioturbation.

LA 202068 is believed to be a Euro-American site defined by features and a historic artifact scatter. The site is approximately 80 m north-south by 68 m east-west. Features include a fence line, stone foundation, and two borrow pits or dugouts. Artifacts include a low density of glass, ceramic, and metal and one metal barrel. Diagnostic glass and wire cut nails suggest the site dates to the early to mid-twentieth century.

An estimated 200–300 artifacts were present at this site and a sample was recorded. Over 170 shards of historic container glass including amber (50), colorless (30), aqua (30), green (> 30), solarized (5), and milk (5) were recorded as well as approximately ten (10) sherds of whiteware. One diagnostic maker's mark (Owens-Illinois Glass Company [c.1929-1954]) was present. Metal artifacts included one metal barrel, wire cut nails, and minimal (5 or fewer) tin can fragments. No lithics or prehistoric ceramics were observed at this site.

Cultural resources recorded during the survey were also evaluated for their potential to be recommended for the National Register of Historic Places (NRHP).
The consultant who prepared the Cultural survey recommended that site LA 202068 is of undetermined eligibility and recommends that archival research be conducted to further evaluate LA202068 under NRHP criterion. No isolated finds are recommended eligible for listing in the NRHP.
The consultant who prepared the Cultural survey recommendations consisted of site avoidance (LA202068) during the construction of the proposed solar array.

The potential for subsurface cultural material within the analysis area is low; however, in the event that a previously undocumented burial site is discovered during Project construction, the appropriate authorities will be notified, which includes notifying HPD (SHPO) of an unanticipated discovery, ceasing work within the discovery footprint, and developing and following an Unanticipated Discoveries Plan. With the avoidance of the one undetermined resource, there will be *no effect* on any historic resources.

3.15 Terrain Management (Section 10 A 1, Ordinance)

The project has been sited to avoid existing drainages. During construction, a Storm Water Pollution Prevention Plan (SWPPP) would be developed and implemented, which would meet the construction stormwater discharge permit requirements of the New Mexico Environmental Department (NMED) Surface Water Quality Bureau. The SWPPP would include several measures to control runoff and to reduce erosion and sedimentation at construction sites. Stormwater best management practices (BMPs) included in the SWPPP would be used during construction to reduce potential impacts from erosion, sedimentation, and turbidity in surface waters during construction. BMPs would generally include the placement of silt fences and/or straw wattles along the downgradient perimeter of the project to minimize stormwater sedimentation from leaving the site, and minimizing grading and vegetation removal, and limit surface disturbance during construction to the time just before solar module support structure installation.

3.16 Flood Prevention and Flood Control (Section 10 B 2 Ordinance)

PCR completed a Hydrologic and Hydraulic (H&H) Study of the project site to estimate existing condition flow depths, flow velocities, and scour potential for 10-year, 100-year-, and 500-year storm events. The H&H Study results indicate that flow depths, flow velocities, and scour that are significant enough to impact the layout of proposed solar improvements are limited.

No wetlands were observed within the site boundary and transmission line corridor. Two of the four sample points were found to have upland plants like side oats grama and one seed juniper but none of the sample points indicators for hydric soils. The sample points collected did have hydrology indicators that consisted of the primary indicators of drift and sediment deposit but there were no hydric soils or hydrophytic vegetation present.

According to the site visit observations, two intermittent tributaries with two crossings totaling ± 8, 381.79 linear feet (±12.67 acres) are present within the project area. It is H&H's opinion that the intermittent tributaries Arroyo Una de Gato and Arroyo Coyote, are likely to be considered jurisdictional. The segments of intermittent tributaries Arroyo Una de Gato and Arroyo Coyote would be considered relatively permanent tributaries within the Rio Grande tributary system. Therefore, consistent with the

rule and guidance IT-1, IT-2, IT-3, and IT-4 within the study area would likely be considered WOTUS and subject to USACE jurisdiction under Section 404.

Following the completion of the H&H Study, the project design was refined to avoid the placement of solar arrays within the arroyos, wetlands, and floodplains (FEMA 2022).

3.17 Solid Waste (Section 19 F 3, Ordinance)

Solid waste generated during construction will be transported for disposal by a private contractor at a licensed waste management facility. Solid waste generated during project operation will be minimal and will be disposed of at a licensed waste management facility. After the approximate 30-year life of the project, the facility will be decommissioned and removed, and materials will be recycled or disposed of in accordance with federal, state, and local requirements.

3.18 Air Quality and Noise (Section 19 F 4, Ordinance)

Air Quality

Project emissions would be greatest during the construction period, which is estimated to be approximately 18/24 months. Equipment use and ground disturbance associated with the facilities would result in a low level of localized emissions of regulated air pollutants, including PM_{10}, $PM_{2.5,}$ during the construction period. While an air quality permit is not required for the Project, construction activities are governed by the applicable rules and regulations of the NMED Air Quality Bureau rules for fugitive dust emissions from construction activities and clearing of land. These include reasonable precautions to prevent dust from becoming airborne, including 1) using water or chemicals to control dust where possible, 2) covering open-bodied trucks at all times while transporting materials likely to produce airborne dusts, 3) establishing vehicle speed controls, 4) installing wind fences, and 5) promptly removing earth or material from paved streets. In addition to the dust management strategies listed above, Rancho Viejo would implement protection measures to reduce emissions from construction vehicles and equipment by decreasing idling time and maintaining equipment properly. Only minimal, short-term emissions would be expected from equipment use and fugitive dust from access road travel during the operations and maintenance phase, which consist of a small crew accessing the site once every quarter for visual inspections and routine maintenance actions. Decommissioning emissions would be similar to those emitted during initial construction in character and would be temporary.

Noise

The Diamond Tail Solar Project is located in a rural area with low existing noise levels.

The construction of the Project will result in a temporary increase in ambient noise levels during the construction period as construction equipment noise levels will be expected to dissipate to below background levels within approximately 0.15 mile to 1.2 miles of the Project area.

Once in operation, the Project will have a negligible effect on ambient noise levels beyond the immediate vicinity of the Project area as the human perception for change in sound level (i.e., potential increase above ambient) is estimated as 0.3 dBA during daytime hours and 1.5 dBA during nighttime hours. These noise increases would not be able to be perceived by a human observer. Direct impacts to ambient noise will occur from the Proposed Action by increasing background noise levels from approximately 42 to 55 dBA during construction.

3.19 Infrastructure and Right-of-Way Dedication (Section 19 F 1, Ordinance)

The proposed 60-foot-wide ingress and egress easement during construction and 100-foot-wide overhead electrical easement are private and will not require infrastructure and right-of-way dedication.

3.20 Traffic Circulation Plan, including egress and ingress for emergency vehicles

The project has been designed to include an inside turning radio of 28 feet and gates will be equipped with emergency unlocking/opening systems (Knox Box). In addition, PCR will work with appropriate third parties to provide safety and fire management training for fire departments located within the vicinity of the project. This training will occur before the completion and energization of the facility. The training will also include "train the trainer" sessions for future emergency response teams.

3.21 Operations and Maintenance Plan

Beginning on the Commencement Date and continuing throughout the Term, PCR shall provide all work, services, labor, consumables, and tools necessary to operate, monitor, maintain, repair, replace and otherwise service the Plant in compliance with Prudent Electrical Practices.

A detailed Operating Plan for each Generating Facility shall be implemented which shall consist of an Annual Maintenance Plan and Schedule and details of how to start, shut down and operate the facility and every piece of equipment in the facility. Associated with the Operating Plan will also be a Health and Safety Manual committed to complying with all applicable federal, state, and local safety standards and regulations at all times. This plan at a minimum will include Safety Orientation practices, General Safety Instructions specific to each site, Emergency Response Instructions, Job Hazard Analysis and Pre-Job briefings, instructions on Personal Protective Equipment (PPE), Hazardous Materials and Electrical Safety Instructions.

From an Operations perspective, PCR shall comply with Operating orders in compliance with PNM guidelines. PCR shall keep a daily operations log for the Generating Facility that shall include the following information:

(i) Availability of the Inverter Block Units and associated Current Inverters;

(ii) Circuit breaker trip operations;

(iii) Any significant events related to the Operation of the Generating Facility;

(iv) Real and reactive power and energy production;

(v) Changes in Operating status;

(vi) Protective apparatus operations;

(vii) Any unusual conditions found during inspections;

(viii) Electric energy production, fuel consumption and efficiency (if applicable); and

(ix) Status and settings of generator controls including automatic voltage regulator and power system stabilizer.

PCR shall maintain complete records of the facility's plane of array insolation, other pertinent meteorological conditions, and the operational status of each generating unit. PCR shall keep a maintenance log for the facility that shall include information on maintenance (both breakdown and

preventative) performed, outages, inspections, manufacturer-recommended services and replacement, electrical characteristics of the generators, control settings or adjustments of equipment and protective devices. PCR shall maintain documentation of all procedures applicable to the testing and maintenance of the facility protective devices as necessary to comply with NERC Reliability Standards applicable to protection systems for large electric generators if PCR is required to be a registered entity according to the NERC Reliability Standards.

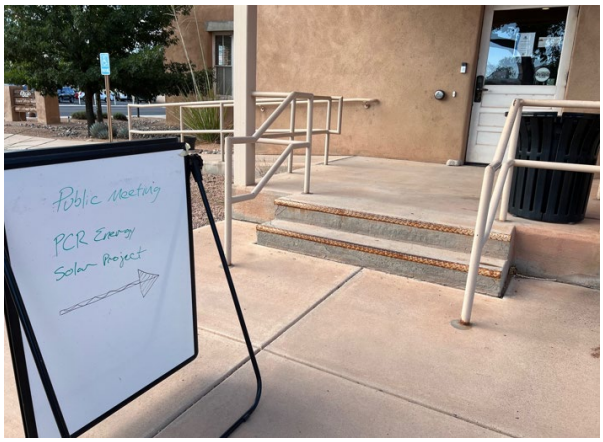
Since every facility is different, a generating facility-specific Operating Plan shall be developed and implemented before the Commercial Operation of the facility.

3.22 Public meeting (Section 19 F 8, Ordinance)

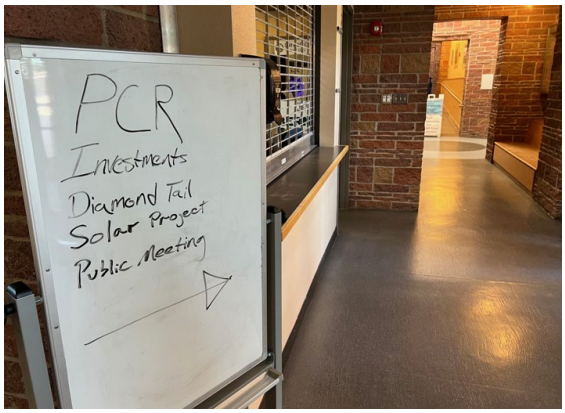
PCR will have three pre-application public meetings where he invited property owners, occupants, and county staff affected by the proposed amendment.

The first two events took place on:

1) August 15th at Zocalo Plaza



2) September 3rd at the Vista Grande Community Center

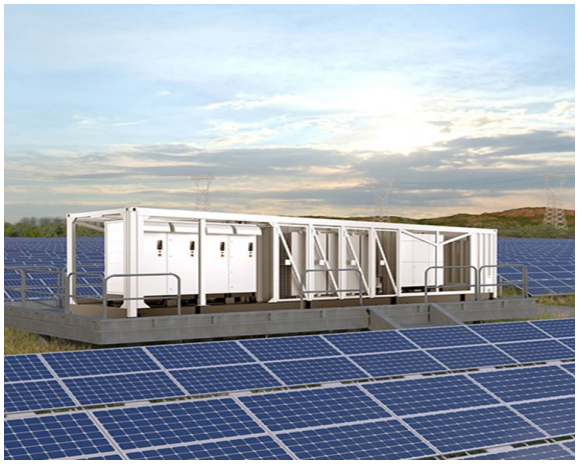


3) October 29th will be placed at the Vista Grande Community Center

3.23 Pictures of the site and examples of similar installations

Access for construction NM14 / Chavez Ranch

Future installations

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