

OCT 19 2026

Luis Lopez (OFF)


STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT

IN THE MATTER OF:

THE APPLICATION
OF YUCCA GROWTH INFRASTRUCTURE, LLC
FOR AN AIR QUALITY PERMIT
NO. 10883

AQB 26-57(P)

APPLICANT YUCCA GROWTH INFRASTRUCTURE, LLC'S RESPONSE IN
OPPOSITION TO: NEW ENERGY ECONOMY'S MOTION TO DISMISS
YGI'S PERMIT APPLICATION AS NOT RIPE FOR ADJUDICATION, FILED
AUGUST 4, 2026, AS CORRECTED AUGUST 5, 2026 ([DKT. NO. 52](#),
[DKT. NO. 57 \(ERRATA\)](#))

Applicant Yucca Growth Infrastructure, LLC ("YGI") submits this Response in Opposition to New Energy Economy's Motion to Dismiss YGI's Permit Application as Not Ripe for Adjudication (Dkt. No. 52) (the "Motion"), filed August 4, 2026, and corrected August 5, 2026, in advance of the October 26, 2026 hearing on the Motion (Dkt. No. 57). YGI has also received and responds herein to the August 5, 2026 response of Youth United for Climate Crisis Action ([Dkt. No. 55](#)) supporting the Motion, and to Mr. Maxwell's Response in Opposition and Objection to the August 5, 2026 Order ([Dkt. No. 54](#)) (the "Order"), filed August 7, 2026 ([Dkt. No. 60](#)).

YGI addresses the five issues raised by the Motion, which were later reflected in the Hearing Officer's now-withdrawn Order and then explains why the Motion fails as a matter of law. Fundamentally, the Motion must fail because it rests on the outdated and incorrect factual premise that fuel supply for the YGI microgrid is not available, and because even if that premise had any viable basis, only the designated agency decisionmaker – the Deputy Secretary of the New Mexico Environment Department ("Department")—has the authority to make that determination.

PROCEDURAL POSTURE

NEE filed the Motion on August 4, 2026 (Dkt. No. 52), and on August 5 filed an errata correcting its citation of 20.2.72.208(G) NMAC and attaching a corrected Motion (Dkt. No. 57), which YGI cites throughout. The same day, the Hearing Officer issued the Order (Dkt. No. 54; errata, [Dkt. No. 58](#)), which directed all parties to respond by August 11 and asked YGI and the Department to address five questions. Youth United for Climate Crisis Action (YUCCA) filed a response supporting the Motion on August 5, and Mr. Maxwell filed a response opposing it, with objections to the Order on August 7. Before any other party responded, the Hearing Officer issued a Sua Sponte Order (dated August 9 and served August 10, 2026) ([Dkt. No. 63](#)) that withdrew the Order, denied NEE's request for a show-cause order, and directed that no responses to the Order be filed.¹ The Hearing Officer explained that the Motion was "not ripe for adjudication" in that NEE had not established the dispositive premises of its motion, and that the issues were "more appropriately adjudicated at the hearing." *Id.* Consistent with the Sua Sponte Order, YGI did not file a written response.

NEE moved for reconsideration ([Dkt. No. 68](#)), and on August 12, 2026 the Hearing Officer denied that motion, explaining that what the Sua Sponte Order does "is simply to shift the time when this matter should be heard" and that "[a] hearing on a motion to dismiss would allow the parties to present evidence under oath." Order ([Dkt. No. 77](#)). At that time, it was clear that the Motion was no longer pending. Hearing Officer Shepherd later recused himself ([Dkt. No. 93](#)). Several arguments made in this motion were also made by NEE and other parties to the Supreme Court in support of NEE's Verified Petition for Writ of Mandamus, which the Supreme

¹ The prior Hearing Officer declined to decide NEE's earlier motion on the briefs, finding that the disputed facts should be developed through testimony presented under oath rather than through argument of counsel in briefs, and are more appropriately adjudicated at the hearing. Sua Sponte Order at 2 (Aug. 9, 2026) (Dkt. No. 63).

Court ultimately denied. After Supreme Court denied NEE's Writ and the stay was lifted (Dkt. Nos. [94](#), [97](#)), Hearing Officer Browning was substituted ([Dkt. No. 99](#)) and, at the October 15, 2026 procedural conference, set the Motion for hearing on October 26, 2026 ([Dkt. No. 111](#)). Hearing Officer Browning appeared to indicate that the hearing may address both Motions to Dismiss that have been filed in this hearing record (Dkt. No. 52, errata 57, and [Dkt. No. 107](#)). YGI files this response so that its position is in the record before that hearing though YGI contends that at this time, the Motion has been denied and the appeal on the motion has similarly been denied and that there remains no action left to take on the Motion.

INTRODUCTION

The Motion asked the Hearing Officer to dismiss YGI's application before any evidence is even admitted into the record, based on an unsupported prediction about whether a third party will build a natural gas pipeline. Whether gas will reach the site, and when, is a question of fact. It belongs at the hearing, where witnesses testify under oath and every party can cross-examine them, not on a motion decided on legal argument alone. The Motion also rests on an incorrect legal assumption. It assumes that an applicant must secure pipeline rights-of-way, and in effect have its fuel supply built, before it may apply for an air permit. The Air Quality Control Act contains no such requirements. *See* Section II.E below.

The Motion also rests on two incorrect factual assumptions: that (1) the Green Chili Lateral is the only means of supplying fuel to the proposed source and "has now been denied," and (2) Project Jupiter's future depends on an appeal of the Land Commissioner's decision that "has not even begun," "may take years," and "may never succeed." Motion at 1–3. Both assumptions are wrong. The truth is as follows:

- **First**, the Commissioner did not deny the pipeline, as NEE incorrectly asserts. Motion at 1, 3. Instead, the Commissioner merely declined two small rights-of-way and a meter

station lease covering less than 6% of a 17-mile route. The pipeline's developer has since adopted a route entirely on federal land that needs no State Land Office approval. And existing New Mexico Gas Company infrastructure will be available to supply the Project's first phase in any event.

- **Second**, and, equally important, the time to appeal or contest the Commissioner's decision has passed, and no appeal or contest was filed — so the contingency NEE feared will never arise.
- **Third**, NEE ignores the time the rules allow to commence construction. Part 72 gives a permittee two years after the permit issues to commence construction before the Department may even consider cancelling the permit, and then only after notice and an opportunity to be heard. 20.2.72.211(B) NMAC. Nothing in the rules requires an applicant to have its fuel supply (necessary for operation) in place on the day the permit issues.

More importantly, NEE's arguments have been overtaken by recent events. Since NEE filed its Motion, no one appealed the Commissioner's decision, Transwestern adopted a route that needs no State Land Office approval, FERC staff found no significant environmental impact, and the State Historic Preservation Division concurred with "no concerns." The assumed appeal and old pipeline route that NEE relied on no longer exist. *See* Section II below. As such, NEE's Motion must be denied.

I. BACKGROUND

A. The Green Chili Lateral and the State Land Office decisions.²

The Green Chili Lateral is a prospective buried 24-inch natural gas pipeline approximately 17 miles long, developed by affiliates of Energy Transfer LP—not by YGI. Greyling Decl. ¶ 2, and Ex. 4. Energy Transfer is a separate, publicly traded company that is not affiliated with or related to YGI. *Id.* Two Energy Transfer entities sought the state authorizations at issue: ET Gathering and Processing LLC (for a southern segment) and Transwestern Pipeline Company LLC (for a northern segment). Motion, Ex. A at 1–2.

² Facts concerning fuel supply, Bloom Energy Server procurement, and construction are drawn from the Declaration of Jacques Greyling ("Greyling Decl."), attached as **Exhibit A and its accompanying exhibits**.

What was before the Commissioner was narrow: rights-of-way for approximately 2,000 feet and approximately 3,200 feet (Nos. R4-3458 and R4-3459), and a business lease for the “Green Chili Meter Station” (No. BL-3339) connecting the lateral to an existing El Paso Natural Gas line. *Id.* at 2. Those segments total roughly 5,200 feet of an approximately 89,760-foot route—less than 6% of the pipeline. The Commissioner’s letter says as much, describing the requested rights-of-way as “a small part of the overall approximately 17-mile proposed project.” *Id.*

The right-of-way applications were canceled March 20, 2026, and reconsideration was denied July 14, 2026, as a discretionary exercise of the Commissioner’s authority. *Id.* at 2–4. The Commissioner’s decision contains no engineering analysis, no finding that the pipeline cannot be built, and no determination regarding alternative routes. Motion, Ex. A at 2–4. The Commissioner did not—and could not—issue decisions on the remainder of the pipeline route, which crosses federal and private lands outside the Commissioner’s jurisdiction. *Id.*

B. The source is built and fueled in phases.

The Motion also incorrectly assumes a single, indivisible facility completed and fueled all at once, so that any interruption in fuel supply defeats the whole. *See* Motion at 3–4. That is not what draft Permit No. 10883 describes.

Instead, draft Permit No. 10883 describes a fleet of identical, factory-built solid oxide fuel cell power modules, installed in Energy Servers and clusters over roughly three years (Application § 1-E, Items 4 and 5, Administrative Record NSR 10833_000007–000008)³, which are placed in service progressively as installation proceeds. That structure matters here because it means the source has no single, fixed fuel requirement that must be satisfied on the day the

³ The Administrative Record appears to be inadvertently labeled “10833.” The Permit No. is 10883.

permit issues. Greyling Decl. ¶ 4. Nor does the Application or draft permit issued by the Department include any such requirement.

The source's gas demand is based on the number of Energy Servers operating at a given time, and Energy Servers are added progressively—resulting in approximately 80 to 100 MW of capacity per month from startup through construction completion in November 2029.

Application § 1-E, Items 4 and 5 (Administrative Record NSR 10833_000007–000008).

Construction of the first approximately 100 MW is expected to take about three months from permit issuance, and the Project's gas demand grows step by step from installation to the full buildout in 2029. Greyling Decl. ¶¶ 3-5.

NEE's real supposition is that, without the Green Chili Lateral, no gas can reach the site at all. That is wrong. An existing New Mexico Gas Company line can supply the first 100 MW increment, and New Mexico Gas Company has agreed to interconnect the site. And, by the time the Project needs more gas, Transwestern's pipeline on the BLM route is expected to be in service. Greyling Decl. ¶ 15; *see* Sections II.A, II.C below. NEE also fails to account for the years the rules allow to commence construction, and nothing requires an applicant to have its full fuel supply in place on the day the permit issues. *See* Section II.E below. The approximately 400 MMcf/d figure NEE emphasizes, Motion at 1, 3–4, 6, was the natural gas demand of the completed facility at full nameplate capacity in 2029, not the gas needed for the first phases. And this number has now been reduced because YGI has agreed to an enforceable 1,600 MW cap on the electricity the facility can generate.

II. RESPONSE TO THE ISSUES RAISED IN THE MOTION AND LATER REFLECTED IN THE AUGUST 5, 2026 ORDER

As a threshold matter, the Motion has been overtaken by events: since NEE filed it, no one appealed the Commissioner's decision, Transwestern adopted a route entirely on BLM-

administered land that needs no State Land Office approval, FERC staff issued an Environmental Assessment concluding that approval of the project “would not constitute a major federal action significantly affecting the quality of the human environment,” and the New Mexico State Historic Preservation Division concurred with “no concerns.” Greyling Decl. ¶¶ 13-14 & Greyling Exs. 4-5. As such, the arguments raised in the Motion are no longer relevant and should be deemed moot.

The Motion raises five issues, *id.* at 6, which the Hearing Officer later reflected in the questions in the August 5 Order. Although that Order has been withdrawn by the Sua Sponte Order, YGI answers each issue below.

A. Whether any legally obtainable alternative source of natural gas exists.

Yes. YGI has identified sources of pipeline-quality natural gas for both the initial phases and the completed Project. Greyling Decl. ¶ 5. An existing six-inch New Mexico Gas Company (“NMGC”) pipeline runs immediately west and south of the Project, and YGI has the access or right-of-way needed to tap it. That line can carry more than 24 MMcf/d, enough to operate the first 100 MW increment through February 2027, consistent with the Project timeline. *Id.* ¶¶ 6-7. NMGC has agreed to perform the work needed to interconnect the site. *Id.* And, as explained below, Transwestern has formally adopted an alternative route for the pipeline that will supply the completed Project. Greyling Decl. ¶ 9, Greyling Ex. 1.

B. Whether Applicants intend to administratively appeal the Commissioner’s denial of the Green Chili Lateral rights-of-way and business lease.

The time to seek administrative or judicial review of the Commissioner’s July 14, 2026 decision has passed (any petition for administrative contest was due within 30 days of the decision, Motion, Ex. A at 3–4 (citing 19.2.15 NMAC)), and neither YGI nor Transwestern or

any other Energy Transfer entity, to YGI's knowledge, filed an appeal or contest. Greyling Decl. ¶ 12.

C. Whether any alternative pipeline route or alternative fuel delivery system has been identified, engineered, or permitted.

Yes. Greyling Decl. ¶ 8, and Ex. 1. Alternative routes that avoid New Mexico State Trust Land entirely were identified, engineered, mapped, quantified as to acreage and environmental effect—months before NEE filed the Motion.

Transwestern's request for FERC authorization of the pipeline has been pending since January 29, 2026. Greyling Decl. ¶ 12. At FERC's direction, Transwestern evaluated alternative routes that avoid State Trust Land, and on August 13, 2026, it filed a sworn supplemental response formally adopting one of them, Alternative 2, as the preferred route. Supplemental Response to FERC Environmental Information Request of May 15, 2026, Docket No. CP26-80-000 (Aug. 13, 2026) (Greyling Decl. Ex. 1). Alternative 2 and its meter station lie entirely on BLM-administered land, so the route requires no State Land Office authorization of any kind; as Transwestern told FERC, it would meet the Pipeline Project's purpose and need while entirely avoiding New Mexico State lands. Greyling Decl. ¶ 11, and Ex. 2. With FERC approval expected in or around December 2026 and supported by a favorable determination by the New Mexico Historic Preservation Division and a favorable Environmental Assessment by FERC staff, Transwestern has advised FERC that the estimated in-service date is February 1, 2027. Greyling Decl. ¶ 15, Greyling Ex. 6.

D. Whether the project described in Air Quality Permit Application No. 10883 remains capable of being constructed as proposed in light of the Commissioner's decisions.

Yes. *See generally*, Greyling Decl. The Commissioner's decisions reach only the small segments described in Section I.A above, which the BLM route avoids. The fuel cell microgrid

facilities that constitute the source to be constructed under Permit No. 10883, in the event the permit is issued, are unaffected: no aspect of the source—its equipment, configuration, emission controls, stack parameters, or emissions—differs depending on which fuel delivery path is used. Greyling Decl. ¶ 17.

E. Whether the proposed source can still be “completed in a reasonable time” as required by 20.2.72.208(G) NMAC.

Yes. Greyling Decl. ¶¶ 3-4. 20.2.72.208(G) NMAC authorizes denial where “[i]t appears that the construction of the new source will not be completed within a reasonable time.” NEE paraphrases the rule as requiring denial where the source “cannot be produced in a timely fashion,” Motion at 3, 6, but that is not what the rule says. The “new source” under Part 72 is the fuel cell generation facility for which Permit No. 10883 is sought—not a third party’s interstate pipeline. Bloom Energy has committed to supply the Energy Servers in increments of approximately 80–100 MW per month and already has approximately 150 MW of Energy Servers allocated to the Project’s first phases. Greyling Decl. ¶ 3. Nothing in the record suggests that construction of the source will not be completed within a reasonable time, and the Department has not so determined.

Neither Part 72 nor the Air Quality Control Act defines a “reasonable time,” but the Board’s other permitting Parts supply its own measure of a reasonable construction schedule, and that measure is expressed in years, not months. Under 20.2.74.300(C) NMAC, an approval to construct a major stationary source subject to prevention of significant deterioration review becomes invalid only if construction is not commenced within 18 months after receipt of the approval, if construction is discontinued for 18 months or more, or if construction is not completed within a reasonable time. And under Part 72 itself, the Department may cancel a permit only where construction has not commenced within two years of issuance, or once

commenced has been halted for more than a year, and then only after notice and an opportunity to be heard. 20.2.72.211(B) NMAC. The Board thus allows the most heavily regulated new sources in the State eighteen months simply to break ground and allows Part 72 sources two years to simply break ground. YGI is fully capable of commencing (and then completing) construction of this project within a reasonable amount of time, pursuant to the applicable rules and regulations.

Nothing in Section 20.2.72.208 NMAC mentions fuel supply, operating dates, or rights-of-way, and neither does the list of fifteen items that must be in an application before the Department may deem it complete.⁴ NEE's Motion therefore rests on a legal error. It assumes that an applicant must secure pipeline rights-of-way, and in effect have its fuel supply built, before it may even apply for an air permit. The Air Quality Control Act does not contain this requirement. The rules list what an application must contain, 20.2.72.203(A) NMAC, and the grounds on which a permit may be denied, 20.2.72.208 NMAC. Neither list includes rights-of-way, a fuel supply contract, or a completed pipeline.

The Department describes its permitting authority the same way. In its response to NEE's petition to the Supreme Court in this matter, the Department explained that "[t]he permit inquiry is legally defined: NMED determines whether the proposed source will comply with applicable emission limitations, air-quality standards, and other requirements imposed by the AQCA and implementing regulations," and that "[a]n air quality permit is not a comprehensive approval of

⁴ The fifteen items are the Department's form; the applicant's identity; emissions calculations; a compliance discussion including dispersion modeling; an operational plan for malfunction, startup, and shutdown; a topographical map; a process flow sheet and material balance; control equipment; emission measurement methods; operating schedules; a notarized certification; fees; documentary proof of public notice; any other information the Department specifically identifies as reasonably required; and, at the applicant's option, a request for accelerated review. 20.2.72.203(A) NMAC. None requires an applicant to identify a fuel supplier, produce a supply contract, demonstrate a legal right to fuel, or hold any property interest in off-site infrastructure.

the entire underlying development.” N.M. Env’t Dep’t, Sec’y, & Deputy Sec’y’s Mot. to Vacate Stay & Resp. in Opp’n to Pet. at 21, *New Energy Econ. v. Sec’y of the Env’t*, No. S-1-SC-41579 (N.M. Sept. 2, 2026) (citing NMSA § 74-2-7(B)–(C); 20.2.72.208 NMAC). Whether and when a third party builds an interstate pipeline is decided by FERC and the other agencies with authority over the pipeline. It is not a condition of an air permit for the microgrid.

III. NOTHING IN THE RULES CITED GIVES THE HEARING OFFICER AUTHORITY TO DISMISS AN APPLICATION.

Under 20.1.4 NMAC, the Hearing Officer presides over the hearing, rules on the conduct of the proceeding, and issues a report and recommendation. The Hearing Officer does not issue permits, and he does not deny them. The permitting decision belongs to the Deputy Secretary, and 20.2.72.207(D) NMAC directs that the permitting decision be made “based on information contained in the Department’s administrative record.”

An order dismissing the Application would be a decision on the merits by another name. It would terminate the Applicant’s request for authorization, on grounds drawn from a motion based on information not contained in the administrative record, entered by an officer whose function is to develop a record for the Deputy Secretary’s decision. Nothing in Part 72 or 20.1.4 NMAC confers that power.

Importantly, under 20.2.72.206(C) NMAC, the Department “shall hold” a public hearing when the Secretary determines there is significant public interest. The Secretary already made that determination and set the hearing. *See* Memorandum re: Request for Public Hearing Determination for Air Quality Permit Application ([Dkt. No. 1](#)). The use of “shall” creates a mandatory obligation. Neither Part 72 nor 20.1.4 NMAC authorizes an intervenor to nullify that determination through a pre-hearing dismissal motion. Part 4’s general motions rule sets the procedure for filing and responding to motions, 20.1.4.200(D) NMAC, but it does not authorize

dismissal of a permit application, and Part 4’s only summary procedure (discussed below) is reserved to the Secretary. 20.1.4.600(B) NMAC. NMSA § 74-2-7(I), similarly provides that where a permitting action substantially affects the public interest, a public hearing is held and the decisionmaker must consider the data, views, and arguments presented there. A mandatory public hearing cannot be bypassed by summary disposition, and that the hearing is not a private entitlement of any party. It exists to inform the decisionmaker—here the Deputy Secretary for NMED—and to receive input from the public. A party cannot waive the hearing, and a party should not be permitted to extinguish it by a motion to dismiss.

Nor would dismissal conserve resources, as NEE claims. Motion (Dkt. No. 57) at 5–6. It would require the Department, the parties, and the public to repeat everything already done—completeness review, public notice and comment, review of thousands of comments, a new hearing determination, and a new draft permit—to reach the same questions about the same or a similar facility. And members of the public who have followed this docket for months would have to find a new one and comment again.

Finally, NEE cites no decision in which the Department, the Board, or a New Mexico court dismissed a contested air permit application before the public hearing, and YGI has found none. Contested motions to dismiss or deny permit applications have instead been denied. *See, e.g., In re Roper Constr., Inc.*, No. AQB 21-57(P), [Order Denying Motion to Dismiss](#) ¶¶ 16–18 (Dec. 27, 2021) (App. A-50) (“the omissions identified by Movants were addressed by Roper”), and [Order Denying Renewed Motion to Dismiss](#) (Jan. 18, 2022).

IV. THIS IS AN AGENCY HEARING, AND NO FACTUAL DETERMINATION CAN BE MADE BEFORE THE RECORD IS COMPLETE.

NEE fails to identify which rule (if any) it specifically relies on for its motion to dismiss. Part 72 does not provide for dispositive motions. Rule 20.1.4.100(A) NMAC specifically states that the Rules of Civil Procedure “shall not apply,” making the typical rules for motions to dismiss are inapplicable. And Part 4 allows for a summary disposition only for “a jurisdictional defect” or to “decide the merits of the Application . . . on legal arguments.” 20.1.4.600(B)(1)(a)–(b) NMAC (emphasis added). NEE seeks neither.

NEE does not argue that the Department lacks authority over YGI’s air permit application, and it fails to present a pure question of law. Instead, NEE asks the Hearing Officer to predict, before any evidence is heard, whether a third party will build a pipeline on schedule. That is a question of fact.

Questions of fact are decided on the record, and the record here is not complete. Absent any pure question of law requiring dispositive relief, any other decision to deny or dismiss the Application must rest on substantial evidence in the record and will be reviewed on that basis. NMSA 1978, § 74-2-9(C); 20.2.72.207(D) NMAC; *Alto Coal. for Env’t Pres. v. Roper Constr.*, 2025-NMCA-018, ¶ 8. The hearing record consists of the record proper, the transcript, and the exhibits offered at the hearing, and it closes only when the hearing ends. 20.1.4.7(A)(14), 20.1.4.500(B) NMAC. The Administrative Record has not yet been offered into the record or admitted. *See* 20.1.4.200(A)(2) NMAC.

Nonetheless, NEE asks for the specific findings of fact now. In doing so, NEE does not offer an affidavit, a declaration, an engineering analysis, or a routing study supporting its position—only another agency’s discretionary letter and the newspaper articles cited in it. The

only sworn evidence on these issues is Mr. Greyling’s declaration, and it contradicts NEE on every material point. Greyling Decl., Ex. A. When parties dispute technical facts, the decision-maker resolves them on “the evidence presented by both parties.” *Alto Coal.*, 2025-NMCA-018, ¶¶ 15, 24; *see also WildEarth Guardians v. N.M. Env’t Improvement Bd.*, 2024-NMCA-021, ¶ 46 (relying on rebuttal testimony by applicant at hearing to find that substantial evidence supported the NAAQS determination). The civil rules, used as guidance, point the same way: New Mexico has a “strong preference for resolving cases on their merits,” *Freeman v. Fairchild*, 2018-NMSC-023, ¶ 25, and summary disposition is “a drastic remedial tool which demands the exercise of caution in its application.” *Blauwkamp v. Univ. of N.M. Hosp.*, 1992-NMCA-048, ¶ 10. As the prior Hearing Officer recognized, these issues are “more appropriately adjudicated at the hearing,” where the parties can “present evidence under oath.” Sua Sponte Order (Dkt. No. 63); Order (Aug. 12, 2026) (Dkt. No. 77).⁵

V. THE DOCTRINES NEE INVOKES DO NOT APPLY.

Finally, NEE borrows two doctrines from other areas of law to support its Motion: ripeness, from judicial review of agency action, and impracticability, from contract law. Motion (Dkt. No. 57) at 2–4. Neither fits. NEE’s ripeness argument depends on a contingency that no longer exists. The appeal of the Commissioner’s ROW decision NEE said “has not even begun,”

⁵ NEE took this issue to the Supreme Court as well. As the Department described it, NEE’s petition faulted the Hearing Officer “for declining to decide the motion to dismiss before the evidentiary hearing.” N.M. Env’t Dep’t, Sec’y, & Deputy Sec’y’s Mot. to Vacate Stay & Resp. in Opp’n to Pet. at 63, *New Energy Econ. v. Sec’y of the Env’t*, No. S-1-SC-41579 (N.M. Sept. 2, 2026). The Department answered that the Hearing Officer properly “determined the disputed fuel-supply facts should instead be developed through sworn testimony and cross-examination,” and that “[c]hoosing to decide a fact-dependent issue on an evidentiary record rather than competing representations in attorney briefs falls squarely within discretionary case management authority.” *Id.* at 62–63 (citing *Romero v. Philip Morris Inc.*, 2010-NMSC-035, ¶ 8). It also told the Court that NEE’s “claims about fuel supply and the Green Chile Lateral Pipeline” lacked evidentiary support and that the newspaper articles NEE relied on “are inadmissible hearsay.” *Id.* at 68. The Supreme Court denied the petition and lifted its stay on September 17, 2026.

“may take years,” and “may never succeed” was never filed, and the time to file it has passed. *Id.* at 3; Greyling Decl. ¶ 12.

The doctrine of ripeness also does not apply in this context. Ripeness limits when a court may review agency action. It serves “to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties.” *U S West Commc’ns, Inc. v. N.M. State Corp. Comm’n*, 1998-NMSC-032, ¶ 8 (quoting *Abbott Labs. v. Gardner*, 387 U.S. 136, 148–49 (1967)). The doctrine protects the agency’s process; it does not stop an agency from deciding the matter in front of it. A court applying ripeness asks “whether further fact finding by the [agency] will elicit more evidence illuminating the issues,” and if so, it waits. *N.M. Indus. Energy Consumers v. N.M. Pub. Serv. Comm’n*, 1991-NMSC-018, ¶ 26.

NEE asks for the reverse: it wants the Department to stop gathering evidence before the hearing begins. Each case NEE cites concerns when a court may review an issue, but none dismisses a permit application pending before the agency in the first instance as unripe. *See Abbott Labs.*, 387 U.S. at 148–49 (pre-enforcement review of a regulation, held ripe); *U S West*, 1998-NMSC-032, ¶ 8 (holding final commission order ripe for review). Once the Department decides YGI’s application, that decision will be final and reviewable by the Environmental Improvement Board and the Court of Appeals. NMSA §§ 74-2-7(H)–(K), 74-2-9.

The doctrine of impracticability does not fit either. It is a contract defense that excuses a promisor’s performance under an agreement, and it requires objective impossibility or extreme and unreasonable difficulty, not added cost or extra steps. Restatement (Second) of Contracts § 261 & cmt. d; *see In re Estate of Duncan*, 2002-NMCA-069, ¶ 27, 132 N.M. 426, *rev’d on other*

grounds, 2003-NMSC-013 (“[T]he doctrine of impracticability applies where a party’s performance is made impracticable without his fault by the occurrence of an event the non-occurrence of which was a basic assumption on which the contract was made. The doctrine of impracticability is also referred to in some texts as the doctrine of impossibility, but the underlying concept is the same.”) (internal quotations omitted). NEE cannot invoke the doctrine of impracticability to attack YGI’s permit application. A permit application is not a contract. As such, NEE’s arguments fail as a matter of law.

CONCLUSION

Based on the above, Applicant Yucca Growth Infrastructure, LLC respectfully requests that the Hearing Officer and Deputy Secretary deny the Motion to Dismiss (Dkt. No. 57) and proceed to the public hearing on the Application.

Respectfully submitted this 19th day of October, 2026.

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CERTIFICATE OF SERVICE

I certify that on October 19, 2026, I served the foregoing on all parties and counsel of record on the service list for AQB 26-57(P) by electronic mail.

Hon. James O. Browning
Hearing Officer

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STATE OF NEW MEXICO

BEFORE THE SECRETARY OF THE ENVIRONMENT

IN THE MATTER OF:
THE APPLICATION OF YUCCA GROWTH
INFRASTRUCTURE, LLC
FOR AN AIR QUALITY PERMIT
NO. 10883

AQB 26-57

DECLARATION OF JACQUES GREYLING

1. My name is Jacques Greyling. I am over the age of eighteen years and competent to make this Declaration. I am the contact for Yucca Growth Infrastructure, LLC (“YGI”), the Applicant in this proceeding. My responsibilities for this Project have included project development, fuel supply arrangements, equipment procurement, and construction planning for the fuel cell electric generation facility that is the subject of Air Quality Permit Application No. 10883 (respectively, the “Application” and the “Project”).

2. This Declaration is based on my personal knowledge, on YGI’s business records maintained in the ordinary course, and on information provided to me in my official capacity. Information concerning New Mexico Gas Company, Energy Transfer LP and its affiliates, including ET Gathering and Processing LLC and Transwestern Pipeline Company LLC, the pipeline supplying gas to the completed Project (the “Green Chile Pipeline lateral”), was provided to me by YGI’s tenant, Oracle America, Inc., in the course of regular Project updates, and through my review of applicable public records. Energy Transfer is a separate publicly-traded company and neither it nor its affiliates have an affiliation with YGI.

3. It is my understanding that YGI intends to commence construction of the Project promptly following issuance of the permit. Construction of the first approximately 100 MW is expected to take approximately three months from the date of permit issuance, after which installation will proceed at approximately 80-100 MW of capacity per month through construction completion. Bloom Energy has committed to supply the Energy Servers in these increments and it already has 150MW of Energy Servers allocated to the Project for first phases.

4. Each increment will generate electricity— and consume fuel — only as it is placed in service. As a result, the Project begins operating within months of permit issuance; its fuel demand grows step-by-step with installation; and no single supply source, authorization, or construction milestone must be complete on day one for the Project to proceed on schedule. YGI will thus complete the project within a reasonable time.

5. As described below and reflected in the exhibits to this Declaration, YGI has identified multiple sources of pipeline-quality natural gas for both the initial phases of the Project and the entire Project when completed in 2029.

6. YGI can obtain natural gas through a New Mexico Gas Company (“NMGC”) pipeline for the Project’s initial fuel supply. An existing six-inch NMGC pipeline runs immediately west and south of the Project. YGI has the necessary access and/or right-of-way to tap this six-inch line and bring gas to the Project. The existing pipeline has capacity to transport more than 24 MMcf/d of gas, which is sufficient to operate the first 100 MW increment of Energy Servers through February 2027, consistent with the planned Project timeline.

7. As of August 2026, NMGC agreed to perform the work needed to interconnect the Project site with the existing pipeline. Although that agreement contains commercial terms that may be considered confidential and YGI is not a party to the agreement, my understanding is YGI is prepared to seek the contracting parties' permission to make the agreement available to the Hearing Officer for in camera review, subject to appropriate confidentiality protections, if the Hearing Officer deems such review necessary.

8. Separately, while the original route for the Green Chile Lateral pipeline and associated meter station included rights-of-way on New Mexico State Trust Lands, Energy Transfer selected an alternative route filed with the Federal Energy Regulatory Commission ("FERC") on August 13, 2026 that would use federal lands and Bureau of Land Management ("BLM") rights-of-way to supply the entire Project. This route, known as "Alternative 2," entirely avoids New Mexico State Trust Land and therefore is not subject to State Land Office approval. See Exhibit 1 (Supplemental Response to FERC Environmental Information Request of May 15, 2026, Docket No. CP26-80-000 (Aug. 13, 2026)).

9. Transwestern's sworn supplemental response filed with FERC on August 13, 2026 formally identified Alternative 2 as the preferred route for the "Green Chile Project." See Exhibit 1.

10. In its August 2026 filing, Transwestern confirmed that Alternative 2 would originate at El Paso Natural Gas Company's existing 1100 and 1103 pipelines on BLM-administered land, extend approximately two miles southwest across BLM-managed lands to route around New Mexico State Trust Lands, and then reconnect with the originally filed route.

Transwestern further confirmed that Alternative 2 “would be located only on BLM-managed land and would avoid private landowners.” See Exhibit 1.

11. The August 13, 2026 filing attaches an updated Concise Environmental Report reflecting completed cultural-resources, paleontological, and biological field surveys for Alternative 2, together with updated mapping and agency correspondence. See Exhibit 2. The report confirms that Alternative 2 is the “preferred route because it avoids New Mexico State Trust Lands while maintaining the Project’s purpose and need.” *Id.* At 96.

12. Transwestern’s August 2026 filing was in response to a request by FERC on May 15, 2026 directing Transwestern to evaluate alternative pipeline routes that would avoid New Mexico State Trust Land and to provide an environmental-effects comparison, maps identifying all construction workspaces, total acreage affected, and any sensitive resources implicated. See Exhibit 3. This was necessary due to the New Mexico Commissioner of Public Lands’ March 2026 cancellation of the application for the requested rights-of-way and business lease for the original route of the Green Chile Lateral submitted to FERC January 29, 2026. My understanding is that no party appealed a final decision reaffirming this denial made on July 14, 2026, and that the time for appeal has passed.

13. On September 4, 2026, FERC issued a favorable Environmental Assessment for Alternative 2. See Exhibit 4. The Environmental Assessment concluded the Pipeline Project “would not constitute a major federal action significantly affecting the quality of the human environment” and that with “recommended mitigation measures” Alternative 2 “is the preferred alternative to meet the Project objectives.” *Id.* at p. 41.

14. On September 28, 2026, the New Mexico Historic Preservation Division also issued a favorable concurrence for the Pipeline Project with “no concerns.” See Exhibit 5.

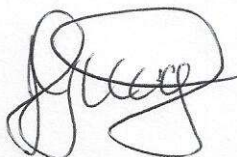
15. With Alternative 2 now formally identified by Transwestern as the preferred route, FERC approval is expected in or around December 2026. My understanding is that this timing is based on FERC’s typical timelines for evaluating similar requests. Transwestern has advised FERC that the estimated in-service date for Alternative 2 is February 1, 2027. See Exhibit 6.

16. Because (a) a supply path exists through NMGC for the Project’s initial phases and (b) FERC approval of the Green Chile Pipeline lateral is expected based on multiple factors, including a revised route that avoids State Land Office land, a favorable determination by the New Mexico State Historic Preservation Division, and a favorable Environmental Assessment by FERC staff, the Commissioner of Public Lands’ March 2026 cancellation of the application for the requested rights-of-way and business lease for one route of the Green Chile Lateral does not materially affect the feasibility, timing, construction schedule, financing, or operation of the Project.

17. No aspect of the source for which the permit is sought—including its equipment, configuration, emission controls, stack parameters, or emissions—differs depending on which fuel-delivery path supplies the natural gas.

I declare under penalty of perjury under the laws of the State of New Mexico that the foregoing is true and correct.

Executed on the 19 day of October, 2026.

A handwritten signature in black ink, appearing to read 'Jacques Greyling', written over a horizontal line.

Jacques Greyling

Greyling

Exhibit 1



August 13, 2026

Ms. Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: OEP/DG2E/Gas Branch 5
Transwestern Pipeline Company, LLC
Green Chile Project
Docket No. CP26-80-000
§375.308(x)

Supplemental Response to FERC Environmental Information Request of May 15, 2026

Dear Ms. Reese:

On January 29, 2026, Transwestern Pipeline Company, LLC ("Transwestern") submitted for filing with the Federal Energy Regulatory Commission ("Commission" or "FERC") a prior notice request pursuant to sections 157.205, 157.208, and 157.211 of the Commission's regulations under the Natural Gas Act, and Transwestern's blanket certificate issued in Docket No. CP82-534-000, for authorization to construct, install, own, maintain, and operate its Green Chile Project ("Project") facilities in Doña Ana County, New Mexico. The Project will enable Transwestern to deliver up to 400,000 million dekatherms per day of new firm transportation capacity to serve a new AI/data center.

On May 29, 2026, Transwestern provided in response to the FERC Environmental Information Request ("EIR") No. 2 of May 15, 2026, an analysis of two alternative pipeline routes that would avoid New Mexico State lands. Transwestern is supplementing its response to the EIR to provide additional information on Alternative 2 as the preferred route for the Project that avoids New Mexico State lands.

Transwestern respectfully requests that only the information submitted behind the Public tab (Volume I) be placed on the internet as "**Public Information**". In addition, TW respectfully requests that the information submitted behind the Privileged tab (**Volume II**) and identified as "**CUI/Privileged Information – Do Not Release**", and behind the CEII tab (**Volume III**) and identified as "**CUI/Critical Energy Infrastructure Information – Do Not Release**", be accorded special treatment pursuant to 18 CFR § 388.112.

TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines, issued on November 15, 2007 in FERC Docket No. RM07-16-000. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2605.

Respectfully submitted,

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates

cc: Mr. Owen Ford, Environmental Project Manager, Office of Energy Projects

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

CERTIFICATE OF SERVICE

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates
Transwestern Pipeline Company, LLC
(713) 989-2605

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

OATH STATEMENT

In accordance with the requirements of Section 385.2005 of the Commission's Rules of Practice and Procedures, Blair Lichtenwalter, being duly sworn on his oath, states that he is a Sr. Director in the Regulatory Affairs Department for Transwestern Pipeline Company, LLC, and states that he has read the foregoing responses, and that after reasonable diligence and review, the information and statements provided in the responses are true, complete, and accurate to the best of his knowledge, information, and belief, and that he has full power and authority to sign this filing.

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates
Transwestern Pipeline Company, LLC
(713) 989-2605

Subscribed and sworn to before me this 13th day of August, 2026.

/s/ Betty J. Peugh

Name: _____

Title: Notary Public in the State of Texas

My Commission Expires: June 24, 2030

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

**SUPPLEMENTAL RESPONSE TO FERC DATA REQUEST OF MAY 15, 2026
– OFFICE OF ENERGY PROJECTS**

TRANSWESTERN PIPELINE COMPANY, LLC
DOCKET No. CP26-80-000
SUPPLEMENTAL RESPONSE TO FERC ENVIRONMENTAL INFORMATION REQUEST
ISSUED MAY 15, 2026

FERC/OEP-Transwestern 2

Provide an evaluation of alternative pipeline routes that would avoid New Mexico State lands. This evaluation should include an environmental effects comparison of the identified alternative routes and the proposed pipeline route. Be sure to include maps of the alternative routes that identify all workspaces that would be required for construction. Additionally, include the total amount of land affected (in acres) and identify any sensitive resources potentially affected.

Transwestern Response:

The following Attachment A provides an evaluation of alternative pipeline routes that would avoid New Mexico State lands, including an environmental effects comparison of the identified alternative routes and the proposed pipeline route, and a map of the alternative routes that identifies all workspaces that would be required for construction. Additionally, included is the total amount of land affected (in acres) and identification of any sensitive resources potentially affected.

Prepared By: Kerry Asteris

Title: Sr. Project Manager – Environmental

Date: May 29, 2026

Supplemental Transwestern Response:

On May 29, 2026, Transwestern provided in response to the May 15, 2026, Environmental Information Request No. 2, two alternative pipeline routes that would avoid New Mexico State lands. Alternative 1 would originate west of the original starting point and would have a total length of approximately 17.98 miles. Alternative 2 would originate east of the original starting point and would have a total length of approximately 17.77 miles. Since Transwestern's original response to this data request, the New Mexico State Land Office ("NM Land Office") has denied Transwestern's request for reconsideration of NM Land Office's rejection of its right of way applications. Due to the continued unresolved issues with crossing the New Mexico State lands, Transwestern identifies Alternative 2 as the preferred route for the Pipeline Project. Alternative 2 would meet the Pipeline Project's purpose and need while entirely avoiding New Mexico State lands and the possible use of eminent domain under the Natural Gas Act for this situation. This change would directly address NM Land Office's opposition by routing the Pipeline Project around New Mexico State lands and eliminating the original route's 0.63-mile crossing of state lands.

The Alternative 2 route would originate at El Paso Natural Gas Company's existing 1100 and 1103 pipelines on Bureau of Land Management ("BLM")-administered lands approximately 1.0 mile east of the originally filed alignment, south of W. Afton Road, where the Green Chile El Paso M&R Station would also be relocated to this location. From the M&R Station, Alternative 2 would extend approximately 2.0 miles southwest across BLM-managed lands, routing around New Mexico State Trust Lands, and then reconnecting with the originally filed route, which it would follow for the remainder of the Pipeline Project.

Alternative 2 would provide several benefits over Alternative 1. In comparison to Alternative 1, Alternative 2 would be shorter in length by approximately 0.21 miles and would disturb less acreage for permanent access road, permanent ROW, construction ROW and ATWS, while requiring more acreage for the M&R Station. Alternative 2 would be located only on BLM-managed land and would avoid private landowners. In comparison, Alternative 1 would cross approximately 0.91 miles of private land. Accordingly, among the two alternatives, Alternative 2 provides a better balance of avoiding New Mexico State Trust Lands, as well as private lands, while reducing overall land disturbance and having a shorter pipeline route.

TRANSWESTERN PIPELINE COMPANY, LLC
DOCKET No. CP26-80-000
SUPPLEMENTAL RESPONSE TO FERC ENVIRONMENTAL INFORMATION REQUEST
ISSUED MAY 15, 2026

Although Alternative 2 would result in a modest incremental increase in disturbance compared with the originally filed route, the increase is limited and is meaningfully less than the disturbance associated with Alternative 1. Alternative 2 provides a better balance of avoiding New Mexico State lands while limiting additional land disturbance and maintaining an efficient route length. Moreover, Alternative 2's environmental impacts remain generally similar to the originally filed route across most resource categories. The limited land disturbance increases associated with Alternative 2 do not outweigh the route's landowner and routing benefits.

To support the Commission's review of Alternative 2, Transwestern recently conducted additional cultural resources, paleontological, and biological resource field surveys. The resulting survey reports and technical addenda addressing Alternative 2 are included in the updated Concise Environmental Report, which includes updated environmental information, resource analyses, survey results, mapping, and supporting documentation reflecting the alignment modification and associated facility relocations. In particular, attached hereto are the following updates:

- Concise Environmental Report, Green Chile Project (Updated August 2026)
 - Appendix A – Project Mapping
 - Appendix B-3 – M&R Station Plot Plans (CUI/Critical Energy Infrastructure Information – Do Not Release)
 - Appendix D-1 – U.S. Fish and Wildlife Service (USFWS) Correspondence
 - Appendix D-3 – Bureau of Land Management (BLM) Correspondence
 - Appendix F-1 – Environmental Field Survey Report
 - Appendix F-2 – Paleontological Resource Field Study Report (CUI/Privileged Information – Do Not Release)
 - Appendix F-3 – Cultural Resources Field Report Addendum (CUI/Privileged Information – Do Not Release)
 - Appendix G-2 – NMED Potential Emission Rate (PER)- No Permit Required (NPR)

Alternative 2 addresses the principal landowner concern to the Pipeline Project by entirely avoiding New Mexico State lands, provides for a route length less than Alternative 1, results in less incremental land disturbance than Alternative 1, and would not increase impacts across most environmental resource categories. Accordingly, Transwestern respectfully supplements its response to Environmental Information Request No. 2 to identify Alternative 2 as the preferred route for the Pipeline Project.

Prepared By: Kerry Asteris

Title: Sr. Project Specialist – Environmental

Date: August 13, 2026

Greyling

Exhibit 2

TRANSWESTERN PIPELINE COMPANY, LLC

GREEN CHILE PROJECT

CONCISE ENVIRONMENTAL REPORT



AUGUST 2026

TABLE OF CONTENTS

[Note: Highlighted sections include revised text or tables for information included in this Project Modification Request]

1.0	GENERAL PROJECT DESCRIPTION	1
1.1	Proposed Facilities	2
1.1.1	Purpose and Need.....	2
1.1.2	Location and Description of Facilities	2
1.2	Land Requirements	4
1.2.1	Pipeline Facilities	5
1.2.2	Aboveground Facilities	6
1.3	Pipeline Construction Procedures	7
1.3.1	Conventional Pipeline Installation Procedures	8
1.3.2	Special Construction Methods	10
1.3.3	Aboveground Facilities	12
1.3.4	Construction Schedule and Workforce	12
1.4	Operation and Maintenance	13
1.5	Future Plans and Abandonment	13
1.6	Permits and Approvals	14
1.7	Affected Landowners.....	15
1.8	Non-Jurisdictional Facilities	15
1.8.1	Statement of Non-Jurisdictional Status	16
1.8.2	Coordination and Permitting	16
1.8.3	Environmental Review.....	16
1.9	Cumulative Impacts	19
2.0	WATER USE AND QUALITY	20
2.1	Groundwater Resources	20
2.1.1	Sole Source Aquifers	21
2.1.2	State-designated Aquifers	21
2.1.3	Water Supply Wells and Springs	21
2.1.4	Groundwater Protection Areas	21
2.1.5	Potentially Contaminated Groundwater	22
2.1.6	Construction Impacts and Mitigation.....	22
2.1.7	Operation Impacts and Mitigation	23
2.2	Surface Water Resources	23
2.2.1	Watersheds	23
2.2.2	Waterbodies	24
2.2.3	Contaminated Sediments.....	25
2.2.4	Public Watershed Areas	25
2.2.5	Floodplains.....	25
2.2.6	Construction Impacts and Mitigation.....	25
2.2.7	Operation Impacts and Mitigation	26
2.3	Water Use Requirements.....	26
2.4	Wetlands.....	27
2.4.1	Existing Resources.....	27
2.4.2	Wetlands of Concern.....	28
2.4.3	Construction and Operation Impacts and Mitigation	28
3.0	FISH, WILDLIFE, AND VEGETATION	29
3.1	Fishery Resources	29
3.1.1	Existing Resources	29

3.1.2	Construction Impacts and Mitigation	29
3.1.3	Operation Impacts and Mitigation	30
3.2	Vegetation	30
3.2.1	Existing Resources	30
3.2.2	Construction Impacts and Mitigation	32
3.2.3	Operation Impacts and Mitigation Measures	35
3.3	Wildlife	35
3.3.1	Existing Resources	35
3.3.2	Unique and Sensitive Wildlife and Habitat	36
3.3.3	Construction Impacts and Mitigation	36
3.3.4	Operation Impacts and Mitigation	37
3.4	Protected Species	38
3.4.1	Federally Listed Species	38
3.4.2	Construction Impacts and Mitigation	46
3.4.3	Operation Impacts and Mitigation	47
3.5	Migratory Birds	47
3.5.1	Existing Resources	48
3.5.2	Construction Impacts and Mitigation	49
3.5.3	Operation Impacts and Mitigation	49
4.0	CULTURAL RESOURCES	50
4.1	Area of Potential Effects (APE)	50
4.2	Methodology	50
4.2.1	Site File and Literature Review	50
4.2.2	Field Methods	50
4.3	Results	51
4.3.1	Pipeline Facilities	51
4.3.2	Aboveground Facilities	51
4.4	Agency Consultation	52
4.4.1	Bureau of Land Management – Las Cruces Field Office	52
4.5	Unexpected Discoveries and Emergency Procedures Plan	52
5.0	SOCIOECONOMICS	53
5.1	Construction Workforce	53
5.2	Construction and Operation Impacts	53
5.2.1	Local Economy	53
5.2.2	Housing and Public Service	53
5.2.3	Traffic	54
6.0	GEOLOGICAL RESOURCES	55
6.1	Geological Setting	55
6.1.1	Physiographic Setting	55
6.1.2	Local Geologic Conditions	55
6.2	Mineral Resources	57
6.2.1	Planned Surface Mine Development	57
6.3	Geologic Hazards	57
6.3.1	Seismic Hazards	57
6.3.2	Soil Liquefaction	57
6.3.3	Landslide Susceptibility	58
6.3.4	Ground Subsidence and Karst Topography	58
6.4	Paleontological Resources	58
6.5	Construction Impacts and Mitigation	59
6.5.1	Blasting	59
6.5.2	Mineral Resources	59

6.5.3	Geologic Hazards.....	60
6.5.4	Paleontological Resources	60
6.6	Operation Impacts and Mitigation	60
7.0	SOILS	61
7.1	Existing Resources	61
7.2	Construction Impacts and Mitigation.....	65
7.2.1	Soil Erosion Potential.....	65
7.2.2	Hydric Soils	69
7.2.3	Compaction Prone Soils.....	69
7.2.4	Prime or Unique Farmland Soils.....	69
7.2.5	Stony/Rocks Soils	70
7.2.6	Shallow Bedrock	70
7.2.7	Revegetation Potential	70
7.2.8	Soil Contamination	70
7.3	Operation Impacts and Mitigation	71
8.0	LAND USE, RECREATION AND AESTHETICS	72
8.1	Land Use	72
8.1.1	Land Use Classifications.....	72
8.1.2	Existing Land Uses	72
8.1.3	Land Ownership.....	73
8.1.4	Construction and Operation Impacts and Mitigation.....	75
8.1.5	Aboveground Facilities	78
8.2	Residential Areas	79
8.3	Planned Residential and Commercial Areas.....	79
8.3.1	Existing Residential and Commercial Structures.....	79
8.4	Public Land, Recreation, and Other Designated or Special Use Areas.....	80
8.4.1	BLM-Managed Land.....	80
8.4.2	State Lands.....	80
8.5	Contaminated or Hazardous Waste Sites and Landfills	80
8.6	Visual Resources.....	81
8.6.1	Green Chile Lateral.....	81
8.6.2	Contractor Yard.....	81
8.6.3	Access Roads	82
8.6.4	Aboveground Facilities.....	82
9.0	AIR AND NOISE QUALITY	83
9.1	Existing Air Quality.....	83
9.1.1	Ambient Air Quality Standards.....	83
9.1.2	Air Quality Control Region and Attainment Status	85
9.1.3	Regulatory Requirements Relating to Air Quality.....	86
9.2	Construction Air Quality Impacts and Mitigation.....	89
9.3	Operational Air Quality Impacts.....	90
9.3.1	Green Chile El Paso Meter Station	90
9.3.2	Green Chile M&R Station.....	91
9.4	Noise Quality	92
9.4.1	Noise Regulations	92
9.4.2	Ambient Noise Levels.....	93
9.4.3	Construction Noise Impact.....	94
9.4.4	Operational Impacts	95
10.0	ALTERNATIVES	96
10.1	No Action Alternative.....	96
10.2	System Alternatives	96

10.3	Route Alternative	97
10.3.1	Aboveground Facilities	98
11.0	RELIABILITY AND SAFETY	100
12.0	POLYCHLORINATED BIPHENYLS (PCB) CONTAMINATION.....	101
13.0	REFERENCES	102

LIST OF TABLES

[Note: Highlighted tables include revised text or tables for information included in this Project Modification Request]

TABLE 1.1-1	Proposed Project Facilities.....	3
TABLE 1.2-1	Summary of Land Requirements for the Project	4
TABLE 1.3-1	Roadways and Railroads Crossed by the Project.....	10
TABLE 1.3-2	Existing Utilities Crossed by the Project	11
TABLE 1.6-1	Federal and State Environmental Permits, Approvals and Consultations.....	14
TABLE 1.8-1	Resources Affected by Green Chile Ventures, LLC Non-Jurisdictional Intrastate Pipeline	17
TABLE 2.2-1	Watersheds Crossed by the Green Chile Project	23
TABLE 2.2-2	24	
TABLE 2.2-1	Watersheds Crossed by the Green Chile Project	24
TABLE 2.3-1	Construction Water Use Requirements for the Project.....	27
TABLE 3.2-1	Invasive Species Identified Within the Project Area	32
TABLE 3.2-2	Vegetative Communities Affected by Construction and Operation of the Project (Acres).....	34
TABLE 3.4-1	Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area	39
TABLE 3.4-2	BLM Sensitive Wildlife and Plant Species with Potential to Occur in the Project Area ..	44
TABLE 3.5-1	Birds of Conservation Concern Potentially Occurring in the Vicinity of the Project.....	48
TABLE 5.1-1	Anticipated Construction Schedule and Workforce Requirements for the Project.....	53
TABLE 6.1-1	Geologic Units Underlying the Green Chile Project	56
TABLE 7.1-1	Description of the Soil Map Units Crossed by the Green Chile Project.....	62
TABLE 7.1-2	Selected Physical and Interpretive Characteristic of the Soil Map Units Within the Project Area.....	63
TABLE 7.2-1	Soil Characteristics by Milepost Segment for Each Soil Map Unit Crossed by the Project	66
TABLE 7.2-2	Acres of Soil Characteristics Affected by the Project.....	68
TABLE 8.1-1	Land Use Types in the Project Area	72
TABLE 8.1-2	Land Uses Crossed by the Green Chile Lateral (Miles)	72
TABLE 8.1-3	Land Uses Affected by Construction and Operation of the Project (Acres).....	73
TABLE 8.1-4	Project Land Ownership	75
TABLE 8.1-5	Additional Temporary Workspace (ATWS) Required for Project Construction.....	76
TABLE 8.1-6	Proposed Access Roads	77
TABLE 8.1-7	Proposed Contractor Yards.....	78
TABLE 9.1-1	Summary of National Ambient Air Quality Standards	84
TABLE 9.2-1	Total Estimated Project Construction Emissions.....	90
TABLE 9.3-1	Green Chile M&R Station – Potential to Emit (PTE).....	91
TABLE 9.4-1	Example Outdoor Noise Levels	93
TABLE 9.4-2	Examples of Construction Equipment Noise Levels	94
TABLE 10.3-1	Land Ownership Crossings by Pipeline Alignment.....	98

LIST OF FIGURES

[Note: Highlighted figures include revised text or tables for information included in this Project Modification Request]

FIGURE 1.8-1 Non-Jurisdictional Facilities (Green Chile Ventures, LLC Pipeline Facilities).....	18
FIGURE 8.1-1 Land Ownership Along the Project.....	74
FIGURE 10.3-1 Route Alternative.....	99

LIST OF APPENDICES

[Note: Highlighted appendices include revised text or tables for information included in this Project Modification Request]

Appendix A – Project Mapping

- Appendix A-1 – Project Overview Map
- Appendix A-2 – USGS Topographic Quadrangle Maps
- Appendix A-3 – Aerial Alignment Sheets
- Appendix A-4 – National Wetland Inventory (NWI) and Field Survey Maps
- Appendix A-5 – Soil Maps
- Appendix A-6 – Land Use Maps

Appendix B – Typical and Site-Specific Drawings / Plot Plans

- Appendix B-1 – Typical Construction Drawings
- Appendix B-2 – Site-specific HDD Construction Plans
- Appendix B-3 – M&R Station Plot Plans (Submitted as “*CUI/CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE*”)

Appendix C – Project Construction Mitigation Plans

- Appendix C-1 – FERC Upland Erosion Control, Revegetation, and Maintenance Plan (Plan)
- Appendix C-2 – Transwestern Spill Prevention and Response Plan (SPAR Plan)
- Appendix C-3 – Transwestern Unanticipated Discovery Plan
- Appendix C-4 – Transwestern *Fugitive Dust Control Plan*
- Appendix C-5 – New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations*
- Appendix C-6 – Transwestern *Noxious and Invasive Plant Management Plan*
- Appendix C-7 – Transwestern *Environmental Complaint Resolution Procedures*
- Appendix C-8 – Transwestern *Horizontal Directional Drill (HDD) Contingency Plan*

Appendix D – Agency and Stakeholder Correspondence

- Appendix D-1 – U.S. Fish and Wildlife Service (USFWS) Correspondence
- Appendix D-2 – New Mexico Department of Game and Fish (NMDGF) Correspondence
- Appendix D-3 – Bureau of Land Management (BLM) Correspondence
- Appendix D-4 – New Mexico State Lands Office (NMSLO)
- Appendix D-5 – State Historic Preservation Office (SHPO) Correspondence and Reports (Submitted as “*CUI/PRIVILEGED INFORMATION – DO NOT RELEASE*”)

Appendix E – Landowner Information

Appendix E-1 – Landowner/Stakeholder List (Submitted as “*CUI/PRIVILEGED INFORMATION – DO NOT RELEASE*”)

Appendix F – Field Survey Reports

Appendix F-1 – Environmental Field Survey Report

Appendix F-2 – Paleontological Resource Field Survey Report and Addendum (Submitted as “*CUI/PRIVILEGED INFORMATION – DO NOT RELEASE*”)

Appendix F-3 – Cultural Resources Field Study Report Addendum (Submitted as “*CUI/PRIVILEGED INFORMATION – DO NOT RELEASE*”)

Appendix G – Project Construction Emissions

Appendix G-1 – Project Construction Air Emissions Calculations

Appendix G-2 – NMED Oil and Gas General Construction Permit, Air Permit Applications

ABBREVIATIONS AND ACRONYMS

AGI	American Geosciences Institute
APE	Area of Potential Effect
ARMS	Archaeological Records Management Section
ATWS	Additional Temporary Workspace
BBL	Barrel
BCC	Bird of Conservation Concern
BCR	Bird Conservation Region
BGEPA	Bald and Golden Eagle Protection Act
BMPs	Best Management Practices
BLM	Bureau of Land Management
CAA	Clean Air Act
CFR	Code of Federal Regulations
CMA	Critical Management Area
CO	Carbon Monoxide
CO ₂ e	Carbon Dioxide Equivalent
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted Decibel
ECOS	USFWS Environmental Conservation Online System
EFM	Electronic Flow Measurement
EI	Environmental Inspector
EPA	United States Environmental Protection Agency
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FERC or Commission	Federal Energy Regulatory Commission
FERC Plan	FERC Upland Erosion, Control, Revegetation, and Maintenance Plan (2013)
GCP-O&G	General Construction Permit for Oil and Gas Facilities
GIS	Geographic Information Systems
GLO	BLM General Land Office
HAP	Hazardous Air Pollutants
HDD	Horizontal Directional Drill
HP	Horsepower
HPD	Historic Preservation Division
HUC	Hydrologic unit code
ICE	Internal Combustion Engines
IPA	Important Plant Area
IPaC	Information for Planning and Consultation
kW	Kilowatt
L _{dn}	Day-night Sound Level
LNG	Liquified Natural Gas
M	Magnitude
M&R	Meter and Regulation
MBTA	Migratory Bird Treaty Act
MMcf/d	Million Cubic Feet per Day

ABBREVIATIONS AND ACRONYMS

MMI	Modified Mercalli Intensity
MP	Milepost
MRLC	Multi-Resolution Land Characteristics Consortium
MVAA	Mesilla Valley Administrative Area
NAAQS	National Ambient Air Quality Standards
NCED	National Conservation Easement Database
NEPA	National Environmental Policy Act
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NHPA	National Historic Preservation Act
NHNM	Natural Heritage New Mexico
NLCD	National Land Cover Database
NMAC	New Mexico Administrative Code
NMCRIS	New Mexico Cultural Resource Information System
NMDGF	New Mexico Department of Game and Fish
NMED	New Mexico Environmental Department
NM EMNRD	New Mexico Energy, Minerals and Natural Resources Department
NMERT	New Mexico Environmental Review Tool
NMFS	National Marine Fisheries Service
NMMNHS	New Mexico Museum of Natural History and Science
NM OCD	New Mexico Oil Conservation Division
NMSLO	New Mexico State Land Office
NNSR	Nonattainment New Source Review
NOI	Notice of Intent
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NPR	No Permit Required
NPS	National Park Service
NRCS	Natural Resource Conservation Service
NRHP	National Register of Historic Places
NSA	Noise-sensitive Area
NSPS	New Source Performance Standards
NWI	National Wetlands Inventory
NWSRS	National Wild and Scenic Rivers System
O ₃	Ozone
OSE	New Mexico Office of the State Engineer
PA	Programmatic Agreement
PAR	Permanent Access Road
Pb	Lead
PCB	Polychlorinated Biphenyls
PFYC	Potential Fossil Yield Classification
PGA	Peak Ground Acceleration
PM ₁₀	inhalable particulate matter with an aerodynamic diameter less than or equal to 10 microns
PM _{2.5}	inhalable particulate matter with an aerodynamic diameter less than or equal to 2.5 microns

ABBREVIATIONS AND ACRONYMS

ppb	parts per billion
ppm	parts per million
Project	Green Chile Project
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
RICE	Reciprocating Internal Combustion Engines
RMP	Resource Management Plan
ROW	Right-of-way
SCADA	Supervisory Control and Data Acquisition
SCS	Soil Conservation Service
SDWA	Safe Drinking Water Act
SHPO	State Historical Preservation Office
SI	Spark Ignition
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
SPAR Plan	Spill Prevention and Response Plan
SSA	Sole Source Aquifers
SSURGO	Soil Survey Geographic Database
SWAP	New Mexico State Wildlife Action Plan
TDS	Total Dissolved Solids
T&E	Threatened and Endangered
Transwestern	Transwestern Pipeline Company, LLC
Tpy	Tons per Year
µg/m ³	Micrograms per Cubic Meter
U.S.	United States
U.S.C.	United States Code
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDOE	United States Department of Energy
USDOT	United States Department of Transportation
USFS	United States Forest Service
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Survey
VOC	Volatile Organic Compound
VRM	Visual Resource Management
WEG	Wind Erodibility Group
WSS	Web Soil Survey

Minimum Filing Requirement	Location in Concise Environmental Report
RESOURCE REPORT 1 – GENERAL PROJECT DESCRIPTION	
1. Provide a detailed description and location map of the project facilities. (§ 380.12I(1))	Section 1.1 Appendix A-1
2. Describe any non-jurisdictional facilities that would be built in association with the project. (§ 380.12(c)(2))	Section 1.8
3. Provide current original U.S. Geological Survey (USGS) 7.5-minute-series topographic maps with mileposts showing the project facilities; (§ 380.12(c)(3))	Appendix A-2
4. Provide aerial images or photographs or alignment sheets based on these sources with mileposts showing the project facilities; (§ 380.12(c)(3))	Appendix A-3
5. Provide plot/site plans of compressor stations showing the location of the nearest noise-sensitive areas (NSA) within 1 mile. (§ 380.12(c)(3,4))	Appendix B-3 <i>CUI/CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE</i>
6. Describe construction and restoration methods. (§ 380.12(c)(6))	Section 1.3
7. Identify the permits required for construction across surface waters. (§ 380.12(c)(9))	Section 1.6 Table 1.6-1 Not Applicable No perennial waterbodies will be crossed
8. Provide the names and addresses of all landowners whose land would be crossed by the project facilities. Include the names and addresses of all residents adjacent to new or modified compressor stations. (§ 380.12(c)(10))	Appendix E-1 (Submitted as <i>CUI/PRIVILEGED INFORMATION – DO NOT RELEASE</i>)
Additional Information Often Missing and Resulting in Data Requests	
1. Describe all authorizations required to complete the proposed action and the status of applications for such authorizations	Table 1.6-1
2. Provide plot/site plans of all other aboveground facilities that are not completely within the right-of-way.	Appendix B-3
3. Provide detailed typical construction right-of-way cross-section diagrams showing information such as widths and relative locations of existing rights-of-way, new permanent rights-of-way, and temporary construction rights-of-way.	Appendix B-1
4. Summarize the total acreage of land affected by construction and operation of the project.	Table 1.2-1
5. If Resource Report 5 – Socioeconomics is not provided, provide the start and end dates of construction, the number of pipeline spreads that would be used, and the workforce per spread.	Section 1.3.4; Section 5.1

Minimum Filing Requirement	Location in Concise Environmental Report
6. Send two (2) additional copies of topographic maps and aerial images/photographs directly to the environmental staff of the Office of Energy Projects.	Noted
RESOURCE REPORT 2 – WATER USE AND QUALITY	
1. Identify all perennial surface waterbodies crossed by the proposed project and their water quality classification. (§ 380.12(d)(1))	Section 2.2.2 No perennial waterbodies crossed by the Project
2. Identify all waterbody crossings that may have contaminated waters or sediments. (§ 380.12(d)(1))	Sections 2.2.3.1 and 2.2.4 No perennial waterbodies crossed by the Project
3. Identify watershed areas, designated surface water protection areas, and sensitive waterbodies crossed by the proposed project. (§ 380.12(d)(1))	Section 2.2.1 Section 2.2.2 No perennial waterbodies crossed by the Project
4. Provide a table (based on NWI maps if delineations have not been done) identifying all wetlands, by milepost and length, crossed by the project (including abandoned pipeline), and the total acreage and acreage of each wetland type that would be affected by construction. (§ 380.12(d)(1 & 4))	Section 2.4 No wetlands crossed by the Project
5. Discuss construction and restoration methods proposed for crossing wetlands, and compare them to staff's Wetland and Waterbody Construction and Mitigation Procedures; (§ 380.12(d)(2))	No wetlands crossed by the Project Section 2.4.3
6. Describe the proposed waterbody construction, impact mitigation, and restoration methods to be used to cross surface waters and compare to the staff's Wetland and Waterbody Construction and Mitigation Procedures. (§ 380.12(d)(2))	No waterbodies crossed by the Project Section 2.2.6
7. Provide original National Wetlands Inventory (NWI) maps or the appropriate state wetland maps, if NWI maps are not available, that show all proposed facilities and include milepost locations for proposed pipeline routes. (§ 380.12(d)(4))	Appendix A-4
8. Identify all U.S. Environmental Protection Agency (EPA) or state-designated aquifers crossed. (§ 380.12(d)(9))	Section 2.1.2
RESOURCE REPORT 3 – VEGETATION AND WILDLIFE	
1. Classify the fishery type of each surface waterbody that would be crossed, including fisheries of special concern. (§ 380.12(e)(1))	Section 3.1 Not Applicable; No perennial waterbodies crossed
2. Describe terrestrial and wetland wildlife and habitats that would be affected by the project. (§ 380.12(e)(2))	Section 3.3
3. Describe the major vegetative cover types that would be crossed and provide the acreage of each vegetative cover type that would be affected by construction. (§ 380.12(e)(3))	Section 3.2 Table 3.2-2

Minimum Filing Requirement	Location in Concise Environmental Report
4. Describe the effects of construction and operation procedures on the fishery resources and proposed mitigation measures. (§ 380.12(e)(4))	Section 3.1.2 Not Applicable
5. Evaluate the potential for short-term, long-term, and permanent impact on the wildlife resources and state-listed endangered or threatened species caused by construction and operation of the project and proposed mitigation measures. (§ 380.12(e)(4))	Section 3.3 Section 3.4 Section 3.5
6. Identify all federally listed or proposed endangered or threatened species that potentially occur in the vicinity of the project and discussion results of consultations with other agencies. (§ 380.12(e)(5))	Section 3.4 Table 3.4-1 Appendix D-1 Appendix D-2 Appendix D-3
7. Identify all federally listed essential fish habitat that potentially occurs in the vicinity of the project and the results of abbreviated consultations with the National Oceanic and Atmospheric Administration's National Marine Fisheries Service, and any resulting essential fish habitat assessment – 18 CFR § 380.12(e)(6)	Not Applicable
8. Describe any significant biological resources that would be affected. Describe impact and any mitigation proposed to avoid or minimize that impact. (§ 380.12(e)(4 & 6))	Section 3.2 Section 3.3 Section 3.4
RESOURCE REPORT 4 – CULTURAL RESOURCES	
1. Initial cultural resources consultation and documentation of consultation with Native Americans. (§ 380.12(f)(1)(i) & (2))	Section 4.5 Appendix D-5
2. Overview/Survey Report(s). (§ 380.12(f)(1)(ii) & (2))	Section 4.0 Appendix D-5 <i>CUI/PRIVILEGED INFORMATION – DO NOT RELEASE</i> Appendix F-3 <i>CUI/PRIVILEGED INFORMATION – DO NOT RELEASE</i>
RESOURCE REPORT 5 – SOCIOECONOMICS	
1. For major aboveground facilities and major pipeline projects that require an EIS, describe existing socioeconomic conditions within the project area. (§ 380.12(g)(1))	Not Applicable Section 5.0
2. For major aboveground facilities, quantify impact on employment, housing, local government services, local tax revenues, transportation, and other relevant factors within the project area. (§ 380.12(g)(2-6))	Not Applicable Section 5.0
RESOURCE REPORT 6 – GEOLOGICAL RESOURCES	
1. Identify the location (by milepost) of mineral resources and any planned or active surface mines crossed by the proposed facilities. (§ 380.12(h)(1 & 2))	Section 6.2 None crossed
2. Identify any geologic hazards to the proposed facilities. (§ 380.12(h)(2))	Section 6.3 None identified

Minimum Filing Requirement	Location in Concise Environmental Report
3. Discuss the need for and locations where blasting may be necessary in order to construct the proposed facilities. (§ 380.12(h)(3))	Section 6.5.1 Not Applicable
4. For LNG projects in seismic areas, the materials required by “Data Requirements for the Seismic Review of LNG Facilities,” NBSIR84-2833. (§ 380.12(h)(5))	Not Applicable (no LNG proposed)
5. For underground storage facilities, how drilling activity by others within or adjacent to the facilities would be monitored, and how old wells would be located and monitored within the facility boundaries. (§ 380.12(h)(6))	Not Applicable (no storage facilities proposed)
RESOURCE REPORT 7 – SOILS	
1. Identify, describe, and group by milepost the soils affected by the proposed pipeline and aboveground facilities. (§ 380.12(i)(1))	Section 7.1 Table 7.1-1 Table 7.2-1
2. For aboveground facilities that would occupy sites over 5 acres, determine the acreage of prime farmland soils that would be affected by construction and operation. (§ 380.12(i)(2))	Section 7.2 Table 7.2-2 Not Applicable
3. Describe, by milepost, potential impacts on soils. (§ 380.12(i)(3,4))	Section 7.2 Table 7.2-1
4. Identify proposed mitigation to minimize impact on soils, and compare with the staff’s Upland Erosion Control, Revegetation, and Maintenance Plan. (§ 380.12(i)(5))	Section 7.2
RESOURCE REPORT 8 – LAND USE, RECREATION AND AESTHETICS	
1. Classify and quantify land use affected by: (§ 380.12(j)(1)) a.. Pipeline construction and permanent rights-of-way (§ 380.12(j)(1)); b. Extra work/staging areas (§ 380.12(j)(1)); c.. Access roads (§ 380.12(j)(1)); d. Pipe and contractor yards (§ 380.12(j)(1)); and e. Aboveground facilities (§ 380.12(j)(1)).	Section 8.1 Table 8.1-3
2. Identify by milepost all locations where the pipeline right-of-way would at least partially coincide with existing right-of-way, where it would be adjacent to existing rights-of-way, and where it would be outside of existing right-of-way. (§ 380.12(j)(1))	Section 1.2.1
3. Provide detailed typical construction right-of-way cross-section diagrams showing information such as widths and relative locations of existing rights-of-way, new permanent right-of-way, and temporary construction right-of-way. (§ 380.12(j)(1))	Appendix B-1
4. Summarize the total acreage of land affected by construction and operation of the project. (§ 380.12(j)(1))	Table 1.2-1
5. Identify by milepost all planned residential or commercial/business development and the time frame for construction. (§ 380.12(j)(3))	Section 8.3 None Proposed

Minimum Filing Requirement	Location in Concise Environmental Report
6. Identify by milepost special land uses (e.g., sugar maple stands, specialty crops, natural areas, national and state forests, conservation land, etc.). (§ 380.12(j)(4))	Section 8.4
7. Identify by beginning milepost and length of crossing all land administered by Federal, state, or local agencies, or private conservation organizations. (§ 380.12(j)(4))	Section 8.4
8. Identify by milepost all natural, recreational, or scenic areas, and all registered natural landmarks crossed by the project. (§ 380.12(j)(4 & 6))	Section 8.6 None crossed
9. Identify all facilities that would be within designated coastal zone management areas. (§ 380.12(j)(4))	N/A
10. Identify by milepost all residences that would be within 50 feet of the construction right-of-way or extra work area. (§ 380.12(j)(5))	Section 8.2
11. Identify all designated or proposed candidate National or State Wild and Scenic Rivers crossed by the project. (§ 380.12(j)(6))	Section 8.4
12. Describe any measures to visually screen aboveground facilities, such as compressor stations. (§ 380.12(j)(11))	Section 8.6
13. Demonstrate that applications for rights-of-way or other proposed land use have been or soon will be filed with Federal land-managing agencies with jurisdiction over land that would be affected by the project. (§ 380.12(j)(12))	Table 1.6-1
RESOURCE REPORT 9 – AIR AND NOISE QUALITY	
1. Describe existing air quality in the vicinity of the project. (§ 380.12(k)(1))	Section 9.1
2. Quantify the existing noise levels (day-night sound level (L_{dn}) and other applicable noise parameters) at noise-sensitive areas and at other areas covered by relevant state and local noise ordinances. (§ 380.12(k)(2))	Section 9.2
3. Quantify existing and proposed emissions of compressor equipment, plus construction emissions, including nitrogen oxides (NO_x) and carbon monoxide (CO), and the basis for these calculations. Summarize anticipated air quality impacts for the project. (§ 380.12(k)(3))	Sections 9.1.4 and 9.1.5
4. Describe the existing and proposed compressor units at each station where new, additional, or modified compression units are proposed, including the manufacturer, model number, and horsepower of the compressor units. (§ 380.12(k)(4))	N/A No Proposed Compressor Stations
5. Identify any nearby noise-sensitive area by distance and direction from the proposed compressor unit building/enclosure. (§ 380.12(k)(4))	N/A No Proposed Compressor Stations
6. Identify any applicable state or local noise regulations. (§ 380.12(k)(4))	Section 9.2.1

Minimum Filing Requirement	Location in Concise Environmental Report
7. Calculate the noise impact at noise-sensitive areas of the proposed compressor unit modifications or additions, specifying how the impact was calculated, including manufacturer's data and proposed noise control equipment. (§ 380.12(k)(4))	Sections 9.2.3 and 9.2.4 and Appendix G-1 No Proposed Compressor Stations
RESOURCE REPORT 10 - ALTERNATIVES	
1. Address the "no action" alternative. (§ 380.12(l)(1))	Section 10.1
2. For large projects, address the effect of energy conservation or energy alternatives to the project. (§ 380.12(l)(1))	Not Applicable (not a large project)
3. Identify system alternatives considered during the identification of the project and provide the rationale for rejecting each alternative. (§ 380.12(l)(1))	Section 10.2
4. Identify major and minor route alternatives considered to avoid impact on sensitive environmental areas (e.g., wetlands, parks, or residences) and provide sufficient comparative data to justify the selection of the proposed route. (§ 380.12(l)(3))	Section 10.3
5. Identify alternative sites considered for the location of major new aboveground facilities and provide sufficient comparative data to justify the selection of the proposed site. (§ 380.12(l)(3))	Section 10.3.1
RESOURCE REPORT 11 – RELIABILITY AND SAFETY	
1. Describe how the project facilities would be designed, constructed, operated, and maintained to minimize potential hazard to the public from the failure of project components as a result of accidents or natural catastrophes. (§ 380.12(m))	Section 11.0
RESOURCE REPORT 12 – PCB CONTAMINATION	
1. For projects involving the replacement or abandonment of facilities determined to have PCBs, provide a statement that activities would comply with an approved EPA disposal permit or with the requirements of the TSCA. (§ 380.12(n)(1))	Section 12.0 (no PCB contaminated soils)
2. For compressor station modifications on sites that have been determined to have soils contaminated with PCBs, describe the status of remediation efforts completed to date. (§ 380.12(n)(2))	Section 12.0 (no PCB contaminated soils)

[Note: Red highlighted font includes information that has been updated in this Supplemental CER]

1.0 GENERAL PROJECT DESCRIPTION

Transwestern Pipeline Company, LLC (Transwestern) has prepared this concise Environmental Report in conjunction with its Prior Notice Request submitted concurrently to the Federal Energy Regulatory Commission (FERC or Commission), for authorization to increase certificated capacity, and construct/modify, own, maintain, and operate certain natural gas lateral facilities, and appurtenances, to be authorized under Transwestern's Blanket Certificate issued in Docket No. CP82-553-000, pursuant to Sections 157.205, 157.208, and 157.211 of Title 18 of the Code Federal of Regulations (CFR) of the FERC's regulations under the Natural Gas Act.

Transwestern is requesting approval, under its Blanket Certificate, to construct, own, operate, and maintain approximately 17.77 miles of 24-inch lateral pipeline in Doña Ana County, New Mexico (the Green Chile Lateral). This pipeline will transport natural gas from existing infrastructure owned by El Paso Natural Gas Company, LLC (El Paso) to a designated delivery point for Green Chile Ventures, LLC. As part of the proposed project, Transwestern will install a new Meter & Regulation (M&R) Station receipt point (the Green Chile El Paso M&R Station), which will include metering and control equipment and a new 24-inch pig launcher, and a new M&R Station (the Green Chile M&R Station) at the Green Chile Ventures, LLC delivery point, which will include metering and control equipment and a new 24-inch pig receiver, both located in Doña Ana County, New Mexico.

El Paso will construct interconnect piping that will tie-in to two existing pipelines (El Paso's 1100 and 1103 pipelines) along El Paso's existing pipeline system and metering facilities within Transwestern's proposed Green Chile El Paso Meter Station under the automatic provisions of its blanket certification with FERC.

Collectively, Transwestern's pipeline lateral and receipt and delivery meter stations comprise the Green Chile Project (Project), which is designed to transport up to 400 million cubic feet per day (MMcf/d) to meet projected demand in Transwestern's East of Thoreau Area.

Landowner Driven Project Modification Request

Transwestern is proposing to modify the Green Chile Project alignment from the route evaluated in the Concise Environmental Report and associated application filings previously submitted to the FERC. The alignment modification is necessary to avoid lands administered by the New Mexico State Land Office (NMSLO). The original Project alignment crossed New Mexico State Trust Lands for which Transwestern had submitted a right-of-way (ROW) application to NMSLO. In April 2026, NMSLO cancelled Transwestern's ROW application. Subsequently, on July 14, 2026, NMSLO denied Transwestern's request for reconsideration of the cancellation. As a result, an alternative alignment has been selected.

The revised alignment follows Alternative 2, which was previously evaluated and submitted to FERC in response to Item 2 of the Commission's May 15, 2026 Environmental Information Request (EIR). Alternative 2 has now been identified as the preferred Project route. To support FERC's review of the alternative alignments, Transwestern conducted cultural resources, paleontological, and biological resource field surveys of the alternatives in June and July 2026. The resulting survey reports and technical addenda are included in this updated Concise Environmental Report.

The revised route would originate at El Paso Natural Gas Company's existing 1100 and 1103 pipelines on Bureau of Land Management (BLM)-administered lands approximately 1.0 mile east of the previously proposed route, south of W. Afton Road. The Green Chile El Paso M&R Station would also be relocated to this location. From the M&R Station, the pipeline would extend approximately 2.0 miles southwest across BLM-administered lands, routing around New Mexico State Trust Lands before reconnecting with

the previously approved alignment. Following the point of reconnection, the Project would continue along the original route for the remainder of the alignment.

The revised alignment does not change the overall Project length, which remains approximately 17.77 miles. However, the reroute and associated facility relocations result in an increase of approximately 3.39 acres of temporary construction workspace and approximately 0.68 acres of permanent operational impact compared to the previously proposed route including the June 16, 2026 supplemental filing requesting the inclusion of additional acreage related to the interconnect site with El Paso's pipelines. This revised Concise Environmental Report includes updated environmental information, resource analyses, survey results, mapping, and supporting documentation reflecting the alignment modification and associated facility relocations. The proposed modification is being driven by an effort to avoid crossing New Mexico State Trust Lands.

1.1 Proposed Facilities

1.1.1 Purpose and Need

The purpose of the Project is to provide 400 MMcf/d of additional natural gas transportation capacity in Transwestern's East of Thoreau Area under a negotiated rate agreement pursuant to Transwestern's currently effective Rate Schedule FTS-1. The Project is needed to serve increased demand for natural gas transmission in the East of Thoreau Area, provide energy resiliency and operational stability for critical technology services, and reduce dependence on less reliable energy sources. This increased demand is driven by an agreement between Green Chile Ventures, LLC and its customer at a proposed data center in Doña Ana County, New Mexico. On September 12, 2025, Transwestern and Green Chile Ventures, LLC ("Shipper") entered into a Precedent Agreement for Transwestern to provide up to 400 MMcf/d of natural gas transportation service from a point of receipt located on the El Paso pipeline system to a point of delivery at facilities to be owned and operated by Green Chile Ventures, LLC, further demonstrating the need for the Project. The proposed Project facilities will provide the increased capacity required to serve natural gas demand and fulfill the Precedent Agreement.

1.1.2 Location and Description of Facilities

Transwestern proposes to construct the facilities and appurtenances listed in **Table 1.1-1**. Supporting maps and figures that depict the location of the proposed Project facilities are provided in **Appendix A**, including:

- **Appendix A-1** – Project Overview Map
- **Appendix A-2** – U.S. Geological Survey (USGS) Topographic Quadrangle Maps
- **Appendix A-3** – Aerial Alignment Sheets
- **Appendix A-4** – National Wetlands Inventory (NWI) and Field Survey Maps
- **Appendix A-5** – Soils Maps
- **Appendix A-6** – Land Use Maps

The Project will consist of construction and operation of the following facilities:

Pipeline Lateral and Appurtenant Facilities – Doña Ana County, New Mexico

- **Green Chile Lateral** – Install approximately 17.77 miles of 24-inch diameter pipeline from approximate Milepost (MP) 0.00 to approximate MP 17.77 in Doña Ana County, New Mexico.

Receipt Point and Appurtenant Facilities – Doña Ana County, New Mexico

- **Green Chile El Paso M&R Station:** The proposed receipt Green Chile El Paso M&R Station will be located at MP 0.00 of the Green Chile Lateral in Doña Ana County, New Mexico. The Green Chile El Paso M&R Station will be fenced and graveled and will include the following facilities:
 - **Metering and Control Equipment:** Install a meter skid, Electronic Flow Measurement (EFM) and Supervisory Control and Data Acquisition (SCADA) system, and a flow and pressure control regulation skid.
 - **Pig Launcher Facilities:** Install a 24-inch pig launcher to facilitate pipeline integrity testing and cleaning of the new pipeline lateral. The pig launcher will include all necessary ancillary equipment (e.g., piping, valves, fittings).
 - **Appurtenant Facilities:** Install additional facilities as required to support safe and efficient operation.

Delivery Point and Appurtenant Facilities – Doña Ana County, New Mexico

- **Green Chile M&R Station:** The proposed delivery Green Chile M&R Station will be located at the terminus (MP 17.77) of the Green Chile Lateral in Doña Ana County, New Mexico. The Green Chile M&R Station will be fenced and graveled and include the following facilities:
 - **Metering and Control Equipment:** Install a meter skid, EFM/ SCADA system, and a flow and pressure control regulation skid. The measurement facilities will be designed to deliver up to 400 MMcf/d of natural gas.
 - **Pig Receiver Facilities:** Install a 24-inch pig receiver to allow for pipeline integrity testing and cleaning of the new pipeline lateral. The pig receiver will require new ancillary equipment (i.e., piping, valves, fittings, etc.).
 - **Appurtenant Facilities:** Install additional facilities as required to support safe and efficient operation.

TABLE 1.1-1 Proposed Project Facilities			
Facility	Location (County, State)	Approximate Milepost (MP) ^a	Proposed Work Description
Pipeline			
Green Chile Lateral	Doña Ana County, New Mexico	0.00 – 17.77	• Install approximately 17.77 miles of 24-inch diameter pipeline lateral
Aboveground Facilities			
Green Chile El Paso M&R Station	Doña Ana County, New Mexico	0.00	• Metering and Control Equipment: Install a meter skid, Electronic Flow Measurement (EFM) and Supervisory Control and Data Acquisition (SCADA) system, and a flow and pressure control regulation skid. • Pig Launcher Facilities: Install a 24-inch pig launcher to facilitate pipeline integrity testing and cleaning of the new pipeline lateral. The pig launcher will include all necessary ancillary equipment (e.g., piping, valves, fittings). • Appurtenant Facilities: Installation of additional facilities as required to support safe and efficient operation.

TABLE 1.1-1 Proposed Project Facilities			
Facility	Location (County, State)	Approximate Milepost (MP) ^a	Proposed Work Description
Green Chile M&R Station	Doña Ana County, New Mexico	17.77	• Metering and Control Equipment: Install a meter skid, EFM/SCADA system, and a flow and pressure control regulation skid. The measurement facilities will be designed to deliver up to 400 MMcf/d of natural gas. • Pig Receiver Facilities: Install a 24-inch pig receiver to allow for pipeline integrity testing and cleaning of the new pipeline lateral. The pig receiver will require new ancillary equipment (i.e., piping, valves, fittings, etc.). • Appurtenant Facilities: Installation additional facilities as required to support safe and efficient operation.

1.2 Land Requirements

Table 1.2-1 summarizes land requirements for construction and operation of the Project. Typical and detailed site-specific drawings of the Project facilities are provided in **Appendix B**. A description of the land requirements for the proposed Project facilities is provided in the following sections.

TABLE 1.2-1 Summary of Land Requirements for the Project				
Facility		County, State	Land Affected During Construction ^{a, b}	Land Affected During Operation ^b
			Acres	Acres
Pipeline Facilities				
Green Chile Lateral ^c	Pipeline Right-of-Way (ROW)	Doña Ana County, NM	171.12	107.55
Other Work Areas				
ATWS ^c		Doña Ana County, NM	6.88	0.00
Permanent Access Roads ^d		Doña Ana County, NM	0.22	0.22
Contractor Yard ^e		Doña Ana County, NM	10.00	0.00
Pipeline Subtotal			188.22	107.77
Aboveground Facilities				
Green Chile El Paso M&R Station		Doña Ana County, NM	2.59	2.59
Green Chile M&R Station		Doña Ana County, NM	1.44	1.44
Aboveground Facility Subtotal			4.03	4.03
PROJECT TOTAL			192.25	111.80

TABLE 1.2-1
Summary of Land Requirements for the Project

Facility	County, State	Land Affected During Construction ^{a, b}	Land Affected During Operation ^b
		Acres	Acres
Notes:			
^a Acreage affected during construction includes both temporary and permanent work areas.			
^b Construction of the Green Chile Lateral will require an 80-foot-wide construction ROW typically consisting of 30 feet of temporary workspace and 50 feet of permanent (operation) ROW (See typical drawings in Appendix B-1).			
^c ATWS will be required for construction of the Green Chile Lateral (3.20 acres), Green Chile El Paso M&R Station (2.47 acres), and Green Chile M&R Station (1.22 acres) totaling 6.88 acres. The location, purpose, size, of the proposed ATWS are summarized in Table 8.1-5 .			
^d Two permanent access roads will be constructed to access the M&R Station sites during operation of the Project (see Table 8.1-6). No new temporary access roads will be required during construction as Transwestern will use the construction ROW for access.			
^e One contractor yard will be utilized for storage and staging of pipe, equipment, materials and temporary office trailers during construction of the Project (see Table 8.1-7).			

1.2.1 Pipeline Facilities

The proposed Green Chile Lateral will consist of 17.77 miles of 24-inch-diameter pipeline. The lateral will originate at MP 0.00 at the Green Chile El Paso M&R Station. From MP 0.00, the pipeline will extend southwest for about 2 miles, south for about 9.50 miles, cross beneath the Union Pacific Railroad using the trenchless Horizontal Directional Drilling (HDD) method and continue south for an additional 4.35 miles. The route will then turn east for approximately 1.92 miles to terminate at the proposed Green Chile M&R Station, serving Green Chile Ventures, LLC.

The lateral will primarily traverse federal lands administered by the Bureau of Land Management (BLM), with limited segments crossing property managed by the New Mexico State Land Office (NMSLO) and private land. All project facilities are located within Doña Ana County, New Mexico. The proposed pipeline will not be collocated with any existing utility rights-of-way (ROW).

1.2.1.1 Permanent (Operational) Right-of-Way

The proposed width of the permanent (operation) ROW is 50 feet wide. Transwestern's new permanent ROW, along with its location and orientation, and dimensions is specifically identified on the aerial alignment sheets provided in **Appendix A-3**. **Appendix B-1** includes the typical ROW cross section drawings for the proposed Green Chile Lateral.

1.2.1.2 Temporary (Construction) Right-of-Way

Transwestern proposes an 80-foot-wide construction ROW, which typically includes 30 feet of temporary workspace and 50 feet of permanent ROW. At the Union Pacific Railroad crossing, the pipeline will be installed using the HDD method. This approach eliminates the need for trenching and prevents surface disturbance between the HDD entry and exit points.

Transwestern's proposed temporary construction ROW, along with its location and orientation, and dimensions is specifically identified on the aerial alignment sheets provided in **Appendix A-3**. **Appendix B-1** includes the typical ROW cross section drawings for the Green Chile Lateral.

1.2.1.3 Additional Temporary Workspace

Additional temporary workspace (ATWS) will be required at road crossings, tie-ins, HDD entry, exit and stringing locations, and for staging and fabrication of pipe sections. The location, purpose, size, and existing land use of the proposed ATWS are summarized in **Table 8.1-5** of Section 8 (*Land Use, Recreation, and Aesthetics*) and will be restricted to the minimum size necessary to safely construct the lateral. ATWS areas are identified on the Project mapping included in **Appendix A**.

1.2.1.4 Access Roads

Transwestern will primarily utilize existing public roads and highways to access the Project area during construction. In addition, Transwestern will construct two new permanent access roads (i.e., driveway entrance) to provide operational access to the new M&R Stations. No temporary access roads will be required during construction, as the construction ROW will serve as the temporary equipment access route.

Following construction, the portions of the ROW used for access will be restored and allowed to revert to pre-construction conditions. Land requirements for all access roads are summarized in **Table 1.2-1**, and detailed land requirements for each access road are provided in **Table 8.1-6**. The locations of the access roads are shown on the Project maps included in **Appendix A**.

1.2.1.5 Contractor Yard

Transwestern has identified one contractor yard located in Doña Ana County, New Mexico for storage and staging of pipe, equipment, materials, and temporary office trailers during construction of the proposed Project. The location of the proposed contractor yard is shown on the Project mapping included in **Appendix A**. Land requirements for the proposed contractor yards are summarized in **Table 1.2-1** and **Table 8.1-7**. The contractor yard has existing site access via Strauss Road and Cross Tie Road. The contractor yard will be returned to previous land use following construction and per landowner agreement.

1.2.2 Aboveground Facilities

Land requirements for the proposed aboveground facilities are summarized in **Table 1.2-1**. Construction workspace requirements for the proposed facilities are shown on the Project mapping included in **Appendix A**.

1.2.2.1 Green Chili El Paso M&R Station

The Green Chile El Paso M&R Station will be installed at the northern terminus of the proposed Green Chile Lateral (MP 0.00) in Doña Ana County, New Mexico.

This facility will receive natural gas from the two natural gas pipelines owned by El Paso, measure its volume and quality, and regulate flow and pressure to ensure safe and efficient delivery in accordance with pipeline specifications and customer requirements. The station will include a meter skid, EFM/SCADA system, an emergency backup generator, a pipeline liquids tank, and a flow and pressure control regulation skid.

The station will also include a pig launcher as shown in the site plans provided in **Appendix B-3**. The pig launcher will be equipped with new ancillary equipment (i.e., piping, valves, fittings, etc.) to support pipeline integrity assessments and routine cleaning operations.

A new permanent gravel pad and perimeter fencing will be installed to support the M&R Station, with a total footprint of approximately **2.59** acres. ATWS will be required during construction to accommodate equipment staging, material laydown, and safe access. Upon completion of construction, all temporary

workspaces will be restored to pre-construction contours and conditions to the extent practicable and allowed to naturally revegetate.

1.2.2.2 Green Chile M&R Station

The Green Chile M&R Station will be installed at the southern terminus of the proposed Green Chile Lateral (MP 17.77) in Doña Ana County, New Mexico.

This facility will receive natural gas from the Green Chile Lateral and deliver it into the Green Chile Ventures, LLC downstream pipeline system, measuring its volume and quality and regulating flow and pressure to ensure safe and efficient delivery in accordance with pipeline specifications and customer requirements. The M&R Station will include a meter skid, EFM/SCADA system, an emergency backup generator, a pipeline liquids tank, and a flow and pressure control regulation skid. The facility will be permanently graveled and fenced with a total footprint of approximately 1.44 acres.

The station will also include a new 24-inch pig receiver as shown in the site plans provided in **Appendix B-3**. The pig receiver will be equipped with new ancillary equipment (piping, valves, fittings, etc.) to support pipeline integrity assessments and routine cleaning operations.

ATWS will be required during construction to accommodate equipment staging, material laydown, and safe access. Upon completion of construction, all temporary workspaces will be restored to pre-construction contours and conditions to the extent practicable and allowed to naturally revegetate.

1.3 Pipeline Construction Procedures

The Project will be constructed in compliance with applicable federal and state regulations and guidelines, and the specific requirements of the necessary permits (see Section 1.6, Permits and Approvals). These regulations ensure adequate protection for the public and reduce the potential for natural gas facility accidents and failures. Key federal requirements and guidelines include:

- 18 CFR Part 380 – *The FERC Regulations Implementing the National Environmental Policy Act* (NEPA) (including Section 380.15 - *Siting and Maintenance Requirements*); and
- 49 CFR Part 192 – *Transportation of Natural Gas and Other Gas by Pipeline: Minimum Federal Safety Standards*.

In addition to the key federal requirements and guidelines listed above, Transwestern will implement the following plans (included in **Appendix C**) to ensure adequate protection of environmental and cultural resources during construction and address any landowner concerns.

- The FERC *Upland Erosion Control, Revegetation, and Maintenance Plan* (FERC Plan, May 2013 Version) provided in **Appendix C-1**;¹
- Transwestern's *Spill Prevention and Response Plan* (SPAR Plan) provided in **Appendix C-2**;
- Transwestern's *Unanticipated Discovery Plan* (i.e., cultural resources, human remains, contaminated media, paleontological resources, and karst features) provided in **Appendix C-3**;

¹ Transwestern does not include FERC's *Wetland and Waterbody Construction and Mitigation Procedures* (FERC Procedures, May 2013 Version) given the lack of any impacts to waterbodies or wetlands; however, if any such features are identified, Transwestern would implement the Procedures where applicable.

- Transwestern's *Fugitive Dust Control Plan* provided in **Appendix C-4**;
- New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* provided in **Appendix C-5**;
- Transwestern's *Noxious and Invasive Plant Management Plan* provided in **Appendix C-6**;
- Transwestern's *Environmental Complaint Resolution Procedures* provided in **Appendix C-7**; and
- Transwestern's *Horizontal Directional Drill (HDD) Contingency Plan* provided in **Appendix C-8**.

The following sections identify the general procedures for conventional pipeline construction as proposed for the Project. The construction process will be coordinated to minimize the total time a tract of land is impacted, reducing erosion potential, and loss of normal land use.

1.3.1 Conventional Pipeline Installation Procedures

Conventional pipeline installation, also referred to as open-cut construction, generally occurs in a linear sequence defined by clearing, grading, trenching, stringing, lowering in, backfilling, testing, clean-up, and restoration of the Project area. A brief description of each of the main activities is presented in the following sections.

1.3.1.1 Clearing and Grading

Prior to construction activities, Transwestern will survey and stake the limits of the approved workspace to clearly identify Project limits. No work or ground disturbing activities will take place outside of the approved Project footprint without prior approval from the FERC, other applicable permitting agencies, and landowner approvals, as required. Pipeline installation will begin with clearing and grading of the construction ROW and ATWS areas. Cleared vegetation will be chipped, put to beneficial use such as mulch for erosion control, or hauled offsite to a commercial disposal facility in accordance with all applicable regulations and requirements. Vegetation debris will not be burned onsite.

Clearing will be accomplished by mechanized clearing equipment or by hand cutting, as appropriate. Where clearing is required, vegetation will be cut at the ground surface and rootstock will be left in the temporary workspace wherever practicable to encourage natural revegetation after Project completion. Brush will be either chipped and removed from Project workspace for beneficial reuse or approved disposal. Wood chips may also be spread in approved locations and used as mulch or transported off-site for proper disposal. Closely following clearing and before grading activities, erosion controls will be installed at the required locations, as outlined in the FERC Plan (**Appendix C-1**).

The ROW will be graded as necessary to create a reasonably level working surface to allow safe passage and operation of equipment. Temporary erosion and sediment controls will be installed in accordance with the FERC Plan (**Appendix C-1**) and permit conditions.

1.3.1.2 Pipeline Trenching and Dewatering

Following clearing and grading, a trench will be excavated for installation of the pipe. The trench will be excavated to a sufficient depth to allow a minimum of three feet of soil cover between the top of the pipe and the final land surface after backfilling. Depth of cover may be greater based on land use, permit conditions, or other physical requirements at specific locations. If necessary, trench dewatering will be performed in accordance with the FERC Plan (**Appendix C-1**), and applicable permit requirements. Best Management Practices (BMPs) such as filter bags or silt fence/hay bale structures will be used to control erosion and siltation upon discharge. Transwestern does not propose any blasting for the Project.

1.3.1.3 Pipe Stringing and Lowering

The pipe segments will be temporarily placed or strung alongside the trench, typically on skids, where they will be bent as necessary, welded together, inspected, and the joints coated in preparation for lowering into the trench. The prepared sections of pipe will be lifted off temporary supports and lowered into the trench by side-boom tractors. Prior to lowering the pipe, the trench will be inspected to ensure that it is free of rocks and other debris that could damage the pipe or the coating. Before lowering the pipe into the trench, the pipe and trench configurations will be inspected to ensure compatibility.

1.3.1.4 Pipeline Padding and Backfilling

After the pipe is lowered into the trench, the trench will be backfilled. Previously excavated materials will be pushed back into the trench using bladed equipment or backhoes. Where the previously excavated material contains large rocks or other materials that could damage the pipe or coating, clean fill or a protective coating will be placed around the pipe prior to backfilling. Following backfilling, a small crown of material will be left to account for future soil settling that may occur.

1.3.1.5 Fugitive Dust Control

Transwestern will implement measures to minimize the effects of fugitive dust as required. Typical practices to minimize fugitive dust include watering exposed soil surfaces, applying temporary mulch, and expediting restoration and revegetation activities. Transwestern's *Fugitive Dust Control Plan* is included in **Appendix C-4**.

1.3.1.6 Hydrostatic Testing and Final Tie-in

Following backfilling of the trench, the pipeline and aboveground piping systems will be hydrostatically tested to ensure it is capable of operating at the design pressure. Hydrostatic testing will be conducted in accordance with the requirements of U.S. Department of Transportation (USDOT) pipeline safety regulations, 49 CFR Part 192, Transwestern testing specifications, and applicable permits. The water in the pipe will be pressurized and held for a minimum of eight hours. Any loss of pressure that cannot be attributed to other factors, such as temperature changes, will be investigated. Any leaks detected will be repaired and the segment retested.

Hydrostatic test water requirements for the proposed Project facilities are provided in **Table 2.3-1** of Section 2 (*Water Use and Quality*). Hydrostatic test-water will be obtained from private wells or a municipal supply source and will be trucked to the site. Test water will contact only new pipe and no chemicals or biocides will be added.

After testing, hydrostatic test water will be discharged in accordance with the FERC Plan (**Appendix C-1**) as well as any federal or state permit requirements. This includes discharging test water into a well vegetated upland area and filtering the water through a filter bag and/or erosion control barrier. Transwestern will obtain and comply with all applicable state permits prior to the discharge of test water. Once a segment of pipe has been successfully tested and dried, the pipe will be connected to the remainder of the pipeline.

1.3.1.7 Cathodic Protection

Piping installed below grade will be coated for corrosion protection prior to backfilling, and a cathodic protection system will be installed to protect Transwestern's underground piping as required. The cathodic protection system will not require any land beyond that required for construction and operation of the proposed pipeline lateral.

1.3.1.8 Cleanup, Restoration and Revegetation

Cleanup activities will commence in the construction work area immediately following construction completion in accordance with the FERC Plan (**Appendix C-1**). Every reasonable effort will be made to complete final cleanup (including final grading and installation of permanent erosion control devices) within timeframes required by permits, in accordance with landowner requests, or in compliance with the FERC Plan (**Appendix C-1**). If seasonal or other weather conditions prevent compliance with the recommended time frames, Transwestern will maintain temporary erosion controls (i.e., temporary slope breakers, sediment barriers, and/or mulch) until conditions allow for safe completion of cleanup.

All disturbed areas will be finish-graded and any remaining construction debris will be collected and properly disposed of in compliance with applicable regulations. Contours will be restored to pre-existing conditions as closely as practicable. Topsoil will be spread over the surface of the construction work area and permanent erosion controls will be installed. Revegetation measures will be implemented in accordance with the FERC Plan (**Appendix C-1**), New Mexico Natural Resource Conservation Service (NRCS) *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**), and BLM requirements. Periodic inspections of the ROW will be conducted throughout restoration in accordance with the FERC Plan (**Appendix C-1**).

1.3.1.9 Post-Construction Monitoring

Transwestern will monitor all areas disturbed by construction to ensure successful revegetation of the ROW and to identify any problem areas, as required by the FERC Plan (**Appendix C-1**) and in compliance with all applicable permit requirements.

1.3.2 Special Construction Methods

The Project will not affect wetlands, waterbodies, agricultural land, or residential areas. Additionally, no blasting or construction on steep slopes will be required. To minimize surface disturbance and maintain traffic flow, Transwestern will utilize trenchless construction methods, specifically HDD and conventional boring, for crossings of a railroad and paved roads, as described below.

All road and railroad crossings will be constructed in accordance with Transwestern's engineering specifications, site-specific conditions, and applicable USDOT regulations, including 49 CFR Part 192 requirements for minimum depth of cover. A list of railroad and road crossings associated with the Project is provided in **Table 1.3-1**.

TABLE 1.3-1 Roadways and Railroads Crossed by the Project					
Facility	Approx. Milepost	Roadway or Railroad Name	Public / Private	Paved / Gravel / Dirt	Crossing Method
Pipeline					
Green Chile Lateral	MP 10.71	Aviation Road	Public	Paved	Bore
	MP 11.30	Union Pacific Railroad	Private	N/A	HDD
	MP 11.40	County Road A-12	Public	Paved	HDD
	MP 11.90	County Road A014 (Rail Spike Road)	Public	Paved	Bore
Aboveground Facilities					
Green Chile El Paso	N/A	N/A	N/A	N/A	No Road Crossings

TABLE 1.3-1 Roadways and Railroads Crossed by the Project					
Facility	Approx. Milepost	Roadway or Railroad Name	Public / Private	Paved / Gravel / Dirt	Crossing Method
M&R Station					
Green Chile M&R Station	N/A	N/A	N/A	N/A	No Road Crossings

The Project will cross various existing utilities (see **Appendix A** and **Table 1.3-2**). The Green Chile El Paso M&R Station and Green Chile M&R Station will not cross any utilities. Prior to construction, existing utility lines and other sensitive resources will be located and marked to prevent accidental damage during construction of the Project. Transwestern’s contractors will contact the “One Call” system, or state or local utility operators, to verify and mark all underground utilities crossed or along Project ROW and workspaces to minimize the potential for damage to other buried facilities in the area. Where there is a question as to the location of utilities, such as water, cable, gas, and sewer lines, they will be located by in-person field instrumentation survey(s) and test pits prior to initiation of Project trenching.

TABLE 1.3-2 Existing Utilities Crossed by the Project				
Facility	Approx. Milepost	Name	Owner	Crossing Method
Pipeline				
Green Chile Lateral	0.95	Natural Gas Pipeine	New Maxico Gas Company, Inc	Open Cut
	10.79	Transmission Power	El Paso Elecric	Open Cut
	11.17	Overhead Power	No Information Available	HDD
	12.03	Overhead Power	El Paso ElecricPowerline (aerial)	Open Cut
	12.43	Overhead Power	El Paso Elecric	Open Cut
	17.52	Overhead Power	El Paso Elecric	Open Cut

1.3.2.1 Trenchless Construction Methods

Conventional Bore

This method involves excavating a bore pit on one side of the crossing and a receiving pit on the opposite side. A boring machine then advances the pipe beneath the road using a rotating cutting head or auger, while simultaneously removing soil. Once the bore is complete, the installed pipe segment is tied into the main pipeline.

Horizontal Directional Drill (HDD)

Transwestern proposes to use HDD to cross a Union Pacific Railroad line, as identified in **Table 1.3-1**. Site-specific HDD plans and drawings are provided in **Appendix B-2**. HDD minimizes surface disturbance by drilling beneath the crossing from an entry point to an exit point to avoid all impacts to the railroad.

This trenchless method of pipeline installation involves setting up a drilling rig on the construction ROW and drilling a pilot hole along the pipeline installation trajectory. Once the pilot hole is completed, successively larger reamers are pulled back through the pilot hole until the drilled opening is large enough to accommodate the proposed pipeline section being installed. The pipe pullback section is assembled (i.e., welded, nondestructive evaluation inspected, coated, hydrostatically tested) and pulled back through the HDD hole for installation. Drilling mud, a mixture of non-toxic bentonite clay and water, is circulated through the bore hole to remove cuttings and facilitate the drilling process. Transwestern will filter and recycle the drilling mud to the extent practical.

To manage potential risks, Transwestern has prepared an HDD Contingency Plan (**Appendix C-8**), which outlines procedures to avoid or minimize the risk of inadvertent drilling mud releases as well as the mitigative procedures that will be followed if an inadvertent release of drilling mud should occur. The plan conforms to the FERC's 2019 *Guidance for Horizontal Directional Drill Monitoring, Inadvertent Return Response, and Contingency Plans*. As part of this plan, Transwestern will monitor the drill trajectory in real time to quickly identify and contain any inadvertent returns of drilling fluid. Transwestern will recycle drilling mud to the extent practicable and dispose of spent fluids at a New Mexico-approved disposal facility, or an improved location, in accordance with applicable regulations.

1.3.3 Aboveground Facilities

Transwestern will construct the proposed aboveground facilities in compliance with the applicable federal regulations and guidelines governing pipeline infrastructure. These activities will also adhere to the specific requirements outlined in relevant federal and state approvals. Construction will be conducted in accordance with the FERC Plan (**Appendix C-1**), Transwestern's *SPAR Plan* (**Appendix C-2**), and all other applicable permits and regulatory authorizations.

The proposed Green Chile El Paso and Green Chile M&R Stations and associated facilities and tie-ins will be installed in upland areas. Each site will feature a gravel pad and a chain-link fence enclosure to secure the facility.

All welding operations will be performed by qualified personnel using procedures that meet American Petroleum Institute standards. Welds in gas piping systems will be inspected using radiographic (x-ray) methods in accordance with applicable codes to ensure integrity and safety.

Aboveground valves and piping will be supported using engineered pipe supports. All exposed piping surfaces will be cleaned and painted in accordance with Transwestern's painting specifications. Paint inspection and cleanup will be conducted in compliance with regulatory requirements.

For below-grade piping, corrosion protection will be applied prior to backfilling. An auxiliary cathodic protection system will be installed to safeguard underground piping as required. This system will be contained within the footprint of the proposed pipeline lateral and will not require additional land.

Before placing the aboveground facilities into service, both above- and below-ground gas piping systems will undergo hydrostatic testing as further discussed in Section 1.3.1.6. This testing will be conducted in accordance with USDOT pipeline safety regulations (49 CFR Part 192), Transwestern's testing specifications, and applicable permits. The hydrostatic test will confirm the integrity of the systems and ensure they meet the required safety margins for operation at the anticipated pipeline lateral pressure.

1.3.4 Construction Schedule and Workforce

Transwestern plans to commence construction of the Project as soon as it receives FERC authorization and any other necessary and outstanding approvals and easements for the Project. Transwestern anticipates that construction (including final cleanup activities) will last approximately four months (17 weeks).

Project construction activities will occur during daytime hours (6:00 a.m. to 10:00 p.m.), seven days a week, in compliance with the Doña Ana County, New Mexico, Noise Code of Ordinances (see Section 8.2, *Noise*). Certain activities, such as HDD pullback, tie-ins, hydrotesting, and laydown yard use, may require nighttime work between 10:00 p.m. and 6:00 a.m., as safety and feasibility preclude halting construction; however, the Project is located in a rural, non-urban area with no residences within one mile of the Project area, and any nighttime activities would be temporary and episodic. Transwestern anticipates completing construction using one construction spread and a peak temporary workforce of approximately 328 workers. Due to the specificity of the work, it is not anticipated that a significant number of construction workers will be drawn from the Project area. No permanent employees are expected to be hired for operation of the Project facilities.

Prior to construction, Transwestern will provide its contractors with copies of specifications, an “*approved for construction*” Construction Drawing Package, and all required environmental permits and/or clearances so that construction of the proposed facilities will comply with the measures identified in this Environmental Report and all applicable FERC regulations and permitting agencies. Additionally, Transwestern will conduct environmental training for its field construction personnel and construction contractor’s personnel prior to and during construction of the Project. This training will focus on implementation of the FERC Plan (**Appendix C-1**) and other Project-specific regulations, permit conditions and mitigation measures, and Project activity/site safety, as appropriate.

Transwestern will employ at least one Environmental Inspector (EI) during construction. The EI’s duties will include, but not be limited to, ensuring compliance with all environmental conditions. The EI will have peer status with any/all other inspectors; will be present throughout construction and restoration; and will have the authority to enforce permit and FERC environmental conditions, to issue stop-activity orders, and impose corrective actions to maintain environmental compliance.

1.4 Operation and Maintenance

Transwestern will continue to operate and maintain its facilities in compliance with USDOT regulations, 49 CFR Part 192, and the maintenance provisions of the FERC Plan (**Appendix C-1**) as applicable to ensure the pipeline integrity and safe operation of the facilities and to maintain firm natural gas transportation service. Cathodic protection systems have been installed at various points along the Transwestern pipeline system and within compressor stations to mitigate corrosion of the pipeline facilities. These appurtenant systems will be modified as needed to accommodate the proposed Project facilities. No additional land requirements will be required for cathodic protection systems for the Project.

Operations and maintenance activities include vegetation management; pipeline inspections; cleaning and pipeline repairs; and compressor service and maintenance. Transwestern’s personnel will continue to perform routine checks of the facilities, including calibration, inspection, and scheduled/preventative maintenance of equipment/facilities. Corrective action will be taken regarding any identified problem.

1.5 Future Plans and Abandonment

At this time Transwestern has not identified any reasonably foreseeable future expansion or abandonment of the facilities proposed in this docket and there are no other applications related to the proposed Project. Transwestern will seek the appropriate authorization from FERC for any future expansions. When and if an application for new facilities is filed, the environmental impact of the new proposed facilities would be examined. At the end of the useful life of the pipeline facilities, Transwestern will obtain all required authorizations/permits for any future construction or abandonment related activities.

1.6 Permits and Approvals

Table 1.6-1 lists the required permits and approvals, dates for submittal of applications, and anticipated date of receipt for the Project. Transwestern will obtain all necessary permits, licenses, clearances, and approvals related to construction and operation of the Project. Agency and stakeholder correspondence is included in **Appendix D**.

TABLE 1.6-1			
Federal and State Environmental Permits, Approvals and Consultations			
Agency	Permit/Approval/Consultation	Submittal Date (Anticipated)	Approval Date (Anticipated)
Federal			
Federal Energy Regulatory Commission (FERC)	Authorization under Blanket Certificate pursuant to Sections 157.205, 157.208 and 157.211	Prior Notice Request filed herewith	<i>Pending Authorization</i>
U.S. Bureau of Land Management (BLM)	Standard Form 299 for Right-of-Way Grant	January 2026 Alternative 2 reroute submittal: September 2026	May 2026 Alternative 2 reroute anticipated receipt: October 2026
	BLM Form 2920-1 Land Use Application and Permit	December 29, 2025	February 2026
U.S. Department of the Interior, United States Fish and Wildlife Service (USFWS)	Consultations under Section 7 of the Endangered Species Act, the Migratory Bird Treaty Act, and the Fish and Wildlife Coordination Act	USFWS IPaC – No effect January 6, 2026 For Alternative 2 reroute: USFWS IPaC – No effect August 12, 2026	No effect January 6, 2026
U.S. Army Corps of Engineers (USACE)	Not Applicable. The Project will not impact Waters of the U.S.	Not Applicable (N/A)	N/A
State of New Mexico			
New Mexico State Land Office (NMSLO)	Right-of-way authorization for state-managed lands	January 2026	No longer required as a result of Alternative 2.
New Mexico Environmental Department (NMED)	Section 401 of the Clean Water Act	N/A - The Project will not impact Waters of the U.S.	N/A
NMED	Minor Source Air Emissions (M&R Stations) General Construction Permit for oil and gas facilities (GCP-Oil & Gas) Issued under 20.2.72 NMAC	January 19, 2026	February 2026
NMED	National Pollution Elimination System (NPDES) General Construction Permit – Oil and Gas	Exempt	Exempt - CWA Section 402(l)(2) and Section 323 of the Energy Policy Act of 2005 exempt natural gas pipeline projects from EPA - NPDES requirements

TABLE 1.6-1
Federal and State Environmental Permits, Approvals and Consultations

Agency	Permit/Approval/Consultation	Submittal Date (Anticipated)	Approval Date (Anticipated)
New Mexico Oil Conservation Division	Hydrostatic Test Water Discharge	<i>(Pending Submittal)</i>	<i>(Pending Authorization)</i>
New Mexico Department of Cultural Affairs – New Mexico Historic Preservation Division (“SHPO”)	Consultation for cultural resources under Section 106 of the National Historic Preservation Act (NHPA)	BLM sent a letter to SHPO on April 17, 2026, requesting concurrence on a determination of “No Historic Properties Affected” for the original route. Addendum survey report for the Alternative 2 reroute submitted to BLM on August 7, 2026 and will be submitted to SHPO once approved by the BLM.	On May 13, 2026, SHPO responded that it did not concur with BLM’s determination of No Historic Properties Affected for the original route; Addendum survey report undergoing SHPO review (anticipated September 2026); consultation ongoing.
New Mexico Department of Game and Fish (NMDGF)	State Rare, Threatened, and Endangered Species Consultations	NM Environmental Review: November 4, 2025	Response: November 4, 2025

1.7 Affected Landowners

Transwestern will comply with 18 CFR Section 157.203(d)(2) regarding notification to landowners, local governments, and regulatory agencies pursuant to Order 686 that became effective on January 2, 2007. A list of landowner names and addresses along with agency contact names and addresses is included as privileged and confidential information in **Appendix E-1**.

1.8 Non-Jurisdictional Facilities

Green Chile Ventures, LLC proposes to own, operate, and maintain a 24-inch-diameter, approximately 5.18-mile-long natural gas pipeline in Doña Ana County, New Mexico. The pipeline will receive natural gas from the proposed Project interconnect and deliver it to designated microgrid gas handoff points serving a data center.

The purpose of this pipeline is to provide a reliable and continuous natural gas supply to support the microgrid infrastructure for the data center. This supply is essential to ensure energy resiliency and operational stability for critical technology services, reduce dependence on less reliable energy sources, and support regional economic development through advanced data center operations.

As shown on **Figure 1.8-1**, the Green Chile Ventures, LLC pipeline will interconnect with the Green Chile M&R Station and extend southeasterly for approximately 5.18 miles, crossing private lands (approximately 4.9 miles) and lands administered by the NMSLO (approximately 0.4 miles). Construction is anticipated to occur concurrently with Transwestern’s jurisdictional facilities to ensure coordinated scheduling and minimize overall disturbance. Conventional pipeline construction methods will be used, including clearing, grading, trenching, and soil excavation. The pipeline will be strung, bent, welded, and hydrostatically tested in segments; the trench will then be backfilled, graded, and reseeded in accordance with landowner or land agency requirements. **Table 1.8-1** identifies sensitive environmental resources and the estimated acreage of potential impact associated with construction and operation of the proposed route.

1.8.1 Statement of Non-Jurisdictional Status

The Green Chile Ventures, LLC intrastate pipeline is not subject to the jurisdiction of the FERC under Section 7 of the Natural Gas Act because it will operate solely within the State of New Mexico and will not provide interstate transportation services. Accordingly, FERC does not have siting authority over this facility. Applying FERC's four-factor test for non-jurisdictional facilities, the intrastate pipeline would act as "merely a link" in a corridor-type project to deliver gas to microgrid gas handoff points. The location of the jurisdictional and non-jurisdictional facilities are primarily determined by the ultimate delivery and receipt points, and not by aspects of the non-jurisdictional facility in the immediate vicinity of the Project that uniquely determines its location and configuration. When considering the interstate and intrastate pipelines in the aggregate, the intrastate pipeline represents a significant portion outside of FERC's jurisdiction, and as demonstrated in the permits discussion below, the extent of cumulative federal control over the intrastate pipeline and its crossing of private and state lands only is minimal. Although FERC does not have jurisdiction over this intrastate pipeline, Transwestern is providing this information to assist in decision-making associated with the Project and the non-jurisdictional intrastate pipeline.

1.8.2 Coordination and Permitting

Green Chile Ventures, LLC will be responsible for securing all applicable permits and approvals required for the construction and operation of the intrastate pipeline described below. To date, Green Chile Ventures, LLC has completed environmental and cultural resource field surveys along the proposed route and will obtain the following permit authorizations for the Project.

- **New Mexico State Land Office (NMSLO):** Right-of-way authorization for state-managed lands – *Pending Approval.*
- **New Mexico Department of Cultural Affairs: Historic Preservation Division:** A copy of the cultural resource survey report and its recommendation of "*no effect*" on historic properties has been submitted to the New Mexico SHPO.
- **United States Fish and Wildlife Service (USFWS):** A review of the USFWS Environmental Conservation Online System (ECOS) Information for Planning and Consultation (IPaC), along with field surveys conducted in December 2025 and January 2026, confirmed that no suitable habitat or federally listed species occur along the proposed intrastate pipeline route. This assessment included consideration of one threatened species—the yellow-billed cuckoo (*Coccyzus americanus*); one proposed threatened species—the monarch butterfly (*Danaus plexippus*); and two experimental, non-essential population species—the Mexican wolf (*Canis lupus baileyi*) and the northern aplomado falcon (*Falco femoralis septentrionalis*). Because no suitable habitat or listed species were identified within the project area, construction and operation of the proposed pipeline would result in a "**no effect**" determination under the Endangered Species Act.
- **New Mexico Oil Conservation Division:** Hydrostatic Test Water Discharge Authorization – *Notice of Intent (NOI) to be filed prior to construction.*
- **Local County and Municipal Authorities:** Approvals for road crossings and construction activities – *Pending Approval.*

Green Chile Ventures, LLC has stated that it will continue to coordinate with all relevant agencies to ensure compliance with applicable federal, state, and local regulations throughout the permitting process.

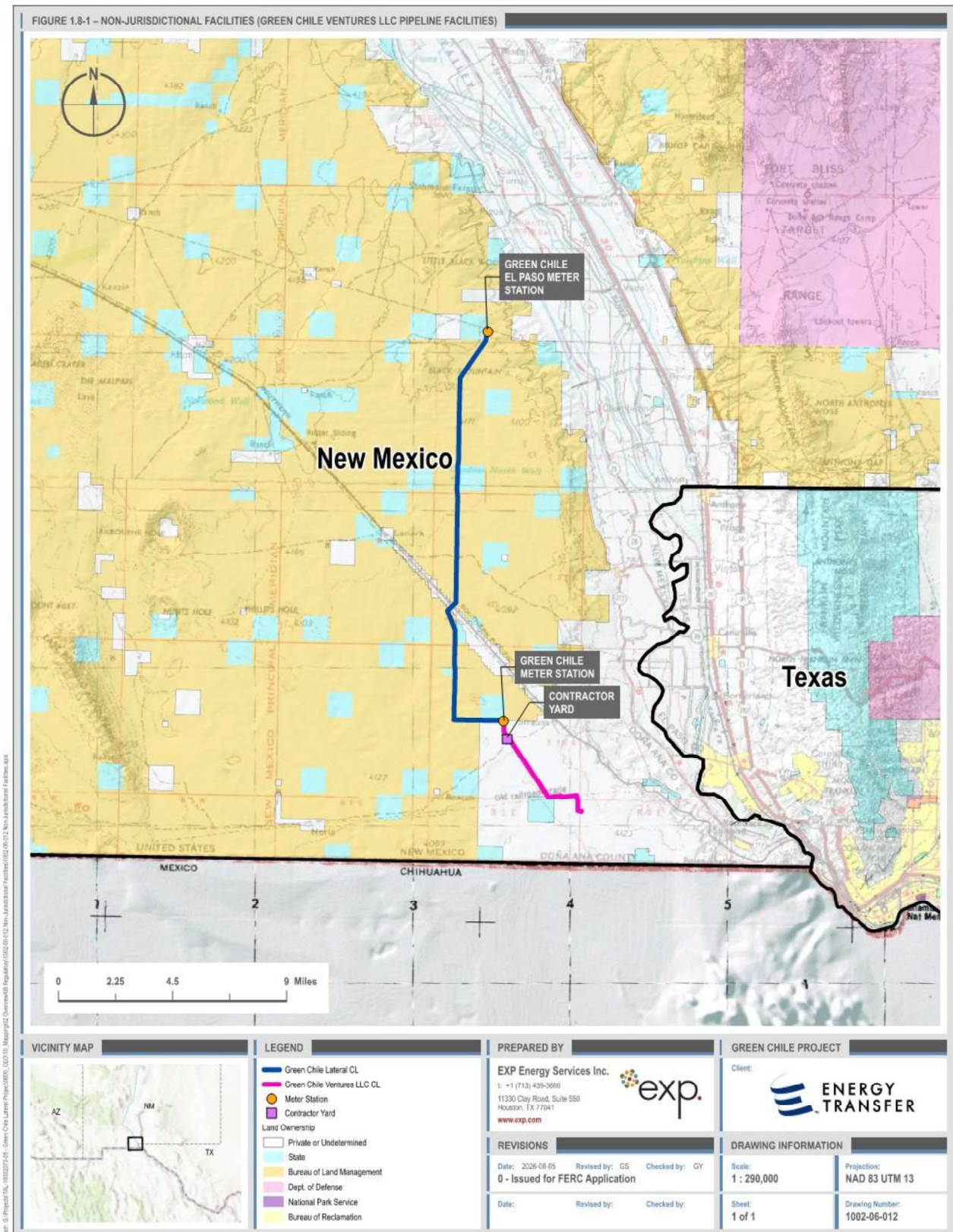
1.8.3 Environmental Review

Although the Green Chile Ventures, LLC pipeline is non-jurisdictional pursuant to the Natural Gas Act, Transwestern has included information regarding its location and potential environmental impacts in this

filing to provide an assessment of cumulative impacts. **Table 1.8-1** summarizes sensitive environmental resources along the proposed route for the intrastate pipeline, including wetlands, waterbodies, cultural resources, and habitat for federally listed species. Potential impacts will be minimized through standard construction practices and mitigation measures consistent with state and local requirements.

TABLE 1.8-1 Resources Affected by Green Chile Ventures, LLC Non-Jurisdictional Intrastate Pipeline	
Component	Construction Impacts
Green Chile LLC Pipeline (Non-Jurisdictional)	
Intrastate pipeline length (miles)	5.18 miles
Pipeline Permanent ROW (50 feet wide) (acres)	31.33 acres
Pipeline Temporary Workspace (30 feet wide) (acres)	19.13 acres
Pipeline Additional Temporary Workspace (ATWS) (Total acres)	1.69 acres
Green Chile LLC Microgrid Interconnect	
Pipeline Permanent ROW (50 feet wide) (acres)	0.37 acres
Pipeline Temporary Workspace (30 feet wide) (acres)	0.20 acres
Total	52.72 acres
Resources	
Private Land Crossed (acres)	48.85 (92%)
State Land Crossed (acres)	3.87 (8%)
Federal Land Crossed (acres)	0
NWI wetlands in construction workspace (acres)	0
National Hydrography Dataset waterbody crossings/surveys (no.)	0
Open Land (Scrub/Shrub) and Developed Land (Road Crossings) in construction workspace (acres)	52.72
Forested land in construction workspace (acres)	0
Agriculture Land (acres)	0
Residences within 50 feet of the pipe centerline (no.)	0
Road crossings	4
Cultural Resources	No effect
USFWS Endangered Species Act Listed Species	No effect

FIGURE 1.8-1 Non-Jurisdictional Facilities (Green Chile Ventures, LLC Pipeline Facilities)



1.9 Cumulative Impacts

As discussed in this Concise Environmental Report, the Project will not result in any significant direct or indirect effects on groundwater, surface water, wetlands, fisheries, wildlife, vegetation, cultural resources, geology, soils, land use, recreation, noise, air quality, or socioeconomics. Given the Project's limited scope, implementation of BMPs and proposed mitigation plans, and the fact that any other projects (such as El Paso constructing interconnect piping within the Green Chile El Paso M&R Station and the Green Chile Ventures, LLC pipeline discussed in Section 1.8) would be anticipated to implement similar BMPs and mitigation measures and comply with federal and state laws and regulations protecting resources, cumulative impacts on environmental resources within the geographic scopes affected by the Project would not be significant when added to other past, present, and reasonably foreseeable future actions.

2.0 WATER USE AND QUALITY

This section describes the existing water resources in the vicinity of the Project, including groundwater resources, surface water resources, and wetlands, that could be affected by construction and operation of the proposed Project and the proposed measures to mitigate any identified impacts to water resources.

To avoid and minimize impacts to groundwater resources, surface water resources and wetlands during construction and operation of the Project, Transwestern will implement the FERC Plan (**Appendix C-1**), Transwestern's *SPAR Plan* (**Appendix C-2**), and Transwestern's *HDD Contingency Plan* (**Appendix C-8**).

2.1 Groundwater Resources

The Project area is located within the Mesilla Valley in Doña Ana County, New Mexico. The Mesilla Basin is one of the southernmost basins of the Rio Grande Rift system, extending from south-central New Mexico across state and international boundaries into west Texas and northern Chihuahua, Mexico. The aquifer system in the Mesilla Valley is a vital component of the region's water supply and hydrologic framework. It is primarily composed of two major units: the Quaternary floodplain alluvium and the Santa Fe Group, which includes both Quaternary and Tertiary deposits. These aquifers are hydraulically connected to the Rio Grande, which serves as a major source of recharge, especially during irrigation seasons when river stages rise and water infiltrates the surrounding sediments (USGS, 1993).

The Santa Fe Group aquifer system is the principal basin-fill aquifer and can reach saturated thicknesses of up to 3,000 feet (Land, 2016). It is informally divided into upper, middle, and lower hydrostratigraphic units. The upper unit, typically extending from the base of the floodplain alluvium to depths of approximately 300 to 500 feet, receives recharge from the shallow valley-fill aquifer and generally has water quality similar to surface sources. The middle unit, which is the most heavily developed for municipal and private drinking water, lies below the upper unit and is commonly accessed by wells drilled to depths ranging from 500 to over 1,000 feet. This unit tends to have better water quality than the upper and lower zones. In contrast, the lower Santa Fe unit, which may extend to depths approaching 3,000 feet, often contains poorer quality water due to increased salinity and mineral content (Land, 2016; Hawley et al., 2001). According to the USGS (USGS, 2025a), the 2025 groundwater level in the Project area is approximately 347 feet below ground surface (Well ID No. USGS 315154106414401) within the Santa Fe Group local aquifer.

The Quaternary Floodplain Alluvium is typically about 100 feet thick and spans up to five miles in width. In the vicinity of the Project area, it is typically found at depths ranging from 10 to 50 feet below ground level, depending on local topography and proximity to the Rio Grande (USGS, 2025a). It exhibits a relatively steep hydraulic gradient, between 4 and 6 feet per mile, indicating active groundwater movement. Water in this zone is generally unconfined to semi-confined, and horizontal permeability far exceeds vertical permeability, facilitating lateral flow. However, salinity tends to increase toward the southern end of the basin and in shallower zones, with the freshest water typically found in deeper layers (Hawley et al., 2001).

The New Mexico Environment Department (NMED) has classified the aquifer underlying the Project area as having "Less" Sensitivity to contamination (NMED, 2025a). This designation is based on hydrogeologic factors such as depth to groundwater, total dissolved solids (TDS), and the absence of vulnerable geologic features like karst formations or fractured bedrock. Areas with "Less" Sensitivity typically have deeper groundwater and lower susceptibility to contamination from surface activities.

2.1.1 Sole Source Aquifers

Sole source aquifers (SSA) are defined by the U.S. Environmental Protection Agency (USEPA), pursuant to Section 1424(e) of the Safe Drinking Water Act (SDWA) of 1974, as an aquifer that provides a sole or principal source (greater than 50 percent) of drinking water for an area, where contamination of the aquifer could create a significant hazard to public health, and where there are not alternative water sources that could reasonably be expected to replace the water supplied by the aquifer. According to the USEPA's designated SSA map for Region 6, the Project area is not located within a sole source aquifer (USEPA, 2025a).

2.1.2 State-designated Aquifers

In addition to the USEPA's Sole Source Aquifer (SSA) program, individual states may implement regulations to protect significant aquifer recharge areas that serve public water supplies. In New Mexico, the Office of the State Engineer (OSE) holds statutory authority over the appropriation, use, and management of both groundwater and surface water resources (OSE, 2025).

To facilitate water resource management, the state has delineated 22 underground water basins, including the Lower Rio Grande Underground Water Basin, where the Project is located. These basins serve as administrative units for managing water rights and allocations.

Within these basins, the OSE may designate Critical Management Areas (CMAs) to identify regions where groundwater resources are under stress or require enhanced oversight. The Project lies within the Mesilla Valley Administrative Area (MVAA), which is recognized as a CMA. These designations are intended to regulate groundwater withdrawals, promote aquifer sustainability, and ensure equitable administration of water rights.

2.1.3 Water Supply Wells and Springs

No public supply, industrial water wells, or springs are located within 0.25 miles of the Project area (NMED, 2025a; USGS, 2025a). Therefore, no impacts on public and private water supply wells and springs are anticipated during construction of the Project.

2.1.4 Groundwater Protection Areas

Under a 1996 amendment to the SDWA, each state is required to develop and implement a Wellhead Protection Program in order to identify the land and recharge areas contributing to public supply wells and prevent the contamination of drinking water supplies. The SDWA was updated in 1996 with an amendment requiring the development of a broader-based Source Water Assessment Program, which includes the assessment of potential contamination to both groundwater and surface water through a watershed approach. States assess and delineate groundwater protection under a combination of these mandates.

The NMED implements Source Water Protection Areas to assist water systems and the public on source water planning. Additionally, the Source Water Protection Program also partners with other state, federal, and local entities for projects that study other potential threats and issues to source water (NMED, 2025b).

The Project does not overlie any sole source aquifer systems and there are no water supply wells or Source Water Protection Areas within 0.25 miles of the Project area (NMED, 2025b; USGS, 2025a). Therefore, construction of the Project is not anticipated to affect Source Water Protection Areas or surface or groundwater supply.

2.1.5 Potentially Contaminated Groundwater

To identify potential locations of known groundwater contamination in the Project vicinity, Transwestern conducted a comprehensive review of state and federal environmental databases. This review included state databases maintained by the NMED and federal databases managed by the USEPA. The search targeted sites listed on the federal National Priorities List (Superfund), including delisted sites; Resource Conservation and Recovery Act (RCRA) hazardous waste handlers and generators; facilities with federal or state engineering controls; state and federal brownfield sites; landfills; and petroleum storage tank sites classified as active leaking or no-further-action. Based on the results of this database review, no contaminated sites were identified within 0.25 miles of the Project area (USEPA, 2025b,c; NMED, 2025a, c,d,e). In the event that contamination or potential contamination is encountered during construction, Transwestern has prepared an *Unanticipated Discovery Plan (Appendix C-3)* to guide appropriate response measures.

2.1.6 Construction Impacts and Mitigation

Construction and operation of the Project are not expected to affect groundwater quality, as most construction activities will involve only shallow excavation. No existing groundwater wells are located within 0.25 mile of the Project area; therefore, impacts to existing groundwater wells are not anticipated.

Estimated water volumes required during construction are provided in Section 2.3. Water will be sourced and purchased from a permitted well and existing water right owner or municipal supply source, and no groundwater wells are proposed. Consequently, water use for construction will not affect groundwater availability in the Project area.

The Project will require limited shallow ground disturbance for excavation and underground pipeline installation. The Mesilla Valley is underlain by Quaternary floodplain alluvium (up to approximately 100 feet thick) and the Santa Fe Group aquifer system, which begins at depths of approximately 300 to 500 feet below ground surface. Typical trenching depths for pipeline installation are about seven feet, well above the depth of the primary aquifer. Therefore, interception of groundwater during construction is unlikely. If groundwater is unexpectedly encountered and trench or excavation dewatering becomes necessary, water will be discharged into a well-vegetated upland area or an upland area surrounded by sediment control structures, in accordance with the FERC Plan (**Appendix C-1**).

Clearing, grading, and soil compaction may temporarily reduce surface infiltration, but impacts will be minor because disturbed areas will be restored to pre-construction conditions following construction. No blasting is planned, further reducing potential groundwater impacts.

The HDD method, proposed for the railroad crossing and crossing of a paved road and overhead utility line, requires the use of drilling mud to maintain borehole stability. Although proper design minimizes risk, inadvertent releases can occur if fractures develop in underlying sediments. If drilling fluids contact groundwater, temporary turbidity impacts may result. Transwestern's drilling fluid will consist of bentonite clay and water, which is non-toxic and chemically inert, and any impacts will be short term. Transwestern has developed an *HDD Contingency Plan (Appendix C-8)* outlining procedures to prevent and respond to inadvertent returns, consistent with FERC's 2019 *Guidance for Horizontal Directional Drill Monitoring, Inadvertent Return Response, and Contingency Plans*.

No known groundwater contamination exists in the Project area, and encountering contaminated groundwater is not anticipated. Potential spills of hazardous liquids (e.g., fuel, oil) could pose a risk to groundwater quality. Transwestern's *SPAR Plan (Appendix C-2)* includes measures to prevent spills and outlines reporting procedures in compliance with applicable regulations.

Overall, the Project is not expected to result in significant impacts to groundwater resources. Any potential effects will be avoided or minimized through standard and specialized construction techniques implemented in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**).

2.1.7 Operation Impacts and Mitigation

Project operations are not anticipated to adversely impact either groundwater quality or supply. The Project does not include any new permanent aboveground facilities that will require long-term groundwater use.

During operations, impacts to groundwater resources will be avoided or minimized with the use of BMPs and protective measures in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**).

2.2 Surface Water Resources

This section details the use and quality of existing surface water resources that could be affected by the Project, identifies sensitive waters if they occur near the Project area, and provides information regarding existing surface water supply protection areas. Subsections also describe potential impacts to surface waters and proposed methods to minimize and mitigate those impacts.

2.2.1 Watersheds

The EPA defines a watershed as “an area of land where all of the water that is under it or drains off of it goes to a common waterway, such as a stream, lake, estuary, wetland, aquifer, or even the ocean”. Watersheds form natural boundaries within a land mass and are geographically focused and hydrologically defined. Watersheds are delineated by USGS using a nationwide system based on surface hydrological features. As listed in **Table 2.2-1**, the Project is located within five watersheds defined by the U.S. Geological Survey (USGS) at the 12-digit hydrologic unit code (HUC) or subwatershed level (NMED, 2025a).

TABLE 2.2-1			
Watersheds Crossed by the Green Chile Project			
Facility	County	Milepost	Watershed / Hydrologic Unit Code (HUC)
Pipeline Facilities			
Green Chile Lateral	Doña Ana	MP 0.0 to MP 3.40	Black Mountain (HUC 130301020903)
		MP 3.40 to MP 5.13	La Union-Rio Grande (HUC 130301020904)
		MP 5.13 to MP 8.36	Nunn Ranch (HUC 130301020901)
		MP 8.36 to MP 11.87	City of Santa Teresa (HUC 130301020902)
		MP 11.87 to MP 17.77	No Name (HUC 130301021008)
Aboveground Facilities			
Green Chile El Paso M&R Station	Doña Ana	Entire Site	Black Mountain (HUC 130301020903)
Green Chile M&R Station	Doña Ana	Entire Site	No Name (HUC 130301021008)
Contractor Yard			
Contractor Yard 1	Doña Ana	Entire Site	No Name (HUC 130301021008)
Access Roads			

TABLE 2.2-1			
Watersheds Crossed by the Green Chile Project			
Facility	County	Milepost	Watershed / Hydrologic Unit Code (HUC)
Permanent Access Road at Green Chile El Paso M&R Station	Doña Ana	Entire Road	Black Mountain (HUC 130301020903)
Permanent Access Road at Green Chile M&R Station	Doña Ana	Entire Road	No Name (HUC 130301021008)
Source: NMED, 2025a			

2.2.2 Waterbodies

Waterbodies include any natural or artificial stream, river, or drainage with perceptible flow at the time of crossing, and other permanent waterbodies such as ponds and lakes. The U.S. Army Corps of Engineers (USACE) has jurisdiction over waters of the U.S., which include certain wetlands and waterbodies pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act (RHA).

Sensitive waterbodies include waterbodies that do not meet state water quality standards; those waterbodies supporting threatened and endangered (T&E) species and critical habitats; waterbodies crossed near a surface water intake; waterbodies designated as exceptional quality; and waterbodies listed on the National Rivers Inventory.

Transwestern conducted field surveys in December 2025, January 2026, March, and July 2026 to identify wetlands and waterbodies within the Project area in Doña Ana County, New Mexico. The survey methodology and results of field surveys are described in the Wetland Delineation and Waterbody Survey Report in **Appendix F**. Surveys are complete, and six ephemeral streams were identified in the Project area and detailed in Table 2.2-2 (see mapping in **Appendix A-4**). As classified in the Wetland Delineation and Waterbody Survey Report, **Appendix F**, these waterbodies are first order hillside erosional tributaries to the Rio Grande River and not considered jurisdictional under the Clean Water Act.

TABLE 2.2-2			
Waterbodies Crossed by the Green Chile Project			
ID	Feature Type	Nearest Milepost	Project Facility
S-OP3-002	Ephemeral Stream/Drainage	0.20	Green Chile Lateral Construction Workspace and Permanent Easement; Crossed by the Green Chile Lateral
S-OP3-003	Ephemeral Stream/Drainage	0.20	Green Chile Lateral Permanent Easement
S-OP3-004	Ephemeral Stream/Drainage	0.17	Green Chile Lateral Construction Workspace and Permanent Easement; Crossed by the Green Chile Lateral
S-OP3-005	Ephemeral Stream/Drainage	0.11	Green Chile Lateral Construction Workspace and Permanent Easement; Crossed by the Green Chile Lateral
S-OP3-006	Ephemeral Stream/Drainage	MP 0.00	ATWS 1-4, Green Chile El Paso M&R Station
S-OP3-007	Ephemeral Stream/Drainage	MP 0.00	Green Chile El Paso M&R Station
Source: OnPointe 2026			

2.2.3 Contaminated Sediments

As discussed in Section 2.1.5, no potentially contaminated sites were identified within 0.25-mile of the proposed Project in Doña Ana County, New Mexico. Additionally, no waterbodies will be crossed by the Project. Therefore, the Project will not cause the re-suspension or spread of sediment contaminants.

2.2.4 Public Watershed Areas

The Project is not located within or adjacent to any municipal watershed area, associated reservoirs, or surface water protection areas. The Project will not have adverse impacts on any public watershed areas.

2.2.5 Floodplains

According to the most recent Federal Emergency Management Agency (FEMA) floodplain maps (FEMA, 2025), the majority of the Project area is located within Zone X, which is classified as an area of minimal flood hazard. A few small isolated, low-lying areas along the Green Chile Lateral fall within Zone A, which corresponds to the 1% annual chance floodplain (commonly referred to as the 100-year floodplain). All proposed aboveground facilities are located within Zone X and therefore are not expected to be impacted by flood hazards.

2.2.6 Construction Impacts and Mitigation

Impacts to surface water resources are considered direct if the surface water is located within the proposed construction workspace and is temporarily or permanently disturbed. Indirect impacts include effects such as potential changes in downstream water quality or off-site migration of pollutants.

2.2.6.1 Waterbody Crossings

As discussed in Section 2.2.2, **six non-jurisdictional ephemeral streams/drainages** are present in the Project area. **Construction** and operation of the Project result in direct impacts on waterbodies. The implementation of Transwestern's *SPAR Plan* (see **Appendix C-2**) will avoid and minimize potential surface water contamination if a spill were to occur during installation of the Project.

The alignment crosses six non-jurisdictional ephemeral streams. Two of these features, S-OP3-006 and S-OP3-007, are located within the proposed Green Chile M&R Station footprint and will be permanently filled to facilitate construction of station facilities. The remaining four ephemeral streams will be crossed by the pipeline right-of-way and temporary construction workspaces. Impacts to these features will be limited to temporary construction-related disturbance, and the streams are expected to be restored following construction in accordance with the Project's restoration procedures.

Stormwater runoff and erosion could result in indirect impacts (e.g., sedimentation, turbidity) to surface waters adjacent to the Project area. However, these effects will be avoided and minimized by installation and maintenance of sediment and erosion control BMPs throughout construction in accordance with the FERC Plan (**Appendix C-1**). Sediment and erosion control BMPs will remain in place until revegetation is determined to be successful, thus limiting potential effects during the Project construction.

No potentially contaminated sites were identified within 0.25-mile of the proposed Project in Doña Ana County, New Mexico. Therefore, the Project will not cause the re-suspension or spread of sediment contaminants.

2.2.6.2 Floodplain

According to the most recent FEMA floodplain mapping (FEMA, 2025), the majority of the Project area, including all aboveground facilities, is located within Zone X, which is classified as a minimal flood hazard area and lies above the 500-year flood level. A few small isolated, low-lying areas along the Green Chile Lateral fall within Zone A which are subject to inundation by a 1-percent-annual-chance flood event (commonly referred to as the 100-year floodplain).

The installation of buried pipeline within these areas is not expected to impact floodplain function, as the pipeline will be installed below the ground surface and the land will be restored to preconstruction contours upon completion. Any temporary alterations to drainage patterns or surface water flow during construction are anticipated to be minor and short-term.

Following pipeline installation and backfilling, the construction ROW will be restored to original contours and allowed to naturally revegetate. These restoration measures will ensure that the Project does not affect floodplain storage capacity and will not be significantly impacted by flood hazards.

2.2.7 Operation Impacts and Mitigation

Project operations are not anticipated to adversely impact jurisdictional surface water resources. The construction of the Green Chile El Paso M&R Station will result in the permanent fill of non-jurisdictional ephemeral streams S-OP3-006 and S-OP3-007. Routine maintenance activities will include mowing, cutting, and trimming vegetation as necessary. Vegetation maintenance requirements are expected to be minimal at the Project site. The frequency of the vegetation maintenance will depend upon the vegetation growth rate. These activities will adhere to the FERC Plan (Appendix C-1), and Transwestern's SPAR Plan (Appendix C-2) and are not expected to have any noticeable impact on surface waters within the Project area. The proposed Project will not result in any significant changes to current operations and will not result in any surface water use.

2.3 Water Use Requirements

Table 2.3-1 summarizes the water requirements for hydrostatic testing, HDD installation, and dust suppression during construction of the Project facilities. Transwestern does not anticipate any water use during operation at the Project facilities.

No surface water withdrawals are proposed for hydrostatic testing, HDD installation, and dust suppression. All water required for construction will be sourced or purchased from a private landowner's existing well or municipal supply source and transported to the site by truck.

Hydrostatic test water will be discharged to well-vegetated and stabilized upland areas, where practicable, and in accordance with the FERC Plan (Appendix C-1) and applicable permit conditions. The test water will contact only new pipe, and no chemicals are anticipated to be used for testing or drying of the facility piping and pipeline segment following hydrostatic testing. Sampling and discharge of hydrostatic test water will be conducted in accordance with permit requirements and the FERC Plan (Appendix C-1), ensuring that surface water quality will not be adversely affected.

Additionally, water may be required for dust control during construction. This water will also be obtained from a private well or municipal supply source, and its use will be managed to minimize environmental impacts.

TABLE 2.3-1
Construction Water Use Requirements for the Project

Construction Activity	Facility / Location	Approximate Water Use (gallons)	Source	Discharge Location
Hydrostatic Testing	Green Chile Lateral	2,066,770	Private well or municipal supply source	Adjacent Upland Area
	Green Chile El Paso M&R Station	13,000	Private well or municipal supply source	Adjacent Upland Area
	Green Chile M&R Station	12,500	Private well or municipal supply source	Adjacent Upland Area
Road Bore	Green Chile Lateral - CR A020	2,565	Private well or municipal supply source	Adjacent Upland Area
HDD 01	Green Chile Lateral Railroad HDD	34,165	Private well or municipal supply source	Adjacent Upland Area
Dust Suppression	Green Chile Lateral ^a	1,662,720	Private well or municipal supply source	Adjacent Upland Area
	Green Chile El Paso M&R Station			
	Green Chile M&R Station			
PROJECT TOTAL		3,791,720		
Note: ^a Includes access roads and contractor yard.				

2.4 Wetlands

Wetlands are areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (USACE, 1987).

2.4.1 Existing Resources

Transwestern conducted a wetland and waterbody field survey of the Project area in December 2025 and January 2026 in accordance with USACE's 1987 *Corps of Engineers Wetland Delineation Manual* (USACE, 1987) and 2008 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0; September 2008; USACE 2008), as well as FERC's requirements from the 2017 Guidance Manual for Environmental Report Preparation. Wetland types are typically assigned based on the National Wetlands Inventory (NWI) classifications as described in Cowardin et al. 1979. NWI maps for the Project area are provided in **Appendix A-4**.

No wetlands were observed during field surveys conducted for the Project or identified via a review of available NWI data. The field survey report is provided in **Appendix F-1**.

2.4.2 Wetlands of Concern

According to the Conservation Easements by State Geospatial Database available from the U.S. Department of Agriculture (USDA) NRCS GeoSpatial Data Gateway, there are no Wetland Reserve Programs or other conservation easements within the Project area (USDA NRCS, 2025a).

2.4.3 Construction and Operation Impacts and Mitigation

Based on field surveys and a review of available data, the Project will not affect wetlands, and wetlands are not present in the immediate Project vicinity (see **Appendix F-1**). Therefore, construction and operation of the Project will have no effect on wetlands.

3.0 FISH, WILDLIFE, AND VEGETATION

This section describes fishery resources, wildlife habitat, existing vegetation resources, and federally and state-protected wildlife species in the Project area. All sections identify existing resources, potential Project impacts on those resources, and measures to avoid, minimize, or mitigate impacts. Information on fisheries, wildlife, vegetation, and federal and state-listed threatened and endangered species was obtained from review of existing literature, consultation with various federal and state natural resource agencies, and biological field surveys.

To avoid and minimize potential impacts on fisheries, wildlife, and vegetation resources during construction and operation of the Project, Transwestern will implement the FERC Plan (**Appendix C-1**), Transwestern's *SPAR Plan* (**Appendix C-2**) and the Project's *Noxious and Invasive Plant Management Plan* (**Appendix C-6**).

3.1 Fishery Resources

Fisheries resources are surface water areas that provide habitat for fishes and are typically characterized according to water temperature (warmwater or coldwater), salinity (freshwater, marine, or estuarine), and type of fishing use (commercial or recreational). Significant fisheries resources include those waterbodies that either (i) provide important habitat for foraging, rearing, or spawning of fish species; (ii) represent important commercial or recreational fishing areas; or (iii) support large populations of commercially or recreationally valuable fish species or species listed for protection at the federal or state level.

Perennial waterbodies contain water year-round whereas intermittent streams have flowing water during certain portions of the year. Both perennial and intermittent waterbodies generally include habitat for fishes; whereas ephemeral streams and ditches have a restricted flow regime that is dependent on precipitation and generally do not contain suitable or quality fisheries habitat.

3.1.1 Existing Resources

Six ephemeral streams/drainages were identified in the Project area. These ephemeral waterbodies flow only in response to precipitation events and are dry much of the year and would not be expected to sustain fishery resources. As such, the Project will not affect fisheries or fisheries of special concern and they are not addressed further.

3.1.2 Construction Impacts and Mitigation

During construction of the Project, aquatic resources could be affected by changes to water quality via sedimentation or spills or leaks of contaminated materials or habitat loss or modification.

As described in Section 2.2.2, six ephemeral streams were identified in the Project area. Based on a review of available data, an unnamed intermittent tributary, is the closest mapped intermittent or perennial feature to the site. The feature is approximately 100 feet west of the Project's Green Chile El Paso M&R Station and flows east to a canal/ditch (see **Appendix A-4**). Impacts to this feature are expected to be short in duration and minimal. They will be further reduced through the implementation of the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**).

Hydrostatic test and HDD water use for Project construction, will be obtained from an already permitted private well or municipal supply source, and therefore water withdrawals will not affect habitat for fisheries (see Section 2.3). Therefore, no fisheries mitigation measures are proposed other than adhering to the FERC Plan (**Appendix C-1**), and *SPAR Plan* (**Appendix C-2**) during construction of the Project.

3.1.3 Operation Impacts and Mitigation

Operation and routine maintenance of the pipeline ROW and aboveground facilities will adhere to the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**) and will not impact waterbodies and aquatic resources.

3.2 Vegetation

This section describes the vegetation resources that could be affected by the construction and operation of the proposed Project. Included are descriptions of the various plant communities found in the Project areas, descriptions of sensitive and invasive vegetation, and the methods Transwestern will employ to minimize potential impacts on these vegetation resources.

3.2.1 Existing Resources

The Project is located within the Chihuahuan Basin and Playas of the Chihuahuan Deserts ecoregion (USEPA, 2024). This ecoregion is characterized by alluvial fans, internally drained basins, and river valleys primarily situated below 4,500 feet in elevation. These low-lying areas experience hot, arid conditions and feature alkaline or saline soils. Vegetation in this region is adapted to withstand extreme temperature fluctuations, low moisture availability, and nutrient-poor soils.

The New Mexico Department of Game and Fish (NMDGF) classifies terrestrial ecosystems by habitat type to provide detailed information on vegetation composition, ecological function, and conservation priorities (NMDGF, 2025a). According to the New Mexico State Wildlife Action Plan (SWAP), the majority of the Project area is dominated by vegetation characteristic of Chihuahuan Desert Scrub, with interspersed Cliff, Scree, and Rock Vegetation. These habitat types are shaped by arid conditions and low annual precipitation. (NMDGF, 2025a)

Chihuahuan Desert Scrub is a moderate to sparse xeromorphic shrub community characterized by a sparse to dense tall shrub layer dominated or co-dominated by whitethorn acacia (*Acacia constricta*), viscid acacia (*A. neovernicosa*), tarbush (*Flourensia cernua*), and creosote bush (*Larrea tridentata*). Other species may include catclaw acacia (*A. greggii*), sand sagebrush (*Artemisia filifolia*), fourwing saltbush (*Atriplex canescens*), Torrey's jointfir (*Ephedra torreyana*), longleaf jointfir (*E. trifurca*), ocotillo (*Fouquieria splendens*), cactus apple (*Opuntia engelmannii*), mariola (*Parthenium incanum*), soaptree yucca (*Yucca elata*), Torrey's yucca (*Y. torreyi*), skeleton-leaf goldeneye (*Viguiera stenoloba*), and lechuguilla (*Agave lechuguilla*). Many stands of this habitat type lack an herbaceous understory layer and develop a pebbly desert pavement on the soil surface, sometimes with scattered grasses and forbs. If present, the understory is a sparse to moderately dense herbaceous layer dominated by grasses including black grama (*Bouteloua eriopoda*), bush muhly (*Muhlenbergia porteri*), curlyleaf muhly (*M. setifolia*), tobosagrass (*Pleuraphis mutica*), burrograss (*Scleropogon brevifolius*), and mesa dropseed (*Sporobolus flexuosus*). Forb species often are present, but have low cover (NMDGF, 2025b). Additional details regarding vegetation in the Project area are included in **Appendix F**.

Cliff, Scree and Rock Vegetation habitat type occurs in all ecoregions and elevations of New Mexico and is characterized by near-barren and sparsely vegetated landscapes on substrates such as mountain slopes, volcanic deposits, bedrock, badlands, outcrops, dunes, cliffs, narrow canyons, sandsheets, and unstable scree and talus that typically occur below cliffs (NMDGF, 2025a). These substrates often limit plant growth due to factors such as strong alkalinity or salinity, thin or unstable soils, and heavy clay content that restricts water infiltration. Lower elevation sites may support herbaceous or shrub species, many of which are more common in adjacent habitats. Some areas also support endemic perennial species adapted to rocky conditions (NMDGF, 2025a).

3.2.1.1 Unique, Sensitive, and Protected Vegetation Communities

Vegetative communities of special concern include ecologically important natural communities, unique or critical plant communities, threatened or endangered plant species, or other rare and imperiled plants in need of special protection or minimal disturbance.

Based on data from the USFWS Environmental Conservation Online System (ECOS) Information for Planning and Consultation (IPaC) and USEPA NEPA Assist Screening Tool, the Project does not intersect any federally designated critical, unique, or sensitive plant communities of concern including USFWS-designated Critical Habitat, BLM Areas of Critical Environmental Concern, and Habitat Areas of Particular Concern (USFWS IPaC, 2025; USEPA, 2025b). Additional discussion of protected plant species is provided in Section 3.4.

The NMDGF, in collaboration with the New Mexico Forestry Division, has identified 133 Important Plant Areas (IPAs) across the state. These areas are recognized for their ecological significance, supporting a diversity of sensitive plant species or representing the last remaining habitats for New Mexico's most endangered flora. Each IPA is assigned an IPA-Biodiversity Rank to help prioritize conservation efforts, although IPAs are not regulatory designations and do not carry formal legal protection. Instead, they serve as conservation planning tools to guide voluntary BMPs and land stewardship (NM EMNRD, 2025c).

The Green Chile Lateral crosses approximately 10.5 miles of the Lower Mesilla Valley IPA, extending from MP 0.0 to MP 10.5. This IPA is ranked as having "moderate biodiversity significance" and is recognized for its ecological value and the presence of rare plant species. (NMDGF, 2025c; NM EMNRD, 2025c). No formal regulatory requirements apply to IPAs. Transwestern has coordinated with the NMDGF to minimize potential impacts to sensitive plant communities during construction and operation (See **Appendix D-2**).

3.2.1.2 Managed Lands

Protected areas are considered to be areas that are designated or directly managed by federal, state, or local agencies, or private landowners with the specific goal of creating or protecting wildlife habitat or vegetation.

As discussed in Section 8.4, the Project will be installed on land managed by the BLM (approximately **16.63** miles or **93.6** percent), and private lands (**1.14** miles or **6.4** percent). No other specially designated areas will be crossed or are within 0.25 mile of the Project area including the following: national or state forests; wild and scenic rivers; national wildlife refuges; national wilderness preservation system lands; waterfowl production areas; state nature preserves; state recreation areas or trails; state game management areas; registered natural landmarks; national or state scenic byways; Indian reservation lands; state, county, or local parks; or campgrounds (USEPA, 2025b; BLM, 2025a; National Park Service [NPS], 2025a,b,c; U.S. Forest Service [USFS], 2025; National Wild and Scenic Rivers System [NWSRS], 2025). Based on a search of the National Conservation Easement Database (NCED, 2025), no conservation easements were identified within or near the Project area. The Project is not within agricultural land and will not affect specialty crops. The closest wilderness area (managed by the BLM), Aden Lava Flow Wilderness Area, is approximately **8.0** miles west of the Green Chile Lateral (BLM, 2025a).

3.2.1.3 Invasive Species

Invasive plant species are nonnative species that have been introduced from another part of the U.S. or another country and display rapid growth and spread. These species can outcompete native vegetation and change the composition of native vegetation communities and reduce the quality of habitat for wildlife and native plant species.

Two invasive plant species (prickly Russian thistle [*Salsola tragus*] and Palmer amaranth [*Amaranthus palmeri*]) were identified in the Project area during field surveys. **Table 3.2-1** lists the observation locations and distance from the pipeline centerline.

To minimize the potential for the spread of invasive species, Transwestern will revegetate upland areas in accordance with the FERC Plan (**Appendix C-1**), BLM requirements, and implement the Project's *Noxious and Invasive Plant Management Plan* (**Appendix C-6**). These measures are designed to reduce the risk of introducing or spreading noxious and invasive vegetation during both construction and operation of the Project. Revegetation efforts will follow New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* for seeding rates and mixes, as outlined in **Appendix C-5**, and will also comply with applicable permit conditions and landowner (i.e., BLM) requirements. Additionally, Transwestern will implement the FERC Plan (**Appendix C-1**) during construction activities and throughout the installation and maintenance of erosion controls, cleanup, and restoration efforts to further minimize the potential for invasive species dispersal through displaced soils. Where clearing is required, vegetation will be cut at the ground surface, and rootstock will be retained in temporary workspaces wherever feasible to promote natural revegetation following Project completion.

TABLE 3.2-1		
Invasive Species Identified Within the Project Area		
Invasive Species Name	Observation Locations Milepost (MP)	Distance from Pipeline Centerline (feet)
Pipeline and Aboveground Facilities		
Prickly Russian Thistle (<i>Salsola tragus</i>)	3.87	145.66
	10.60	5.80
	10.77	19.76
	11.09	95.51
	11.21	61.19
	11.38	48.66
	11.49	11.17
	12.04	8.29
	12.80	148.50
	12.93	17.55
	13.38	135.44
	13.59	39.80
	13.94	7.46
	14.44	22.95
	15.05	21.09
	15.21	79.47
	15.87	4.65
	16.56	67.73
	17.54	75.14
Palmer Amaranth (<i>Amaranthus palmeri</i>)	11.80	98.90
	16.83	166.05
Note: Field survey report is included in Appendix F-1.		

3.2.2 Construction Impacts and Mitigation

Construction of the proposed Project will result in both temporary and permanent impacts to vegetation. These impacts will occur due to clearing, grading, and removal of existing vegetation to accommodate trenching, equipment access, and installation of pipeline and aboveground facilities. A summary of the

vegetation cover construction impacts is presented in **Table 3.2-2**. No wetlands, unique or protected vegetation communities were identified in the Project area.

Construction of the proposed pipeline will require clearing and grading of an 80-foot-wide construction ROW, consisting of a 50-foot-wide permanent easement and 30-foot-wide temporary workspace. ATWS areas will also be cleared as needed during construction. Vegetation impacts within these areas will occur due to trenching, equipment access, and pipeline installation, resulting in the temporary disturbance of approximately **180.52** acres of shrub/scrub vegetation (i.e., open land).

These areas will be restored following construction and allowed to return to preconstruction vegetation cover, consisting primarily of native shrub and herbaceous species. Shrubs are generally allowed to regrow naturally in the permanent ROW, provided they do not interfere with pipeline access or visibility. Therefore, following construction, the permanent easement, temporary workspace, and ATWS areas will be allowed to return to pre-existing vegetation communities.

Vegetation recovery will vary by species type and site conditions. Herbaceous vegetation is expected to reestablish within one to two growing seasons. In contrast, shrub species in this region typically require five to ten years to regain their woody structure and ecological function, depending on precipitation, soil characteristics, and the intensity of disturbance.

Although the construction ROW will be allowed to revegetate over time, it represents a long-term impact due to the slow growth rates of desert vegetation, particularly woody shrubs. Routine vegetation maintenance may also be required in the permanent ROW to ensure safe and reliable operation of the pipeline system.

To minimize temporary vegetation impacts, Transwestern will implement BMPs outlined in the FERC Plan (**Appendix C-1**) and any requirements set forth by BLM. These include temporary erosion control measures, topsoil segregation in select areas, soil compaction mitigation, and limited routine vegetation maintenance. Revegetation efforts will follow New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* for seeding rates and mixes (**Appendix C-5**) and will comply with applicable permit conditions and landowner (i.e., BLM) requirements. Where feasible, vegetation will be cut at ground level and rootstock retained to promote natural regrowth. Transwestern will also implement the Project's *Noxious and Invasive Plant Management Plan* (**Appendix C-6**) to further minimize the potential for invasive species dispersal through displaced soils.

Permanent vegetation impacts will occur at aboveground facility locations and associated permanent access roads. These impacts will be confined to a relatively small area, with approximately **3.87** acres of shrub/scrub vegetation (i.e., open land) and **0.16** acres of developed land permanently affected. These areas will be converted to non-vegetated, operational use and will not be subject to revegetation.

In summary, construction of the Project is not anticipated to result in significant impacts on vegetation, as the majority of disturbed areas will be restored and allowed to return to preconstruction use. Implementation of BMPs, revegetation protocols, and invasive species controls will support successful vegetation recovery and long-term habitat stability in the Project area.

TABLE 3.2-2
Vegetative Communities Affected by Construction and Operation of the Project (Acres)

Facility/ County, State		Open Land (Shrub/Scrub)		Developed (Transportation ROW)		Total	
		Const. ^{a,b}	Oper. ^c	Const.	Oper.	Const.	Oper.
Pipeline Facilities							
Green Chile Lateral	Pipeline ROW	169.91	106.54	1.21	1.01	171.12	107.77
ATWS ^d		6.59	0.00	0.29	0.00	6.88	0.00
Contractor Yard ^e		10.0	0.00	0.00	0.00	10.0	0.0
Access Roads (Permanent) ^f		0.16	0.16	0.06	0.06	0.22	0.22
Subtotal		186.66	106.70	1.57	1.07	188.22	107.77
Aboveground Facilities							
Green Chile El Paso M&R Station		2.50	2.50	0.08	0.08	2.59	2.59
Green Chile M&R Station		1.36	1.36	0.08	0.08	1.44	1.44
Subtotal ^g		3.86	3.86	0.16	0.16	4.03	4.03
PROJECT TOTAL		190.52	110.56	1.73	1.23	192.25	111.8

Notes:

Const. = Construction; Oper. = Operation

^a Land affected during construction includes both temporary and permanent work areas.

^b Construction of the Green Chile Lateral will typically require an 80-foot-wide construction ROW, consisting of 30 feet of temporary workspace and 50 feet of permanent ROW (See aerial alignment sheets in **Appendix A-3**).

^c Operation of the Green Chile Lateral will occupy a 50-foot-wide permanent ROW. The permanent (operation) ROW will be allowed to convert back to preconstruction vegetation conditions (i.e., shrub/scrub) following construction.

^d ATWS will be required for construction of the Green Chile Lateral (3.20 acres), Green Chile El Paso M&R Station (2.47 acres), and Green Chile M&R Station (1.22 acres) totaling 6.88 acres. The location, purpose, size, of the proposed ATWS are summarized in **Table 8.1-5**.

^e One contractor yard will be utilized for storage and staging of pipe, equipment, materials and temporary office trailers during construction of the Project (see **Table 8.1-7**).

^f Two permanent access roads will be constructed to access the M&R Station sites during operation of the Project (see **Table 8.1-6**). No new temporary access roads will be required during construction as Transwestern will use the construction ROW for access.

^g The numbers in this table have been rounded for presentation purposes. As a result, the totals may not reflect the sum of the addends.

3.2.3 Operation Impacts and Mitigation Measures

Following construction, shrubs and native vegetation will be allowed to naturally regenerate within the temporary construction ROW and ATWS areas. In the permanent ROW, a 10-foot-wide corridor centered over the pipeline may be maintained in an herbaceous state annually or as needed to facilitate pipeline inspection and access.

Vegetation maintenance activities within the remainder of the permanent ROW will be conducted no more than once every three years and will require the removal of woody vegetation to maintain safe access and visibility. However, Transwestern anticipates that the need for routine vegetation maintenance will be infrequent, due to the dominance of desert scrub vegetation types in the Project area, which typically exhibit slow growth and low biomass accumulation.

Operation and routine maintenance of the pipeline ROW and aboveground facilities will be conducted in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**), ensuring compliance with environmental protection standards and minimizing disturbance to surrounding vegetation.

The addition of the pipeline lateral and new aboveground facilities is not expected to result in significant permanent impacts to vegetative communities in the Project area. Vegetation outside of the permanent facility footprints will be allowed to return to preconstruction conditions, and long-term impacts will be limited through adherence to established maintenance protocols.

3.3 Wildlife

Wildlife resources evaluated in this section include terrestrial animal species and their habitats that could potentially be affected by the proposed Project. Protected wildlife species are discussed in Section 3.4 (*Endangered, Threatened, and Special Status Species*).

3.3.1 Existing Resources

3.3.1.1 Chihuahuan Desert Scrub Habitat

The suitability of an area as habitat for wildlife is closely related to the vegetation of that area. Within the Project area, vegetation is characteristic of the Chihuahuan Desert Scrub, with interspersed Cliff, Scree, and Rock Vegetation as described in Section 3.2. The Chihuahuan Desert Scrub habitat supports a diverse array of wildlife species adapted to arid conditions, sparse vegetation, and rugged terrain. These species are well-suited to the xeric shrublands, gravelly alluvial fans, and sandy plains typical of the region. Many are nocturnal or crepuscular, avoiding daytime heat, and rely on burrows, camouflage, or seasonal activity patterns for survival.

The Chihuahuan Desert Scrub habitat supports a diverse array of wildlife species adapted to arid conditions, sparse vegetation, and rugged terrain. Common mammal species that could be present in the Project area include mule deer (*Odocoileus hemionus*), collared peccary (*Pecari tajacu*), black-tailed jackrabbit (*Lepus californicus*), kit fox (*Vulpes macrotis*), gray fox (*Urocyon cinereoargenteus*), bobcat (*Lynx rufus*), desert cottontail (*Sylvilagus audubonii*), rock squirrel (*Otospermophilus variegatus*), Mexican free-tailed bat (*Tadarida brasiliensis*), and various kangaroo rats and pocket mice (NMDGF, 2025c).

Bird species include greater roadrunner (*Geococcyx californianus*), loggerhead shrike (*Lanius ludovicianus*), Abert's Towhee (*Melospiza aberti*), Bell's vireo (*Vireo bellii*), Bendire's thrasher

(*Toxostoma bendirei*), burrowing owl (*Athene cunicularia*), Cassin's sparrow (*Peucaea cassinii*), gray vireo (*Vireo vicinior*), and common nighthawk (*Chordeiles minor*) (NMDGF, 2025c).

Reptiles and amphibians that frequent this habitat include desert massasauga (*Sistrurus catenatus edwardsii*), western diamondback rattlesnake (*Crotalus atrox*), horned lizard (*Phrynosoma* spp.), Eastern side-blotched lizard (*Uta stansburiana* ssp. *stejnegeri*), and Eastern barking frog (*Craugastor augusti*) (NMDGF, 2025c).

3.3.1.2 Developed Land and Other Human Use

Developed land, which includes roads, railroads, and utility corridors, comprises less than one percent of the Project area. These areas generally provide poor habitat for wildlife. Typical wildlife species that may be found in developed land include squirrels, mice, skunks, and raccoons. Many species found in developed areas are considered opportunistic species that inhabit a number of the other habitat types found along the Project. These species have adapted to use developed areas.

3.3.2 Unique and Sensitive Wildlife and Habitat

Based on data from the USFWS ECOS IPaC and USEPA NEPA Assist Screening Tool, the Project does not intersect any federally designated critical, unique, or sensitive plant communities of concern including USFWS-designated Critical Habitat, BLM Areas of Critical Environmental Concern, and Habitat Areas of Particular Concern (USFWS IPaC, 2025; USEPA, 2025b).

Approximately 93.6 percent of the pipeline lateral will be located on BLM managed land. According to the BLM, no unique or sensitive wildlife habitat has been identified in the Project area. The Project area has very low resource potential for supporting sensitive wildlife and plant species (see email correspondence from Steven Torrez dated November 5, 2025, in **Appendix D-3**). A review of the BLM New Mexico Statewide Spatial Data map does not show any conservation lands or sensitive species in the vicinity of the Project (BLM, 2025a).

3.3.3 Construction Impacts and Mitigation

The Project area contains habitat that could support a variety of common wildlife species, including mammals, birds, reptiles, and amphibians. Construction activities are expected to result in both temporary and permanent impacts on wildlife habitat.

Temporary impacts are primarily related to habitat disturbance during construction activities, such as vegetation clearing, grading, equipment operation, and increased human presence. These disturbances may cause more mobile species to avoid the immediate Project area and could result in indirect effects such as displacement, avoidance of work zones, and, in some cases, abandoned reproductive efforts due to noise and activity. Less mobile species, such as small mammals, reptiles, and amphibians, may be more vulnerable to direct harm during ground disturbance.

Permanent impacts are associated with the conversion of open land (e.g., shrubland or grassland habitat) to industrial land for the installation and operation of aboveground facilities. These changes will result in localized, long-term habitat loss within the Project footprint. However, given the limited size of the aboveground facility sites, effects to wildlife are expected to be minor and not significant.

Despite these impacts, construction of the Project facilities is not expected to adversely affect the distribution or regional abundance of wildlife species given the availability and distribution of similar habitat types in the surrounding area, the relatively short duration of construction (approximately 4 months),

and the implementation of mitigation measures by Transwestern. Following construction, wildlife is expected to return to the general area, as the effects will be localized and temporary.

To minimize impacts to wildlife, Transwestern will comply with the FERC Plan, (**Appendix C-1**) which includes measures to limit vegetation disturbance and stabilize affected areas. Revegetation will be conducted in accordance New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**), as well as with permit conditions and agency or landowner (i.e., BLM) recommendations, where applicable.

Transwestern will implement the following wildlife protection measures, consistent with recommendations from the NMDGF (see **Appendix D-2**):

- **Environmental Training:** All construction personnel will receive environmental training that emphasizes the requirement to avoid harming wildlife during all phases of construction.
- **Concurrent Construction Activities:** To reduce the duration and extent of open trenches, Transwestern will conduct trenching, pipe-laying, and backfilling activities concurrently wherever practicable. This approach minimizes the potential for wildlife entrapment.
- **Trench Protection During Shutdowns:**
 - Trenching activities will be scheduled to avoid leaving trenches open overnight, on weekends, or during holidays whenever feasible.
 - When immediate backfilling is not possible, escape ramps will be installed at intervals of at least 90 meters (preferably 30 meters) with slopes less than 45 degrees (1:1) to allow wildlife to exit the trench.
 - If pipe or cable has been placed but backfilling has not yet occurred, escape ramps will be installed on both sides of the trench to further reduce the risk of wildlife entrapment.
- **Wildlife Exclusion and Monitoring:**
 - Where practicable and without compromising erosion and sediment control, sediment control fencing (silt fence) will be installed around open trenches left overnight to deter wildlife entry.
 - Any trench left open overnight will be inspected the following morning by a qualified biological monitor. If wildlife is present, the monitor will remove animals using appropriate tools (e.g., snake tongs, dip nets) and relocate them at least 50 meters into suitable undisturbed habitat.
 - Only trained personnel will be permitted to handle wildlife; untrained personnel will not attempt removal under any circumstances.
- **Pipe Protection:** Open ends of installed or staged pipe will be capped to prevent wildlife from entering. Any uncapped pipe will be inspected for wildlife prior to installation.

Given the availability of suitable habitat adjacent to the Project area and Transwestern's commitment to minimizing vegetation disturbance and implementing the above protection measures, construction and operation of the Project are not expected to result in significant impacts on wildlife resources.

3.3.4 Operation Impacts and Mitigation

Operation of the Project facilities is not expected to adversely affect the distribution or regional abundance of wildlife species, as the operational ROW will be allowed to return to preconstruction conditions (i.e., shrub/scrub and herbaceous cover) and similar habitat types are present in the immediate Project area. The

Project does not include any new aboveground facilities which will generate significant operational noise or lighting that could disturb wildlife.

Routine operation and maintenance of the pipeline ROW and associated aboveground facilities will be conducted in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**). These plans ensure compliance with environmental protection standards and are designed to minimize disturbance to surrounding vegetation and wildlife habitat.

Operational activities will be limited in scope and frequency and are not expected to result in long-term habitat fragmentation or degradation. Vegetation within the ROW will be maintained to allow access and ensure pipeline integrity, but efforts will be made to preserve native plant communities where feasible. No additional lighting, noise-generating equipment, or continuous human activity is anticipated that would alter wildlife behavior or habitat use in the area.

3.4 Protected Species

3.4.1 Federally Listed Species

The Endangered Species Act of 1973 provides federal protection for plant and animal species listed as threatened or endangered. The ESA recognizes that these species and their habitats possess aesthetic, ecological, educational, historical, and scientific value, and requires their conservation. Under the ESA, an endangered species is one at risk of extinction throughout all or a significant portion of its range, while a threatened species is one likely to become endangered in the foreseeable future. The ESA also protects designated critical habitat, defined as areas essential to the conservation of a listed species. In addition to federal protections, the State of New Mexico has enacted laws safeguarding state-listed threatened and endangered species.

Federal-listed species that may occur within the Project vicinity, along with potential Project-related impacts, are summarized in **Table 3.4-1**. The species list was compiled following a review of the USFWS IPaC spatial database, which identifies federally listed threatened and endangered species potentially occurring in the Project area (**Appendix D-1**).

Field surveys were conducted across 100 percent of the Project area in December 2025 and January, **March, and July 2026**, to assess wildlife presence and habitat suitability for protected species listed in **Table 3.4-1**. The results are documented in the *Environmental Field Survey Report* (**Appendix F-1**).

The Project is located within the known range of four federally protected species, including:

- One threatened species -- Yellow-billed cuckoo (*Coccyzus americanus*);
- One proposed threatened species -- Monarch butterfly (*Danaus plexippus*); and
- Two experimental population, non-essential species (EXPN) -- Mexican wolf (*Canis lupus baileyi*) and northern aplomado falcon (*Falco femoralis septentrionalis*).

According to the USFWS IPaC system, the Project is not located within designated critical habitat for any federally listed species. As summarized in **Table 3.4-1** and discussed in Section 3.4.2, field surveys conducted in December 2025 and January 2026 did not identify any federally listed species.

TABLE 3.4-1

Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area

Species	Federal Listing Status ^a	State Listing Status ^b	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination
Birds					
Bell's vireo ^d (<i>Vireo bellii</i>)	Not Listed	ST	Inhabits young second-growth forests, scrubs, brushlands, and young riparian areas near water in arid regions. Nests are suspended in low branches of trees or shrubs.	Low potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Bendire's thrasher (<i>Toxostoma bendirei</i>)	Not Listed	SGCN	Inhabits relatively open grassland, shrubland, or woodland with scattered shrubs or trees. Nests are typically placed in shrubs, cacti, or trees.	Low potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Black-chinned sparrow (<i>Spizella atrogularis evura</i>)	Not Listed	SGCN	Open stands of creosote bush and large succulents within Chihuahuan Desert Scrub.	Low to moderate potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Common nighthawk (<i>Chordeiles minor</i>)	Not Listed	SGCN	Mountains and plains in open and semi-open areas: open coniferous forests, savanna, grasslands, fields, vicinity of cities and towns. Nesting occurs on the ground on a bare site in an open area. In some areas, this species also nests on flat gravel roofs of buildings	Moderate potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Loggerhead shrike (<i>Lanius ludovicianus</i>)	Not Listed	SGCN	Desert grasslands and shrublands that are generally at lower elevations. Territories usually contain isolated and scattered trees/shrubs.	High potential for suitable habitat. An individual was observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Lucy's warbler (<i>Vermivora luciae</i>)	Not Listed	SGCN	Cavity nester, found in riparian woodlands and in dense mesquite stands in desert valleys	Low potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect

TABLE 3.4-1

Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area

Species	Federal Listing Status ^a	State Listing Status ^b	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination
Northern Aplomado falcon (<i>Falco femoralis septentrionalis</i>)	EXPN ^d	SE	Habitat consists of desert, grasslands and savannahs with scattered trees and shrubs, usually yuccas and mesquites.	No – The Project area does not contain suitable nesting habitat or preferred foraging habitat for the species. No individuals observed during field surveys. This species was identified by the USFWS' IPaC system and NMERT review as potentially occurring within 1 mile of the Project	No effect
Pinyon jay (<i>Gymnorhinus cyanocephalus</i>)	Not Listed	SGCN	Pinyon-juniper woodlands, sagebrush, scrub oak, chaparral, and ponderosa pine forests.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Sprague's pipit (<i>Anthus spragueii</i>)	Not Listed	SGCN	Winter resident in semi-desert grasslands with native mixed-grass prairies with <44% bare ground that have been lightly to moderately grazed.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Vesper sparrow (<i>Pooecetes gramineus</i>)	Not Listed	SGCN	Plains, prairies, dry shrublands, savannas, weedy pastures, fields, sagebrush, arid scrub, and woodland clearings	Moderate potential for suitable habitat. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No adverse effect
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	T	Not Listed	In NM, found in lowland deciduous woodlands, willow and alder thickets, and second-growth woods. Breed in riparian woodlands and similar habitats.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys. This species was identified on the USFWS IPaC system list; the species was not identified during review via the NMERT review but is included on the county public lists for potential occurrence.	No effect

TABLE 3.4-1

Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area

Species	Federal Listing Status ^a	State Listing Status ^b	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination
Western burrowing owl (<i>Athene cunicularia hypugaea</i>)	Not Listed	SGCN	Desert grasslands and shrublands throughout the southwest and will utilize abandoned burrows of prairie dogs, rabbits, ground squirrels, foxes, and badgers for nesting.	Low to moderate potential for suitable habitat. Eighteen burrows were recorded within the Project Survey Corridor. Burrows are considered active for burrowing owl occupancy only when evidence such as fresh tracks, feathers, whitewash, bits of trash, cattle dung, or scat was present at the burrow entrance. Burrows showing cobwebs, debris, or other obstructions, and lacking any signs of owl activity, were classified as inactive. No burrowing owl individuals were observed during field surveys. In the absence of these indicators of use, all documented burrows in the Project area were determined to be inactive and not currently occupied by burrowing owls with no previous usage noted.	No adverse effect - Transwestern will coordinate with NMDGF if burrowing owl nests cannot be avoided during construction to ensure that appropriate protective measures are implemented (see Section 3.4.2.2).
Mammals					
Mexican wolf (<i>Canis lupus baileyi</i>)	EXPN	Not Listed	Found in mountain woodlands and forested areas with adjacent grasslands and shrublands. The Blue Range Wolf Recovery Area in Arizona and New Mexico is one of the primary zones for reintroduced populations.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys.	No effect
Spotted bat (<i>Euderma maculatum</i>)	Not Listed	ST	Found in desert scrubs and open forests in mountainous habitat near bodies of water. Roosts on vertical cliffs and in open canyons.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys. Identified by the NMERT as potentially occurring within 1 mile of the Project.	No effect
Amphibians					
Eastern barking frog (<i>Craugastor augustinianus</i>)	Not Listed	SGCN	Found in outcrops or caves on rocky slopes in often scrubby oak or pine-oak woodlands at elevations of about 4,200-6,200 feet.	No – Suitable habitat is not present in the survey area. No individuals observed during field surveys. This species was identified by the NMERT review as potentially occurring within 1 mile of the Project	No effect
Reptiles					

TABLE 3.4-1

Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area

Species	Federal Listing Status ^a	State Listing Status ^b	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination
Rock rattlesnake (<i>Crotalus Lepidus</i>)	Not Listed	SGCN	Lives in rocky, mountainous, arid, and semi-arid regions of the Southwestern U.S. and Mexico, favoring crevices, outcrops, and talus slopes in pine-oak forests, juniper woodlands, and desert canyons, using camouflage to hide among rocks and low vegetation.	Low potential for suitable habitat. No individuals were observed during field surveys. This species was identified by the NMERT review as potentially occurring within 1 mile of the Project	No adverse effect
Desert Massasauga (<i>Sistrurus catenatus edwardsii</i>)	Not Listed	SGCN	This species primarily inhabits desert grasslands or shortgrass prairies with sandy soil in valleys, on low sloping alluvial fans, and on rolling grass-covered hills within semidesert grassland habitats.	Low potential for suitable habitat. This species was identified by the NMERT review as potentially occurring within 1 mile of the Project	No adverse effect
Insects					
Monarch butterfly (<i>Danaus plexippus</i>)	PT	Not Listed	Occur in New Mexico in the spring and summer, April - September in habitat that supports milkweed (in particular <i>Asclepias subverticillata</i> and <i>A. speciosa</i>) for their larval. Also known to roost in trees during migration.	Low potential for suitable habitat. Milkweed was not found within the survey area. No individuals observed during field surveys.	Not likely to jeopardize
Plants					
Scheer's beehive cactus (<i>Coryphantha robustispina subsp. scheeri</i>)	Not Listed	SE, BLM Sensitive	Sparse throughout calcareous, loamy soils in desert grassland and Chihuahuan desert scrub, usually in slightly-sloping to nearly level gravelly or silty soils on or surrounding limestone or gypsum benches, hills and bajadas; 900-1,100 m (2,900-3,600 ft).	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in March and July of 2026.	No adverse effect
Sand prickly-pear (<i>Opuntia arenaria</i>)	Not Listed	SE, BLM Sensitive	Sandy areas, particularly semi-stabilized sand dunes among open Chihuahuan desert scrub, often with honey mesquite and a sparse cover of grasses; 1,160-1,300 m (3,800-4,300 ft).	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in March and July of 2026. This species was identified by the NM EMNRD and BLM as potentially occurring within 1 mile of the Project.	No adverse effect

TABLE 3.4-1

Federally and State-Listed Threatened and Endangered Species and BLM Sensitive Species with Potential to Occur in the Project Area

Species	Federal Listing Status ^a	State Listing Status ^b	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination
Night-blooming cereus (<i>Peniocereus greggii</i> var. <i>greggii</i>)	Not Listed	SE, BLM Sensitive	Mostly in sandy to silty gravelly soils in gently broken to level terrain in desert grassland or Chihuahuan desert scrub. Typically found growing up through and supported by shrubs, especially <i>Larrea divaricata</i> and <i>Prosopis glandulosa</i> .	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in March and July of 2026. This species was identified by the NM EMNRD and BLM as potentially occurring within 1 mile of the Project	No adverse effect

Notes:

- ^a Federal Status: E - Endangered T - Threatened EXPN - Experimental Population, Non-Essential (EXPN) Species
- ^b State Status: SE – State Endangered ST –State Threatened SGCN = Species of Greatest Conservation Need
- ^c Potential to occur within the Project area is based on habitat observed during field surveys (see Appendix F-1)
- ^d Experimental Population, Non-Essential (EXPN) – A non-essential population is not necessary for the continued existence of the species. For the purposes of consultation, non-essential experimental populations are treated as threatened species on National Wildlife Refuge and National Park land (require consultation under 7(a)(2) of the ESA) and as a proposed species on private land (no section 7(a)(2) requirements, but Federal agencies must not jeopardize their existence (section 7(a)(4))).
- ^e This determination is appropriate when the proposed project is not expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat.

Source: USFWS IPaC, 2025; NMGF, 2025c (see Appendix D and F)

3.4.1.1 State-Listed Species

State-listed species were identified using the NMDGF New Mexico Environmental Review Tool (NMERT) spatial database, which is maintained in partnership with Natural Heritage New Mexico (NHNM) (NMDGF, 2025c) as well as through direct agency consultation. The NMDGF preliminary environmental screening report and supplemental agency correspondence are provided in **Appendix D-2**. Additional consultation was conducted with the NMDGF and New Mexico Endangered Plant Program of the Energy, Minerals, and Natural Resources Department (NM EMNRD). State-Listed Species that may occur in the Project area, along with potential for suitable habitat and Project-related impacts, are summarized in **Table 3.4-1**.

The NMERT screening report identified one state-listed endangered species (Aplomado falcon [*Falco femoralis*], two state-listed threatened species (Bell's Vireo [*Vireo bellii*] and spotted bat [*Euderma maculatum*], and twelve state-listed species of greatest conservation need (SGCN) with potential to occur within one mile of the Project area (see **Table 3.4-1**; **Appendix D-2**). The NMERT screening report also noted the potential for burrowing owls (*Athene cunicularia*), designated as a SGCN by NMGFD, in the Project vicinity (**Appendix D-2**). Burrowing owls are protected under the Migratory Bird Treaty Act and under New Mexico state statute. They typically inhabit open, sparsely vegetated areas and nest in underground burrows, often those created by prairie dogs or other mammals.

Consultation with NM EMNRD further indicated that two state-listed endangered plant species (sand prickly-pear [*Opuntia arenaria*], and night-blooming cereus [*Peniocereus greggii* var. *greggii*]) have a high potential to occur within one mile of the Project area.

A discussion of the field survey results is included in Section 3.4.2.

3.4.1.2 BLM Sensitive Species

BLM sensitive species are those that require special management consideration to promote their conservation and to prevent the need for future listing under the Endangered Species Act. The BLM provided a list of “potential” or “verified” BLM sensitive species in the Las Cruces Resource Area, for use in evaluating potential occurrences within the Project area (see **Appendix D-3**). A summary of BLM sensitive wildlife species with potential to occur in the Project area, including habitat requirements and an assessment of potential presence, is provided in **Table 3.4-2**. The list of BLM sensitive wildlife and plant species with no potential to occur based on lack of suitable habitat in the Project area are included in *Environmental Field Survey Report* (**Appendix F-1**).

The BLM species list was reviewed alongside habitat assessments and field survey results to determine whether suitable habitat for any sensitive species is present within the Project area. As summarized in **Table 3.4-2** and discussed in Section 3.4.2, field surveys conducted in December 2025 and January, **March, and July** 2026 did not identify any BLM sensitive species. Habitat in the Project area is characterized by shrub/scrub land, which the BLM has indicated has very low resource potential for supporting sensitive wildlife and plant species (**Appendix D-3**).

TABLE 3.4-2					
BLM Sensitive Wildlife and Plant Species with Potential to Occur in the Project Area					
Common Name (Scientific Name)	State Status^a	BLM Status	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat^c	Effect Determination^b
MAMMALS					
Hoary bat (<i>Lasiurus maculatum</i>)	Not Listed	BLM Sensitive	Sycamore, rabbitbrush, and cottonwood riparian habitats. Found in montane habitat during summer and lowlands during migration.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
Western yellow bat (<i>Lasiurus xanthinus</i>)	ST	BLM Sensitive	Sycamore, rabbitbrush, and cottonwood riparian habitats. Migratory at the northern periphery of their range.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
Lesser long-nosed bat (<i>Leptonycteris yerbabuenae</i>)	ST	BLM Sensitive	Sycamore, rabbitbrush, and cottonwood riparian habitats. 5,498 ft upper elevational limit. Typically found in low elevation desert grassland associations	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
BIRDS					
Chestnut-collared longspur (<i>Calcarius ornatus</i>)	SGCN	BLM Sensitive	Winter resident in open stands of creosote bush and large succulents; semi-desert native grasslands.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
Black-chinned sparrow (<i>Spizella atrogularis evura</i>)	SGCN	BLM Sensitive	Open stands of creosote bush and large succulents within Chihuahuan Desert Scrub.	Low potential habitat in Project area. No individual species observed during field surveys.	No adverse effect
Bendire's thrasher (<i>Toxostoma bendirei</i>)	SGCN	BLM Sensitive	Relatively open grassland, shrubland, or woodland with scattered shrubs or trees. Nests are typically placed in shrubs, cacti, or trees.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
REPTILES					

TABLE 3.4-2
BLM Sensitive Wildlife and Plant Species with Potential to Occur in the Project Area

Common Name (Scientific Name)	State Status ^a	BLM Status	Habitat Requirements	Potential to Occur Based on Presence of Suitable Habitat ^c	Effect Determination ^b
Gila monster (<i>Heloderma suspectum</i>)	SE	BLM Sensitive	Most widely distributed in desert and mesquite-grassland, but also occurs in pine-oak forest, tropical deciduous forest, and thorn forest. It is usually found in rocky foothill regions and avoids open flats.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
INSECTS					
American bumble bee (<i>Bombus pensylvanicus</i>)	Not Listed	BLM Sensitive	Open old fields, farmland rangeland, grassland herbaceous.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
Monarch butterfly (<i>Danaus plexippus plexippus</i>)	Not Listed	BLM Sensitive	Occur in NM in the spring and summer, April - Sept, in habitat that supports milkweed (in particular <i>Asclepias subverticillata</i> and <i>A. speciosa</i>) for their larval. Also known to roost in trees during migration. They have been found throughout Doña Ana County, from Las Cruces to Portales.	Low potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
PLANTS					
Scheer's beehive cactus (<i>Coryphantha robustispina subsp. scheeri</i>)	SE	BLM Sensitive	Sparse throughout calcareous, loamy soils in desert grassland and Chihuahuan desert scrub, usually in slightly-sloping to nearly level gravelly or silty soils on or surrounding limestone or gypsum benches, hills and bajadas; 900-1,100 m (2,900-3,600 ft).	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in March and July of 2026.	No adverse effect
Gypsum scalebroom (<i>Lepidospartum burgessii</i>)	SE	BLM Sensitive	Stabilized gypsum dunes with Chihuahuan desert scrub and arid grassland; 1,050-1,110 m (3,500-3,700 ft).	Low to no potential of suitable habitat in Project area. No individual species observed during field surveys.	No adverse effect
Sandy prickly-pear (<i>Opuntia arenaria</i>)	SE	BLM Sensitive	Sandy areas, particularly semi-stabilized sand dunes among open Chihuahuan desert scrub, often with honey mesquite and a sparse cover of grasses; 1,160-1,300 m (3,800-4,300 ft).	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in July of 2026.	No adverse effect
Night-blooming cereus (<i>Peniocereus greggii</i> var. <i>greggii</i>)	SE	BLM Sensitive	Mostly in sandy to silty gravelly soils in gently broken to level terrain in desert grassland or Chihuahuan desert scrub. Typically found growing up through and supported by shrubs, especially <i>Larrea divaricata</i> and <i>Prosopis glandulosa</i> .	High potential to occur. No individual species were observed during species specific surveys conducted in the Project Area in July of 2026.	No adverse effect

Notes:

^a State Status: ST – State Threatened, SE – State Endangered, SGCN – Species of Greatest Conservation Need

^b Standard construction BMPs and general wildlife protection measures described in Section 3.3 will be implemented to minimize overall disturbance to wildlife and habitat during construction and operation of the Project.

Source: BLM, 2025d (see Appendix D-3 and F-1)

3.4.2 Construction Impacts and Mitigation

3.4.2.1 Federally Listed Species

Field surveys conducted in December 2025 as well as January, March, and July 2026, assessed habitat suitability and the potential presence of federally listed species within the Project area. Survey methods and detailed findings are provided in the *Environmental Field Survey Report* (Appendix F-1). As summarized in Table 3.4-1, no suitable habitat and no federally listed threatened, endangered or EXPN species were observed during these surveys. Additionally, the BLM has indicated that the habitat in the proposed Project area has very low resource potential for supporting wildlife and plant species (see email correspondence from Steven Torrez dated November 5, 2025, in Appendix D-3).

Although the Project area lies within the known range of the yellow-billed cuckoo (*Coccyzus americanus*), suitable riparian woodland habitat required for this species is absent. As a result, the Project area does not provide habitat characteristics typically associated with breeding or foraging yellow-billed cuckoos.

The monarch butterfly (*Danaus plexippus*), a proposed threatened species, was not observed during surveys. Milkweed species, which serve as larval host plants, were not documented within the Project area. While adult monarchs may migrate through the region, the Project area does not contain habitat features indicative of high-use stopover or breeding habitat.

Two EXPN species, the Mexican wolf (*Canis lupus baileyi*) and northern aplomado falcon (*Falco femoralis septentrionalis*), are also within their broader geographic ranges. However, no sign, tracks, or suitable habitat features for either species were identified during field surveys. The Project area consists primarily of shrub/scrub land that does not support the habitat conditions typically used by these species.

Based on the results of field surveys, habitat assessments, and review of the USFWS IPaC species list, construction of the Project would have **no effect** on any federally listed threatened or endangered species and will **not likely jeopardize** the continued existence of Monarch butterfly. No suitable habitat for federally listed species occurs within the Project area, no individuals were observed during surveys, and the Project is not located within designated critical habitat. Therefore, consultation with the USFWS under Section 7 of the Endangered Species Act is not required.

3.4.2.2 State-Listed Species

No state-listed threatened or endangered animal or plant species were observed within the Project survey corridor during field surveys conducted in December 2025 and January, March, and July 2026. Habitat within the Project area consists primarily of shrub/scrub land, which the BLM has indicated has very low resource potential for supporting sensitive wildlife and plant species (Appendix D-3).

One SGCN bird species, the loggerhead shrike (*Lanius ludovicianus*) was observed in the Project survey area during field surveys. This individual was a passerby, and no nests were recorded in the survey area.

Twenty burrows were recorded within the Project Survey Corridor during field surveys. Each location was evaluated for potential burrowing owl occupancy. No individuals or evidence of recent activity, such as tracks, pellets, whitewash, scat, or characteristic debris near the entrances, were observed. In the absence of these indicators, all documented burrows were considered to be **inactive** and not currently occupied by burrowing owls. As described in Section 3.4.1.2, burrowing owls are designated as SGCN by NMDGF and are protected under both the Migratory Bird Treaty Act and New Mexico state statute.

Transwestern will coordinate with NMDGF if burrowing owls are present and cannot be avoided during construction to ensure that appropriate protective measures are implemented. Such measures may include temporary buffers, timing restrictions, agency-directed relocation, or other avoidance strategies to reduce disturbance. Coordination with NMDGF and application of these measures will help minimize potential impacts on the species.

Standard construction BMPs and general wildlife protection measures described in Section 3.3.3 will be implemented to minimize overall disturbance to wildlife and habitat during construction and operation of the Project. Therefore, it is anticipated that construction of the Project will have **no adverse effect** on state-listed threatened, endangered species or SGCN species.

3.4.2.3 BLM Sensitive Species

No BLM sensitive wildlife or plant species were identified within the Project area during field surveys conducted in December 2025 and January, **March, and July** 2026. Habitat within the Project area consists primarily of shrub/scrub land, which the BLM has indicated has very low resource potential for supporting sensitive wildlife and plant species (**Appendix D-3**). Field surveys did not document any individuals, signs, or high potential habitat features associated with BLM sensitive species.

Standard construction BMPs and general wildlife protection measures described in Section 3.3.3 will be implemented to minimize overall disturbance to wildlife and habitat during construction and operation of the Project. Therefore, it is anticipated that construction of the Project will have **no adverse effect** on BLM sensitive species.

3.4.3 Operation Impacts and Mitigation

Operation and maintenance of the Project facilities are not expected to result in additional impacts to protected species following the completion of construction.

Routine operation and maintenance of the pipeline ROW and associated aboveground facilities will be conducted in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**). These plans ensure compliance with environmental protection standards and are designed to minimize disturbance to surrounding vegetation and wildlife habitat.

Operational activities will be limited in scope and infrequent and are not anticipated to cause long-term habitat fragmentation or degradation. Vegetation within the ROW will be maintained to ensure safe access and pipeline integrity; however, efforts will be made to preserve native plant communities where feasible. No additional lighting, noise-generating equipment, or continuous human activity is anticipated at the aboveground facilities that would alter wildlife behavior or habitat use in the area.

3.5 Migratory Birds

Migratory birds are species that nest in the U.S. and Canada during the summer, and migrate south to the tropical regions of Mexico, Central and South America, and the Caribbean for the non-breeding season. Migratory birds are protected under the Migratory Bird Treaty Act (MBTA). In addition, bald and golden eagles (*Haliaeetus leucocephalus* and *aquila chrysaetos*) are protected under the Bald and Golden Eagle Protection Act (BGEPA). Species listed under the MBTA and BGEPA are protected from "takes." However, on April 11, 2025, the Department of Interior (DOI) issued Memorandum M-37085 that reinstated the prior DOI Memorandum M-37050, which provides that the MBTA does not apply to the incidental or accidental taking or killing of migratory birds.

3.5.1 Existing Resources

The proposed Project is located in Bird Conservation Region (BCR) 35 (Chihuahuan Desert). The USFWS IPaC list of migratory birds potentially occurring in the vicinity of the Project area is included in **Table 3.5-1** (USFWS IPaC, 2025; **Appendix D-1**). The Project is not within a designated Important Bird Area as identified by the National Audubon Society (National Audubon Society, 2025).

The NMERT preliminary environmental screening identified the potential for burrowing owls (*Athene cunicularia*) to occur in the vicinity (see **Appendix D-2**). As discussed above, no burrowing owls were observed during field surveys; however, **twenty** burrows within identified in the Project survey corridor.

No raptors were observed during field surveys. Two unoccupied and inactive raptor stick nests in fair condition were observed within the Project Survey Corridor. No eagle nests were observed during field surveys.

TABLE 3.5-1 Birds of Conservation Concern Potentially Occurring in the Vicinity of the Project					
Common Name	Scientific Name	Breeds in the Region	Nesting Habitat		
			Ground	Shrub	Tree
Bald Eagle ^a	<i>Haliaeetus leucocephalus</i>	September 1 – July 31			✓
Broad-tailed Hummingbird	<i>Selasphorus platycercus</i>	May 25 – August 25			✓
Cactus Wren	<i>Campylorhynchus brunneicapillus guttatus</i>	March 1 – September 30		✓	✓
Cassin's Sparrow	<i>Peucaea cassinii</i>	August 1 – October 15	✓	✓	
Chestnut-collared Longspur	<i>Calcarius ornatus</i>	Does not breed in the region	✓		
Eastern Meadowlark	<i>Sturnella magna</i>	April 25 – August 31	✓		
Ferruginous Hawk	<i>Buteo regalis</i>	March 5 – August 25		✓	✓
Grace's Warbler	<i>Setophaga graciae</i>	May 15 – July 25			✓
Henry's Common Nighthawk	<i>Chordeiles minor henryi</i>	May 15 – August 31	✓		
Long-billed Curlew	<i>Numenius americanus</i>	Does not breed in the region	✓		
Scott's Oriole	<i>Icterus parisorum</i>	May 15 – August 25			✓
Sprague's Pipit	<i>Anthus spragueii</i>	Does not breed in the region	✓		
Thick-billed Longspur	<i>Rhynchophanes mccownii</i>	Does not breed in the region		✓	
Virginia's Warbler	<i>Leiothlypis virginiae</i>	May 1 – July 31	✓		
Western burrowing owl ^b	<i>(Athene cunicularia hypugaea)</i> ^c	March 1 – August 31	✓		
Notes: ✓=Yes ^a The bald eagle is not a Bird of Conservation Concern (BCC) in this area but warrants attention because it is protected under the Bald and Golden Eagle Protection Act (BGEPA) and Migratory Bird Treaty Act. ^b Not included in the USFWS IPaC. Based on agency consultation with NMGF. Source: USFWS IPaC, 2025 (see Appendix D-1).					

3.5.2 Construction Impacts and Mitigation

Construction and operation of the Project would result in effects on migratory birds similar to those described for general wildlife. Potential impacts include temporary habitat loss, disruption of foraging adults, and the abandonment or destruction of active nests. Clearing of shrub–scrub habitat within the Project area could also affect ground-nesting species and birds that utilize low shrubs if nesting occurs during construction activities.

Any individual birds present in the Project area during construction may temporarily relocate to adjacent suitable habitat due increased noise and disturbance but are expected to return once activities cease. Vegetation clearing will be limited to the minimum necessary for Project construction. Therefore, the Project is not expected to result in population-level impacts or measurable adverse effects on migratory birds.

The NMERT preliminary environmental screening identified the potential for burrowing owls to occur in the vicinity (see **Appendix D-2**). Burrowing owls live in open, sparsely vegetated habitats and nest in underground burrows. Although **twenty** open burrows were documented during the field surveys, their presence in the Project area does not confirm use by burrowing owls. No individuals or evidence of recent activity, such as tracks, pellets, whitewash, scat, or characteristic debris near the entrances, were observed. In the absence of these indicators, all documented burrows were considered **inactive** and not currently occupied by burrowing owls.

Burrowing owls are protected from “take” by the Migratory Bird Treaty Act and under New Mexico state statute. If active burrowing owl nests cannot be avoided during construction, Transwestern will coordinate with the NMDGF to implement appropriate measures—such as relocation or other avoidance strategies—to minimize impacts on this species.

No raptors were observed within the Project Survey Corridor during field surveys. Two inactive raptor stick nests in fair condition were documented in the Project Survey Corridor. Given the limited extent of habitat disturbance, the availability of adjacent undisturbed habitat, and the implementation of avoidance and minimization measures, impacts on raptors and other migratory birds are expected to be minor and not significant. Transwestern will provide environmental training for construction personnel, including specific instructions prohibiting the disturbance or harm of wildlife, including migratory birds.

Bald and golden eagles are protected under both the MBTA and the Bald and Golden Eagle Protection Act (BGEPA). The Project area does not contain suitable eagle nesting habitat, such as tall trees, snags, or proximity to perennial waterbodies. No eagle nests were observed during field surveys. Additionally, a review of the USFWS IPaC database and coordination with the NMDGF through the NMERT did not identify the potential for eagle occurrence within the Project area (**Appendix D-2**).

Therefore, impacts on bald and golden eagles are not anticipated. In the unlikely event that a bald eagle is encountered during construction, activities will be conducted in accordance with the USFWS’s *National Bald Eagle Management Guidelines* (USFWS, 2007), which recommend maintaining a 660-foot buffer from active nests and avoiding activities.

3.5.3 Operation Impacts and Mitigation

Operation and maintenance of the facilities will have no additional impact to migratory bird species after construction is complete. Vegetation management post construction is expected to be minimal based on the natural vegetation present in this region. During operation, vegetation maintenance will not occur more frequently than every three years or between April 15th and August 1st of any year in accordance with the FERC Plan (**Appendix C-1**). Therefore, impacts on nesting migratory birds are not anticipated during operation of the Project.

4.0 CULTURAL RESOURCES

Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) require federal agencies to consider the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation an opportunity to comment. This section provides information regarding cultural resources for the proposed Project. This includes a description of the Project, Area of Potential Effects (APE), field methodology, general impacts and mitigation, agency consultation, and *Unanticipated Discovery Plan* (Appendix C-3). The cultural resource field survey reports are provided in Appendix D-5 and Appendix F-3 and are submitted as “CUI/PRIVILEGED INFORMATION – DO NOT RELEASE”.

4.1 Area of Potential Effects (APE)

The APE is defined as the “geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist” (36 CFR Section 800.16[d]). The APE is determined by the lead federal agency or affected federal land managing agency (BLM) and considers all areas of construction, such as pipeline ROW, aboveground facility sites, staging areas, extra workspace areas, contractor yard, access roads, and other ancillary facilities. In support of the BLM APE determination, a 300-foot environmental survey area along the proposed Project centerline and 100-foot buffer around all proposed block infrastructure was inventoried to allow adequate buffers.

4.2 Methodology

4.2.1 Site File and Literature Review

A literature review for the current undertaking was completed on November 7, 2025, using the New Mexico Cultural Resource Information System (NMCRIIS) online database maintained by the Archaeological Records Management Section (ARMS). This archival review included previously conducted surveys, known archaeological sites, the historic built environment, and State-listed and National Register of Historic Places (NRHP)-listed properties. Other sources reviewed include the BLM General Land Office Records website (GLO). The Historic Preservation Division (HPD) and NRHP database records searches were concurrently conducted for properties listed in the NRHP and/or the State Register of Cultural Properties within 0.5 km (0.3 mi) of the Project area. Results of the records searches indicate 27 previous surveys were conducted; 20 of which intersect with the Project survey area. Twenty-seven previously recorded sites are located within 0.50 km (0.3 mi) of the Project Area. Nine archaeological sites intersect with the currently proposed Project footprint. These resources include the precontact sites LA 26978, LA 26979, LA 26981, LA 59713, LA 59715, LA 99919, and LA 129542 and the postcontact sites LA 129785 and LA 207182.

4.2.2 Field Methods

All fieldwork was conducted in accordance with the guidelines of the BLM (H-8100-1) and the New Mexico HPD (New Mexico Register / Volume XVI, Number 15 / August 15, 2005). Surveys consisted primarily of a pedestrian (visual) surface survey. The field methods met or exceeded state standards, and varied based on land use, topography, ground cover, the potential for alluvial or colluvial sediments, and other factors. A pedestrian visual intensive survey was conducted in areas with sufficient ground surface visibility (above 30%), areas containing evidence of ground disturbance, and any excessively sloped sections of the APE. The survey was accomplished by traversing multiple transects. Pedestrian transects were spaced no more than 15 meters (49 feet), oriented along the long axis of the APE. Six transects were conducted along the pipeline corridor.

4.3 Results

4.3.1 Pipeline Facilities

4.3.1.1 Green Chile Lateral

The fieldwork for the Green Chile Lateral resulted in the documentation of 13 sites (5 previously recorded sites relocated and 8 newly recorded sites) and 41 isolated finds (**Appendix D-5 and Appendix F-3**).

Of the eight previously recorded sites plotted within the Project Area (LA 26978, LA 26979, LA 26081, LA 59713, LA 59714, LA 99919, LA 129542, LA 129785) five were reidentified within the ESA (LA 26978, LA 26979, LA 59714, LA 99919, and LA 129542). These sites consist of four precontact artifact scatters and one precontact and historic artifact scatter. Eight newly recorded precontact artifact scatter sites were also documented in the project area (LA207981, LA207983, LA207984, LA207985, LA207986, LA207987, LA207988, and LA207989). These sites are recommended not eligible for listing in the NRHP under Criteria A, B, C, or D. No further work is recommended.

In addition to the sites, 41 isolated finds (33 precontact and 2 historic) were identified in the proposed Project area. All the isolated finds are recommended not eligible for listing in the NRHP under Criteria A, B, C, or D and no further work is recommended.

4.3.1.2 Contractor Yard

Two historic isolated finds were located during the survey at the location of the proposed contractor yard and include four historic metal cans (GP1031) and two historic Pepsi cans (GP1032). Both isolated finds are recommended not eligible for listing in the NRHP under Criteria A, B, C, or D and no further investigations are recommended.

4.3.1.3 Access Roads

No cultural resources were encountered during the surveys for the two proposed permanent access roads.

4.3.2 Aboveground Facilities

4.3.2.1 Green Chile El Paso M&R Station

One historic site (LA 207182) and four historic isolated finds (IF-VR-01, IF-VR-02, IF-VR-03 and IF-VR-05) were documented within the footprint of the Green Chile El Paso M&R Station. LA 207182 is a low-density historic artifact scatter dating to the twentieth century. The scatter consists of glass and metal artifacts likely representing a single-episode deposition of roadside litter. The site has previously been determined Not Eligible for the NRHP by both the BLM and the NM HPD. Transwestern recommends the site remain Not Eligible and that no further work is necessary. All the isolated finds are recommended not eligible for listing in the NRHP under Criteria A, B, C, or D and no further work is recommended.

4.3.2.2 Green Chile M&R Station

No cultural resources were documented within the footprint of the Green Chile M&R Station.

4.4 Agency Consultation

4.4.1 Bureau of Land Management – Las Cruces Field Office

Transwestern provided BLM with a copy of the initial Survey Report on January 22, 2026, and requested concurrence with the findings on BLM managed lands that the proposed Project will have no effect on historical properties listed, or eligible for listing, in the NRHP, or otherwise of historical, archaeological, or architectural value within the surveyed ESA. BLM archaeologist Garrett Lietermann provided his determination of “No Historic Properties Affected” on April 6th, 2026, via email. The second survey report with the proposed realignment was submitted to the BLM and NM HPD on August 7, 2026, and NM HPD concurrence of the survey results is pending and will be submitted to FERC upon receipt.

4.5 Unexpected Discoveries and Emergency Procedures Plan

There are no historic properties eligible for registry within the Project area and it is unlikely that construction activities will disturb any previously unrecorded cultural resources. Therefore, no impacts to cultural resources are anticipated. However, should such a discovery occur, Transwestern would utilize and operate in accordance with its *Unanticipated Discovery Plan* (Appendix C-3) and all state and federal regulations which define the procedures to be followed if unanticipated cultural resources are encountered during construction.

5.0 SOCIOECONOMICS

This section is not required under 18 CFR Section 380.12(g) for projects that only involve minor to moderate lengths of pipeline, expansion or modifications to existing compressor stations, or other associated facilities. The proposed Project does not involve construction of such significant aboveground facilities or pipelines and will not have an appreciable impact on the socioeconomic factors typically discussed in Section 5 (i.e., employment, housing, local government services, local tax revenues, transportation); therefore, a socioeconomic analysis is not required/included in this Concise Environmental Report. However, Transwestern provides this Section 5.0 to assist the Commission in its decision-making. The construction schedule and workforce requirements are provided in Section 5.1.

5.1 Construction Workforce

As shown in **Table 5.1-1**, construction of the Project will require a workforce of approximately 328 workers and is anticipated to take approximately four months (17 weeks). Transwestern anticipates construction of the Project will be accomplished using one construction spread. Due to the specificity of the work, it is not anticipated that a significant number of construction workers will be drawn from the Project area. No new permanent employees will be hired for operation of the Project facilities; therefore, workers are not expected to permanently relocate to the Project area. Due to the relatively small number of temporary construction workers that will be required and short timeframe of active construction, significant socioeconomic effects are not anticipated.

TABLE 5.1-1 Anticipated Construction Schedule and Workforce Requirements for the Project				
Facility / (County)	Anticipated Duration of Construction (months)	Number of Workers Anticipated During Peak Construction Periods	Percentage (#) of Construction and Inspection Personnel Drawn from Project Area	Number of Permanent Employees Needed (Hired) for Operation
Doña Ana County, NM				
Green Chile Lateral	4 (17 weeks)	242	2 % (5)	0
Green Chile El Paso M&R Station	4 (17 weeks)	43	2 % (1)	0
Green Chile M&R Station	4 (17 weeks)	43	2 % (1)	0
PROJECT TOTAL	4 (17 weeks)	328	2 % (7)	0

5.2 Construction and Operation Impacts

5.2.1 Local Economy

The Project will contribute to the local and regional economy directly and indirectly through spending by construction workers, purchases of goods and materials, and from taxes collected on purchases. Therefore, the proposed Project will have a positive, although minor, impact on the local economy.

5.2.2 Housing and Public Service

There are over 2,750 hotel or motel rooms in Doña Ana County, New Mexico (HotelMotels.info, 2025). These accommodations are all within commuting distance of the Project area and contribute to the overall availability of temporary housing.

Based on the amount of temporary housing in the study area, the supply is sufficient to meet the needs of non-local construction employees. Construction and operation of the Project would result in little or no short-term effect on the availability of local community facilities and services such as police, fire protection, medical services, and schools, due to the relatively small number of workers involved. Local communities have adequate infrastructure and public services to support the limited and temporary increase in population during the construction phase. Because Transwestern does not anticipate hiring permanent employees, no long-term impacts are anticipated during Project operation.

5.2.3 Traffic

Traffic impacts associated with construction of the proposed Project facilities in Doña Ana County, New Mexico are expected to be minimal. The Project will require a relatively small workforce, and construction activities will be temporary and localized. While increased use of existing access roads may result in a temporary rise in traffic volume, potential delays, and a slightly elevated risk of vehicle accidents, these impacts would be limited to periods of active construction over the course of the four month (17 weeks) construction schedule. To minimize traffic congestion and disruption to local residents, Transwestern will schedule worker travel outside of peak traffic hours and implement traffic control measures as needed. These measures could include the use of flaggers to direct traffic, maintaining clear roadways free of mud and debris, and repairing any roadway damage attributable to Project activities. With adherence to these mitigation strategies, traffic levels resulting from the proposed Project are not expected to significantly affect local communities. Additionally, operation of the Project will not require permanent personnel, and therefore, no long-term impacts to transportation infrastructure or traffic levels are anticipated.

6.0 GEOLOGICAL RESOURCES

This section identifies potential impacts of the Project on geologic resources, geologic hazards that may potentially affect construction and operation of the facilities, and geologic hazards that may place the facilities and/or public at risk. Where appropriate, mitigation measures are included that are intended to reduce the impact of the Project on geological resources and/or reduce the impact of geological hazards on the facilities. Information contained in this section was obtained from desktop analysis and review of available literature.

6.1 Geological Setting

6.1.1 Physiographic Setting

The Project is located within the Basin and Range (NPS, 2020). The Basin and Range province spans from eastern California to central Utah and from southern Idaho to Sonora in Mexico. The province contains steep mountain ranges and long flat basins between. The province formed by the Earth's crust stretching up to 100% of its width, thus creating large faults through the thinning and cracking of the crust (NPS, 2020).

6.1.2 Local Geologic Conditions

The proposed Project facilities in Doña Ana County, New Mexico are located within the Basin and Range Province which is part of the larger province of the same name (NMBGMR, 2025). The Basin and Range Province is located in the southwestern portion of New Mexico and includes features such as the Florida Mountains and Mimbres Valley. The mountain ranges contain all ages and types of rock that have been lifted along faults. These mountains were formed by the pulling apart of the Earth's crust for over 30 million years. Many streams in the Basin and Range province do not reach the ocean and instead collect into large basins forming large lakes and playas (NMBGMR, 2025; NMMNHS, 2025). The elevation within the Project area ranges from 4,175 feet to 4,100 feet (Google Earth, 2025).

The geologic units that underlie the proposed Project area were determined using the Geologic Map of the New Mexico and the State Geologic Map Compilation Geodatabase of the Conterminous U.S. (NMBGMR, 2003; Horton, J.D. 2017). The geologic units within the Project area are listed in **Table 6.1-1** and are composed primarily of Conglomerate-sandstone, fine-detrital, and coarse detrital from the uppermost Miocene (23 million years before present) to the middle Pleistocene epoch (2.6 million years before present) in the Upper Santa Fe Group. The Project area also crosses through an area near the Black Mountain which is composed of andesite and basalt from the middle Pleistocene (2.6 million years before present) to Holocene epoch (11,700 years before present). The Holocene Epoch began at the end of the Pleistocene Epoch and continues to the present (Horton, J.D., 2017; USGS, 2010).

TABLE 6.1-1 Geologic Units Underlying the Green Chile Project						
Facility	Geologic Unit	MP		Distance (Miles)	Age (Epoch)	Description
		Enter	Exit			
Pipeline Facilities						
Green Chile Lateral	Upper Santa Fe Group	0.00 2.28 4.02	2.09 2.77 17.77	16.33	Middle Pleistocene to uppermost Miocene	Includes Camp Rice, Fort Hancock, Palomas, Sierra Ladrones, Arroyo Ojito, Ancha, Puye, and Alamosa Formations
	Basaltic to andesitic lava flows	2.09 2.77	2.28 4.02	1.44	Holocene to middle Pleistocene	Flows south of Grants and west of Carrizozo are Holocene. Includes minor vent deposits
Aboveground Facilities						
Green Chile El Paso M&R Station	Upper Santa Fe Group	Entire Site		N/A	Middle Pleistocene to uppermost Miocene	See Green Chile Lateral above.
Green Chile M&R Station	Upper Santa Fe Group	Entire Site		N/A	Middle Pleistocene to uppermost Miocene	See Green Chile Lateral above.
Contractor Yard						
Contractor Yard 1	Upper Santa Fe Group	Entire Site		N/A	Middle Pleistocene to uppermost Miocene	See Green Chile Lateral above.
Access Roads						
Permanent Access Roads	Upper Santa Fe Group	Entire Roads		N/A	Middle Pleistocene to uppermost Miocene	See Green Chile Lateral above.
Sources: NMBGMR, 2003; Horton, J.D., 2017; USGS, 2025a						

6.1.2.1 Bedrock

The soil types which will be crossed by the pipeline lateral and where trenching will occur are discussed in Section 7 (*Soils*). Typical profiles of the soils crossed by the Project indicate a depth to restrictive feature of more than 80 inches. Shallow bedrock may be encountered during construction. If bedrock is encountered during trenching, Transwestern will attempt to remove it using mechanical means. The need for blasting is not anticipated for the Project.

6.2 Mineral Resources

The New Mexico Oil Conservation Division (NM OCD) Oil and Gas Map was reviewed for locations of permitted oil and gas wells in the Project area. No permitted oil or gas wells occur within 0.25 miles of the Project area (NM OCD, 2025).

6.2.1 Planned Surface Mine Development

Transwestern reviewed the USGS Mineral Resources Online Spatial Data geospatial database and did not identify any mine site within 0.25-mile of the Project area (USGS, 2025c).

6.3 Geologic Hazards

Geologic hazards are conditions or phenomena, either naturally occurring or human-made, that present a risk to life and/or property. Geologic hazards in relation to the proposed Project are discussed below and include earthquakes, soil liquefaction, landslide susceptibility, karst topography, and land subsidence.

6.3.1 Seismic Hazards

The USGS National Earthquake Hazard Program produces maps that estimate the probability of earthquake-induced ground shaking across the U.S. These National Seismic Hazard Maps depict peak ground acceleration (PGA) values, expressed as fractions of “g”, the acceleration due to gravity. The maps are derived from seismic hazard curves calculated on a nationwide grid of sites, which represent the annual frequency of exceeding specific ground motion thresholds.

According to the latest USGS National Seismic Hazard Model (2023), the Project is located within a region as having an estimated PGA of approximately 0.05 g for a 2% probability of exceedance in 50 years. This places the site in the low to medium-low hazard range (generally defined as 0.04–0.08 g), which is significantly lower than high-hazard regions such as California (>0.5 g) (USGS, 2023).

Similarly, a probabilistic seismic hazard forecast developed by Petersen et al. (2023) categorizes the Project area in the second-lowest shaking intensity class, corresponding to Modified Mercalli Intensity (MMI) VI, where only minor damage could occur under rare conditions. This classification indicates that the likelihood of damaging ground shaking is very low.

Within the Project area, there is one known or suspected active fault, the Mastodon Fault, which formed during the middle to late Quaternary period. Available studies estimate its slip rate to be less than 0.2 mm per year (Petersen et al., 2023; USGS, 2025d; Machette et al., 2000). This very low slip rate indicates that the fault is unlikely to pose a significant seismic hazard to the Project.

Additionally, no significant earthquakes have been recorded within the Project area in Doña Ana County. The closest recorded event in the past 50 years was a magnitude (M) 2.8 earthquake in 2020, located approximately 10.6 miles northeast of the proposed Project site (USGS, 2025d). Based on these findings, earthquakes and seismic hazards are unlikely to impact the Project.

6.3.2 Soil Liquefaction

Soil liquefaction is the process in which soil loses a large portion of its sheer resistance when subjected to rapid loading, causing soil to flow in a manner resembling that of a liquid. During a seismic event, saturated, cohesionless soil with excess pore pressure can lead to liquefaction. Soil liquefaction can result

in failures to the ground and other structures that rely on soils for foundational support (Popescu and Chakraborty, 2024). The relatively low levels of seismic activity and possible ground motion predicted for the area indicate that liquefaction factors will be limited. The risk of soil liquefaction in the Project areas is minimal.

6.3.3 Landslide Susceptibility

Landslides occur when rock, debris, or soil move down a slope under the direct influence of gravity. Landslides may be initiated by factors such as heavy precipitation events, stream erosion, earthquakes, or human induced activities. Based on USGS mapping of landslide incidences in the U.S., the Project is located in an area of low incidence (less than 1.5 percent of the area involved) of landslide susceptibility (USGS, 1978). Due to the low incidence of landslides, flat topography, and minimal threat of seismic activity, the likelihood of a landslide to occur in the proposed Project area is low.

6.3.4 Ground Subsidence and Karst Topography

Subsidence is the local downward movement of surface material with little or no horizontal movement (USGS, 2014). Karst, a type of land subsidence, is a generic term which refers to the characteristic terrain produced by erosional processes associated with the chemical weathering and dissolution of limestone or dolomite, the two most common carbonate rocks in New Mexico. Sinkholes are closed depressions in areas underlain by soluble rock such as limestone and dolostone. Sinkholes form when surface sediments subside into underground voids created by the dissolving action of groundwater in the underlying bedrock.

Other subterranean events can cause holes, depressions, or subsidence of the land surface that may mimic sinkhole activity. These include subsurface expansive clay or organic layers that compress as water is removed; decomposing stumps or organic debris; collapsed or broken sewer and drainpipes or broken septic tanks; improperly compacted soil after excavation work; or decomposing or compressed buried trash and other debris.

Review of USGS potential karst mapping of soluble rocks in the U.S. indicates that the Project area is not underlain by shallow, carbonate bedrock (USGS, 2014). The closest reported subsidence incidence is approximately 15 miles north of the Green Chile Lateral in Las Cruces, New Mexico. No areas of ground subsidence were identified during field surveys. Therefore, the potential for the Project to be impacted by a local, sudden surface collapse is considered to be low.

If karst features (e.g., sinkholes) are encountered during construction or operation activities, Transwestern will initiate mitigation measures described in its *Unanticipated Discoveries Plan* for karst features (**Appendix C-3**) including investigation and evaluation of any suspected subsidence feature, carried out by a qualified geotechnical engineer, and performance of remedial repair or subsoil stabilization as directed by the geotechnical engineer.

6.4 Paleontological Resources

Fossils include any evidence of ancient life. This includes the remains of the body of an organism, such as bones, skin impressions, shell, or leaves, as well as traces of an organism's activity, such as footprints or burrows, called trace fossils (U.S. Department of the Interior, 2000). Fossils are predominantly found preserved in bedrock sedimentary geologic units and pre-Holocene surficial sedimentary deposits. Field surveys for paleontological resources were conducted in the Project area in November and December, 2025, as well as in June and July, 2026. The paleontological field survey report is included in **Appendix F-2**.

The surface of the Project area is composed of eolian sand dunes and Holocene and Pleistocene sandy and gravelly soils with well-developed and highly indurated beds of caliche which are locally bioturbated. As observed during the pre-construction field survey, these soils also contain scattered clasts of limestone containing poorly preserved shell fragments likely derived from Paleozoic geologic units in the nearby Franklin Mountains, and sparse abraded fragments of silicified wood. These sandy and gravelly soils are designated by the BLM (2022b) as having low paleontological potential (Potential Fossil Yield Classification [PFYC 2] and are underlain at depth by the Camp Rice Formation of the Santa Fe Group (Seager et al., 1987) which has high paleontological (PFYC 5) as designated by the BLM (2022b). The Project area also crosses deposits of olivine basalt which has very low paleontological potential (PFYC 1).

Based on the records of the New Mexico Museum of Natural History and Science (NMMNHS), the University of Texas El Paso, and the online Paleobiology Database, at least eleven previously recorded paleontological localities have been documented in the Camp Rice Formation in Doña Ana County. These are mostly located to the east of the Project area on the western and eastern escarpments of the Rio Grande River Valley. Based on field observations, the Camp Rice Formation likely underlies the overlying surficial sediments at a depth of between 4 and 10 feet.

Project construction is expected to occur at a depth of approximately 5 feet below ground surface, which slightly overlaps with the upper portion of the Camp Rice Formation (generally 4 to 10 feet below ground surface). Because of this limited overlap, there is a small possibility that fossils within the formation could be encountered during construction. No scientifically significant fossils were observed within the Project area during the field survey (see **Appendix F-2**).

6.5 Construction Impacts and Mitigation

To minimize impacts to geology from construction activities and to prevent soil erosion, Transwestern will adhere to the BMPs in the FERC Plan (**Appendix C-1**). These BMPs include installing erosion control devices, regulating trench dewatering activities, and revegetation. All restoration procedures will be monitored to ensure their efficiency and effectiveness. If the monitoring identifies any areas of erosion or ineffective revegetation, they will be properly addressed in a timely manner.

Based on the scope of the Project, collocation of the Project facilities, underlying geological conditions, and Transwestern's proposed implementation of impact avoidance and minimization measures, including adherence to the FERC Plan (**Appendix C-1**), construction of the proposed Project facilities is not anticipated to significantly affect geology.

6.5.1 Blasting

It is not anticipated that blasting will be required for Project construction.

6.5.2 Mineral Resources

According to the New Mexico Energy, Minerals and Natural Resources Department (NM EMNRD) Mine Registrations and Permits search, there are no active mining areas located within 0.25 mile of the Project. The nearest mineral resource mine (i.e., Black Bear Mountain Pit), which is mined for scoria, is located approximately 1.45 miles west of the proposed Project in Doña Ana County (NM EMNRD, 2025d).

6.5.3 Geologic Hazards

The Project is not expected to be affected by seismic-related geologic hazards during construction, including liquefaction, as there is a very low probability that an earthquake of sufficient magnitude would occur within the proposed Project area. In addition, the proposed Project area has a low potential for landslides or karst areas.

6.5.4 Paleontological Resources

If unique or significant fossil specimens are discovered during excavation activities, Transwestern will cease construction activities and consult with the appropriate county or State paleontological specialist. An Unanticipated Discoveries Plan (**Appendix C-3**) has been developed that identifies the procedures for recognizing and handling significant fossils. Therefore, significant paleontological resources are unlikely to be affected by construction or operation of the Project.

6.6 Operation Impacts and Mitigation

Routine maintenance activities will be conducted in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's standard operating procedures. If routine facility inspections identify any areas of erosion or ineffective revegetation, they will be properly addressed in a timely manner.

Based on the scope of the Project, collocation of the pipelines, underlying geological conditions, and Transwestern's proposed implementation of impact avoidance and minimization measures, including adherence to the FERC Plan (**Appendix C-1**), operation of the proposed facilities is not anticipated to significantly affect geology.

The Project is not expected to be affected by seismic-related geologic hazards during operations, including liquefaction, as there is a very low probability that an earthquake of sufficient magnitude would occur within the proposed Project area. In addition, the proposed Project area has a low potential for landslides and karst terrain.

7.0 SOILS

This section identifies and characterizes soil series and map units within the Project area; describes potential construction and operation impacts on soils; specifies soil impact mitigation measures; and discusses soil contamination and potentially contaminated sites in the vicinity of the proposed Project.

To avoid and minimize potential impacts to soil resources during construction and operation of the Project, Transwestern will implement the FERC Plan (**Appendix C-1**), Transwestern's *SPAR Plan* (**Appendix C-2**), and Transwestern's *Fugitive Dust Control Plan* (**Appendix C-4**), and New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**).

7.1 Existing Resources

Soil descriptions and characteristics for the Project area were compiled using USDA Soil Conservation Service (SCS) Soil Surveys for Doña Ana County, New Mexico (USDA SCS, 1980) and data from the USDA NRCS Web Soil Survey (WSS) (USDA NRCS, 2025b). The WSS is a comprehensive digital version of the original soil surveys for use with geographic information systems (GIS). It provides the most detailed level of soil information for natural resource planning and management. The WSS integrates spatial mapping with an attribute database that identifies soil components and their properties for each soil map unit (USDA NRCS 2025b). The attribute data consists of interpretive groupings, physical properties, and chemical properties. Attribute data include interpretive groupings, physical properties, and chemical properties, which can be combined with spatial data to describe soils in a specific area. Soil maps for the Project area were generated using the USDA NRCS Soil Survey Geographic Database (SSURGO) and are included in **Appendix A-5**.

Soils were evaluated based on characteristics that could affect construction or increase the potential for soil impacts during construction or operation. These characteristics include farmland designation, compaction potential, highly erodible soils, revegetation potential, hydric properties, and the presence of shallow bedrock. Additional soil-related issues considered in the analysis include soil contamination.

A description of the soil map units crossed by the Project is provided in **Table 7.1-1**. Selected physical and interpretive characteristics of the soil map units within the Project area are included in **Table 7.1-2**.

TABLE 7.1-1 Description of the Soil Map Units Crossed by the Green Chile Project	
Name	Description ^a
<i>Doña Ana County (USDA SCS, 1980)</i>	
Akela-Rock outcrop complex	The major components of this soil type are Akela and similar soils (53%), Rock outcrop (25%), and minor components are Nickel (5%), Pintura (5%), Aftaden (4%), Pajarito (3%), Minlith (3%), and Onite (2%); slopes are 10 to 25 percent. It is found hills. The parent material consists of very gravelly coarse-loamy residuum. The depth to a root restrictive layer is 10 to 20 inches to lithic bedrock. The natural drainage class is well drained. Water movement in the most restrictive layer is very low to low. This soil does not frequently flood or pond and does not meet hydric criteria.
Bluepoint-Caliza-Yturbide complex	The major components of this soil type are Bluepoint and similar soils (26%), Caliza and similar soils (25%), Yturbide and similar soils (20%), and other minor components (29%); slopes range from 5 to 40 percent. The parent material consists of wind-modified sandy alluvium for Bluepoint and mixed sandy and gravelly alluvium for Caliza and Yturbide. The total depth to a root restrictive layer is greater than 80 inches. The natural drainage class is ranges from well drained to excessively drained. This soil does not frequently flood or pond and does not meet hydric criteria.
Simona-Harrisburg association	The major components of this soil type are Simona and similar soils (50%), Harrisburg and similar soils (25%), and other Minor components (25%); slopes range from 1 to 5 percent. The parent material consists of calcareous sandy alluvium and mixed coarse-loamy alluvium. The total depth to a root restrictive layer is 7-20 inches in Simona soil type and 20-40 inches in the Harrisburg soil type. The natural drainage class is well drained. This soil does not frequently flood or pond and does not meet hydric criteria.
Wink-Harrisburg association	The major components of this soil type are Wink and similar soils (35%), Harrisburg and similar soils (25%), and minor components which include Simona (20%), Pajarito (7%), Pintura (7%), and Onite (6%). The soil type is found in swales on fan piedmonts with slopes of 1 to 3 percent. The parent material consists of mixed calcareous coarse-loamy alluvium. The depth to a root restrictive layer is greater than 80 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is high. This soil does not frequently flood or pond and does not meet hydric criteria.
Wink-Pintura complex	The major components of this soil type are Wink and similar soils (45%), Pintura and similar soils (35%), and minor components are Pajarito (5%), Onite (5%), Simona (5%), and Harrisburg (5%). The soil type is found in shrub-coppice dunes on fan piedmonts with slopes of 1 to 5 percent. The parent material consists of sandstone derived eolian sands. The depth to a root restrictive layer is greater than 80 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is high. This soil does not frequently flood or pond and does not meet hydric criteria.
Notes:	
^a General description of soils from the respective county's soil survey, not necessarily specific to the Project area.	

TABLE 7.1-2 Selected Physical and Interpretive Characteristic of the Soil Map Units Within the Project Area										
Soil Name	Component Name	Component Percent	Percent Slope		Surface Texture	Drainage Class	Frequency of Flooding/Ponding	Taxonomic Classification	Parent Material	Landforms
			Low	High						
PIPELINE FACILITIES										
Green Chile Lateral										
Akela-Rock outcrop complex	Akela Rock outcrop	53% 25%	10	25	Gravelly sandy loam	Well drained	None	Loamy-skeletal, mixed, calcareous, thermic Lithic Torriorthents	Very gravelly coarse-loamy residuum	Hills
Bluepoint-Caliza-Yturbide complex	Bluepoint Caliza Yturbide	26% 25% 20%	5	40	Gravelly sandy loam	Somewhat excessively drained	None	Mixed, thermic Typic Torripsamments	Wind-modified sandy alluvium	Alluvial fans, piedmont slopes, valley sides
Simona-Harrisburg association	Simona Harrisburg	50% 25%	1	10	Sandy loam	Well drained	None	Loamy, mixed, thermic, shallow Typic Paleorthids	Eolian deposits and/or alluvium	Fan piedmonts
Wink-Harrisburg association	Wink Harrisburg	35% 25%	1	3	Fine sandy loam	Well drained	None	Coarse-loamy, mixed, thermic Typic Calciorthids	Mixed calcareous coarse-loamy alluvium	Swales on fan piedmonts
Wink-Pintura complex	Wink Pintura	45% 35%	1	3	Loamy fine sand	Well drained	None	Coarse-loamy, mixed, thermic Typic Calciorthids	Mixed calcareous coarse-loamy alluvium	Interdunes on fan piedmonts
ABOVEGROUND FACILITIES										
Green Chile El Paso Receipt M&R Station										
Bluepoint-Caliza-Yturbide complex	Bluepoint Caliza Yturbide	26% 25% 20%	5	40	Gravelly sandy loam	Somewhat excessively drained	None	Mixed, thermic Typic Torripsamments	Wind-modified sandy alluvium	Alluvial fans, piedmont slopes, valley sides
Green Chile M&R Station										

TABLE 7.1-2

Selected Physical and Interpretive Characteristic of the Soil Map Units Within the Project Area

Soil Name	Component Name	Component Percent	Percent Slope		Surface Texture	Drainage Class	Frequency of Flooding/Ponding	Taxonomic Classification	Parent Material	Landforms
			Low	High						
Wink-Harrisburg association	Wink Harrisburg	35% 25%	1	3	Fine sandy loam	Well drained	None	Coarse-loamy, mixed, thermic Typic Calciorthids	Mixed calcareous coarse-loamy alluvium	Swales on fan piedmonts
CONTRACTOR YARD										
Wink-Harrisburg association	Wink Harrisburg	35% 25%	1	3	Fine sandy loam	Well drained	None	Coarse-loamy, mixed, thermic Typic Calciorthids	Mixed calcareous coarse-loamy alluvium	Swales on fan piedmonts
ACCESS ROADS										
Permanent Access Road (PAR)-1										
Bluepoint-Caliza-Yturbide complex	Bluepoint Caliza Yturbide	26% 25% 20%	5	40	Gravelly sandy loam	Somewhat excessively drained	None	Mixed, thermic Typic Torripsamments	Wind-modified sandy alluvium	Alluvial fans, piedmont slopes, valley sides
PAR-2										
Wink-Harrisburg association	Wink Harrisburg	35% 25%	1	3	Fine sandy loam	Well drained	None	Coarse-loamy, mixed, thermic Typic Calciorthids	Mixed calcareous coarse-loamy alluvium	Swales on fan piedmonts

Source: USDA NRCS, 2025b

7.2 Construction Impacts and Mitigation

The following sections discuss the potential impacts of construction of the Project facilities, based on soil limitations and characteristics, including: soil erosion potential, compaction prone soils, hydric; rocky soils prime farmland and farmland of statewide importance; and revegetation potential. The location and acreage of each soil type that the Project will impact and the identification of soils presenting characteristics of potential concern were based on data contained in local county soil surveys and the SSURGO database. **Table 7.2-1** presents soil limitations for the mapping units crossed by the Project. **Table 7.2-2** summarizes acres of soil impact types by facility and county.

Construction activities such as clearing, grading, excavation, backfilling, heavy equipment traffic, and restoration activities could result in adverse impacts on soil resources in temporary work areas, on access roads, and at aboveground facilities. Clearing would remove protective vegetation cover and would expose soils to the effects of wind, sun, and precipitation, which could increase soil erosion. Grading and equipment traffic could compact soil, reducing porosity and percolation rates, which could result in increased runoff potential. Additionally, soil contamination could also occur from equipment spills or leakage of fuels, lubricants, and coolants.

Permanent impacts will occur at aboveground facility sites and permanent access roads, where soils will be converted to graveled surfaces. Temporary impacts will occur along the Green Chile Lateral construction workspace, and contractor yard; these areas will be restored to pre-construction conditions following completion.

Soil erosion will be controlled through temporary and permanent measures in accordance with FERC's Plan. Upon completion of construction, temporarily disturbed areas will be restored to pre-construction conditions. Revegetation will be completed following New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**), federal, state, and local permitting requirements, or landowner (i.e., BLM) requirements and in accordance with the FERC Plan (**Appendix C-1**). Revegetation success will be monitored, and corrective actions implemented as needed. To further minimize soil impacts during construction and operation, Transwestern will also implement its *SPAR Plan* (**Appendix C-2**) and *Fugitive Dust Control Plan* (**Appendix C-4**). Given the Project area's soil characteristics and these mitigation measures, soils are not expected to be significantly affected by Project construction or operation.

7.2.1 Soil Erosion Potential

Construction of the Project will remove existing ground cover and temporarily disturb soils. Water erosion is strongly related to the permeability of the soil type and to the cohesion of the soil particles that comprise it. Water erosion is also closely associated with other soil properties, such as texture, percent organic matter, structure, and infiltration capacity. Soils containing high portions of silt and very fine sand are the most susceptible to erosion. Well-drained and well-graded gravels and gravel-sand mixtures with little or no silt are the least erodible soils. Other soil properties that influence erosion include slope length and gradient; the frequency, intensity, and duration of rainfall; and the amount of time bare soils are exposed. Erosion factor (K Factor) indicates the susceptibility of a soil to sheet and rill erosion by water. K Factor is based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity.

Wind Erodibility Groups (WEGs) are a set of classes given to soils based on compositional properties of the surface horizon such as texture, organic matter, content, and aggregate stability that are considered particularly susceptible to wind erosion. WEGs group 1 or 2, out of 8 total groups denote the most severe erosion potential from wind as presented by SSURGO (USDA NRCS, 2025b).

TABLE 7.2-1 Soil Characteristics by Milepost Segment for Each Soil Map Unit Crossed by the Project													
Soil Name	MP		Crossing Length (Miles)	Acres of Soil Map Unit		Stony Rocky ^e (Y/N)	Shallow Depth to Bedrock ^d	Compaction Prone ^e (Y/N)	Hydric Soils ^f (Y/N)	Highly Erodible		Poor Reveg. Potential ⁱ (Y/N)	Prime Farmland ^j (Y/N)
	Begin	End		Cons. ^a	Oper. ^b					Water ^g (Y/N)	Wind ^h (Y/N)		
PIPELINE FACILITIES													
Green Chile Lateral													
Akela-Rock outcrop complex	2.17 2.74	2.53 3.84	1.45	14.02	8.82	Yes	Yes	No	No	No (7s)	No (3)	Yes	No
Bluepoint-Caliza-Yurbide complex	0.00	0.04	0.04	2.77	0.18	No	No	No	No	No (7e)	Yes (2)	Yes	No
Simona-Harrisburg association	0.04	1.38	1.34	13.37	8.14	No	No	No	No	No (7e)	No (3)	Yes	No
Wink-Harrisburg association	6.31 10.44 17.54	8.55 13.63 17.77	5.66	57.62	34.19	No	No	No	No	No (7e)	No (3)	Yes	No
Wink-Pintura complex	1.38 2.53 3.84 8.55 13.63	2.17 2.74 6.31 10.44 17.54	9.28	90.23	56.23	No	No	No	No	No (7e)	Yes (2)	Yes	No
Subtotal			17.77	178.01	107.55								
ABOVEGROUND FACILITIES													
Green Chile El Paso M&R Station													
Bluepoint-Caliza-Yurbide complex	N/A		N/A	2.59	2.59	No	No	No	No	No (7e)	Yes (2)	Yes	No
Green Chile M&R Station													
Wink-Harrisburg association	N/A		N/A	1.44	1.44	No	No	No	No	No (7e)	No (3)	Yes	No
CONTRACTOR YARD													
Contractor Yard													

TABLE 7.2-1
Soil Characteristics by Milepost Segment for Each Soil Map Unit Crossed by the Project

Soil Name	MP		Crossing Length (Miles)	Acres of Soil Map Unit		Stony Rocky, ^e (Y/N)	Shallow Depth to Bedrock ^d	Compaction Prone ^e (Y/N)	Hydric Soils ^f (Y/N)	Highly Erodible		Poor Reveg. Potential ⁱ (Y/N)	Prime Farmland ^j (Y/N)
	Begin	End		Cons. ^a	Oper. ^b					Water ^g (Y/N)	Wind ^h (Y/N)		
Wink-Harrisburg association	N/A		N/A	10.00	0.00	No	No	No	No	No (7e)	No (3)	Yes	No
ACCESS ROADS													
Permanent Access Road (PAR)- 1													
Bluepoint-Caliza-Yurbide complex	N/A		N/A	0.16	0.16	No	No	No	No	No (7e)	Yes (2)	Yes	No
Permanent Access Road (PAR)-2													
Wink-Harrisburg association	N/A		N/A	0.06	0.06	No	No	No	No	No (7e)	No (3)	Yes	No

Notes:

- ^a The construction area affected includes the permanent (operation), temporary workspace, and ATWS areas (see Aerial Alignment Sheets in Appendix A-3).
- ^b The area affected includes the permanent pipeline ROW (i.e., permanent impacts during operations).
- ^c Includes soils that have either: 1) a very gravelly, extremely gravelly, cobbly, stony, boulder, flaggy, or channery modifier to the textural class, or 2) have >5 percent (weight basis) of rock fragments larger than 3 inches in any layer within the profile.
- ^d Includes soils that have bedrock within top 80 inches of the soil surface.
- ^e Includes soils that have clay loam or finer textures in somewhat poor, poor, and very poor drainage classes.
- ^f As designated by the Natural Resource Conservation Service
- ^g Includes land in capability subclasses 4E through 8E (nonirrigated) and soils with an average slope greater than or equal to 9 percent. (Subclasses: E – Erosion and runoff, W – Excess Water, S – Root Zone Limitation).
- ^h Includes soils with Wind Erodibility Group (WEG) classification of one or two.
- ⁱ Includes surface textures that include loamy fine sand or coarser that are in well drained, somewhat excessively, or excessively drained soils and located in arid conditions.
- ^j As designated by the Natural Resource Conservation Service

Source: USDA, NRCS, 2025b.

TABLE 7.2-2
Acres of Soil Characteristics Affected by the Project

Facility/County		Acreage							
		Stony/ Rocky	Shallow Bedrock	Compaction Prone	High Erosion Potential		Poor Revegetation Potential	Hydric Soils	Prime Farmland
					Water	Wind			
Pipeline Facilities									
Green Chile Lateral	Const. ^a	14.02	14.02	0.00	0.00	93.00	178.01	0.00	0.00
	Oper.	8.82	8.82	0.00	0.00	56.41	107.55	0.00	0.00
Aboveground Facilities									
Green Chile El Paso M&R Station	Const. ^a	0.00	0.00	0.00	0.00	2.59	2.59	0.00	0.00
	Oper.	0.00	0.00	0.00	0.00	2.59	2.59	0.00	0.00
Green Chile M&R Station	Const. ^a	0.00	0.00	0.00	0.00	0.00	1.44	0.00	0.00
	Oper.	0.00	0.00	0.00	0.00	0.00	1.44	0.00	0.00
Contractor Yard									
Contractor Yard	Const. ^a	0.00	0.00	0.00	0.00	0.00	10.00	0.00	0.00
	Oper.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Access Roads									
Permanent Access Roads	Const. ^a	0.00	0.00	0.00	0.00	0.16	0.22	0.00	0.00
	Oper.	0.00	0.00	0.00	0.00	0.16	0.22	0.00	0.00
Total Construction Acreage		14.02	14.02	0.00	0.00	95.75	192.26	0.00	0.00
Total Operation Acreage		8.82	8.82	0.00	0.00	59.16	111.8	0.00	0.00
Notes:									
^a The area affected includes the permanent and temporary pipeline ROW, and ATWS.									
^b See notes in Table 7.2-1.									

The erosion potential (i.e., K Factor and WEGs) are provided in **Table 7.2-1**. None of the soils affected by the Project have high erosion potential from water. Lack of erosion potential from water can largely be attributed to the very gently sloping terrain encountered within the Project area and cohesive soils with high infiltration rates.

The potential for wind erosion is higher than that for water erosion. The Project area has soils (i.e., the Wink-Pintura complex and Bluepoint-Caliza-Yturbide complex) with a WEG of 2 (see **Table 7.2-1**), which makes them the least stable against breakdown by tillage and abrasion from wind. Project components with the Wink-Pintura complex include the Green Chile Lateral, the Green Chile El Paso M&R Station, and one permanent access road. Transwestern will utilize fugitive dust control measures, including routine wetting of the construction workspace as necessary where soils are exposed (see Transwestern's *Fugitive Dust Control Plan* (**Appendix C-4**)).

Transwestern will minimize construction impacts associated with erosion by adhering to the protective measures in the FERC Plan (**Appendix C-1**), which specifies the use of terraces, mulch (e.g., hay and straw), or mats in areas where a high erosion potential exists, such as installing temporary sediment barriers (e.g., silt fencing or staked straw bales) where needed during construction to prevent transport of sediment away from Project workspaces.

7.2.2 Hydric Soils

Hydric soils are defined by the USDA NRCS as soils that formed under conditions of saturation, flooding, or ponding of sufficient duration during the growing season to develop anaerobic conditions in the upper soil surface. Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and regeneration of hydrophytic vegetation (USDA NRCS, 2025c). A combination of hydric soils, hydrophytic vegetation, and hydrology properties are used to define wetlands as described by *Corps of Engineers Wetlands Delineation Manual* (USACE, 1987). Hydric soils can be more susceptible to compaction and rutting than non-hydric soils.

As shown in **Tables 7.2-1** and **7.2-2**, no soils have been identified as hydric, or partially hydric, within the Project area. The Project is located within the Chihuahuan Basin and Playas of the Chihuahuan Deserts ecoregion (USEPA, 2024). This ecoregion is characterized by hot, arid conditions with alkaline or saline soils.

7.2.3 Compaction Prone Soils

All of the soils crossed by the proposed Project have a low rutting and compaction potential. Measures to mitigate rutting and compaction include the use of mats during construction and/or decompaction ripping of soil during restoration. Transwestern will implement mitigation measures for rutting and compaction if required.

7.2.4 Prime or Unique Farmland Soils

Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is available for these uses. This designation includes cultivated land, pasture, woodlands, and other lands that are used for either food or fiber crops or are available for these uses. Farmland of statewide importance includes all Prime Farmland as identified by the Soil Conservation Service and, in addition, land in capability class I, II, and III that meet state-specific designated criteria (USDA NRCS, 2024d). The soil units within the Project area

are not classified as Prime Farmland or Farmland of Statewide Importance; therefore, no impacts on Prime Farmland from the Project will occur.

7.2.5 Stony/Rocks Soils

Construction through rocky soils or soils with shallow bedrock could result in the incorporation of rock fragments into surface soils. Introducing stones or rocks to surface soil layers may reduce soil moisture-holding capacity, resulting in a reduction of soil productivity. Rock fragments and stones at the surface and in the surface layer may be encountered during grading, trenching, and backfilling. Soils with 15 percent by weight or greater of the surface soil horizon occupied by rock fragments greater than 3 inches in size, and/or soils with bedrock within approximately 3 feet of the surface present the greatest risk of introducing rocks into surface soil.

One soil unit in the Project area (Akela-Rock outcrop complex, 8.82 total acres) has potential for introducing stones or rocks into surface soil layers during construction. The potential for introducing stones or rocks into surface soil layers during construction will be minimized and mitigated through the implementation of the measures in the FERC Plan (**Appendix C-1**) including removal of rock from the top 12 inches of soil if requested by the landowner, and ensuring that the size, density, and distribution of rock on the construction work area is similar to adjacent areas not disturbed by construction following site restoration.

7.2.6 Shallow Bedrock

Typical profiles of the soils crossed by the Project indicate a depth to restrictive feature of more than 80 inches. One soil unit within the Project Area (Akela-Rock outcrop complex, 8.82 total acres) consists of soil with a depth to restrictive feature of less than 80 inches with only one soil with bedrock as the restrictive feature. If bedrock is encountered during trenching, Transwestern will attempt to remove it using mechanical means. The need for blasting is not anticipated for the Project.

7.2.7 Revegetation Potential

Construction activities will result in the removal of existing vegetation within the Project area. The soils encountered along the route are generally well-drained but exhibit a low potential for natural revegetation. To address these limitations, Transwestern will implement BMPs and restore Project workspaces in accordance with the FERC Plan (**Appendix C-1**) and any applicable BLM requirements, including post-construction monitoring to ensure revegetation success.

Upon completion of construction, revegetation will be completed following New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**), federal, state, and local permitting requirements, or landowner (i.e., BLM) requirements and in accordance with the FERC Plan (**Appendix C-1**). Where feasible and where excavation is not required, existing vegetation will be cut at ground level to promote regrowth. Because the Project does not cross agricultural or residential lands, topsoil segregation is not proposed unless specifically requested by the BLM.

7.2.8 Soil Contamination

To identify potential locations of known soil contamination in the Project vicinity, Transwestern conducted a comprehensive review of state and federal environmental databases. This review included state databases maintained by the NMED and federal databases managed by the USEPA. The search targeted sites listed on the federal National Priorities List (Superfund), including delisted sites; RCRA

hazardous waste handlers and generators; facilities with federal or state engineering controls; state and federal brownfield sites; landfills; and petroleum storage tank sites classified as active leaking or no-further-action. Based on the results of this database review, no contaminated sites were identified within 0.25 mile of the Project area (USEPA 2025b,c; NMED 2025a,c,d,e). In the event that contamination or potential contamination is encountered during construction, Transwestern has prepared an *Unanticipated Discovery Plan* (**Appendix C-3**) to guide appropriate response measures. Implementing Transwestern's *SPAR Plan* (**Appendix C-2**) minimizes potential contamination of soil resources from spills of hazardous materials during construction of the Project.

7.3 Operation Impacts and Mitigation

Pre-construction uses for soils can resume during operation of the Green Chile Lateral. Soils will be permanently converted to industrial land within the permanent footprint of the aboveground facility sites and associated permanent access roads. None of the soils in these areas are classified as prime or unique farmland soils by the NRCS.

Vegetation maintenance activities within the remainder of the permanent ROW will be conducted no more than once every three years and will require the removal of woody vegetation to maintain safe access and visibility. However, Transwestern anticipates that the need for routine vegetation maintenance will be infrequent, due to the dominance of desert scrub vegetation types in the Project area, which typically exhibit slow growth and low biomass accumulation.

Operation and routine maintenance of the pipeline ROW and aboveground facilities will be conducted in accordance with the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**), ensuring compliance with environmental protection standards and minimizing disturbance to surrounding soil and vegetation.

Based on the scope of the Project, the characteristics of the soils underlying the facilities, and Transwestern's adherence to the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**), operation of the proposed facilities is not anticipated to result in significant impacts to soils.

8.0 LAND USE, RECREATION AND AESTHETICS

This section describes the existing land use, recreation, and aesthetics in areas crossed by the Project and addresses the impacts from Project construction and operations. To avoid and minimize impacts to land use, recreation, and aesthetics during construction and operation of the Project, Transwestern will implement the FERC Plan (**Appendix C-1**) and Transwestern's *SPAR Plan* (**Appendix C-2**).

8.1 Land Use

8.1.1 Land Use Classifications

The classification of land use within the Project area was determined using data from the Multi-Resolution Land Characteristics Consortium (MRLC) National Land Cover Database (NLCD) (MRLC, 2025) and was subsequently verified through field surveys conducted for the Project. Land use categories were evaluated based on the dominant vegetation cover type and/or prevailing land use. As outlined in **Table 8.1-1**, existing land use within the Project area consists entirely of open land characterized by upland scrub/shrub vegetation, along with developed land associated with transportation infrastructure (i.e., road and railroad rights-of-way).

TABLE 8.1-1 Land Use Types in the Project Area	
Land Use Type	MRLC NLCD Land Use Designation
Open Land	Shrub/Scrub – This land cover type is characterized by areas dominated by shrubs less than 16.4 feet (5 meters) tall, with shrub canopy typically comprising more than 20% of the total vegetation. Within the Project area, this habitat is classified as <i>Chihuahuan Desert Scrub</i> , a xeromorphic shrub community ranging from moderate to sparse in density. It features a tall shrub layer that may be either sparse or dense, often lacking a significant herbaceous understory. Many stands exhibit a pebbly desert pavement across the soil surface, occasionally interspersed with scattered grass and forbs. Additional information on vegetation within the Project area is provided in Section 3.2 and Appendix F.
Developed	Developed Land – In the Project area, this land use category includes transportation (roads and railroad corridors).
Source: MRLC, 2025; Natural Heritage of New Mexico, 2025	

8.1.2 Existing Land Uses

Existing land uses for areas crossed by the Green Chile Lateral are provided by mileage in **Table 8.1-2**. Land use acreages affected by the Project are shown in **Table 8.1-3**. Land use maps are included in **Appendix A-6**.

TABLE 8.1-2 Land Uses Crossed by the Green Chile Lateral (Miles)				
Facility	Open Land (Shrub/Scrub)		Developed (Transportation ROW)	
	(mi.)	(%)	(mi.)	(%)
Green Chile Lateral	17.60	99 %	0.17	1 %

TABLE 8.1-3
Land Uses Affected by Construction and Operation of the Project (Acres)

Facility/ County, State		Open Land (Shrub/Scrub)		Developed (Transportation ROW)		Total	
		Const. ^{a,b}	Oper. ^c	Const.	Oper.	Const.	Oper.
Pipeline Facilities							
Green Chile Lateral	Pipeline ROW	169.91	106.54	1.21	1.01	171.12	107.55
ATWS ^d		6.59	0.00	0.29	0.00	6.88	0.00
Contractor Yard ^e		10.00	0.00	0.00	0.00	10.00	0.00
Access Roads ^f		0.16	0.16	0.06	0.06	0.22	0.22
Subtotal		186.66	106.70	1.56	1.07	188.22	107.77
Aboveground Facilities							
Green Chile El Paso M&R Station		2.50	2.50	0.09	0.09	2.59	2.59
Green Chile M&R Station		1.36	1.36	0.08	0.08	1.44	1.44
Subtotal ^g		3.87	3.86	0.16	0.16	4.03	4.03
PROJECT TOTAL		190.53	110.56	1.72	2.22	192.25	111.8

Notes:

Const. = Construction; Oper. = Operation

^a Land affected during construction includes both temporary and permanent work areas.

^b Construction of the Green Chile Lateral will typically require an 80-foot-wide construction ROW, consisting of 30 feet of temporary workspace and 50 feet of permanent ROW (See aerial alignment sheets in **Appendix A-3**).

^c Operation of the Green Chile Lateral will occupy a 50-foot-wide permanent ROW.

^d ATWS will be required for construction of the Green Chile Lateral (3.20 acres), Green Chile El Paso M&R Station (2.47 acres), and Green Chile M&R Station (1.22 acres) totaling 6.88 acres. The location, purpose, size, of the proposed ATWS are summarized in **Table 8.1-5**.

^e One contractor yard will be utilized for storage and staging of pipe, equipment, materials and temporary office trailers during construction of the Project (see **Table 8.1-7**).

^f Two permanent access roads will be constructed to access the M&R Station sites during operation of the Project (see **Table 8.1-6**). No new temporary access roads will be required during construction as Transwestern will use the construction ROW for access.

^g The numbers in this table have been rounded for presentation purposes. As a result, the totals may not reflect the sum of the addends.

8.1.3 Land Ownership

As shown on **Figure 8.1-1**, the proposed Project will be installed on private lands (1.14 miles or approximately 6.4 percent) and lands managed by BLM (approximately 16.63 miles or 93.6 percent). **Table 8.1-4** provides the approximate acreage of Project land ownership for the Project components.

FIGURE 8.1-1 Land Ownership Along the Project

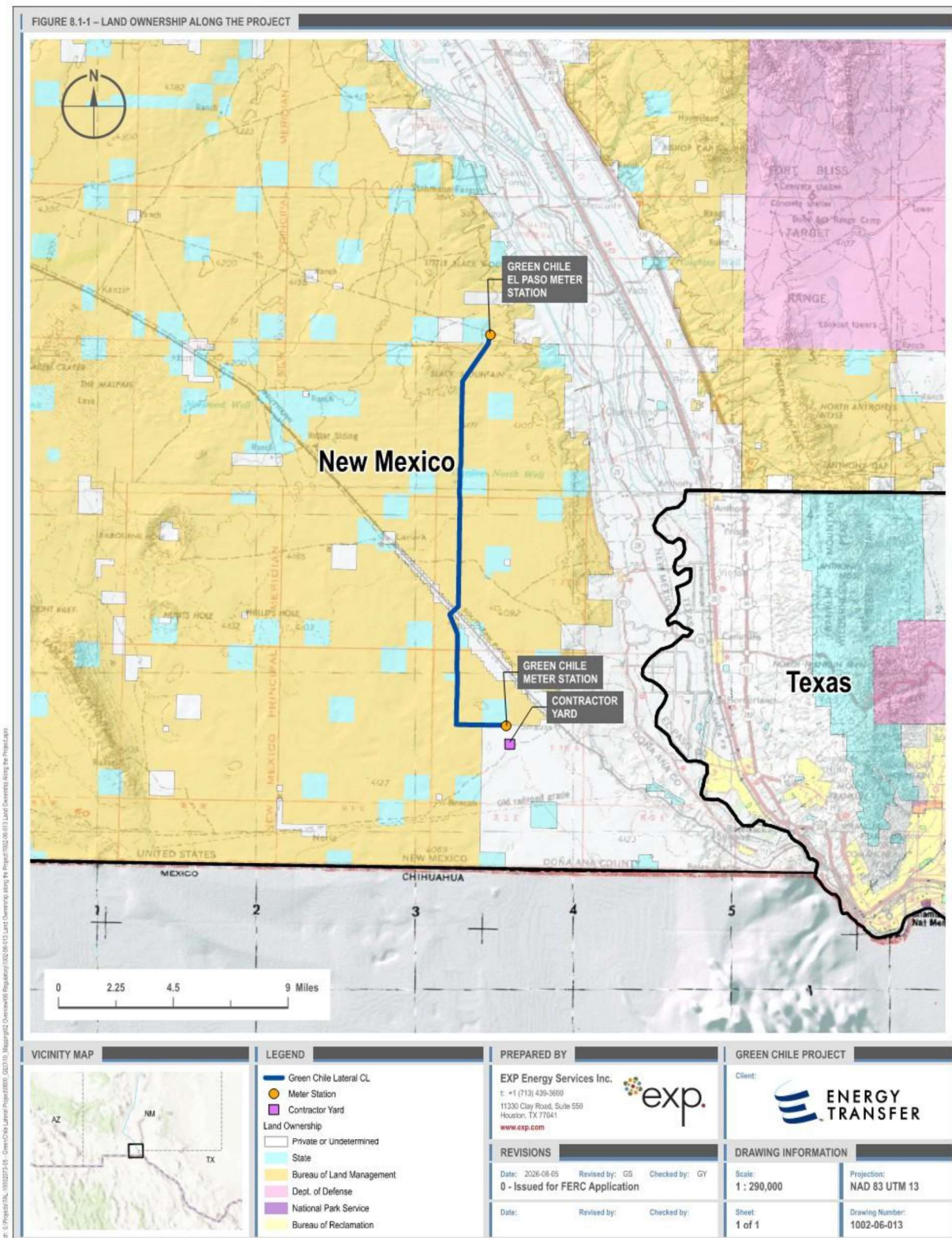


TABLE 8.1-4
Project Land Ownership

Component	BLM (acres)	Private (acres)		Total (acres)
Green Chile Lateral Permanent ROW	100.72	6.83		107.55
Green Chile Lateral Construction ROW	60.19	3.38		63.57
Green Chile Lateral Additional Temporary Workspace (ATWS)	5.67	1.22		6.88
Green Chile El Paso M&R Station	2.59	0.00		2.59
Green Chile M&R Station	0.00	1.44		1.44
PAR-1	0.16	0.00		0.16
PAR-2	0.00	0.06		0.06
Contractor Yard	0.00	10.0		10.0
Total (acres)	169.32	22.93		192.25

8.1.4 Construction and Operation Impacts and Mitigation

8.1.4.1 Pipeline Facilities

The proposed Project will require temporary workspace and the acquisition of permanent (operational) easement. Specifically, construction of the Green Chile Lateral will require clearing and grading an 80-foot-wide construction ROW, consisting of a 30-foot-wide permanent easement and a 50-foot-wide temporary workspace. ATWS areas will also be cleared as needed to support construction activities. At the HDD crossing location of the Union Pacific Railroad line, no land will be affected by construction between the HDD entry and exit locations. Transwestern's proposed permanent ROW, including its location, orientation, and dimensions, is detailed on the aerial alignment sheets in **Appendix A-3** and the typical drawings in **Appendix B**.

Following construction, the 50-foot-wide permanent easement will be maintained for pipeline operations and maintenance. This area, along with the remainder of the construction ROW, will be allowed to return to preconstruction conditions (i.e., shrub/scrub and herbaceous cover). Vegetation impacts are discussed in detail in Section 3.2 (*Vegetation*) of this report. Construction and restoration activities will be conducted in accordance with the FERC Plan (**Appendix C-1**), New Mexico NRCS *Revegetation Seeding Rates and Mixes Recommendations* (**Appendix C-5**), and will comply with all relevant permits and landowner (i.e., BLM) requirements.

8.1.4.2 Additional Temporary Workspace

ATWS will be required at road crossings, tie-ins, HDD entry, exit and stringing locations, and for staging and fabrication of pipe sections. The location, purpose, size, and existing land use of the proposed ATWS is summarized in **Table 8.1-5**. Transwestern has limited the number and size of proposed ATWS areas to the extent practicable. ATWS will be allowed to revert to previous land uses following construction and per landowner agreements. ATWS areas are identified on the Project mapping included in **Appendix A**.

TABLE 8.1-5					
Additional Temporary Workspace (ATWS) Required for Project Construction					
ATWS No.	Facility / Milepost	Purpose of ATWS	Dimensions ^a (feet)	Area (acres)	Existing Land Use
1-1	Green Chile El Paso M&R Station	Construction of Green Chile El Paso M&R Station	694 x 25	0.35	Open land
				0.05	Developed
1-2	Green Chile El Paso M&R Station	Construction of Green Chile El Paso M&R Station	337 x 191	1.44	Open land
1-3	Green Chile El Paso M&R Station	Construction of Green Chile El Paso M&R Station	339 x 47	0.35	Open land
1-4	Green Chile El Paso M&R Station	Construction of Green Chile El Paso M&R Station	470 x 25	0.28	Open land
2-1	Green Chile Lateral	Trenchless construction under pipeline ROW	150 x 50	0.19	Open land
2-2	Green Chile Lateral	Trenchless construction under pipeline ROW	150 x 50	0.17	Open land
3	Green Chile Lateral	Trenchless construction under roadway.	150 x 50	0.12	Open land
				0.07	Developed
4	Green Chile Lateral	Trenchless construction under roadway.	150 x 50	0.13	Open land
				0.05	Developed
5	Green Chile Lateral	Trenchless construction under railway (pipe stringing area).	1036 x 50	1.14	Open land
6	Green Chile Lateral	Trenchless construction under railway.	150 x 53	0.18	Open land
7	Green Chile Lateral	Trenchless construction under railway	150 x 23	0.08	Open land
8	Green Chile Lateral	Trenchless construction under roadway and railroad; point of inflection.	367 x 25	0.22	Open land
9	Green Chile Lateral	Trenchless construction under roadway and railroad.	266 x 53	0.20	Open land
				0.13	Developed
10	Green Chile Lateral	Trenchless construction under roadway.	150 x 25	0.09	Open land
11	Green Chile Lateral	Trenchless construction under roadway.	150 x 25	0.09	Open land
12	Green Chile Lateral	Trenchless construction under roadway.	150 x 25	0.09	Open land
13	Green Chile Lateral	Trenchless construction under roadway.	150 x 25	0.09	Open land
14	Green Chile Lateral	Point of inflection	300 x 25	0.16	Open land
15	Green Chile M&R Station	Construction of Green Chile M&R Station	250 x 195	1.12	Open land
16	Green Chile M&R Station	Construction of Green Chile M&R Station	170 x 25	0.10	Open land

TABLE 8.1-5

Additional Temporary Workspace (ATWS) Required for Project Construction

ATWS No.	Facility / Milepost	Purpose of ATWS	Dimensions ^a (feet)	Area (acres)	Existing Land Use
Notes:					
^a General dimensions, does not account for irregular shapes.					
^b L-shaped ATWS. Dimensions represent the outer widths and lengths of the ATWS. Acreage has been updated to eliminate double counting of disturbance					

8.1.4.3 Access Roads

Transwestern will primarily utilize existing public roads and highways to access the Project area during construction. In addition, Transwestern will construct two new permanent access roads to provide operational access to the proposed M&R Stations. No temporary access roads will be required during construction, as the construction ROW will serve as the temporary equipment access route.

Following construction, the ROW will be restored and allowed to revert to pre-construction conditions. Detailed land requirements for each access road are provided in **Table 8.1-6**. The locations of the access roads are shown on the Project maps included in **Appendix A**.

TABLE 8.1-6

Proposed Access Roads

Facility / Milepost	Access Road Number ^a	Type (New/Existing)	Width x Length (feet)	Existing Land Use	Planned Improvements	Land Requirements	
						Const. (acres)	Oper. (acres)
Green Chile Lateral (Doña Ana County, NM)							
N/A	None ^a	N/A	N/A	N/A	N/A	N/A	N/A
Aboveground Facilities							
Green Chile El Paso M&R Station	PAR-1	New	360 x 20	Developed (Utility ROW); Open land	Clearing and grading	0.16	0.16
Green Chile M&R Station	PAR-2	New	60 x 45	Developed (Road ROW)	Clearing and grading	0.06	0.06
Note: PAR = Permanent Access Road ^a No temporary access roads will be required during construction, as the construction ROW will serve as the temporary equipment access route.							

8.1.4.4 Contractor Yard

Transwestern has identified one contractor yard located in Doña Ana County, New Mexico for storage and staging of pipe, equipment, materials, and temporary office trailers during construction of the proposed Project. The location of the proposed contractor yard is shown on the Project mapping included in **Appendix A**. Land requirements for the proposed contractor yards are summarized in **Table 1.2-1** and **Table 8.1-7**. The contractor yard has existing site access via Strauss Road and Cross

Tie Road. The contractor yard will be returned to previous land use following construction and per landowner agreement.

TABLE 8.1-7 Proposed Contractor Yards				
Contractor Yard (County, State)	Approx. Milepost Location	Approx. Size (Acres)	Current Land Use	Planned Improvements
Doña Ana County, NM				
Contractor Yard	Approximately 0.67 miles south of MP 17.77	10.0	Open land	Clearing/Grading

8.1.5 Aboveground Facilities

Land uses affected by aboveground facilities are described below and summarized in **Table 8.1-3**. Permanent land impacts will occur at the aboveground facility locations, including the Green Chile El Paso M&R Station (2.59 acres), Green Chile M&R Station (1.44 acres) and associated permanent access roads (0.22 acres). These impacts will be limited to a relatively small area, with approximately 4.25 acres of open land (i.e., shrubland vegetation) permanently affected. These areas will be permanently converted to non-vegetated, operational use and will not be subject to revegetation.

8.1.5.1 Green Chile El Paso M&R Station

The Green Chile El Paso M&R Station will be installed at the northern terminus of the proposed Green Chile Lateral (MP 0.00) in Doña Ana County, New Mexico. This facility will receive natural gas from two existing 24-inch pipelines owned by El Paso Natural Gas Company. The station will also include a new 24-inch pig launcher and associated tie-in facilities as shown in the site plans provided in **Appendix B-3**.

A new permanent gravel pad and perimeter fencing will be installed at the **Green Chile El Paso** M&R Station, with a total footprint of approximately 2.59 acres. The Green Chile El Paso M&R Station will convert approximately 2.50 acres of open land (i.e., scrub/shrub) and 0.09 acres of developed utility ROW land to industrial land.

ATWS will be required during construction to accommodate equipment staging, material laydown, and safe access. Upon completion of construction, all temporary workspaces will be restored to pre-construction contours and conditions (i.e., open land) to the extent practicable and allowed to naturally revegetate.

8.1.5.2 Green Chile M&R Station

The Green Chile M&R Station will be installed at the southern terminus of the proposed Green Chile Lateral (MP 17.77) in Doña Ana County, New Mexico. This facility will tie-in to the Customer's (Green Chile Ventures, LLC) pipeline delivery point. The station will also include a new 24-inch pig receiver as shown in the site plans provided in **Appendix B-3**.

Transwestern will install a new permanent gravel pad and perimeter fence at the M&R Station (approximately 1.44 acres). The Green Chile M&R Station will convert approximately 1.44 acres of open land (i.e., scrub/shrub) to industrial land.

ATWS will be required during construction to accommodate equipment staging, material laydown, and safe access. Upon completion of construction, all temporary workspaces will be restored to pre-construction contours and conditions (i.e., open land) to the extent practicable and allowed to naturally revegetate.

8.2 Residential Areas

The proposed Project facilities will be installed in an uninhabited area within the arid Chihuahuan Desert landscape in Doña Ana County, New Mexico. The nearest developed communities—La Mesa, Chamberino, La Union, and Santa Teresa—are located approximately 3.5 to 4.5 miles east of the Green Chile Lateral.

8.3 Planned Residential and Commercial Areas

Transwestern reviewed the following publicly available websites to identify all planned residential or commercial/business developments and subdivisions that could be crossed by or within 0.25 mile of the construction ROW, ATWS, or staging area(s) (i.e., the construction work area).

- New Mexico Environment Department (NMED) Public Notices (NMED, 2025f);
- Doña Ana County (Doña Ana County, 2025a); and
- Doña Ana County Planning and Zoning (Doña Ana County, 2025b).

Based on this review, there are no planned residential or commercial developments within 0.25 miles of the Project vicinity.

8.3.1 Existing Residential and Commercial Structures

Based on a review of aerial photography and observations during field surveys, Transwestern has not identified any residential and commercial structures within 50 feet of the proposed Project. The nearest developed communities—La Mesa, Chamberino, La Union, and Santa Teresa—are located approximately 3.5 to 4.5 miles east of the Green Chile Lateral. The closest residences, located approximately 1.10 miles east of MP 0.0 of the Green Chile Lateral and the Green Chile El Paso M&R Station, are situated in a rural area characterized by scattered homes outside the town of La Mesa near Camino Encanto Road and north of West Afton Road. The closest residences to the terminus of the Green Chile Lateral and the Green Chile M&R Station, approximately 4.5 miles east near the community of Santa Teresa, are located within a more developed residential neighborhood.

Transwestern has developed its Environmental Complaint Resolution Procedures to address concerns or complaints received from affected landowners during construction of the Project (**Appendix C-7**). Affected landowners will be provided with a copy of the Environmental Complaint Resolution Procedures prior to the commencement of construction. Transwestern is committed to working closely with affected landowners to ensure that any concerns or complaints are resolved satisfactorily and in a timely manner.

8.4 Public Land, Recreation, and Other Designated or Special Use Areas

As shown in **Figure 8.1-1**, the proposed Project will be installed on private lands (**1.14 miles or 6.4 percent**) and lands managed by BLM (**approximately 16.63 miles or 93.6 percent**). No other specially designated areas will be crossed or are within 0.25 mile of the Project area including the following: national or state forests; wild and scenic rivers; national wildlife refuges; national wilderness preservation system lands; waterfowl production areas; state nature preserves; state recreation areas or trails; state game management areas; registered natural landmarks; national or state scenic byways; Indian reservation lands; state, county, or local parks; or campgrounds (USEPA, 2025b; BLM, 2025a; NPS, 2025a,b,c; UUSFS, 2025; NWSRS, 2025). Based on a search of the National Conservation Easement Database (NCED, 2025), no conservation easements were identified within or near the Project area. The Project is not within agricultural land and will not affect specialty crops. The closest wilderness area (managed by the BLM), Aden Lava Flow Wilderness Area, is approximately 7.5 miles west of the Green Chile Lateral (BLM, 2025a).

8.4.1 BLM-Managed Land

Approximately **16.63 miles, or 93.6** percent, of the Green Chile Lateral is located on public lands managed by the BLM Las Cruces District and is subject to the Mimbres Resource Management Plan (RMP). Resource Management Plans guide BLM's land use and management decisions. Accordingly, BLM will evaluate the Project for compatibility with the RMP as part of its consideration of a Right-of-Way Grant for construction on BLM-managed land. Transwestern initiated coordination with BLM in October 2025 and will continue working with the agency to ensure compliance with the RMP. Transwestern **submitted** its right-of-way application, SF-299, to the BLM- Las Cruces District Office in January 2026. **The BLM approved the SF-299 application and permit in May 2026 for the initial route. A new or amended ROW application will be required for the BLM.**

Copies of relevant BLM correspondence are provided in **Appendix D-3**. Because Project workspaces will be restored as close as practicable to original elevation and contours, no significant temporary direct or indirect impacts on special land uses are anticipated.

8.4.2 State Lands

Transwestern initiated coordination with the NMSLO in November 2025 **but subsequently revised the route to avoid NMSLO Administered lands.**

8.5 Contaminated or Hazardous Waste Sites and Landfills

To identify potential locations of contaminated or hazardous waste sites and landfills within the Project vicinity, Transwestern conducted a comprehensive review of state and federal environmental databases. This review included state databases maintained by the NMED and federal databases managed by the USEPA. The search targeted sites listed on the federal National Priorities List (Superfund), including delisted sites; RCRA hazardous waste handlers and generators; facilities with federal or state engineering controls; state and federal brownfield sites; landfills; and petroleum storage tank sites classified as active leaking or no-further-action. Based on the results of this database review, no contaminated sites were identified within 0.25 mile of the Project area (USEPA 2025b,c; NMED 2025a,c,d,e). In the event that contamination or potential contamination is encountered during construction, Transwestern has prepared an *Unanticipated Discovery Plan* (**Appendix C-3**) to guide appropriate response measures.

8.6 Visual Resources

The Project does not cross any scenic highways, designated scenic rivers, or trails, and there are no residences in the immediate vicinity. There are no visually sensitive areas within the viewshed of the Project and the Project does not include construction of any high-profile or prominent structures. The closest National Monument, the Organ Mountains – Desert Peaks National Monument, is approximately 7.77 miles west of the proposed Project. Therefore, as discussed in the following sections, the Project is not expected to result in significant changes to the viewshed of recreational or scenic areas or residential properties.

BLM developed the Visual Resource Management (VRM) system (BLM, 1986) to protect scenic and visual values on BLM-administered lands. Under this system, lands are assigned VRM Class Objectives based on existing landscape characteristics and management goals.

- **Class I** areas are managed to maintain a natural landscape, including national wilderness areas, wild segments of national wild and scenic rivers, and other congressionally or administratively designated areas.
- **Classes II, III, and IV** are assigned based on scenic quality, sensitivity level, and distance zones, with Class IV representing the lowest visual resource value (BLM, 1986; BLM, 2025b).

VRM classes are established through the RMP process and adjusted as needed to reflect resource allocation decisions. Each class sets objectives for visual management and defines the level of acceptable visual change resulting from proposed activities (BLM, 1986).

Based on a review of the BLM National Data Mapper, the Project area is classified as VRM Class IV (BLM, 2025c). Class IV lands have the least visual resource value and are not prioritized for management decisions aimed at preserving visual character. Consequently, the Project is consistent with VRM objectives for this classification.

8.6.1 Green Chile Lateral

Visual impacts during construction will be limited to the presence of worker vehicles, trenching equipment, HDD equipment, and temporary spoil piles. All disturbed areas will be backfilled and restored to pre-construction conditions, resulting in minor and short-term impacts to the viewshed. During operations, scrub/shrub vegetation will be allowed to naturally revegetate within the pipeline ROW, except where periodic vegetation clearing is required for visual inspection. Because the pipeline will remain buried, long-term visual impacts will not be significant.

8.6.2 Contractor Yard

The proposed contractor yard will be used for material storage, staging, and parking. The proposed site is located approximately one mile west of an existing developed industrial warehouse area, and there are no visually sensitive areas (e.g., scenic rivers, parks, designated viewpoints) within the Project viewshed. During construction, temporary features such as equipment, pipe storage, and portable buildings will be visible from the adjacent road (e.g., Strauss Road). These impacts will be minor and short-term. Upon completion, the contractor yard will be restored to pre-construction conditions or as agreed with landowners, resulting in no long-term changes to the viewshed.

8.6.3 Access Roads

Transwestern will primarily use existing public roads and highways for construction access. Two new permanent access roads will be constructed to provide operational access to the new Green Chile El Paso and Green Chile M&R Stations, connecting to existing roadways. No temporary access roads will be required, as the construction ROW will serve as the temporary equipment access route. After construction, the ROW will be restored to pre-construction conditions. There are no visually sensitive areas within the viewshed, and no significant adverse impacts on visual resources are anticipated.

8.6.4 Aboveground Facilities

There are no visually sensitive areas (e.g., scenic areas, rivers, parks) or residences within the Project viewshed. Therefore, as discussed in the following sections, visual impacts from aboveground facilities will not be significant due to the absence of residential areas and the presence of similar adjacent land uses.

8.6.4.1 Green Chile El Paso M&R Station

The proposed Green Chile El Paso M&R Station is located approximately **one** mile west of the nearest residence, which is outside the facility's viewshed due to its low profile (aboveground piping and fencing). No new structures or additional lighting will be required. The station is collocated with an existing El Paso pipeline system, a powerline corridor, and West Afton Road. Consequently, visual impacts from construction and operation will not be significant.

8.6.4.2 Green Chile M&R Station

The proposed Green Chile M&R Station is located approximately 4.5 miles east near the closest residence near the community of Santa Teresa which is outside the facility's viewshed due to its low profile (aboveground piping and fencing). No new structures or additional lighting will be required. While the station will be visible from the adjacent Strauss Road, visual impacts will be minor and limited to passersby. The site is approximately one mile west of an existing industrial warehouse area, and there are no visually sensitive areas (e.g., scenic rivers, parks, designated viewpoints) within the Project viewshed. Therefore, visual impacts from construction and operation of the facility are not anticipated to be significant.

9.0 AIR AND NOISE QUALITY

This section provides an assessment of the potential impacts on air quality and noise resulting from the Project, which includes construction and operation of the 17.77-mile Green Chile Lateral, the Green Chile El Paso M&R Station and the Green Chile M&R Station at the Green Chile Ventures LLC delivery point, located in Doña Ana County, New Mexico. Topics discussed in this section include existing air quality and noise conditions, applicable permitting and regulatory requirements, emissions and noise generated during construction and operation, and the anticipated impacts on air quality and noise levels.

This resource report addresses air quality and noise related to the construction and operation of the proposed Project facilities. This report also summarizes federal, state, and local air quality and noise regulations applicable to the Project and, as appropriate, discusses forms of mitigation that may be used to reduce impacts during Project construction and operation. Information contained in this resource report was obtained using applicable regulations, equipment vendor data sheets, and review of available literature.

As described in Section 1, Transwestern is proposing to modify the Green Chile Project alignment from the route initially evaluated in the Concise Environmental Report and associated application filings previously submitted to the FERC. The revised alignment follows Alternative 2, which was previously evaluated and submitted to FERC in response to Item 2 of the Commission's May 15, 2026 Environmental Information Request (EIR).

The revised alignment does not change the overall Project length, which remains approximately 17.77 miles. However, the Green Chile El Paso M&R Station would be relocated approximately 1.0 mile east of the previously proposed route, submitted to FERC under the Prior Notice Request for Authorization under the Blanket Certificate on January 29, 2026. This revised Resource Report includes updated air quality information, reflecting the alignment modification and associated facility relocation.

9.1 Existing Air Quality

The term air quality refers to relative concentrations of pollutants in the ambient air. Air quality information provided in this section includes ambient air quality, applicable permitting and regulatory requirements, air emissions resulting from the Project construction and operation, and anticipated air quality impacts and mitigation.

9.1.1 Ambient Air Quality Standards

Air quality is protected by federal and state regulations. Under the Clean Air Act (CAA) (42 U.S.C. § 7401 et seq.) and its amendments, the USEPA has established National Ambient Air Quality Standards (NAAQS) for criteria pollutants, including carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM)₁₀, PM_{2.5}, and sulfur dioxide (SO₂), that can be harmful to public health and the environment at high concentrations. The USEPA reevaluates the NAAQS every five years. The standards are described in terms of short-term (hourly or daily) levels and long-term (annual) levels to address acute and chronic exposures to the pollutants, as appropriate. The NAAQS include primary standards, which are designed to protect human health, including the health of sensitive subpopulations such as children and those with chronic respiratory problems as well as secondary standards designed to protect public welfare, including economic interests, visibility, vegetation, animal species, and other concerns not related to human health. The state of New Mexico

has adopted the NAAQS which are administered by the New Mexico Environment Department (NMED). **Table 9.1-1** presents a summary of the current NAAQS.

TABLE 9.1-1				
Summary of National Ambient Air Quality Standards				
Pollutant	Primary/ Secondary	Averaging Time	Level	Form
CO	Primary	Eight hours	9 ppm	Not to be exceeded more than once per year
		One hour	35 ppm	
Pb	Primary and Secondary	Rolling three- month average	0.15 µg/m ³ ^a	Maximum arithmetic mean of 3 consecutive monthly means in a 3-year period
NO ₂	Primary	One hour	100 ppb	Annual 98th percentile of one-hour daily maximum concentrations, averaged over three years
	Primary and Secondary	One year	53 ppb ^b	Annual Mean
O ₃	Primary and Secondary	Eight hours	0.070 ppm ^c	Annual fourth-highest daily maximum eight- hour concentration, averaged over three years
PM _{2.5}	Primary	One year	9.0 µg/m ³	Annual mean, averaged over three years
	Secondary	One year	15.0 µg/m ³	Annual mean, averaged over three years
	Primary and Secondary	24 hours	35 µg/m ³	98th percentile, averaged over three years
PM ₁₀	Primary and Secondary	24 hours	150 µg/m ³	Not to be exceeded more than once per year on average over three years
SO ₂	Primary	One hour	75 ppb ^d	Annual 99th percentile of one-hour daily maximum concentrations, averaged over three years
	Secondary	One year	10 ppb	Annual mean, averaged over 3 years
Units: ppm = parts per million by volume ppb = parts per billion by volume µg/m³ = micrograms per cubic meter Source: USEPA, 2025f. Notes: ^a In areas designated non-attainment for the Pb standards prior to the promulgation of the current (2008) standards, and for which implementation plans to attain or maintain the current (2008) standards have not been submitted and approved, the previous standards (1.5 µg/m³) as a calendar quarter average) also remain in effect. ^b The level of the annual NO₂ standard is 0.053 ppm. It is shown here in terms of ppb for the purposes of clearer comparison to the 1-hour standard level. ^c Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O₃ standards are not revoked and remain in effect for designated areas. Additionally, some areas may have certain continuing implementation obligations under the prior revoked 1-hour (1979) and 8-hour (1997) O₃ standards. ^d The previous SO₂ standards (0.14 ppm 24-hour and 0.03 ppm annual) will additionally remain in effect in certain areas: (1) any area for which it is not yet one year since the effective date of designation under the current (2010) standards, and (2) any area for which an implementation plan providing for attainment of the current (2010) standard has not been submitted and approved and which is designated non-attainment under the previous SO₂ standards or is not meeting the requirements of a State Implementation Plan ("SIP") call under the previous SO₂ standards (40 Code of Federal Regulations (CFR) Section 50.4(3)). A SIP call is a USEPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the required NAAQS.				

The NAAQS compliance determinations are currently made at the county level. Based on compliance with the NAAQS, each county is designated as attainment, nonattainment, unclassifiable, or maintenance on a pollutant-by-pollutant basis. Areas in compliance with or below the NAAQS are designated as attainment, while areas not in compliance or above the NAAQS are designated as nonattainment. Any area that cannot be designated, based on available information, as meeting or not meeting NAAQS is categorized as unclassifiable. When a nonattainment area achieves attainment, a process of redesignation occurs which includes the submission of a maintenance plan showing how the area will maintain healthy air quality for at least two consecutive 10-year periods. Such areas are classified as maintenance. The USEPA maintains an official web resource, the USEPA Green Book (USEPA, 2025h), that details areas of the country that are in violation of, or meet, federal air quality standards. It is the definitive guide for determining a county's compliance with the NAAQS. A search of the USEPA Green Book found that all areas of the Project are classified as attainment.

The USEPA also regulates volatile organic compounds (VOC) to prevent the formation of O₃ which contributes to photochemical smog as well as hazardous air pollutants (HAP) known to cause human health and environmental impacts. VOC are gases emitted from many types of everyday products and materials such as paints and cleaning supplies. VOC form ground level O₃ by reacting with sources of oxygen molecules such as nitrogen oxides (NO_x) in the atmosphere in the presence of sunlight. HAP are emitted during fossil fuel combustion. Examples of HAP include asbestos, benzene, dioxins, Pb, and mercury.

9.1.2 Air Quality Control Region and Attainment Status

An air quality control region is defined under 42 U.S. Code (USC) Section 7407(c) as “any interstate area or major intrastate area which the Administrator of the USEPA deems necessary or appropriate for the attainment and maintenance of ambient air quality standards.” Each air quality control region, or portion(s) of an air quality control region, is classified as either “attainment,” “non-attainment,” “unclassifiable,” or “maintenance” with respect to the NAAQS.

Areas where ambient air concentrations of the criteria pollutants are below the levels listed in the NAAQS are considered in attainment. If ambient air concentrations of criteria pollutants are above the NAAQS levels, then the area is considered to be non-attainment. Areas that have been designated non-attainment but have since demonstrated compliance with the NAAQS are designated maintenance for that pollutant. Maintenance areas are treated similarly to attainment areas for permitting stationary sources; however, specific provisions may be incorporated through the state's approved maintenance plan to ensure that air quality remains in compliance with the NAAQS for that pollutant. Maintenance areas retain the classification for 20 years before being re-classified as attainment areas. Areas where air quality data are not available are considered unclassifiable and treated as attainment areas.

For each applicable pollutant and averaging period, the EPA designates an area's attainment status based on monitoring data from the region. Areas for which insufficient data are available to determine attainment status are termed “unclassifiable areas”. The attainment status designations appear in 40 CFR Part 81. The attainment status of a region, in conjunction with estimated project emission rates or emissions increases, determines the regulatory review process for a new project.

In 2016, the NMED recommended that EPA designate a portion of Doña Ana County near Sunland Park, NM as non-attainment for ozone. Based on 2014-2016 ozone monitoring data, EPA designated the area as marginal non-attainment area on April 30, 2018. The Project area and both the Green Chile El Paso M&R and the Green Chile M&R stations are not located within the designated non-attainment area within Doña Ana County. The project area is considered in attainment for all pollutants.

9.1.3 Regulatory Requirements Relating to Air Quality

The CAA is the basic federal statute governing air quality in the U.S. The provisions of the CAA that are potentially relevant to the Project are:

- New Source Review (state and federal);
- Federal Class I Area Protection;
- New Source Performance Standards;
- National Emission Standards for Hazardous Air Pollutants; and
- General Conformity.

As stated in Section 9.1.1, the state where the Project will occur has adopted the USEPA NAAQS and have developed plans for implementing the CAA.

Greenhouse gases (GHG) produced by fossil-fuel combustion are carbon dioxide, methane, and nitrous oxide. GHG's status as a pollutant is not related to toxicity. GHGs are non-toxic and non-hazardous at normal ambient concentrations, and there are no applicable ambient standards or emission limits for GHGs under the CAA. GHG emissions due to human activity are the primary cause of increased atmospheric concentration of GHGs since the industrial age. These elevated levels of GHGs are the primary cause of warming of the climate system. During construction and operation of the Project, these GHGs would be emitted from construction equipment, the Green Chile El Paso M&R Station, and the Green Chile M&R Station. Emissions of GHGs are typically expressed in terms of carbon dioxide equivalents (CO_{2e}).

9.1.3.1 New Source Review Permitting

The New Source Review permitting program is a preconstruction review program that regulates the construction of new and modified stationary sources of air pollution. New Source Review can be divided into three categories depending on the amount of air pollution a facility may emit and the NAAQS attainment status at the location of the facility. For larger-emitting facilities, known as major sources, Prevention of Significant Deterioration (PSD) is the permitting process for areas in attainment with the NAAQS and Nonattainment New Source Review (NNSR) is the permitting process for areas designated as nonattainment with the NAAQS. The third category is minor New Source Review and regulates smaller emitting facilities, referred to as minor sources. Emission thresholds for major sources differ based on the Project's attainment status with the NAAQS.

Depending on which entity is the permitting authority for the area in which the facility is located, New Source Review permits can be issued by the USEPA, or by a state, local, or tribal air pollution control agency. A primary factor in determining whether a new or modified stationary source will require a major or minor permit is the source's potential to emit (PTE). PTE is the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Air pollutant emissions at the planned facilities will result in below the major PSD or NNSR thresholds. Therefore, the Project will not require air permitting under PSD or NNSR.

The Green Chile El Paso M&R Station and Green Chile M&R Station will each be a minor source of emissions with respect to New Source Review permitting and neither facility is expected to require a Title V permit. Therefore, Transwestern anticipates that both the Green Chile El Paso M&R Station and Green Chile M&R Station will only be subject to minor source permitting requirements. In New Mexico, minor sources of air pollutants at oil and gas production, transmission, and processing

facilities are authorized under 20.2.72 NMAC using the **No Permit Required (NPR) and the** General Construction Permit for oil and gas facilities (“GCP-O&G”). See Section 9.1.3.6 for additional permitting details.

9.1.3.2 Title V and State Operating Permit Programs

Under 40 CFR Part 70, the federal Title V permit program requires major sources of air pollutants to obtain federal operating permits. A facility must obtain a Title V permit if a facility PTE or actual emissions equals or exceeds 100 tons per year (tpy) of criteria pollutants, 10 tpy of any single hazardous air pollutant (HAP), or 25 tpy of total HAPs. A more stringent threshold may apply for pollutant emissions in nonattainment areas. The air emissions due to facility operations at the proposed Green Chile El Paso M&R and Green Chile M&R stations will not trigger Title V permitting; therefore, the Title V permit program does not apply.

9.1.3.3 Standards of Performance for New Stationary Sources

The USEPA promulgates New Source Performance Standards (NSPS) in 40 CFR Part 60 for new, modified, or reconstructed stationary sources. NSPS regulations establish pollutant emission limits and monitoring, recordkeeping, and reporting requirements for various emission sources based on source type and size. The sections below list NSPS requirements that will potentially be applicable to the new and modified facilities.

40 CFR Part 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart applies to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE). For owners and operators, NSPS Subpart JJJJ applies to stationary SI ICE that commence construction, modification, or reconstruction after June 12, 2006, and are manufactured after January 1, 2009, for emergency engines with a maximum hp greater than 25 hp. The proposed Project will include the addition of one **47 hp and one** 30 hp emergency generator that was manufactured after January 1, 2009, at both the Green Chile El Paso M&R and Green Chile M&R stations, **respectively**. Therefore, the requirements of NSPS Subpart JJJJ will apply to the Project.

40 CFR Part 60, Subpart OOOOb - Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022

NSPS subpart OOOOb was established on March 8, 2024, to address methane emissions from the oil and gas industry. This subpart applies to crude oil production and natural gas production, processing, transmission, and storage facilities for which construction, modification, or reconstruction commenced after December 6, 2022. Specifically, facilities that are regulated under this subpart include oil or natural gas production wells, centrifugal compressors, reciprocating compressors, process controllers, storage vessels, process unit equipment, sweetening units, pumps, and fugitive emissions components. Per Section 60.5365b, metering stations along a transmission line are not considered affected facilities under NSPS OOOOb; therefore, this subpart does not apply to the Green Chile El Paso M&R Station nor to the Green Chile M&R Station.

9.1.3.4 National Emission Standards for Hazardous Air Pollutants

National Emission Standards for Hazardous Air Pollutants (NESHAP) are stationary source standards set by the USEPA in 40 CFR Parts 61 (NESHAPs) and 63 (NESHAPs for source Categories) for HAPs. The following sections describe the potentially applicable NESHAP requirements for the proposed Project.

40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This subpart establishes national emission limitations and operating limitations for HAPs emitted from existing, new, and reconstructed stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. A site is considered a major source if HAP emissions are 10 tpy for any single HAP or 25 tpy of any combination of HAPs. An area source of HAPs is any source that is not a major source. Both the Green Chile El Paso M&R and Green Chile M&R stations will be a new area source of HAP emissions. Since the Project includes the installation of a new stationary RICE located at an area source, NESHAP Subpart ZZZZ will apply. Both facilities will meet the requirements in NESHAP Subpart ZZZZ by complying with NSPS Subpart JJJJ.

9.1.3.5 General Conformity

As required under CAA Section 176(c), General Conformity regulations were established to ensure that the actions taken by federal agencies do not interfere with a state or tribe's ability to attain and maintain the NAAQS for air quality. For federal actions in nonattainment and maintenance areas which are not already covered by permitting, a General Conformity analysis is required to determine if the action conforms to the applicable State Implementation Plan (SIP) or is exempt from the General Conformity Rule requirement. General Conformity does not apply to federal actions in attainment or unclassified/attainment areas. To determine if a General Conformity analysis is required, total Project emissions of the nonattainment pollutants or designated precursors must be compared to the annual general conformity applicability emissions thresholds in 40 CFR Section 93.153. The Project emissions are considered de minimis if emissions are below the applicability thresholds, and no further conformity determination is required. Doña Ana County, New Mexico is currently designated as in attainment for all criteria air pollutants (USEPA 2025). Therefore, a General Conformity analysis is not required.

9.1.3.6 State Regulations

Construction and operation of stationary sources of air emissions are regulated by the NMED Air Quality Bureau in New Mexico. Air quality regulations for New Mexico are codified in Title 20 Chapter 2 of the New Mexico Administrative Code (NMAC). The new facilities associated with the proposed Project will need to comply with all applicable regulations found in 20 NMAC Chapter 2. The Green Chile El Paso M&R Station and Green Chile M&R Station will each be a minor source of emissions with respect to New Source Review permitting and neither facility is expected to require a Title V permit.

Therefore, both the Green Chile M&R Station and the relocated Green Chile El Paso M&R Station will meet minor source permitting requirements. Specifically, the Green Chile M&R Station is authorized under the GCP-Oil & Gas, as its Potential to Emit (PTE) is within the applicable NMAC 20.2.72 limits for general construction permits. Meanwhile, the relocated El Paso M&R Station includes the installation of a 35 kW engine with a three-way catalyst; because its Potential Emission

Rates (PER) are under 10 tpy for each regulated pollutant, it qualifies under No Permit Required (NPR) status.

9.2 Construction Air Quality Impacts and Mitigation

Project construction activities will result in intermittent and temporary emissions of criteria pollutants from fossil-fueled construction equipment and fugitive dust. Potential emissions include combustion-related air pollutants (NO_x, CO, VOC, SO₂, PM₁₀, PM_{2.5}, and HAPs) and GHGs (CO₂e) as well as fugitive dust. Volumes of emissions from construction equipment will depend on the duration of use, number, and type of vehicles/equipment. Some temporary indirect emissions, attributable to construction personnel commuting to and from work sites during construction and from on-road and off-road construction vehicle traffic could also occur. The volume of dust generated during construction will be a function of precipitation, vehicle numbers and types, vehicle speeds, and roadway characteristics. Dust emissions will be greater during dry periods and in areas of fine-textured soils. **Table 9.1-2** and **Appendix G-1** present a summary of emissions that are expected during the construction of the Project.

Construction related emission estimates were based on a typical construction equipment list, hours of operation, and vehicle miles traveled by the construction equipment and supporting vehicles for the Project. Emission-generating activities will include vegetation clearing, earthmoving, on-road vehicle traffic, and off-road vehicle traffic. The Project utilized emission factors from USEPA's AP-42 and Motor Vehicle Emission Simulator and utilized other standard methodologies to estimate construction emissions. Construction is expected to occur over a 17-week period beginning in the **fourth** quarter of 2026.

The Project will mitigate exhaust emissions from construction equipment by utilizing low-sulfur fuel, limiting idling where applicable, and requiring contractors to meet all air quality regulations and emission standards associated with each piece of equipment, including the USEPA's mobile source diesel controls for construction equipment. Fugitive dust emissions will be mitigated by implementing Transwestern's *Fugitive Dust Control Plan* which is included in **Appendix C-4**. The Plan's measures include but are not limited to: loading haul trucks such that the load is below the freeboard to reduce spillage, applying water or calcium chloride prior to or during disturbance, maintaining existing ground coverings wherever practicable, controlling and removing track-out, covering loads as appropriate, maintaining appropriate vehicle speeds on unpaved areas, and routing vehicles and equipment to covered surfaces when practicable.

Given the temporary and intermittent nature of construction emissions, the limited scope of Project activities, and the mitigation measures for exhaust emissions and fugitive dust emissions that will be employed, construction of the Project will not cause or significantly contribute to a violation of any applicable ambient air quality standard or significantly affect any county's air quality. **Construction emissions associated with the new Green Chile El Paso M&R location are expected to remain the same as provided in the January 29, 2026, submittal to FERC.**

TABLE 9.2-1 Total Estimated Project Construction Emissions								
Source	Emissions (tons)						Total HAPs	CO ₂ e
	Criteria Pollutants							
	NO _x	CO	VOC	PM ₁₀	PM _{2.5}	SO ₂		
Doña Ana County, New Mexico								
Non-Road Engines/Equipment	6.75	2.52	0.58	0.48	0.46	0.017	0.26	6,081.83
On-Road Vehicles	2.12	5.37	0.13	0.04	0.04	0.012	0.03	2,261.52
Fugitive Dust	--	--	--	38.04	5.39	--	--	--
Site Grading	--	--	--	0.18	0.02	--	--	--
Access Roads	--	--	--	1.99	0.20	--	--	--
TOTAL	8.86	7.89	0.71	40.73	6.12	0.03	0.29	8,343.35
CO ₂ e = carbon dioxide equivalent; PM ₁₀ = PM less than 10 microns in diameter; PM _{2.5} = PM less than 2.5 microns in diameter.								

9.3 Operational Air Quality Impacts

9.3.1 Green Chile El Paso Meter Station

The proposed Project operational emissions will comply with all applicable federal and state air quality regulations. Emissions from the proposed Green Chile El Paso M&R Station will result from the operation of the following equipment:

- Generac 35 kilowatt (kW) emergency genset;
- One 100-barrel (bbl) pipeline liquids tanks;
- Fugitive components; and,
- **Miscellaneous Venting**

Estimated annual emissions from the operation of the Green Chile El Paso M&R Station are summarized in Table 9.1-4. The installation of a 35 kW three-way catalyst, 100-bbl tank, and fugitives will result in Potential Emission Rate (PER) emissions below the 10 tons per year during operation of the facility. below the 10 tons per year. Under New Mexico Environment Department (NMED) guidelines tied to 20.2.72 NMAC, a facility or source does not need a construction permit if its calculated PER stay below this level. Therefore, Transwestern does not need to apply for an air quality permit, simply maintain records of the emission calculations. Detailed emission calculations are included in Appendix G-2. Table 9.1-4 shows a summary of the PER emissions associated with the relocated Green Chile El Paso M&R Station.

TABLE 9.1-4 Green Chile El Paso M&R Station – Potential to Emit (PTE)								
Source	Emissions (tons per year)						Total HAP s	CO ₂ e
	Criteria Pollutants							
	NO _x	CO	VOC	PM ₁₀	PM _{2.5}	SO ₂		
24 kW Emergency Generator	0.09	0.12	0.005	0.01	0.01	0.0008	0.04	175.54
100-bbl Pipeline Liquids Tank	--	--	0.91	--	--	--	--	--
Fugitive Emissions	--	--	5.17	--	--	--	--	--
Miscellaneous Venting	--	--	0.43	--	--	--	--	117.20
TOTAL	0.09	0.12	6.52	0.01	0.01	0.0008	0.31	554.25
CO ₂ e = carbon dioxide equivalent; PM ₁₀ = PM less than 10 microns in diameter; PM _{2.5} = PM less than 2.5 microns in diameter.								

9.3.2 Green Chile M&R Station

The proposed Project operational emissions will comply with all applicable federal and state air quality regulations. Emissions from the new Green Chile M&R Station will result from the operation of the following equipment:

- Generac 22 kW emergency genset;
- One 100-bbl pipeline liquids tanks; and,
- Fugitive components.

Estimated annual emissions from the operation of the Green Chile M&R Station are summarized in **Table 9.1-3**. The new equipment and fugitive emissions during operation of the facility will result in long-term increases in emissions of air pollutants; however, the emissions associated with this station will only be a minor source of air pollutants due to the installation of an emergency generator. The final NMED GCP-O&G air permit application (**Appendix G-2**) includes detailed supporting emission calculations, fuel consumption rates, emission factors, and any additional relevant assumptions necessary to quantify emissions.

TABLE 9.3-1 Green Chile M&R Station – Potential to Emit (PTE)								
Source	Emissions (tons per year)							CO ₂ e
	Criteria Pollutants						Total HAPs	
	NO _x	CO	VOC	PM ₁₀	PM _{2.5}	SO ₂		
22 kW Emergency Generator	0.09	7.40	0.03	0.001	0.001	0.00	0.003	10.02
100-bbl Pipeline Liquids Tank	--	--	0.91	--	--	--	--	--
Fugitive Emissions	--	--	3.22	--	--	--	--	--
TOTAL	0.09	7.40	4.16	0.001	0.001	0.00	0.003	10.02
CO ₂ e = carbon dioxide equivalent; PM ₁₀ = PM less than 10 microns in diameter; PM _{2.5} = PM less than 2.5 microns in diameter.								

9.4 Noise Quality

This section describes potential sound pressure level (noise) effects due to construction and operation of the Project. The Project does not include any new permanent aboveground facilities (i.e., compressor stations) that would generate significant noise. A short segment of the proposed Green Chile Lateral will be installed using the HDD method to avoid impacts to the Union Pacific Railroad.

No NSAs are located within 0.5 miles (the FERC's the FERC Guidance Manual requires nighttime noise analysis only for NSAs within this distance) of any Project facility. Noise Sensitive Areas (NSAs) are located at varying distances depending on the facility:

- **Green Chile Lateral (HDD segment):** The closest NSA is approximately 5 miles east of both HDD entry and exit points.
- **Aboveground facilities (M&R Stations):** The nearest NSAs are approximately **1 mile** east of the Green Chile El Paso M&R Station and 4.5 miles east of the Green Chile M&R Station.

Because the FERC Guidance Manual requires nighttime noise analysis only for NSAs within this distance, the additional L_{dn} calculations and nighttime construction impact estimates are not applicable to this Project. The nearest NSAs are located well beyond the 0.5-mile threshold, as described below. Potential noise effects from construction and operation are discussed below.

9.4.1 Noise Regulations

Transwestern will comply with all applicable federal, state and local noise regulations for construction and operation of the Project.

9.4.1.1 Federal

Noise is generally defined as sound with intensity greater than the ambient or background sound pressure level. In 1974, the USEPA published its *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*. Noise levels are expressed as decibels on the A-weighted scale (dBA) to put more emphasis on frequencies in the range that humans hear best. Because noise levels are perceived differently, depending on length of exposure and time of day, the day-night sound level (L_{dn}) takes into account the duration and time the noise is encountered. Specifically, the L_{dn} adds 10 dBA to nighttime sound levels between the hours of 10:00 p.m. and 7:00 a.m. to account for increased nighttime sensitivity.

The USEPA has indicated that a day-night noise level (L_{dn}) of 55 decibels on the A-weighted scale (dBA) protects the public from interference with indoor and outdoor activities. The FERC has adopted this criterion and uses it to evaluate potential noise impacts at NSAs such as residences, schools, or hospitals. Also, in general, a person's threshold of perception for a perceivable change in loudness on the A-weighted sound level is about 3 dBA, whereas a 5 dBA change is clearly noticeable, and a 10 dBA change is perceived as either twice or half the loud.

FERC regulations require that any construction noise associated with nighttime HDD activities (10:00 p.m. to 7:00 a.m.) must be at or below 55 L_{dn} dBA, or if ambient noise exceeds 55 L_{dn} dBA, HDD noise may not exceed ambient by more than 10 decibels (dB). FERC does not impose specific limits for daytime-only construction activities. Additionally, the FERC Guidance Manual requires nighttime noise analysis only for NSAs within 0.5 mile distance of the proposed HDD activity. The nearest NSAs are located well beyond the 0.5-mile threshold, as described in Section 9.2.3.

9.4.1.2 State Noise Regulations

No applicable New Mexico state noise regulations have been identified for the Project.

9.4.1.3 County Noise Ordinance

The Code of Ordinances for Doña Ana County, New Mexico addresses noise from construction activities in Chapter 261, Article II, Section 261-22 (Construction, repair, demolition or excavation and grading work) and general noise limits in Section 261-11 (Doña Ana County, 2020). The ordinance prohibits unreasonably loud or unusual noise during nighttime hours and establishes maximum permissible sound levels at property boundaries:

- Residential/Noise Sensitive: 50 dBA
- Office/Commercial: 60 dBA
- Industrial: 70 dBA

Nighttime is defined as 10:00 p.m. to 6:00 a.m. Sunday through Thursday, and midnight to 6:00 a.m. Friday and Saturday. Construction activities during these hours are generally restricted unless exempted or permitted. Agricultural, ranching, and military operations are exempt from these provisions.

None of the HDD work areas are located within 0.5 miles of any NSA; the closest NSA is approximately 5 miles away. Therefore, the Project is in compliance with the Doña Ana County ordinance because HDD activities will not impact any adjacent property or exceed the ordinance limits set by the county.

9.4.2 Ambient Noise Levels

The ambient sound level of a region, which is defined by the total noise generated within the specific environment, is usually comprised of sounds emanating from both natural and artificial sources. At any location, both the magnitude and frequency of environmental noise may vary considerably over the course of the day and throughout the week, in part due to changing weather conditions and the impacts of seasonal vegetation cover.

Ambient sound levels in undeveloped areas are typically low, influenced by natural and seasonal factors. **Table 9.2-1** provides examples of outdoor L_{dn} values. The Project area, located in rural Doña Ana County, exhibits conditions consistent with open space, typically 30–40 dBA L_{dn} (USEPA, 1978).

TABLE 9.4-1 Example Outdoor Noise Levels	
Outdoor Location	Noise Levels (L_{dn} in dBA)
Apartment next to freeway	87.5
¾ mile from touchdown at major airport	86.0
Downtown with some construction activity	78.5
Urban high-density apartment	78.0
Core commercial, heavier industry	75.0
Heavier industry	75.0
Urban row housing on major avenue	68.0
Lighter industry	60.0
Old urban residential area	59.0
Wooded residential	51.0

TABLE 9.4-1 Example Outdoor Noise Levels	
Outdoor Location	Noise Levels (L_{dn} in dBA)
Agricultural crop land	44.0
Rural residential	39.0
Open space (open land, abandoned land)	35.0
Sources: USEPA, 1978; Caswell and Jakus, 1977	

9.4.3 Construction Noise Impact

The primary sources of noise associated with Project construction will be internal combustion engines used to move, power and operate equipment for pipeline installation and HDD activities. Representative noise levels for common construction equipment are provided in **Table 9.2-2**.

Construction activities will generally occur during the daytime hours of 6:00 a.m. to 10:00 p.m., seven days per week, in compliance with the Doña Ana County noise ordinance. Certain specialized tasks, such as HDD pullback, tie-ins, hydrotesting, and laydown yard use, may require limited nighttime work between 10:00 p.m. and 6:00 a.m., as safety and feasibility preclude halting construction; however, the Project is located in a rural, non-urban area with no residences within one mile of the Project area, and any nighttime activities would be temporary and episodic. These activities will be temporary and episodic, and given the distance to NSAs, no landowner complaints are anticipated. HDD operations are expected to be completed in less than three weeks, with pipe pullback occurring in a single day.

Noise levels will vary depending on the type of equipment in use and site-specific conditions. At times, sound levels may approach ambient conditions. Detection of construction noise will depend on distance, other noise sources, and intervening vegetation or topography. Overall, construction-related noise impacts will be temporary, localized, and diminish as construction progresses.

TABLE 9.4-2 Examples of Construction Equipment Noise Levels	
Equipment	Measured Noise Levels, L_{max} at 50 feet (dBA) ^a
Backhoe	78
Chain saw	84
Crane	81
Dozer	82
Excavator	81
Flat Bed Truck	74
Front End Loader	79
Generator	81
Pickup Truck	75
Pneumatic Tools	85
Pumps	81
Welder/Torch	74
Notes:	
^a L_{max} - maximum sound level recorded during a measurement period or a noise event.	
Source: USDOT Federal Highway Administration, 2006.	

9.4.3.1 Pipeline Facilities

The Green Chile Lateral will include one HDD segment to cross the Union Pacific Railroad (see **Table 1.3-1**). In accordance with FERC guidance, a noise impact assessment is required only if NSAs are

located within 0.5 miles of an HDD entry or exit site. The HDD site will be installed in an uninhabited area within the arid Chihuahuan Desert landscape in Doña Ana County, New Mexico. Land use mapping confirms that no residences, schools, hospitals, or other NSAs are within 0.5 mile; the closest NSA is approximately 5 miles east of both HDD entry and exit points. Therefore, a formal noise analysis was not required.

Ambient sound levels were estimated based on open space conditions, with rural areas typically ranging between 30 and 40 dBA L_{dn} (USEPA, 1978). Because no NSAs are nearby, noise modeling was not conducted. Standard HDD equipment sound power levels and distance attenuation indicate predicted noise at the nearest NSA would be well below FERC's 55 dBA criterion. Certain activities, such as HDD pullback, tie-ins, hydrotesting, and laydown yard use, may require limited nighttime work. These activities will be temporary and episodic, and given the distance to NSAs, no landowner complaints are anticipated. HDD is expected to be completed in less than three weeks, with pipe pullback occurring in a single day. HDD operations are therefore not expected to cause significant impacts.

Transwestern will implement standard BMPs to minimize noise, including maintaining equipment in good repair and using appropriate engine mufflers. A toll-free number will be provided for landowner questions or concerns, included in Landowner Notification Packets pursuant to Section 157.203(d)(2) of the Commission's regulations. If concerns arise, temporary barriers may be used. Overall, construction activities are not expected to expose any residences or communities to excessive or long-term noise or vibration.

9.4.3.2 Aboveground Facilities

The Project area is located entirely within rural, non-urban land, and no NSAs are within 0.5 mile of any facility. The nearest NSAs (residences), are approximately two miles east of the Green Chile El Paso M&R Station, and approximately 4.5 miles east of the Green Chile M&R Station. Construction of M&R stations involves limited construction activity, primarily installing valves, piping, meters, regulators, and small auxiliary equipment. Based on the type of aboveground facilities to be constructed (M&R Stations), noise generated during construction will not substantially increase existing ambient levels. Therefore, construction noise impacts associated with aboveground facilities are not expected to be significant.

9.4.4 Operational Impacts

The Project area is located entirely within rural, non-urban land and no NSAs are within 0.5 miles of any facility. The aboveground facilities to be constructed are M&R stations, which differ from compressor stations because they do not contain large engines or turbines that generate continuous, high-intensity noise. As a result, operational noise from the Project will be minimal and will not substantially increase existing ambient levels. Therefore, the Project is not expected to cause significant noise impacts on residents or surrounding communities.

10.0 ALTERNATIVES

[The alternatives analysis presented in the original Concise Environmental Report has not been revised as part of this filing. The route modification proposed herein follows Alternative 2, which was previously developed, evaluated, and submitted to the FERC in response to Item 2 of the Commission's May 15, 2026 EIR. As part of that response, Transwestern evaluated Alternative 2 and other routing options and provided the environmental information necessary to support FERC's review of the alternatives.]

Following the NMSLO cancellation of Transwestern's right-of-way application in April 2026 and subsequent denial of reconsideration on July 14, 2026, Alternative 2 became the preferred route because it avoids New Mexico State Trust Lands while maintaining the Project's purpose and need. The route proposed in this updated Concise Environmental Report is therefore not a new alternative, but rather the selection and implementation of an alternative previously analyzed and provided to FERC.

Because the alternatives analysis was completed and submitted as part of the May 15, 2026 EIR response, and because no new alternatives are being introduced for consideration, the alternatives discussion contained in the original filing remains valid. Accordingly, the alternatives section of the Concise Environmental Report has not been revised. This filing instead focuses on updating the environmental resource information, impact analyses, mapping, and supporting technical reports associated with the selection of Alternative 2 as the Project's proposed alignment.]

Possible alternatives to the proposed Project include the No Action alternative, system alternatives, and route alternatives. The purpose of the Project is to provide 400 MMcf/d of additional natural gas transportation capacity in Transwestern's East of Thoreau Area, provide energy resiliency and operational stability for critical technology services, and reduce dependence on less reliable energy sources. This increased demand is driven by an agreement between Green Chile Ventures, LLC and its customer at a proposed data center in Doña Ana County, New Mexico. Any viable alternative would need to meet the Project's purpose and need. To be a preferred alternative it would also need to provide a significant environmental advantage over the proposed Project with consideration of the landowner(s), technical feasibility, schedule, and cost.

10.1 No Action Alternative

Under the No Action alternative, the proposed Project would not be constructed and all impacts associated with construction and operation of the Project would not occur. However, the purpose and need of the Project to serve increased natural gas demand in the East of Thoreau Area would not be fulfilled. Under the No-Action alternative, Transwestern would not be able to meet Green Chile Ventures' natural gas volume and pressure requirements.

10.2 System Alternatives

System alternatives to the proposed Project would make use of existing, modified, or already proposed natural gas pipeline systems to meet the objectives of the proposed Project. A system alternative may make it unnecessary to construct all or part of the Project, although some modifications or additions to other existing pipeline systems may be required to increase respective capability, or another entirely new system may need to be constructed. Such modifications or additions would result in environmental impacts that could be less than, similar to, or greater than those associated with the proposed Project.

The closest natural gas pipeline to the Green Chile Ventures, LLC pipeline delivery point is the Chamberino Pipeline. The Chamberino Pipeline is not a viable alternative due to it being a public utility transmission

line and too small of diameter (12 inches) to meet the purpose and need of the proposed Project. The other natural gas pipelines which are closer to the Green Chile Ventures, LLC pipeline delivery point than the proposed point of receipt (Preferred Alternative) are all part of the El Paso pipeline system (ArcGIS, 2025; NPMS, 2025). The closest pipeline is located approximately 10.7 miles to the east in northwest El Paso. A lateral from that pipeline to provide natural gas to the Green Chile Ventures, LLC pipeline delivery point would require crossing densely populated residential areas, Interstate 10, and the Rio Grande River. The next closest pipeline is located approximately 12.2 miles to the northeast, northeast of the town of Westway. A lateral from that pipeline to provide natural gas to the Green Chile Ventures, LLC pipeline delivery point would also require crossing Interstate 10 and the Rio Grande River, in addition to densely populated residential areas and the Doña Ana County Airport (Jetport) unless additional miles of pipeline were added to avoid residential areas and airport. The other pipeline that is closer to the Green Chile Ventures, LLC pipeline delivery point than the proposed point of receipt (Preferred Alternative) is located approximately 12.5 miles to the northeast, east of the town of Anthony. A lateral from that pipeline to provide natural gas to the Green Chile Ventures, LLC pipeline delivery point would require crossing the Rio Grande River, in addition to residential areas and the Doña Ana County Airport (Jetport) unless additional miles of pipeline were added to avoid residential areas and airport. Therefore, although these pipelines are several miles closer than the proposed point of receipt, they are not the preferred alternative as they would all result in greater environmental impacts than the preferred alternative.

No other pipeline systems are closer to the Green Chile Ventures, LLC pipeline delivery point than the El Paso pipeline system. Providing the required gas volume and pressure via another system would require additional miles of pipeline and possibly aboveground facility modification/construction and would therefore not provide a significant environmental advantage over the Project. As a result, alternative pipeline systems were not considered further.

10.3 Route Alternative

Major route alternatives are alignments that differ substantially in location, length, or land use characteristics from the proposed route. Transwestern evaluated one major route alternative to the proposed Green Chile Lateral route, referred to as Route Alternative 1. This alignment would generally parallel the existing Chamberino Pipeline to the east for approximately 15 miles and follow Strauss Road for approximately 1.26 miles. As shown on **Figure 10.3-1**, this route would originate at the Green Chile El Paso M&R Station and terminate at the Green Chile M&R Station, where natural gas would interconnect and be delivered to the Green Chile Ventures, LLC pipeline.

From a resource-impact perspective, Route Alternative 1 is broadly comparable to the Preferred Alternative. Both routes traverse predominantly open lands characterized by scrub/shrub vegetation, and both cross similar proportions of BLM-administered and State Trust lands. As summarized in **Table 10.3-1**, Route Alternative 1 would cross approximately 16.3 miles (97 percent) of BLM and State lands, compared to approximately 16.6 miles (94 percent) for the Preferred Alternative. Overall construction footprints, vegetation disturbance, and land use compatibility considerations would therefore be similar between the two alignments.

However, Route Alternative 1 presents significant safety and operational concerns due to its proximity to the Doña Ana County Airport (Jetport). The alignment would pass approximately 0.56 mile from the active runway, substantially closer than the 1.75-mile separation provided by the Preferred Alternative. Based on the FAA Obstruction Evaluation / Airport Airspace Analysis screening tool (FAA, 2025), Route Alternative 1 will require Transwestern to file a “Notice of Proposed Construction or Alteration” (FAA Notice 7460-1) with the FAA at least 45 days prior to construction. FAA Notice 7460-1 is required when construction equipment or activities have the potential to penetrate protected airspace surfaces or otherwise affect navigable airspace.

While the buried pipeline itself would not exceed height thresholds, temporary construction equipment, such as cranes, drill rigs, and HDD support structures, can reach heights that require FAA evaluation. Because Route Alternative 1 lies only 0.56 mile from the active runway, construction equipment would operate much closer to approach and departure corridors, increasing the likelihood of FAA-imposed restrictions, additional safety protocols, and construction-window limitations. In contrast, the FAA Obstruction Evaluation / Airport Airspace Analysis screening tool for the Preferred Alternative's does not require FAA Notice 7460-1, thereby avoiding additional FAA review, mitigation requirements, or schedule delays.

The reduced buffer associated with Route Alternative 1 also introduces several elevated safety risks:

- **Increased potential for conflicts with aviation operations.** Construction equipment, cranes, and HDD rigs can create vertical obstructions that penetrate protected airspace surfaces, increasing the risk of interference with aircraft approach and departure paths.
- **Greater exposure to aviation-related hazards.** Construction personnel and equipment would be subject to more frequent low-flying aircraft, jet blast, and noise-related communication challenges, increasing the potential for accidents or operational disruptions.
- **Heightened emergency-response complexity.** A pipeline located closer to the runway could be more vulnerable in the event of a runway excursion or aviation incident, potentially complicating emergency access or increasing the risk of secondary impacts to pipeline facilities.
- **More stringent FAA safety protocols.** The closer proximity of Route Alternative 1 increases the likelihood of FAA-imposed equipment-height limitations, lighting or marking requirements, or restricted construction windows, all of which add uncertainty to construction planning.

Given that the environmental and land-use impacts of the two routes are largely equivalent, Transwestern determined that maximizing distance from the airport provides a more reliable and lower-risk path to Project completion. The Preferred Alternative minimizes the potential for conflicts with aviation operations, reduces safety risks to construction personnel and the public, and avoids the additional FAA-related regulatory uncertainty associated with Route Alternative 1. This alignment also supports Transwestern's ability to meet its contractual obligation to deliver 400,000 MMBtu/d of natural gas transportation service by August 2026 under the Precedent Agreement with Green Chile Ventures.

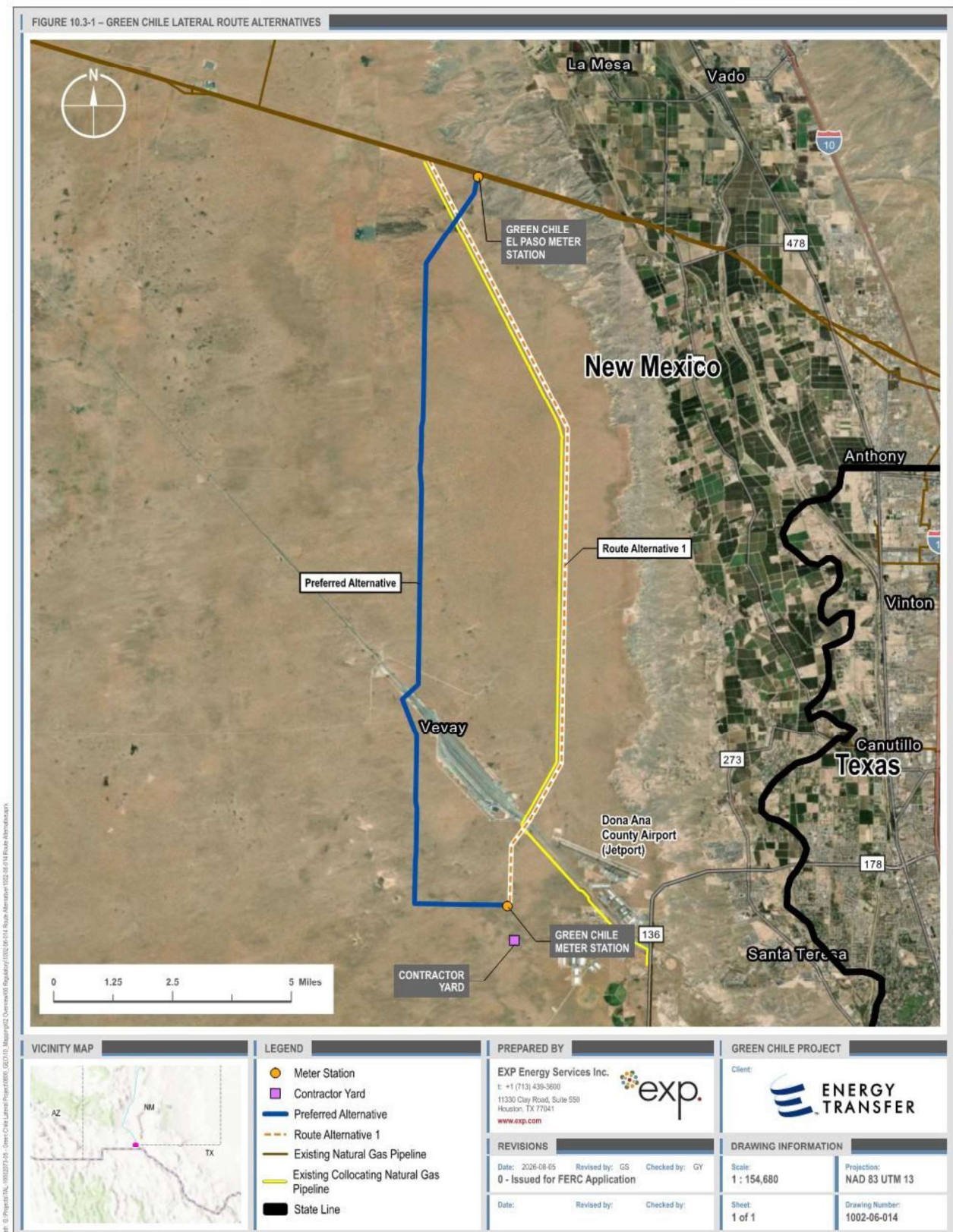
Accordingly, the Preferred Alternative represents the most practicable, lowest-risk, and safest option for achieving the Project purpose and need.

TABLE 10.3-1 Land Ownership Crossings by Pipeline Alignment				
Pipeline	BLM (miles)	State Land (miles)	Private (miles)	Total (miles)
Route Alternative 1	13.3 (79%)	3.0 (18%)	0.5 (3%)	16.8
Preferred Alternative	16.0 (90%)	0.6 (4%)	1.1 (6%)	17.7

10.3.1 Aboveground Facilities

The proposed aboveground facilities (i.e., Green Chile El Paso M&R Station and Green Chile M&R Station) are restricted in their location, as they are necessarily located at the beginning and end of the proposed Green Chile Lateral. Further, the aboveground facilities were sited in similar land use consistent in the Project area (i.e., open land consisting of shrub/scrub). This approach minimizes land use conflicts and avoids impacts to developed properties or sensitive resources. As a result, no aboveground facility site alternatives were considered further.

FIGURE 10.3-1 Route Alternative



11.0 RELIABILITY AND SAFETY

The Project does not involve new or recommissioned liquefied natural gas facilities (LNG). No significant safety concerns are anticipated, and none have been raised to date. Section 11 is not applicable. As a measure of conservatism, Transwestern further notes that it has designed the proposed facilities, and would construct and operate them, as required to comply with U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, standards set forth in 49 C.F.R. Part 192, which sets forth minimum federal safety standards for transportation of natural gas by pipeline. Transwestern will install its proposed pipeline with a minimum of three feet depth of cover, as required under Part 192, with additional cover where necessary to maintain the integrity of the pipeline. The new pipe segments will be protected from corrosion using magnesium anodes for cathodic protection, which will be located entirely within the pipeline ROW.

12.0 POLYCHLORINATED BIPHENYLS (PCB) CONTAMINATION

This section is required for projects involving the replacement, abandonment by removal, or abandonment in place of facilities determined to have PCBs in excess of 50 parts per million in pipeline liquids. Transwestern is not aware of any facilities involved in Project that may contain PCBs in excess of this standard.

13.0 REFERENCES

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Greyling

Exhibit 3

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/Gas Branch 5
Transwestern Pipeline Company LLC
Docket No. CP26-80-000
§ 375.308(x)

May 15, 2026

VIA FERC Service

Mr. Blair Lichtenwalter, Senior Director
Transwestern Pipeline Company LLC
1300 Main Street
Houston, TX 77002

Re: Environmental Information Request

Dear Mr. Lichtenwalter:

The information described in the enclosure is required for our analysis of the above-referenced application. **Please file a complete response within 10 days of the date of this letter.**

If certain information cannot be provided within this time frame, please indicate which items will be delayed and provide a projected filing date. The information described in the enclosure is necessary for us to continue preparation of the NEPA document. Failure to provide this information could affect our timely review of this Project.

File your response in accordance with the provisions of the Commission's Rules of Practice and Procedure. In particular, 18 CFR 385.2005 requires all responses to be filed under oath by an authorized Transwestern Pipeline Company LLC representative, and 18 CFR 385.2010 (Rule 2010) requires service to each person whose name appears on the official service list for this proceeding.

Electronic filing is encouraged using the Commission's eFiling system (see <https://ferconline.ferc.gov/eFiling.aspx>). Be sure to prepare separate volumes/files, as outlined on the Commission's website at <https://www.ferc.gov/sites/default/files/2020-04/CEII-Filing-guidelines.pdf>, and label all controlled unclassified information (CUI) as described at <https://www.ferc.gov/cui>. Critical Energy Infrastructure Information (CEII) (e.g., plot plans showing equipment or piping details) and privileged information (PRIV)

(e.g., cultural resources material containing location, character, or ownership information; trade secret information; proprietary information) should be filed as non-public and labeled as: “**CUI//CEII**” (18 CFR 388.113), “**CUI//PRIV**” (18 CFR 388.112), and as otherwise appropriate with other statutes for labeling CUI (e.g., “**CUI//CEII/SSI**” and in accordance with 49 CFR 15.13 marking requirements). All CUI should be filed separately from the remaining information, which should be marked “**Public.**” For assistance with the Commission’s eFiling system, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

If you have any questions, please contact me at (202) 502-8729. Thank you for your cooperation.

Sincerely,

Owen Ford
Environmental Project Manager
Office of Energy Projects

Enclosure

Transwestern Pipeline Company LLC
Docket No. CP26-80-000

ENVIRONMENTAL INFORMATION REQUEST

1. Provide the New Mexico State Historic Preservation Office's finding of "no historic properties", "no effect", or "no historic properties affected", for the project, or an expected date of receipt.
2. Provide an evaluation of alternative pipeline routes that would avoid New Mexico State lands. This evaluation should include an environmental effects comparison of the identified alternative routes and the proposed pipeline route. Be sure to include maps of the alternative routes that identify all workspaces that would be required for construction. Additionally, include the total amount of land affected (in acres) and identify any sensitive resources potentially affected.
3. Provide a table that identifies past, present, and reasonably foreseeable future projects within the resource-specific geographic scopes (see table below). Be sure to include Project Jupiter and all associated facilities as well as all other projects occurring within the geographic scopes. This table should also include the following information:
 - a. project name and sponsor/proponent;
 - b. a description of the project;
 - c. location (city/county);
 - d. approximate distance and direction of the project from the proposed facilities;
 - e. the milepost location where it crosses the proposed facilities or the nearest proposed project facility milepost;
 - f. footprint/layout and quantitative effects on specific resources, if available (acres of land/resource [wetlands, vegetation, habitat, etc.] affected);
 - g. any known permits/authorizations or environmental review required; and
 - h. the current status and schedule of the project.

Also, include qualitative and quantitative descriptions of cumulative and/or overlapping effects these projects and the proposed project would have on each environmental resource. Lastly, include a map showing the identified projects in relation to the proposed project. Understanding that knowledge of the specific characteristics of a project area may dictate an alternative geographic scope for the cumulative effects analysis, you may suggest another geographic scope. If suggesting another geographic scope, include a detailed justification of why the use of this scope is appropriate.

Geographic Scope for Cumulative Effect Analysis	
Environmental Resource	Area of Effect
Soils and Geology	Construction workspaces
Vegetation, Wildlife, and Federal- and State-protected species	Hydrologic Unit Code (HUC) 12 Watershed
Groundwater and Water Use	HUC 12 Watershed.
Cultural Resources	Overlapping effects within the Area of Potential Effects
Land Use	1 mile radius
Visual	For aboveground facilities, distance that the tallest feature at the planned facility would be visible from neighboring communities. For pipelines, use 0.25 mile and existing visual access points (e.g., road crossings)
Noise - Construction	0.25 mile from pipeline or aboveground facilities. 0.5 mile from horizontal directional drill or direct pipe installation
Air Quality – Construction	0.25 mile from pipeline or aboveground facilities

Greyling

Exhibit 4



**Federal Energy
Regulatory
Commission**

**Office of Energy
Projects**

September 2026

**Transwestern Pipeline Company,
LLC**

Docket No. CP26-80-000

Green Chile Project

Environmental Assessment

NEPA Unique ID: EAXX-019-20-000-1781096872

Washington, DC 20426

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/Gas Branch 5
Transwestern Pipeline Co, LLC
Green Chile Project
Docket No. CP26-80-000

TO THE INTERESTED PARTY:

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Green Chile Project, proposed by Transwestern Pipeline Company, LLC (Transwestern) in the above-referenced docket.¹ Transwestern requests authorization to construct and operate a 17.77-mile-long, 24-inch-diameter natural gas transmission pipeline, metering facilities, and appurtenances in Doña Ana County, New Mexico.

Any person wishing to comment on the EA may do so. To ensure consideration of your comments on the proposal prior to making a decision on the project, it is important that the Commission receive your comments **on or before 5:00 pm Eastern Time on October 5, 2026**. Instructions for filing comments are provided on page 3.

FERC is the lead federal agency for authorizing interstate natural gas transmission facilities under the Natural Gas Act of 1938 (NGA) and the lead federal agency for preparation of the EA. The EA assesses the potential environmental effects of the Green Chile Project in accordance with the requirements of the National Environmental Policy Act (NEPA)² and the Commission's implementing regulations.³ The principal purposes of the EA are to: identify and assess the potential effects on the natural and human environment; describe and evaluate reasonable alternatives; identify and recommend mitigation measures; and facilitate public involvement in the environmental review process. The EA concludes that approval of the proposed project would not constitute a major federal action significantly affecting the quality of the human environment.

The U.S. Bureau of Land Management (BLM) participated as a cooperating agency in the preparation of the EA. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX-019-20-000-1781096872.

² National Environmental Policy Act of 1969, as amended (Public Law [Pub. L.] 91-190. Title 42 U.S. Code 4321–4347, as amended by Pub. L. 94-52, July 3, 1975; Pub. L. 94-83, August 9, 1975; Pub. L. 97-258, §4(b), September 13, 1982; Pub. L. 118-5, June 3, 2023; Pub. L. 119-21, July 4, 2025).

³ Title 18 Code of Federal Regulations Part 380.

participate in the NEPA analysis. Specifically, the BLM provided input on the conclusions and recommendations presented in the EA. Additionally, the BLM previously prepared an EA (DOI-BLM-NM-2026-0023-EA) with a Decision Record issued via U.S. Department of Interior Secretarial approval dated May 1, 2026⁴.

The EA addresses the potential environmental effects of the construction and operation of the following facilities associated with the Green Chile Project:

- approximately 17.77 miles of 24-inch-diameter natural gas transmission pipeline; and
- meter & regulator facilities and other appurtenances.

The Commission mailed a copy of the *Notice of Availability* of the EA to federal, state, and local government representatives and agencies; elected officials; Native American tribes; environmental and public interest groups; potentially affected landowners and other interested individuals and groups; and libraries and media outlets in the project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (www.ferc.gov), on the natural gas environmental documents page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). In addition, the EA may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (<https://elibrary.ferc.gov/eLibrary/search>), select "General Search" and enter the docket number in the "Docket Number" field, excluding the last three digits (i.e., CP26-80). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The EA is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Under section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate of Public Convenience and Necessity to construct and operate them. The Commission bases its decisions on both economic issues, including need, and environmental effects.

Your comments should focus on the EA's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental effects. The more specific your comments, the more useful they will be. For your convenience, there are three methods you can use to file your comments to the

⁴ BLM. 2026. Green Chile Natural Gas Pipeline Decision Record. Available online at: [BLM National NEPA Register | DOI-BLM-NM-L000-2026-0023-EA Documents](#).

Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

- (1) You can file your comments electronically using the [eComment](#) feature on the Commission's website (www.ferc.gov) under the link to [FERC Online](#). This is an easy method for submitting brief, text-only comments on a project;
- (2) You can also file your comments electronically using the [eFiling](#) feature on the Commission's website (www.ferc.gov) under the link to [FERC Online](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or
- (3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP26-80-000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (Title 18 Code of Federal Regulations, Part 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at <https://www.ferc.gov/how-intervene>.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov. Additional information about the project is available from the FERC website (www.ferc.gov) using the [eLibrary](#) link. The eLibrary link also

provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Commission Staff Page Limit and Deadline Certifications

I certify that Commission staff has considered the factors mandated by the National Environmental Policy Act (NEPA) and that this environmental document represents a good-faith effort to disclose the most important considerations required by NEPA within the statutory page limit (42 U.S Code § 4336a(e)) and the statutory deadline (42 U.S. Code § 4336a(g)). This certification reflects staff's expert judgment that the analysis contained within this environmental document is an accurate representation of the potential environmental effects of the proposed action and the analysis is substantially complete. In staff's judgment, any considerations addressed briefly or left unaddressed would not meaningfully inform the assessment of environmental effects.

Gertrude Fernandez Johnson, Director
Division of Gas – Environment and
Engineering

TABLE OF CONTENTS

Section A – Proposed Action	1
A.1 Introduction.....	1
A.2 Purpose and Need	2
A.3 Scope of the Environmental Assessment.....	2
A.4 Public Review and Comment	5
A.5 Proposed Facilities.....	6
A.6 Non-Jurisdictional Facilities.....	6
A.7 Land Requirements	8
A.8 Construction Schedule and Workforce.....	8
A.9 Environmental Compliance	10
A.10 Permits, Approvals, and Regulatory Requirements.....	10
Section B – Environmental Analysis	12
B.1 Environmental Trends and Planned Activities	12
B.2 Geology.....	13
B.3 Soils.....	16
B.4 Water Resources	17
B.5 Vegetation, Wildlife, and Special Status Species	18
B.6 Cultural Resources	23
B.7 Air Quality	25
B.8 Noise	34
B.9 Reliability and Safety.....	35
Section C – Alternatives	38
C.1 No-Action Alternative	39
C.2 System Alternatives	39
Section D – Staff’s Conclusions and Recommendations	41

LIST OF TABLES

Table A-1 Summary of Resource Areas Analyzed.....	3
Table A-2 Summary of Land Requirements for the Project	8
Table A-3 Anticipated Environmental Permits, Approvals, and Consultations	11
Table B-1 Birds of Conservation Concern with Potential to Occur in the Project Vicinity	20
Table B-2 Estimated Construction Emissions	28
Table B-3 Project Operating Emissions.....	30

LIST OF FIGURES

Figure 1 Green Chile Pipeline Project Overview Map	7
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LIST OF APPENDICES

Appendix A - List of Preparers

Appendix B - References

Technical Abbreviations and Acronyms

Abbreviation/Acronym	Definition
BCC	Birds of Conservation Concern
BLM	U.S. Bureau of Land Management
CAA	Clean Air Act
Certificate	Certificate of Public Convenience and Necessity
CFR	Code of Federal Regulations
CH ₄	methane
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
Commission	Federal Energy Regulatory Commission
dB	decibels
dBA	decibels on the A-weighted scale
DOT	U.S. Department of Transportation
EA	Environmental Assessment
EI	environmental inspector
EPA	U.S. Environmental Protection Agency
EPNG	El Paso Natural Gas Company
ERP	emergency response plan
FERC	Federal Energy Regulatory Commission
FERC Plan	FERC's <i>Upland Erosion Control, Revegetation, and Maintenance Plan</i>
FERC Procedures	FERC's <i>Wetland and Waterbody Construction and Mitigation Procedures</i>
FWW	Food & Water Watch
GCV	Green Chile Ventures, L.L.C.
GHG	greenhouse gas
GWP	global warming potential
HAP	hazardous air pollutant
HDD	horizontal directional drill
HTLC	Hold the Line Campaign
IPaC	Information for Planning and Consultation tool
IR	inadvertent release (or return)
L _{dn}	day-night sound level
L _{eq}	equivalent sound level
M&R station	meter and regulator station
Mcf/d	thousand cubic feet per day
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NGA	Natural Gas Act
NHPA	National Historic Preservation Act
NMDGF	New Mexico Department of Game and Fish

NMERT	New Mexico Environmental Review Tool
NMGC	New Mexico Gas Company
NMSLO	New Mexico State Land Office
NSPS	New Source Performance Standards
N ₂ O	nitrous oxide
NO _x	nitrogen oxides
NSA	noise-sensitive area
OEP	Office of Energy Projects
PM _{2.5}	particulate matter smaller than 2.5 microns
PM ₁₀	particulate matter smaller than 10 microns
Secretary	Secretary of the Commission
SGCN	New Mexico species of greatest conservation need
SHPO	State Historic Preservation Officer
SO ₂	sulfur dioxide
SPAR Plan	Spill Prevention and Response Plan
USGCRP	U.S. Global Change Research Program
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compound

SECTION A – PROPOSED ACTION

A.1 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC) staff has prepared this environmental assessment (EA) to assess the environmental effects of constructing and operating the Green Chile Project (Project) proposed by Transwestern Pipeline Company, LLC (Transwestern). On January 29, 2026, Transwestern filed a prior notice application in Docket No. CP26-80-000, pursuant to sections 157.205, 157.208, and 157.211 of the Commission’s regulations under the Natural Gas Act (NGA), and Transwestern’s blanket certificate issued in Docket No. CP82-534-000, requesting authorization to construct and operate certain natural gas pipeline facilities in Doña Ana County, New Mexico. On April 13, 2026, we¹ protested the prior notice request because Transwestern did not provide a copy of a finding by the New Mexico State Historic Preservation Office (SHPO) of “no historic properties” or “no historic properties affected.” In our protest, we explained that this documentation is necessary to demonstrate the Project’s compliance with the National Historic Preservation Act (NHPA), as required under the Commission’s regulations at sections 157.206(b)(3)(ii) and 157.208(c)(9) and Appendix II of subpart F.² We also explained that without this documentation, environmental concerns could not be adequately addressed before the protest period expired. Further, subject to section 157.205(e), we had 30 days to resolve and withdraw our protest. However, Transwestern did not file documentation from the New Mexico SHPO of “no historic properties” or “no historic properties affected” by the deadline (or subsequently), and therefore Transwestern’s prior notice request shall be treated as an application for case-specific authorization under section 7 of the NGA.³

In supplemental filings dated August 13, 2026,⁴ August 18, 2026,⁵ and September 1, 2026,⁶ Transwestern revised the proposed route of the Project to avoid New Mexico state trust lands. This revised route originates at the El Paso Natural Gas Company’s (EPNG) existing 1100 and 1103 pipelines on U.S. Bureau of Land Management (BLM)-managed lands approximately 1.0 mile east of the originally filed alignment, south of W. Afton Road. The Green Chile El Paso Meter & Regulator (M&R) Station would also be relocated to this location. From the Green Chile El Paso M&R Station, the route would extend approximately 2.0 miles southwest across BLM-managed lands, routing around New Mexico State trust lands (maintaining a 50-foot buffer between workspaces and trust lands), and then reconnecting with the originally proposed route.

¹ “We,” “us,” and “our” refer to the Commission's environmental and engineering staff of the Office of Energy Projects.

² 18 CFR §§ 157.206(b)(3)(ii), 157.208(c)(9), App. II (2025).

³ 18 CFR § 157.205(f) (2025).

⁴ Transwestern. August 13, 2026. Supplemental Information. Accession No. 20260813-5124, 5125, 5126.

⁵ Transwestern. August 18, 2026. Supplemental Information, Revised Concise Environmental Report. Accession No. 20260818-5012.

⁶ Transwestern. September 1, 2026. Supplemental Response to FERC EIR. Accession No. 20260901-5203.

A.2 PURPOSE AND NEED

Transwestern states the purpose of the Project is to transport up to 400,000 dekatherms per day of natural gas from a point of receipt located on the existing EPNG pipeline system to a point of delivery with Green Chile Ventures, L.L.C (GCV). According to Transwestern, the Project is needed to meet GCV's demand for natural gas that would be used for power generation by a new artificial intelligence (AI)/data center campus (Project Jupiter).

A.3 SCOPE OF THE ENVIRONMENTAL ASSESSMENT

Commission staff reviewed the application, supplemental filings, and comments received to establish the scope of this EA. Consistent with the Commission's regulatory authority as provided by the NGA, in this EA we evaluate the potential effects on the natural and human environment resulting from construction and operation of the proposed facilities. In this case, that includes the construction and operation of a natural gas transmission pipeline in Doña Ana County, New Mexico. Natural gas production activities and facilities, and end uses of the transported natural gas, are outside the scope of this EA. As presented in Table A-1 below, we considered whether each environmental resource is present in the area of the proposed action and alternatives. If the resource is present, we evaluated whether further detailed analysis is warranted due to potential effects and if so, that resource is carried forward for discussion in the EA. If the resource is present but would not be affected to a degree that detailed analysis is required, that resource area is not carried forward and a rationale is provided. If the resource area is not present or would not be affected by the proposed action, it is not carried forward for further discussion.

The topics identified in Table A-1 as carried forward for further discussion are addressed in section B of this EA. Section B describes the affected environment as it currently exists, discusses the environmental consequences of the Project, and identifies measures proposed by Transwestern to reduce effects. In Section C, the EA assesses alternatives to the Project; and in section D, we summarize our conclusions and present additional measures that we recommend the Commission adopt as mandatory environmental conditions of any Certificate of Public Convenience and Necessity (Certificate) it may issue to Transwestern.

The Commission is a regulatory agency and conducts a complete independent review of project proposals, including an environmental review of the proposed facilities. The BLM is a cooperating agency in the preparation of the EA. Cooperating agencies have jurisdiction by law or special expertise with respect to environmental effects involved with a proposal. In addition, other federal, state, and local agencies may use this EA in approving or issuing any permits necessary for all or part of the proposed Project.

As the lead federal agency for the Project, FERC is required to comply with Section 7 of the Endangered Species Act, as amended, and Section 106 of the National Historic Preservation Act. We have considered these statutes in the preparation of this EA. FERC will use this document to consider the likely environmental effects that could result if it authorizes the Project. Permits, approvals, and regulatory consultations for the Project are discussed in section A.10.

Table A-1 Summary of Resource Areas Analyzed		
Resource Area	Presence of Resource	Determination
Mineral Resources	☐ Present ☒ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward:
Geologic Hazards	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Soils	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Groundwater	☒ Present ☐ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: Groundwater is not found within 347 feet of the surface with the deepest depth of construction reaching approximately 80 feet below the ground surface, during horizontal directional drilling; conventional trenching only reaches depths of 8-10 feet below ground surface. Water required for construction of the Project would be purchased from a private landowner or a municipal source.
Surface Water	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Wetlands	☐ Present ☒ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward:
Fisheries	☐ Present ☒ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward:
Vegetation	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Wildlife	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Land Use	☒ Present ☐ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: Existing grazing, railroad operations, and recreational users may be temporarily affected by construction of the Project; however, these effects would be minimal, and these uses would not be wholly precluded. Operating the Project would not permanently affect existing land uses.
Recreation	☒ Present ☐ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: Recreational use of affected lands consists primarily of dispersed activities such as off-highway vehicle use and hunting. During construction, recreational users of the Project area could experience short-term, localized disturbances; but these

Table A-1 Summary of Resource Areas Analyzed		
Resource Area	Presence of Resource	Determination
		effects would be temporary, confined to the immediate construction corridor, and would not require closure of designated recreation areas or authorized travel routes. Operating the Project would not affect recreational use of the Project area.
Visual Resources	☒ Present ☐ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: The nearest visual receptors to the Project are located about 3.0 miles from the point of receipt located on the existing EPNG pipeline system. Construction of the Project would be temporary and only visible to individuals traversing the three public roads crossed by the Project. Project generated dust may be visible, but dust suppression measures would be applied. During operation, the (buried) pipeline would not be visible. The new M&R stations would be located in areas where similar energy and industrial/commercial infrastructure is present.
Cultural Resources	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Socioeconomics	☐ Present ☒ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward:
Air Quality - Construction	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Air Quality - Operation	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Noise - Construction	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Noise - Operation	☒ Present ☐ Not Present	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: The Project's operational noise would be generated by equipment at the new Green Chile El Paso M&R and Green Chile M&R stations. Operational noise is expected to be minimal due to the lack of high-intensity noise-generating equipment. There are no noise sensitive areas within 0.5 mile of either M&R station. Noise attributable to the operation of the M&R stations is not expected to have a significant effect on the local noise environment.
Reliability and Safety	☒ Present ☐ Not Present	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:

A.4 PUBLIC REVIEW AND COMMENT

On February 10, 2026, the Commission issued a Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline (Notice of Request). The Notice of Request provided interested persons an opportunity to review Transwestern's application and identified ways to become involved in the Commission's review of the Project. Publication of the Notice of Request established a 60-day comment period for the submission of protests, motions to intervene, or comments. This comment period closed on April 13, 2026. All submissions received by the Commission are part of the public record for the Project and are available for viewing on the FERC website (www.FERC.gov), using the [eLibrary](#) link.

The Commission received numerous comments regarding the environmental aspects of the Project. Specifically, the Commission received comments from Hold the Line Campaign (HTLC); Public Citizen, Inc.; the Center for Biological Diversity, Sierra Club, and Food & Water Watch (FWW) (jointly, "the Center et al."); Ms. Stefi Weisburd; Mr. Alonso Sanchez; Mr. Todd Snyder; Ms. Loretta M Di Tocco; Mr. Jim Steitz; Oracle Corporation; and 130 members of FWW with comments submitted collectively. The primary issues raised by the commenters concern siting permissions and easements, air quality emissions, cultural resources, water resources, wildlife, and the AI/data center campus to which the gas would ultimately be delivered.

Comments within the scope of this EA are addressed in section B of this EA. Public Citizen, the Center et al., and HTLC provided comments regarding the AI/data center campus, expressing concerns about the environmental and health effects including climate change, biological damage, air emissions, and water usage resulting from construction and operation of the Project Jupiter facility. The Project Jupiter AI/data center is currently under construction, with initial phases anticipated to be completed by the end of 2028. Comments concerning the effects of this facility are outside the scope of this EA and are not addressed further. HTLC also provided comments concerning Transwestern's Red Chile Lateral, a project in the Commission's pre-filing review process under Docket No. PF26-9-000. HTLC stated that the Commission should conduct a full environmental review of the Red Chile Lateral and that the Commission should do a cumulative impacts analysis of the Green Chile Project and the Red Chile Lateral. Because the Red Chile Lateral is in pre-filing, it is not yet before the Commission. As further discussed in Section B.1 "Environmental Trends and Planned Activities," if formally proposed, the Red Chile Lateral's construction window is not anticipated to overlap with the Green Chile Project. The Commission has also recently explained that the National Environmental Policy Act (NEPA) does not require agencies "to delineate or analyze a conceptually separate category of 'cumulative effects,'" and that "NEPA requires an analysis of the reasonably foreseeable effects of 'the project at hand,' not effects of separate projects."⁷

⁷ *E. Gas Transmission & Storage, Inc.*, 95 FERC ¶ 61,218, at P 26 (2026). *See Seven Cnty. Infrastructure Coal. v. Eagle Cnty., Colo.*, 605 U.S. 168, 182, 187 (2025).

A.5 PROPOSED FACILITIES

As described in its application and as supplemented on August 13, 2026,⁸ August 18, 2026,⁹ and September 1, 2026,¹⁰ Transwestern proposes to construct and operate approximately 17.77 miles of 24-inch-diameter interstate, natural gas transmission pipeline, M&R facilities (the Green Chile El Paso M&R Station and the Greene Chile M&R Station), and other appurtenances in Doña Ana County, New Mexico. The general location of the Project facilities is shown in Figure 1.

A.6 NON-JURISDICTIONAL FACILITIES

Under Section 7 of the NGA, and as part of the decision whether to approve facilities under its jurisdiction, the Commission is required to consider all factors bearing on the public convenience and necessity. Occasionally, proposed projects have associated facilities that do not come under the jurisdiction of the FERC. These non-jurisdictional facilities may be integral to the need for the proposed facilities, or they may be minor, non-integral components of the proposed facilities. Non-jurisdictional facilities associated with the Project include: a 24-inch-diameter, approximately 5.18-mile-long natural gas pipeline (Green Chile Ventures pipeline) owned and operated by GCV to transport gas from the Green Chile M&R Station to the AI/data center campus. This pipeline would be regulated by the appropriate state and local authorities. This pipeline is also discussed further in Section B.1 “Environmental Trends and Planned Activities.”

⁸ Transwestern. August 13, 2026. Supplemental Information. Accession No. 20260813-5124, 5125, 5126.

⁹ Transwestern. August 18, 2026. Supplemental Information, Revised Concise Environmental Report. Accession No. 20260818-5012.

¹⁰ Transwestern. September 1, 2026. Supplemental Response to FERC EIR. Accession No. 20260901-5203.

Figure 1 Green Chile Pipeline Project Overview Map



A.7 LAND REQUIREMENTS

As summarized in Table A-2, constructing and operating the Project would require the temporary use of a total of about 192.26 acres of land and the permanent use of about 111.83 acres of land. These lands would encompass the 80-foot-wide construction right-of-way, the 50-foot-wide permanent right-of-way, and all temporary and permanent workspaces, access roads, and contractor yards. Approximately 93.6 percent of lands required for the Project are managed by the BLM, and 6.4 percent are private lands. Lands not permanently required for operation of the Project would be restored and returned back to the landowner.

Table A-2 Summary of Land Requirements for the Project^{11,12}

Facility	Land Affected during Construction (acres)	Land Affected During Operation (acres)
Pipeline Facilities		
Green Chile Lateral	171.13	107.58
Other Work Areas		
Temporary Workspace	6.88	0.00
Permanent Access Roads	0.22	0.22
Contractor Yard	10.00	0.00
Pipeline Subtotal	188.22	107.77
Aboveground Facilities		
Green Chile El Paso M&R Station	2.59	2.59
Green Chile M&R Station	1.44	1.44
Aboveground Facility Subtotal	4.03	4.03
PROJECT TOTAL	192.26	111.83

A.8 CONSTRUCTION SCHEDULE AND WORKFORCE

Transwestern plans to commence construction of the Project upon receipt of all required permits and authorizations (see Section A.10). Transwestern anticipates that construction activities would occur over 17 weeks. Construction activities would generally be conducted between 6:00 am and 10:00 pm, seven days a week. Some activities, such as horizontal directional drill (HDD) pullback, tie-ins, hydrotesting, and laydown yard use may be conducted outside these hours and overnight. According to Transwestern, about 328 personnel would be needed to complete the Project.

A.8.1 Construction, Operation, and Maintenance Procedures

The Project would be designed, constructed, operated, and maintained in accordance with the U.S. Department of Transportation (DOT) regulations in Title 49 Code of Federal Regulations, Part 192 (49 CFR 192), *Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards*, the FERC Siting and Maintenance Requirements (18 CFR

¹¹ Transwestern. August 13, 2026. Supplemental Information Updated CER Report. Accession No. 20260813-5124.

¹² Transwestern. September 1, 2026. Supplemental Response to FERC EIR. Accession No. 20260901-5203.

380.15), and other applicable federal and state regulations. To avoid, reduce, and mitigate construction effects, Transwestern would implement the FERC's *Upland Erosion Control, Revegetation, and Maintenance Plan* (FERC Plan) and *Wetland and Waterbody Construction and Mitigation Procedures* (FERC Procedures).¹³ Transwestern would also construct the Project in accordance with numerous project-specific plans including its *Spill Prevention and Response Plan* (SPAR Plan), *Unanticipated Discovery Plan*, *Fugitive Dust Control Plan*, *Noxious and Invasive Plant Management Plan*, *Environmental Complaint Resolution Procedures*, and *Horizontal Directional Drill [HDD] Contingency Plan*. We reviewed these plans and found them acceptable.

With the exception of the special construction methods and techniques described below, Transwestern would construct the proposed facilities using conventional industry, open-cut construction procedures and techniques. As proposed, pipeline construction would consist of a single construction spread comprised of crews working in a sequential process of surveying and staking approved workspaces, clearing vegetation, grading work surfaces to ensure safety and stability, trenching, pipe stringing and bending, welding, lowering-in of the pipe and backfilling of spoil, hydrostatic testing, site cleanup, and restoration. Once complete, cathodic protection systems would be installed at various points along the pipeline to mitigate corrosion. As needed and concurrent with these activities, Transwestern crews would implement environmental protection measures and devices (e.g., watering for dust suppression). Depending on a variety of factors including available contractors, terrain, weather, and materials deliveries, these actions may occur relatively close in time or may be spread out over several weeks. Following construction, Transwestern would rehabilitate, stabilize, and revegetate affected lands.

Construction activities associated with the aboveground facilities would include general activities such as clearing and grading, foundation installation, erection of aboveground facilities, installation of piping equipment, pressure testing of equipment, and cleanup and restoration.

Transwestern would operate and maintain its facilities in compliance with DOT regulations, 49 CFR 192, and the maintenance provisions of the FERC Plan as applicable to ensure pipeline integrity and safe operation of the facilities. Operations and maintenance activities would include vegetation management; pipeline inspections; and cleaning and pipeline repairs. Transwestern personnel would continue to perform routine checks of the facilities, including calibration, inspection, and scheduled/preventative maintenance of equipment/facilities. Corrective action would be taken regarding any identified problem.

¹³ The FERC Plan and Procedures are a set of baseline construction and mitigation measures developed to minimize the potential environmental effects of construction on upland areas, wetlands, and waterbodies. They can be viewed on the FERC Internet website at: <https://www.ferc.gov/sites/default/files/2020-04/upland-erosion-control-revegetation-maintenance-plan.pdf> & <https://www.ferc.gov/sites/default/files/2020-04/wetland-waterbody-construction-mitigation-procedures.pdf>.

A.8.2 Special Construction Methods and Techniques

Conventional Bores

Conventional bores involve excavating pits on each side of the feature to be crossed. A boring machine placed in one pit advances a segment of pipe beneath the feature to the other pit. A boring machine uses a rotating cutting head or auger while simultaneously removing soil. Once the bore is complete, the installed pipe segment is tied into the main pipeline. Transwestern would use conventional bores to cross Airport Road at pipeline milepost 10.71 and County Road A014 (Rail Spike Road) at milepost 11.90.

Horizontal Directional Drilling

An HDD allows for trenchless installation of pipe under a surface feature by use of a subsurface drill. A small-diameter pilot hole would be drilled under the feature to be crossed; the hole would then be successively enlarged through progressively sized reamings until a prefabricated segment of pipe can be inserted into the hole. During drilling, a slurry of drilling mud would lubricate the drill bit, remove drill cuttings, and stabilize the borehole. The position of the drill would be electronically monitored, and directional corrections would be made to maintain its alignment between the desired entry and exit locations. Pipe sections would be welded on the exit side of the crossing and then pulled through the borehole. Transwestern would use HDDs to cross the Union Pacific Railroad at pipeline milepost 11.30 and County Road A-12 at milepost 11.40.

A.9 ENVIRONMENTAL COMPLIANCE

Transwestern would conduct environmental compliance awareness and safety training for its field construction and contractor personnel prior to construction and as necessary during construction. Training would focus on compliance with all applicable environmental mitigation measures. Transwestern would employ at least one full-time environmental inspector (EI) during construction. The EI would have the authority to enforce the environmental requirements of the Project; stop activities that violate the environmental commitments and conditions of the Project, FERC Certificate, or BLM Right-of-Way Grant or other permit; and order corrective action. In addition, FERC staff would maintain compliance oversight of the Project throughout construction and restoration to ensure compliance with the conditions of any Commission order.

A.10 PERMITS, APPROVALS, AND REGULATORY REQUIREMENTS

Table A-3 lists the major federal and state permits, approvals, and consultations for the Project activities and provides the status of each. Transwestern would be responsible for obtaining all permits and approvals required to construct and operate the Project regardless of whether they appear in the table.

In comments submitted to the Commission, Public Citizen¹⁴, the Center et al.,¹⁵ and Mr. Alonso Sanchez¹⁶ state that Transwestern has not obtained permission from the New Mexico State Land Office (NMSLO) to encumber state trust lands for the Project. As described previously, Transwestern revised its proposed pipeline route in August 2026. The proposed pipeline would not cross New Mexico state trust lands¹⁷.

Table A-3 Anticipated Environmental Permits, Approvals, and Consultations

Administering Agency	Permit/Approval/Consultation	(Anticipated) Submittal/Initiation Date	(Anticipated) Receipt/Completion Date
Federal			
FERC	Certificate of Public Convenience and Necessity	January 2026	Pending
BLM	Consultation under Section 106 of NHPA	Ongoing	Pending
	BLM Form 2920-1 Land Use Application and Permit	December 29, 2025	February 11, 2026
	Standard Form 299 for Right-of-Way Grant	January 2026. (Revised Sept 2026)	Pending
U.S. Fish and Wildlife Service	Endangered Species Act Section 7 Consultation, Migratory Bird Treaty Act, Fish and Wildlife Coordination Act	No effect determinations January 2, 2026, and August 12, 2026	Consultation complete
State			
New Mexico Environmental Department	Minor Source Air Emissions (M&R Stations) General Construction Permit for oil and gas facilities (GCP-Oil & Gas) Issued under 20.2.72 New Mexico Administrative Code	January 19, 2026	February 12 and 13, 2026
New Mexico Oil Conservation Division	Hydrostatic Test Water Discharge	Pending submittal	Pending authorization
New Mexico Department of Cultural Affairs – New Mexico Historic Preservation Division	NHPA Section 106 Consultation	BLM sent a letter requesting concurrence to SHPO on April 17, 2026 of “no historic properties affected.” Consultation ongoing.	Consultation ongoing
New Mexico Department of Game and Fish	State Rare, Threatened, and Endangered Species Consultation	NM Environmental Review: November 4, 2025	Response: November 4, 2025

¹⁴ Public Citizen, Inc. April 13, 2026. Protest of Public Citizen, Inc. Accession No. 20260413-5176.

¹⁵ The Center, Sierra Club, FWW. April 13, 2026. Joint Protest to Proposed Blanket Certificate Activity and Motion to Intervene. Accession No. 20260413-5184.

¹⁶ Alonso Sanchez. May 18, 2026. Comments. Accession No. 20260518-5001.

¹⁷ Transwestern. August 13, 2026. Supplemental Information, Appendix A: Project Mapping. Accession No. 20260813-5124.

SECTION B – ENVIRONMENTAL ANALYSIS

This section of the EA describes the affected environment as it currently exists and discusses the environmental consequences of the proposed Project. The environmental consequences of constructing and operating the proposed facilities would vary in duration and would include temporary, short-term, long-term, and permanent effects. Temporary effects generally occur during construction with the resource returning to a similar condition to that prior to construction, almost immediately following construction activities. Short-term effects could continue for up to 2 to 5 years following construction. Effects would be considered long-term if the resource required more than 5 years to recover. A permanent effect could occur because of any activity that modifies a resource to the extent that it would be affected for the life of the Project. An effect may be significant if it results in a substantial adverse change in the physical environment. When determining the significance of an effect, we consider the duration of the effect as well as the geographic, biological, and/or social context in which the effects would occur, and the intensity (e.g., severity) of the effect(s).

The analysis contained in this EA is based upon Transwestern's application and supplemental filings. However, if the Project is approved and proceeds to the construction phase, it is not uncommon for a project proponent to require modifications (e.g., minor changes in workspace configurations or construction techniques). These changes are often identified by a company once on-the-ground implementation work is initiated. Project modifications would be subject to review and approval by FERC and any other permitting/authorizing agencies with jurisdiction.

B.1 ENVIRONMENTAL TRENDS AND PLANNED ACTIVITIES

To contextualize the Project's effects, we describe the existing environment in the Project area, how the environment has changed over time, and other reasonably foreseeable planned activities in the area.

The Project would be located within the Rio Grande Rift portion of the larger Basin and Range physiographic province which includes the Organ and Franklin Mountains and the Mesilla Basin (New Mexico Bureau of Geology & Mineral Resources, 2023) (National Park Service, 2020). The elevation within the Project area ranges from 4,100 to 4,175 feet above mean sea level. Summers are generally hot, and winters are cool with rare snowfall. The climate in the Project area has been characterized as semi-arid.. Average annual precipitation in the Project area is 7.65 inches. Summer temperatures generally range from highs in the mid to high 90s and lows in the high 60s to low 70s. Winter temperatures generally range from highs in the mid-50s to 60s °F and lows in the low 30s °F (U.S. Climate Data, 2026).

Doña Ana County spans about 3,800 square miles of land. It is the second-most populated county in New Mexico with a population of approximately 219,561 (U.S. Census Bureau, 2026). Doña Ana County's economy shifted in the 20th century from mainly agriculture to new economic drivers, like military aerospace industries, including the White Sands Missile Range, in 1945. In the early 2000s, economic growth was led by professional services, education, and healthcare industries. After 2010, transportation and manufacturing became more prevalent. The current economic drivers include logistics, data centers, and manufacturing; the

agricultural sector is still present but has been declining (Harvard, 2026). The general area remains rural with large undeveloped areas.

The Project area was reviewed to identify reasonably foreseeable planned activities/projects that may influence the environmental baseline in which the Project would be constructed. Federal, state, and local government agency permitting and public notice resources identified projects that have occurred or may occur in proximity to the Project. Six such projects were identified.²²

Projects identified in the area currently underway include the non-jurisdictional Green Chile Ventures, LLC pipeline, which transports natural gas from the Green Chile M&R Station to the Project Jupiter AI/data center campus, the actual Project Jupiter AI/data center campus, the 96-acre Estate of Soledad Macias Subdivision (approximately 5 miles east of the Project), a 975-acre solar project (Hectare Energy, 4.0 miles south of the Green Chile M&R Station), and YGI Microgrid located on the AI/data center campus, which is currently under construction (Yucca Growth Infrastructure, LLC). Other planned projects identified include the Sunland Park Border Highway Connection transportation project (4.6 miles from Green Chile M&R Station), and the Desert Southwest Expansion Project (a 526.6 mile-expansion of Transwestern's pipeline system which includes the Red Chile Lateral—see our further discussion in section C.2). As they're constructed, we expect these projects would affect resources within the same sub-watersheds as the Green Chile Project, including groundwater resources through excavations, potential groundwater withdrawals, biological resources through vegetation clearing and habitat disturbance, and surface water crossings, import of fill or erosion events. We also expect projects under construction to have the requisite federal, state, and local permits required to construct. If any direct overlap does occur, area residents may notice temporary increase in construction equipment and ground disturbance in the area.

In general, the Southwest is experiencing an increase in the construction and operation of natural gas pipeline infrastructure as well as renewable energy projects. Overall, the environmental trends described are consistent with the economic trajectory of Doña Ana County as infrastructure and services are developed to support regional population growth and industry.

B.2 GEOLOGY

B.2.1 Geologic Setting

The geologic units underlying the Project area are composed primarily of conglomerate-sandstone, fine-detrital, and coarse detrital within the Upper Santa Fe Group. The Project area also crosses through an area near the Black Mountain, which is composed of andesite and basalt (Seager, et al., 1987). Pipeline construction does not generally affect underlying geological resources; however, shallow bedrock may be encountered during construction activities. If bedrock is encountered during trenching, Transwestern would attempt to remove it using mechanical means. The need for blasting is not anticipated for the Project; however, if blasting is required, Transwestern would file a site-specific blasting plan to the docket for approval and

²² Transwestern. May 29, 2026. Response to FERC, Environmental Information Request of May 15, 2026. Accession No. 20260529-5282.

notify the BLM. Additionally, construction of the Project would involve two HDDs, which involve disturbances at depths lower than conventional upland construction. HDDs are discussed further below.

B.2.2 Paleontological Resources

Paleontological resources refer to any fossilized remains, traces, or imprints of organisms preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth. Fossils are predominantly found in bedrock sedimentary geologic units and pre-Holocene surficial sedimentary deposits. Additionally, on rare occasions, fossils have been found within caves and lava tubes which could potentially occur in the basalt and andesite rocks of the Project area. The surface of the Project area is composed of eolian sand dunes and Holocene and Pleistocene sandy and gravelly soils with well-developed and highly indurated beds of caliche. These soils also contain scattered clasts of limestone containing poorly preserved shell fragments likely derived from Paleozoic geologic units in the nearby Franklin Mountains, and sparse abraded fragments of silicified wood. These sandy and gravelly soils are designated by the BLM (2022b) as having low paleontological potential but are underlain at depth by the Camp Rice Formation of the Santa Fe Group (Seager et al., 1987) which has very high paleontological potential.

Within the Project area, one paleontological locality has been documented in the Camp Rice Formation.²³ Based on field observations, the Camp Rice Formation primarily underlies surficial sediments at a depth of between 4 and 10 feet; however, the northeast end of the Project area is topographically lower, and the Formation is exposed at the surface. Project construction is expected to occur at a maximum depth of approximately 10 feet below ground surface, which overlaps with the upper portion of the Camp Rice Formation. Due to this overlap and the northeastern surface exposure, there is a possibility that fossils within the formation could be encountered during construction activities. If unique or significant fossil specimens are discovered during excavation activities, Transwestern would cease construction activities and consult with the appropriate County, State, and/or BLM paleontological specialist. Additionally, construction activities exceeding four feet below ground surface and within the exposed Camp Rice Formation would be monitored by a qualified paleontologist holding a valid BLM New Mexico Paleontological Resource Use Permit, ensuring early identification, evaluation, and implementation of protective or mitigative measures if resources are encountered. Transwestern has developed and would implement its *Unanticipated Discoveries Plan* that identifies the procedures for recognizing and handling significant fossils. Therefore, we conclude constructing and operating the Project would not have a significant effect on paleontological resources.

B.2.3 Geological Hazards

Geologic hazards are natural, physical conditions that can, when active, result in damage to land or structures, or injuries to people. These include hazards that are seismic-related (earthquakes), landslides, and soil liquefaction. Other geological hazards include flooding, karst terrain, and sink holes. Within the Project area, there is one known active fault, the Mastodon

²³ Transwestern. August 13, 2026. Supplemental Information Filing, at Appendix F-2 Paleo Survey Report. Accession No. 20260813-5125.

Fault, which formed during the middle to late Quaternary period. Its slip rate is estimated to be less than 0.2 mm per year (Petersen et al., 2023; U.S. Geological Survey, 2025; Machette et al., 2000). Additionally, no significant earthquakes have been recorded within the Project area in Doña Ana County. The closest recorded event in the past 50 years was a magnitude 2.8 earthquake in 2020, located approximately 10.6 miles northeast of the Project (U.S. Geological Survey, 2025). Transwestern states that the proposed pipeline and associated aboveground facilities would be designed in accordance with Seismic Design Category B, as identified in the Federal Emergency Management Agency Earthquake Hazard Maps for the Project area (Federal Emergency Management Agency, 2026). Transwestern would implement measures to include fault-specific engineering design, strain-based evaluations, selection of suitable pipe materials, burial depth, and engineered backfill to accommodate potential ground deformation.²⁴ No other geological hazards are present within the Project area. Therefore, we conclude that the potential for seismic events to affect the Project is low and not significant.

B.2.4 Horizontal Directional Drill Feasibility

As identified previously, Transwestern would use HDDs to cross the Union Pacific Railroad and County Road A-12. In support of the proposed HDDs, Transwestern has provided site-specific HDD plans and profile drawings. Transwestern is currently preparing a geotechnical investigation report and HDD feasibility study to cross the Union Pacific Railroad and to assess the risk of inadvertent releases (IR) of drilling mud²⁵ and has committed to providing this report and study when complete. Additionally, Transwestern conducted a geotechnical investigation consisting of four borings completed to depths of approximately 50 and 100 feet below the ground surface for the two HDDs. The most prevalent materials encountered were silty and clayey sands, poorly graded sand, and occasional fat clay, with bedrock not occurring. Based on the geotechnical data collected so far, we agree with Transwestern that the Project HDDs would not be limited by geological conditions. The successful use of the HDD method would result in no effects on the Union Pacific Railroad or the County Road A-12 crossing. However, an IR of drilling mud may occur if the pumped pressure exceeds the strength of the surrounding geologic materials. This could occur in the layers of fat clay as seen in the geotechnical borings or if the borehole intersects a preferential flow pathway.

During construction, Transwestern would continuously monitor the HDD activities using instrumentation (e.g., making sure that drilling fluid provision and return match) and physically inspect the route. In the event of an IR, drilling mud may reach the surface and could spill into overlying features including the Union Pacific Railroad or County Road A-12. Should an IR occur, Transwestern would implement measures from its *HDD Contingency Plan* to limit the effects of the release. These measures include reducing annular pressures and drilling rates, and/or temporarily suspending drilling to clean up the release. Additionally, if an IR reaches the surface, Transwestern would contain the release by using sandbags, silt fence, or other temporary physical barriers. Disposal sites for used drilling mud would be limited to upland areas, including mine reclamation sites, landfills, and land spreading in upland agricultural areas with

²⁴ Transwestern. March 9, 2026. Environmental Information Request Response. Accession No. 20260309-5147.

²⁵ Ibid.

landowner approval. Transwestern does not plan to sample drilling fluid for environmental contaminants unless the HDD passes through an area of suspected contamination. This would be determined by observation of odors or sheen in the recovered drilling mud. If drilling fluid additives are necessary for loss of circulation or bore hole stability, Transwestern would use additives that are non-petroleum based, non-hazardous, and comply with all applicable permit requirements and environmental regulations.

B.3 SOILS

The Project would be located across five soil map units: Akela-Rock outcrop complex, Bluepoint-Caliza-Yturbide complex, Simona-Harrisburg association, Wink-Harrisburg association, and the Wink-Pintura complex. These arid soils are generally characterized as: loamy, sandy, and gravelly; well drained; and having poor revegetation potential. Additionally, the Wink-Pintura complex, the predominant soil map unit crossed is considered highly erodible by wind. The Akela-Rock outcrop complex could also introduce stones or rocks into surface soil layers during construction activities.

Constructing the Project would temporarily and permanently affect soils. Clearing vegetation and other ground disturbing activities including grading and trenching would result in the temporary loss of cover and would expose soils to the elements which could reduce soil moisture content and increase the potential for erosion. Additionally, in the Project area, a reduction in moisture content and soil structure combined with an increase in wind exposure could result in substantial dust and a resulting displacement of soils. Operating the new M&R stations and permanent access roads would result in the permanent loss of underlying soil function as these soils would be covered with gravel.

To reduce effects on soils during construction, where feasible and where excavation is not required, existing vegetation would be cut at ground level to reduce the potential for erosion and promote natural revegetation. Transwestern would also implement measures identified in its *Fugitive Dust Control Plan* including routine wetting or chemical suppression of disturbed construction workspaces and exposed soils. Additionally, Transwestern would reduce the potential for introducing stones or rocks into surface soil layers by ensuring that the size, density, and distribution of rock in the construction work area is similar to adjacent areas not disturbed by construction following site restoration.

Following construction, soils not permanently affected would be regraded, restored, and revegetated consistent with our Plan and any applicable BLM requirements, including post-construction monitoring to ensure revegetation success. Revegetation would be completed using New Mexico National Resource Conservation Service revegetation reseeding rates and mixes and any federal, state, and local permitting requirements.

Lastly, if contamination or potential contamination is encountered during construction, Transwestern has prepared an *Unanticipated Discovery Plan* to guide appropriate response measures. Additionally, Transwestern would implement measures in its *SPAR Plan* to minimize potential contamination of soil resources from spills of hazardous materials during construction of the Project.

Based on the scope of the Project, soils characteristics present within the Project area, and Transwestern's efforts to reduce and mitigate effects on soils, we conclude constructing and operating the Project would not result in a significant effect on soils.

B.4 WATER RESOURCES

Commentors expressed concern that groundwater would be affected by HDDs and conventional pipeline construction. For the reasons given in Table A-1, we have concluded groundwater resources would not be appreciably affected by the Project. If groundwater is unexpectedly discovered during construction activities, Transwestern would implement measures from the FERC Plan to mitigate effects on groundwater.

B.4.1 Water Use

HTLC, the Center et al.,²⁶ and Ms. Loretta M Di Tocco²⁷ expressed concerns about the Project's potential effects on groundwater availability/depletion.²⁸ Transwestern would use a total of about 3,791,720 gallons of water during construction of the Project, which would be purchased from a private landowner's existing well or municipally sourced. About 2,092,270 gallons of water would be used for hydrostatic testing of the pipeline, and approximately 1,662,720 gallons of water would be used for dust suppression. The remaining water would be used for road bores and HDDs. Once hydrostatic testing is complete, Transwestern would discharge the test water on-site into a vegetated, upland area. Transwestern would follow the FERC Plan, adhere to its New Mexico Oil Conservation Division Hydrostatic Test Water Discharge permit and all federal, state, and local permit requirements regarding water discharge. Project water requirements would be temporary and are not anticipated to cause perpetual or significant stress on area aquifers. Effects on water resources from water usage are anticipated to be minor and not significant.

HTLC also commented on potential arsenic contamination from discharge of hydrostatic testing waters.²⁹ Transwestern would be required to obtain all requisite permits for water discharge, intends to use new pipeline supplies, and would not use chemicals for testing or drying.³⁰ Therefore, we do not anticipate arsenic contamination to occur as a result of Project-related activities.

B.4.2 Surface Waters

Six waterbodies are located within the Project area. Field surveys conducted by Transwestern in July 2026 determined these waterbodies are ephemeral, storm-driven drainage features with no continuous surface water connection. Four of the waterbodies would be crossed

²⁶ The Center for Biological Diversity, Sierra Club, Food and Water Watch. Joint Protest and Motion to Intervene. April 13, 2026. Accession No. 20260413-5184.

²⁷ Loretta M Di Tocco. June 22, 2026. Comment. Accession No. 20260622-148008.

²⁸ HTLC. Motion to Intervene. April 13, 2026. Statement of Interest (1) Transboundary Environmental and Community Impacts. Accession No. 20260413-5023.

²⁹ HTLC. Consolidated Reply to Transwestern's Motion to Dismiss. May 26, 2026. Accession No. 20260526-5047.

³⁰ Transwestern. Concise Environmental Report. January 29, 2026. Section 2.3. Accession No. 20260129-5545.

by the pipeline. The remaining two waterbodies are located within the footprint of the proposed Green Chile M&R Station.

If the waterbodies are crossed during periods of perceptible flow, pipeline construction would likely alter the flow of these features. Because these features only contain water for a short time and have no perennial surface water connections, any observable effects would be minimal and would quickly subside. Perceptible flow in ephemeral waterbodies may result in erosion or washout of the workspaces during construction. Transwestern would comply with the FERC Plan and Procedures to prevent erosion and soil loss. Following construction of the pipeline, affected lands would be restored and these features would resume their normal function. The two waterbodies within the footprint of the new Green Chile M&R Station would be permanently filled. We conclude effects on surface waters would be minor and not significant.

B.5 VEGETATION, WILDLIFE, AND SPECIAL STATUS SPECIES

B.5.1 Vegetation

Vegetation within the Project area is characteristic of Chihuahuan Desert Scrub (U.S. Environmental Protection Agency [EPA], 2024a) which is dominated by mesquite shrublands and creosote shrublands. Vegetation within the mesquite shrubland includes honey mesquite, fourwing saltbush, threadleaf snakeweed, woolly tidestromia, and golden crownbeard (New Mexico Department of Game and Fish [NMDGF], 2025a). Vegetation within the creosote shrubland includes six weeks grama, silk-cotton purslane, and woolly tidestromia. The Project would also cross approximately 10.5 miles of the Lower Mesilla Valley Important Plant Area, known for moderate biodiversity significance, ecological value and the potential presence of rare plant species (NMDGF, 2025b; New Mexico Energy, Minerals and Natural Resource Department, 2025).

Constructing and operating the Project would result in short- to long-term and permanent effects on vegetation. Clearing and grading of Project workspaces would result in the short- to long-term loss of existing vegetation due to arid conditions and the resulting slow rate of revegetation. The construction of new aboveground facilities would result in the permanent loss of about 4.03 acres of scrub-shrub vegetation. The loss of vegetation would reduce available habitat and increase erosion potential.

Following construction, Transwestern would allow vegetation to regrow in the permanent easement. Transwestern would reseed shrub and herbaceous vegetation following the New Mexico Natural Resources Conservation Service Revegetation Seeding Rates and Mixes Recommendations³¹ and applicable BLM or landowner agreements. Herbaceous vegetation recovery is expected in one to two growing seasons, while full vegetative recovery for shrub species could require five to ten years depending on precipitation and soil conditions. Until affected lands are fully revegetated, workspaces would be susceptible to erosion or the invasion of exotic, invasive, and/or weedy species including prickly Russian thistle (*Salsola tragus*) and

³¹ Transwestern. Concise Environmental Report. January 29, 2026. RR3, Section 3.2.1.3. Accession No. 20260129-5545.

palmer amaranth (*Amaranthus palmeri*), both of which were identified in surveys of the Project area. Transwestern would reduce the potential for the introduction and spread of invasive species by revegetating uplands and implementing measures in the FERC Plan, BLM right-of-way stipulations (BLM, 2026b), and project-specific *Noxious and Invasive Plant Management Plan*³² to avoid spreading invasive plant species observed during the Project surveys (prickly Russian thistle [*Salsola tragus*] and palmer amaranth [*Amaranthus palmeri*]). These measures include flagging invasive species locations, inspecting and cleaning construction equipment prior to site arrival, mechanical treatment or herbicide application of invasives, and retaining rootstock when feasible for natural revegetation post construction.

Transwestern would use NMDGF recommended native plant species and pollinator habitat enhancing seed mixes during reclamation³³ and would adhere to its *SPAR Plan* and the FERC Plan during pipeline operation and maintenance. Based on the limited effects on vegetation and Transwestern's implementation of effect reduction and mitigation measures, we conclude that constructing and operating the Project would not result in a significant effect on vegetation.

B.5.2 Wildlife

The Project area supports a variety of wildlife species that have adapted to arid conditions, sparse vegetation, and rugged terrain. Common mammal species that could be present in the Project area include mule deer, collared peccary, black-tailed jackrabbit, kit fox, gray fox, and bobcat. Bird species include greater roadrunner, loggerhead shrike, Abert's towhee, Bell's vireo, and Bendire's thrasher (NMDGF, 2025a).

Constructing and operating the Project would temporarily affect wildlife occurring in the Project area. Ground-disturbing activities, the use of heavy equipment, and the general disturbance caused by construction would likely cause wildlife to avoid the immediate Project area, thereby displacing wildlife and increasing the rates of stress, injury, and mortality experienced by wildlife. With the exception of the new M&R stations, lands affected by construction would be restored to pre-construction conditions to the extent practical, and displaced wildlife would be expected to return to the Project area.

Transwestern would reduce effects on wildlife by training contractors and workers to avoid harming wildlife; trenching, installing pipeline, and backfilling concurrently; avoiding leaving trenches open overnight; and implementing wildlife exclusion and monitoring measures.

HTLC commented that ecological and species surveys submitted by Transwestern are inadequate and expressed concerns about rare species effects. The Center et al. also submitted comments expressing concerns about the Project's effects on wildlife. As discussed above, wildlife would only be temporarily affected by the Project. Rare species are addressed below.

³² Transwestern. Concise Environmental Report. January 29, 2026. RR3, Section 3.2.1.3, Appendix C-6. Accession No. 20260129-5545.

³³ Transwestern. Concise Environmental Report, January 29, 2026. RR3 (Section 3.4). Accession No. 20260129-5545.

We conclude that construction and operating the Project would not have a significant effect on wildlife.

B.5.3 Migratory Birds

Migratory birds are protected under the Migratory Bird Treaty Act (16 U.S. Code 703-711); bald and golden eagles are additionally protected under the Bald and Golden Eagle Protection Act (16 U.S. Code 668-668d). Executive Order 13186 (66 Federal Register 3853) directs federal agencies to identify where unintentional take is likely to have a measurable negative effect on migratory bird populations and to avoid or minimize adverse effects on migratory birds through enhanced collaboration with the U.S. Fish and Wildlife Service (USFWS).

The Project is within Bird Conservation Region 35 - Chihuahuan Desert (North American Bird Conservation Initiative, 2026). Fifteen Birds of Conservation Concern (BCC) were identified by the USFWS' Information for Planning and Consultation (IPaC) tool as having the potential to occur in the Project area (Table B-1) (IPaC, 2025).

Table B-1 Birds of Conservation Concern with Potential to Occur in the Project Vicinity	
Common Name	Scientific Name
Bald Eagle ^a	<i>Haliaeetus leucocephalus</i>
Broad-tailed hummingbird	<i>Selasphorus platycercus</i>
Cactus Wren	<i>Campylorhynchus brunneicapillus guttatus</i>
Cassin's Sparrow	<i>Peucaea cassinii</i>
Chestnut-collared Longspur	<i>Calcarius ornatus</i>
Eastern Meadowlark	<i>Sturnella magna</i>
Ferruginous Hawk	<i>Buteo regalis</i>
Grace's Warbler	<i>Setophaga graciae</i>
Henry's Common Nighthawk	<i>Chordeiles minor henryi</i>
Long-billed Curlew	<i>Numenius americanus</i>
Scott's Oriole	<i>Icterus parisorum</i>
Sprague's Pipit	<i>Anthus spragueii</i>
Thick-billed Longspur	<i>Rhynchophanes mccownii</i>
Virginia's Warbler	<i>Leiothlypis virginiae</i>
Western burrowing owl ^b	<i>Athene cucularia hypugaea</i>
^a The bald eagle is not a BCC in this area; however, it is protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act.	
^b Not included in the USFWS' IPaC. However, is noted based on consultation with the NMDGF.	

The Project is anticipated to affect migratory birds similar to how it would affect general wildlife described above. Potential effects include temporary and permanent habitat loss, nest abandonment from increased human presence and noise, and direct mortality of nesting birds, nestlings, and fledglings.

Surveys of the Project area did not identify suitable nesting habitat for bald or golden eagles. The bald eagle is not a BCC in the Project area, and the likelihood of eagle occurrence is very low; therefore, in accordance with BLM guidance, eagle nesting surveys are not necessary, and no effects are anticipated from the Project.

Field surveys of the Project area identified multiple open burrows suitable for the burrowing owl (*Athene cunicularia*); however, no individual owls or evidence of recent activity were observed. Transwestern would conduct pre-construction nest surveys if clearing occurs during burrowing owl nesting season. If nests or burrowing owls are identified or observed during construction, Transwestern would coordinate with the BLM, USFWS, and the NMDGF so that protective measures could be implemented. Protection measures may include temporary buffers, modified work practices, owl relocation or biological monitoring. Transwestern would also adhere to the NMDGF *Guidelines for Recommendations for Burrowing Owl Surveys and Mitigation* if species presence is found prior to or during construction (NMDGF, 2007).³⁴

HTLC and the Center et al. in comments expressed concern about the Project's effects on migratory birds. To reduce effects on migratory birds, Transwestern would implement applicable measures of USFWS's *Nationwide Avoidance & Minimization Measures for Birds* (USFWS, 2024), preconstruction nest surveys if needed, and adherence with standard best management practices, BLM right-of-way stipulations (BLM, 2026b), and the FERC Plan. Although individual birds or bird habitat could be affected by the Project, we conclude that constructing and operating the Project would not result in population-level effects on migratory birds or significant measurable effects on any migratory bird species or their habitat.

B.5.4 Special Status Species

HTLC and the Center et al. provided comments expressing concern about effects on sensitive species, like BLM sensitive species and federally listed species. HTLC noted concern the Project may affect rare plant species found in the ecologically sensitive Chihuahuan Desert habitat.³⁵ Sensitive species are discussed below.

Federally Listed Species

Federal agencies are required under Section 7 of the Endangered Species Act to ensure that any actions authorized, funded, or carried out by the agency would not jeopardize the continued existence of a federally listed endangered or threatened species, or result in the destruction or adverse modification of the designated critical habitat of a federally listed species. As the lead federal agency authorizing the Project, the FERC is required to consult with the USFWS to determine whether federally listed endangered or threatened species or designated critical habitats are found in the vicinity of the Project, and to evaluate the proposed action's potential effects on those species and/or critical habitats.

On January 6, 2026, and August 12, 2026, Transwestern obtained official species lists to determine the federally listed threatened and endangered species or protected species that could potentially occur in the Project area. The USFWS' IPaC tool identified four federally listed or candidate species: Mexican wolf (*Canis lupus baileyi*, experimental population, non-essential), northern aplomado falcon (*Falco femoralis septentrionalis*, experimental population, non-essential), yellow-billed cuckoo (*Coccyzus americanus*, threatened), and monarch butterfly

³⁴ Transwestern. Supplemental Responses to FERC - OEP Environmental Information Request. March 10, 2026. RR3, Item 2 (b), 3. Accession No. 20260310-5153.

³⁵ HTLC. April 13, 2026. Motion to Intervene – Green Chile Pipeline. Accession No. 20260413-5021.

(*Danaus plexippus*, proposed threatened). No final or proposed critical habitat of a federally listed species was identified as occurring within the Project area (USFWS IPaC, 2025/2026).

Field surveys of the Project area did not identify the presence of any federally listed threatened or endangered species or candidate species. Breeding and foraging habitat for the yellow-billed cuckoo is not present in the Project area; thus, we have determined that the Project would have *no effect* on this species. Milkweed, a plant necessary to the monarch butterfly's life cycle, was not identified during Transwestern's field surveys; therefore, the Project is *not likely to jeopardize the continued existence* of this species. The Mexican wolf and northern aplomado falcon have the potential to occur within the geographic range of the Project; however, Transwestern did not identify presence, tracks, or suitable habitat features for either species during field surveys. Therefore, we conclude the Project would have *no effect* on the Mexican wolf and northern aplomado falcon. Based on IPaC reviews, survey results, agency coordination, and the lack of suitable habitat or designated critical habitat, the Project is not expected to affect federally listed threatened and endangered species. Given our determination that the Project would have *no effect* or is *not likely to jeopardize the continued existence* of federally listed threatened and endangered species or candidate species, no further consultation or coordination with the USFWS is required.

State-Listed and Bureau of Land Management Sensitive Species

The NMDGF New Mexico Environmental Review Tool (NMERT) screening report identified state-listed species that have the potential to occur within the Project area. The NMERT screening report recommended the Project be referred to the New Mexico Endangered Plant Program of the Energy, Minerals, and Natural Resources Department's Forestry Division's State Endangered Plant Program for consultation regarding potential occurrence of state protected and at-risk species fish, wildlife, and plants. Upon referral, the State Endangered Plant Program recommended targeted surveys and permit coordination (if applicable) for state-listed endangered plant species with a high likelihood to occur within the Project area. The screening report also identified one state-listed endangered fauna species (Aplomado falcon, *Falco femoralis*), two state-listed threatened fauna species (Bell's vireo, *Vireo bellii*; spotted bat, *Euderma maculatum*), and 12 state-listed species of greatest conservation need (SGCN) with potential to occur within one mile of the Project area.³⁶ The western burrowing owl was named as a potentially occurring SGCN in the Project area, which is addressed under the Migratory Birds section of this EA.

No state-listed threatened or endangered species were observed during Transwestern's field surveys conducted in December 2025, March 2026 or July 2026. One SGCN, the loggerhead shrike, was observed flying over the Project area during the field surveys; however, no nests or additional presence indicators were recorded in the survey area. No additional SGCN were identified within the Project area.

³⁶ Transwestern. Concise Environmental Report, January 29, 2026. RR3 (Table 3.4-1); Appendix D-2. Accession No. 20260129-5545.

The BLM's sensitive species are those that the BLM considers to be at-risk and require special management consideration to promote their conservation and reduce the likelihood and need for future listing under the Endangered Species Act. The Las Cruces Region BLM provided Transwestern with a list of sensitive species that have the potential to occur in the Las Cruces Resource Area, which largely overlap with the state-listed species including: hoary bat, western yellow bat, lesser long-nosed bat, chestnut-collared longspur, black-chinned sparrow, Bendire's thrasher, Gila monster, American bumble bee, monarch butterfly, Scheer's beehive cactus, gypsum scalebroom, sandy prickly-pear, and night-blooming cereus. The BLM Las Cruces District confirmed that the Project area has low potential for sensitive wildlife due to lack of habitat,³⁷ and advised Transwestern to conduct a standard ocular survey of the pipeline route to document habitat types and potential occurrence of BLM sensitive wildlife species. However, the Project area has also been identified as having a high potential for three state-listed endangered and BLM sensitive plant species to occur: sand prickly-pear (*Opuntia arenaria*), night-blooming cereus (*Peniocereus greggi*), and Scheer's beehive cactus (*Coryphantha robustispina*). Accordingly, the BLM conducted special status plant surveys in March 2026 for the three targeted species. No occurrences of these species were identified. The BLM concluded the Project would not affect BLM sensitive flora species (BLM, 2026a).

Transwestern would implement IPaC and NMERT recommended standard construction best management practices and general wildlife protection measures to protect potentially present state-listed and BLM sensitive species, their habitat, and other wildlife during construction. Transwestern, per the recommendation of the NMDGF, would use only native plant species and pollinator habitat enhancing seed mixes during restoration³⁸ and would adhere to its *SPAR Plan* and the FERC Plan during pipeline operation and maintenance. Seed mixes would be preapproved by the BLM Las Cruces District Office botanist. Operational and maintenance activities are anticipated to be infrequent and not likely to cause lasting habitat effects. The two new M&R stations are not expected to generate any additional lighting or noise-generating effects that would affect wildlife or habitat. Therefore, we conclude the Project is unlikely to adversely affect BLM sensitive species, or state-listed threatened or endangered species or SGCN.

B.6 CULTURAL RESOURCES

Section 106 of the National Historic Preservation Act, as amended, requires the FERC to take into account the effects of its undertakings on properties listed, or eligible for listing, on the National Register of Historic Places, and to afford the Advisory Council on Historic Preservation an opportunity to comment. Transwestern, as a non-federal party, is assisting the FERC in meeting our obligations under Section 106 and the FERC's implementing regulations at 36 CFR 800. The BLM is also assisting FERC in meeting our Section 106 obligations. The BLM is the

³⁷ Transwestern. Concise Environmental Report, January 29, 2026. Appendix D-3. Accession No. 20260129-5545.

³⁸ Transwestern. Concise Environmental Report, January 29, 2026. RR3 (Section 3.4). Accession No. 20260129-5545

primary land managing agency on the Project and has a programmatic agreement in place with the state.

Area of Potential Effect

Transwestern completed cultural resources background research, a Phase I field survey and an addendum cultural field survey (Alternative 2) for the Project. Transwestern established an Area of Potential Effect that includes a 300-foot-wide corridor centered on the 17.77-mile-long pipeline route and includes a 100-foot buffer around all proposed block infrastructure (M&R stations and associated facilities and equipment).

Cultural Resources Investigations

A background study and records review of the Area of Potential Effect was completed by Transwestern representatives on November 7, 2025. The records review included databases at the New Mexico Cultural Resource Information System, State and National Register of Historic Places-listed properties, and the BLM's General Land Office records. Transwestern's representatives also completed a pedestrian Class III inventory of the Project area that was submitted for review to the New Mexico SHPO in January 2026. In July 2026, an addendum field survey was conducted to assess potential effects on cultural resources. The addendum report was submitted to the BLM and the SHPO on August 7, 2026, with the recommendation of a "no historic properties affected" determination.

Tribal Consultations

On August 27, 2026, FERC sent letters to the Apache Tribe of Oklahoma, the Commanche Nation, the Fort Sill Apache Tribe, the Hopi Tribe of Arizona, the Kiowa Indian Tribe of Oklahoma, the Mescalero Apache Tribe of the Mescalero Reservation of New Mexico, the Navajo Nation, the Pueblo of Acoma, the Pueblo of Isleta, the Pueblo of Laguna, the Pueblo of Tesuque, the Pueblo of Zuni, the White Mountain Apache Tribe of Arizona, and the Ysleta del Sur Pueblo notifying the tribes of the Project and this EA. Additionally, the letters invited the tribes to comment on the proposed Project and on the EA, once issued.

Unanticipated Discoveries Plan

Transwestern developed an *Unanticipated Discovery Plan* for cultural resources and human remains. The plan defines implementation procedures if previously unreported historic properties or human remains are discovered during construction. Copies of the plan would be on site during construction. Construction personnel and environmental inspectors would be trained and made aware of the plan's requirements. We have reviewed the plan and find it acceptable.

Compliance with the National Historic Preservation Act

As the majority land managing agency for the proposed project, the BLM completed an Environmental Assessment in April 2026 and submitted it to the SHPO on April 10, 2026, with the BLM's determination that no historic properties would be affected by the proposed action. The SHPO responded on April 17, 2026, that further testing should be completed for National Register of Historic Places eligibility evaluation for site LA 59714. Additional cultural resource

field surveys were conducted by Transwestern in July 2026 to account for Transwestern's revisions to the proposed pipeline route, and an addendum cultural resources report was generated. This addendum survey report was submitted to the BLM and the SHPO on August 7, 2026. Reviews and a consultation response on the addendum report are expected from the SHPO in September 2026.

HTLC and several other commentors expressed concerns that the Project would affect cultural resources. To address potential effects on cultural resources, Transwestern performed surveys and initiated the Section 106 consultation process in compliance with the NHPA. Section 106 consultation is being led by the BLM and is not yet complete. **Therefore, we recommend that any Commission Order approving the Project include a mandatory condition requiring that Transwestern not begin construction activities until NHPA Section 106 consultation is complete** (see section D, recommended condition no. 12).

B.7 AIR QUALITY

The term air quality refers to relative concentrations of pollutants in the ambient air. Air quality would be affected by emissions from construction and operation of the Project. During construction, short-term emissions would be generated from the use of heavy equipment, land disturbance, and increased traffic from workers and delivery vehicles. During operation of the Project there would be only limited stationary combustion sources from emergency generators at the meter stations. Fugitive emissions from natural gas equipment leaks, tank emissions, and natural gas venting are disclosed below.

HTLC, Public Citizen, and the Center et al. provided comments expressing concern about the Project's effect (emissions) on air quality. Specifically, the commenters are concerned about increases in CO₂ and other emissions derived from the Project Jupiter AI/data center. HTLC also cited air pollution and gas fugitives that increase health risks. Additionally, FWW commented about Project Jupiter's impact on Mexico's air and climate. Ms. Loretta M Di Tocco also commented that Project Jupiter will generate greenhouse gases and air pollution. As described previously, the AI/data center campus is not under the jurisdiction of the Commission, and its effects are outside the scope of this EA. The Commission is not required to consider in its NEPA analysis indirect, downstream emissions from the end use of transported gas, as those are effects over which the Commission does not exercise regulatory authority.³⁹ Otherwise, these comments are addressed below.

Existing Air Quality

Federal and state air quality standards are designed to protect human health and public welfare. The EPA has developed National Ambient Air Quality Standards (NAAQS)⁴⁰ for criteria air pollutants such as carbon monoxide, lead, oxides of nitrogen (NO_x), ozone, particulate matter less than 10 microns (PM₁₀), particulate matter less than 2.5 microns (PM_{2.5}), and sulfur

³⁹ *Seven Cnty. Infrastructure Coal. v. Eagle Cnty.*, 605 U.S. 168, 188-910 (2025) (explaining that "NEPA calls for the agency to focus on the environmental effects of the project itself;" and that agencies "are not required to analyze the effects of projects over which they do not exercise regulatory authority.").

⁴⁰ The current NAAQS are listed on the EPA's website at <https://www.epa.gov/criteria-air-pollutants/naaqs-table>.

dioxide (SO₂). The EPA developed the NAAQS to protect human health, including that of sensitive populations (e.g., people with asthma or cardiovascular disease, children, the elderly, and others) to account for the latest research on health impacts. Volatile organic compounds (VOC) are also regulated by the EPA to prevent the formation of ozone, a constituent of photochemical smog. Hazardous air pollutants (HAP) are also emitted during fossil fuel combustion and are chemicals known to cause cancer and other serious health effects. The EPA defines air pollution to include the mix of the following six long-lived greenhouse gases (GHG): carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs produced by fossil-fuel combustion are CO₂, CH₄, and N₂O, are listed as primary contributors to climate change, but are generally non-toxic and non-hazardous at typical ambient concentrations. Emissions of GHGs are quantified and regulated in units of carbon dioxide equivalent (CO₂e). The CO₂e unit of measure factors in the global warming potential (GWP) of each GHG over a specified timeframe.⁴¹ There are no NAAQS or established significance thresholds for GHG.

Fugitive dust is a mix of PM_{2.5}, PM₁₀, and larger particles thrown up into the atmosphere by moving vehicles, construction equipment, earth movement, and/or wind erosion. Fugitive methane emissions are unintentional releases of methane and other VOCs from leaks in natural gas equipment.

Air Quality Control Regions are areas established by the EPA and local agencies for air quality planning purposes, in which State Implementation Plans describe how the NAAQS would be achieved and maintained. Each control region, or smaller portion within a region (such as a county), is designated, based on compliance with the NAAQS, as attainment, unclassifiable, maintenance, or nonattainment, on a pollutant-by-pollutant basis. Areas in compliance or below the NAAQS are designated as attainment, while areas not in compliance or above the NAAQS are designated as nonattainment. Areas previously designated as nonattainment that have since demonstrated compliance with the NAAQS are designated as maintenance for that pollutant. Maintenance areas may be subject to more stringent regulatory requirements to ensure continued attainment of the NAAQS. Areas that lack sufficient data to determine attainment status are designated unclassifiable and treated as attainment areas. The Project is in Doña Ana County, New Mexico, which is classified as nonattainment for 8-hour ozone (2015) and PM₁₀ (1987). The EPA has designated a portion of Doña Ana County near Sunland Park as nonattainment for 8-hour ozone (2015) and a portion of Doña Ana County near Anthony as nonattainment for PM₁₀ (1987). The Project would not be located within the designated nonattainment areas and is designated by the EPA as in attainment for all criteria pollutants.

B.7.1 Permitting/Regulatory Requirements

The Clean Air Act (CAA) is the basic federal statute governing air pollution in the United States. Based on the scope of Project activities and the lack of permanent stationary emission sources other than fugitive emissions from the pipeline and tanks as well as the emergency generators at Green Chile El Paso M&R Station and Green Chile M&R Station, Transwestern is required to follow No Permit Required record keeping, to obtain general construction permits for

⁴¹ CO₂ has a GWP of 1, CH₄ has a GWP of 28, and N₂O has a GWP of 265 on a 100-year timescale.

oil and gas facilities from the New Mexico Environmental Department's Air Quality Bureau, and to comply with regulations of all applicable federal, state, and local government agencies. The two Project meter stations are considered minor source of emissions as shown in Table B-3 below; therefore, these facilities are not required to obtain a Prevention of Significant Deterioration, Nonattainment New Source Review, or Part 70 Title V permit. Additionally, the Greenhouse Gas Reporting Rule does not apply to any source that emits less than 25,000 tons of CO₂e per year.

New Source Performance Standards

The EPA promulgates New Source Performance Standards (NSPS) in 40 CFR 60 for new, modified, or reconstructed sources to control emissions to the level achievable by the best-demonstrated technology for stationary source types or categories as specified in the applicable provisions discussed below. The NSPS also establishes fuel, monitoring, notification, reporting, and recordkeeping requirements. The New Mexico Environment Department would determine final applicability to all NSPS in the final permit that it issues for Project facilities. Equipment at the new Green Chile El Paso M&R and Green Chile M&R stations subject to these standards would include the new emergency generator engines subject to NSPS Subpart JJJJ. Transwestern would comply with this rule, as required.⁴²

National Emission Standards for Hazardous Air Pollutants

The 1990 CAA Amendments established a list of 189 HAPs, resulting in the promulgation of National Emission Standards for Hazardous Air Pollutants (NESHAP). NESHAPs are set by the EPA and contained in 40 CFR 61 and 63. The NESHAPs establish technology-based maximum achievable control technology emission standards for specified source categories. Sources with potential emissions equal to or greater than 10 tons per year of any single HAP or 25 tons per year of total HAPs are considered major HAP sources. Sources with potential emissions less than the major source thresholds are area sources and may be subject to generally available control technology requirements. Both the Green Chile El Paso M&R and Green Chile M&R stations would be new area sources of HAP emissions. The Project includes the installation of new stationary reciprocating internal combustion engine emergency generators located at each meter station; therefore, NESHAP Subpart ZZZZ would apply to both meter stations. Both facilities would meet the requirements in NESHAP Subpart ZZZZ by complying with NSPS Subpart JJJJ.⁴³

General Conformity

The EPA promulgated the General Conformity Rule to implement the conformity provision of Title I, section 176(c)(1) of the CAA. The General Conformity Rule was developed to ensure that federal actions in nonattainment and maintenance areas do not impede states' attainment of the NAAQS. The lead federal agency must conduct a conformity determination if a federal action's construction and operational activities are likely to result in generating direct

⁴² Transwestern. January 29, 2026. Prior Notice Application Section 9.1.3.3 p. 87-88. FERC Accession No. 20260129-5545.

⁴³ Ibid.

and indirect emissions that would exceed the General Conformity Applicability threshold levels of the pollutant(s) for which an air basin is designated nonattainment or maintenance.

All the proposed facilities for the Project are in areas which are designated as attainment with the NAAQS for all criteria pollutants, as the facilities are not located in the nonattainment areas of Doña Ana County, New Mexico. If they were to be within the nonattainment areas, the annual construction and operational emissions of NO_x and VOCs for the Project are estimated to be below the serious nonattainment applicability thresholds. Therefore, the Project does not require a General Conformity Determination.

State Air Quality Regulations

For the Project, federal air quality permitting is authorized by the New Mexico Environment Department regulations under Title 20 of the New Mexico Air Chapter.⁴⁴

B.7.2 Construction Emissions

Air quality effects associated with construction of the Project would include the following sources: fossil fuel combustion emissions from on-road and off-road construction equipment and vehicles, fossil fuel combustion emissions from construction worker commuter vehicles on paved and unpaved roads, fugitive dust from construction-related activities, and wind erosion of disturbed areas prior to revegetation over approximately 4 months of construction activities. The amount of dust generated would be a function of construction activity, soil type, soil moisture content, wind speed, precipitation, vehicle traffic and types, and roadway characteristics. Emissions would be greater during dry periods and in areas of fine-textured soils subject to surface activity. Table B-2 provides a summary of projected construction emissions from the Project, using emission factors from the EPA's AP-42 document and the Motor Vehicle Emission Simulator version 5 (MOVES5) S5 Model.

Table B-2 Estimated Construction Emissions								
Description	Emissions (tons)							
	Criteria Pollutants						HAPs	CO ₂ e
	VOC	CO	NO _x	SO ₂	PM ₁₀	PM _{2.5}		
Chippers/Shredders	0.02	0.06	0.22	0.00	0.01	0.01	0.01	52.92
Dozers	0.02	0.05	0.20	0.00	0.01	0.01	0.01	705.30
Excavators	0.05	0.29	0.82	0.00	0.06	0.06	0.02	1836.37
Front End Loaders	0.03	0.12	0.19	0.00	0.02	0.02	0.01	72.03
Graders	0.00	0.00	0.02	0.00	0.00	0.00	0.00	68.25
HDD Rigs	0.00	0.02	0.05	0.00	0.00	0.00	0.00	18.15
Bore/Drill Rigs	0.01	0.03	0.09	0.00	0.01	0.01	0.00	30.25
Cranes	0.00	0.01	0.04	0.00	0.00	0.00	0.00	63.55
Generator Sets	0.04	0.14	0.55	0.00	0.03	0.03	0.02	173.47
Pumps	0.00	0.00	0.01	0.00	0.00	0.00	0.00	3.03
Tractors/Loaders/Backhoes	0.01	0.06	0.10	0.00	0.02	0.02	0.01	33.76
Portable Pipe Benders	0.00	0.02	0.04	0.00	0.00	0.00	0.00	34.11
Scissor Lifts/Forklifts	0.00	0.02	0.05	0.00	0.01	0.01	0.00	52.03

⁴⁴ 18.60.2 New Mexico Administrative Code - New Mexico Environment Department's Laws and Regulations.

Table B-2 Estimated Construction Emissions								
Description	Emissions (tons)							
	Criteria Pollutants						HAPs	CO ₂ e
	VOC	CO	NO _x	SO ₂	PM ₁₀	PM _{2.5}		
SideBooms	0.04	0.23	0.59	0.00	0.05	0.05	0.02	655.09
Skid Steer Loaders	0.01	0.14	0.11	0.00	0.02	0.02	0.01	27.12
Sweepers	0.00	0.00	0.04	0.00	0.00	0.00	0.00	8.41
Trenching Machines	0.01	0.05	0.14	0.00	0.01	0.01	0.01	151.15
Buggies	0.02	0.11	0.27	0.00	0.03	0.03	0.01	249.45
Tack Rigs	0.01	0.04	0.10	0.00	0.01	0.01	0.00	90.70
Welding Machines	0.26	0.99	2.36	0.00	0.15	0.15	0.12	516.73
Compressors	0.02	0.08	0.52	0.00	0.01	0.01	0.01	111.51
Light Plants	0.00	0.01	0.02	0.00	0.00	0.00	0.00	2.70
Dump Trucks	0.01	0.02	0.07	0.00	0.01	0.01	0.00	285.48
Fuel Trucks	0.00	0.01	0.03	0.00	0.00	0.00	0.00	144.50
Water Trucks	0.01	0.02	0.09	0.00	0.01	0.01	0.00	377.14
Grapple Trucks	0.00	0.01	0.04	0.00	0.00	0.00	0.00	158.69
Hydro Excavator Trucks	0.00	0.00	0.02	0.00	0.00	0.00	0.00	83.97
Mechanics Trucks	0.00	0.00	0.01	0.00	0.00	0.00	0.00	41.43
Semi-Trucks	0.00	0.00	0.01	0.00	0.00	0.00	0.00	23.29
Skid Trucks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.80
On-Road Vehicles	0.13	5.37	2.12	0.01	0.04	0.04	0.03	2,261.52
Fugitive Dust	-	-	-	-	38.04	5.39	-	-
Site Grading	-	-	-	-	0.18	0.02	-	-
Access Roads	-	-	-	-	1.99	0.20	-	-
Total	0.71	7.89	8.86	0.03	40.73	6.12	0.29	8,343.35
Source: Transwestern. January 29, 2026. Application Appendix G. FERC Accession No. 20260129-5545.								
Note: The sum of the addends may not match totals due to rounding.								

Fugitive dust and other emissions due to pipeline construction activities generally do not pose a significant increase in regional pollutant levels as the emissions are intermittent and the location moves as the construction crew builds the pipeline. However, pollutant levels and dust could temporarily increase near the construction areas. The effects of Project construction emissions on air quality are anticipated to be minor. To reduce air quality effects from construction-related activities, Transwestern has stated that it would:

- refrain from the practice of open burning of any Project-generated vegetation debris;
- comply with any applicable local, state, and federal regulations including EPA mobile and non-road emission regulations (40 CFR 85, 86, and 89) for construction equipment; and
- implement its *Fugitive Dust Control Plan* developed for the Project which includes using water trucks, applying suppressants, limiting haul truck load size, covering loads as appropriate, managing traffic and vehicle speeds, and installing rock, timber mats, or paved construction entrances to reduce track-out.⁴⁵

⁴⁵ Transwestern. January 29, 2026. Prior Notice Application Appendix C-4. FERC Accession No. 20260129-5545.

These effects would occur only in the immediate vicinity of a construction activity. Once construction activities are completed, fugitive dust and emissions would subside. Given the temporary and intermittent nature of construction emissions, the low level of emissions, and the mitigation measures described above; we conclude that emissions from construction-related activities for the Project would not significantly affect air quality.

B.7.3 Operational Emissions

Operational emissions at the proposed Green Chile El Paso M&R and Green Chile M&R Stations include fugitive emissions from natural gas equipment leaks, tank emissions, natural gas venting, and generator emissions. Operational fugitive emissions could occur from the pipeline but would be minor and primarily associated with routine equipment leaks and maintenance activities; blowdown activities would also take place during maintenance activities. Transwestern would install a 47-horsepower natural gas-fired emergency generator engine at the Green Chile El Paso M&R Station, a 30-horsepower natural gas-fired emergency generator engine at the Green Chile M&R Station, and a 100-barrel pipeline liquids tank at each meter station. Table B-3 provides a summary of the potential-to-emit operational emissions, excluding minor fugitive emissions along the pipeline.

Table B-3 Project Operating Emissions								
Description	Emissions (tons per year)							CO ₂ e
	Criteria Pollutants						HAPs	
	VOC	CO	NO _x	SO ₂	PM ₁₀	PM _{2.5}		
Green Chile El Paso M&R Station								
47 horsepower Emergency Generator	0.01	0.12	0.09	<0.01	0.01	0.01	0.04	175.54
100-barrel Pipeline Liquids Tank	0.91	-	-	-	-	-	-	-
Fugitive Emissions	5.17	-	-	-	-	-	0.27	378.71
Miscellaneous Venting	0.43	-	-	-	-	-	-	117.20
Subtotal	6.52	0.12	0.09	<0.01	0.01	0.01	0.31	671.45
Green Chile M&R Station								
30 horsepower Emergency Generator	0.03	7.40	0.09	<0.01	<0.01	<0.01	<0.01	10.02
100-barrel Pipeline Liquids Tank	0.91	-	-	-	-	-	-	-
Fugitive Emissions	3.22	-	-	-	-	-	-	-
Subtotal	4.16	7.40	0.09	<0.01	<0.01	<0.01	<0.01	10.02
Total	10.68	7.52	0.18	<0.01	0.01	0.01	0.31	681.47
Source: Transwestern. March 9, 2026. March 9, 2026. Environmental Data Request Response Attachment C. FERC Accession No. 20260309-5148; Transwestern. August 13, Supplemental Response Table 9.1-4. FERC Accession No. 20260813-5124.								
Note: The sum of the addends may not match totals due to rounding.								

As described previously, the Commission received comments from HTLC, the Center et al., and Ms. Loretta M Di Tocco concerning Project emissions and fugitives and their effects on local health. Transwestern would need to comply with all federal, state, and local regulations relevant to operation of the Green Chile El Paso M&R and Green Chile M&R Stations. Given that operation of the Project would not result in combustion-related emissions of criteria pollutants and would be primarily limited to minor estimated emissions of fugitives, the Project

is not anticipated to result in a violation of any NAAQS. As identified previously, the EPA developed the NAAQS to protect human health. For these reasons, we conclude that operation of the Project would not have a significant effect on local or regional air quality.

B.7.4 Climate Change

Climate change is the variation in the Earth's climate (including temperature, precipitation, humidity, wind, and other meteorological variables) over time. Climate change is driven by accumulation of GHGs in the atmosphere due to the increased consumption of fossil fuels (e.g., coal, petroleum, and natural gas) since the early beginnings of the industrial age and accelerating in the mid- to late-20th century.⁴⁶ The GHGs produced by fossil fuel combustion are CO₂, methane, and nitrous oxide.

In 2017 and 2018, the U.S. Global Change Research Program⁴⁷ issued its Climate Science Special Report: Fourth National Climate Assessment, Volumes I and II.⁴⁸ This report and the recently released report by the Intergovernmental Panel on Climate Change, Climate Change 2021: The Physical Science Basis, state that climate change has resulted in a wide range of impacts across every region of the country and the globe. Those impacts extend beyond atmospheric climate change alone and include changes to water resources, agriculture, ecosystems, human health, and ocean systems.⁴⁹ According to the Fourth Assessment Report, the United States and the world are warming; global sea level is rising and oceans are acidifying; and certain weather events are becoming more frequent and more severe.⁵⁰ These impacts have accelerated throughout the end of the 20th and into the 21st century.⁵¹

GHG emissions do not result in proportional local and immediate impacts; it is the combined concentration in the atmosphere that affects the global climate. These are fundamentally global impacts that feed back to local and regional climate change impacts. Thus, the geographic scope for analysis of GHG emissions is global rather than local or regional. For

⁴⁶ Intergovernmental Panel on Climate Change, United Nations. 2021. *Summary for Policymakers of Climate Change 2021: The Physical Science Basis*. Valerie Masson-Delmotte et al., eds., https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf (Intergovernmental Panel on Climate Change Report) at SPM-5. Other forces contribute to climate change, such as agriculture, forest clearing, and other anthropogenically driven sources.

⁴⁷ The U.S. Global Change Research Program comprised representatives from 13 federal departments and agencies and issued reports every 4 years that described the state of the science relating to climate change and the effects of climate change on different regions of the United States and on various societal and environmental sectors, such as water resources, agriculture, energy use, and human health.

⁴⁸ U.S. Global Change Research Program, Climate Science Special Report, Fourth National Climate Assessment | Volume I. 2017. Donald J. Wuebbles et al., eds, <https://repository.library.noaa.gov/view/noaa/19486> (USGCRP Report Volume I); U.S. Global Change Research Program, Fourth National Climate Assessment, Volume II Impacts, Risks, And Adaptation in the United States. 2018. David Reidmiller et al., eds., <https://repository.library.noaa.gov/view/noaa/19487> (USGCRP Report Volume II).

⁴⁹ Intergovernmental Panel on Climate Change Report at SPM-5 to SPM-10.

⁵⁰ USGCRP Report Volume II at 73-75.

⁵¹ See, e.g., USGCRP Report Volume II at 99 (describing accelerating flooding rates in Atlantic and Gulf Coast cities).

example, a project one mile away emitting one ton of GHGs would contribute to climate change in a similar manner as a project 2,000 miles distant also emitting 1 ton of GHGs.

Climate change is a global phenomenon; however, for this analysis, we will focus on the existing and potential climate change impacts in the Project area. The U.S. Global Change Research Program's (USGCRP) Fourth Assessment Report notes that the following observations of environmental impacts are attributed to climate change in the Southwest region (which includes the Project area in New Mexico):⁵²

- annual average temperatures across the Southwest have increased about 2 °F since the beginning of the 20th century;
- an increase in heat and reduction of snow have amplified recent hydrological droughts (severe shortages of water) in the Colorado River Basin;
- droughts in the Southwest have contributed to declines in traditional Indigenous staple foods, including acorns, corn, and pine nuts;
- climate change has driven the wildfire increase, particularly by drying forests and making them more susceptible to burning; and
- mountain and desert ecosystems are being affected by large changes in a variety of climate-related environmental conditions.

The USGCRP's Fourth Assessment Report notes the following projections of climate change impacts in the Southwest region with a high or very high level of confidence:⁵³

- under the higher emissions scenario, climate models project an 8.6 °F (4.8 °C) increase in Southwest regional annual average temperature by 2100;
- a decrease in precipitation of up to 10 percent under higher emissions pathway;
- higher temperatures would cause more frequent and severe droughts and sharply increase the risk of megadroughts—dry periods lasting 10 years or more;
- projected reductions in water supply reliability, coupled with water agreements that involve selling or leasing tribal water to neighboring communities, could place tribal water supplies at risk during severe shortages;
- under a higher emissions scenario, declines in snowpack and runoff in the Colorado River and a shift of spring runoff to earlier in the year would reduce hydroelectric power potential in the region by up to 15 percent by 2050;
- under continued climate change, higher temperatures would shift plant hardiness zones northward and upslope; and
- under the higher emissions scenario, the Southwest would experience the highest increase in annual premature deaths due to extreme heat in the country.

⁵² USGCRP Report Volume I and II.

⁵³ USGCRP Report Volume II.

It should be noted that while the impacts described above taken individually may be manageable for certain communities, the impacts of compound events (such as simultaneous heat and drought, wildfires associated with hot and dry conditions, or flooding associated with high precipitation on top of saturated soils) can be greater than the sum of the parts.⁵⁴

The GHG emissions associated with construction and operation of the Project were identified and quantified above. Emissions of GHGs are typically expressed in terms of CO₂e.⁵⁵ Construction of the proposed Project may result in emissions of about 8,343 tons (7,569 metric tons) of CO₂e.⁵⁶ Operation of the proposed Project equipment would result in emissions of approximately 635 tons per year (576 metric tons per year) of CO₂e. The Commission received comments from HTLC, the Center et al., and Ms. Loretta M Di Tocco concerning the GHG emissions of the downstream Project Jupiter AI/data center. Upstream and downstream GHG emissions are outside the scope of this EA.⁵⁷

Construction and operation of the Project would increase the atmospheric concentration of GHGs in combination with past, current, and future emissions from all other sources globally and contribute incrementally to future climate change impacts. To assess impacts on climate change associated with the Project, Commission staff considered whether it could identify discrete physical impacts resulting from the Project's GHG emissions or compare the Project's GHG emissions to established targets designed to combat climate change.

To date, Commission staff have not identified a methodology to attribute discrete, quantifiable, physical effects on the environment resulting from the Project's incremental contribution to GHGs. Without the ability to determine discrete resource impacts, Commission staff are unable to assess the Project's contribution to climate change through any objective analysis of physical impact attributable to the Project. Additionally, Commission staff have not been able to find an established threshold for determining the Project's significance when compared to established GHG reduction targets at the state or federal level. Ultimately, this EA is not characterizing the Project's GHG emissions as significant or insignificant.⁵⁸ However, as we have done in prior NEPA analyses, we disclose the Project's GHG emissions in comparison to national and state GHG emission inventories.

In order to provide context of the Project emissions on a national level, we compare the Project's GHG emissions to the total GHG emissions of the United States as a whole. At a national level, 5,489 million metric tons of CO₂e were emitted in 2022 (inclusive of CO₂e sources and sinks) (EPA, 2024b). Construction emissions from the Project could potentially

⁵⁴ *ibid.*

⁵⁵ GHG gases are converted to CO₂e by means of the GWP; the measure of a particular GHG's ability to absorb solar radiation; and its residence time within the atmosphere, consistent with the EPA's established method for reporting GHG emissions for air permitting requirements that allows a consistent comparison with federal regulatory requirements.

⁵⁶ See Table B-3. Figures presented here are converted from U.S. tons to metric tons. A metric ton is about equal to 1.1 ton.

⁵⁷ *Seven Cnty. Infrastructure Coal. v. Eagle Cnty., Colo.*, 605 U.S. 168, 186-90 (2025).

⁵⁸ See e.g., *Driftwood Pipeline LLC*, 183 FERC ¶ 61,049, at P 63 (2023) ("...there currently are no accepted tools or methods for the Commission to use to determine significance, therefore the Commission is not herein characterizing these emissions as significant or insignificant.")

increase CO₂e emissions based on the national 2022 levels by 0.00014 percent; in subsequent years, the Project operations could potentially increase emissions nationally by 0.00001 percent.

In order to provide context of the Project emissions on a state level, we compare the Project's GHG emissions to the New Mexico GHG inventories. At the state level, New Mexico energy related CO₂ emissions in 2024 were 41.63 million metric tons (Energy Information Administration, 2026). Project construction could potentially increase CO₂e emissions based on the New Mexico 2024 levels by 0.0182 percent; in subsequent years, Project operations could potentially increase emissions by 0.0014 percent.

To evaluate the Project's operational emissions in the context of New Mexico's GHG reduction goals, we compare the GHG emissions to New Mexico climate targets. The state of New Mexico set an executive target in 2019 to reduce GHG emissions 45 percent below 2005 levels by 2030.⁵⁹ New Mexico's CO₂ emissions in 2005 were 59.5 million metric tons; therefore, we consider the 2030 GHG emission target to be 32.7 million metric tons. Based on the operational emissions for the Project in New Mexico, the Project would contribute about 0.0018 percent of the state's 2030 goals.

B.8 NOISE

The magnitude and frequency of environmental noise may vary considerably over the course of the day, throughout the week, and across seasons, in part due to changing weather conditions and the effects of seasonal vegetation cover. Two measures to relate the time-varying quality of environmental noise to its known effect on people are the 24-hour equivalent sound level (L_{eq}) and day-night sound level (L_{dn}). The L_{eq} is the level of steady sound with the same total (equivalent) energy as the time-varying sound of interest, averaged over a 24-hour period. The L_{dn} is the L_{eq} plus 10 decibels weighted on the A-scale (dBA) added to account for people's greater sensitivity to nighttime sound levels during late evening and early morning hours (between the hours of 10:00 pm and 7:00 am). The A-weighted scale is used because human hearing is less sensitive to low and high frequencies than mid-range frequencies. The human ear's threshold of perception for noise change is considered to be 3 dBA; 6 dBA is clearly noticeable to the human ear; and a 9 dBA change is perceived as doubling or halving of noise.

The EPA has determined that a L_{dn} of 55 dBA sufficiently safeguards the public from indoor and outdoor activity noise interference.⁶⁰ Accordingly, our criterion is that the construction and operational noise attributable to any pipeline facility must not exceed an L_{dn} of 55 dBA at noise sensitive areas (NSA). These include residences, schools and daycare facilities, hospitals, long-term care facilities, places of worship, libraries, and parks and recreational areas especially known for their solitude and tranquility, such as certain wilderness areas. An L_{dn} of 55 dBA is equivalent to a continuous noise level of 48.6 dBA.

⁵⁹ We reviewed the U.S. State Greenhouse Emission Targets site for individual state requirements at: <https://www.c2es.org/document/greenhouse-gas-emissions-targets/>.

⁶⁰ EPA's Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety, dated March 1974.

The Code of Ordinances for Doña Ana County, New Mexico addresses noise from construction activities in Chapter 261, Article II, Section 261-22 (Construction, repair, demolition or excavation and grading work) and general noise limits in Section 261-11 (Doña Ana County, 2020). The ordinance defines nighttime as 10:00 pm to 6:00 am Sunday through Thursday, and 12:00 am to 6:00 am Friday and Saturday, prohibits unreasonably loud or unusual noise during nighttime hours, and establishes maximum permissible sound levels at property boundaries:

- Residential/Noise Sensitive Areas: 50 dBA
- Office/Commercial: 60 dBA
- Industrial: 70 dBA

B.8.1 Construction Noise

Noise would be generated during construction of the Project facilities. Noise levels would be highest in the immediate vicinity of construction activities and would diminish with distance from each work area. These effects would be localized and temporary, with sound levels changing depending on the type of equipment used, the duration of use for each piece of equipment, the number of construction vehicles and machines used simultaneously, and the distance between the sound source and receptor. Construction would primarily occur between the hours of 6:00 am and 10:00 pm, seven days a week, for four months. Although most construction activities would occur during daytime hours, Transwestern has identified that certain construction activities could occur during nighttime hours, including HDD activities, tie-in welds, hydrostatic testing, and laydown yard use.

There are no NSAs within 0.5 mile of the proposed Project, HDD locations, or M&R stations. The nearest NSAs (residences), are approximately 1.0 mile east of the Green Chile El Paso M&R Station and 4.5 miles east of the Green Chile M&R Station. While the areas around the Project workspaces would be affected by construction noise, based on the expected temporary nature of the proposed construction activities, the fact that construction activities would primarily occur during daytime hours, and that there are no NSAs within 0.5 mile of the HDDs, we conclude that noise attributable to construction of the Project would not cause a significant effect on the local noise environment.

B.9 RELIABILITY AND SAFETY

Transporting natural gas involves some incremental risk to the public due to the potential for accidental releases following a pipeline rupture or incident at an aboveground facility. In the event of a release, natural gas readily disperses into the atmosphere because it is buoyant at atmospheric temperatures. However, an ignition source at the point of the release could result in a fire or explosion. Methane, the primary component of natural gas, is colorless, odorless, and tasteless. It is not toxic, but is classified as a simple asphyxiate, possessing a slight inhalation hazard. In an enclosed space, methane can displace oxygen and this oxygen deficiency can result in serious injury or death.

Risks are ameliorated by design and safety regulations mandated by the DOT that must be implemented by Transwestern. FERC's regulations at 18 CFR 157.14(a)(10)(vi) require that

an applicant certify that either: (1) the proposed pipeline and aboveground facilities will be designed, installed, inspected, tested, constructed, operated, replaced, and maintained in accordance with the PHMSA's Federal Pipeline Safety Regulations in 49 CFR 192, as well as implement plans for maintenance and inspection; or (2) the applicant has been granted a waiver of the safety standards by the DOT in accordance with the provisions of section 3(e) of the Natural Gas Pipeline Safety Act of 1968. The regulations within 49 CFR 192 are intended to ensure adequate protection for the public and to prevent natural gas facility accidents and failures. The PHMSA specifies material selection and qualification; minimum design requirements; and protection from internal, external, and atmospheric corrosion.

B.9.1 Pipeline Facilities

Pipeline Class Locations

PHMSA defines area classifications (class locations) for pipelines based upon population density, each of which require minimum design specifications. Class locations cover an area that extends 220 yards on either side of the centerline of any continuous 1-mile length of pipeline and are defined based on the population density within this area. The number and types of buildings near the pipeline are often used to estimate the number of people in the area. Pipelines within higher population densities are designated class locations subject to more rigorous safety requirements.⁶¹

Preliminary class locations for the Project were developed based on the relationship of the pipeline centerline to other nearby structures and manmade features. The Project would consist of approximately 17.77 miles of Class 1 pipe.

Emergency Response and Public Awareness Plans

Under 49 CFR 192.615, Emergency Plans, and 49 CFR 192.616, Public Awareness, each pipeline operator is required to establish an emergency response plan (ERP) that includes procedures to minimize the hazards of a natural gas pipeline emergency.⁶² An applicant prepares an ERP to inform and prepare communities with preparedness tools in order to create resilient and safety-aware communities if a pipeline release occurs. ERPs focus on planning and responding protocols for families; and special needs communities, such as children, the elderly, and persons with disabilities. Exact actions taken during a pipeline incident would vary depending on pipeline engineering specifics, location, and type of release.

Additional measures in the ERP include: receiving, identifying, and classifying notices of events that require immediate operator response; establishing and maintaining effective communication with fire, police, and other public officials and ensuring prompt and effective responses; providing necessary personnel, equipment, tools, and materials at emergency scenes;

⁶¹ The area classifications and certain general safety measures can be found at <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-D/part-192/subpart-A/section-192.5>.

⁶² <https://www.phmsa.dot.gov/regulations/title49/section/192.615>;
<https://www.phmsa.dot.gov/regulations/title49/section/192.616>;
<https://www.phmsa.dot.gov/safety-awareness/pipeline/guide-communicating-emergency-response-information-natural-gas-and>

implementing emergency shutdowns and pressure reductions in pipeline sections to minimize hazards; addressing and resolving actual or potential threats to life or property; safely restoring service outages; initiating actions under 49 CFR 192.617, when applicable, as soon as the emergency concludes; and following required controller actions during emergencies as outlined in 49 CFR 192.631.

Under 49 CFR 192.705, 192.706, and 192.707, Transwestern must periodically initiate a patrol program to observe surface conditions on and adjacent to the transmission line right-of-way for indications of leaks, construction activity, and other factors affecting safety and operations; leakage surveys of the transmission lines at intervals based upon the class locations; and installation of pipeline markers above the buried pipeline with the contact of the applicant's name at each crossing of a public road or railroad and where necessary to identify the location of the transmission line to reduce the possibility of damage or interference.

PHMSA requires each operator to establish and maintain liaison with appropriate fire, police, and public officials to learn the resources and responsibilities of each organization that may respond to a natural gas pipeline emergency, and to coordinate mutual assistance. The operator must also establish a continuing education program to enable customers, the public, government officials, and those engaged in excavation activities to recognize a gas pipeline emergency and report it to appropriate public officials. Transwestern would provide the appropriate training to local emergency service personnel before the pipeline is placed in service.

Subparts within 49 CFR 192, further discussed below, set forth requirements related to the design and operation of meter stations. These facilities must be designed, constructed, and operated to meet or exceed these specifications.

Meter Stations

Regulations 49 CFR 192.111(d) covers the design factors for determining the maximum allowable operating pressure of meter stations. For a pipeline company to manage its gas pipeline system safely and efficiently, it must know how much gas is in the system at all times. To accomplish this, pipeline companies use metering stations to measure natural gas entering or exiting the pipeline system. A meter station may use orifice meters, turbine meters, ultrasonic meters, or positive displacement meters to measure the gas flow. The metering facilities must provide accurate and continuous gas measurement. Pressure regulation equipment maintains the pressure of gas delivered into or out of a pipeline system within a specified range to ensure safe operation.

With adherence to DOT safety standards, operation, and maintenance requirements and with the options available in the detailed design of Transwestern's facilities, we conclude that the Project construction and operation would represent a minimal increase in risk to the public.

SECTION C – ALTERNATIVES

In accordance with NEPA and Commission policy, we sought to identify and evaluate alternatives to the proposed Project and determine whether an alternative would be preferable to the proposed action. Our evaluation of alternatives is based on Project-specific information provided by Transwestern, publicly available information, information received by commentors, and our expertise and experience regarding the siting, construction, and operation of interstate natural gas transmission pipeline projects and such projects' potential effects on the environment.

In comments filed with the Commission, Public Citizen, HTLC, the Center et al., and Mr. Alonso Sanchez all expressed concern about alternatives to the proposed action. Specifically, comments noted that the NMSLO has not granted Transwestern the necessary rights-of-way and leases to cross New Mexico state trust lands and that alternative routes avoiding these lands should be considered. Aside from the general request to avoid state lands, none of the comments offered a specific alternative route for consideration. Additionally, commenters stated that renewable energy should be considered as an alternative source of power for the AI/data center campus.

As described in Section A, Transwestern, in supplemental filings, modified its proposed route to avoid crossing New Mexico State trust lands. Therefore, because New Mexico state trust lands would not be affected by the Project as now proposed, we consider the comments related to New Mexico State lands addressed; thus we did not identify or evaluate route alternatives avoiding these lands. We did not receive any comments regarding routing (or otherwise) subsequent to Transwestern revising its proposed route.

We note that the Project Jupiter AI/data center campus, including the electrical generation component, is not subject to the Commission's jurisdiction.⁶³ How this facility generates electricity is outside the scope of this analysis. The Commission's analysis focuses on the proposed action which is to provide natural gas from a receipt point along the existing EPNG natural gas transmission pipeline system to a delivery point with GCV. Additionally, the Commission has no authority to compel the AI/data center campus to utilize renewable energy, nor to compel any company or entity to provide renewable energy to the AI/data center campus. Therefore, we do not consider energy alternatives for the Project Jupiter AI/data center.

Below, we evaluate the No-Action Alternative and System Alternatives.

⁶³ 16 U.S. Code § 824(b)(1) ("The Commission ... shall not have jurisdiction, except as specifically provided in this subchapter and subchapter III of this chapter, over facilities used for the generation of electric energy . . ."); *see also Transmission Access Pol'y Study Grp. v. FERC*, 225 F.3d 667, 718 (D.C. Cir. 2000), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002) ("petitioners correctly point out that section 201(b) of the FPA denies FERC jurisdiction over 'facilities used for the generation of electric energy'"); *Fla. Se. Connection, LLC* 162 FERC ¶ 61,233, at P 57 (2018) ("The Commission lacks jurisdiction to impose mitigation measures on downstream end-use consumers, be they power plants, manufacturers, or others.").

C.1 NO-ACTION ALTERNATIVE

NEPA requires the Commission to consider and evaluate the no-action alternative. In instances involving federal decisions on proposals for projects, selecting the no-action alternative would mean the proposed activity would not take place and the resulting environmental effects from taking no action would be compared with the effects of permitting the activity. Further, the no-action alternative provides a benchmark for decisionmakers to compare the magnitude of environmental effects of the proposed activity and alternatives.

Under the no-action alternative, the environmental effects associated with the Project and analyzed in this EA would not occur. Transwestern would not construct the Project, and consequently, would be unable to meet the Project's stated purpose. If the purpose of the Project is not met, GCV would not have access to natural gas and would be unable to provide the gas needed to generate power for the AI/data center campus. We have not identified any reasonably foreseeable negative environmental effects of implementing the no-action alternative. However, we expect that without the Project, CGV would likely seek an alternative source of natural gas or an alternative fuel source. An alternative source of natural gas would likely come from another existing pipeline in the region and would likely require the construction of a different supply lateral pipeline (see System Alternatives below). Alternative fuel sources such as coal, diesel, hydropower, wind, and solar, would also require the construction and operation of new infrastructure, the effects of which we deem too speculative to estimate and are outside the scope of this analysis. Ultimately, the Commission will determine if there is a need for the Project and could choose the no-action alternative.

C.2 SYSTEM ALTERNATIVES

System alternatives make use of existing, modified, or already proposed natural gas pipeline systems to satisfy the purpose of a proposed project. A system alternative may make it unnecessary to construct all or part of the Project, although some modifications or additions to other existing pipeline systems may be required.

In addition to the existing EPNG natural gas transmission mainline that is the Project's receipt point, EPNG operates other natural gas transmission pipelines in the vicinity of the Project. Other natural gas pipeline systems in the vicinity include the New Mexico Gas Company (NMGC [a local distribution company]) and ONEOK, both of which operate pipeline systems in Doña Ana County, New Mexico and El Paso County, Texas. An existing 12-inch-diameter NMGC pipeline is located near the Project. Other existing systems in the vicinity of the Project are located 10-12 miles east of the Project across the Rio Grande River and Interstate-10. Although closer to the GCV delivery point, use of these other systems would require crossing both the aforementioned features as well as residential and agricultural lands. Compared to the proposed pipeline route which does not cross agricultural or residential lands, any alternative using these other systems would affect substantially more landowners and would likely result in greater effects on the environment. As a system alternative to the proposed action, the existing 12-inch-diameter, NMGC pipeline, which also connects to the EPNG natural gas transmission mainline and runs near the CGV delivery point, would be unable to meet the service/capacity requirements of the proposed 24-inch-diameter pipeline, and therefore would not be a technically feasible alternative. Because the use of existing pipeline systems in the

Project area would result in greater environmental effects or would be technically infeasible, we have determined that these alternatives are not preferable to the proposed action.

Transwestern, in FERC Docket No. PF26-9-000, is planning to construct and operate a new natural gas transmission pipeline system (Desert Southwest Expansion Project) that would run from south-central Arizona, through Doña Ana County, New Mexico, and into western Texas. In Doña Ana County, Transwestern is planning to construct the Red Chile Lateral. According to Transwestern, the Red Chile Lateral would consist of an 18.2-mile-long, 24-inch-diameter pipeline that would be capable of transporting approximately 400 MMcf/d of natural gas. As currently planned, the lateral would take off from the planned Desert Southwest Expansion Project mainline which would be located in close proximity to the EPNG transmission mainline and would extend south, terminating at the Red Chile M&R Station. Transwestern anticipates placing this system and lateral into service in summer 2029. As proposed, the Desert Southwest Expansion Project and the Red Chile Lateral would be unable to meet the purpose of the Project. In order to meet the purpose of the Project, the Red Chile Lateral would need to provide a total of 800 MMcf/d of natural gas (its proposed capacity of 400 MMcf/d and the 400 MMcf/d of the Green Chile Lateral) and be in-service in 2026/2027; therefore, this alternative to the proposed action is not technically feasible or practical and would not be preferable to the proposed action.

Alternatives Conclusion

After evaluating the alternatives to the Project, we conclude that none of the alternatives provide a significant environmental advantage over Transwestern's proposed action. Therefore, we have determined that the proposed action is the preferred alternative to meet the Project's purpose.

SECTION D – STAFF’S CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis in this EA, we have determined that approval of the Project would not constitute a major federal action significantly affecting the quality of the human environment. We also conclude that the proposed Project, with our recommended mitigation measures, is the preferred alternative to meet the Project objectives. If the Commission authorizes the Project, we recommend that the Commission’s Order contain a finding of no significant impact and that the following measures be included as environmental conditions to any Certificate the Commission may issue.

1. Transwestern shall follow the construction procedures and mitigation measures described in its application(s) (and supplements, including responses to staff data requests, and as identified in the EA, unless modified by the Order. Transwestern must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
 - b. justify each modification relative to site-specific conditions;
 - c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
 - d. receive approval in writing from the Director of the Office of Energy Projects (OEP), or the Director’s designee, **before using that modification**.
2. The Director of OEP, or the Director’s designee, has delegated authority to address any requests for approvals or authorizations necessary to carry out the conditions of the Order, and take whatever steps are necessary to ensure the protection of environmental resources during construction and operation of the Project. This authority shall allow:
 - a. the modification of conditions of the Order;
 - b. stop-work authority; and
 - c. the imposition of any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the Order as well as the avoidance or mitigation of unforeseen adverse environmental effects resulting from Project construction and operation.
3. **Prior to any construction**, Transwestern shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors (EI), and contractor personnel will be informed of the EI’s authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.
4. The authorized facility locations shall be as shown in the EA, as supplemented by filed alignment sheets. **As soon as they are available, and before the start of construction**, Transwestern shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the

Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Transwestern's exercise of eminent domain authority granted under NGA section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Transwestern's right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas pipeline or facilities to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

5. Transwestern shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP, or the Director's designee, **before construction in or near that area.**

This requirement does not apply to extra workspace allowed by the Commission's *Upland Erosion Control, Revegetation, and Maintenance Plan* and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
 - b. implementation of endangered, threatened, or special concern species mitigation measures;
 - c. recommendations by state regulatory authorities; and
 - d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.
6. **Within 60 days of the acceptance of the authorization and before construction begins**, Transwestern shall file an Implementation Plan with the Secretary for review and written approval by the Director of OEP, or the Director's designee. Transwestern must file revisions to the plan as schedules change. The plan shall identify:
 - a. how Transwestern will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EA, and required by the Order;
 - b. how Transwestern will incorporate these requirements into the contract bid

- documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;
 - c. the number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;
 - d. company personnel, including EIs and contractors, who will receive copies of the appropriate material;
 - e. the location and dates of the environmental compliance training and instructions Transwestern will give to all personnel involved with construction and restoration (initial and refresher training as the Project progresses and personnel change),
 - f. the company personnel (if known) and specific portion of Transwestern's organization having responsibility for compliance;
 - g. the procedures (including use of contract penalties) Transwestern will follow if noncompliance occurs; and
 - h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the environmental compliance training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.
7. Transwestern shall employ at least one environmental inspector per construction spread. The EI(s) shall be:
- a. responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;
 - b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
 - c. empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;
 - d. a full-time position, separate from all other activity inspectors;
 - e. responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
 - f. responsible for maintaining status reports.
8. Beginning with the filing of its Implementation Plan, Transwestern shall file updated status reports with the Secretary on a **biweekly** basis until all construction and restoration activities are complete. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:
- a. an update on Transwestern's efforts to obtain the necessary federal authorizations;
 - b. the construction status of the Project, work planned for the following reporting period, and any schedule changes for stream crossings or work in other

- c. environmentally sensitive areas;
 - d. a listing of all problems encountered, and each instance of noncompliance observed by the EI(s) during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
 - e. a description of the corrective actions implemented in response to all instances of noncompliance;
 - f. the effectiveness of all corrective actions implemented;
 - g. a description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
 - h. copies of any correspondence received by Transwestern from other federal, state, or local permitting agencies concerning instances of noncompliance, and Transwestern's response.
- 9. Transwestern must receive written authorization from the Director of OEP, or the Director's designee, **before commencing construction of any Project facilities**. To obtain such authorization, Transwestern must file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).
- 10. Transwestern must receive written authorization from the Director of OEP, or the Director's designee, **before placing the Project into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the project are proceeding satisfactorily.
- 11. **Within 30 days of placing the authorized facilities in service**, Transwestern shall file an affirmative statement with the Secretary, certified by a senior company official:
 - a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or
 - b. identifying which of the conditions in the Order Transwestern has complied with or will comply with. This statement shall also identify any areas affected by the Project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.
- 12. Transwestern **shall not begin** construction of facilities and/or use of staging, storage, or temporary work areas and new or to-be-improved access roads **until**:
 - a. Transwestern files with the Secretary concurrence from the New Mexico SHPO on the cultural resource effect finding for the Project;
 - b. the Advisory Council on Historic Preservation is afforded an opportunity to comment if historic properties would be adversely affected to consult on ways to avoid, minimize, or mitigate the adverse effects to involved historic properties if conditions outlined in 36 CFR 800.6(a)(1)(i) are met; and

- c. the FERC staff reviews and the Director of OEP, or the Director's designee, approves the cultural resources reports, evaluation plans, and/or treatment plans, and notifies Transwestern in writing that the proposed treatment plans/mitigation measures (including archaeological data recovery) may be implemented and/or construction may proceed.

All materials filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: "**CUI//PRIV- DO NOT RELEASE.**"

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Greyling

Exhibit 5



New Mexico Historic Preservation Division

407 Galisteo Street, Suite 236

Santa Fe, NM 87501

Telephone: (505) 827.6320

Email: nm.shpo@dca.nm.gov

September 28, 2026

Anthony Hom
Deputy District Manager
Bureau of Land Management
Las Cruces District Office
1800 Marquess Street
Las Cruces, NM 88005
Sent via Email

RE: Follow-Up Regarding Section 106 Consultation – Transwestern Pipeline Company, LLC Green Chile Pipeline Project (FERC Docket No. CP26-80-000, HPD Log#129062).

Dear Mr. Hom:

Thank you for providing the follow-up letter concerning the Green Chile Pipeline, the results of the additional survey (NMCRIS 161807), and Cultural Resources Monitoring Plan for the project.

I have completed my review of NMCRIS 161807 and I have no concerns. I concur with the survey findings and the previous determination that site LA 207182 is not eligible for listing in the National Register of Historic Places. I also concur with the BLM's determination of No Adverse Effect for the Green Chile Pipeline Project.

I reviewed the revised Cultural Resources Monitoring Plan, received September 23, 2026. My comments provided on September 14, 2026, have been addressed. I have one additional minor comment regarding curation of collections. Collections are no longer curated at the Laboratory of Anthropology, but at the Archaeological Repository at the Center for New Mexico Archaeology. With this revision and incorporation of the BLM's comments from September 23, 2026, the plan is approved and ready for implementation.

If you have any questions, please contact me at (505) 827-4064 or michelle.ensey@dca.nm.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle M. Ensey".

Michelle M. Ensey
Executive Director, Historic Preservation Division
State Historic Preservation Officer

Greyling

Exhibit 6



August 14, 2026

Ms. Debbie-Anne Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: OEP/DPC/CB-1
Transwestern Pipeline Company, LLC
Green Chile Project
Docket No. CP26-80-000
§375.308(x)(3)

Response to FERC Data Request of August 11, 2026

Dear Ms. Reese:

On January 29, 2026, Transwestern Pipeline Company, LLC ("Transwestern") submitted for filing with the Federal Energy Regulatory Commission ("Commission" or "FERC") a prior notice request pursuant to sections 157.205, 157.208, and 157.211 of the Commission's regulations under the Natural Gas Act, and Transwestern's blanket certificate issued in Docket No. CP82-534-000, for authorization to construct, install, own, maintain, and operate its Green Chile Project ("Project") facilities in Doña Ana County, New Mexico. The Project will enable Transwestern to deliver up to 400,000 million dekatherms per day of new firm transportation capacity to serve a new AI/data center.

Transwestern is submitting herein for filing with the Commission its response to the FERC Data Request of August 11, 2026. Transwestern respectfully requests that the information submitted as "PUBLIC" be placed on the internet as "Public Information".

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines, issued on November 15, 2007 in FERC Docket No. RM07-16-000. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2605.

Respectfully submitted,

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates

cc: Joshua Roth, Geologist/Certificate Analyst, Division of Pipeline Certificates

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

CERTIFICATE OF SERVICE

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates
Transwestern Pipeline Company, LLC
(713) 989-2605

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

OATH STATEMENT

In accordance with the requirements of Section 385.2005 of the Commission's Rules of Practice and Procedures, Blair Lichtenwalter, being duly sworn on his oath, states that he is a Sr. Director in the Regulatory Affairs Department for Transwestern Pipeline Company, LLC, and states that he has read the foregoing responses, and that after reasonable diligence and review, the information and statements provided in the responses are true, complete, and accurate to the best of his knowledge, information, and belief, and that he has full power and authority to sign this filing.

/s/ Blair Lichtenwalter

Mr. Blair Lichtenwalter, Sr. Director
Certificates
Transwestern Pipeline Company, LLC
(713) 989-2605

Subscribed and sworn to before me this 14th day of August, 2026.

/s/ Betty J. Peugh

Name: _____

Title: Notary Public in the State of Texas

My Commission Expires: June 24, 2030

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

RESPONSE TO FERC – DIVISION OF PIPELINE CERTIFICATES

DATA REQUEST OF AUGUST 11, 2026

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

FERC/OEP-Transwestern 1

In its August 7, 2026, response, Transwestern estimates the total capitalized Allowance for Funds Used During Construction (AFUDC) to be approximately \$1,848,674. Since Transwestern experience construction activities for only 5 months, confirm that it does not compound its AFUDC, consistent with the Commission's accounting regulations which do not allow compounding more frequently than semiannual compounding.¹ Also provide the following in Microsoft Excel:

- i. The worksheet computations on a monthly basis to support the \$1,848,674 of AFUDC. Separately identify the debt/equity components.
- ii. The computation and methodology to support the debt/equity cost rates used to derive the AFUDC rate.

The worksheets and/or files should retain all notes and any formulas supporting the calculation.

Transwestern Response:

1. Transwestern's AFUDC methodology applies semiannual compounding to AFUDC-eligible construction balances at established compounding dates of January and July each year. Transwestern does not compound AFUDC more frequently than semiannually. Transwestern calculates AFUDC on a monthly basis during the period in which the project qualifies for AFUDC capitalization. At the applicable January and July semiannual compounding dates, previously accrued AFUDC is included in the AFUDC-eligible construction balance in accordance with Transwestern's semiannual compounding methodology.
 - i. See Attachment 1.xlsx, provided hereto.
 - ii. The debt cost rate of 6.26% reflects Transwestern's actual cost of debt for the year ending 2024. The equity cost rate of 12.25% was utilized in accordance with Article V of the Stipulation and Agreement of Settlement in Transwestern's 2022 rate case, in Docket No. RP22-1031, which stated, "Until the end of the Settlement Term, Transwestern shall use a 12.25 percent (12.25%) equity cost rate in calculating Allowance for Funds Used During Construction (AFUDC)."

Prepared By: Brad Sherbenou

Title: Director - Rates

Date: August 14, 2026

¹ See Order No. 561, 57 FPC 608 (1977) and Order No. 561-A, 57 FPC 1340 (1977).

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

FERC/OEP-Transwestern 2

Transwestern proposes to include the estimated engineering/environmental/inspection costs of \$3,703,076 as a component of construction. Please confirm that these costs are related to construction and not post-construction activities.

Transwestern Response:

2. The engineering/environmental/inspection costs are not related to post-construction activities.

Prepared By: Brad Sherbenou

Title: Director - Rates

Date: August 14, 2026

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

FERC/OEP-Transwestern 3

Since Transwestern provides estimated monthly expenditures for the period from October 2025 to July 2026, consider revising the amounts with actuals if Transwestern has already incurred such expenditures. Transwestern could also include its transferred pre-construction expenditures as part of construction once construction activities began in April 2026. For August 2026, provide an estimate that most closely reflects actual construction costs.

Transwestern Response:

3. See Attachment 2. Transwestern has updated the calculation to reflect actual expenditures through June 2026, and estimated expenditures for the remaining periods. In addition, the revised in-service date has been estimated to be February 1, 2027. Transwestern has also updated the debt cost rate to 6.17%, reflecting the actual debt cost for the year ending 2025.

Prepared By: Brad Sherbenou

Title: Director - Rates

Date: August 14, 2026

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

ATTACHMENT 1

Transwestern Pipeline Company, LLC

Green Chile Project
AFUDC Calculation

August 15, 2026 In-Service Date 1/

Line No.	Description	Monthly Expenditure (a)	Cumulative Monthly Expenditure (b)	Equity During Construction (c)	Cumulative Equity AFUDC (d)	Debt During Construction (e)	Cumulative Debt AFUDC (f)	Total Monthly AFUDC (g)	Cumulative AFUDC (h)
<u>Estimated Pre-Construction Period</u>									
1	October-25	\$ 2,197,009	\$ 2,197,009	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	November-25	798,371	2,995,380	-	-	-	-	-	-
3	December-25	251,888	3,247,268	-	-	-	-	-	-
4	January-26	895,471	4,142,739	-	-	-	-	-	-
5	February-26	1,416,145	5,558,884	-	-	-	-	-	-
6	March-26	12,399,278	17,958,162	-	-	-	-	-	-
<u>Estimated Construction Period</u>									
7	April-26	12,106,367	30,064,529	235,703	235,703	4,810	4,810	240,513	240,513
8	May-26	7,401,709	37,466,238	331,452	567,156	6,764	11,574	338,216	578,729
9	June-26	5,535,537	43,001,775	394,950	962,106	8,060	19,634	403,010	981,740
10	July-26	(2,572,450)	40,429,325	418,938	1,381,044	8,360	27,994	427,298	1,409,038
11	August-26	5,035,522	45,464,847	431,027	1,812,071	8,609	36,603	439,636	1,848,674
<u>Estimated Post-Construction Period</u>									
12	September-26	4,699,228	50,164,075	-	1,812,071	-	36,603	-	1,848,674
13	October-26	421,941	50,586,016	-	1,812,071	-	36,603	-	1,848,674
14	Total	\$ 50,586,016		\$ 1,812,071		\$ 36,603		\$ 1,848,674	
<u>Annual Amortization</u>									
15	Equity			\$ 36,423					
16	Debt			736					
17	Total			\$ 37,158					
<u>Capitalization</u>									
		Ratio	Cost	Annual Rate	Monthly Rate				
18	Equity	96.16%	12.25%	11.78%	0.98%				
19	Debt	3.84%	6.26%	0.24%	0.02%				
20	Total	100.00%		12.02%	1.00%				

1/ The original estimated in-service date of August 15, 2026 has been utilized for the AFUDC calculation.

**TRANSWESTERN PIPELINE COMPANY, LLC
GREEN CHILE PROJECT
DOCKET NO. CP26-80-000**

ATTACHMENT 2

Transwestern Pipeline Company, LLC

Green Chile Project

AFUDC Calculation

February 1, 2027 In-Service Date

Line No.	Description	Monthly Expenditure (a)	1/ Cumulative Monthly Expenditure (b)	Equity During Construction (c)	Cumulative Equity AFUDC (d)	Debt During Construction (e)	Cumulative Debt AFUDC (f)	Total Monthly AFUDC (g)	Cumulative AFUDC (h)
<u>Estimated Pre-Construction Period</u>									
1	October-25	\$ 2,197,009	\$ 2,197,009	\$ -	-	-	-	-	-
2	November-25	798,371	2,995,380	-	-	-	-	-	-
3	December-25	251,888	3,247,268	-	-	-	-	-	-
4	January-26	522,755	3,770,023	-	-	-	-	-	-
5	February-26	4,670,951	8,440,974	-	-	-	-	-	-
6	March-26	1,092,003	9,532,977	-	-	-	-	-	-
7	April-26	326,178	9,859,155	-	-	-	-	-	-
8	May-26	420,829	10,279,984	-	-	-	-	-	-
9	June-26	4,074,783	14,354,767	-	-	-	-	-	-
10	July-26	645,711	15,000,478	-	-	-	-	-	-
11	August-26	640,643	15,641,121	-	-	-	-	-	-
12	September-26	(6,570,044)	9,071,077	-	-	-	-	-	-
13	October-26	1,131,942	10,203,019	-	-	-	-	-	-
<u>Estimated Construction Period</u>									
14	November-26	8,869,967	19,072,986	143,692	143,692	2,890	2,890	146,582	146,582
15	December-26	4,210,210	23,283,196	207,891	351,583	4,181	7,072	212,073	358,654
16	January-27	3,746,983	27,030,179	250,398	601,980	4,968	12,040	255,366	614,020
<u>Estimated Post-Construction Period</u>									
17	February-27	3,716,983	30,747,162	-	601,980	-	12,040	-	614,020
18	March-27	3,638,036	3,638,036	-	601,980	-	12,040	-	614,020
19	April-27	1,063,000	31,810,162	-	601,980	-	12,040	-	614,020
20	May-27	81,082	3,719,118	-	601,980	-	12,040	-	614,020
21	June-27	225,262	32,035,424	-	601,980	-	12,040	-	614,020
22	July-27	15,156,784	45,903,946	-	601,980	-	12,040	-	614,020
23	Total	\$ 50,911,326		\$ 601,980		\$ 12,040		\$ 614,020	
<u>Annual Amortization</u>									
24	Equity			\$ 12,100					
25	Debt			242					
26	Total			\$ 12,342					
<u>Capitalization</u>									
		Ratio	Cost	Annual Rate	Monthly Rate				
27	Equity	96.16%	12.25%	11.78%	0.98%				
28	Debt	3.84%	6.17%	0.24%	0.02%				
29	Total	100.00%		12.02%	1.00%				

1/ Actual expenditures have been used through the period of June 2026 resulting in an increase in the project cost of the Green Chile Meter Station by \$325,310 to a total of \$7,138,886.