



STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
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DRAFT MEETING MINUTES
ENVIRONMENTAL IMPROVEMENT BOARD MEETING
June 26, 2020
1:00 P.M.
Virtual Meeting on Webex

To connect via video conference, go to: <https://nmed-oit.webex.com/nmed-oit/j.php?MTID=m819848a7869fc77223dc9b925ca88237>

When prompted, dial the meeting number: 133 874 5976

The password is: nmVEaXq4u76

To connect via teleconference dial: 1-415-655-0001

When Prompted, dial access code: 133 874 5976

Members present: John Volkerding, Chair
Phoebe Suina, Vice Chair
Amanda Trujillo Davis, Secretary

Barry Bitzer, Member
Karl Cates, Member
Dr. Benjamin Duval, Member
Karen Garcia, Member

Members absent:

Others present: Cody Barnes, Board Administrator
Karla Soloria, Board Counsel
Lara Katz, Assistant General Counsel, New Mexico Environment
Department in EIB 20-33 (A)
Elizabeth Bisby-Kuehn, Air Quality Bureau Chief, New Mexico
Environment Department
Daniel Timmons, counsel for Petitioner, WildEarth Guardians, in EIB 20-
33 (A)
Samantha Rucavage-Barz, counsel for Petitioner, WildEarth Guardians, in
EIB 20-33 (A)
Jeremy Nichols, Climate and Energy Program Director, WildEarth
Guardians
Adam Rankin, counsel for Spur Energy Partners, LLC. in EIB 20-33 (A)
Brad Coffe, Vice Preseident, Spur Energy Partners, LLC.

Louis Rose, counsel for XTO Energy Inc in EIB 20-33 (A)

The following items are for discussion and possible action:

The Chair called the Board into order at 1:00 P.M.

Item 1. Roll call.

Action: The Administrator called the roll; a quorum was present. Chair Volkerding discussed the protocol of the virtual meeting. He provided contact information for any individual experiencing technical issues. He mentioned the items on the agenda were time sensitive, which allowed the Board to meet virtually, per advice from the Open Government Division of the Attorney General’s Office. Chair Volkerding pointed out that Administrator Barnes will video record the meeting and will post the recording on the Board’s website as soon as practicable after the meeting.

Item 2. Approve the agenda.

Action: Member Bitzer moved to approve the agenda. Chair Volkerding seconded the motion. Chair Volkerding called a voice vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.

Item 3. How notice requirements were met for the meeting.

Action: Board Administrator Barnes described how notice requirements were met for the meeting consistent with the Board’s Open Meetings Act Resolution.

Item 4. Approval of meeting minutes from May 22, 2020.

Action: Member Bitzer moved to approve the meeting minutes from the meeting on May 22, 2020. Member Duval seconded the motion. Chair Volkerding called a voice vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.

Item 5. Public comment unrelated to agenda items.

Action: There was no public comment.

Item 6. Request for hearing. EIB 20-33 (A). In the Matter of the Petition for Hearing on Regarding Registrations Numbers 8729, 8730 and 8733 under General Construction Permit for Oil and Gas. Daniel Timmons and Samantha Ruscavage-Barz, counsel for the Petitioner: WildEarth Guardians. Lara Katz, counsel for the New Mexico Environment Department.

86 **Action:** Daniel Timmons and Samantha Ruscavage-Barz, co-counsel for the Petitioner,
87 WildEarth Guardians, Jeremy Nichols with WildEarth Guardians; Lara Katz,
88 counsel for the New Mexico Environment Department; Adam Rankin counsel
89 for Spur Energy Partners, LLC., Brad Coffe with Spur Energy Partners, LLC.;
90 and Louis Rose, counsel for XTO Energy Inc. discussed the petition. The
91 Petitioner mentioned they would be willing to consolidate this matter with EIB
92 20-21 (A). The Board discussed and deliberated the petition. Chair Volkerding
93 moved for the Board to agree to a hearing on August 10, 2020, with Chair
94 Volkerding as Hearing Officer, and to allow the Hearing Officer to consolidate
95 this matter with EIB 20-21 (A) if the parties come to agreement at a later time.
96 Member Cates seconded the motion. Member Bitzer: aye; Member Cates: aye;
97 Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary
98 Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.
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100 **Item 8. Next meeting is scheduled for July 28, 2020.**

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102 **Action:** Board Administrator Barnes stated there were no items yet for the July meeting.
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104 **Item 8. Adjournment**

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106 **Action:** The meeting was adjourned at 2:11 P.M.
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Amanda Trujillo Davis, Secretary