

**NEW MEXICO WATER QUALITY CONTROL COMMISSION
NOTICE OF PUBLIC RULEMAKING HEARING**

The New Mexico Water Quality Control Commission (Commission) will hold a public hearing on December 10, 2024, at 9:00 a.m. in Room 321 of the State Capitol Building, 490 Old Santa Fe Trail, Santa Fe, New Mexico 87501. A virtual participation option will be provided via WebEx with meeting links and details provided in the events calendar at <https://www.env.nm.gov/events-calendar>. The hearing may continue thereafter as necessary at the Commission's discretion.

The purpose of the hearing is to consider the matter of WQCC 24-46 (R) to amend Subsection D of 20.6.4.9 NMAC, *Standards for Interstate and Intrastate Surface Waters*, to designate nominated waters as Outstanding National Resource Waters (ONRW). The waters qualify for ONRW designation as significant attributes of a Special Trout Water; a designated wild and scenic river; a national or state park, monument, or wildlife refuge; or a designated Wilderness area. ONRWs are entitled to the highest protection from pollution under the Commission's antidegradation policy and surface water quality standards at 20.6.4 NMAC. The proponent of this regulatory adoption and revision is the New Mexico Environment Department (NMED).

The hearing will be conducted in accordance with the Water Quality Act, Sections 74-6-4 and 74-6-6 NMSA 1978, the State Rules Act, Section 14-4-5.3 NMSA 1978, 20.1.6 NMAC, *Rulemaking Procedures – Water Quality Control Commission*, and other applicable procedures and authorities. The Commission may make a decision on the proposed amended rule at the conclusion of the hearing, or they may convene a meeting after the hearing to consider action on the proposal.

All interested persons will be given reasonable opportunity at the hearing to submit data, views or arguments orally or in writing, and examine witnesses testifying at the hearing. Persons wishing to present technical testimony must file with the Commission a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background;
- (3) include a copy of the direct testimony of each technical witness in narrative form, and state the estimated duration of the direct oral testimony of that witness;
- (4) include the text of any recommended modifications to the proposed regulatory change; and
- (5) list and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of intent for the hearing must be received in the Office of Public Facilitation not later than 5:00 pm on November 20, 2024, and should reference the docket number, WQCC 24-46 (R) and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Pamela Jones, Board Administrator
Water Quality Control Commission
P.O. Box 5469
Santa Fe, NM 87502
(505) 660-4305
pamela.jones@env.nm.gov

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with that testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing. Please submit written comments regarding the proposed amended rule via the Smart Comment Portal at <https://nmed.commentinput.com/comment/search> or by email with reference to WQCC 24-46 (R) to pamela.jones@env.nm.gov by December 9, 2024.

The proposed rule and supporting technical information may be reviewed during regular business hours at the NMED Surface Water Quality Bureau, 1190 St. Frances Dr., Suite N2000, Santa Fe, NM 87505, on NMED's web site at <https://www.env.nm.gov/surface-water-quality/wqs>, on the Commission's docketed matters web site at <https://www.env.nm.gov/opf/docketed-matters>, or by contacting Michael Baca at (505) 470-1652 or michael.bacal@state.nm.us.

Persons requiring assistance, an interpreter, or any other form of auxiliary aid or service (i.e., reader, amplifier, qualified sign language interpreter, etc.) to attend or participate in the hearing should contact Pamela Jones no later than November 26, 2024, at (505) 660-4305 or pamela.jones@env.nm.gov.

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kate Cardenas, NMED Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855 or nd.coordinator@env.nm.gov. If you believe that you have been discriminated against with respect to a NMED program or activity, please contact the Non-Discrimination Coordinator.