

**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION**

**IN THE MATTER OF PETITION TO  
NOMINATE SURFACE WATERS  
DESIGNATED AS SPECIAL TROUT WATERS, OR  
WILD AND SCENIC RIVERS, OR LOCATED WITHIN  
A WILDERNESS, PARK, MONUMENT OR REFUGE  
AS OUTSTANDING NATIONAL RESOURCE WATERS,**

**NO. WQCC 24-46 (R)**

**NEW MEXICO ENVIRONMENT DEPARTMENT  
WATER PROTECTION DIVISION,**

**PETITIONER.**

**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY**

Pursuant to 20.1.6.202(A) NMAC and the October 15, 2024, Pre-Hearing Order, the Surface Water Quality Bureau within the Water Protection Division of the New Mexico Environment Department (Department) files this Notice of Intent to Present Technical Testimony for the hearing in this matter currently scheduled for December 10<sup>th</sup> and 11<sup>th</sup>, 2024.

**1. Identify the person for whom the witness(es) will testify:**

A. The New Mexico Environment Department.

**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:**

A. Michael Baca is the Water Quality Standards Coordinator for the Surface Water Quality Bureau. His resume is attached as NMED Exhibit 2. His written testimony is attached as NMED Exhibit 1.

B. Lynette Guevara is the Program Manager for the Monitoring, Assessment, and Standards Section of the Surface Water Quality Bureau. Her resume is attached as NMED Exhibit 18. The Department does not intend to present direct testimony by Ms. Guevara, but may present her as a rebuttal witness, and will make her available to assist in answering questions that may go beyond the expertise of the direct witness.

C. Shelly Lemon is the Surface Water Quality Bureau Chief. Her resume is attached as NMED Exhibit 19. The Department does not intend to present direct testimony by Ms. Lemon, but may present her as a rebuttal witness, and will make her available to assist in answering questions that may go beyond the expertise of the direct witness.

D. The Department reserves the right to call any other person to present original or rebuttal testimony in response to another notice of intent or public comment filed in this matter or to any testimony or exhibit offered at the public hearing.

**3. If the hearing will be conducted at multiple locations, indicate the location or locations at which the witnesses will be present:**

A. The witnesses will be present in person in Santa Fe.

**4. 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:**

A. Mr. Baca's written direct testimony is attached as NMED Exhibit 1. Mr. Baca will provide a summary of his direct testimony during the hearing. The estimated duration of Mr. Baca's direct oral testimony is approximately one hour.

**5. Include the text of any recommended modifications to the proposed regulatory change:**

A. Proposed Amendments to 20.6.4 NMAC are attached as NMED Exhibit 5.

**6. List and attach all exhibits anticipated to be offered by that person at the hearing:**

- Exhibit 1: Direct Testimony of Michael Baca
- Exhibit 2: Resume of Michael Baca
- Exhibit 3: State of New Mexico Antidegradation Policy
- Exhibit 4: 2024 ONRW Designations Nomination
- Exhibit 5: Proposed 20.6.4 NMAC – 2024 ONRW Amendments
- Exhibit 6: NMED – USDA Forest Service, Southwestern Region MOU
- Exhibit 7: USDA Forest Service – Water & The Forest Service (January 2000)
- Exhibit 8: Environmental Research Letters – Forested lands dominate drinking water supply in the conterminous United States (2021).
- Exhibit 9: Bureau of Economic Analysis – Outdoor Recreation Satellite Account, U.S. and States, 2022.
- Exhibit 10: U.S. Department of the Interior, National Park Service, Science Report NPS/SR-2024/174 – 2023 National Park Visitor Spending Effects
- Exhibit 11: Economic Impacts of Carson and Santa Fe National Forest
- Exhibit 12: Mean Annual Renewable Water Supply of the Contiguous United States
- Exhibit 13: Affidavits of Publication of Public Notice of Rulemaking
- Exhibit 14: Provide to the Public – Rulemaking Hearing Notice
- Exhibit 15: Hearing Notice to Tribal Environmental Directors
- Exhibit 16: Small Business Regulatory Advisory Council Hearing Notice
- Exhibit 17: East Jemez Resource Council October 29, 2024, ONRW Presentation
- Exhibit 18: Resume of Lynette Guevarra

Exhibit 19: Resume of Shelly Lemon

The Department reserves the right to introduce and move for admission any other exhibit in support of rebuttal testimony at the hearing.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOI was served via electronic mail to the following parties in this matter on November 20, 2024:

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