From:	Baca, Michael, ENV
To:	Kesler, Michael, ENV; Vigil, Thomas X, ENV; Reyes, Damon, ENV
Cc:	Scott, Brecken, ENV; Clark-Barkalow, Stephani, ENV; Guevara, Lynette, ENV
Subject:	WQCC 25-28 (R) Public Notice of Rulemaking
Date:	Tuesday, August 12, 2025 12:23:00 PM
Attachments:	NMED-WQCCnotice_esp_xxxvi15.pdf NMED-WQCCnotice_xxxvi15.pdf
Importance:	High

Good morning, EHB District Managers,

The WQCC has a rulemaking before them from a third-party and NMED is helping with the public notice for the commission. We must provide the attached public notices in our field (or district) offices and provide information upon request. The petition and associated information are available online at https://www.env.nm.gov/surface-water-quality/tijeras-arroyo-uaa/. Please distribute these notices for posting at the district/field offices. Your assistance is highly appreciated.

Thank you,

Michael Baca | WQS Coordinator
NMED SWQB | www.env.nm.gov/surface-water-quality/
michael.baca1@env.nm.gov | (505) 470-1652

Science | Innovation | Collaboration | Compliance

From:	Baca, Michael, ENV
To:	lcs@nmlegis.gov
Cc:	Scott, Brecken, ENV; Guevara, Lynette, ENV; Clark-Barkalow, Stephani, ENV
Subject:	WQCC 25-28 (R) - Public Notice of Rulemaking
Date:	Tuesday, August 12, 2025 12:36:00 PM
Attachments:	NMED-WQCCnotice_xxxvi15.pdf NMED-WQCCnotice_esp_xxxvi15.pdf 2025-06-04-WQCC-25-28-Petition-to-Amend-Designated-Use-of-Tijeras-Arroyo-and-Request-for-Hearing.pdf

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Good morning,

The WQCC has a rulemaking before them from a third-party, and we are helping with the public notice for the commission. This notice and rulemaking information is being provided in accordance with the State Rules Act (14-4-2 and 14-4-5.2 NMSA 1978) and the Water Quality Control Commissions Rulemaking Rules (20.1.6 NMAC). The petitioners are proposing to add the Tijeras Arroyo, from Four Hills Bridge to the Rio Grande, to the list of ephemeral waters in Section 97 of 20.6.4 NMAC, Standards for Interstate and Intrastate Surface Waters.

Please let me know if you have any questions or concerns regarding this matter.

Respectfully,

Michael Baca | WQS Coordinator
NMED SWQB | www.env.nm.gov/surface-water-quality/
michael.baca1@env.nm.gov | (505) 470-1652

Science | Innovation | Collaboration | Compliance

From: New Mexico Environment Department
To: Baca, Michael, ENV
Subject: Notice of Hearing: WQCC 25-28 (R) - Tijeras Arroyo UAA
Date: Thursday, August 14, 2025 11:18:59 AM

SWQB logo

Surface Water Quality Bureau

Our mission is to preserve, protect, and improve New Mexico's surface water quality for present and future generations.

Oficina de Calidad de Aguas Superficiales

Nuestra misión es preservar, proteger y mejorar la calidad de las aguas superficiales de Nuevo México para las generaciones presentes y futuras.

The New Mexico Water Quality Control Commission (Commission) will hold a public hearing on October 14, 2025, at 9:00 a.m. in 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 participation 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. 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. Please see the hearing notice for full participation details and public comment instructions.

The purpose of the hearing is to consider the matter of WQCC 25-28 (R) to amend 20.6.4.97 NMAC, *Standards for Interstate and Intrastate Surface Waters*, to add the Rio Grande to Four Hills Bridge reach of the Tijeras Arroyo to the list of ephemeral waters. The proponent of this regulatory adoption and revision is National Technology & Engineering Solutions of Sandia, LLC.

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.baca1@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, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
nd.coordinator@env.nm.gov
https://www.env.nm.gov/general/environmental-justice-in-new-mexico/

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above.

La Comisión de Control de Calidad del Agua de Nuevo México (Comisión) llevará a cabo una audiencia pública el 14 de octubre de 2025 a las 9:00 a. m. en Edificio del Capitolio Estatal, 490 Old Santa Fe Trail, Santa Fe, Nuevo México 87501. Se proporcionará una opción de participación virtual a través de WebEx con enlaces a reuniones y detalles proporcionados en el calendario de eventos en https://www.env.nm.gov/events-calendar. La audiencia puede continuar después según sea necesario a discreción de la Comisión. A todas las personas interesadas se les dará una oportunidad razonable en la audiencia para presentar datos, puntos de vista o argumentos en forma oral o por escrito, y para interrogar a los testigos que testifiquen en la audiencia. Por favor, consulte el aviso de audiencia pública para obtener los detalles completos de participación y instrucciones para comentarios públicos.

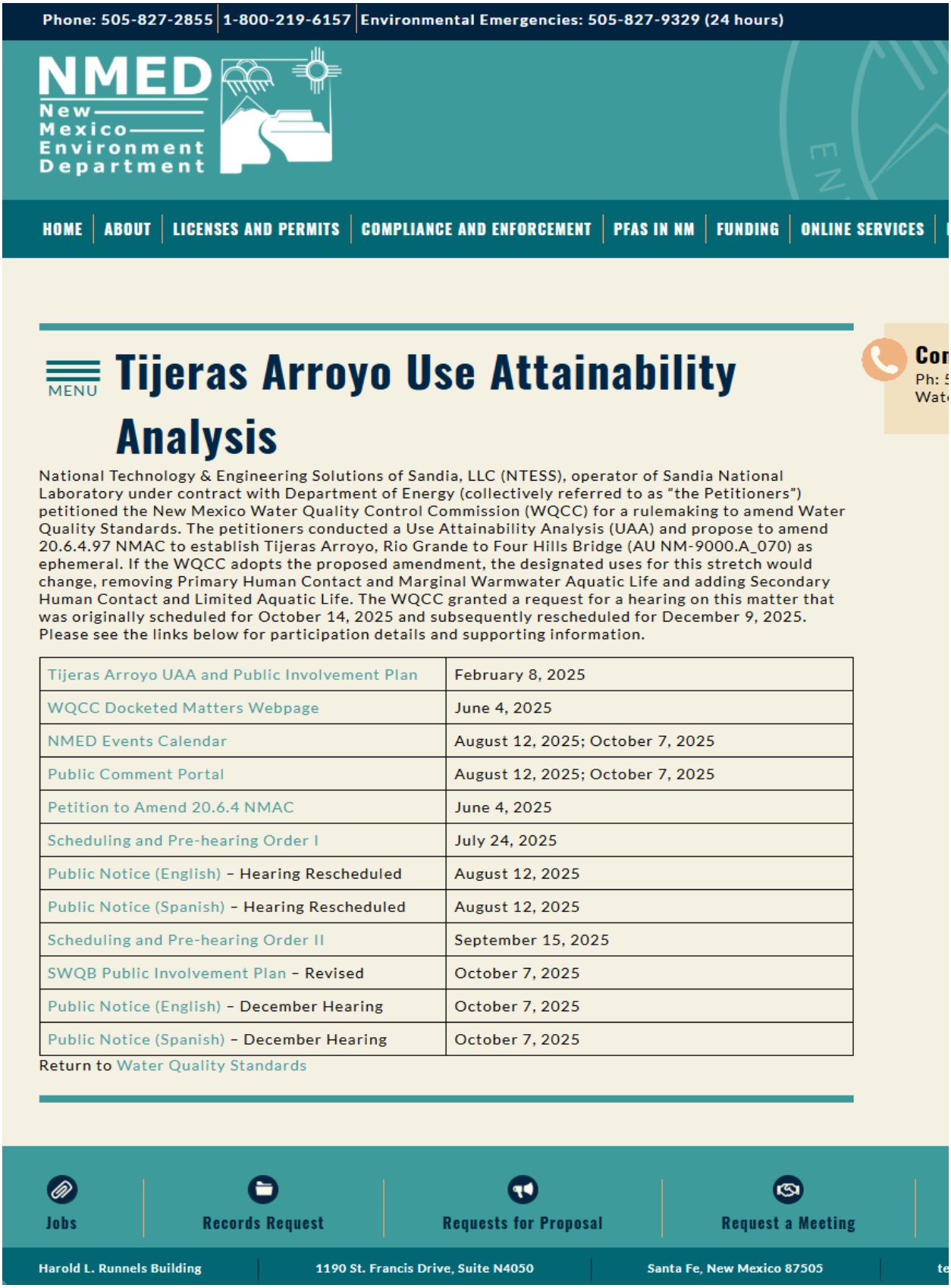
El propósito de la audiencia es considerar el asunto de WQCC 25-28 (R) para enmendar la 20.6.4.97 NMAC, *Estándares para Aguas Superficiales Interestatales y Estatales*, para se añada el tramo Río Grande a Four Hills Bridge del arroyo Tijeras a la lista de aguas efímeras. El proponente de esta adopción y revisión reglamentaria es National Technology & Engineering Solutions of Sandia, LLC.

La norma propuesta y la información técnica complementaria se pueden revisar durante el horario normal de oficina en la Oficina de Calidad de Aguas Superficiales de NMED, 1190 St. Frances Dr., Suite N2000, Santa Fe, NM 87505, en el sitio web de NMED en https://www.env.nm.gov/surface-water-quality/wqs, en el sitio web de asuntos archivados de la Comisión en https://www.env.nm.gov/opf/docketed-matters, o comunicándose con Michael Baca llamando al (505) 470-1652 o por correo electrónico a michael.baca1@env.nm.gov.

NMED no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigen las leyes y regulaciones aplicables. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas sobre los requisitos de no discriminación implementados por 40 C.F.R. Partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, el Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas de la Ley de Control de la Contaminación del Agua de 1972. Si tiene alguna pregunta sobre este aviso o alguno de los programas, políticas o procedimientos de no discriminación de NMED o si cree que ha sido discriminado con respecto a un programa o actividad de NMED, puede comunicarse con:

Kate Cardenas, coordinadora de no discriminación, NMED
1190 St. Francis Dr.
Suite N4050, P.O. Box 5469
Santa Fe, NM 87502
teléfono (505) 827-2855
correo electrónico nd.coordinator@env.nm.gov

También puede visitar nuestro sitio web en https://www.env.nm.gov/general/environmental-justice-in-new-mexico/ para saber cómo y dónde presentar una queja de discriminación.



Phone: 505-827-2855 | 1-800-219-6157 | Environmental Emergencies: 505-827-9329 (24 hours)

NMED New Mexico Environment Department

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Tijeras Arroyo Use Attainability Analysis

National Technology & Engineering Solutions of Sandia, LLC (NTESS), operator of Sandia National Laboratory under contract with Department of Energy (collectively referred to as "the Petitioners") petitioned the New Mexico Water Quality Control Commission (WQCC) for a rulemaking to amend Water Quality Standards. The petitioners conducted a Use Attainability Analysis (UAA) and propose to amend 20.6.4.97 NMAC to establish Tijeras Arroyo, Rio Grande to Four Hills Bridge (AU NM-9000.A_070) as ephemeral. If the WQCC adopts the proposed amendment, the designated uses for this stretch would change, removing Primary Human Contact and Marginal Warmwater Aquatic Life and adding Secondary Human Contact and Limited Aquatic Life. The WQCC granted a request for a hearing on this matter that was originally scheduled for October 14, 2025 and subsequently rescheduled for December 9, 2025. Please see the links below for participation details and supporting information.

Tijeras Arroyo UAA and Public Involvement Plan	February 8, 2025
WQCC Docketed Matters Webpage	June 4, 2025
NMED Events Calendar	August 12, 2025; October 7, 2025
Public Comment Portal	August 12, 2025; October 7, 2025
Petition to Amend 20.6.4 NMAC	June 4, 2025
Scheduling and Pre-hearing Order I	July 24, 2025
Public Notice (English) – Hearing Rescheduled	August 12, 2025
Public Notice (Spanish) – Hearing Rescheduled	August 12, 2025
Scheduling and Pre-hearing Order II	September 15, 2025
SWQB Public Involvement Plan – Revised	October 7, 2025
Public Notice (English) – December Hearing	October 7, 2025
Public Notice (Spanish) – December Hearing	October 7, 2025

Return to Water Quality Standards

Jobs | Records Request | Requests for Proposal | Request a Meeting

Harold L. Runnels Building | 1190 St. Francis Drive, Suite N4050 | Santa Fe, New Mexico 87505

Figure 1. SWQB's website available at https://www.env.nm.gov/surface-water-quality/tijeras-arroyo-uaa/.

Occupational Health and Safety Review Commission

Water Quality Control Commission

WQCC 25-67: In the Matter of the Petition for Hearing on Discharge Permit Renewal and Modification for BL Santa Fe, LLC Permit DP-75

WQCC 25-57: In the Matter of the Petition go Approve Partial Abatement Completion Report for Former Fox and Associate Site

WQCC 25-50: In the Matter of the Petition for Hearing on Discharge Permit Required Determination – Bayer Research and Development Services LLC

WQCC 25-34: In the Matter of Proposed Amendments to 20.6.8 NMAC – Ground and Surface Water Protection – Supplemental Requirements for Reuse of Treated Produced Water

WQCC 25-28: Petition to Amend 20.6.4.97 NMAC to Modify Designated Use of The Rio Grande to Four Hills Bridge Reach of the Tijeras Arroyo

Petition to Amend Designated Use of the Rio Grande to Four Hills Bridge Reach of the Tijeras Arroyo and Request for Hearing	06/04/2025
Entry of Appearance – Maxwell	06/11/2025
Appointment of Hearing Officer	07/09/2025
Entry of Appearance – NMED	07/15/2025
Public Notice – English	07/31/2025
Public Notice – Spanish	07/31/2025
Pre-Hearing Order	08/26/2025
Request for Second Scheduling Conference and Request to Reschedule Rulemaking Hearing	09/08/2025
Public Notice of Re-Scheduled Hearing – English	10/08/2025
Public Notice of Re-Scheduled Hearing – Spanish	10/08/2025
Submit Comments Here	

WQCC 24-75: NMED Surface Water Quality Bureau's First Amended Petition for Approval of the Total Maximum Daily Load for the Upper Rio Grande Watershed (formerly WQCC 22-33)

WQCC 24-73: Petition for Hearing on Discharge Permit Renewal for Hobbs Generating Station

Office of Public Facilitation

The OPF staff are present in the Runnels Building (1190 So. St. Francis Drive Santa Fe, NM) from 8 -5 Monday through Friday with limited availability during the noon hour. To make an appointment for in-person viewing of documents please contact:

The Office of Public Facilitation.....please contact staff below:
Pamela Jones at 505-660-4305 (pamela.jones@env.nm.gov) or

Watch Later

Video recordings of hearings before the Secretary and boards and commissions, as well as boards and commissions meetings, are available on our YouTube channel.

Figure 2. WQCC's website available at https://www.env.nm.gov/opf/docketed-matters/.

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Public Notices

This page lists public notices for rulemakings, permitting actions and any appeals of the action. Any rulemaking hearing or specific permitting or enforcement matter appealed to a board, commission or Environment Department Secretary is found on our Docketed Matters webpage once it is docketed.

Page Search: Search Page

Statewide/Across Multiple Counties

Bernalillo County

Atlas Pumping Company

Water Quality Control Commision (WQCC) 25-28 (R) Tijeras Arroyo UAA

- **Public Notice** – Water Quality Control Commision **(WQCC) 25-28 (R) Tijeras Arroyo UAA**
- **Public Notice Type:** Public Rulemaking Hearing to Amend 20.6.4 NMAC – *Standards for Interstate and Intrastate Surface Waters*
- **WQCC Public Hearing:** 9:00 AM on December 9, 2025, State Capitol Building, 490 Old Santa Fe Trail, Santa Fe, NM, 87501.
- **Virtual participation:** Details provided on NMED's Event Calendar.
- **WQCC Public Notice** – English and Spanish
- **Public Review Documents**
  - SWQB Webpage about New Mexico Water Quality Standards (WQS)
  - WQCC Docketed Matters
  - NTESS Tijeras Arroyo UAA Website
- NMED Public Comment Portal
- Tutorial videos on how to use the Public Comment Portal are available in both English and Spanish.
- **Electronic comments deadline**: Through the end of the hearing.
- **In-person virtual, oral, or written comments:** December 9, 2025. Please see the hearing notice for full participation details.
- **WQCC Public Comment Contact**: Pamela Jones, WQCC Administrator, (505) 660-4305 or pamela.jones@env.nm.gov
- Public Involvement Plan

Figure 3. NMED's public notice website available at https://www.env.nm.gov/public-notices/.

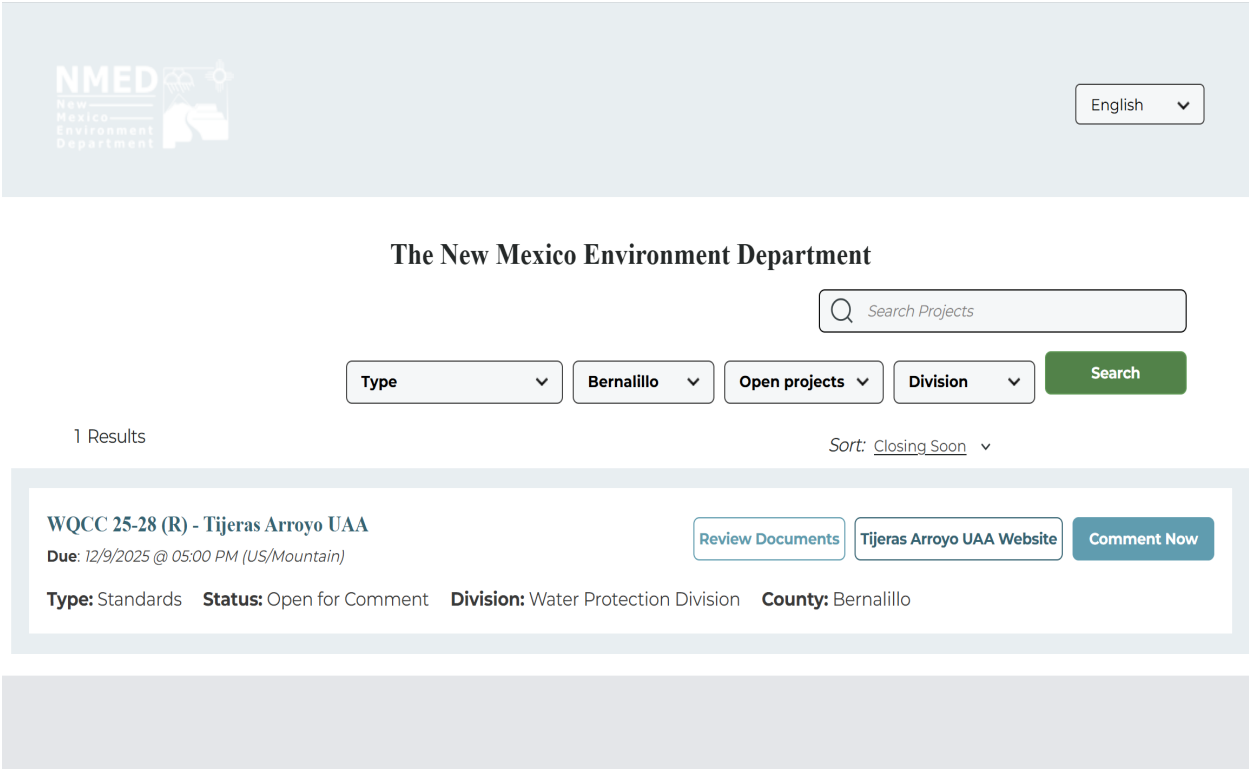

Figure 4. NMED's Public Comment Portal available at https://nmed.commentinput.com/comment/landingPage?lang=EN#.

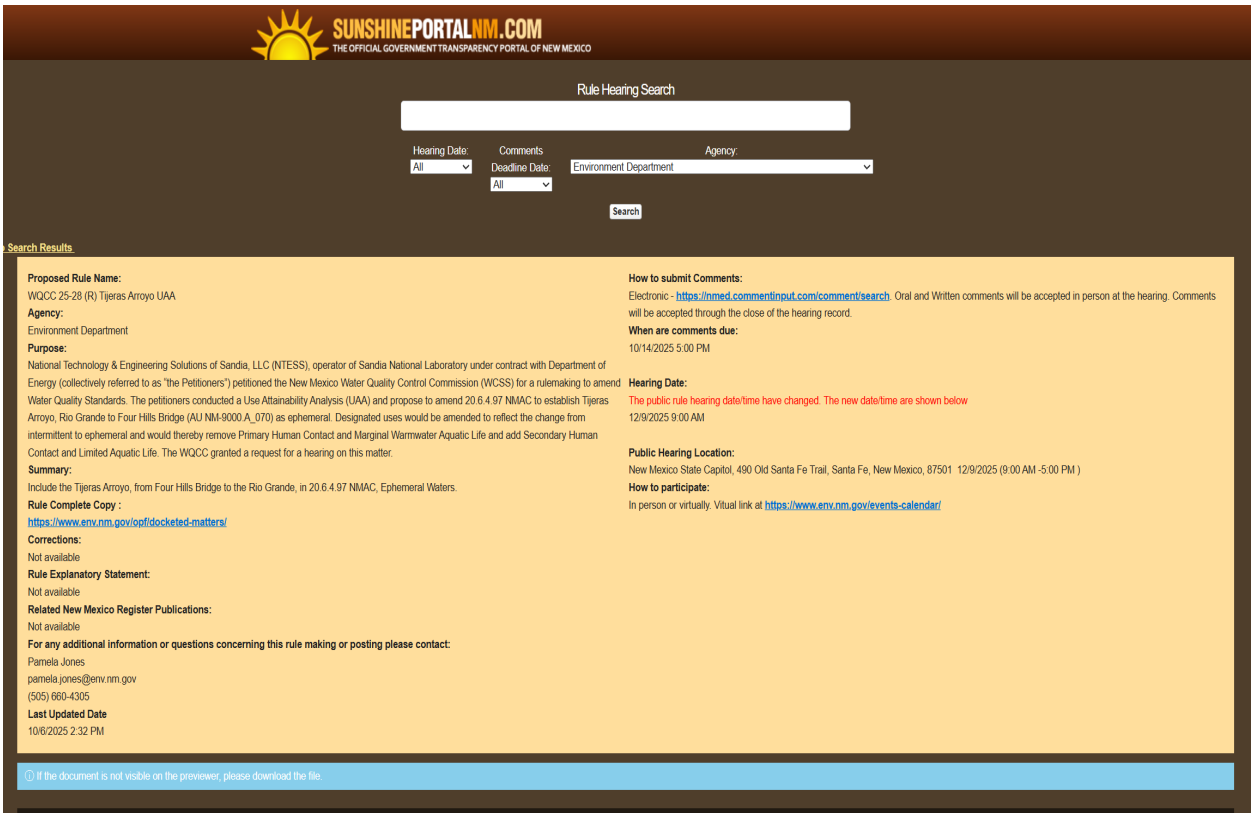

Figure 5. New Mexico Sunshine Portal available at statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic.