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STATE OF NEW MEXICO

PROPOSED REVISIONS TO THE

STATEWIDE WATER QUALITY MANAGEMENT PLAN

Introduction & Work Element 11

NEW MEXICO

WATER QUALITY CONTROL COMMISSION

P. O. Box 26110
Santa Fe, New Mexico 87502

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Introduction
(Revised: ***Date to be determined upon approval by WQCC***)

Purpose

The Statewide Water Quality Management Plan (WQMP) has two primary purposes. First, it is intended to provide a concise summary of the water quality management system in New Mexico (NM), and the roles of the major participants in that system. Second, it is fulfills the requirements of section 208 (area wide waste treatment management plans) and section 303 (continuing planning process) of the federal Clean Water Act and section 74-6-4.B of the NM Water Quality Act, that the State maintain a comprehensive water quality management program.

Historical Perspective

The Federal Water Pollution Control Act (now commonly referred to as the Clean Water Act) was originally adopted in 1948. Amendments to this Act in 1965 for the first time required states to adopt water quality criteria for interstate waters and a plan for implementation and enforcement of the criteria. The NM Water Quality Act was adopted in 1967 by the NM legislature, which created the Water Quality Control Commission (WQCC) and established the authority to adopt water quality standards including water quality criteria consistent with the federal Clean Water Act. In 1972, Congress adopted a major overhaul of the Federal Water Pollution Control Act. The 1972 Act:

(1) Established the National Pollutant Discharge Elimination System (NPDES) permit program to regulate point source discharges of pollutants, by requiring that dischargers meet both water quality-based and technology-based effluent limitations;
(2) Authorized the Environmental Protection Agency (EPA) to establish technology-based effluent limitations for certain categories of dischargers;
(3) Required states to develop a comprehensive and continuing planning process for water quality management (section 303), including the adoption of "area wide waste treatment management plans" (section 208 plans);
(4) Authorized EPA to establish water quality standards where any state fails to adopt standards that meet the requirements of the Federal Act; and
(5) Substantially expanded a program to provide federal grants for the construction of domestic wastewater treatment plants.

The next major changes to the federal Clean Water Act were adopted in 1987. These changes included provisions that:

(1) Established new requirements regarding the permitting of stormwater discharges;
(2) Required that states develop management programs to address nonpoint source water pollution (section 319); and
(3) Phased out the previous federal construction grant program, while authorizing initial federal funding for state revolving loan funds to address water quality management infrastructure needs.

New Mexico has periodically amended the NM Water Quality Act to maintain compliance with federal law, as well as address water quality issues of unique importance to NM.

Background

New Mexico's approach to water quality planning and management has evolved substantially over the last three decades, largely in response to the changing federal and state statutory mandates. Although the state currently conducts water quality planning on a statewide level, these efforts are evolving toward more of a watershed level focus in the context of the statewide planning efforts. (For the purposes of this document the term "watershed" is intended as a flexible concept, referring to an identified geographic area affecting a water body or water segment.) That is, planning and management are moving toward a holistic strategy to protect or attain the desired beneficial uses and levels of water quality within a watershed, including, where appropriate, protection of human health and aquatic ecosystems. A successful watershed protection approach must be founded on cooperative interaction between the federal, state, and local levels of government, and between the public and private sectors.

Institutional Roles and Responsibilities

Understanding who the major participants are in the water quality management system is integral to understanding the process. The following provides a brief summary of the institutional roles and responsibilities of the major participants in water quality management and planning in New Mexico.

Water Quality Control Commission (WQCC) – The NM WQCC is the water pollution control agency for NM and is responsible for developing specific water quality policy in New Mexico, in a manner that implements the broader policies set forth by the Legislature in the NM Water Quality Act.

The WQCC adopts water quality classifications and standards to protect beneficial uses of waters of the state, as well as various regulations aimed at achieving compliance with those classifications and standards. In addition to its formal rulemaking role, the WQCC serves as a forum to facilitate and advance a statewide policy dialogue on a variety of important water quality topics. Additional duties and powers of the Commission are defined in 74-6-4 NMSA 1978.

The twelve members of the WQCC include:

a. Secretary of the Environment Department*
b. Director of the Department of Game and Fish*
c. State Engineer*
d. Chairman of the Oil and Conservation Commission*

e. Director of the State Park and Recreation Division of the Energy, Minerals and Natural Resources Department*
f. Director of the NM Department of Agriculture*
g. Chairman of the Soil and Water Conservation Commission*
h. Director of the Bureau of Mines and Minerals Resources at the NM Institute of Mining and Technology*
i. Representative of County or Municipal Government
j. Three representatives of the public to be appointed by the governor for terms of four years

(*indicates that a Commissioner can appoint a staff member to serve on the Commission in his/her place.)

New Mexico Environment Department (NMED) - The NMED is the agency responsible for implementing and enforcing the regulations adopted by the WQCC. Moreover, the NMED provides the principal source of technical expertise available to the WQCC in its rulemaking and other policy-setting activities. By statute the NMED is authorized to act as staff to the WQCC in proceedings other than adjudicatory or appellate proceedings in which the NMED is a party.

The WQCC has assigned the NMED as the constituent agency to assist in developing water quality classifications and standards, regulating discharges for compliance with those standards through discharge permits issued, performing site application and design and specification reviews of new or expanding domestic wastewater treatment facilities, and undertaking monitoring and enforcement of the statutes and permits. The NMED also oversees water quality management planning, manages state and federal construction grant and loan assistance programs which provide financial support to municipalities for construction or improvement of wastewater treatment facilities, manages the ground water quality protection program with the goal of protecting the public health and beneficial ground water uses, and provides technical assistance to local governments regarding water and wastewater treatment.

The NMED has the responsibility of maintaining, restoring and improving the quality of the state's waters and assuring that safe drinking water is provided from public water systems to the people of the state.

Within the NMED there are primarily three Divisions that handle water quality related issues: the Water and Waste Management Division, the Field Operations Division, and the Administrative Services Division. Divisions are further divided into Bureau's focusing on specific topics. The following provides a description of departmental responsibilities relating to water quality. For a complete description of the NMED, including programs not related to water, go to the Department's website at: http://www.nmenv.state.nm.us.

- Water and Waste Management Division

Department of Energy (DOE) Oversight Bureau: The mission of the DOE Oversight Bureau is to assure that activities at DOE facilities are protective of the public health and safety and the environment. The oversight bureau is tasked with: assessing whether activities at DOE facilities in New Mexico are protective of the public health and environment; providing input into the prioritization of cleanup and compliance activities at DOE facilities; developing and implementing a vigorous program of independent monitoring and oversight, including water quality monitoring; increasing public knowledge of environmental matters about the facilities; and coordinating with local and tribal governments.

Ground Water Quality Bureau (GWQB): The role of the GWQB is to protect the environmental quality of New Mexico's ground water resources as mandated by the NM Water Quality Act and the WQCC regulations (20.6.2 NMAC), and to identify, investigate and clean-up contaminated sites that pose significant risks to human health and the environment. The GWQB issues ground water pollution prevention permits; implements the department's responsibilities under the NM Mining Act to ensure that environmental issues are addressed and standards are met; oversees ground water investigation and remediation activities; and identifies, investigates and remediates inactive hazardous waste sites through: implementation of the federal Superfund program, agreements between the state and responsible parties, and the voluntary remediation regulations. The GWQB also strives to increase industry and public understanding and awareness of the importance of safe ground water supplies in sustaining the quality of life in New Mexico for this and future generations, and the importance of protecting ground water quality through pollution prevention initiatives.

Hazardous Waste Bureau (HWB): The HWB's mission is to provide regulatory oversight and technical guidance to NM's hazardous waste generators and treatment, storage, and disposal facilities. New Mexicans will then be assured that hazardous waste is managed, and contaminated sites are cleaned up, in a manner that is safe and protective of human health and the environment. The HWB also ensures abandoned hazardous substances are handled on an emergency basis and lessens the resulting hazards that may present endangerment to humans. The HWB protects water quality by serving as the central receiving point for all calls regarding chemical, biohazardous, and petroleum product spills, complaints, and incidents within close proximity to or within a waterbody.

Surface Water Quality Bureau (SWQB): The SWQB protects and improves water quality in New Mexico's waters by controlling pollution from both discrete point sources and dispersed nonpoint sources. Operating under the federal Clean Water Act and Safe Drinking Water Act, and the New Mexico Water Quality Act and Utility Operators Certification Act, the SWQB administers watershed restoration grants (Clean Water Act 319 Grant Program), certifies federal National Pollution Discharge Elimination System (NPDES) permits and dredge and fill permits, and provides utility operation certification training. The SWQB also assists the NM WQCC in developing water quality standards for the State, based on data

collected from stream surveys and monitoring conducted by the SWQB. Using the standards, the SWQB develops water quality planning documents identifying pollutant load reductions necessary to attain standards in a reach (Total Maximum Daily Loads) and other documents to better protect NM's surface water quality for future and present generations.

- Field Operations Division (FOD)

  The FOD administers and coordinates the following programs: Liquid Waste, Food Service and Processors, Public Swimming Pool and Public Bath Safety and Sanitation, and Drinking Water programs. The FOD assists counties in the planning and review process for subdivision development. In this capacity, staff provides input in the areas of water quality, and the disposal of liquid and solid waste. The FOD also protects water quality by inspecting individual septic tank systems to prevent potential contamination to surrounding waterbodies.

  Drinking Water Bureau (DWB): The DWB is responsible for carrying out mandates of the Safe Drinking Water Act and implementing the federally funded Public Water Supply Supervision Program (PWSS). The DWB protects drinking water quality by providing technical assistance, system oversight, and source water protection to New Mexico's public water systems.

- Administrative Services Division (ASD)

  Construction Programs Bureau (CPB): The CPB handles water, wastewater, and solid waste construction funding by administering the following programs: NM Clean Water State Revolving Fund (CWSRF), Rural Infrastructure Revolving Loan Program (RIP), NM Solid Waste Facility Grant Fund Program (SWFGFP), NM Special Appropriations Program (SAP), NM Colonias Construction Grants Program, and South Valley Wastewater Facility Construction Program. The CPB makes publicly funded loan and grant program funds available to NM local governments; manages the timely construction and administrative completion of publicly funded water, wastewater, and solid waste projects; and ensures that projects are environmentally sound, of high quality, and that their construction management is free of waste, fraud, and abuse.

Other State Implementing Agencies - Several other state agencies conduct activities that impact water quality and should be considered in the implementation of the WQMP. These include, but are not limited to: the State Engineer's Office; Interstate Stream Commission; Department of Game and Fish; State Parks and Recreation Division, Oil Conservation Division and Mining and Minerals Division, all three of the NM Energy, Minerals, and Natural Resource Department; Oil Conservation Commission; Soil and Water Conservation Districts (SWCDs); NM Department of Agriculture.

Regional/Areawide Planning Agencies - Section 208 of the federal Clean Water Act provides that the Governor of a State must identify areas of the State which, as a result of urban or industrial concentration or other significant factors, have substantial water quality problems. The Governor may designate regional planning agencies for these areas, after consultation with local governmental officials having jurisdiction over the area, to conduct the planning required by section 208. Designated Management Agencies (DMAs) must demonstrate legal, institutional, managerial, and financial capability, and specific activities necessary to carry out their responsibilities. As specified at 40 CFR 130.12(b), Clean Water Act Section 201 funding can only be awarded to DMAs that are in conformance with the statewide WQMP. Accordingly, 84 municipalities, 2 counties, 11 sanitation or water and sanitation districts, 4 state agencies, and 2 Native American tribal entities have been designated wastewater management agencies in the WQMP. One of the two Native American Tribal entities, the Navajo Tribal Utility Authority, has been designated as an interim wastewater management agency. DMAs are further addressed in Work Element 5 of the WQMP.

Watershed-based Water Quality Authorities/Associations/Forums - Over the last several years, increasing interest in a watershed-based approach to water quality management has led to the development of a number of local and regional initiatives in New Mexico. These initiatives reflect a great diversity of organizational models and functional roles. The various initiatives focus on a number of different priorities such as: implementation of site-specific control regulations adopted by the WQCC, information sharing (outreach and education), or implementation of remediation and restoration projects.

The number and nature of these local and regional watershed initiatives in New Mexico is evolving rapidly. No effort is made in this WQMP to comprehensively catalogue or describe such initiatives. Whatever the primary focus, organizational structure, scope and level of formality of these local and regional initiatives, they are expected to play an increasingly important role in water quality management in New Mexico.

Environmental Protection Agency (EPA) - The federal EPA has several roles with respect to NM's water quality control programs. The federal Clean Water Act requires EPA to review state water quality classifications and standards and either approve them as being compliant with the federal act, or to disapprove and promulgate classifications and standards for NM. Total Maximum Daily Loads developed by the state are reviewed and approved by EPA. EPA issues NPDES discharge permits in NM which are certified by the NMED SWQB. EPA is responsible for approving section 208 plans (regional water quality management plans) submitted by states as well as states' continuing planning processes prepared in accordance with section 303(e) of the federal Clean Water Act. Finally, in addition to adopting regulations establishing water quality program requirements that must be met by states, EPA frequently issues guidance documents or policy statements on a variety of water quality topics.

Other Federal Agencies - Several other federal agencies become involved in water quality management in NM in particular circumstances. Federal land management agencies, such as the U.S. Department of Agriculture Forest Service, the Department of Interior Bureau

of Land Management, and the National Park Service, consider water quality protection in their management programs. The U.S. Army Corps of Engineers administers the Clean Water Act section 404 permit program, which regulates the discharge of dredged or fill material that may adversely impact waters of the United States, including wetlands. The Bureau of Reclamation has increasingly included environmental protection considerations into its management of federal water projects. The U.S. Department of Agriculture administers an Environmental Quality Incentive Program under the federal Farm Bill. The U.S. Fish and Wildlife Service (USFWS) consults with other federal agencies under section 7 of the Endangered Species Act regarding activities that may adversely impact threatened or endangered species. The USFWS has entered into a Memorandum of Agreement with EPA regarding consultation with respect to water quality program activities. The U.S. Geological Survey (USGS) undertakes a variety of studies regarding water quality, including the National Water Quality Assessment (NAWQA) program.

General Public - Public participation is an integral part of water quality management in NM. All regulatory actions of the WQCC and the NMED are required to follow appropriate public comment, notice, and hearing requirements. In addition, with respect to other policy-making and non-rulemaking activities of the WQCC and the NMED, an opportunity for public input is often provided; e.g., through informational hearings or public meetings. Moreover, an important aspect of the increasing trend toward a watershed protection approach is assuring a full opportunity for "stakeholder" input into and participation in watershed planning and management activities.

Water Quality Monitoring, Assessment and Reporting

As the Statewide WQMP draws upon water quality monitoring and assessment to identify priorities and recommend control measures, it is important to further understand NM's approach to water quality management and planning.

Monitoring

Monitoring of water quality is an important component of the State's water quality management program. Monitoring and data analysis are essential to identifying and characterizing water quality problems, revising water quality standards, and developing and evaluating the results of control actions. Monitoring information is also essential for calibration of water quality computer models used for pollutant allocation studies. Monitoring can also provide evidence of water pollution in connection with an enforcement action. The goal of the monitoring program is to provide information needed to assess the surface waters and provide information for the State's water quality management activities. The surface water monitoring strategy conducted by the SWQB has many specific program objectives, which can be grouped into the following general categories: river and stream monitoring, including chemical, physical, and biological parameters; lakes and reservoir monitoring; and special studies.

The SWQB's monitoring programs follow standard operating procedures for sample collection, sample processing, field data analysis, and quality assurance/quality control (QA/QC). The SWQB has developed a number of protocols included in the Quality Assurance Project Plan (QAPP) describing the methodologies for collecting various water quality samples. The QAPP is used to ensure that all data used by the NMED is reliable and of a defined level of quality. Mandatory use of the QAPP procedures and associated protocols are key elements in implementing this WQMP.

Assessment

Assessment is the process by which water quality data is transformed into information useful in the development of water quality management documents and decisions. Assessment can be described as the process(es) that leads to the interpretation of data, and the utilization of tools such as computer modeling to simulate various conditions. Water quality information is then used as the basis for water quality management decisions. Assessment activities support nearly all aspects of the water quality management processes described in this document. Assessment of water quality data is essential in determining whether use classifications and water quality standards are being attained, and whether proposals to make changes to such standards and classifications are appropriate. Permit limitations, for municipal and industrial dischargers, also require an assessment of instream water quality conditions, the quality of discharged wastewater, and the allowable levels of various pollutants in the wastewater that will still allow protection of water quality standards.

Other important water quality management processes which may require assessment include: reviews of actions which require an antidegradation analysis to ensure that antidegradation requirements are met; source water protection plans, designed to reduce pollutants and provide safe drinking water quality; and state certification of federal permits under section 401 of the Clean Water Act to ensure that state water quality standards are met.

Reporting

The federal Clean Water Act has two primary requirements for reporting water quality in a state, the "303(d) List," also known as the "List of Impaired Waterbodies" and the "305(b) Report," also called "Water Quality and Water Pollution Control Report." In addition to these federal reporting requirements, the NMED also compiles numerous different documents reporting water quality information, including a biennial "State of the Environment Report," which includes a section devoted to water quality. All reports produced by the NMED are available upon request or from the website at www.nmenv.state.nm.us.

- "303(d) List" - Section 303(d) of the federal Clean Water Act requires states to submit to the EPA a list of waterbodies that do not meet applicable water quality standards. Once listed, the State is required to prioritize these water bodies or segments (rivers, streams, lakes, reservoirs) for analysis of the causes of the water quality problem, and for allocation of the responsibility for controlling the pollution. This analysis is called the total maximum daily load (TMDL) process, which is included in Work Element 1 of this WQMP. Waterbodies and segments are included on the section 303(d) list of impaired waters based on an evaluation of biological, chemical or physical data that demonstrates nonattainment of applicable numeric or narrative standards and therefore designated use impairment.

- "305(b) Report" - Section 305(b) of the federal Clean Water Act requires states to prepare and submit a report biennially to EPA on the status of water quality within the state. The report provides an assessment of water quality in a state, a summary of water quality management programs, and an estimate of the environmental, social and economic impacts associated with achieving the objectives of the Clean Water Act. EPA uses the information contained in the section 305(b) report to report to the United States Congress on progress toward, and the associated benefits and costs of, meeting the goals of the Clean Water Act, and program plans and needs in areas such as permits, grants, effluent guidelines, etc., and mechanisms to implement needed changes.

  At the date of this writing EPA is moving forward with requirements that states integrate the 303(d) List and the 305(b) Report, and is likely that this will be accomplished in NM for the next reporting cycle (2004-2006) following the implementation of the new TMDL Rule.

- "State of the Environment Report" – The NMED prepares this biennial report to inform the public of the current environmental quality of the state. The Department continuously monitors air, land, and water, and evaluates business practices, identifies environmental trends, and implements new federal and state regulations to identify, develop, and sustain a healthy, productive environment. This report features recent Department activities, provides program descriptions, and describes events and initiatives.

Water Quality Classification and Standards

New Mexico's *Water Quality Standards for Interstate and Intrastate Surface Waters* (20.6.4 NMAC) establish water quality standards that consist of the designated use or uses of surface waters of the state, the water quality criteria necessary to protect the use or uses, and an antidegradation policy to prevent degradation of waterbodies with water quality currently above standards.

A designated use refers to those uses specified in Sections 20.6.4.101 through 20.6.4.899 of the *Water Quality Standards for Interstate and Intrastate Surface Waters*. These designated uses currently include: marginal coldwater fishery, coldwater fishery, high quality coldwater fishery, warmwater fishery, limited warmwater fishery, primary contact, secondary contact, irrigation, irrigation storage, livestock watering, fish culture, wildlife habitat, and domestic water supply.

The State establishes both general and site-specific criteria. General water quality criteria are applicable to all surface waters of the state, unless site-specific criteria are elsewhere identified. Site-specific water quality classifications are intended to protect all existing uses of state waters and any additional uses for which waters are suitable or are intended to become suitable. These criteria can either be narrative or numeric criteria. Narrative criteria are general, non-quantified statements of conditions to be met by state waters. Statewide numeric criteria have specific quantitative limits that must be met in order to comply with state water quality standards.

Antidegradation provisions of the *Water Quality Standards for Interstate and Intrastate Surface Waters* apply to all surface waters of the state. The standards state that "where the quality of a surface water of the state exceeds levels necessary to support the propagation of fish, shellfish, and wildlife, and recreation in and on the water, that quality shall be maintained and protected unless the WQCC finds, after full satisfaction of the intergovernmental coordination and the public participation provision's of the state's continuing planning process, that allowing lower water quality is necessary accommodate important economic and social development in the area in which the water is located."

It is important to note that the state of NM does not have jurisdiction to adopt water quality standards for land on Indian pueblos and reservations located within New Mexico's borders.

Monitoring, assessment, and reporting are conducted on a continuous basis, periodically rotating throughout the state so that each watershed is analyzed every five to seven years. As previously mentioned, these activities are the driving force for the development and implementation of the statewide WQMP.

Summary

The Statewide WQMP provides a consistent approach for maintaining, improving, and protecting water quality. Establishing such a plan ensures that the quality of water in the environment is periodically assessed, water quality standards are established to protect designated uses; and sources of pollution that may adversely impact water quality are controlled.

It is important to point out that the WQMP is one of many tools required by the Clean Water Act and the NM Water Quality Act in a programmatic approach to water quality protection. The WQMP is intended to work in conjunction with other important

documents such as the *Continuing Planning Process*, the *NM Standards for Interstate and Intrastate Surface Waters* as well as applicable laws and regulations.

In order to maintain the usefulness of this document into the future, documents that relate to required components of the WQMP (required by 40 CFR 130.6(c)) have been incorporated by reference. Documents incorporated by reference may later be revised, after public notice and participation appropriate to each document and approval by the WQCC. Such revised documents incorporated herein by reference. Documents requiring approval by the EPA are considered incorporated after EPA approval of the revised document. Accordingly, as referenced documents (e.g., Nonpoint Source Management Program, Continuing Planning Process) are updated, the WQMP is effectively updated. This approach is in keeping with current EPA regulations found at 40 CFR 130.6(c).

Work Element 11 – Public Participation Program
(Revised: *Date to be determined upon approval by WQCC*)

Requirements for Work Element 11
This Work Element is not required by federal regulation.

Applicability Statement
This Work Element applies only to those federal Clean Water Act Programs administered by the NM Environment Department's Surface Water Quality Bureau.

Background
Improving New Mexico's surface water quality for present and future generations is a daunting task considering that approximately 45% of New Mexico's perennial streams currently have some level of impaired designation and approximately 74% of the State's lakes do not fully support designated uses (NM Clean Water Act §305(b) Report, 2002). Complicating matters, the major contributor of water pollution is from non-point sources. When rainfall or snowmelt moves over and through the ground picking up and carrying away natural and human-made contaminants, they finally get deposited into our lakes, rivers, streams and wetlands. Given the fact that all individuals living and working in the state affect water quality, public awareness and involvement is crucial to the successful implementation of federal Clean Water Act programs.

Historically, the public's ability to participate in environmental decisions has been limited to review of official government publications such as federal and state registers during defined public comment periods. This includes rules and permit decisions, review of environmental impact statements, and occasional input through a relatively small number of advisory committees. In the early 1980's a shift was made toward a more collaborative process establishing the framework for more multi-stakeholder, consensus-based processes leading toward the expanded public participation initiatives currently being implemented. By implementing this Work Element 11, the SWQB can more effectively promote changes in behavior, and actively improve public involvement to produce both better decisions and greater public acceptance and support for these decisions.

Public participation requirements in programs administered under the federal Clean Water Act are specified in 40CFR25.4 (July 1, 2002), "Public Participation in Programs Under the Resource Conservation and Recovery Act, the Safe Drinking Water Act, and the Clean Water Act." This requires agencies administering these Acts to conduct a continuing program for public information and participation. This program should, at a minimum:

- provide the public with the information and assistance necessary for meaningful involvement;
- provide a central location of reports, studies, plans, and other documents;
- maintain a stakeholder list of affected/interested parties;
- and notify stakeholders in a timely fashion prior to consideration of major decisions (generally should not be less than 30 days).

While the majority of programs administered by the SWQB fall under this federal regulation, some programs have additional, very detailed and specific public participation requirements. The requirements for those programs with additional public participation elements are outlined in the Table below, along with the associated reference.

Public Participation Requirements

Program Element	Actions
Continuing Planning Process (CPP)	• Periodic review by the EPA (*40 CFR 130.5*) • Minimum 30 day public comment period (*Optional*)
Water Quality Management Plan (WQMP) - Formal Updates	• Placement of proposed update on Water Quality Control Commission (WQCC) agenda (*CPP, 1998*) • Minimum 30 day public comment period and opportunity to request hearing (C*PP, 1998*) • Public meetings across state (*Optional*) • NMED Press Release (*Optional*)
WQMP - Administrative Updates	• Placement of proposed update on WQCC agenda (*CPP, 1998*)
Antidegradation Implementation	• *Currently being drafted (CPP revised version as referenced in the Standards for Interstate and Intrastate Surface Waters, 20.6.4 NMAC)* • NMED Press Release (*Optional*)
Water Quality Standards	• Informal public and stakeholder meetings held to gather information (*Optional*) • Placement of proposed draft standards on WQCC agenda to request public hearing (*NM Water Quality Act 74-6-6A*) • Hearing notice published in NM Register and one newspaper of general circulation and mailed to WQCC mailing list (*CPP, 1998; NM Water Quality Act 74-6-6C*) 45 days prior to hearing date; (*45 day notice requirement in 40 CFR 25, 30 day notice requirement in NM Water Quality Act 74-6-6*) • Hearing notice published in additional newspapers in affected area(s) and mailed to entire SWQB mailing list (*Optional*) • NMED Press Release (*Optional*)
Water Quality Surveys	• Conduct Pre-Monitoring Public Meetings prior to conducting the study to inform stakeholders in affected area about upcoming study plan, obtain contacts, and obtain watershed specific information from those living/working within the watershed (*Optional*) • Conduct Public Field Demonstrations at one of the sampling locations during the middle of the study to provide the public an opportunity to observe data collection methods, ask questions, etc. (*Optional*) • NMED Press Release (*Optional*)

Total Maximum Daily Load (TMDL) Documents	• 30 day public comment period (*40 CFR 130.36*) • Public meeting(s) in affected area (*Optional*) • Notice of public comment period and meetings published in at least one newspaper of general circulation and newspaper(s) in affected areas and mailed to stakeholder lists (*Optional*) • NMED Press Release (*Optional*)
List of Impaired Waterbodies (CWA §303(d) List)	• 30 day public comment period (*40 CFR 130.36*) • Notice of comment period published in at least one newspaper of general circulation and newspaper(s) in affected areas and mailed to stakeholder lists (*Optional*) • NMED Press Release (*Optional*)
Request for Proposals (RFPs)	• Published in at least 3 newspapers of general circulation within the state at least 20 days prior to the date set for receipt of proposals (*NM Administrative Code, 1 NMAC 5.2*) • NMED Press Release (*Optional*)

Strategy

1) Fulfill public participation requirements in accordance with appropriate law/regulation/policy by:
    a. Providing the public with the information necessary for meaningful involvement or informing the public of how they can obtain pertinent documents/information. The SWQB utilizes the website (www.nmenv.state.nm.us/swqb) to post notices and documents/information and informs the public how to obtain the documents/information in the public notice. Brochures, newsletters, fact sheets, press releases, and other media are also utilized, as appropriate, to provide the public with the pertinent documents/information.
    b. Providing a central location of reports, studies, plans, and other documents. The SWQB maintains an administrative record, including all study plans and associated documentation (i.e. data, field sheets, etc.). A library of all intensive water quality survey reports is maintained, and reports are available to the public upon request.
    c. Maintaining a stakeholder list of affected/interested parties. The SWQB maintains a database of affected/interested parties. This list includes the WQCC mailing list, the Nonpoint Source Task Force mailing list, environmental organizations, affected entities, and numerous individuals who sign up to receive information. The mailing list is categorized by geographic location and topic(s) of interest and can be subdivided as appropriate. SWQB staff updates the list regularly.
    d. Properly notifying interested parties in accordance with laws/statutes/policies of any upcoming program activities. At a

minimum, SWQB publishes in the required newspapers (and register, if necessary), mails notices to interested parties list asking them to post and/or forward to other interested parties, issues an NMED press release, and posts all pertinent documents along with the public notice on the SWQB's website (www.nmenv.state.nm.us/swqb).

2) Whenever practical and possible expand outreach efforts to maximize public participation by seeking out innovative ways of informing and involving the public.