

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION



No. WQCC 14-05 (R)

In the Matter of:

PROPOSED AMENDMENTS TO
STANDARDS FOR INTERSTATE
AND INTRASTATE WATERS,
20.6.4 NMAC

NOTICE OF SUBSTITUTION OF WITNESS

The New Mexico Environment Department Surface Water Quality Bureau files this Notice of Substitution of Witness to inform the Water Quality Control Commission and the Parties that, due to indefinite medical leave, Ms. Shelly Lemon will adopt the direct and rebuttal testimony previously provided by Dr. James Hogan, and will present testimony at the hearing in his place and sit for cross examination. Ms. Lemon's resume is attached as NMED Exhibit 66.

Respectfully submitted, this the 6th day of October 2015.

NEW MEXICO ENVIRONMENT DEPARTMENT


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Notice of Substitution of Witness* was served on the following on this the 6th day of October 2015, via the stated delivery methods below:

Hand delivery:

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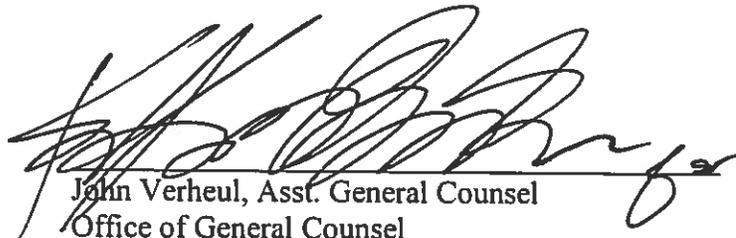
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John Verheul, Asst. General Counsel
Office of General Counsel
New Mexico Environment Department

proposed or new amended federal and state agency policies and procedures, regulations, and technical recommendations.

- Developed standard operating procedures for wastewater sampling and compliance sampling. Evaluated and acquired sampling equipment necessary for monitoring NPDES permitted facilities.
- Investigated regulated facilities for compliance/non-compliance with applicable state and federal surface water quality laws, standards and regulations, and prepared and submitted comprehensive inspection reports that document the status of the facilities regarding the federal NPDES permit program and regulations.
- Collected accurate and detailed information and useable evidence during site investigations to supplement information contained in NPDES permits, to evaluate violations of state surface water quality standards and regulations, and to assist in enforcement.
- Reviewed, analyzed data, and prepared comments relevant to regulatory requirements and surface water quality studies and findings on Environmental Assessments (EA) and Environmental Impact Statements (EIS) submitted to SWQB for review.

Acting Program Manager for Monitoring, Assessment and Standards *and*
Monitoring Team Leader

April 2011 – July 2013

NMED – Surface Water Quality Bureau, Santa Fe, NM

- Managed the Surface Water Quality Bureau's monitoring, assessment, and standards program including writing, submitting, and managing the Clean Water Act Section 106 Supplemental grant on an annual basis with semi-annual updates.
- Oversaw and evaluated the performance of 15 staff.
- Participated in the development and revision of state surface water quality standards and regulations.
- Planned water quality surveys throughout New Mexico that met budgetary constraints and data quality objectives.
- Reviewed, integrated, and assessed data for use in Clean Water Act required activities.
- Prepared water quality reports (e.g. watershed survey summaries, use attainability analyses, TMDLs, etc.) for the public and as a deliverable to EPA.
- Developed protocols to standardize tasks including sample collection, data assessment, and report writing; specifically responsible for developing, updating, and revising the *Field Sampling Plan* and *Physical Habitat* standard operating procedures.
- Represented the Bureau at meetings, professional conferences, workshops, and Water Quality Control Commission meetings.
- Conducted short-term investigations in response to citizen complaints, accidental spills, and other emergencies.
- Maintained analytical results in the SWQB water quality database, prepared retrievals of stored data as requested, and scheduled uploads of data to the EPA's national database.
- Worked with the Bureau's webmaster to create, update, and maintain webpages, resources, and links associated with activities of the Section and Bureau.

Nutrients and Lakes Team Leader *and* TMDL Writer
Monitoring, Assessment and Standards Section

August 2004 – April 2011

NMED – Surface Water Quality Bureau, Santa Fe, NM

- Managed and evaluated the performance of 3 technical staff.
- Prepared watershed planning documents (TMDLs) to improve water quality and conducted public meetings to address stakeholder comments and concerns.
- Presented the final draft documents to the NM Water Quality Control Commission (WQCC) for inclusion and adoption into the State's Water Quality Management Plan.
- Oversaw the nutrient criteria development program for NM's streams, rivers, and lakes.
- Headed efforts in hydrology and monitoring design to develop a *Hydrology Protocol* that distinguishes between ephemeral, intermittent, and perennial waters in New Mexico and to create a practical yet thorough 10-year monitoring and assessment strategy for the Bureau.

Graduate Research Assistant

January 2002 – January 2004

SAHRA – University of Arizona, Tucson, AZ

- Designed, coordinated, and implemented a hydrologic research project to determine the influence of land use and regional hydrology on surface water quality in a semi-arid stream.
- Organized and prepared an objective, scientifically sound thesis describing the methods, results, conclusions, and management implications of this research.
- Co-authored the journal article, "Spatial variability in dissolved organic matter and inorganic nitrogen concentrations in a semiarid stream, San Pedro River, Arizona" for the *Journal of Geophysical Research* Volume: 112, Issue: G3.

Graduate Teaching Assistant

January 2002 – December 2003

University of Arizona, Tucson, AZ

- Assisted in the instruction of an "Introduction to Global Change" class for undergraduates and a "Fundamentals of Water Quality" class for graduates.
- Developed hands-on activities to enhance global awareness and environmental stewardship.
- Designed and facilitated a final project to encourage critical analysis and informed decision-making.

PROFESSIONAL EXPERIENCE IN EDUCATION

Middle School Science Teacher

2013 – 2014 School Year

Academy of Technology and the Classics, Santa Fe, NM

- Taught life science and physical science in a traditional high school setting.
- Provided students with awareness, knowledge, and appreciation of science through activities, laboratories, simulations, and web-based experiences.
- Applied a variety of teaching and assessment strategies to properly evaluate the diversity of learning styles and abilities of 130 students.
- Maintained a website and an electronic gradebook to inform students and parents of lesson plans, class progress, and individual achievement.
- Provided students and parents with the opportunity for feedback and personal attention during phone calls, weekly tutorials, and conferences.
- Designed and implemented a rigorous yet age-appropriate curriculum to meet New Mexico's state standards for middle school science.
- Created and implemented a classroom management plan that promoted student learning, mutual respect, and a healthy classroom environment.

Science Teacher

August 1998 – June 2001

Chino Valley High School, Chino Valley, AZ

- Instructed biology, hydrology, and marine science in a traditional high school setting.
- Provided students with science-based experiences through laboratory activities, class field trips, and field research.
- Applied a variety of teaching and assessing strategies to adapt to a diversity of learning styles and abilities.
- Created a marine science curriculum to meet the requirements of a laboratory science.