**Meeting Minutes**

New Mexico Water Quality Control Commission Meeting

November 12, 2019

9:00 a.m.

State Capitol Building, Room 307

490 Old Santa Fe Trail

Santa Fe, New Mexico 87501

**MEMBERS PRESENT:**

Jennifer Pruett  
Chair, New Mexico Environment Department

Gabriel Wade  
Vice Chair, Oil Conservation Division

Dr. Abinash Achrekar  
Department of Health

Keith Candelaria  
Member-at-Large

David Certain  
State Parks Division, Energy, Minerals and Natural Resources Department

Larry Dominguez (teleconference)  
Department of Agriculture

Howard Hutchinson  
Soil and Water Conservation Commission

Krista McWilliams  
Member-at-Large

Kelsey Rader  
Member-at-Large

David Sypher  
Municipal and County Representative

Bruce Thomson  
Member-at-Large

Stacy Timmons  
New Mexico Bureau of Geology and Mineral Resources

**MEMBERS ABSENT:**

Ghassan Musharrafieh  
New Mexico State Engineer and Intrastate Stream Commission

Kirk Patten  
New Mexico Game and Fish
OTHERS PRESENT:
John Kreienkamp
Cody Barnes
Rebekah Martinez
Andrew Knight
Pete Domenici Jr.
Chris Vigil
Shelly Lemon
Jennifer Fullam

Commission Counsel
Commission Administrator
Commission Administrator
Counsel for NMED in WQCC 19-30(A)
Counsel on behalf of JVP, Former Fox and Associate Site
Counsel for NMED in WQCC 19-46 (R)
Surface Water Quality Bureau Chief
Surface Water Quality Bureau

Please see attached sign-in-sheet for others present.

The Chair called the meeting to order at 9:00 a.m.

Item 1. Roll Call.

The Administrator called the roll; a quorum was present.

Item 2. Approval of the Draft Agenda.

Action: Vice Chair Wade moved to approve the draft agenda. Commissioner Sypher seconded the motion. The Chair called a voice vote. The motion passed unanimously.

Item 3. Approval of meeting minutes from October 08, 2019.

Action: Commissioner Certain moved to approve the meeting minutes from October 08, 2019. Commissioner Hutchinson seconded the motion. The Chair called a voice vote. The motion passed unanimously.

Item 4. Public comment.

Action: No members of the public wished to speak.

Item 5. Settlement update and discussion on the Commission’s jurisdiction over the matter. WQCC 19-30 (A), In the Matter of the Petition to Approve Partial Abatement Completion Report for Former Fox and Associate Site. Andrew Knight, Office of General Counsel, NMED; Pete V. Domenici, Jr. Esq., Domenici Law Firm PC, Counsel on behalf of JVP, Former Fox and Associate Site. Time estimate: 30 minutes.

Action: Mr. Pete Domenici Jr., counsel for JVP, Former Fox and Associate Site, filed a Notice of Withdrawal of Petition during the meeting. Mr. Domenici explained that both parties were able to come to an agreement.
Item 6. Request for Hearing; WQCC 19-46 (R), In the Matter of the Petition to Amend 20.6.4 NMAC, Establishing a Nutrient Temporary Standard. Chris Vigil, Office of General Counsel, NMED; Shelly Lemon and Jennifer Fullam, Surface Water Quality Bureau, NMED. Time estimate: 15 minutes.

Mr. Chris Vigil, counsel for NMED, explained the proposed amendments with the help of Shelly Lemon and Jennifer Fullam, both with NMED Surface Water Quality Bureau.

Mr. Vigil requested that a hearing be held in March 2020 and a hearing officer be appointed. Commissioner Thompson moved to approve a scheduled hearing in March 2020. Vice Chair Wade seconded the motion. The motion passed unanimously.

Chair Jennifer Pruett volunteered to serve as the hearing officer for the March 2020 hearing. Commissioner Dominguez moved to appoint Chair Pruett as the hearing officer. Commissioner Hutchinson seconded the motion. The motion passed unanimously.

Item 7. Next meeting and upcoming matters proposed for December 10, 2019

Action: There are no upcoming matters yet for the December 10, 2019 meeting. No action was taken. The meeting may be cancelled if there is no business to discuss.

Item 8. Adjournment

Action: The meeting adjourned at 9:13AM.

Jennifer Pruett
Commission Chair Pruett