

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

**IN THE MATTER OF THE PETITION  
FOR PROPOSED AMENDMENTS  
TO 20.6.4.9 NMAC, DESIGNATION  
OF WATERS OF THE UPPER PECOS  
WATERSHED AS OUTSTANDING  
NATIONAL RESOURCE WATERS**

**WQCC No. 20-18 (R)**

**San Miguel County, the Village of Pecos,  
the New Mexico Acequia Association,  
Molino de la Isla Organics LLC, and  
the Upper Pecos Watershed Association,**

**Petitioners.**

**ORDER SCHEDULING PUBLIC HEARING AND APPOINTING HEARING OFFICER**

THIS MATTER came before the Water Quality Control Commission (“Commission”) during its regularly scheduled meeting on May 12, 2020, on the Petition to Designate the Waters of the Upper Pecos Watershed as Outstanding National Resource Waters, and Request a Hearing (“Petition”) filed on April 20, 2020 by San Miguel County, the Village of Pecos, the New Mexico Acequia Association, Molino de la Isla Organics LLC, and the Upper Pecos Watershed Association (“Petitioners”). Kelly Nokes and Erik Schlenker-Goodrich, counsel for Petitioners, and John Verheul, counsel for the New Mexico Environment Department (“Department”) appeared at the meeting. The Commission having heard from the attorneys for both parties, having-duly considered the Petition, and being otherwise sufficiently advised in the premises:

**IT IS THEREFORE ORDERED:**

1. Pursuant to 20.1.6.205 NMAC, the public hearing shall be held in Santa Fe, New Mexico during the Commission’s regularly scheduled meeting on Tuesday, November 10, 2020, and may continue thereafter if the Commission deems necessary.
2. Public notice of the public hearing shall be given as provided in 20.1.6.201 NMAC.
3. The public hearing shall be conducted in accordance with the Commission’s

rulemaking procedures in 20.1.6 NMAC.

4. The Commission may deliberate immediately following the conclusion of the public hearing or at a subsequent meeting, but shall reach its decision no later than sixty (60) days following the close of the record or the date the Hearing Officer's report is filed, whichever is later, as required by 20.1.6.306(C) NMAC.

5. Pursuant to 20.1.6.100 NMAC, the Commission appointed Felicia Orth as the Hearing Officer to conduct the public hearing, and to exercise all powers and duties prescribed or delegated under 20.1.6 NMAC.

6. The Commission may issue such other orders specifying procedures for conduct of the public hearing, in addition to those provided by 20.1.6 NMAC, as may be necessary and appropriate to fully inform the Commission of the matters at issue in the public hearing or to control the conduct of the public hearing, as provided by 20.1.6.200(D) NMAC.

Dated this 3rd day of June, 2020.

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Jennifer J. Pruett, Chair  
Water Quality Control Commission

**CERTIFICATE OF SERVICE**

I hereby certify that on June \_\_\_\_\_, 2020 a copy of the foregoing **Order Scheduling Public Hearing and Appointing Hearing Officer** was emailed to the persons listed below. A copy will be mailed first class upon request.

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