

**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 RESOURCES 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 RESCHEDULING PUBLIC HEARING AND
AFFIRMING DECRETAL PROVISIONS OF PREVIOUS ORDER**

THIS MATTER first 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 filed on April 20, 2020, filed by Petitioners San Miguel County, the Village of Pecos, the New Mexico Acequia Association, Molino de la Isla Organics LLC, and the Upper Pecos Watershed Association (collectively “Petitioners”). On June 3, 2020, the Commission entered an Order Scheduling Public Hearing and Appointing Hearing Officer, setting the public hearing for November 10, 2020 in Santa Fe, New Mexico, and appointing Felicia Orth as the Hearing Officer to conduct the public hearing. However, due to extenuating circumstances, notice to the public of the proposed rulemaking as required 20.1.6.201 NMAC was not timely provided. Consequently, the matter came before the Commission again during its regularly scheduled meeting on October 13, 2020, for rescheduling of the public hearing and related matters.

IT IS THEREFORE ORDERED:

A. In accordance with 20.1.6.205 NMAC, the public hearing shall be held using a Cisco WebEx

platform during the Commission's regularly scheduled meeting on Tuesday, April 13, 2021, and the public hearing may be continued thereafter if the Commission deems it necessary.

B. Per the oral stipulation of Petitioners' counsel, Kelly Nokes, (1) Petitioners shall bear and promptly pay all costs and expenses of publishing public notice for the proposed regulatory changes as required in 20.1.6.201 NMAC, and (2) Petitioners' counsel shall work with the Commission's Administrator to timely prepare and publish in due form all required public notices.

C. Except as expressly modified by Paragraphs A and B above, the provisions in the Order Scheduling Public Hearing and Appointing Hearing Officer filed in this matter on June 3, 2020, are affirmed in all material respects.

DATED this 2nd day of November, 2020.

**Jennifer
Pruett**

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Jennifer Pruett
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Jennifer J. Pruett
Commission Chair

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2020 a copy of the foregoing Order Rescheduling Public Hearing was emailed to the persons listed below. A copy will be mailed first class upon request.

John Verheul
Office of General Counsel
New Mexico Environment Department
121 Tijeras Ave, NE #1000
Albuquerque, NM 87102
john.verheul@state.nm.us
Counsel for the New Mexico Environment Department

Erik Schlenker-Goodrich
Kelly E. Nokes
Western Environmental Law Center
208 Paseo del Pueblo Sur, No. 602
Taos, NM 87571
eriksg@westernlaw.org
nokes@westernlaw.org
beasley@westernlaw.org
Counsel for the Petitioners

Robert F. Sanchez
New Mexico Office of the Attorney General
408 Galisteo St.,
Santa Fe, NM 87501
rfsanchez@nmag.gov
Counsel for the Water Quality Control Commission

Pamela Jones Digitally signed by Pamela Jones
Date: 2020.11.03 13:13:48 -07'00'

Pamela Jones, Commission Administrator
Water Quality Control Commission
P.O. Box 5469
Santa Fe, NM 87502
Phone: (505) 660-4305
Email: pamela.jones@state.nm.us