



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive, Suite S-2102
Santa Fe, New Mexico 87505
Phone: (505) 827-2425
Fax: (505) 827-2836**

CONSTITUENT AGENCIES

**Environment Department
Game and Fish Department
Department of Agriculture
State Parks Division
Bureau of Mines and Mineral Resources**

**State Engineer & Interstate Stream Commission
Oil Conservation Division
Department of Health
Soil and Water Conservation Commission
Members-at-Large**

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
June 14, 2016
9:00 a.m.
State Capitol Building, Room 307
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

**Ryan Flynn
Larry Dominguez
Scott Dawson
Christy Tafoya**

**Edward Vigil
Jane DeRose-Bamman
Howard Hutchinson
Emily Geery**

**Chair, New Mexico Environment Department
Vice Chair, Department of Agriculture
Oil Conservation Division
State Parks Division, Energy, Minerals and Natural
Resources Department
Member-at-Large
Water Utility Authority
Soil and Water Conservation Commission
Office of the State Engineer**

MEMBERS ABSENT:

**Hoyt Pattison
Matthias Sayer
John Waters
Deborah Dixon**

**Member-at-Large
Department of Game and Fish
Member-at-Large
Office of the State Engineer**

OTHERS PRESENT:

**Morris Chavez
Pam Castañeda**

**Hearing Officer
Commission Administrator**

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.

Roll was taken; a quorum was present.

Item 2. Approve the Agenda.

Action: The Chair entertained a motion to approve the agenda. Mr. Dominguez so moved. Ms. DeRose-Bamman seconded the motion. The motion passed unanimously.

Item 3. Approval of meeting minutes from May 10, 2016.

Action: The Chair entertained a motion to approve the meeting minutes. Mr. Dawson moved to approve the minutes for the May 10, 2016, meeting. Mr. Dominguez seconded the motion. The motion passed unanimously.

Item 4. WQCC 15-05 (CO). In the Matter of Enterprise Products Operating LLC, a Texas Limited Liability Company. Commission consideration of Settlement Agreement and Stipulated Final Order.

Action: Allison Marks, Assistant General Counsel, and Tony Delfin, Deputy Secretary, appeared on behalf of the New Mexico Energy, Minerals and Natural Resources Department. Earl DeBrine, Modrall, Sperling, Roehl, Harris & Sisk, P.A., substituted for William Scott and Sarah M. Stevenson on behalf of Petitioner Enterprise Products Operating, LLC. Ms. Marks gave a brief summary of the case and noted that Cabinet Secretary David Martin and Deputy Secretary Delfin worked hard with Enterprise to arrive at a Settlement Agreement and Final Order. Deputy Secretary Delfin gave a brief summary on how Energy, Minerals and Natural Resources came to a resolution with Enterprise. The New Mexico Oil and Conservation Division also engaged in the discussions to resolve this matter.

The Chair entertained a motion to approve the Settlement Agreement and Stipulated Final Order. Mr. Hutchinson so moved. Mr. Dominguez seconded the motion. Mr. Dawson abstained for the reason that he works with the Oil and Conservation Division and they administered the penalty. The motion passed 7-0 with one abstained.

Item 5. Approval of requested modifications to the 2016-2018 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report and List.

Action: On May 10, 2016, at the regularly scheduled WQCC meeting, Ms. Guevara gave a brief presentation regarding the 2016-2018 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report List. During the meeting, the Chair entertained a motion to approve the 2016-2018 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report and List, subject to the modifications that

had been discussed and proposed by the Commission. Mr. Hutchinson so moved. Mr. Dawson seconded the motion. The motion passed unanimously.

John Verheul, Office of General Counsel, introduced Lynette Guevara, Monitoring and Assessment Section of the Surface Water Quality Bureau. They brought back a draft document with redline strikeouts and the modifications that had been requested by the Commission for approval.

Mr. Hutchinson proposed an amendment in the second to last sentence on page 4. He proposed to insert the word probable between leading and sources of impairment in New Mexico rivers and streams where Total Maximum Daily Load's (TMDL's) have been prepared. The Chair entertained a motion to approve the amendment provided by Commissioner Hutchinson. Mr. Hutchinson so moved. The Chair stated there was a motion to approve the revised integrated report subject to the amendment by Mr. Hutchinson. Mr. Dawson seconded. The motion passed unanimously.

Item 6. WQCC 14-05 (R). In the Matter of Proposed Amendments to Standards for Interstate and Intrastate Waters, 20.6.4 NMAC. Continued Deliberations.

Action: Cheryl Arreguin of Kathy Townsend Court Reporters recorded and transcribed the continued deliberations for WQCC 14-05 (R). The transcript is available in the office of the Commission Administrator.

The Commission continued deliberations on WQCC 14-05 (R). The deliberations will continue at the next regularly scheduled WQCC meeting.

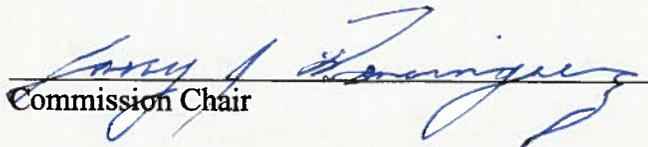
Item 7. Next meeting August 9, 2016.

Action The Chair will be stepping down. Appointment of a new Chair will be scheduled for the next WQCC meeting.

Wade Jackson will no longer serve as Commission Counsel. He has left state government and is now working in private practice. A new attorney will be assigned from the Office of the Attorney General or a constituent agency.

Item 8. Adjournment.

Action: The Chair entertained a motion to adjourn the meeting. Ms. DeRose-Bamman so moved. Mr. Dominquez seconded the motion. The motion passed unanimously and the Chair adjourned the meeting at approximately 1:33 p.m.


Commission Chair