



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

1190 St. Francis Drive

Post Office Box 26110

Santa Fe, New Mexico 87502

Telephone (505) 827-2425 Fax (505) 827-2836

**Constituent Agencies**

Environment Department

State Engineer & Interstate Stream Commission

Game and Fish Department

Oil Conservation Division

Department of Agriculture

State Parks Division

Soil and Water Conservation Commission

Bureau of Geology and Mineral Resources

Municipal/County Representative

Members -at Large

Minutes of the  
New Mexico Water Quality  
Control Commission Meeting  
August 14, 2001

The New Mexico Water Quality Control Commission (WQCC) meeting was held on August 14, 2001, at 9:00 AM at the State Capitol Building, Room 321, corner of Paseo de Peralta and Old Santa Fe Trail, Santa Fe, New Mexico.

**Members present:**

Greg Lewis	Acting Chairman, New Mexico Environment Department
John Whipple	State Engineer & Interstate Stream Commission
Julie Maitland	Department of Agriculture
Larry Bell	Department of Game and Fish
Howard Hutchinson	Soil and Water Conservation Commission
Lynn Brandvold	Bureau of Geology and Mineral Resources
Bill Olson	Oil Conservation Division
Steve Glass	City of Albuquerque - Municipal/County Representative
Dr. Conrad Keyes	Member-at-Large
Irene Lee	Member-at-Large
Jack Westman	Member-at-Large

**Members absent:**

David Johnson	State Parks Division
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**Others present:**

Pat Simpson	WQCC Counsel
Maria Voyles	WQCC Administrator
Jennifer Pruet	NMED Counsel
Erik Galloway	NMED WWMD
David Hogge	NMED SWQB
Steven Pierce	NMED SWQB

Others present continued:

Kelly Bitner	Neptune and Co.
Mary Heather Noble	NMED GWB
Marcy Leavitt	NMED GWB
Karen Menetry	NMED GWB
Sue E. Umshler	L & R Planning Associates
Elaine Chimno	Citizens for Environmental Safeguards
Cathy Ratcliff	GGI
Bruce Thomson	private citizen
Zane Spiegel	La Cienega Citizens for Environmental Safeguards
Peter Luthiger	NMMA

**Item 1: Roll Call**

Maria Voyles, WQCC administrator, took roll call.

**Item 2: Approval of the Agenda**

Ms. Voyles informed the Commission that Item #4: CJM, Inc., Henry Medina, and Southwest Septic - WQCC 01-05(CO), had been withdrawn by the Petitioner's Counsel. Commissioner Olson moved to approve the agenda as amended. Commissioner Whipple seconded the motion. The motion passed unanimously

**Item 3: Approval of the minutes of the July 10, 2001, meeting**

Commissioner Brandvold moved to accept the minutes as corrected. Commissioner Keyes seconded the motion. The motion passed unanimously.

**Item 4: Appointment of hearing officer in the matter of CJM, Inc., Henry Medina, and Southwest Septic. WQCC 01-05(CO)**

This item was removed as the Counsel for the Petition withdrew the request on August 10, 2001.

Commissioner Glass, upon Mr. Hogge's recommendation, moved to combine items 5 and 6 as they are all in the same presentation. Commissioner Keyes seconded the motion. The motion passed unanimously.

**Items 5 and 6 were combined: #5 Start the 30-day public comment period for the draft TMDLs on: Centerfire Creek (conductivity), Tularosa River (conductivity), San Francisco River (temperature), South Fork of Negrito Creek (temperature), Mogollon Creek (chronic aluminum), East Fork of the Gila River (chronic aluminum), Taylor Creek (chronic aluminum), Taylor Creek (temperature), Black Canyon Creek (temperature) and Whitewater Creek (turbidity) #6 Start the 30-day public comment period for 303(d) listing update for the Gila River and San Francisco River watersheds.**

Mr. Hogge provided handouts and made a presentation that was read into the record. Commissioner Olson asked if the de-listings were based on results from recent water samples. Mr. Hogge stated that they were. Commissioner Olson also asked what the previous listing was based on. Mr. Hogge stated that they were listed because of water quality exceedances based on designated uses previously determined by elevation.

**Item 7: Hearing and possible action on NMED petition to amend sections 20.6.2.1 through 20.6.2.399 and sections 20.6.2.5000 through 20.6.2.5300 of the WQCC regulations to revise Underground Injection Control well requirements and to make general changes. WQCC 01-12 – GWQB**

A hearing was held and a discussion followed. Mr. Lewis served as the Hearing Officer. The hearing was recorded by a court reporter from Kathy Townsend Court Reporters.

Commissioner Glass moved to accept the changes as discussed in the hearing. Commissioner Keyes seconded the motion.

Commissioner Hutchinson stated that he had some concerns regarding the cost estimates for the rural communities. Commissioner Hutchinson also stated that the State Constitution requires that funding be provided for mandated items, and questioned where the funding would come from.

Commissioner Olson stated that neither the law nor the regulations are being changed and that the proposed changes just codify the regulations in response to EPA's requirements.

Commissioner Brandvold stated that if we do not adopt the changes, the State will lose primacy and EPA will take over.

Greg Lewis	yes
John Whipple	yes
Julie Maitland	yes
Larry Bell	yes
Howard Hutchinson	no
Lynn Brandvold	yes
Bill Olson	yes
Steve Glass	yes
Dr. Conrad Keyes	yes
Irene Lee	abstain
Jack Westman	yes
Dave Johnson	absent

The motion passed with nine "yes" votes.

**Item 8: Other business.**

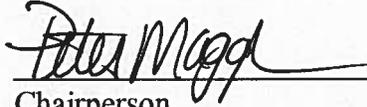
The Commission requested copies of the letter from Secretary Maggiore, dated August 8, 2001, that was sent to Mr. Bixby, Southwest Environmental Center, and to Scott Cameron, Forest Guardians. Ms. Voyles stated that copies would be mailed on Wednesday, August 15, 2001.

A map of the location for the October meeting was requested. Commissioner Keyes stated he can provide directions.

Commissioner Whipple would like an update on items 5 and 6 at the next meeting. Ms. Voyles stated that she would put it on the agenda.

**Item 9: Next Meeting.**

Ms. Voyles stated that the next meeting would be held at the Land Office on September 11, 2001. Commissioner Hutchinson moved to adjourn the meeting. Commissioner Olson seconded the motion. The motion passed unanimously.



Chairperson