



**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION  
1190 St. Francis Drive, Suite S-2102  
Santa Fe, New Mexico 87505  
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**CONSTITUENT AGENCIES**

<b>Environment Department</b>	<b>State Engineer &amp; Interstate Stream Commission</b>
<b>Game and Fish Department</b>	<b>Oil Conservation Division</b>
<b>Department of Agriculture</b>	<b>Department of Health</b>
<b>State Parks Division</b>	<b>Soil and Water Conservation Commission</b>
<b>Bureau of Mines and Mineral Resources</b>	<b>Members-at-Large</b>

**Meeting Minutes  
New Mexico Water Quality Control Commission  
Regular Meeting  
10/10/17  
9:00 a.m.  
State Capitol Building, Room 307  
490 Old Santa Fe Trail  
Santa Fe, New Mexico 87501**

**MEMBERS PRESENT:**

Larry Dominguez	Chair, Department of Agriculture
Jane DeRose-Bamman	Water Utility Authority (Teleconference)
Howard Hutchinson	Soil and Water Conservation Commission (Teleconference)
Richard Goodyear	New Mexico Environment Department
Edward Vigil	Member-at-Large
Scott Dawson	Oil Conservation Division
Nelia Dunbar	New Mexico Bureau of Geology and Mineral Resources (Teleconference)
Donald Jaramillo	New Mexico Game and Fish
John Waters	Member-at-Large (Teleconference)

**MEMBERS ABSENT:**

Christy Tafoya	State Parks Division, Energy, Minerals and Natural Resources Department
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**OTHERS PRESENT:**

John Grubestic	Commission Counsel
Pam Castañeda	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 noted that there was one revision to the agenda. The Commission received in their packets, dated October 5, 2017, a Notice of Withdrawal of the Notice of Deficiency by the New Mexico Environment Department. It was filed pursuant to 20.1.3.22 C. NMAC. The Chair read rule 20.1.3.22 (C)(2)(f). Item number 5, WQCC 17-05 (A). In the Matter of the Notice of Deficiency: Final Site Investigation Report and Stage 2 Abatement Plan for McCatharn Dairy, Albuquerque, New Mexico, Dated August 10, 2017. Request for Hearing and Appointment of a Hearing Officer is therefore vacated by rule. Pursuant to the Open Meetings Act Resolution a Draft-Agenda will be given seventy-two (72) hours in advance of the meeting date. Due to the time frame the Chair choose to leave item 5 on the Draft-Agenda and revise during the meeting. The Chair moved to strike item 5 from the agenda. Mr. Hutchinson moved to approve the Draft Agenda with the change. Mr. Vigil seconded the motion. The motion passed unanimously.

**Item 3. Approval of meeting minutes from September 12, 2017.**

**Action:** The Chair noted that there was a hand full of revisions to the minutes. Page 2 line 69 should be revised to read the motion passed unanimously 6-0 instead of 5-0. On page 3 Line 83 after Bronson, insert comma with Bernalillo County comma. Line 83 should read Kali Bronson, with Bernalillo County, provided public comment. Line 85 Kathy Verhage is spelled Verhage. Page 3 line 88 in the first sentence MS 4 should be inserted between the and permit. The end of the line should read give an update on the MS4 permit. Line 115 the sentence in the middle of that line reads the vote was 6-0, a period should be added after 0. Line 122 the word public should be stricken and WQCC should be inserted instead. Line 125 lists item 6 which should be item 9. The paragraph starting on line 119 should be changed to add at the end of the first sentence, the Administrator indicated that WQCC 17-05 (A) is scheduled for September. On page 3 line 122 insert need to after will. This portion of the line should read, this item will need to be on the agenda for the next WQCC meeting. Line 128 page 4 at the end of the sentence strike a.m. and make it p.m. The Chair entertained a motion to approve the meeting minutes from September 12, 2017, as revised. Mr. Dawson moved to approve the September 12, 2017, minutes as revised. Mr. Hutchinson seconded the motion. The motion passed unanimously. Mr. Waters abstained.

**Item 4. WQCC 17-06 (R). In the Matter of Proposed Revisions to the Rulemaking Rules for the Water Quality Control Commission, 20.1.6 NMAC. Request for Hearing and Appointment of a Hearing Officer.**

**Action:** Christopher Atencio, Office of General Counsel of the New Mexico Environment Department (“NMED”) petitioned the Commission to request a hearing to be set and appoint a Hearing Officer. Mr. Atencio gave a summary regarding the Proposed Revisions to the Rulemaking rules for the Water Quality Control Commission, 20.1.6 NMAC. Mr. Atencio requested to set the hearing for January 9, 2018, WQCC meeting and appoint a Hearing Officer. The Chair questioned Mr. Atencio. The Chair entertained a motion to schedule WQCC 17-06 (R) for the January 9, 2018, regular scheduled WQCC meeting and assign Erin Anderson as the Hearing Officer. Ms. DeRose-Bamman so moved. Mr. Dawson seconded the motion. The Chair asked the Commission Administrator to take a roll call vote. The motion passed unanimously 9-0.

**Item 5. WQCC 17-05 (A). In the Matter of the Notice of Deficiency: Final Site Investigation Report and Stage 2 Abatement Plan for McCatharn Dairy, Albuquerque, New Mexico, Dated August 10, 2017. Request for Hearing and Appointment of a Hearing Officer.**

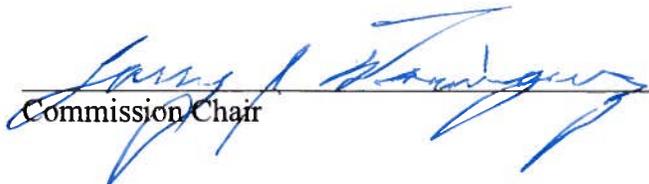
**Action:** Stricken from the agenda.

**Item 6. Next meeting November 14, 2017.**

**Action:** The next meeting is November 14, 2017. The Chair informed the Commission that there will be a 3-4-day hearing on WQCC 17-03 (R), Amendment to Ground and Surface Water Protection Regulations 20.6.2 NMAC. The Chair also informed the Commission that there is a pending Motion that was filed by Amigos Bravos and Gila Resources Information Project for a partial dismissal of the petition. The Chair reminded the Commission that they would have to take up the Motion prior to the start of the hearing. The Motion could not be placed on today’s agenda as the deadline for response has not passed. No discussion or action was taken. It will be placed on the November 2017, agenda as an item and the parties will be notified.

**Item 7. Adjournment.**

**Action:** The Chair entertained a motion to adjourn. Mr. Dawson motioned to adjourn the meeting. Mr. Vigil seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:29 a.m.

  
Commission Chair