



**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION  
1190 St. Francis Drive  
P.O. Box 5469  
Santa Fe, New Mexico 87502**

**CONSTITUENT AGENCIES:**

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

**REVISED DRAFT AGENDA  
(see items 6, 7, 8)  
NM WATER QUALITY CONTROL COMMISSION MEETING  
January 8, 2013  
9:00 a.m.  
Old PERA Bldg  
Apodaca Hall  
1120 Paseo De Peralta  
P.O. Box 1269  
Santa Fe, NM 87504**

**The following items are for discussion and possible action:**

1. Roll Call
2. Approve the Agenda
3. Approve minutes of December 11, 2012 meeting
4. Approval of Statement of Reasons for **WQCC 12-07 (R)**, Proposal to Amend Surface Water Quality Standards for Nichols and McClure Reservoirs, the Santa Fe River and the Galisteo Watershed. Commission Counsel Sean Cunniff.  
Time estimate: 15 Minutes
5. Request for Hearing in **WQCC-12-12 (V)**, Petition for Variance from Regulation 20.6.6 NMAC. Dalva Moellenberg of Gallagher & Kennedy for Petitioner Rajen Dairy, DP-706; Christopher N. Atencio, NMED/OGC, for Ground Water Bureau.  
Time estimate: 15 minutes

6. Request for Hearing in **WQCC-12-13 (V)**, Petition for Variance from Regulation 20.6.6 NMAC. Pete V. Domenici, Jr., of Domenici Law Firm for Petitioner East Portales Dairy, f/k/a Milk Flow Dairy, DP-1213; Christopher N. Atencio, NMED/OGC, for Ground Water Bureau. Time estimate: 15 minutes
7. Continuation of Hearing in **WQCC 12-09 (R)**, Petition for Proposed Amendments to 20.6.6 NMAC, the Dairy Rule, for purpose of considering Motion for Reconsideration and to Dismiss Petition. Dalva Moellenberg and Anthony J. Trujillo for Petitioner DIGCE; Jonathan Block for Amigos Bravos, Caballo Concerned Citizens and the Sierra Club, Movants. Time estimate: 1 hour
8. Briefing and request for Commission concurrence in **Ct. App. 29,321** regarding the Notice of Amendment of Tyrone Settlement Agreement and Joint Motion to Extend Stay of Appeal to Allow Completion of Settlement Terms. Dalva Moellenberg and Anthony J. Trujillo for Phelps Dodge Tyrone; John J. Kelly and Stuart R. Butzier, Modrall, Sperling, Roehl, Harris & Sisk, for Freeport McMoran Tyrone; Bruce Frederick of the Environmental Law Center for Gila Resources Information Project; Andrew Knight, NMED/OGC, for Department. Time estimate: 30 minutes
9. Adoption of Commission Open Meetings Act Resolution for 2013. Commission Counsel Sean Cunniff. Time estimate: 20 Minutes
10. Update on dairy permitting, other business and announcement of any enforcement actions taken on behalf of the Commission.
11. Next meeting: April 9, 2013.  
  
Upcoming:  
April 9, 2013-Hearing in **WQCC 12-01 (R)**, the Copper Rule.
9. Adjournment

*If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, contact Pam Castañeda at least ten days prior to the meeting or as soon as possible at 505.827.2425 or [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us). Public documents can be provided in various accessible formats. Contact Pam Castañeda if accessible format is needed.*