



**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

**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**

Revised Draft Agenda

**New Mexico Water Quality Control Commission Meeting
April 9, 2019
9:00 a.m.
State Capitol Building, Room 307
490 Old Santa Trail
Santa Fe, New Mexico 87501**

The following items are for discussion and possible action:

1. Roll Call.
2. Approve the Agenda.
3. Approval of meeting minutes from December 11, 2018.
4. Adoption of WQCC Open Meetings Act Resolution for 2019. Commission Counsel John Grubestic. Time estimate: 20 minutes.
5. Election of a Commission Chair and Vice Chair pursuant to NMSA 1978, §74-6-3(C). Time estimate: 10 minutes.
6. Approval of revision to State of New Mexico Nonpoint Source Management Program and incorporation into the Statewide Water Quality Management Plan and Continuing Planning Process. John Verheul, OGC/NMED; Abe Franklin, SWQB/NMED. Time estimate: 30 minutes.

7. WQCC 19-02 (A). In the Matter of two Petitions for Review of Discharge Permit No. 1840 for the Copper Flat Mine (DP-1840) Elephant Butte Irrigation District, Turner Ranch Properties, L.P., Hillsboro Pitchfork Ranch, LLC, and Gila Resources Information Project, Petitioners. **Appointment of a Hearing Officer.** Time estimate: 5 minutes.
8. WQCC 18-05 (A). Petition for Review of the New Mexico Secretary of the Environment's Decision Granting Groundwater Discharge Permit DP-1132 in Proceeding Ground Water Bureau 17-20 (P). **Motion to Vacate Agency Decision and Remand the Petition for Review of DP-1132.** Lindsay A. Lovejoy, Jr., Jonathan M. Block, New Mexico Environmental Law Center, on behalf of Petitioner Communities for Clean Water; Stuart R. Butzier and Christina C. Sheehan, Modrall Sperling Roehl Harris & Sisk, PA; Silas R. DeRoma, Site Counsel, U.S. Department of Energy/NNSA; Susan L. McMichael, Office of Laboratory Counsel/MS A187 Los Alamos National Laboratory on behalf of Triad National Security, LLC, and U.S. Department of Energy/NNSA; John Verheul, OGC/NMED, on behalf of New Mexico Environment Department. Time estimate: 1 ½ hour.
9. Update on Pending Litigation. The Commission may enter into closed session under the Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7).
 - a. *Rio Hondo v. WQCC, A-1-CA-36039, New Mexico Court of Appeals.*
 - b. *Amigos Bravos and Gila Resources Information Project v. WQCC, A-1-CA-37531, New Mexico Court of Appeals. WQCC 17-03 (R).*
 - c. *Villalpando v. N.M. Environment Dep't, A-1-CA-37623, New Mexico Court of Appeals. WQCC 17-07 (A). Creekside Dairy.*
 - d. *Villalpando v. N.M. Environment Dep't, A-1-CA-37619, New Mexico Court of Appeals. WQCC 17-08 (A). Rockhill Dairy.*
10. Next meeting and upcoming matters proposed for Tuesday May 14, 2019.
11. 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. Public documents can be provided in various accessible formats. Contact Pam Castañeda if accessible format is needed.