



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive, Suite S-2102
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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

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
01/10/17
9:00 a.m.
Porter Hall
1st Floor-Wendell Chino Building
1220 South St. Francis Drive, Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

Larry Dominguez	Chair, Department of Agriculture
Christy Tafoya	State Parks Division, Energy, Minerals and Natural Resources Department
Jane DeRose-Bamman	Water Utility Authority
Howard Hutchinson	Soil and Water Conservation Commission
J.C. Borrego	New Mexico Environment Department
Scott Dawson	Oil Conservation Division
Edward Vigil	Member-at-Large
John Waters	Member-at-Large
Nelia Dunbar	New Mexico Bureau of Geology and Mineral Resources

MEMBERS ABSENT:

Deborah Dixon	State Engineer & Interstate Stream Commission
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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: Mr. Waters moved to approve the agenda as presented. Mr. Borrego seconded the motion. The motion passed unanimously.

Item 3. Approval of meeting minutes from November 15, 2016.

Action: Mr. Waters requested the amendment of page 2 line 78 to reflect the correct spelling of Downs instead of Down. Ms. DeRose-Bamman requested the amendment of page 3 line 84 to reflect the spelling of Gardens should be Guardians. Mr. Vigil moved to accept the minutes as amended. Mr. Hutchinson seconded the motion. The motion passed unanimously.

Item 4. Adoption of WQCC Open Meetings Act Resolution for 2017.

Action: John Grubestic, Commission Counsel addressed the WQCC Open Meetings Act Resolution for 2017. The Chair entertained a motion to accept the WQCC Open Meetings Act Resolution for 2017. Ms. DeRose-Bamman so moved. Mr. Dawson seconded the motion. The motion passed unanimously.

Item 5. WQCC 16-05 (A). In the Matter of the Petition for Alternative Abatement Standards for the Former St. Anthony Mine, Cibola County in the State of New Mexico. Request for Hearing.

Action: Jon J. Indall representing the Petitioner United Nuclear Corporation gave a brief synopsis of the Alternative Abatement Standards for the Former St. Anthony Mine, Cibola County in the State of New Mexico. Mr. Indall requested to appoint a Hearing Officer and set the hearing for April. Lara Katz, Office of General Counsel, substituting for Annie Maxfield concurred with the petitioner to appoint a Hearing Officer and set a hearing. The Chair and Commissioner Hutchinson questioned Mr. Indall. The Chair proposed to set the hearing for April 11, 2017, or as an option May 9, 2017 and allow him to appoint a Hearing Officer at a later date. The Chair entertained a motion to allow himself to appoint a Hearing Officer and for the Hearing Officer to schedule a hearing for either April or May. The Hearing Officer will develop a scheduling order. Mr. Waters so moved. Ms. DeRose-Bamman seconded the motion. The motion passed unanimously.

Item 6. WQCC 13-07 (A). In the Matter of the Club at Las Campanas' Petition for Review and Notice of Appeal of the Ground Water Quality Bureau of the New Mexico Environment Department's Determination that a Discharge Permit is Required. Motion to Lift Stay of all Deadlines.

Action: Stuart R. Butzier, Modrall, Sperling, Roehl, Harris & Sisk, P.A., representing the Petitioner the Club at Las Campanas gave a synopsis on the Review and Notice of Appeal of the Ground Water Quality Bureau determination that a discharge permit was required. On December 15, 2016, the Club at Las Campanas filed with the Commission Administrator a Motion to lift the Stay and appoint a Hearing Officer. Andrew Knight, Office of General Counsel New Mexico Environment Department was unopposed for the Motion to Lift the Stay. The Chair and Commissioner Hutchinson questioned Mr. Butzier.

Mr. Vigil moved to approve the Motion to Lift the Stay of all deadlines. Ms. DeRose-Bamman seconded the motion. The motion passed unanimously. The Chair entertained a motion to allow himself to appoint a Hearing Officer and work on setting a hearing date. The Hearing Officer will work with the parties to develop a Scheduling Order. Ms. DeRose-Bamman so moved. Mr. Dawson seconded the motion. The motion passed unanimously.

Item 7. Presentation on KAFB fuel cleanup. Dennis McQuillan, Chief Scientist, NMED and Kathryn Lynnes, Kirtland Air Force Base.

Action: Dennis McQuillan, Chief Scientist, New Mexico Environment Department, and Kathryn Lynnes, Kirtland Air Force Base gave an update and presentation regarding the KAFB fuel cleanup. Kirtland Air Force Base is always welcoming anyone that would like to take a tour of the site. The Commission questioned Mr. McQuillan and Ms. Lynnes. The Chair commended the New Mexico Environment Department and the Air Force Base for their progress in the cleanup.

The Commission took a short break at 10:43 a.m. to set up for Item 8. The meeting reconvened at 10:54 a.m.

Item 8. WQCC 14-05 (R). In the Matter of Proposed Amendments to Standards for Interstate and Intrastate Waters, 20.6.4 NMAC. San Juan Water Commission's Report of Apparent Errata in Final Order and Request for Correction of Final Order.

Action: On December 9, 2016, the Commission Administrator filed the Statement of Reasons and Final Order. On December 20, 2016, San Juan Water Commission filed a Report of Apparent Errata in the Final Order and Request for Correction of Final Order.

Mr. Waters moved for San Juan's correction of the Final Order and to incorporate San Juan's corrections into the Final Statement of Reasons. Mr. Hutchinson seconded the motion. The motion passed unanimously following a roll call vote. Ms. Dunbar abstained.

Item 9. Next meeting: April 11, 2017

Action: There is one item scheduled for the April 11, 2017, meeting WQCC 16-04 (R).

The Chair welcomed and introduced Ms. Dunbar who is a new Commissioner. Ms. Dunbar will be representing the New Mexico Bureau of Geology and Mineral Resources.

The Chair noted that Matthias Sayer who represented New Mexico Game and Fish is no longer on the Commission he is now the new Deputy Cabinet Secretary, for New Mexico Energy, Minerals and Natural Resources Department.

Item 10. Adjournment.

Action: The Chair entertained a motion to adjourn. Mr. Hutchinson so moved to adjourn the meeting. Mr. Dawson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 12:00 p.m.


Commission Chair