



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

1190 St. Francis Drive, Room N2150

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Santa Fe, New Mexico 87502

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Constituent Agencies

Environment Department
Office of State Engineer
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

Approved 1/14/04

**Minutes of the
New Mexico Water Quality
Control Commission Meeting
November 12, 2003**

The New Mexico Water Quality Control Commission (WQCC) meeting was held on November 12, 2003, at the New Mexico State Capitol Building, Room 321 in Santa Fe, New Mexico.

MEMBERS PRESENT:

Derrith Watchman-Moore	Acting Chair, New Mexico Environment Department
Cheryl Bada	State Parks Division
Mike Sloane	Department of Game and Fish
Steve Glass	City of Albuquerque - Municipal/County Representative
Maxine Goad	Member-at-Large
Edward Vigil	Member-at-Large
Howard Hutchinson	Soil and Water Conservation Commission
Fred Lujan	Member-at-Large
Doug Murray	Office of State Engineer
Julie Maitland	Department of Agriculture
Lynn Brandvold	Bureau of Geology and Mineral Resources

MEMBERS ABSENT:

Bill Olson	Oil Conservation Division
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OTHERS PRESENT:

Zack Schandler, WQCC Counsel	Geraldine Madrid-Chavez
Jerry Schoepner	David Mercer
Thomas Tapia	Dal Moellenberg
Richard Garcia	Marcy Leavitt
Tannis Fox	Roderick Ventura
Charlie De Saillen	Kelly Bitner

Ms. Derrith Watchman-Moore, Acting Chair, called the meeting of the WQCC to order at 9:00 a.m.

Item #1: Roll Call

Geraldine Madrid-Chavez took roll and noted a quorum was present.

Item #2: Approval of the Agenda

ACTION: Commissioner Glass moved to approve the agenda as presented. Commissioner Hutchinson seconded. Motion carried unanimously.

Item #3: Opening 60-day Public Comment Period for Anti-Degradation Implementation Procedure.

Ms. Marcy Leavitt, Bureau Chief – Surface Water Quality Bureau, informed the Commission that the Public Comment Period on the discussion draft for Anti-Degradation would begin November 12, 2003 and end on January 12, 2004 at 5:00pm.

Item #4: Motion to Dismiss – In the Matter of the Appeal Petition on Chino Mines Company’s Proposed Ground Water Supplemental Discharge Permit for Closure DP – 1340. WQCC 03-14A

After discussion between the Commission, Counsel for Chino Mines Counsel for Grip, and Counsel for the Environment Department, the following action was taken:

ACTION: Commissioner Bada moved to make a decision on Chino Mines Company’s Motion to Dismiss. Commissioner Murray seconded. Motion carried unanimously.

ACTION: Commissioner Bada moved to deny Chino Mines Company’s Motion to Dismiss. Commissioner Lujan seconded. A roll call vote was taken and the results are as follows:

Commissioner Lujan	Yes
Commissioner Vigil	Passed
Commissioner Goad	Yes
Commissioner Brandvold	No
Commissioner Hutchinson	No
Commissioner Sloane	No
Commissioner Maitland	No
Commissioner Glass	Yes
Commissioner Bada	Yes
Commissioner Murray	No
Commissioner Watchman-Moore	Yes

Vote is 5 – 5; Chair Watchman-Moore return to Commissioner Vigil and his vote was No. The motion to deny motion to dismiss has failed with a vote of 5 Yes – 6 No.

ACTION: Commissioner Hutchinson moved to grant Chino Mines Company’s Motion to Dismiss. Commissioner Brandvold seconded. A roll call vote was taken and the results are as follows:

Commissioner Lujan	No
Commissioner Vigil	Yes
Commissioner Goad	No
Commissioner Brandvold	Yes
Commissioner Hutchinson	Yes
Commissioner Sloane	Yes
Commissioner Maitland	Yes
Commissioner Glass	No
Commissioner Bada	No
Commissioner Murray	Yes
Commissioner Watchman-Moore	No

The motion to grant the motion to dismiss, carried with a vote of 6 Yes – 5 No.

Commissioner Hutchinson requested that the Environment Department clarify the language

Item #5: Other Business

Commissioner Goad asked when the Standards Hearing recessed September 26,2003 would continue. Chair Watchman-Moore informed her the Hearing Officer will be meeting with the parties and a date will be set.

Item #6: Next Meeting

ACTION: Commissioner Vigil moved to meet on January 13, 2004 and not have a meeting in December. Commissioner Brandvold seconded. Motion carried unanimously.

ACTION: Commissioner Hutchinson moved to adjourn. Commissioner Vigil seconded. Motion carried unanimously.