

New Mexico's Water Quality Management Plan and Continuing Planning Process

Summary of Changes Revisions through May.26.2020

Sections as Listed in approved 2011 WQMP/CPP	Sections in Revised 2020 WQMP/CPP	Changes of Notable Remark (Black Text = pre-public comment; Red Text = post-public comment)
WQMP/CPP Main Document		
Overall Document		Citations have been updated to be consistent throughout the document Formatting to include all subsections and headers appropriately References have been updated, as applicable Grammatical corrections for clarity and consistency
List of Acronyms and Abbreviations	List of Acronyms and Abbreviations	Acronyms used in the document have been updated, as applicable
Documents Incorporated by Reference	XV. References	Documents Incorporated by Reference have now been added to a new reference section at the end of the document (Section XV. REFERENCES), these include those incorporated by reference as well as other references cited in the document
Preface	Removed	The historical information discussed in the Preface has been removed and relocated to the Introduction under a new sub-heading (I.C History and Updates to the WQMP/CPP)
I. Introduction	I. Introduction	Overall structure of Introduction has been arranged for clarity and consistency purposes
A. Purpose	A. Purpose	Crosswalk with 40 CFR 130 now has its own subsection (I.B.) and language directly from 40 CFR 130.5 and 130.6
	B. Cross-walk of Sections in the WQMP/CPP and the Federal Requirements	Additional language to clarify requirements under 40 CFR 130.5 and 40 CFR 130.6
	C. History and Updates to the WQMP/CPP	This has been expanded to include additional information on the history of the WQMP/CPP not identified in previous versions.
B. Institutional Roles and Responsibilities	F. Other Entities Participating in Water Quality Management	This section has been moved after "Process for Assuring Intergovernmental Cooperation." This section now only includes those that are outside of the Intergovernmental Cooperation section and includes other State Agencies, Other Watershed Based Water Quality Authorities, EPA, Other Federal Agencies, Tribes, Stakeholders and the Public.
C. Process for Assuring Intergovernmental Cooperation	E. Process for Assuring Intergovernmental Cooperation	This section has been moved after the "Process for Updating..." Section. The structure and details for the various entities has been expanded upon. Tribes have now been listed with notation on those that currently have Treatment in a Similar Manner as a State ("TAS").
D. Process for Updating and Maintaining the WQMP/CPP	D. The Process for Updating and Maintaining the WQMP/CPP including schedules for revision	No substantial changes
II. Surface Water Quality Standards		Entire Section has been restructured for clarity, completeness and implementation purposes
A. Introduction	A. Extent of Authority	This section was separated into three subsections for clarity.
	B. Objective	
	C. Components of NM Surface Water Quality Standards	The Introduction in the 2011 version had the objective, some description of authority and the components of the WQS in one long section. The revised 2020 draft has parsed these out and elaborated to add clarity. Includes a descriptor of Designated Uses, Water Quality Criteria and Antidegradation as elements of WQS.
B. Process for Establishing and Assuring Implementation of WQS	E. Process for Assuring Adequate Implementation of WQS	For applicability of the WQMP/CPP, this section has now been moved to the end after the "Process for Establishing and Updating WQS."
Water Body Segments not Water Quality Limited		These subsections have been summarized in a single paragraph that describes how WQS are implemented.
Water Quality Limited Segments		See above.
	D. Process for Establishing and Updating Water Quality Standards	Language in this section has been updated in several subsections. These include establishing or revising WQS through the Triennial Review, through UAAs or using the hydrology protocol, and establishing site-specific standards. Further delineated between the general process for revising WQS and the process through a Triennial Review. Added clarification regarding changing a designated use only if it is not an existing use. Added language to specify public noticing for UAAs being conducted using the hydrology protocol. Added new section specific for process to establish or revise a temporary standard.
C. Use of Hydrology Protocol		As required in one of the elements in WQMP/CPP, this has been specifically included as a subsection II.D.
III. Surface Water Quality Monitoring, Assessment and Reporting		
A. Monitoring	A. Monitoring	Updated language for clarity.
B. Assessment	B. Assessment	Updated language for clarity.
C. Reporting	C. Reporting	Very minor updates to this section
IV. Total Maximum Daily Loads		
A. Introduction	A. Background	Summarized and updated language
B. Implementation	D. TMDL Implementation	This Section is now IV.D. Point Source implementation now references section V.B to avoid contrary information should updates fail to address both sections
C. Process for the Development of TMDLS and Individual Water Quality Based Effluent Limits	C. Process for TMDL Development	only minor changes (grammatical or formatting/citation)
D. Process for Prioritizing the Development of TMDLS	B. TMDL Prioritization	This Section is now IV.B.
E. Completed TMDLS		This section has been eliminated as completed TMDLS are, and have been listed as Appendix B. References to completed TMDLS have been incorporated into IV.C, IV.D and V.C.
V. Effluent Limitations		
A. Introduction	A. Introduction	Updated language to describe the process for assessment more clearly.
B. Process for Development and Certification of Effluent Limitations and Schedules of Compliance	B. Process for Development and Certification of Effluent Limitations and Schedules of Compliance	This section has been expanded to discuss the various components in greater detail.
	C. Incorporating TMDL Waste Load Allocations into NPDES Permits	This section has been expanded to discuss the various components in greater detail.
	E. Process for Deriving WQBELs based on Narrative Standards in NPDES Permits	This section has been expanded to discuss the various components in greater detail.
C. Process for Determining the Priority of Permit Issuance	D. Process for Determining the Priority of Permit Issuance	This section has been expanded to discuss the various components in greater detail.
VI. Municipal and Industrial Waste Treatment		
A. Clean Watersheds Needs Survey	A. Clean Watersheds Needs Survey	No substantial changes.
B. Clean Water State Revolving Fund	B. Clean Water State Revolving Fund	Description of the Bureau under the New Mexico Environment Department that oversees the program and the regulatory authority that the revolving fund is operated in accordance to have been added.
C. Rural Infrastructure Revolving Loan Program	D. Rural Infrastructure Revolving Loan Program	No substantial changes.
D. Special Appropriations Program	E. Special Appropriations Program	Values updated but no other substantial changes.
E. Uniform Funding Application		This section has been removed in its entirety.

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F. Process for Priority Rating of Wastewater Construction Loans Projects and Management	C. Process for Priority Rating of Wastewater Construction Loans Projects and Management of the Priority List	This section has been moved to VI.C.
G. Process for Controlling Disposition of Residual Waste from Wastewater Treatment Process	F. Process for Controlling Disposition of Residual Waste from Wastewater Treatment Process	No substantial changes.
VII. Nonpoint Source Management and Control		
A. The Nonpoint Source Management Program	A. The Nonpoint Source Management Program	No substantial changes, but added subsections for clarity.
	B. The Nonpoint Source Management Plan	This section did not change in content but was listed as a subsection for clarity.
	C. The Wetlands Program	This section was removed from its previous location under XV and incorporated into the nonpoint source section to coincide with actual organizational practice.
B. Planning Strategy for Nonpoint Source Management		This section has been removed as these actions are identified in the most recent Nonpoint Source Management Plan.
VIII. Management Agencies		
A. Designated Management Agencies for Wastewater Management	A. Designated Management Agencies for Wastewater Management	More description on the requirements and process for designating a wastewater management agency has been added to aid in future evaluation and incorporation of waste management agencies.
B. Management Agencies for Nonpoint Source Program Management	D. Management Agencies for Nonpoint Source Program Management	No substantial changes.
	C. Management Agencies for Point Source Management	Added section.
C. Process for Designating Management Agencies	B. Process for Designating Wastewater Management Agencies	This section has been moved up and subcategorized to address both point source and nonpoint source processes.
IX. Implementation Measures		
A. Introduction	A. Overview	No substantial changes.
B. Planning Strategy for Implementation Measures	B. Planning Strategy for Implementation Measures	No substantial changes.
X. Dredge and Fill Program		
A. Description of the Dredge and Fill Program	A. Description of the Dredge and Fill Program	No substantial changes.
B. Process for CWA Section 401 Certification of Dredge and Fill Permits	B. Process for Certification of Dredge and Fill Permits Under Section 401 of the CWA	No substantial changes.
C. Planning Strategy for the Dredge and Fill Program	C. Planning Strategy for the Dredge and Fill Program	No substantial changes.
XI. Basin Plans		
A. Introduction	A. Introduction	No substantial changes.
B. Strategy	B. Strategy	No substantial changes.
XII. Ground Water		
A. Ground Water Pollution Prevention Program	A. Ground Water Pollution Prevention Program	No substantial changes.
B. Planning Strategy for Ground Water Protection	B. Planning Strategy for Ground Water Protection	No substantial changes.
XIII. Determination of Compliance with Water Quality Standards for the Protection of Human Health Criteria		
A. Background	A. Background	Last paragraph of background has been updated for clarity.
B. Process for Determination of Compliance	B. Process for Determination of Compliance	Since the process is the same for both perennial and ephemeral, the process has been revised to reflect this.
XIV. Public Participation		
A. Requirements for Public Participation	A. Requirements for Public Participation	Language was refined to more accurately reflect the federal requirements under 40 CFR 25.4 and NMED policies. Updated Figure XIV-1 to identify "actions" as "public participation actions" and to include requirements under the State Rules Act.
B. Planning Strategy for Fulfilling Public Participation Requirements	B. Planning Strategy for Fulfilling Public Participation Requirements	Actions are those taken by NMED to engage the public. Removal of those actions that are beyond NMED's control.
XV. Wetlands Program		
A. Introduction	VII.C Wetlands Program	This section has been incorporated in its entirety under the nonpoint source section as VII.C.
B. Planning Strategy	VII.C.1 Regulatory Controls	This subsection has been incorporated in its entirety under the nonpoint source section as VII.C.
	VII.C.2 Restoration and Protection	This subsection has been incorporated in its entirety under the nonpoint source section as VII.C.
Not previously in the WQMP/CPP	XV. References	New Section added to include those documents previously incorporated by reference as well as other citations within the WQMP/CPP
Appendix A Antidegradation Policy Implementation Procedure for Regulated Activities		
Overall Document		The Antidegradation Policy Implementation Procedure was substantially revised - applies to regulated entities.
	Glossary	Added glossary. Added definitions for bioaccumulative pollutant, detection limit, loading capacity, relativepercent difference, significantly improved water quality, and translator. Updated definitions for effluent-dependent water, minimal degradation, significant degradation, and tier 2 protection.
I. Introduction; II. Scope	1. Overview of NM's Antidegradation Approach	Updated. Overview of designated uses and water quality criteria; coverage and general applicability; coordination with assessment and impairment listing; intergovernmental coordination and review process; and, public notification and participation. Added clarification of antidegradation protections and applicability.
III. Tier Definitions	2. Tiered Protection Levels	Updated. Includes tier definitions and designation of tier categories. Added clarification to tier 1 and general protection requirements.
IV. Implementation	3. Antidegradation Review Requirements	Reorganized and substantially revised.
	3.1 by Tier	Added clarification to Tier 3 reviews to protect Outstanding National Resource Waters (ONRWs)
	3.2 by Type of Permit	Updated Figures 3-1 and 3-2.
	3.3 Individual NPDES Permits	Added clarification to meaning of "expanded" discharge.
	3.4 Individual NPDES Stormwater Permits	
	3.5 General NPDES Permits	
	3.6 Section 404 Permits	Updated overview of antidegradation review for regional or nationwide 404 permits for clarity.
	4. Determining Baseline Water Quality	New section. Summary of approach; baseline water quality evaluation procedures; sampling location; pollutants of concern; interpretation of data and establishing baseline water quality (BWQ). Use of geometric mean to establish BWQ; "significant improvement" and re-evaluation using relative percent difference.

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	5. Evaluating the Level of Degradation of Proposed Discharges (Significant \geq 10% assimilative capacity or any percentage of 50% cumulative cap)	New section. Describes Tier 2 evaluation procedures for discharges to perennial waters and demonstrated high-quality non-perennial waters. Degradation is "significant" if the discharge consumes 10% or more of the available assimilative capacity for any pollutant of concern or consumes any percentage of the cumulative assimilative capacity beyond 50%. Subsections for consideration of multiple discharges, critical flow, and calculations for Tier 2 pollutants. Revised "calculations to determine significance of degradation" for clarity.
	6. Identifying and Evaluating Pollution Control Alternatives for Tier 2 Protection ("Alternatives Analysis")	New section. Describes alternative analysis to identify less degrading and non-degrading alternatives for new/expanded discharges that would significantly degrade water quality in a Tier 2 surface water. Subsections for identifying cost components and assessing costs and evaluating environmental impacts associated with alternatives.
	7. Social and Economic Importance for Tier 2 Reviews	New section. If the least degrading, cost-effective alternative still results in significant degradation, an analysis of the social and economic importance of the discharge must be conducted. This section describes the regulatory requirements; the role of the applicant, including social, economic and environmental considerations; and, the role of NMED. Added environmental justice considerations. Updated role of NMED for clarity.
V. Appeals.	8. Requirements for Intergovernmental Coordination and Public Participation	New section. Public notification requirements; opportunities for public participation; intergovernmental coordination and review; and appeals of antidegradation review decisions.
Antidegradation Appendices	Antidegradation Appendices	
	A.1. Direct Comparison of Alternatives - process for cost comparisons of alternatives	New appendix.
	A.2 Social and Economic Importance Worksheet - to evaluate costs/benefits of discharge	New appendix. Added "costs" to worksheet (not just benefits).
Appendix 1 Tier 2 Review of Public Facility; Appendix 2 Tier 2 Review of Private Facility	A.3. Information for Economic and Widespread Impact Analysis	Added this Appendix and associated worksheets if more information/data are needed or desired for a Comprehensive Tier 2 Review. Attachment 1 includes additional information that may be required by NMED to evaluate socio-economic factors of a public facility during a Tier 2 review. Attachment 2 includes additional information that may be required by NMED for a private facility.
	A.4 Summary of Other Economic and Environmental Impact Categories (that may be considered to determine if substantial degradation is warranted).	New appendix.
	A.5 List of Agencies Involved in Intergovernmental Coordination (of Tier 2 Review)	New appendix.
	A.6 Antidegradation Policy and Implementation Plan (20.6.4.8 NMAC)	NMAC reference
Appendix B Approved Total Maximum Daily Loads for New Mexico		
Overall Document		Appendix B is updated regularly and has no additional changes outside of formatting to be consistent with the rest of the WQMP/CPP appendices.
Appendix C Hydrology Protocol		
Overall Document		Formatting to include all subsections and headers appropriately Grammatical corrections for clarity and consistency
Summary	Executive Summary	Language was changed only to provide clarity to the subject matter. The references to "cover sheet" have been removed as the protocol no longer requires this. All Hydrology Protocols now require a full Level 1 evaluation. Clarification of application and use.
Introduction	Table of Contents	A table of Contents has been added
Definitions	I. Introduction	Language was changed to introduce the topic and application of the Hydrology Protocol
Section 1 Hydrology Determination	II. Definitions	References to "draft" have been removed
	III. Hydrology Determination and Rating Form	
	A. General Information	A new section was created to assist the reader in the basic structure of the method and applicability in a Use Attainability Analysis.
User/Evaluator Experience	B. User/Evaluator Experience	No substantial changes to this section
Drought Conditions	C. Drought Conditions	No substantial changes to this section
Recent Rainfall Activity	D. Recent Rainfall Activity	No substantial changes to this section
Scoring	E. Scoring	Content has not changed, language has been modified for clarity purposes
Level 1 Evaluation: Data Collection	F. Level 1 Evaluation: Data Collection	
Level 1 Office Procedures	1. Level 1 Office Procedures	This section has been modified in structure to allow for consistent implementation. Areas of investigation are now independent subsections with the resources required to evaluate. Drought conditions elaborates on additional sources, including the standardized precipitation-evapotranspiration index (SPEI). Included language to clarify that SPEI must be documented on field sheets.
Level 1 Field Procedures	2. Level 1 Field Procedures	This Section has been modified in structure to allow for consistent implementation. Order of subsections has been modified based on actual process order. Added language to clarify documentation of survey boundaries.
Level 1 Scoring	3. Level 1 Scoring	minor edits for clarity and to address common questions. Clarification for consistency between the narrative and field sheet
Level 1 Indicators	4. Level 1 Indicators	minor edits for clarity and to address common questions. Clarification for consistency between the narrative and field sheet
Level 1 Supplemental Indicators	Level 1 Supplemental Indicators	minor edits for clarity and to address common questions. Clarification for consistency between the narrative and field sheet. This section remains but not as an independent section but part of 4. Level 1 Indicators.
Level 2 Field Procedures	G. Level 2 Evaluation: Borderline Determinations	No substantial changes to this section
Level 2 Indicators	1. Level 2 Office Procedures	No substantial changes to this section
Level 2 Field Procedures	2. Level 2 Field Procedures	No substantial changes to this section
Level 2 Indicators	3. Level 2 Indicators	No substantial changes to this section
Section 2 Guidance for Overall Scoring	IV. Overall Score Interpretation	No substantial changes to this section. Added language clarifying that the survey does not change a designated use for a waterbody without the completion of a Use Attainability Analysis that is conducted in accordance with the WQMP/CPP.
Literature Cited	V. Literature Cited	Updated references, as appropriate