



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive, Suite S-2102
Santa Fe, New Mexico 87505
Phone: (505) 827-2428**

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 Geology and Mineral Resources	Members-at-Large

**New Mexico Water Quality Control Commission
Meeting Minutes
Virtual Meeting on Webex
April 14, 2020
10:00 a.m.**

To connect via video conference, go to: <https://nmed-oit.webex.com/nmed-oit/j.php?MTID=ma2eb685347ea0d8c108a183d7671bd51>
When prompted, dial the meeting number: 287 975 644
The password is: aQT6uDZBJ44

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MEMBERS PRESENT:

Jennifer Pruett	Chair, New Mexico Environment Department
Gabriel Wade	Vice Chair, Oil Conservation Division
Keith Candelaria	Member-at-Large
David Certain	State Parks Division, Energy, Minerals and Natural Resources Department
Larry Dominguez	Department of Agriculture
Howard Hutchinson	Soil and Water Conservation Commission
Krista McWilliams	Member-at-Large
Ghassan Musharrafieh	New Mexico State Engineer and Interstate Stream Commission
Kirk Patten	New Mexico Game and Fish
Kelsey Rader	Member-at-Large
David Sypher	Municipal and County Representative
Bruce Thomson	Member-at-Large

Stacy Timmons

New Mexico Bureau of Geology and Mineral
Resources

MEMBERS ABSENT:

OTHERS PRESENT:

Robert F. Sanchez	Commission Counsel
Cody Barnes	Commission Administrator
Pete Domenici Jr.	Counsel for S&R Septic in WQCC 20-14 (A)
Owen Johnson	Counsel for NMED in WQCC 20-14 (A)
James Brockman	Counsel for El Prado Water and Sanitation District in WQCC 20-14 (A)
Jerome Hansen	Party in WQCC 20-14 (A)
Dion Smith	Party in WQCC 20-14 (A)
Rachel Conn	Amigos Bravos

Please see attached sign-in-sheet for others present.

Chair Pruett called the meeting to order at 10:05 a.m.

Item 1. Roll Call.

The Administrator called the roll; a quorum was present. Chair Pruett discussed the protocol of the virtual meeting. She provided contact information for any individual experiencing technical issues. She mentioned the items on the agenda were time sensitive, which allowed the Commission to meet virtually, per advice from the Open Government Division of the Attorney General's Office. Chair Pruett pointed out that Administrator Barnes will video record the meeting and will post the recording on the Commission's website as soon as practicable after the meeting.

Item 2. Approval of the Draft Agenda.

Action: Vice Chair Wade moved to approve the draft agenda. Commissioner Rader seconded the motion. Chair Pruett called a roll call vote. Commissioner Candelaria: aye; Commissioner Certain: aye; Commissioner Dominguez: aye; Commissioner Hutchinson: aye; Commissioner McWilliams: aye; Commissioner Musharrafieh: aye; Commissioner Patten: aye; Chair Pruett: aye; Commissioner Rader: aye; Commissioner Sypher: aye; Commissioner Thomson: aye; Commissioner Timmons: aye; and, Vice Chair Wade: aye. The motion passed 13-0.

Item 3. Approval of meeting minutes from March 10, 2020.

Action: Chair Pruett, Commissioner Dominguez, and Administrator Barnes proposed amendments to the March 10, 2020 meeting minutes. Vice Chair Wade moved to approve the meeting minutes from March 10, 2020 as amended. Commissioner Certain seconded the motion. Chair Pruett called a roll call vote. Commissioner Candelaria: aye; Commissioner Certain: aye; Commissioner Dominguez: aye; Commissioner Hutchinson: aye; Commissioner McWilliams: aye; Commissioner

Musharrafiieh: aye; Commissioner Patten: aye; Chair Pruett: aye; Commissioner Rader: aye; Commissioner Sypher: aye; Commissioner Thomson: aye; Commissioner Timmons: aye; and, Vice Chair Wade: aye. The motion passed 13-0.

Item 4. Public comment.

Action: Rachel Conn from Amigos Bravos provided public comment. No other members of the public wished to speak.

Item 5. Adoption of WQCC Open Meetings Act Resolution for 2020. Commission Counsel Robert F. Sanchez. Time estimate: 30 minutes.

Action: Chair Pruett presented a draft of the WQCC Open Meetings Act Resolution for 2020, which updated the WQCC Open Meetings Act Resolution from 2019 with current dates and Commission Administrator information.

Commissioner Dominguez moved to revise the 2019 Resolution as Chair Pruett indicated and have that in place until the Commission takes further action. Commissioner Hutchinson seconded the motion. Chair Pruett called a roll call vote. Commissioner Candelaria: aye; Commissioner Certain: aye; Commissioner Dominguez: aye; Commissioner Hutchinson: aye; Commissioner McWilliams: aye; Commissioner Musharrafiieh: aye; Commissioner Patten: aye; Chair Pruett: aye; Commissioner Rader: aye; Commissioner Sypher: aye; Commissioner Thomson: aye; Commissioner Timmons: aye; and, Vice Chair Wade: aye. The motion passed 13-0.

Item 6. Request for Hearing and Motion for Stay. WQCC 20-14 (A), In the Matter of the Petition for Hearing on the Renewal of Septic Disposal Facility Discharge Permit, DP-465, for S&R Septic. Pete Domenici Jr., Counsel for S&R Septic; Owen Johnson, counsel for of the New Mexico Environment Department; James Brockmann, counsel for El Prado Water and Sanitation District; Jerome Hansen; Dion Smith. Time estimate: 45 minutes.

Action: The Commission discussed the request for hearing in WQCC 20-14 (A).

Commissioner Hutchinson moved to approve the request for hearing and to assign contract hearing officer, Richard Virtue, to manage the case through a hearing to be held during the regularly scheduled meeting on July 14, 2020 in Santa Fe, NM. Vice Chair Wade seconded the motion. Chair Pruett called a roll call vote. Commissioner Candelaria: aye; Commissioner Certain: aye; Commissioner Dominguez: aye; Commissioner Hutchinson: aye; Commissioner McWilliams: aye; Commissioner Musharrafiieh: aye; Commissioner Patten: aye; Chair Pruett: aye; Commissioner Rader: aye; Commissioner Sypher: aye; Commissioner Thomson: aye; Commissioner Timmons: aye; and, Vice Chair Wade: aye. The motion passed 13-0.

Pete Domenici, Jr., Owen Johnson, Jim Brockman, Jerome Hansen, and Dion Smith presented the Motion to Stay. The Commission discussed the Motion.

Commissioner Hutchinson moved to grant the stay of the Cabinet Secretary's order except the portions that prohibit discharge at and operation of the facility. Vice Chair Wade seconded the motion. Chair Pruett called a roll call vote. Commissioner Candelaria: aye; Commissioner Certain: aye; Commissioner Dominguez: aye; Commissioner Hutchinson: aye; Commissioner McWilliams: aye; Commissioner Musharrafieh: aye; Commissioner Patten: aye; Chair Pruett: aye; Commissioner Rader: aye; Commissioner Sypher: aye; Commissioner Thomson: aye; Commissioner Timmons: aye; and, Vice Chair Wade: aye. The motion passed 13-0.

Chair Pruett directed the Commission Counsel to draft an order reflecting the Commission's decision.

Item 7. Next meeting and upcoming matters proposed for May 12, 2020

Action: There were no upcoming matters yet for the May 12, 2020 meeting. Chair Pruett mentioned the meeting may be cancelled if there was not business to discuss. No action was taken.

Item 8. Adjournment

Action: The meeting adjourned at 12:30PM.

 5/12/20
Commission Chair Pruett