



**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION  
1190 St. Francis Drive, Suite S-2102  
Santa Fe, New Mexico 87505  
Phone: (505) 827-2425  
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**CONSTITUENT AGENCIES**

<b>Environment Department</b>	<b>State Engineer &amp; Interstate Stream Commission</b>
<b>Game and Fish Department</b>	<b>Oil Conservation Division</b>
<b>Department of Agriculture</b>	<b>Department of Health</b>
<b>State Parks Division</b>	<b>Soil and Water Conservation Commission</b>
<b>Bureau of Mines and Mineral Resources</b>	<b>Members-at-Large</b>

**Meeting Minutes  
New Mexico Water Quality Control Commission  
Regular Meeting  
December 11, 2018  
9:00 a.m.  
State Capitol Building, Room 322  
490 Old Santa Fe Trail  
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	Municipal and County Representative
Howard Hutchinson	Soil and Water Conservation Commission
Dana Bahar	New Mexico Environment Department
Edward Vigil	Member-at-Large
Jacob Payne	New Mexico Game and Fish
Stacey Timmons	New Mexico Bureau of Geology and Mineral Resources
Scott Dawson	Oil Conservation Division
Barbara Toth	Department of Health
John Waters	Member-at-Large

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Stephen Vigil	Commission Counsel
John Krienkamp	Commission Counsel
Pam Castañeda	Commission Administrator

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

The Chair called the meeting to order at 9:02 a.m.

**Item 1. Roll Call.**

Roll was taken; a quorum was present.

**Item 2. Approval of the Draft Agenda.**

**Action:** Mr. Waters moved to approve the Draft Agenda as presented. Mr. Hutchinson seconded the motion. The motion passed unanimously.

**Item 3. Approval of meeting minutes from September 11, 2018 and October 24, 2018**

**Action:** Ms. DeRose-Bamman suggested revisions to the September 11, 2018 minutes. On page 2, line 65, strike “their terms will expire on June 30, 2020” and add a period after the first sentence. On page 3, line 97, move “20.1.3” after the word “procedures” and after the word “NMAC.” Mr. Hutchinson moved to approve the minutes for the September 11, 2018 meeting as amended. Mr. Vigil seconded the motion. The motion passed unanimously.

Ms. DeRose-Bamman suggested revisions to the October 24, 2018 Special meeting minutes. On lines 20 and 21, add parentheses. On page 3, line 119, delete the word “at.” On line 160, add a period after “January” and delete the rest of the sentence. Mr. Waters moved to approve the October 24, 2018 meeting minutes as amended. Mr. Hutchinson seconded the motion. The motion passed unanimously.

**Item 4. Substitute Memorandum of Agreement between the State of New Mexico and the U.S. Environmental Protection Agency regarding the Underground Injection Control Program--Request for approval.**

**Action:** Mr. William Brancard, General Counsel for the Energy, Minerals, and Natural Resources Department, gave an overview regarding the Substitute Memorandum of Agreement between the State of New Mexico and the U.S. Environmental Protection Agency regarding the Underground Injection Control Program, and answered questions from Commissioners. Ms. DeRose-Bamman moved that the Commission approve the Agreement and that the Chair sign it on behalf of the Commission. Mr. Dawson seconded the motion. The motion passed unanimously.

**Item 5. *Villalpando v. N.M. Environment Dep’t*, A-1-CA-37623, New Mexico Court of Appeals. WQCC 17-07 (A). Creekside Dairy GWQB 17-02 (CO). Request for Approval of Stipulated Motion for Extension.**

**Action:** Commission Counsel updated the Commission on this matter. Counsel stipulated to the Motion for Extension.

**Item: 6.** *Villalpando v. N.M. Environment Dep't, A-1-CA-37619, New Mexico Court of Appeals. WQCC 17-08 (A). Rockhill Dairy GWQB 17-03 (CO). Request for Approval of Stipulated Motion for Extension.*

**Action:** Commission Counsel updated the Commission on this matter. Counsel stipulated to the Motion for Extension.

**Item 7.** **Deliberation and action on agenda items 5 and 6. The Commission may enter into closed session under the Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7) (pending litigation) for deliberation. Final action will be taken in open session.**

**Action:** None.

**Item 8.** **WQCC 18-04 (CO). In the Matter of: Southwest Capital Bank, Land Development 2, LLC Club Rio Rancho. Status update and Appointment of Substitute Hearing Officer.**

**Action:** The Chair updated the Commission regarding the above matter. A public hearing was scheduled for December 2018. The parties waived the 90-day deadline. A Hearing Officer was appointed in September and had since left the Environment Department. Ms. Tafoya moved to appoint Felicia Orth as the Substitute Hearing Officer for WQCC 18-04 (CO). Mr. Hutchinson seconded the motion. The motion passed unanimously.

**Item 9.** **Next Meeting and forthcoming matters.**

**Action:** The next meeting is scheduled for April 9, 2019.

**Item 10.** **Adjournment.**

**Action:** Mr. Hutchinson moved to adjourn the meeting. Mr. Waters seconded the motion. The motion passed unanimously. The meeting adjourned at 9:50 a.m.

  
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Commission Chair