



**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

7 Environment Department
8 Office of State Engineer
9 Game and Fish Department
10 Oil Conservation Division
11 Department of Agriculture
12 State Parks Division
13 Soil and Water Conservation Commission
14 Bureau of Geology and Mineral Resources
15 Municipal/County Representative
16 Members -at Large

APPROVED

**Minutes of the
New Mexico Water Quality
Control Commission Meeting
October 1, 2002**

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24 The New Mexico Water Quality Control Commission (WQCC) meeting was held on October 1,
25 2002, at the New Mexico State Capitol Building in Santa Fe, New Mexico.

26
27 **MEMBERS PRESENT:**

28 John D'Antonio Chairman, New Mexico Environment Department
29 Pat Turney Office of State Engineer
30 Julie Maitland Department of Agriculture
31 Howard Hutchinson Soil and Water Conservation Commission
32 Steve Glass City of Albuquerque - Municipal/County Representative
33 Lynn Brandvold Bureau of Geology and Mineral Resources
34 Conrad Keyes Member-at-Large
35 Irene Lee Member-at-Large
36 Charles M. Easterling Member-at-Large

37
38 **MEMBERS ABSENT:**

39 Larry Bell Department of Game and Fish
40 Bill Olson Oil Conservation Division
41 David Johnson State Parks Division

42
43 **OTHERS PRESENT:**

44 Zack Schandler, WQCC Counsel Jolene L. McCaleb
45 Geraldine Madrid-Chavez, WQCC Administrator Tom Pitts
46 Stephanie Stringer Cathy Ratcliff
47 B.J. Brock Fred Kalish
48 Glenn Saums John Montgomery
49 Steve Baumgarn Stuart Butzer

1 Maura Hanning
2 Kelly Bitner
3 Marcy Leavitt
4 Louis Rose
5 Charlie Nylander
6 Richard Meyerhoff
7 Eric Ames
8 Jim Davis
9

Joni Arends
Phil Wardwell
Steve Mastovich
Paul Black
Mike Saladen
Chris Mechels
Gene Turner

10 Chairman D'Antonio called the meeting of the WQCC to order at 9:10 am.

11
12 **Item #1: Roll Call**

13
14 Geraldine Madrid-Chavez, WQCC Administrator, took roll and noted a quorum was present.

15
16 **Item #2: Approval of the Agenda**

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18 The following changes were made:

- 19
20 • Remove approval of the August 13, 2002 meeting minutes.

21
22 **ACTION: Commissioner Glass made a motion to approve the agenda as amended.**
23 **Commissioner Keyes seconded. The motion passed unanimously.**

24
25 **Item #3: Approval of the minutes of April 4, 2002**

26
27 **ACTION: After discussion and amendments, Commissioner Maitland moved to**
28 **approve the minutes of April 4, 2002 as amended. Commissioner Keyes**
29 **seconded the motion. The motion passed unanimously.**

30
31 **Item #4: Hearing and possible decision in the matter of the petition for review of**
32 **Ground Water Bureau's action in Requiring a Discharge Permit, Aldebaran**
33 **Enterprises, U.S., aka Country Club Casitas. (WQCC 02-06A)**

34
35 In response to petitioners request, Mr. Ritzma, General Counsel for the Department, requested
36 that the Commission continue this hearing on November 12, 2002 and asked that there be no
37 further continuances granted on this case.

38
39 Chairman D'Antonio announced for the record the time is now 9:40 am and we are meeting in
40 room 317 at the State Capitol in Santa Fe, New Mexico, on October 1, 2002. This hearing is
41 being held to consider the petition for review submitted by Aldebaran Enterprises also known as
42 petitioner regarding Taos Country Club Casitas. The appeal is associated with the New Mexico
43 Environment Departments determination that Taos Country Club Casitas Condominium Project
44 is required to submit a discharge permit application pursuant to the Water Quality Control
45 Commission under regulation 20.6.2.1202 NMAC. The hearing will be conducted in accordance
46 with state law section 74-6-5 NMSA under the appeal hearing rules of 20.1.3 NMAC. I will
47 orderly grant the petitioners motion to continue the hearing.

1 **ACTION:** Commission Brandvold moved to continue the hearing in Santa Fe, NM on
2 November 12, 2002 for the Notice of Appeal – Determination that a discharge
3 permit is required for Taos Country Club Casitas. Commissioner Keyes
4 seconded.

5
6 **ACTION:** Commissioner Easterling made a friendly amendment to the motion
7 requesting that both parties do a two-page summary of the case and mail to
8 the Commissioners before the hearing. Commissioner Brandvold approved
9 the friendly amendment to the motion. Commissioner Keyes did not approve
10 the friendly amendment to the motion. After discussion, Commissioner
11 Brandvold withdrew her approval.

12
13 **ACTION:** Commission Glass proposed a friendly amendment to the motion requesting
14 that there be no further continuances. Commissioner Easterling also
15 proposed a friendly amendment to add “at petitioners request.”
16 Commissioner Brandvold approved the friendly amendments to the motions.
17 Commissioner Keyes did not approve the friendly amendments. After
18 discussion, Commissioner Brandvold withdrew her approval.

19
20 **ACTION:** Commissioner D’Antonio at this time noted that we are back to the original
21 motion and called for the question. The motion passed unanimously.

22
23 Commissioner D’Antonio noted that for the record this hearing would be kept open.

24
25 **ACTION:** Commissioner Easterling made a motion that the Commission be provided
26 with a two-page summary of the facts, regulation and policies surrounding
27 the upcoming hearing and future hearings. Commissioner Lee seconded. A
28 hand vote was taken, below are the results:

29
30 Commissioner Turney No
31 Commissioner Glass Yes
32 Commissioner Maitland No
33 Commissioner Hutchinson No
34 Commissioner Brandvold No
35 Commissioner Lee Yes
36 Commissioner Keyes No
37 Commissioner Easterling Yes
38 Commissioner D’Antonio Abstain

39
40 Motion failed with a 5 – 3 – 1 vote.

41
42 Item #7 Next Meeting

43
44 **ACTION:** Commissioner Glass made a motion that the next WQCC meeting will be in
45 Santa Fe, NM on November 12, 2002 at 9:00am. Commissioner Keyes
46 seconded. Motion passed unanimously.

1 **Item #5: Hearing and possible decision in the matter of Proposed Revisions to**
2 **Statewide Water Quality Management Plan (WQMP). (WQCC 01-01R)**
3

4 Chairman D'Antonio announced for the record the time it is now 10:20 am and we are meeting
5 in room 317 at the State Capitol in Santa Fe, New Mexico, on October 1, 2002. The
6 Commission is here to consider the adoption of the New Mexico Water Quality Management
7 Plan, the facts being presented by the Surface Water Bureau of the Environment Department.
8 The Bureau has filed timely notice of this hearing in the necessary newspapers and publications.
9 Chairman D'Antonio explained the ground rules for the hearing and explained how the hearing
10 would be conducted.
11

12 Eric Ames, Counsel for the Department began their presentation and the hearing continued until
13 6:00 pm.
14

15 Chairman D'Antonio announced this hearing would be kept open and the hearing will continue
16 on November 12, 2002 at 9:00 am.
17

18 **Item #6: Other Business**
19

20 Nothing was discussed at this time.
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22 **ACTION: Commissioner Keyes moved to adjourn. Commissioner Glass seconded.**
23 **Motion passed unanimously.**
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31 **WQCC, Chairman**