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

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

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

MEMBERS ABSENT:
Larry Bell  Department of Game and Fish
Bill Olson  Oil Conservation Division
David Johnson  State Parks Division

OTHERS PRESENT:
Zack Schandler, WQCC Counsel
Geraldine Madrid-Chavez, WQCC Administrator
Stephanie Stringer
B.J. Brock
Glenn Saums
Steve Baumgart
Jolene L. McCaleb
Tom Pitts
Cathy Ratcliff
Fred Kalish
John Montgomery
Stuart Butzer

minutes of WQCC meeting 09/31/02
Chairman D'Antonio called the meeting of the WQCC to order at 9:10 am.

Item #1: Roll Call

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

Item #2: Approval of the Agenda

The following changes were made:

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

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

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

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

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

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

Chairman D’Antonio announced for the record the time is now 9:40 am and we are meeting in room 317 at the State Capitol in Santa Fe, New Mexico, on October 1, 2002. This hearing is being held to consider the petition for review submitted by Aldebaran Enterprises also known as petitioner regarding Taos Country Club Casitas. The appeal is associated with the New Mexico Environment Departments determination that Taos Country Club Casitas Condominium Project is required to submit a discharge permit application pursuant to the Water Quality Control Commission under regulation 20.6.2.1202 NMAC. The hearing will be conducted in accordance with state law section 74-6-5 NMSA under the appeal hearing rules of 20.1.3 NMAC. I will orderly grant the petitioners motion to continue the hearing.
ACTION: Commission Brandvold moved to continue the hearing in Santa Fe, NM on November 12, 2002 for the Notice of Appeal – Determination that a discharge permit is required for Taos Country Club Casitas. Commissioner Keyes seconded.

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

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

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

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

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

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Turney</td>
<td>No</td>
</tr>
<tr>
<td>Commissioner Glass</td>
<td>Yes</td>
</tr>
<tr>
<td>Commissioner Maitland</td>
<td>No</td>
</tr>
<tr>
<td>Commissioner Hutchinson</td>
<td>No</td>
</tr>
<tr>
<td>Commissioner Brandvold</td>
<td>No</td>
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<tr>
<td>Commissioner Lee</td>
<td>Yes</td>
</tr>
<tr>
<td>Commissioner Keyes</td>
<td>No</td>
</tr>
<tr>
<td>Commissioner Easterling</td>
<td>Yes</td>
</tr>
<tr>
<td>Commissioner D’Antonio</td>
<td>Abstain</td>
</tr>
</tbody>
</table>

Motion failed with a 5 – 3 – 1 vote.

Item #7 Next Meeting

ACTION: Commissioner Glass made a motion that the next WQCC meeting will be in Santa Fe, NM on November 12, 2002 at 9:00am. Commissioner Keyes seconded. Motion passed unanimously.
Item #5: Hearing and possible decision in the matter of Proposed Revisions to Statewide Water Quality Management Plan (WQMP). (WQCC 01-01R)
Chairman D’Antonio announced for the record the time it is now 10:20 am and we are meeting in room 317 at the State Capitol in Santa Fe, New Mexico, on October 1, 2002. The Commission is here to consider the adoption of the New Mexico Water Quality Management Plan, the facts being presented by the Surface Water Bureau of the Environment Department. The Bureau has filed timely notice of this hearing in the necessary newspapers and publications. Chairman D’Antonio explained the ground rules for the hearing and explained how the hearing would be conducted.

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

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

Item #6: Other Business
Nothing was discussed at this time.

ACTION: Commissioner Keyes moved to adjourn. Commissioner Glass seconded. Motion passed unanimously.

WQCC, Chairman