



**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION**

**1190 St. Francis Drive  
P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-2842**

**CONSTITUENT AGENCIES:**

- Environment Department
- State Engineer & Interstate Stream Commission
- Game and Fish Department
- Oil Conservation Division
- Department of Agriculture
- State Park & Recreation Division
- Soil and Water Conservation Bureau
- Bureau of Mines and Mineral resources
- Member-at-Large

**Minutes of the  
New Mexico Water Quality Control Commission Meeting  
October 14, 1997**

The New Mexico Water Quality Control Commission (WQCC) held its meeting on October 14, 1997, at 9:00 a.m. at the State Capitol Building, Paseo de Peralta and Old Santa Fe Trail, Santa Fe, New Mexico. The following members were present.

Mark Weidler	NMED
Tom Turney	State Engineer Office
Bill Olson	Oil Conservation Division
James Davis	Department of Agriculture
Andrew Sandoval	Department of Game & Fish
Howard Hutchinson	Soil & Water Conservation Commission
Charles Chapin	Bureau of Mines & Mineral Resources
Alberto Gutierrez	Member-at-Large

**Absent**

David Johnson	Park & Recreation Division
Robert Castillo	Member-at-Large
Paul Gutierrez	Member-at-Large

**Others**

Pamela Farnham	Acting WQCC Secretary
Patrick Simpson	WQCC Legal Counsel - AGO
Erik Galloway	NMED
Steven Pierce	NMED
Marcy Leavitt	NMED
Dale Doremus	NMED
Greg Ridgley	Legal Counsel, NMED

**Item 1: Roll Call. (Tape 1 - Side 1 - 6)**

**Item 2: Approval of the Agenda (Tape 1 - Side 1 - 14)**

H. Hutchinson moved to approve the agenda. B. Olson seconded the motion. Motion passed unanimously.

**Item 3: Discussion Regarding Forest Guardians Lawsuit (Tape 1 - Side 1 - 17)**

P. Simpson reviewed the status of the litigation between EPA (Defendant) and Forest Guardians (Plaintiff). He stated that the WQCC is not yet a party in the proceedings. He also stated that EPA has until October 20, 1997, to answer the complaint. (Tape 1 - Side 1 - 28)

H. Hutchison made a motion to go into Executive Session to discuss pending possible litigation. Alberto Gutierrez seconded the motion. A Roll Call vote was taken.

Mark Weidler	YES
Tom Turney	YES
Bill Olson	YES
Jim Davis	YES
Andrew Sandoval	YES
Howard Hutchinson	YES
Charles Chapin	YES
Alberto Gutierrez	YES

**The motion passed unanimously. (Tape 1 - Side 1 - 49)**

H. Hutchinson made a motion to return to regular session. Charles Chapin seconded the motion. The motion passed unanimously.

P. Simpson stated that the only item discussed in Executive Session was the Forest Guardians Lawsuit with EPA regarding the antidegradation policy.

**H. Hutchison stated a correction to the October 14, 1997 meeting on page 2, Item 3, 3rd paragraph, 2nd sentence. Recommend to [Strick after] Mr. Simpson, in the second sentence. [Strick] Should proceed with intervention [Strike instead read} should a Stay not be forthcoming, Mr. Simpson would inform the parties that the WQCC intends to intervene pending the Tri-annual Review process.**

Made corrections to the above bolded paragraph "intend to intervene pending the Tri-annual Review process". Corrections request from March 10, 1998 meeting. (Refer to the March 10, 1998 minutes for updated wording)

**ORIGINAL WORDING:** H. Hutchinson made a motion to direct Pat Simpson to seek a sense of approval for a Stay from the parties. [Strick]should proceed with intervention[Strick] should a Stay not be forthcoming, Mr. Simpson would inform the parties that the WQCC intends to intervene. should intervention to obtain a Stay pending the WQCC Tri-annual Review process. There will be a 30-day time frame following EPA's response to Forest Guardians Complaint. C. Chapin seconded the motion. The motion passed unanimously. (Tape 1 - Side 1 -

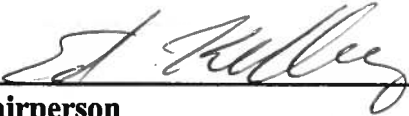
G. Ridgely, NMED attorney, stated that the draft developed by NMED for the water quality standards for the next Triennial Review was distributed. The next steps include public meetings to discuss the draft and receive input from interested parties which would probably modify the draft. A hearing would then be set by the WQCC, which would probably occur next spring.

B. Olson stated that he would like the Commissioners to be notified of the scheduled public meeting dates so they could attend.

**Item 4: Next Meeting**

No date was set.

**A motion was made to adjourn the meeting. The motion passed unanimously. (Tape 1 - Side 1 - 112)**



**Chairperson**