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 Mines and Mineral Resources
Members-at-Large

REVISED DRAFT AGENDA
(see items 6, 7, 8)
NM WATER QUALITY CONTROL COMMISSION MEETING
January 8, 2013
9:00 a.m.
Old PERA Bldg
Apodaca Hall
1120 Paseo De Peralta
P.O. Box 1269
Santa Fe, NM 87504

The following items are for discussion and possible action:

1. Roll Call

2. Approve the Agenda

3. Approve minutes of December 11, 2012 meeting

4. Approval of Statement of Reasons for WQCC 12-07 (R), Proposal to Amend Surface Water Quality Standards for Nichols and McClure Reservoirs, the Santa Fe River and the Galisteo Watershed. Commission Counsel Sean Cunniff.
   Time estimate: 15 Minutes

5. Request for Hearing in WQCC-12-12 (V), Petition for Variance from Regulation 20.6.6 NMAC. Dalva Moellenberg of Gallagher & Kennedy for Petitioner Rajen Dairy, DP-706; Christopher N. Atencio, NMED/OGC, for Ground Water Bureau.
   Time estimate: 15 minutes
6. Request for Hearing in **WQCC-12-13 (V)**, Petition for Variance from Regulation 20.6.6 NMAC. Pete V. Domenici, Jr., of Domenici Law Firm for Petitioner East Portales Dairy, t/f/a Milk Flow Dairy, DP-1213; Christopher N. Atencio, NMED/OGC, for Ground Water Bureau. Time estimate: 15 minutes

7. Continuation of Hearing in **WQCC 12-09 (R)**, Petition for Proposed Amendments to 20.6.6 NMAC, the Dairy Rule, for purpose of considering Motion for Reconsideration and to Dismiss Petition. Dalva Moellenberg and Anthony J. Trujillo for Petitioner DIGCE; Jonathan Block for Amigos Bravos, Caballo Concerned Citizens and the Sierra Club, Movants. Time estimate: 1 hour

8. Briefing and request for Commission concurrence in Ct. **App. 29,321** regarding the Notice of Amendment of Tyrone Settlement Agreement and Joint Motion to Extend Stay of Appeal to Allow Completion of Settlement Terms. Dalva Moellenberg and Anthony J. Trujillo for Phelps Dodge Tyrone; John J. Kelly and Stuart R. Butzier, Modrall, Sperling, Roehl, Harris & Sisk, for Freeport McMoran Tyrone; Bruce Frederick of the Environmental Law Center for Gila Resources Information Project; Andrew Knight, NMED/OGC, for Department. Time estimate: 30 minutes


10. Update on dairy permitting, other business and announcement of any enforcement actions taken on behalf of the Commission.

11. Next meeting: April 9, 2013.

   Upcoming:
   April 9, 2013-Hearing in **WQCC 12-01 (R)**, the Copper Rule.

9. Adjournment

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*If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, contact Pam Castañeda at least ten days prior to the meeting or as soon as possible at 505.827.2425 or pam.castaneda@state.nm.us. Public documents can be provided in various accessible formats. Contact Pam Castañeda if accessible format is needed.*