



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive, Suite S-2102
Santa Fe, New Mexico 87505
Phone: (505) 827-2425
Fax: (505) 827-2836**

CONSTITUENT AGENCIES

**Environment Department
Game and Fish Department
Department of Agriculture
State Parks Division
Bureau of Mines and Mineral Resources**

**State Engineer & Interstate Stream Commission
Oil Conservation Division
Department of Health
Soil and Water Conservation Commission
Members-at-Large**

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
October 11, 2016
9:00 a.m.
New Mexico Public Education Department
Mabry Hall
300 Don Gaspar Ave.
Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

Larry Dominguez
Matthias Sayer
Christy Tafoya

Jane DeRose-Bamman
Howard Hutchinson
J.C. Borrego
Scott Dawson
Edward Vigil
Deborah Dixon
John Waters

Chair, Department of Agriculture
Vice Chair, Department of Game and Fish
State Parks Division, Energy, Minerals and Natural
Resources Department
Water Utility Authority
Soil and Water Conservation Commission
New Mexico Environment Department
Oil Conservation Division
Member-at-Large
Office of the State Engineer
Member-at-Large

MEMBERS ABSENT:

OTHERS PRESENT:

Pam Castañeda

Commission Administrator

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

The Chair called the meeting to order at 9:05 a.m.

Item 1. Roll Call.

Roll was taken; a quorum was present.

Due to the Special Legislative Session and not knowing the time frame of when they would be finished the Chair requested the venue be changed from the State Capital Building to another venue. The meeting was held at the New Mexico Public Education Department, Mabry Hall. The Commission Administrator revised the agenda in a timely manner to notify the public and parties of the new venue.

Item 2. Approve the Agenda.

Action: Mr. Waters moved to approve the agenda. Mr. Hutchinson seconded the motion. The motion passed unanimously.

Item 3. Approval of meeting minutes from September 13, 2016.

Action: Approval of the meeting minutes will be considered at the next meeting there were four Commissioners absent on September 13, 2016, the Commission was unable to have a quorum vote. The Chair requested that revisions could still be made. On line 88 page 3 needed to reflect 11:00 a.m. instead of 10:00 a.m. Line 110 page 3 needed to reflect when the Commission recessed for lunch. Ms. DeRose-Bamman noted that on September 13, 2016, the Commission took a lunch break at 12:30 p.m. and reconvened at 1:30 p.m.

The Chair requested the Commission Administrator to send the entire record of the September 13, 2016, meeting to the Commissioner's not present.

Item 4. WQCC 16-03 (R). In the Matter of Proposed Rulemaking Rules for the Commission, 20.1.6 NMAC. Public Hearing.

Action: Matthias Sayer, Vice Chair, volunteered as the hearing officer and conducted the public hearing in accordance with (§§ 74-6-1 et seq., NMSA 1978) of the New Mexico Water Quality Act and the Commission's Rulemaking Guidelines for Water Quality Control Commission.

Cheryl Arreguin of Kathy Townsend Court Reporters recorded and transcribed the public hearing for WQCC 16-03 (R). The transcript is available in the office of the Commission Administrator.

Bill Brancard, Office of General Counsel, New Mexico Energy, Minerals and Natural Resources Department, provided testimony and gave a brief summary of the Commission Guidelines.

Jeffrey N. Holappa, Administrative Law Judge, New Mexico Environment Department provided testimony. The Commission questioned the witness.

Dalva Mollenberg, Esq., Gallagher & Kennedy, P.A., introduced Michael Bowen, Executive Director, New Mexico Mining Association and Anthony (T.J.) Trujillo, Esq., Gallagher & Kennedy provided testimony. The Commission questioned the witnesses.

Louis W. Rose, Montgomery and Andrews, P.A., Los Alamos National Security, LLC's provided written and oral comment. The Chair questioned Mr. Rose.

Mr. Holappa provided some brief commentary on the New Mexico Mining Associations proposal and comments on the Notice of Intent and the Los Alamos National Security, LLC's comments. The Commission questioned the witness.

Andrew Knight, Office of the General Counsel, New Mexico Environment Department provided a brief closing statement.

Mr. Mollenberg commented on the New Mexico Environment Department's proposed rules.

The Commission recessed for lunch at 12:30 p.m. and reconvened at 1:40 p.m.

The Commission deliberated on the proposed rulemaking rules.

The Chair asked the Commission Administrator about agenda items for November 15, 2016.

The Chair requested that the record remain open for the parties to submit proposed statements of reasons to the Commission Administrator by October 28, 2016.

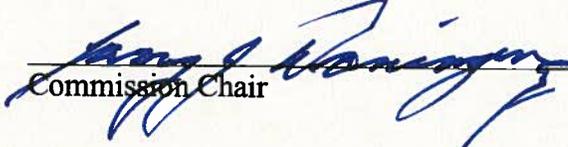
The Commission will continue deliberations and may make a final decision at the next regularly scheduled WQCC meeting.

Item 9. Next meeting.

Action: November 15, 2016.

Item 10. Adjournment.

Action: The Chair entertained a motion to adjourn. Ms. Dixon moved to adjourn the meeting. Mr. Dawson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 3:36 p.m.



Commission Chair