



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
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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

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
November 14, 2017
9:00 a.m.
State Capitol Building, Room 307
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

Larry Dominguez	Chair, Department of Agriculture
Jane DeRose-Bamman	Water Utility Authority
Howard Hutchinson	Soil and Water Conservation Commission
JC Borrego	New Mexico Environment Department
Scott Dawson	Oil Conservation Division
Nelia Dunbar	New Mexico Bureau of Geology and Mineral Resources
Jacob Payne	New Mexico Game and Fish
John Waters	Member-at-Large
Christy Tafoya	State Parks Division, Energy, Minerals and Natural Resources Department

MEMBERS ABSENT:

Edward Vigil	Member-at-Large
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OTHERS PRESENT:

Stephen Vigil	Commission Counsel
Regina Ryanczak	Commission Counsel
Pam Castañeda	Commission Administrator

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

The Chair called the meeting to order at 9:03 a.m.

Item 1. Roll Call.

Roll was taken; a quorum was present.

Item 2. Approve the Agenda.

Action: Mr. Waters moved to approve the Draft Agenda as presented. Mr. Hutchinson seconded the motion. The motion passed unanimously.

Item 3. Approval of meeting minutes from October 10, 2017.

Action: Ms. DeRose-Bamman moved to approve the minutes as submitted. Ms. Dunbar seconded the motion. The motion passed unanimously. The Chair introduced Jacob Payne, who will be representing the New Mexico Game and Fish Department and JC Borrego with the New Mexico Environment Department. Stephen Vigil from the Attorney General's Office will be representing the Commission as Commission Counsel.

Item 4. WQCC 17-07 (A). Creekside Dairy GWB 17-02 (CO). Request for Hearing and Appointment of a Hearing Officer.

Action: Mr. Villalpando, representing Creekside Dairy petitioned the Commission to request a hearing regarding a Compliance Order that was issued by the New Mexico Environment Department. Mr. Atencio asked for the Commission to set the hearing for January 2018. The Chair entertained a motion to schedule WQCC 17-07 (A) for the January 9, 2018, regular scheduled WQCC meeting and assign Erin Anderson as the Hearing Officer. Ms. DeRose-Bamman so moved. Mr. Hutchinson seconded the motion. The Chair asked the Commission Administrator to take a roll call vote. The motion passed unanimously 8-0. Ms. Tafoya left the meeting and was not present during the vote.

Item 5. WQCC 17-08 (A). Rockhill Dairy GWQC 17-03 (CO). Request for Hearing and Appointment of a Hearing Officer.

Action: Mr. Villalpando, representing Rockhill Dairy petitioned the Commission to request a hearing regarding a Compliance Order that was issued by the New Mexico Environment Department. The Chair entertained a motion to schedule WQCC 17-08 (A) for the January 9, 2018, regular scheduled WQCC meeting and assign Erin Anderson as the Hearing Officer. Ms. DeRose-Bamman so moved. Mr. Dawson seconded the motion. The Chair asked the Commission Administrator to take a roll call vote. The motion passed unanimously 8-0. Ms. Tafoya left the meeting and was not present during the vote.

Item 6. WQCC 17-09 (A). In the Matter of La Vista Del Canyon Mobile Home Park, Moses Anserlian, Alice Apelian, and Champs Investments III, LLC., Owners. Request for Hearing and Appointment of a Hearing Officer.

Action: Mr. Anserlian, representing La Vista Del Canyon Mobile Home Park petitioned the Commission to request a hearing regarding a Compliance Order that was issued by the New Mexico Environment Department. The Chair entertained a motion to schedule WQCC 17-09 (A) for the January 9, 2018, regular scheduled WQCC meeting and assign Erin Anderson as the Hearing Officer. Mr. Hutchinson so moved. Mr. Dawson seconded the motion. The Chair asked the Commission Administrator to take a roll call vote. The motion passed unanimously 8-0. Ms. Tafoya left the meeting and was not present during the vote.

Item 7. WQCC 17-03 (R). In the Matter of: Proposed Amendments to Ground and Surface Water Protection Regulations 20.6.2 NMAC. Motion to Dismiss in Part the New Mexico Environment Department’s Petition to Amend 20.6.2 NMAC.

Action: Kathy Townsend of Kathy Townsend Court Reporters recorded and transcribed the Motion to Dismiss in Part the New Mexico Environment Department’s Petition to Amend 20.6.2 NMAC and Commission Deliberations for WQCC 17-03 (R). The transcript is available in the office of the Commission Administrator.

On September 29th, a motion to dismiss in part by Amigos Bravos and Gila Resources was filed with the Commission Administrator. The parties gave oral summary and rebuttal regarding the motion. The Commission questioned the parties. The Commission deliberated. Mr. Payne moved to deny the motion to dismiss. Mr. Borrego seconded. The Chair asked the Commission Administrator to take a roll call vote. The motion was 7 in favor, Mr. Hutchinson no, and Ms. Dunbar abstained

Item 8. WQCC 17-03 (R). In the Matter of: Proposed Amendments to Ground and Surface Water Protection Regulations, 20.6.2 NMAC. Public Hearing.

Action: Erin Anderson the Administrative Law Judge conducted the hearing in accordance with the Commission’s Rulemaking procedures 20.1.6 NMAC. The hearing was held from November 14-17, 2017.

Cheryl Arreguin and Denise Kopan of Kathy Townsend Court Reporters recorded and transcribed the public hearing for WQCC 17-03 (R). The transcript is available in the office of the Commission Administrator.

The case will re-main open for Post-hearing submittals to be filed 60 days after the Commission Administrator receives the transcripts. The Commission may deliberate at the next WQCC meeting following the Legislative Session.

Item 9. Next meeting and forthcoming matter. December 12, 2017.

Action: The Chair asked the Commission Administrator if any agenda items were scheduled. There are no agenda items. May be subject to change. There are agenda items scheduled for the January 9, 2018 meeting. The Commission will not meet in February due to the Legislature. The Chair noted that no actions were taken. This was strictly informational to the Commissioners.

Adjournment.

Action: The Chair entertained a motion to adjourn. Ms. DeRose-Bamman motioned to adjourn the meeting. Mr. Dawson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 5:00 p.m. on November 17, 2017.


Commission Chair