



**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION  
1190 St. Francis Drive, Suite S-2102  
Santa Fe, New Mexico 87505  
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**CONSTITUENT AGENCIES**

<b>Environment Department</b>	<b>State Engineer &amp; Interstate Stream Commission</b>
<b>Game and Fish Department</b>	<b>Oil Conservation Division</b>
<b>Department of Agriculture</b>	<b>Department of Health</b>
<b>State Parks Division</b>	<b>Soil and Water Conservation Commission</b>
<b>Bureau of Mines and Mineral Resources</b>	<b>Members-at-Large</b>

**Meeting Minutes  
New Mexico Water Quality Control Commission  
Regular Meeting  
November 15, 2016  
9:00 a.m.  
State Capitol Building, Room 309  
490 Old Santa Fe Trail  
Santa Fe, New Mexico 87501**

**MEMBERS PRESENT:**

Larry Dominguez	Chair, Department of Agriculture
Matthias Sayer	Vice Chair, Department of Game and Fish
Christy Tafoya	State Parks Division, Energy, Minerals and Natural Resources Department
Jane DeRose-Bamman	Water Utility Authority
Howard Hutchinson	Soil and Water Conservation Commission
J.C. Borrego	New Mexico Environment Department
Scott Dawson	Oil Conservation Division
Edward Vigil	Member-at-Large
Deborah Dixon	State Engineer & Interstate Stream Commission
John Waters	Member-at-Large

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

John Grubestic	Commission Counsel
Pam Castañeda	Commission Administrator

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

The Chair called the meeting to order at 9:00 a.m.

**Item 1. Roll Call.**

Roll was taken; a quorum was present.

**Item 2. Approve the Agenda.**

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

The Chair introduced John Grubestic, Attorney General's Office. Mr. Grubestic will be representing the Commission as Commission Council.

**Item 3. Approval of meeting minutes from September 13, 2016, and October 11, 2016.**

**Action:** Mr. Waters moved to approve the minutes from September 13, 2016, and October 11, 2016. Mr. Vigil seconded the motion. The motion passed unanimously.

**Item 4. WQCC 16-04 (R). In the Matter of Proposed Amendments to Wastewater Facility Construction Loans Regulations, 20.7.5.14 NMAC. Request for Hearing.**

**Action:** Annie Maxfield, Office of General Counsel, gave a brief presentation regarding the rule change to 20.7.5.14 NMAC. Jim Chiasson, Bureau Chief, Construction Program Bureau, commented on the program and what the program is doing to better serve the public and to mandate the rule in order to receive funds to send out to rural communities around the state. Ms. Maxfield requested an April 11, 2017, hearing for the Proposed Amendments to Wastewater Facility Construction Loans Regulations, 20.7.5.14 NMAC. The Chair proposed to set the hearing for April 11, 2017, and allow him to appoint a Hearing Officer at a later date. Ms. Dixon so moved. Mr. Dawson seconded the motion. The motion passed unanimously.

**Item 5. Approval of the Final Draft of the Rio Ruidoso TMDLs. John Verheul, NMED/OGC, Heidi Henderson and Shelly Lemon, NMED/SWQB.**

John Verheul, Office of General Counsel, introduced Heidi Henderson, TMDL writer and Shelly Lemon, Acting Bureau Chief with the Surface Water Quality Bureau. Mr. Verheul noted that other members were present on behalf of the Surface Water Quality Bureau. Ms. Henderson gave a brief presentation. The Commission questioned Ms. Henderson and Ms. Lemon.

Ned Kendrick, Montgomery and Andrews, P.A., and Del Archuleta, President and owner of Molzen Corbin Engineers provided oral comment on behalf of the Village of Ruidoso and the City of Ruidoso Downs, John Cornelius, councilor of the Village of Ruidoso was present. The Commission questioned Mr. Archuleta and Mr. Cornelius.

The Commission took a short break at 10:51 a.m. The meeting reconvened at 11:01 a.m.

Steve Sugarman, provided oral comment on behalf of Wild Earth Guardians and the Rio Hondo Land and Cattle Company. The Commission questioned Mr. Sugarman.

Mr. Verheul, Ms. Henderson and Ms. Lemon responded to Mr. Sugarman's comments. The Commission questioned Mr. Verheul, Ms. Henderson and Ms. Lemon.

The Commission took a lunch break at 11:54 a.m. and reconvened at 1:03 p.m.

The Commission deliberated. Mr. Vigil moved for approval of the Final Draft of the Rio Ruidoso TMDLs as presented with the editorial revisions made by Ms. DeRose-Bamman. Mr. Waters seconded the motion. The Chair asked the administrator to take a roll call vote. The motion passed unanimously 10-0.

**Item 6. WQCC 16-03 (R). In the Matter of Proposed Rulemaking Rules for the Commission, 20.1.6 NMAC. Continued deliberations and possible final decision.**

**Action:** The Commission continued deliberations on WQCC 16-03 (R).

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

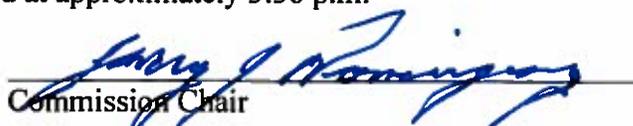
The Chair entertained a motion to confirm that the Commission was adopting the Environment Department's proposed language, except where the Commission had made revisions or where they were inserting sections of San Juan's or New Mexico Mining Association's proposed language. Mr. Waters so moved. Ms. DeRose-Bamman seconded the motion. The motion passed unanimously.

**Item 7. Next meeting.**

**Action:** The Chair asked the Commission Administrator about agenda items for December 13, 2016.

**Item 8. 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