



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

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

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

Draft Agenda

**New Mexico Water Quality Control Commission Meeting
August 13, 2019
9:00 a.m.
State Capitol Building, Room 307, 490 Old Santa Trail
Santa Fe, New Mexico 87501**

The following items are for discussion and possible action:

1. Roll Call.
2. Approval of the Agenda.
3. Approval of meeting minutes from June 11, 2019 and June 18, 2019.
4. Public comment.
5. Presentation from NMED Water Protection Division on topics of interest including Clean Water Act triennial review schedule, definition of "Waters of the United States," and upcoming proposed rule revisions. Rebecca Roose, NMED/Water Protection Division and Shelly Lemon, NMED/SWQB. Time estimate: 30 minutes.
6. Approval of the Final Draft Canadian River Watershed TMDL. John Verheul, New Mexico Environment Department (NMED)/Office of General Counsel (OGC), Rachel Jankowitz and Heidi Henderson, NMED/Surface Water Quality Bureau (SWQB). Time estimate: 20 minutes.
7. WQCC 18-04 (CO). In the matter of a compliance order issued to Southwest Capital Bank, Land Development 2, LLC and Club Rio Rancho for groundwater discharge permit DP-1629. Approval of Settlement Agreement between NMED/Groundwater Quality Bureau and Southwest Capital Bank, Land Development 2, LLC. John Verheul, NMED/OGC, Josh Skarsgard for Land Development 2. Time estimate: 15 minutes.

8. WQCC 17-07 (A). Creekside Dairy GWQB 17-02 (CO). WQCC 17-08 (A). Rockhill Dairy GWQB 17-03 (CO). Presentation of proposed Joint Settlement Agreement. Christopher Atencio, NMED/OGC; Elizabeth Reitzel Miller Stratvert P.A., and Richard L. Alvidrez, Counsel for Abel Villalpando, Petitioner for Creekside Dairy and Rockhill Dairy. Time estimate: 1 hour.
9. Proposed Joint Settlement Agreement in *N.M. Environment Dep't v. Villalpando*, A-1-CA-37623, WQCC 17-07 (A), Creekside Dairy GWQB 17-02 (CO), and in *N.M. Environment Dep't v. Villalpando*, A-1-CA-37619, WQCC 17-08 (A). Rockhill Dairy GWQB 17-03 (CO). Time estimate: 1 hour.
10. Executive Session pursuant to NMSA 1978, Section 10-15-1(H)(7) to discuss pending litigation and Proposed Joint Settlement Agreement in *N.M. Environment Dep't v. Villalpando*, A-1-CA-37623, WQCC 17-07 (A), Creekside Dairy GWQB 17-02 (CO), and in *N.M. Environment Dep't v. Villalpando*, A-1-CA-37619, WQCC 17-08 (A). Rockhill Dairy GWQB 17-03 (CO).
11. Action on items discussed in Executive Session.
12. WQCC 19-02 (A). In the matter of two petitions for review of the Secretary's decision to issue groundwater discharge permit number DP-1840 for the Copper Flat mine. Permit Review. The Commission may deliberate and make a decision at the conclusion of the Permit Review. Andrew Knight, NMED/OGC; Charles de Saillan, counsel for petitioners Turner Ranch Properties, L.P., Hillsboro Pitchfork Information Project, and Gila Resources Information Project; Samantha Barncastle, counsel for petitioner Elephant Butte Irrigation District; and, Stuart Butzier and Christina Sheehan, counsel for discharge permit applicant New Mexico Copper Corporation. Time estimate: 4 hours.
13. Executive Session pursuant to NMSA 1978, Section 10-15-1 (H)(3) to deliberate in connection with two petitions for review of the Secretary's decision to issue groundwater discharge permit number DP-1840 for the Copper Flat mine.
14. Action on items discussed in Executive Session.
15. Next meeting and upcoming matters proposed for September 10, 2019.

Public rulemaking hearing during the October 12, 2019 meeting for WQCC 19-03 (R) proposed amendments to Surface Water Quality Standards, 20.6.4 NMAC, for San Isidro arroyo and tributaries.
16. Adjournment.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of ancillary aid or service to attend or participate in the hearing or meeting, contact Cody Barnes at least ten days prior to the meeting or as soon as possible at 505.827.2428 or cody.barnes@state.nm.us. Public documents can be provided in various accessible formats. Contact Cody Barnes if accessible format is needed.