MEMBERS PRESENT:

Butch Tongate  Chair, Environment Department
Dave Gatterman  State Parks Division
Larry Dominguez  Department of Agriculture
Mike Sloane  Department of Game & Fish
Doug Bland  Bureau of Geology and Mineral Resources
Clark Taylor  Soil and Water Conservation Commission
D.L. Sanders  Office of the State Engineer
Heidi Krapfl  Department of Health
Daniel Sanchez  Oil Conservation Division
Steve Glass  County of Bernalillo, Municipal/County Representative
Edward Vigil  Member-at-Large
John Waters  Member-at-Large
Hoyt Pattison  Member-at Large

MEMBER ABSENT:  None

OTHERS PRESENT:
Please see attached sign-in sheets

Carmella Casados, Administrator
Felicia Orth, Hearing Officer
Melanie Carver, NM Attorney General’s Office
Misty Braswell, NMED/OGC
TJ Trujillo, Attorney, Gallagher & Kennedy P.A. Law Offices
The meeting was called to order by Mr. Tongate at 9:05 a.m.

Item 1. Roll Call.

Roll was taken, it was noted that a quorum was present.

Item 2. Approval of Agenda.

Action: Mr. Glass moved Commission adoption of the Agenda as presented. Mr. Sloane seconded the motion. The motion passed unanimously.

Item 3. Approve minutes of July 12, 2011 meeting.

Action: Mr. Sloane moved adoption of the July 12, 2011 meeting minutes with changes to lines 79, 81, 83, 130 and 170. Mr. Waters seconded the motion. The motion passed unanimously.

Item 4. Set for hearing WQCC 11-04 (R), a Petition for Proposed Amendments to 20.6.6 NMAC, the Dairy Rule. Misty Braswell and TJ Trujillo for Petitioner, NMED.

Misty Braswell and TJ Trujillo requested that the Commission set hearing for WQCC 11-04 (R), the proposed amendments to 20.6.6 NMAC, the Dairy Rule on October 11, 2011 and requested that Ms. Orth be appointed as the Hearing Officer.

Action: Mr. Sloane moved to set the hearing for October 11, 2011 meeting and that Ms. Orth be the Hearing Officer. Mr. Waters seconded the motion. The motion passed unanimously.

Item 7. Other business.

Mr. Pattison prompted an extensive discussion on the changes that can be made to a rule during hearing and the concept of “logical outgrowth.”

Item 8. Next meeting: September 13, 2011

Item 9. Adjournment.

The Chair adjourned the meeting.

[Signature]
Commission Chair