

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

1190 St. Francis Drive, Room N2150

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Santa Fe, New Mexico 87502

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Constituent Agencies

Environment Department
Office of State Engineer
Game and Fish Department
Oil Conservation Division
Department of Agriculture
Department of Health
State Parks Division
-Soil and Water Conservation Commission
Bureau of Geology and Mineral Resources
Municipal/County Representative
Members-at Large

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
December 13, 2011
9:00 a.m.
New Mexico State Capitol Room 317
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

Mary Rose	Acting Chair, Environment Department
Larry Dominguez	Department of Agriculture
Mike Sloane	Department of Game & Fish
Doug Bland	Bureau of Geology and Mineral Resources
Steve Glass	County of Bernalillo, Municipal/County Representative
Heidi Krapfl	Department of Health
Daniel Sanchez	Oil Conservation Division
Dave Gatterman	State Parks Division
Hoyt Pattison	Member-at Large
John Waters	Member-at-Large

MEMBER ABSENT:

Clark Taylor	Soil and Water Conservation Commission
D.L. Sanders	Office of the State Engineer
Edward Vigil	Member at Large

OTHERS PRESENT:

Please see attached sign-in sheets

Carmella Casados, Administrator
Felicia Orth, Hearing Officer
Tania Maestas, NM Attorney General's Office
Charles de Saillan, NMED/OGC

TJ Trujillo, Attorney, Gallagher & Kennedy P.A. Law Offices
Dalva Moellenberg, Gallagher & Kennedy P.A. Law Offices
John Kelly, Stuart, Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Stuart Butzier, Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Kirk Patten, DGF

The meeting was called to order by Ms. Rose at 9:00 a.m.

Item 1. Roll Call.

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

Item 2. Approval of Agenda.

Action: Ms. Rose requested to move Item 5 to Item 4, and Item 4 to Item 5.

Mr. Waters moved Commission adoption of the agenda as amended. Mr. Glass seconded the motion. The motion passed unanimously.

Item 3. Approve minutes of December 13, 2011 meeting.

Action: Mr. Dominguez moved to approve the minutes as amended. Ms. Krapfl seconded the motion. The motion passed.

Item 4. Hearing in **WQCC 11-03(V)**, Petition For Variance From Regulations 20.6..2.3109(C) and 20.6.2.3109(H)(3) NMAC, Tyrone Mine Savannah Pit Leach Stockpile, Charles de Saillan, NMED/OGC; Dalva Mollenberg, T.J. Trujillo, Galagher & Kennedy, L.L.P; John Kelly, Stuart Butzier, Modrall, Sperling, Roehl, Harris & Sisk, P.A.

Action: The hearing in WQCC 11-03(V) was recorded and transcribed by Cheryl Arreguin of Kathy Townsend Court Reporters. The transcript is available in the office of the Commission Administrator.

Mr. Pattison moved that the petition for variance be approved with change in # 10 be a finding rather than a condition, and the chair be empowered to sign the final order. Mr. Sanchez seconded the motion. The motion passed unanimously.

Item 5. Request for hearing in **WQCC 11-06(PISC)**, Petition by the Department of Game And Fish for continued use of Piscicides to restore the native fish community in the Rio Costilla Watershed, Taos County, New Mexico. Kirk Patten, DGF.

Action: Mr. Sloane moved to request Felicia Orth as hearing officer and set a schedule for hearing in late February or Early March. Mr. Dominguez seconded the motion. The motion passed unanimously.

Item 6. Other business. None

Item 7. Next meeting: January 10, 2012

Item 8. Adjournment.
The Chair adjourned the meeting.



Commission Chair