



**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION
1190 St. Francis Drive
P.O. Box 5469
Santa Fe, New Mexico 87502
Telephone (505) 827-2425**

CONSTITUENT AGENCIES

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

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

**Meeting Minutes
New Mexico Water Quality Control Commission
Regular Meeting
January 13, 2015
Old PERA Bldg.
Apodaca Hall
1120 Paseo De Peralta
Santa Fe, New Mexico 87501**

MEMBERS PRESENT:

**Butch Tongate
Larry Dominguez
Hoyt Pattison
Tony Delfin
Dan Brooks
John Waters
Jane DeRose-Bamman
Ghassan Musharrafiieh
Howard Hutchinson**

**Chair, Environment Department
Department of Agriculture
Member-at Large
State Forestry Division
Department of Game & Fish
Member-at-Large (Conference Call)
Water Utility Authority
Office of the State Engineer
Soil and Water Conservation Commission**

MEMBER ABSENT:

**Scott Dawson
Edward Vigil**

**Oil Conservation Division
Member-at-Large**

OTHERS PRESENT:

**Wade Jackson, General Counsel, NM Economic Development Department, Counsel for the
Commission
Pam Castañeda, Administrator**

Please see attached sign-in-sheet

The meeting was called to order by Butch Tongate at 9:10 a.m.

Item 1. Roll Call.

Roll was taken; a quorum was present.

Item 2. Approval of Agenda.

Action: Mr. Hoyt Pattison moved adoption of the agenda. Mr. Dan Brooks seconded the motion. The motion passed unanimously.

Item 3. Approval of minutes of September 9, 2014, meeting.

Action: Ms. Jane DeRose-Bamman moved to approve the minutes. Mr. John Waters seconded the motion. The motion passed unanimously.

Item 4. Adoption of WQCC Open Meetings Act Resolution for 2015.

Action: Mr. Wade Jackson addressed the Open Meetings Act. The Open Meetings Act resolution was drafted with a few changes. Mr. Tony Delfin moved to approve the Open Meetings Act resolution. Mr. Pattison seconded the motion. The motion passed unanimously.

Item 5. Election of a Commission vice Chair pursuant to NMSA 1978, §74-6-3(C).

Action: Mr. Butch Tongate nominated Mr. Larry Dominguez as vice chair. Mr. Pattison moved to nominate Mr. Dominguez. Mr. Waters seconded the motion. The motion passed unanimously.

Item 6. WQCC 14-06 (CO) NMED v. City of Grants Wastewater Treatment Facility, DP-695. Approval of Settlement Agreement and Entry of Final Stipulated Order.

Action: Mr. Andrew Knight, Assistant General Counsel, and Mr. Jerry Schoeppner, Bureau Chief, for the Ground Water Quality Bureau, New Mexico Environment Department; and Ms. Tracy Hofmann for the City of Grants. The parties arrived at a settlement regarding the City of Grants Wastewater Treatment Facility. Mr. Knight presented the Settlement Agreement and Entry of Stipulated Final Order to the Commission for approval. Mr. Schoeppner gave a brief presentation regarding the Settlement Agreement. Mr. Tongate noted a couple of changes that needed to be made to the Final Stipulated Order because of organizational changes within the New Mexico Environment Department. Mr. Pattison moved to approve the Settlement Agreement. Mr. Delfin seconded the motion. The motion passed unanimously.

Item 7. WQCC 14-04 (A) In the Matter of the Appeal of Determination that a Discharge Permit is Required, Las Vegas Underground Storage and Recovery Project. Approval of Settlement Agreement and Entry of Final Stipulated Order.

Action: Mr. Atencio, Assistant General Counsel, and Mr. Jerry Schoeppner, Bureau Chief, for the Ground Water Quality Bureau, New Mexico Environment Department. The parties arrived at settlement regarding the matter. Mr. Atencio presented the Settlement Agreement and Entry of the Stipulated Final Order to the Commission for approval. Mr. Tongate moved to approve the Settlement Agreement. Mr. Delfin seconded the motion. The motion passed unanimously.

Item 8. WQCC 13-08 (R) Proposed Amendment to 20.6.6 NMAC Dairy Rule. Rescheduling of Public Hearing.

Action: There was discussion between the Commissioners and the parties regarding rescheduling the date and time for the Public Hearing. Mr. Waters moved to reschedule the Hearing for April and move the Triennial Review Hearing to May or June. Mr. Pattison seconded. The motion passed unanimously. Mr. Tongate moved to schedule the Dairy Rule hearing for April 6, 2015, through April 10, 2015, as needed, in Roswell. Mr. Delfin seconded the motion. The motion passed unanimously.

Mr. Dominguez requested that the Hearing Officer work with the Chair and the parties to get the location situated and to adequately post the notice according to the laws and regulations.

Item 9. Next Meeting

Action: Mr. Dominguez noted the Commission usually does not meet during the legislation unless there is an emergency meeting.

Ms. DeRose-Bamman moved to schedule the next Commission Meeting for April 14, 2015. Mr. Pattison seconded. Mr. Dominguez noted that they would reserve the Commission Meeting for April 14, 2015, which could be modified if needed. The motion passed unanimously. Mr. Jackson noted the scheduling of the Triennial review did not need to be decided at the current Commission Meeting.

Mr. Dominguez asked the Commission Administrator to work with the Chair, the New Mexico Environment Department, the Hearing Officer and the parties to reschedule the Triennial Review.

Mr. Dominguez noted that Mr. Hutchinson joined the meeting. Mr. Dominguez introduced Mr. Hutchinson who is now filling the seat for the Soil Water Conservation Commission. Mr. Hutchinson brings 16 years of experience and was previously on the Commission.

Item 10. Adjournment

The Chair adjourned the meeting at 10:17 a.m.

Butch Longate

Commission Chair