

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

**IN THE MATTER OF THE PETITION
FOR PROPOSED AMENDMENTS
TO 20.6.4.9 NMAC, DESIGNATION
OF WATERS OF THE UPPER PECOS
WATERSHED AS OUTSTANDING
NATIONAL RESOURCE WATERS,**

WQCC No. 21-51 (R)

**Village of Pecos, San Miguel County,
Upper Pecos Watershed Association, New
Mexico Acequia Association, and Molino
de la Isla Organics LLC,**

Petitioners.

**ORDER SCHEDULING PUBLIC HEARING AND
APPOINTING HEARING OFFICER**

THIS MATTER came before the Water Quality Control Commission (“Commission”) during its regularly scheduled meeting on November 9, 2021, on the Petition to Designate the Surface Waters of the Upper Pecos Watershed as Outstanding National Resource Waters (“Petition”) filed on October 1, 2021 by Petitioners Village of Pecos, San Miguel County, Upper Pecos Watershed Association, New Mexico Acequia Association, and Molino de la Isla Organics LLC (collectively, “Petitioners”). The Commission heard from Tannis Fox of the Western Environmental Law Center, legal counsel for Petitioners, and John Verheul, legal counsel for the New Mexico Environment Department (“Department”), duly considered the Petition, and was otherwise sufficiently advised in the premises. The Commission thereafter determined that a public hearing should be held on the Petition in accordance with 20.1.6.200(C) NMAC.

IT IS THEREFORE ORDERED:

1. Petitioner’s request for a public hearing is granted, and pursuant to 20.1.6.205 NMAC, the public hearing shall be held during the Commission’s regularly scheduled meeting on Tuesday,

April 12, 2022, using a WebEx virtual meeting platform; the public hearing may be continued thereafter if the Commission deems it necessary.

2. Public notice of the public hearing shall be given as provided in 20.1.6.201 NMAC.

3. In accordance with the stipulation of Petitioners' legal counsel in open Commission meeting, Petitioners shall pay all costs and expenses of the publication of public notice.

4. The public hearing shall be conducted in accordance with the Commission's rulemaking procedures as set forth in 20.1.6 NMAC.

5. The Commission may choose to deliberate immediately following the conclusion of the public hearing or at a subsequent meeting but shall reach its decision no later than sixty (60) days following the close of the record or the date the hearing officer's report is filed, whichever is later, as required by 20.1.6.306(C) NMAC.

6. Pursuant to 20.1.6.100(B) NMAC, the Commission appoints Gregory Chakalian as the hearing officer to conduct the public hearing, and to perform the functions and exercise all powers and duties prescribed under 20.1.6 NMAC.

7. The Commission may issue such orders specifying procedures for conduct of the public hearing, in addition to those provided by 20.1.6 NMAC, as may be necessary and appropriate to fully inform the Commission of the matters at issue in the public hearing or to control the conduct of the public hearing, as provided by 20.1.6.200(D) NMAC.

Dated this 30 day of November 2021.

Stephanie Stringer, Chair
Water Quality Control Commission