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NEW MEXICO ENVIRONMENT DEPARTMENT

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November 2, 2020

NOTICE OF PUBLIC COMMENT PERIOD AND INFORMATIONAL MEETINGS REGARDING THE NEW MEXICO ENVIRONMENT DEPARTMENT'S PROPOSED AMENDMENTS TO STANDARDS FOR INTERSTATE AND INTRASTATE SURFACE WATERS (20.6.4 NMAC) - TRIENNIAL REVIEW

The New Mexico Environment Department's (NMED) Surface Water Quality Bureau (SWQB) invites the public to comment on NMED's proposed amendments to the State's Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code (NMAC).

Please note that comments submitted to NMED SWQB on the Public Comment Draft are for the consideration of NMED SWQB in further developing the proposed amendments prior to the pre-hearing deadlines to submit technical testimony, and will not automatically become part of the WQCC 20-51 (R) hearing record. Comments intended to become part of the WQCC 20-51 (R) hearing record should be submitted to the WQCC Hearing Administrator pursuant to [20.1.6.204\(B\) NMAC](#).

Background

It is the objective of the federal Clean Water Act (CWA) to restore and maintain the chemical, physical, and biological integrity of the nation's waters, including those in New Mexico. As part of upholding the objective of the CWA, the State of New Mexico is required by statute to adopt water quality standards that protect the public health or welfare and enhance the quality of water, and are consistent with and serve the purposes of the New Mexico Water Quality Act (WQA) and the federal CWA. New Mexico's surface water quality standards are codified under 20.6.4 NMAC.

In accordance with Section 303(c)(1) of the CWA and 20.6.4.10 NMAC, States are required to hold public hearings at least once every three years to review, amend, and adopt water quality standards, as applicable. This is referred to as a "Triennial Review." Pursuant to Section 74-6-4(F) of the WQA, the Water Quality Control Commission (WQCC) delegated NMED the responsibility for organizing and proposing amendments to the state's surface water quality standards.

The last Triennial Review of the state's surface water quality standards was approved by the U.S. Environmental Protection Agency in August 2017. Therefore, NMED initiated the current Triennial Review process by petitioning the WQCC in August 2020 for a July 2021 hearing date and providing NMED's proposed amendments to the public for comment.

How to participate

Proposed amendments, open to public comment at this time, can be found at:
<https://www.env.nm.gov/surface-water-quality/2020-triennial-review/>.

The 30-day public comment period for the proposed amendments begins November 2, 2020 and closes December 2, 2020 at 5:00 p.m. MST.

Individuals seeking to submit comments may do so by filing electronically via email to jennifer.fullam@state.nm.us; or in paper format by mailing comments to NMED-SWQB Attn: Jennifer Fullam-2020 Triennial Review, P.O. Box 5469, Santa Fe, NM, 87502. When responding by email please enter "2020 Triennial Review" in the subject line and include your name, title (as applicable), affiliation (as applicable), email, phone number, mailing address, and relevant comments to the proposed amendments in the body of the email. Due to the continued public health emergency response to the COVID-19 virus and the Governor's current Executive Orders, all communication at this time will take place remotely.

In addition, NMED-SWQB will be hosting two virtual informational meetings via WebEx to present and discuss the proposed amendments to the State's Standards for Interstate and Intrastate Surface Waters, 20.6.4 NMAC, and provide a forum for interested parties and the public to ask questions. Information regarding these meetings is as follows:

Thursday, November 12, 2020 at 5:30 pm

To connect via video conference, go to: <https://nmed-oit.webex.com/nmed-oit/j.php?MTID=m2c02c30bde6ebd695c02c5e93a0ec89e>

Meeting number: 133 882 6733

Password: 3ujReRzvu93

Join by phone

+1-415-655-0001 US Toll

Access code: 133 882 6733

Monday, November 16, 2020 at 2:30 pm

To connect via video conference, go to: <https://nmed-oit.webex.com/nmed-oit/j.php?MTID=m18b08b7d5b5972ecdf9a3c48e3513c82>

Meeting number: 133 892 4647

Password: jFUVpMZ3N75

Join by phone

+1-415-655-0001 US Toll

Access code: 133 892 4647

If you have difficulties logging on to the meeting at the scheduled time, please contact Kris Barrios at 505-946-8713.

Persons having a disability or requiring assistance or auxiliary aid to participate in this public process should contact the NMED Human Resources Bureau at least 10 days before any scheduled meeting, by mail at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9769. TDD or TDY users please access HRB via the New Mexico Relay Network at 1-800-659-8331.

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or you believe you have been discriminated against with respect to a NMED program or activity, you may contact Ms. Kathryn Becker –

NMED Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us.