



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

July 6, 2021

VIA ELECTRONIC MAIL to upwa@pecoswatershed.org

Telesfor Benavidez
Mayor
Village of Pecos

Janice Varela
Commissioner
San Miguel County

Frank Adelo
President
Upper Pecos Watershed Association

Paula Garcia
Executive Director
New Mexico Acequia Association

Ralph Vigil
Owner
Molino de la Isla Organics LLC

Re: Outstanding National Resource Waters Petition No. WQCC 20-18 (R)

Dear Mayor Benavidez, Commissioner Varela, President Adelo, Executive Director Garcia and Mr. Vigil,

Thank you for your April 1, 2021, letter seeking New Mexico Environment Department (NMED) support for your jointly filed petition to the Water Quality Control Commission (WQCC) to designate waters of the Upper Pecos Watershed as Outstanding National Resource Waters (ONRW). Such a designation would amend the New Mexico Administrative Code and thereafter afford certain enhanced water quality protections to the designated waters.

NMED applauds your collective action across county and municipal government, non-profit organizations and business owners to embark on a complicated rulemaking process to achieve concrete action to render long-term economic, ecological and cultural benefits for your communities and New Mexico as a whole. My team of water quality experts and I share a common goal with you and those you represent of pairing sound science with existing tools and resources to protect watershed health and individual waterbodies, as we seek to further the reach and impact of current and future resource investments in water quality protection in our state.

Over the past few months, your representatives met with NMED staff to forge a collaborative plan toward a

revised petition that has a very high likelihood of success before the WQCC. I am aware that my staff will receive a draft revised petition for technical review in the coming days and plan to review and provide feedback on it as soon as possible, keeping in mind that the same small team is leading a large water quality standards rulemaking effort, referred to as the Triennial Review under the federal Clean Water Act. NMED is heavily focused on final, in depth preparations for the WQCC hearing on the Triennial Review, which begins July 13, 2021. Given the significant resource demands of the Triennial Review, which is a non-discretionary NMED effort, our goal is to share feedback on the revised ONRW petition by late July or early August.

We look forward to continued collaboration with you and your members as your ONRW petition continues through the WQCC rulemaking process, as well as on shared water quality protection endeavors in the future. Thank you for your leadership in demonstrating how community members can come together to engage directly in policymaking to protect our precious water resources.

Please contact John Rhoderick, Acting Director, Water Protection Division, at john.rhoderick@state.nm.us or 505-819-8214 for further discussion and prompt resolution of this critical matter.

Sincerely,

James C. Kenney
Cabinet Secretary

Cc: Courtney Kerster, Director of Federal Affairs, Office of Governor Michelle Lujan Grisham
Rebecca Roose, Deputy Cabinet Secretary, NMED
John Rhoderick, Acting Water Protection Division Director, NMED
Shelly Lemon, Surface Water Quality Bureau Chief, NMED