UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

MAY 20 2009

Ms. Marcy Leavitt, Director
Water & Waste Management Division
New Mexico Department of Environment
1190 St. Francis Drive
Santa Fe, NM 87505-4182

Dear ~~Ms. Leavitt~~: Marcy

Fiscal year (FY) 2010 is rapidly approaching and it is time to begin the planning process for the FY 10 Clean Water Act Section 106 and 604(b) funds. We would like to work closely with you and your staff to develop results-oriented work plans that focus on restoring water quality in priority watersheds.

Thank you for your efforts in FY 09 and we want to continue the efforts in FY 10 to reach our collective goal to improve the water quality of our nation's water bodies on a watershed basis as set forth in EPA's Strategic Plan. The Strategic Plan establishes four national and regional targets for the purpose of reaching this goal: 1) full restoration of impaired water bodies, 2) removal of specific causes of water body impairment, 3) improvement of water quality in identified watersheds and 4) prevention of the degradation of the Nation's wadeable streams. More information concerning EPA's Strategic Plan and these goals is available at: http://www.epa.gov/water/waterplan/.

Since 2005, Congress has targeted a portion of the Section 106 funds for water quality monitoring. Specific guidelines for award of these funds, National Monitoring Initiative, were published in the Federal Register on March 29, 2006 and amended on July 17, 2008. The EPA believes that having a strong monitoring program is essential in any State water quality program. The supplemental Section 106 funds have two components: 1) to enhance State water monitoring programs consistent with their monitoring strategies and 2) to participate in statistically-valid surveys. The funds for the first component are being allotted equally to the States at $ 174,000 per state. This funding should be used to continue to implement the State's monitoring strategy. The FY 10 funding for statistically-valid surveys will be provided to survey wetlands. More detailed information regarding the statistically-valid surveys will be provided at a later date.

The Region would like to emphasize the importance of submitting the required water quality reports in a timely manner. The State should submit the integrated CWA Section 305(b) report and section 303(d) list, not later than April 1 of the even numbered years (i.e., 2010, 2012), including an electronic Assessment Database (or compatible) and GIS coverage providing location information about each waterbody segment. An annual update of the report is required not later than April 1 of the odd numbered years (i.e., 2011, 2013, etc). EPA also requests that NMED ensure that water quality data have been uploaded to the STORET data system at the time these reports are submitted to facilitate timely EPA reviews and actions.

The FY 07 and FY 08 budget language from the Office of Management and Budget (OMB) called for EPA to develop a standardized template for States to use to develop and submit the work plans for State grant agreements. The Region is waiting to receive further guidance from EPA Headquarters and will keep you posted on the template requirement.

Enclosed is a list of priorities for consideration for the FY 10 CWA, Section 106 and 604(b) funding. The New Mexico §106 base funding target amount for FY 10 is $1,483,800 based on the FY 09 allotment. EPA Headquarters continues to recommend that states devote 15% of the §106 target amount to ground water activities. Region 6 continues to view the 15% for ground water as an acceptable minimum, recognizing that in some states, where ground water protection needs may be greater, a higher percentage may be appropriate. If New Mexico would like to utilize the allocation differently, we are available to discuss your proposal. Region 6 wants to ensure that decisions regarding resource allocation reflect the extent of identified water quality impairments. The §604(b) funding target amount for FY 10 is estimated to be $100,000. The Region received the State's application and work plan for the FY 10 §106 funds by the May 1, 2009, due date and would like to receive the 604(b) application and work plan by October 1, 2009.

Enclosed are the FY 10 Program Activity Measures that are associated with the Section 106 program and the Region's priority areas for NMED. In addition, the FY 10 national guidance to aid in the State's restoration of impaired water bodies is available at http://www.epa.gov/cfo/npmguidance/index.htm. More specific Section 106 guidance is located on pages 13-21. Please give careful consideration to the enclosed documents. We are available to discuss any ideas you may have regarding mechanisms and strategies to best direct this funding toward targeted water pollution control and water quality management activities that will strengthen watershed restoration efforts. You may contact Susan Spalding at 214-665-7110 or have your staff contact their project officer with any questions about plans for FY 10. We very much appreciate the efforts of your Agency in protecting the environment and public health.

Sincerely yours,

Miguel I. Flores
Division Director
Water Quality Protection Division

Enclosures

cc: Glenn Saums, NMED Surface Water Quality Bureau
James Hogan, NMED Surface Water Quality Bureau
Bryon Pippin, NMED Surface Water Quality Bureau

PRIORITIES FOR FY 10 CLEAN WATER ACT, SECTION 106/604(b) FUNDS
NEW MEXICO

I. Water Quality

A. Water Quality Standards

Nutrient Criteria: A high priority is for States to implement their agreed-upon nutrient criteria plans for developing and adopting nutrient criteria to help target reductions in excess nutrients that can cause eutrophication and other problems in lakes, estuaries, rivers, and streams. In addition to continuing efforts to develop numeric nutrient criteria, NMED should consider developing a translator method as an interim approach to identify and manage nutrient impaired waters, especially where criteria are not anticipated in the next five years.

B. Cross Program

Priority Watersheds and Documenting Watershed Restoration Successes: Continue efforts to assign priorities for watershed restoration in the state, and track restoration efforts for impaired waters in the priority watersheds long-term. The state will have the flexibility to periodically revise these priorities as needed. This activity is critical to the Region in terms of its strategic planning for our restoration measures (WQ-10, SP-12: EPA's strategic plan watershed (SP-12) and nonpoint source program measures (WQ-10) require documentation of water quality improvements resulting from watershed restoration activities. EPA requests that NMED document "success stories" where true watershed restoration has occurred.

II. National Pollutant Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) Program

A. TMDL PAMs

EPA Region 6 States should meet or exceed 100% of the Total Maximum Daily Load (TMDL) PACE for FY10. This is in line with the National Goal for PAM WQ-8.

B. Water Quality Planning in Middle Rio Grande

EPA Region 6 encourages NMED to actively plan and participate in water quality planning and assessment efforts in the middle Rio Grande directed at providing information addressing concerns related to low dissolved oxygen. These activities will play a critical role in future NPDES permitting activities in this watershed.

III. Ground Water

A. **Coordination efforts** to integrate programs such as the TMDL program, the Class V Underground Injection Control program, and source water protection programs.

B. **Ground water monitoring & modeling,** as well as information management and analytical work that supports the State's efforts to create aquifer baseline monitoring with continued monitoring to track aquifer conditions. These efforts also support a comprehensive approach such as watershed or basin-wide planning.

IV. Enforcement

A. Input data to Integrated Compliance Information System (ICIS)

B. Operate programs in accordance with delegation/primacy documents (i.e. compliance monitoring, storm water inspections, concentrated animal feeding operations, sanitary sewer overflows, etc.)

C. Prepare for the implementation of NetDMR; compliance monitoring and other requirements.

U.S. Environmental Protection Agency
OFFICE OF WATER

FY 2010 NPM GUIDANCE MEASURES

Region 6 Targets

G/O/S	ACS Code	FY 2009 NPG Measure Text
Goal 2: Clean and Safe Water		
Sub-objective 2.1.1: Water safe to drink		
2.1.1	SP-4a	Percent of community water systems where risk to public health is minimized through source water protection.
2.1.1	SP-4b	Percent of the population served by community water systems where risk to public health is minimized through source water protection.
Sub-objective 2.2.1 Improve Water Quality on a Watershed Basis		
2.2.1	SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained. (cumulative)
2.2.1	SP-11	Remove the specific causes of waterbody impairment identified by states in 2002. (cumulative)
2.2.1	SP-12	Improve water quality conditions in impaired watersheds nationwide using the watershed approach. (cumulative)
2.2.1	WQ-1a	Number of States and Territories that have adopted EPA approved nutrient criteria into their water quality standards. (cumulative)
2.2.1	WQ-1b	Number of States and Territories that are on schedule with a mutually agreed-upon plan to adopt nutrient criteria into their water quality standards. (annual)
2.2.1	WQ-3a	Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards.
2.2.1	WQ-4a	Percentage of submissions of new or revised water quality standards from States and Territories that are approved by EPA.
2.2.1	WQ-5	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.

2.2.1	WQ-7	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data. (cumulative)
2.2.1	WQ-8a	Number, and national percent, of TMDLs that are established or approved by EPA [Total TMDLs] on a schedule consistent with national policy.
2.2.1	WQ-8b	Number, and national percent, of approved TMDLs, that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy.
2.2.1	WQ-10	Number of waterbodies identified by States (in 1998/2000 or subsequent years) as being primarily nonpoint source (NPS)-impaired that are partially or fully restored. (cumulative)
2.2.1	WQ-12a	Percent of facilities covered by NPDES permits that are considered current. [Measure will still set targets and commitments and report results in both % and #.]
2.2.1	WQ-13a	Number, and national percent, of facilities covered under either an individual or general MS-4 permit.
2.2.1	WQ-13b	Number, and national percent, of facilities covered under either an individual or general industrial storm water permit.
2.2.1	WQ-13c	Number of facilities covered under either an individual or general construction storm water site permit.
2.2.1	WQ-13d	Number of facilities covered under either an individual or general CAFO permit.
2.2.1	WQ-14a	Number, and national percent, of Significant Industrial Users (SIUs) in POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment requirements.
2.2.1	WQ-15a	Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.
2.2.1	WQ-19a	Number of high priority state NPDES permits that are issued as scheduled.
2.2.1	WQ-19b	Number of high priority state and EPA (including tribal) NPDES permits, that are issued as scheduled.

STATE OF NEW MEXICO
Surface Water Quality Bureau
New Mexico Environment Department

FY 10-11 CLEAN WATER ACT SECTION 106 WORK PLAN FOR SURFACE WATER QUALITY MANAGEMENT
Grant # I-00635009

Semi-Annual Update for Work Accomplished July 1 to December 31, 2009

January 11, 2010

Introduction

This work plan is for the two-year period covering fiscal years 2010 and 2011. In accordance with the National Water Program (NWP) Guidance, this work plan emphasizes the following areas:

- **Water Quality Monitoring**
- **Impaired Waters and TMDLs**
- **Permits, Enforcement and Compliance**
- **Water Quality Standards**

This work plan requests the full **$1,132,400** of allocated federal monies in each of the designated years for the surface water portion of the federal Clean Water Act (CWA) Section 106 grant. The budgeted dollar amounts will include the required and directly funded state match of **$220,084** level of effort. Throughout this document, human resource requirements are projected as full-time equivalent (FTE) positions.

The program activities and output schedules identified herein are to be completed during the final quarter of federal FY 09, all four quarters of FY 10 and the first three quarters of FY 11, to synchronize with the State's fiscal year (July 1 - June 30). All activities outlined in this work plan will be conducted in the period from July 1, 2009 to June 30, 2011. A separate work plan for each fiscal year is presented, as requested by EPA.

The current organizational structure of SWQB is shown in the attached chart (**Attachment 1**). SWQB is responsible for, among other things, the management of programs to protect and improve the quality of New Mexico's surface waters. SWQB implements many of these programs through the use of combined state and federal funds; the federal portion is provided through grants under sections 604(b), 319(h), and 106 of the CWA. There are currently 59 full-time equivalent positions in the SWQB. Two sections and two teams of the Bureau are primarily responsible for the program elements of the SWQB Section 106 work plan, the Monitoring & Assessment Section (MAS), the Point Source Regulation Section (PSRS), the Facility Operations Team (FOS) and the Standards Planning and Reporting Team (SPRT). Support for bureau activities is provided by the Finance and Administration Section (FAS). While certain

sections have primary responsibility, the Bureau works together to achieve many of the larger tasks and deliverables. For example development of water quality standards and the 303d list requires input from all sections of the Bureau.

All tasks and outputs specified in this work plan will be completed as funding is available. Reduced funding levels will necessarily mean reduction in outputs.

FISCAL YEAR 2010: WORK PLAN TASKS AND DELIVERABLES JULY 1, 2009 THROUGH JUNE 30, 2010

1.0 WATER QUALITY MONITORING, IMPAIRED WATERS AND TMDLS (5.25 FTEs – 4.5 Monitoring, 0.25 Assessment and 0.5 TMDL)

1.1 Introduction

Section 106(e)(1) of the federal Clean Water Act (CWA) requires the states to establish appropriate monitoring methods in order to compile and analyze data on the quality of "waters of the United States." These activities assist the Bureau in meeting responsibilities detailed under sections 106, 201, 301(b), 303, 305(b), 401 and 604(b) of the CWA. For example, the SWQB collects water quality data to determine if state surface water quality standards are being met and to ensure that designated uses are supported. Water quality data are also used to evaluate the state's standards and propose revisions as appropriate, establish waterbody management priorities, develop total maximum daily loads (TMDLs) pursuant to Section 303(d), develop water quality-based effluent limitations pursuant to Section 301(b), assess the efficacy of water pollution controls, determine water quality trends and to prepare biennial reports to the U.S. Congress pursuant to Section 305(b).

The Bureau identifies surface water quality problems and associated data needs by means of a statewide monitoring plan that provides for the evaluation of all watersheds in the State approximately once every eight years. Presently New Mexico is in the process of revising and updating its monitoring plan using 604b ARRA funding with a final version expected October 2009. Attachment 2 shows the current eight-year Statewide Monitoring Plan schedule which may change with revisions to the monitoring plan. The monitoring schedule is coordinated with the TMDL development schedule. SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality monitoring, impaired waters and TMDLs each year.

Related EPA Priority Performance Activity Measures (from draft FY10 National Water Program Guidance)

WQ-5	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.
WQ-7	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data. (cumulative)
WQ-8b	Number, and national percent, of TMDLs, that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy.

WQ-21	Number of water segments identified as impaired in 2002 for which States and EPA agree that initial restoration planning is complete (i.e., EPA has approved all needed TMDLs for pollutants causing impairments to the waterbody or has approved a 303(d) list that recognizes that the waterbody is covered by a Watershed Plan [i.e., Category 4b or Category 5m]. (cumulative)
SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained. (cumulative)

1.2 Water Quality Monitoring

Surface water quality monitoring is primarily accomplished using an 8-year rotating basin strategy. Once every eight years the watershed is the focus of an intensive water quality survey with sampling sites established throughout the watershed of interest. Sample site location, sampling frequency and type of data collected are determined so as to provide adequate data density to allow determination of attainment or non-attainment of New Mexico surface water quality standards with a defined level of confidence derived from inferential statistical analysis. Data collected in these efforts are also used to establish a long-term monitoring record that may allow for simple trend analyses. Specific sample locations are determined by Bureau personnel following review of historic data and 303(d) lists, conducting public meetings with stakeholders, and reconnaissance of the watershed of interest. The SWQB also supports limited ambient, fixed-station monitoring performed by the U.S. Geological Survey through a cooperative agreement with NMED (funded with recurring funds from the NM state legislature)

The SWQB relies mainly on intensive surveys because of the demonstrated advantage of this form of monitoring in relating water quality data to specific water quality problems. SWQB's integrative watershed approach provides:

- A systematic, detailed review of water quality data and allows for more efficient use of human and budgetary resources.
- Information at a scale where implementation of corrective activities is feasible.
- An established order of rotation and predictable sampling in each watershed, which allows easier coordination efforts with other programs and entities interested in water quality.
- Enhanced program efficiency and an improved basis for management decisions.
- Coordination of monitoring activities across all SWQB and related Departmental (e.g., DOE Oversight Bureau) program areas to ensure that a number of interrelated and comprehensive objectives are efficiently met.

The collected water quality data is used to:

- Determine attainment or non-attainment of water quality standards for 303(d) assessments.
- Show status and trends for key pollutants for 305(b) report.
- Support TMDL development efforts.
- Identify point source pollution problems and assist in NPDES permit reviews.
- Provide water quality data to identify nonpoint source pollution problems.
- Refine and enhance the state's surface water quality standards.

Additionally, data may be collected to evaluate the appropriateness and effectiveness of BMPs implemented through the 319 program in response to integrated report listings and TMDL development. Specifically, New Mexico is nominating specific waterbodies which did not meet standards in 2002, where water quality has improved at least in part due to application of watershed approaches to water quality improvement, for recognition as program successes under EPA Strategic Plan measures SP-12 and WQ-10. This effort is primarily supported under the Clean Water Act Section 319 program, but Monitoring and Assessment staff may assist with data collection necessary to document these successes under the CWA Section 106 program.

Intensive Water Quality Surveys are conducted in accordance with the statewide *Water Quality Monitoring Strategy*. The validity of all environmental measurements is ensured by strict adherence to procedures provided in the *Quality Management Plan for Water Quality Management Programs* (QMP), the *Quality Assurance Project Plan for Water Quality Management Programs* (QAPP) and SWQB *Standard Operating Procedures for Data Collection* (SOPs). Core activities for intensive water quality surveys include:

Aquatic Biology: includes analysis and assessment of fish, algal/periphyton, and aquatic macroinvertebrate communities, and aquatic and riparian habitats of streams, rivers and lakes. These efforts also include the development of monitoring and assessment protocols for classification of the State's surface waters. After criteria development, SWQB will establish a baseline biological assessment program. *[Please note that, while NMED considers this to be a core part of our monitoring activities these activites are funded exclusively with 106 supplemental monitoring funds and state funds. An increase in 106 base funds would be necessary for these activities to formally be included as part of the 106 work plan.]*

Water Chemistry: includes the design and implementation of water quality surveys for chemical, physical, bacteriological, and radiological characteristics in New Mexico's streams, rivers and lakes.

Physical Habitat: includes stream fluvial geomorphology and riparian measurements performed using standardized methods to evaluate stream bottom sediments, bank stability, biological habitat, and baseline stream data for the development and refinement of biological, nutrient, and percent fines/bedded sediments criteria and for monitoring change in a stream/river reach over time.

Lake Surveys: Lakes located in surveyed watersheds are monitored concurrently with stream surveys. Lake monitoring includes depth profiles, chemical analyses, and phytoplankton and diatom community composition identifications by contractor labs.

Water quality survey summaries are prepared presenting sampling station locations, methods, summary of water quality data collected, salient results of surveys, and other information needed for inclusion in the Integrated CWA 303(d)/305(b) Report. Survey summaries are developed for each watershed stream survey and compiled in a collective format for lakes. SWQB submits the survey summaries to EPA Region 6 and posts them on the Bureau's website.

The SWQB maintains an extensive database generated by input from the teams within the Monitoring and Assessment Section as well as those of the Watershed Protection

and Point Source Regulation sections. SWQB uploads data into the U.S. Environmental Protection Agency water quality STORET database after staff have completed the verification and validation steps outlined in the approved SWQB Quality Assurance Project Plan (QAPP).

Other monitoring obligations include conducting short-term investigations in response to citizen complaints, fish kills, accidental spills, illegal discharges and other emergencies; and preparing retrievals of stored data when requested. The SWQB operates under legal authorities from the New Mexico Water Quality Act (WQA) and the federal Clean Water Act (CWA) and their attendant rules and regulations.

Outputs

1. Complete water quality surveys of selected watersheds in accordance with Attachment 2 and as described above.
   - Complete Upper Rio Grande and Mimbres Surveys – Nov 2009
   - Initiate San Juan, Pecos Headwaters and Rio Grande Closed Basin Surveys – June 2010

2. Update the SWQB water quality database on a bimonthly basis and STORET/WQX annually. See Table 1 for summary of expected STORET/WQX uploads during FY10.

3. Prepare survey summaries for submittal to EPA and posting on the SWQB web site within 24 months of survey completion. See Table 2 for survey reports to be completed during FY10.

4. Annual review of State Monitoring Strategy and update as changes are deemed necessary by the end of the state fiscal year.
   - Comprehensive revision to monitoring strategy funded under 604b ARRA funds expected Oct 2009.
   - Review and revision of this document completed June 2010.

UPDATE January-June 2009:
Three water quality surveys were completed during this reporting period: the Upper Rio Grande, Mimbres and Lakes.

Highlights of the 2009 surveys include:
- ***Nearly 60 stream sites surveyed monthly from March thru October 2009***
- ***Four monthly surveys have occurred during this reporting period***
- ***A total of 6 lakes are surveyed, one in the Mimbres and 5 in the Upper Rio Grande***
- ***Approximately 30 of these sites were sampled for biological (macro invertebrate, 15 sites for fish) and habitat monitoring to occur in late summer 2009 – details of this sampling are provided in the 106 supplemental work plan***

In December of 2009 survey planning was initiated for the San Juan and Pecos Headwaters river basins along with associated lakes/reservoirs. Due to changes planned as part of revisions to the monitoring strategy document sampling in the Closed Basins (3-6 sites total) will not occur in 2010. Instead sampling in this area

will occur in 2013 in combination with sampling in the Rio Hondo/Rio Ruidoso basins in order to conserve/maximize resources (specifically staff time and travel funds). Survey leads were assigned and budgets were allocated. Draft field sampling plans (FSPs) will be developed in January with Public comment/meeting invited in February.

Data collected from a total of 5 water quality surveys were uploaded to the STORET, nearly completing the backlog of required chemical data uploads. These uploads are detailed in Table 1 below. At the end of September 2009 our database/data management staff member left and as a result no further uploads have occurred. Please see database section (4.3) below for more details.

SWQB staff continue to work to complete a backlog of pending water quality reports on previous surveys. During this reporting period only one additional survey report (Lower Rio Grande Tributaries) was completed; this report is provide as a deliverable to EPA in the attachments folders. As always, completed reports are made available to the public via our website: http://www.nmenv.state.nm.us/swqb/MAS/

While our progress, in terms of completion of reports, did not reach our targets we have drafted 5 additional reports which will be completed during the next reporting period (see Table 2 below for details) and we still hope to complete this backlog by summer of 2010.

Finally a revision to the State Monitoring Strategy has been completed using 604b ARRA funds. At present this document is undergoing internal review and revisions and SWQB hopes to submit this to EPA for review in the next couple of months. Please see details provided in the 604b ARRA report.

Table 1. Pending data uploads to EPA national database for FY10 and FY11

Survey	Year	Verification and Validation Process Complete?	Date field and lab data uploaded to EPA
Lakes	2007	Yes	August 2009
Gila/SF	2007	Yes	August 2009
Chama	2007	Yes	estimated mid 2010
Black River ONRW Study	2007	Yes	August 2009
Lakes	2008	Yes	August 2009
Pajarito	2006-2007	Yes	Sept 2009
Gallinas WUI	2007-2008	Yes	estimated mid 2010 (with Part II listed below)
MRG - BOR Study	Oct 2006 - Sept 2008	Yes	estimated mid 2010
Upper Rio Grande	2009	Started	estimated late 2010
Mimbres	2009	Started	estimated late 2010
Gallinas WUI Part II	2009	Started	estimated mid 2010

Table 2. Pending Water Quality Survey Reports for FY09-FY12.

Basin	Survey Year	Target Completion Date
Canadian 1	2002	Jul-08 (done submitted with Jan Jul 2009 semiannual report)
San Juan	2002	Oct-08 (done submitted with Jan Jul 2009 semiannual report)
Dry Cimarron	2006	Feb-09 (done submitted with Jan Jul 2009 semiannual report)
Tularosa	2003	May-09 (done submitted with Jan Jul 2009 semiannual report)
MRG - BOR	2007	May-09 (done submitted with Jan Jul 2009 semiannual report)
Gallinas	2007-2008	May-09 (done submitted with Jan Jul 2009 semiannual report)
Lakes	2006	May-09 (done submitted with Jan Jul 2009 semiannual report)
Jemez	2005	Jul-09 (done submitted with Jan Jul 2009 semiannual report)
Bear Creek	2006	Jul-09 (done submitted with Jan Jul 2009 semiannual report)
Rio Puerco	2004	Mar-10 (draft completed and undergoing revision – final deliverable expected with next annual report)
Rio Hondo/Rio Ruidoso	2004	Mar-10 (draft completed and undergoing revision – final deliverable expected with next annual report)
LRG Tribs	2004	Oct-09 (completed)
MRG Tribs	2005	Mar-10
Canadian Part II	2006	Mar-10 (draft completed and undergoing revision – final deliverable expected with next annual report)
Valle Vidal	2006	Jul-10
Chama	2007	Jul-10
Gila/San Francisco	2007	Mar-10 (draft completed and undergoing revision – final deliverable expected with next annual report)
Lakes	2007	Oct-10 (draft started)
Lakes	2008	Oct-10
Mimbres	2009	Oct-11
Lakes	2009	Oct-11
Gallinas Part II	2009	Mar-10 (draft completed and undergoing revision – final deliverable expected with next annual report)
Upper Rio Grande	2009	Oct-11

1.3 Impaired Waters and TMDLs

1.3.1 Water Quality Assessment and Development of Integrated §303(d)/ 305(b) Report and List of Impaired Waters

Assessment protocol and impairment listing development tasks include preparing, maintaining and revising chemical, physical and biological assessment protocols, assessment of chemical, physical and biological data to identify impaired waters, and development of the biennial Integrated §303(d)/ 305(b) Report and List of Impaired Waters (Integrated Report / List), and maintaining the Assessment Database (ADB) and Administrative Record related to impairment listings. SWQB will continue to actively participate in the National EPA Integrated CWA 303(d)/305(b) Report workgroup to develop draft and final national reporting guidance. This activity requires a 0.5 FTE to complete and the time will be equally supported through CWA §604(b) and §106 funds.

1.3.2 TMDL Development

TMDL development includes integrating data from a variety of sources and preparing TMDL plans for impaired waters. The TMDL process includes review of the adequacy and significance of water quality and other supporting data, review of the effectiveness of existing water quality protection and pollution control measures, evaluation of existing management strategies, and incorporation of new water quality management implementation strategies. NMED was operating under a 1997 consent decree stemming from EPA's settlement of the Forest Guardians, et al. v. Browner lawsuit (Civ. 96-0826 LH). The consent decree set forth a ten-year schedule for developing TMDLs for waters included on the CWA Section 303(d) List of Impaired Waters. A separate settlement agreement between EPA and Forest Guardians/Southwest Environmental Law Center outlines requirements to address all remaining impairments from the 1996 CWA 303(d) List of Impaired Waters. The final TMDL required under the Consent Decree was approved by the NM WQCC on November 14, 2006 and approved by EPA R6 on August 10, 2007. NM has twenty waterbody-pollutant pairs remaining under the Settlement Agreement that must addressed through TMDLs or other appropriate measures prior to 2017.

SWQB's ongoing TMDL development activities will continue to be guided by a 1997 Settlement Agreement between EPA and Forest Guardians, wasteload allocations required for NPDES permits, and other projects that help the state attain standards in impaired waterbodies. The comprehensive nature of TMDL development affects all aspects of SWQB activities, including NPDES and standards programs funded under this grant. This activity is supported through a combination of CWA §604(b) and §106 funds; details of the funding source for each TMDL is provided in the Table 3 below.

Outputs

1. FY10 - Integrated §303(d)/ 305(b) Report and List of Impaired Waters
   - Final §303(d)/ 305(b) report sent to EPA by April 1, 2010, pending WQCC approval at the March 2010 meeting.

2. FY10 TMDLs are documented in Table 3. New Mexico's PACE number for FY10 is 26. Presently New Mexico plans for 30 TMDLs to be developed during this period. Note that TMDL efforts are funded jointly through 604b and 106 funds and the funding source specific pollutant-waterbody pairs are noted in the table.

UPDATE July-December 2009 for 303d/305b Report:

SWQB MAS staff published a Request for Data to be used for development of the 2010-2012 Integrated List in major newspapers around the state (see Public Notice provided in the attachment). Only one data submission was received.

SWQB MAS staff completed assessment of all available quality data to generate a final draft 2010-2012 Integrated List and associated ROD. Areas of focus this listing cycle included the Middle Rio Grande (new data review and comparison); Gallinas River special study; Chama River watershed partial study; mainstem Gila and San Francisco Rivers; turbidity only assessments for water bodies assessed during the 2004, 2006, and 2008 listing cycles; and the Pajarito Plateau special study. Known data was acquired from LANL, USGS and UNM (Sevilleta LTER) and one public data submission was received from Amigos Bravos/River Sentinels.

As part of the development of this draft, SWQB performed a comprehensive assessment of surface water quality of the Pajarito Plateau. All readily available surface water quality data collected during 2004-2008 from watershed stations were used for assessment. This assessment of surface water quality, which included over 29,000 data values from 78 stations, represents the largest single surface water quality assessment conducted by NMED and was completed with the data collection and compilation support of Los Alamos National Laboratory (LANL) and NMED Department of Energy Oversight Bureau (DOE-OB). Given the broad public interest and environmental concerns SWQB developed a press release which resulted in articles in three local papers. A copy of the press release is provided within the attachments.

The water quality assessment included data collected by SWQB, DOE-OB, and LANL. The SWQB dataset was collected as part of a special study of the Pajarito Plateau in 2006 and 2007 funded by EPA. This was primarily a stormwater study performed with assistance and cooperation from DOE-OB and LANL. SWQB staff generate a specific web page to provide maps, data files, and additional assessment information related to the Pajarito Plateau because of the large volume of data, and because this is an area with a high level of interest to stakeholders (see attachments provided or http://www.nmenv.state.nm.us/SWQB/303d-305b/2010-2012/Pajarito/index.html).

The Integrated List was opened for 60-day public comment on December 17, 2009. Please see attachments provided with this submission or http://www.nmenv.state.nm.us/SWQB/303d-305b/2010-2012/index.htm for the Public Notice and associated documents.

UPDATE July-December 2009 for TMDLs:
Only nutrient TMDLs are funded under the 106 program. During this reporting period no nutrient TMDLs were completed. Preliminary planning for the Cimarron TMDL bundle have begun with scoping and additional data collection as necessary. Development of TMDLs will start in January of 2010 and will be reported in the next semiannual report.

Table 3. List of TMDLs in the Cimarron HUC (11080002) watershed to be developed in FY10. TMDL development is funded under both CWA §106 and §604(b); programs; funding source for each TMDL is document in the first column.

Funding Source	AU_ID	AU	Listed Parameter	FY 09 TMDL Parameter	No. of TMDLs	Notes
§106 and §604(b)	NM-2306.A_065	Cieneguilla Creek (Eagle Nest Lake to headwaters)	E. coli; Temperature; Nutrients, SBD[1], Turbidity[1]	E. coli; Temperature; Nutrients	4	Nutrients §106; other §604(b)
§106	NM-2305.1.A_10	Cimarron River (Canadian River to Cimarron)	Nutrients	Nutrients	2	
§604(b)	NM-2306.A_040	Cimarron River (Cimarron Village to Turkey Creek)	Arsenic; Temperature	Arsenic; Temperature	2	
§106 and §604(b)	NM-2306.A_130	Cimarron River (Turkey Creek to Eagle Nest Lake)	Arsenic; Nutrients	Arsenic; Nutrients	3	Nutrients §106; other §604(b)
§604(b)	NM-2306.A_060	Moreno Creek (Eagle Nest Lake to headwaters)	Temperature, Turbidity[1], Nutrients	Temperature; Nutrients	3	
§106 and §604(b)	NM-2306.A_110	North Ponil Creek (South Ponil Creek to Seally Cyn)	E.coli, temperature[1], turbidity[1]	E. coli	1	Nutrients §106; other §604(b)
§106 and §604(b)	NM-2306.A_100	Ponil Creek (Cimarron River to US 64)	E.coli, Turbidity[1]	E. coli	1	
§106	NM-2306.A_101	Ponil Creek (US 64 to confl North & South Ponil)	Nutrients, temperature[1], turbidity[1]	Nutrients	2	
§106	NM-2305.3.A_80	Rayado Creek (Cimarron River to Miami Lake Diversion)	Nutrients, SBD[1]	Nutrients	2	Nutrient listing based on grab DO data -- should deploy sonde to confirm
§604(b)	NM-2306.A_051	Rayado Creek (Miami Lake Diversion to headwaters)	E. coli; Temperature	E. coli; Temperature	2	
§106	NM-2306.A_064	Sixmile Creek (Eagle Nest Lake to headwaters)	E. coli; Temperature; Nutrients, Turbidity[1]	E. coli; Temperature; Nutrients	4	
§604(b)	NM-2306.A_120	South Ponil Creek (Ponil Creek to headwaters)	Temperature	Temperature	1	
§604(b)	NM-2306.A_068	Ute Creek (Cimarron River to headwaters)	Arsenic; E. coli; Temperature	Arsenic; E. coli; Temperature	3	
				Total draft TMDLs for FY10	**30**	***This is above the 26 PAM commitment presented by EPA R6*** ****Note 14 TMDLs funded by §106 and 16 by §604(b)***

[1] Already completed TMDLs

Additionally, SWQB will develop a WLA for the Village of Chama WWTP in the Rio Chamita (Rio Chama to CO border) assessment unit in FY10. The Village of Chama permit is up for renewal in September 2010 and the engineers are awaiting a WLA in order to finish the plant design and move forward with plant construction.

1.4 Supplemental Monitoring and Assessment Activities

New Mexico has received supplemental awards of CWA 106 funds which were used for monitoring and assessment activities. The activities were covered under separate work plans. Should additional funds become available, SWQB will submit separate and detailed work plans to address the proposed activities.

***UPDATE (July 1 – December 31, 2009):* SWQB submitted a separate work plan for FY09 funding in April 2009 and will report updates on these activities separately.**

2.0 PERMITS, ENFORCEMENT AND COMPLIANCE (8 FTEs – 7 Compliance Evaluation and State Certification, 1 Operator Certification)

2.1 Introduction

The overarching goal of the SWQB's point source regulation activities is to protect public health and the environment. This goal is achieved by assuring that regulated point source discharges to surface waters of the State comply with appropriate State and federal statutes and regulations through compliance assistance, inspection and enforcement activities, and by reviewing proposed federal NPDES permits (CWA section 402 permits) for State certification to ensure that permit provisions are consistent with appropriate state law, implement the state Water Quality Management Plan and are adequate to protect the state's water quality standards. These duties are carried out in cooperation with EPA, currently the primary agency responsible for enforcing and administering NPDES permits in New Mexico.

It is anticipated that SWQB will continue to meet on a periodic basis with the EPA permits and enforcement staff to refine procedures to facilitate the NPDES permitting process and to discuss permitting and enforcement activities. An "NPDES Permitting Process and Coordination with State" flow chart has been developed and implemented. As a non-delegated state, SWQB works with EPA Region 6 to help ensure that EPA is able to complete its share of the following federal Performance Activity Measure commitments each year:

Related EPA Priority Performance Activity Measures (from draft FY10 National Water Program Guidance)

WQ-11	*Number, and national percent, of follow-up actions that are completed by assessed NPDES programs. (cumulative)*
WQ-12	*Number, and national percent, of non-tribal NPDES permits that are considered current and number, and national percent, of tribal permits that are considered current.*
WQ-13	*Number, and national percent, of MS-4s covered under either an individual or general permit, number of facilities covered under either an individual or general industrial storm water permit, number of sites covered under either an individual or general construction storm water site permit, and number of facilities covered under either an individual or general CAFO permit.*
WQ-14	*Number, and national percent, of (a) Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements; and, (b) Categorical Industrial Users (CIUs) that aredischarging to POTWs without Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment requirements.*
WQ-15	*Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year, and of those, the number, and national percent, discharging the pollutant(s) of concern on impaired waters.*

WQ-20	*Number of facilities that have traded at least once plus all facilities covered by an overlay permit that incorporates trading provisions with an enforceable cap.*

As time and resources allow, in order to increase the skill levels of staff in support of commitments under the 106 work plan, NMED staff will attend various conferences and other training opportunities such as the National Storm Water Coordinators Conference, Region 6 Pretreatment Conference, Region 6 Annual NPDES Inspector Training Workshop, and Region 6 MS4 Operators Conference in FY 10.

2.2 Compliance Evaluation

The primary purpose of the compliance evaluation program is to evaluate compliance with effluent limitations and other NPDES permit conditions. The information derived from this program is also applied to the interpretation of water quality trends and to other evaluation and planning functions as well as other water pollution control programs. Compliance evaluation may also include providing compliance assistance, not associated with compliance inspections, to the regulated community to reduce violations and improve compliance with all aspects of the permit/regulatory program.

SWQB has developed industrial and municipal inspection priority lists to best utilize available staff resources and, in coordination with EPA, to inspect selected municipalities and industries each year in an equitable and non-duplicative manner. To the extent practicable, SWQB inspection priorities will accommodate the current EPA inspection targeting goals. Multi-media inspection opportunities will be identified whenever possible.

A selected number of major and minor municipal and industrial dischargers are inspected annually, with sampling as necessary to ensure compliance with applicable effluent limitations, permit conditions, and state regulations and standards. The inspections are carried out in accordance with the EPA NPDES Compliance Inspection Manual (EPA 305-X-03-004, July 2004 or current version) using current, approved EPA forms and checklists. The data collected as part of the NPDES compliance inspection program are used in compliance evaluation and in support of State or federal enforcement and permitting activities. Compliance inspections done by SWQB are also addressed in the SWQB QAPP.

The EPA has long recognized the SWQB inspectors as authorized representatives (pursuant to CWA §308(4)(B)) to perform compliance inspections on behalf of EPA. Historically, the EPA did not issue federal inspector credentials to the State's inspectors; rather State inspectors presented their state issued credential to initiate NPDES inspections. In 2007, EPA determined it is appropriate to authorize state inspectors more formally through a Federal Inspector Credential Authorization Agreement. The agreement serves as a guideline for the process and requirements for inspector certification as well as the performance of NPDES inspections done by the SWQB. Funding from this grant agreement will be used to support meeting the goals/needs of the Inspector Credential Authorization (e.g., training and record keeping).

Compliance Evaluation Inspections (CEIs):

- assess the adequacy of permittee's self-monitoring program;
- check records, laboratory procedures, flow measurements, O & M, and sampling procedures;

- review and document physical treatment facility condition;
- as appropriate, assess ancillary facilities such as sludge disposal areas, and lift stations/collection systems;
- give guidance and advice on NPDES requirements; and
- observe the status of NPDES-related construction.

Compliance sampling inspections (CSIs):

- include performance of all aspects of a CEI (see bulleted items above)
- collect representative samples of the effluent in accordance with the EPA approved Quality Assurance Project Plan for Water Quality Management Programs.
- sample data transferred to STORET

CAFOs: SWQB will coordinate with EPA to conduct NPDES related inspections on an as needed basis, and coordinate with other state and federal agencies, learning institutions, and industry representatives on the CAFO program.

Storm Water: SWQB anticipates increased activity in storm water related functions since the implementation of Phase II (March 2003). SWQB will continue to conduct numerous NPDES storm water compliance inspections, provide programmatic information to the regulated community and the public, and coordinate extensively with the EPA Region 6 permitting and enforcement staff. Section staff routinely answer numerous inquiries regarding the program. Section staff are able to provide locally accessible programmatic information to the regulated community thus promoting compliance.

Outputs

1. Conduct compliance evaluation inspections (CEIs) and compliance sampling inspections (CSIs) of selected industrial and municipal NPDES permittees. Inspect a minimum of 10 permittees determined through coordination between the EPA Compliance Assurance and Enforcement Division and SWQB. Facilities may be "majors" or "minors" that assist EPA in meeting core NPDES program inspection frequency goals.

2. Conduct a minimum of 10 storm water inspections annually.

3. SWQB may conduct CAFO inspections on an as needed basis.

4. Summarize inspection information on the appropriate EPA NPDES compliance inspection report form(s) and forward the report to the EPA Enforcement Branch with a copy to the permittee, the appropriate NMED District Office, and the EPA Permits Branch upon request, within 30 days of completion of the inspection.

5. Attend one pretreatment program audit conducted by EPA staff or EPA contractors.

6. If EPA conducts an audit/inspection of the Albuquerque MS4 permit during FY 10, NMED will assist/participate in the audit.

UPDATE (July 1 – December 31, 2009):

July 1, 2009 – December 30, 2009 NPDES Inspections Completed

CEI/CSI Inspections

Las Cruces WWTP*	NM0023311	CEI
South Central WWTP*	NM0030490	CEI
LANL*	NM0028355	CEI
Rio Grande Resources*	NM0028100	CEI
Sierra County Regional WWTP	NM0030864	CEI
Rock Lake Fish Hatchery	NM0030155	CEI
Sacramento Methodist	NM0028886	CEI
Southwestern Public Service	NM0029131	CEI
Picacho Hills Utility	NM0030821	CEI
Mora Mutual	NM0024996	CEI
Hatch	NM0020010	CEI
Anthony W&SD	NM0029629	CEI
Santa Rosa	NM0024988	CEI
El Paso Electric	NM0000108	CEI
Jemez Springs Schools	NM0028479	CEI
Mora National Fish Hatchery	NM0030031	CEI
Strathmore Roca Honda	NM0031020	CEI
Assist EPA/Albuquerque MS4*	NMS000101	CEI
Holloman AFB*	NM0029971	CEI
Santa Fe County, Valle Vista MHP	NM0028614	CEI
Los Lunas	NM0020303	CEI
Cloudcroft	NM0023370	CEI
NM Parks & Rec. – Elephant Butte	NM0024937	CEI
Seven Springs Fish Hatchery	NM0030112	CEI
Oldcastle SW Group, Inc.	NM0027995	CEI
Lifeway Glorieta Conference Center	NM0028088	CEI
San Juan Coal – La Plata Mine	NM0029505	CEI

Total Y-T-D =26 *Majors = 5*
** = Majors*

Storm Water Inspections

Mr. G's Pro Tow, LLC	NMR05GG71
Jaynes Corporation	NMR15FZ24
State of New Mexico	NMU001621
Kirtland Air Force Base	NMR05GE98
Town of Taos WWTP	NMU001623
Toro Rock Products, LLC	NMU001624
Ken Thurston, Land Owner	NMU001625
Ruidoso Municipal School District	NMR10GH85
Enterprise Builders Corp.	NMR10GB30
Armstrong Development	NMR10GC29
Waste Management	NMR05GK30

HB Construction of Albuquerque, Inc.	*NMR10GN43*
Taos County	*NMU001626*
All Saints Catholic School of Roswell	*NMU001627*
Holloway Construction Company, Inc.	*NMU001628*
Constructors, Inc.	*NMR10GE81*
Southwest Auto Salvage	*NMR05GA11*
La Bajada Development, Inc.	*NMR15FR95*
Blueline Construction, Inc.	*NMR15FT43*
BT Homes, Inc.	*NMR15FR66*
Flintco, Inc.	*NMR10GH01*
University of New Mexico	*NMU001634*
El Encanto, Inc.	*NMU001630*
Home Builders Redi-Mix	*NMR05GC98*
Homes by Hostetler	*NMR10GP04*
Barela Landscaping Materials, Inc.	*NMU001631*
Soilutions, Inc.	*NMU001632*
Gro-Well Brands	*NMU001633*
U Pull & Pay	*NMR05GD48*
Capital Scrap Metals, Inc.	*NMR05GG44*
ABC Foreign Auto Parts	*NMR05GA41*
City of Aztec	*NMR10GM31*
Triad Builders of New Mexico, Inc.	*NMU001635*
Oldcastle SW Group, Inc., Four Corners Materials	*NMR05GD13*
Lowes Home Centers, Inc.	*NMR10GL24*
James R. Vannoy Construction	*NMR10GO12*
Navajo Refing Company/Lea Refinery	*NMR00A158*
Remington Homes	*NMU001636*
Rose's Southwest Papers	*NMU001618*
Broken Arrow Recycling	*NMU001637*
La Puerta	*NMU001638*
Spotted Owl Timber, Inc	*NMU001639*
Bartoo Sand & Gravel	*NMR05GG60*
General Mills	*NMU001640*
Reddy Ice	*NMNOEGM35*
Albuquerque Publishing Company	*NMU001641*

Total Y-T-D =46

CAFO Inspections

Southwest Cattle Feeders, Inc.	*NMU001629*

Total Y-T-D =1

2.3 State Certification

Pursuant to Section 401 of the CWA, NMED, on behalf of the State of New Mexico, certifies Section 402 NPDES permits as specified in section 74-6-4.E of the New Mexico Water Quality Act. In so doing, it is necessary to ensure that permit requirements are compatible with appropriate State laws, protect State adopted water quality standards

and implement the State's water quality management plan. The process for State certification is strictly defined in the 40 CFR 124.53(e).

SWQB works in partnership with EPA's permit writers to help assure they have accurate information pertinent to setting permit effluent limits before a permit is proposed, thereby improving the efficiency of the permit issuance process and also aiding State certification. SWQB will continue to work with EPA Region 6 to assure timely issuance/reissuance of NPDES permits in New Mexico.

New Mexico's surface water quality standards are being continuously reviewed and revised as necessary. Accordingly, SWQB, as needed, consults with EPA to facilitate permit drafting in light of changing water quality standards to assure permits drafted by EPA are consistent with such revisions. Additionally, SWQB will continue to provide consultation to EPA permit writers, and can review information developed and provided by EPA for concurrence and quality assurance. On a case-by-case basis, SWQB can assist EPA by helping research and providing additional information such as critical low-flow (4Q3), water quality data information of receiving waters including hardness, TSS, and pollutant concentration background data; applicable water quality standards and water quality standards interpretations (if necessary); and other relevant information.

Outputs

1. Supply or review pertinent information for proposed draft permits from a prioritized list supplied by EPA, as limited by the manpower allocated to this work element.

2. Provide state certification of all NPDES permits proposed by EPA in writing, and in accordance with applicable federal regulations and provisions of the CWA. After review of a proposed permit, NMED will either:

   (1) certify that the discharge will comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act and with appropriate requirements of State law;
   (2) certify that the discharge will comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act and with appropriate requirements of State law upon inclusion of specified conditions in the permit;
   (3) deny certification and include reasons for the denial; or
   (4) waive its right to certify.

   Certification letters, forms and comments will be submitted to EPA within 30 days of SWQB's receipt of the draft permit unless an extension has been requested and granted by EPA. Certification extensions will be requested at least 2 days prior to the 30-day deadline.

3. Continue to implement the "NPDES Permitting Process and Coordination with State" procedure, or its subsequent mutually developed revisions, during the grant period.

4. SWQB will continue to work with EPA, the Department of Energy, and Los Alamos National Laboratory (LANL) to develop a broad based approach to LANL storm water issues utilizing NPDES permits, TMDLs, nonpoint source programs.

UPDATE (July 1 – December 31, 2009):

July 1, 2009 – December 30, 2009 State Certifications Completed

Belen WWTP	***NM0020150***	***7/28/09***
Bloomfield WWTP	***NM0020770***	***7/28/09***
PNM/Reeves Station	***NM0000124***	***7/28/09***
Chevron Mining/McKinley Mine	***NN0029386***	***9/25/09***
Las Cruces WWTP	***NM0023311***	***12/18/09***
Delta Person Generating Station	***NM0030376***	***12/21/09***
Construction GP Modification	***NMR100000***	***12/14/09***

2.4 Enforcement

State enforcement of point source dischargers is accomplished under the authority of the NM Ground and Surface Water Protection Regulations (20.6.2 NMAC) adopted by the Water Quality Control Commission (WQCC) and other appropriate State statutes (e.g., Water Quality Act and Public Nuisance Act). Enforcement at NPDES-permitted facilities is contingent upon meeting the applicability requirement of Section 2100 of these regulations, or on the discharge resulting in a violation of a state water quality standard or regulation. The regulatory applicability clause is designed to prevent dual regulation by state and federal government but allows the State to act in cases where the federal program has been unable to gain compliance within a prescribed time. The State may enforce provisions of the regulations prohibiting disposal of refuse in a watercourse (Section 2201), which are not subject to the applicability clause. The Department has authority to issue compliance orders, including penalties, for any discharge that results in a violation of a water quality standard (20.6.4 NMAC) or regulation.

Outputs

1. Assist the EPA in its enforcement actions by providing compliance data or inspection-related information as needed.

2. Conduct state enforcement for a discharge resulting in a violation of a state water quality standard or regulation (e.g., prohibiting disposal of refuse in a watercourse) on an as needed basis.

UPDATE (July 1 – December 31, 2009):

A Notice of Violation and Proposed Penalty was issued to Los Alamos County for violations of the State's water quality standards and disposal of refuse in a watercourse.

2.5 DMR Quality Assurance Coordination

SWQB will continue to provide state coordination for EPA's Discharge Monitoring Reports (DMR) Quality Assurance Program studies, which check NPDES permittees' laboratory competence through required analyses of blind check samples. The bureau will provide technical guidance to study participants regarding laboratory procedures and EPA / WQCC approved methodologies and will provide follow-up contacts as requested by study participants receiving "check for error" or "not acceptable" results, to assure that permittees identify and correct sources of error.

Outputs

1. Provide state coordination for DMR-QA studies.

2.6 Operator Certification Program

INTRODUCTION

The goal of the Utility Operator Certification Program (implemented by the SWQB Facility Operations Team) is to protect public health and the environment, foster the implementation of pollution prevention activities, and protect public investment in infrastructure by ensuring the proper operation and maintenance of public drinking water systems and wastewater treatment facilities. The Program seeks to improve the operation and maintenance activities performed at public water and wastewater facilities through activities such as utility operator certification, enforcement of the New Mexico Utility Operator Certification Regulations (20.7.4 NMAC), training support and evaluation, operations management evaluations (OMEs) and technical assistance. The Regulations require all public water and wastewater utilities to have certified operators; the type and level of certification is dependant upon population served and process complexity. Certification of individual operators is based on meeting prerequisite amounts of training and experience and successful completion of a written examination. The Operator Certification Program is administered primarily by the SWQB Facility Operations Team. Proper operation of these facilities contributes to improved compliance with Clean Water Act requirements at NPDES permitted facilities.

The Program consists of four FTEs. The 106 grant would support one FTE (the Team Leader) while other State funding sources will support the remaining FTEs and services (e.g., contracts). Since the efforts of one individual of the team cannot be segregated from the team effort, outputs described below reflect the product of the entire team.

OPERATOR CERTIFICATION ADMINISTRATION

The Operator Certification Program currently certifies approximately 4,200 water and wastewater utility operators in New Mexico.

Examinations are developed by the Program based on "need-to-know" criteria for each of the utility classifications in the regulations. The need-to-know criteria and examination items are regularly reviewed with the NM Utility Operators Certification Advisory Board and other experts in the field to assure their technical validity. Exam items are formally

validated by at least two separate groups of subject matter experts before being used in examinations. Examination items are maintained in a database, which facilitates statistical evaluation and the generation of revised examinations. The Program administers exams at various sites throughout the State to accommodate participation.

The Program maintains computer and file records on all certified operators. The renewal of certificates occurs on a triennial basis and requires that the operator complete the equivalent of three continuing education units (CEUs). The Team tracks the continuing education history of each certified operator.

Outputs

- The Operator Certification Program will conduct seven examination sessions at various locations around the state.
- The Operator Certification Program will grade and distribute a minimum of 800 examination results from the test sessions.
- The Operator Certification Program will prepare testing statistics for each of the test sessions and for each fiscal year as a whole. These will be provided to members of the Utility Operators Certification Advisory Board and, upon request, the New Mexico Water Quality Control Commission.
- The Operator Certification Program will continue to maintain and upgrade database files for all certified water and wastewater utility operators.

OPERATOR CERTIFICATION REGULATIONS ENFORCEMENT

Facility staffing surveys involve intensive investigations of the staffing patterns of public water supplies and wastewater treatment facilities throughout the State. The process is initiated through the use of a "Utility Operators Listing" which must be completed by the utility and submitted to the Operator Certification Program for review. This listing is used by the Operator Certification Program to:

- assess 20 systems for the adequacy of the water or wastewater utility staffing;
- determine the population served by the utility and the treatment processes employed, thereby allowing the utility to be classified in terms of the complexity and size specifications in the regulations; and
- determine the pattern of shift operations for the facility and the staffing pattern for each shift.

The results of facility staffing surveys can serve as the basis of enforcement actions taken by the Bureau pursuant to the Utility Operator Certification Regulations and the New Mexico Utility Operators Certification Act. Utilities not in compliance with the regulations are notified of all specific violations and are given an opportunity to voluntarily comply through a negotiated "schedule of compliance." Legal assistance may be required at any step in this process or to pursue further enforcement actions if a

utility does not meet its compliance schedule.

The Program also may take enforcement action in cases where certified operators have demonstrated incompetence or malfeasance in operational duties. In such cases, the Program may seek voluntary certificate relinquishment by the operator, or formal suspension or revocation by the Water Quality Control Commission. Legal assistance is required in all cases.

The Operator Certification Program maintains a comprehensive wastewater facility database to efficiently track information on wastewater facility treatment technologies, effluent and residuals disposal methodologies, operations staffing, and status of compliance with the certification regulations. The Program maintains a similar database on public water supply systems to track operations staffing and compliance with the certification regulations. This database will be used in coordination with the database on public water supplies maintained by the NMED Drinking Water Bureau.

Outputs

1. The Operator Certification Program will conduct and follow-up on 10 facility staffing surveys for all public water and wastewater utilities systems.

2. The Operator Certification Program will maintain databases and other records on public water supply and wastewater treatment facility compliance with the Utility Operator Certification Regulations.

3. In cooperation with the Department's Office of General Counsel, the Operator Certification Program will, as needed, prepare enforcement-related correspondence to non-compliant communities.

OPERATOR TRAINING SUPPORT

The Utility Operator Certification Regulations require certain amounts of approved training to qualify for initial certification or certificate renewal (certificates are renewed on a three year interval). The goal is to assure that all certified operators receive initial and continuing training that gives them the knowledge needed to effectively and efficiently operate and maintain their utilities. The Operator Certification Program is involved in many activities to improve the quality and quantity of training available to operators.

The Operator Certification Program evaluates all water and wastewater utility operator training in New Mexico to consistently assign training credits under the Utility Operator Certification Regulations. Training sessions are offered across the State by various providers. These sessions include:

- "short schools", seminars and workshops conducted by professional water and wastewater organizations such as the New Mexico Water and Wastewater Association or the New Mexico Rural Water Association,

- workshops conducted by other approved training providers,

- approved in-house training sessions conducted by the utilities, and

- start-up training provided by consultant engineering firms in conjunction with a utility construction project.

The Team Leader evaluates training for technical accuracy and pertinence to the need-to-know criteria for water and wastewater utility operator certification. Intensive on-site evaluations involve auditing classes in addition to reviews of the instructor qualifications and course content information required for all training submitted for credit toward operator certification. Approved courses are assigned training credits by the Operator Certification Program Team Leader, and the credits are recorded for all operators who complete the courses.

The Program will continue to consult with the various training providers in the State to assess training needs and to improve the quality and quantity of training and technical assistance available to water and wastewater utility operators in the State. Instructional support will be provided by Team staff when it can be done in conjunction with certification examination administration or training evaluations.

Outputs

1. The Operator Certification Program will conduct four full on-site training evaluations.

2. The Operator Certification Program will review all submitted utility operator training course information submitted during the FY, and will assign credits for entry into the records of certified operators.

3. The Operator Certification Program will provide operator training instructional support in conjunction with training evaluations or examination administration.

UPDATE

NMED-SWQB Activities: July 1, 2009 to December 31, 2009

1st and 2nd Quarters

NMWWA SW Section Workshop and Examination Session Training session provided 13.5 hours of training per operator	*Ruidoso*	*07/17/2009*
Published Water & Wastewater Operators News Letter	*State Wide*	*10/2009*
NMWWA SE Workshop and Examination Session Training session provided 14 hours of training per operator	*Carlsbad*	*08/07/2009*
NMWWA Executive Board Meeting	*Albuquerque*	*08/21/2009*
NM Stake Holders Meeting to discuss Wastewater Lab Teck	*Albuquerque*	*09/11/2009*
NMWWA Central Short School and Examination Session	*Albuquerque*	*09/18/2009*
NM Advisory Board Meeting	*Albuquerque*	*11/20/2009*
Attended NMWWA Executive Board Meeting	*Albuquerque*	*11/23/2009*
assess 5 systems for the adequacy of the water or wastewater utility staffing	*Albuquerque*	*11/05/2009*
NMWWA NW Section Workshop and Examination Session	*Farmington*	*11/06/2009*

3.0 WATER QUALITY STANDARDS (2.12 FTEs)

3.1 Introduction

Periodic review of water quality standards is required by the Clean Water Act, federal regulation and the NM Water Quality Act. SWQB undertakes timely triennial reviews, pursues interim standards rulemakings, develops proposals and detailed justifications, and conducts public involvement efforts related to standards proposals. SWQB also updates the Water Quality Management Plan as needed. These efforts are coordinated with monitoring and assessment activities described in Section 1.

The Quality Management Plan for New Mexico Environment Department Surface Water Quality Bureau Environmental Data Operations (QMP) describes the quality system for planning, implementing, documenting, and assessing the effectiveness of SWQB's activities. The *Quality Assurance Project Plan* (QAPP) describes SWQB's data collection procedures and quality assurance and quality control activities. It ensures that the environmental data collection efforts conducted by SWQB are consistent, coordinated, and integrated. SWQB's quality assuance officer oversees the update and implementation of the QAPP.

SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality standards each year.

Related EPA Performance Activity Measures

WQ-1	*Number of States that have adopted EPA-approved nutrient criteria into their water quality standards, or are on schedule with a mutually agreed-upon plan to adopt nutrient criteria into their water quality standards.*
WQ-3	*Number and national percent of states…that, within the preceding 3-year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in previous standards.*

3.2 Water Quality Standards

The triennial review was formally initiated in August 2008 with the release of a discussion draft of water quality standards amendments, public meetings held around the state and a six-week public comment period. SWQB revised its proposal after considering comments received from the public and EPA and submitted a petition for rulemaking to the WQCC in December 2008. The SWQB's proposal addresses outstanding issues remaining from the last triennial review concerning unclassified waters and use attainability analyses. The hearing is tentatively scheduled for December 2009 with several pre-hearing deadlines beginning in June for the submittal of testimony, evaluation of proposals submitted by other parties and public notice. After the hearing SWQB must evaluate the hearing record and make final recommendations to the WQCC. Adoption of the amendments will occur at a subsequent WQCC meeting, possibly in the summer of 2010, but SWQB does not control the schedule.

Outputs

1. Prepare testimony, including evaluation of competing proposals, provide public notice and participate in the triennial review hearing process beginning in the summer of 2009 and continuing into the summer of 2010 or longer.

UPDATE (July 1 – December 31, 2009): The triennial review hearing took place December 8-11. WQS and management staff met with EPA regarding the primary triennial proposals on Nov. 20 in Santa Fe, WQS staff, in consultation with management and counsel, prepared and submitted a revised petition of proposed amendments and statement of basis on July 6, pre-filed testimony on Aug. 28, pre-filed rebuttal testimony on October 23, and surrebuttal testimony at the hearing.

These documents can be found on NMED's website: http://www.nmenv.state.nm.us/Oots/HearingOfficer/TR2009/index.html and as attachments to this report. Proposed amendments address hydrologic definitions, unclassified waters, metals criteria, ponds that are not waters of the U.S., aquatic life temperature criteria, radionuclide criteria, site-specific criteria, natural background, UAA requirements, and other issues, Post-hearing submittals will be due over the coming months.

3.3 Quality Assurance

Quality assurance is a bureau-wide enterprise requiring all staff to be familiar with, implement and suggest refinements to the QMP and QAPP. Both documents are reviewed and updated annually as needed.

Outputs

1. Review and update the QMP as necessary and submit to EPA by September 30, 2009.

2. Review and update the QAPP as necessary and submit to EPA by January 31, 2010

UPDATE (July 1 – December 31, 2009): The draft QMP was submitted to EPA on September 28, 2009 and approved on October 14, 2009. It provided in the attachments and can be found on the SWQB website: http://www.nmenv.state.nm.us/swqb/Planning/QMP/index.html.

The SWQB Quality Assurance Officer supports QA activities for work under other grants. Four QAPPs were submitted and approved for work to be done under 104(b)(3) grants; one QAPP for work under a 319 grant was submitted and is awaiting approval.

4.0 FINANCE & ADMINISTRATION (1 FTEs)

4.1 Introduction

SWQB's financial management focuses on the Bureau's financial processes, in particular, procurement, contracts, grant management, budget oversight and related personnel issues.

4.2 Financial Support for Surface Water Quality Bureau Programs

Methods to ensure proper financial controls and oversight of Bureau programs are implemented by SWQB financial and administrative staff. Continued fiscal control is needed to ensure that all project records comply with Federal, State and NMED regulations, policies and procedures and EPA associated grant requirements.

Outputs

1. Implement fiscal policies and accounting procedures to ensure proper financial controls and oversight for Surface Water Quality Bureau programs are in compliance with Federal and State regulations.

UPDATE (July 1 – December 31, 2009): NMED continues to develop new reporting tools in the states new financial system "SHARE". Payroll is regularly and routinely posted, reviewed for accuracy and corrections submitted for correction if necessary. Also, purchase orders and accounts payable are processed in accordance with NM State procurement standards and RFP's and contracts are authorized using federal guidelines.

2. Consult with program staff, management, EPA administrators, department financial administrators, and auditors to identify financial management problems, constraints, and conditions, & develop and implement acceptable solutions.

UPDATE (July 1 – December 31, 2009): Routine meetings are held with management to discuss budget constraints and grant objectives. Monthly budget status reviews are conducted and full reconciliation efforts are conducted to assure budget accuracy and correct general ledger reporting. NMED had an annual review with an independent audit firm. SWQB staff met with the auditors to outline business practices identifies reporting tools and discussed RFP procedures.

3. Inform and train all relevant SWQB financial staff with proper procedures for preparing financial documents, including budgets, purchases, grant applications, professional services contracts, and joint powers agreements.

UPDATE (July 1 – December 31, 2009): Existing financial staff are experienced with NM state procurement, contracts and RFP process. Grants are routinely reviewed for compliance with the fiscal requirements and to align with grant deliverables. Staff can improve their federal knowledge by seeking federal fiscal and grant reporting courses. NMED staff will seek affordable training that is relevant to federal procurement and grant reporting requirements.

UPDATE (July 1 – December 31, 2009): NMED has requested information from EPA regarding possible federal training for grant management, procurement and contract negotiations. EPA has been working with the department to formulate action plans for staff training. NMED will continue to attend and seek training when available or affordable.

4. Prepare internal and external financial reports, including responses to all audits, to ensure financial management records comply with Federal, State and NMED requirements.

UPDATE (July 1 – December 31, 2009): The SWQB continues to work cohesively with NMED's ASD, State Purchasing Division, Department of Finance and Budgets to formulate budgets that relate to grant requests/awards and to assure compliance with both federal and state law. Budgets are tracked via an excel spreadsheet while financial reports are run in the SHARE system.

UPDATE (July 1 – December 31, 2009): NMED has been working with the EPA AIGO and will continue to cooperate with the AIGO by providing financial reports, responding to questions and taking corrective action when necessary.

4.3 Database Management

SWQB currently maintains an in-house water quality database to store all field measurements and laboratory analytical results. Note that through a separately funded effort NMED is developing a new database system to interface with WQX as well as integrate our datasets. The database will be based on the EDAS2 platform and will allow for storage of all chemical and biological monitoring data.

Data management and reporting support tasks include upgrading and maintaining SWQB's in-house database, and uploading of SWQB ambient water data and effluent monitoring data into STORET.

Outputs

1. Update and maintain bureau databases and establish methods to ensure proper input, controls and oversight of SWQB data.

2. Import new laboratory results data to current SWQB Access database or new Oracle database.

3. Upload data exports from SWQB database to STORET or STORET replacement (WQX). See Table 1 for estimated upload dates.

4. Consult with program staff and management to identify data management problems and constraints. Develop and implement solutions.

5. Provide training to ensure data and associated QA documentation are entered properly.

6. Prepare internal and external database retrievals as necessary.

UPDATE (July 1 – December 31, 2009):

SWQB/IT staff uploaded approximately 13,000 rows of chemical data and physical (field) data into the SWQB database and approximately 80,000 rows of chemical and physical data into STORET. STORET uploads comprised data from five studies as detailed in Table 2.

Due to funding cuts SWQB and IT were no longer able to support the other 0.75 of this database support person in FY10. SWQB used this 0.25 FTE position to support this person full time for 3 months until the end of September. During this time the staff member worked full time on data base issues for SWQB. Specific tasks and accomplishments are as follows:

- ***Trained 3 SWQB staff on the operation and maintenance of the database so that they could continue its operation after his departure. This training included how to load new data, how to update date when corrections are needed, developing queries to support staff and EPA needs and upload to data to EPA's national database***
- ***Uploaded all but one (Chama 2007) of the eight survey dataset to STORET that remained as part of the backlog (see Table 1)***
- ***Uploaded all new chemical data files in a timely manor***
- ***Developed generalize query tools for staff use***
- ***Assisted with issues, such as update to existing data etc. as necessary***

At this time existing staff have taken on database responsibilities to the extent possible. All data uploads and query request are being met however no STORET/WQX uploads have occurred. We hope to initiate this activity again in the next reporting period if staff time allows. SWQB will also evaluate how the financial resources tied to this 0.25 FTE positions/work element in FY11 should be allocated during the next reporting and will consult EPA at that time.

FISCAL YEAR 2011: WORK PLAN TASKS AND DELIVERABLES JULY 1, 2010 THROUGH JUNE 30, 2011

1.0 WATER QUALITY MONITORING, IMPAIRED WATERS AND TMDLS (5.25 FTEs – 4.5 Monitoring, 0.25 Assessment and 0.5 TMDL))

1.1 Introduction

Section 106(e)(1) of the federal Clean Water Act (CWA) requires the states to establish appropriate monitoring methods in order to compile and analyze data on the quality of "waters of the United States." These activities assist the Bureau in meeting responsibilities detailed under sections 106, 201, 301(b), 303, 305(b), 401 and 604(b) of the CWA. For example, the SWQB collects water quality data to determine if state surface water quality standards are being met and to ensure that designated uses are supported. Water quality data are also used to evaluate the state's standards and propose revisions as appropriate, establish waterbody management priorities, develop total maximum daily loads (TMDLs) pursuant to Section 303(d), develop water quality-based effluent limitations pursuant to Section 301(b), assess the efficacy of water pollution controls, determine water quality trends and prepare biennial reports to the U.S. Congress pursuant to Section 305(b).

The Bureau identifies surface water quality problems and associated data needs by means of a statewide monitoring plan that provides for the evaluation of all watersheds in the State approximately once every eight years. Presently New Mexico is in the process of revising and updating its monitoring plan using 604b ARRA funding with a final version expected October 2009. Attachment 2 shows the current eight-year Statewide Monitoring Plan schedule which may change with revisions to the monitoring plan. The monitoring schedule is coordinated with the TMDL development schedule. SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality monitoring, impaired waters and TMDLs each year.

Related EPA Priority Performance Activity Measures (from draft FY10 National Water Program Guidance)

WQ-5	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.
WQ-7	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data. (cumulative)
WQ-8b	Number, and national percent, of TMDLs, that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy.

WQ-21	Number of water segments identified as impaired in 2002 for which States and EPA agree that initial restoration planning is complete (i.e., EPA has approved all needed TMDLs for pollutants causing impairments to the waterbody or has approved a 303(d) list that recognizes that the waterbody is covered by a Watershed Plan [i.e., Category 4b or Category 5m]. (cumulative)
SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained. (cumulative)

1.2 Water Quality Monitoring

Surface water quality monitoring is primarily accomplished using an 8-year rotating basin strategy. Once every eight years the watershed is the focus of an intensive water quality survey with sampling sites established throughout the watershed of interest. Sample site location, sampling frequency and type of data collected are determined so as to provide adequate data density to allow determination of attainment or non-attainment of New Mexico surface water quality standards with a defined level of confidence derived from inferential statistical analysis. Data collected in these efforts are also used to establish a long-term monitoring record that may allow for simple trend analyses. Specific sample locations are determined by Bureau personnel following review of historic data and 303(d) lists, conducting public meetings with stakeholders, and reconnaissance of the watershed of interest. The SWQB also supports limited ambient, fixed-station monitoring performed by the U.S. Geological Survey through a cooperative agreement with NMED (funded with recurring funds from the NM state legislature)

The SWQB relies mainly on intensive surveys because of the demonstrated advantage of this form of monitoring in relating water quality data to specific water quality problems. SWQB's integrative watershed approach provides:

- A systematic, detailed review of water quality data and allows for more efficient use of human and budgetary resources.
- Information at a scale where implementation of corrective activities is feasible.
- An established order of rotation and predictable sampling in each watershed, which allows easier coordination efforts with other programs and entities interested in water quality.
- Enhanced program efficiency and an improved basis for management decisions.
- Coordination of monitoring activities across all SWQB and related Departmental (e.g., DOE Oversight Bureau) program areas to ensure that a number of interrelated and comprehensive objectives are efficiently met.

The collected water quality data is used to:

- Determine attainment or non-attainment of water quality standards for 303(d) assessments.
- Show status and trends for key pollutants for 305(b) report.
- Support TMDL development efforts.
- Identify point source pollution problems and assist in NPDES permit reviews.
- Provide water quality data to identify nonpoint source pollution problems.
- Refine and enhance the state's surface water quality standards.

Additionally, data may be collected to evaluate the appropriateness and effectiveness of BMPs implemented through the 319 program in response to integrated report listings and TMDL development. Specifically, New Mexico is nominating specific waterbodies which did not meet standards in 2002, where water quality has improved at least in part due to application of watershed approaches to water quality improvement, for recognition as program successes under EPA Strategic Plan measures SP-12 and WQ-10. This effort is primarily supported under the Clean Water Act Section 319 program, but Monitoring and Assessment staff may assist with data collection necessary to document these successes under the CWA Section 106 program.

Intensive Water Quality Surveys are conducted in accordance with the statewide *Water Quality Monitoring Strategy*. The validity of all environmental measurements is ensured by strict adherence to procedures provided in the *Quality Management Plan for Water Quality Management Programs* (QMP), the *Quality Assurance Project Plan for Water Quality Management Programs* (QAPP) and SWQB *Standard Operating Procedures for Data Collection* (SOPs). Core activities for intensive water quality surveys include:

Aquatic Biology: includes analysis and assessment of fish, algal/periphyton, and aquatic macroinvertebrate communities, and aquatic and riparian habitats of streams, rivers and lakes. These efforts also include the development of monitoring and assessment protocols for classification of the State's surface waters. After criteria development, SWQB will establish a baseline biological assessment program. *[Please note that, while NMED considers this to be a core part of our monitoring activities these activities are funded exclusively with 106 supplemental monitoring funds and state funds. An increase in 106 base funds would be necessary for these activities to formally be included as part of the 106 work plan.]*

Water Chemistry: includes the design and implementation of water quality surveys for chemical, physical, bacteriological, and radiological characteristics in New Mexico's streams, rivers and lakes.

Physical Habitat: includes stream fluvial geomorphology and riparian measurements performed using standardized methods to evaluate stream bottom sediments, bank stability, biological habitat, and baseline stream data for the development and refinement of biological, nutrient, and percent fines/bedded sediments criteria and for monitoring change in a stream/river reach over time.

Lake Surveys: Lakes located in surveyed watersheds are monitored concurrently with stream surveys. Lake monitoring includes depth profiles, chemical analyses, and phytoplankton and diatom community composition identifications by contractor labs.

Water quality survey summaries are prepared presenting sampling station locations, methods, summary of water quality data collected, salient results of surveys, and other information needed for inclusion in the Integrated CWA 303(d)/305(b) Report. Survey summaries are developed for each watershed stream survey, and compiled in a collective format for lakes. SWQB submits the survey summaries to EPA Region 6 and posts them on the Bureau's website.

The SWQB maintains an extensive database generated by input from the teams within the Monitoring and Assessment Section as well as those of the Watershed Protection

and Point Source Regulation sections. SWQB uploads data into the U.S. Environmental Protection Agency water quality STORET database after staff have completed the verification and validation steps outlined in the approved SWQB Quality Assurance Project Plan (QAPP).

Other monitoring obligations include conducting short-term investigations in response to citizen complaints, fish kills, accidental spills, illegal discharges and other emergencies; and preparing retrievals of stored data when requested. The SWQB operates under legal authorities from the New Mexico Water Quality Act (WQA) and the federal Clean Water Act (CWA) and their attendant rules and regulations.

Outputs

1. Complete water quality surveys of selected watersheds in accordance with Attachment 2 and as described above.
   - Complete San Juan, Pecos Headwaters and Rio Grande Closed Basin Surveys – November 2010
   - Initiate water quality surveys in Rio Pueco, Little Colorado and Gila watersheds – June 2011

2. Update the SWQB water quality database on a bimonthly basis and STORET/WQX annually. See Table 1 for summary of expected STORET/WQX uploads during FY11.

3. Prepare survey summaries for submittal to EPA and posting on the SWQB web site within 24 months of survey completion. See Table 2 for survey reports to be completed during FY11.

4. Annual review of State Monitoring Strategy and update as changes are deemed necessary by the end of the state fiscal year.
   - Review and revision of this document completed April 2011.

Table 1. Pending data uploads to EPA national database for FY10 and FY11

Survey	Year	Verification and Validation Process Complete?	Date field and lab data uploaded to EPA
Lakes	2007		estimated late 2009
Gila/SF	2007	Yes	estimated late 2009
Chama	2007		estimated late 2009
Black River ONRW Study	2007		estimated late 2009
Lakes	2008		estimated early 2010
Pajarito	2006-2007		estimated late 2009
Gallinas WUI	2007-2008	Yes	estimated mid 2010
MRG - BOR Study	Oct 2006 - Sept 2008		estimated mid 2010
Upper Rio Grande	2009		estimated late 2010
Mimbres	2009		estimated late 2010
Gallinas WUI Part II	2009		estimated late 2010

Table 2. Pending Water Quality Survey Reports for FY09-FY12.

Basin	Survey Year	Target Completion Date
Canadian 1	2002	Jul-08
San Juan	2002	Oct-08
Dry Cimarron	2006	Feb-09
Tularosa	2003	May-09
MRG - BOR	2007	May-09
Gallinas	2007-2008	May-09
Lakes	2006	May-09
Jemez	2005	Jul-09
Bear Creek	2006	Jul-09
Rio Puerco	2004	Oct-09
Rio Hondo/Rio Ruidoso	2004	Oct-09
LRG Tribs	2004	Oct-09
MRG Tribs	2005	Mar-10
Canadian Part II	2006	Mar-10
Valle Vidal	2006	Jul-10
Chama	2007	Jul-10
Gila/San Francisco	2007	Jul-10
Lakes	2007	Oct-10
Lakes	2008	Oct-10
Mimbres	2009	Oct-11
Lakes	2009	Oct-11
Gallinas Part II	2009	Oct-11
Upper Rio Grande	2009	Oct-11

1.3 Impaired Waters and TMDLs

1.3.1 Water Quality Assessment and Development of Integrated §303(d)/ 305(b) Report and List of Impaired Waters

Assessment protocol and impairment listing development tasks include preparing, maintaining and revising chemical, physical and biological assessment protocols, assessment of chemical, physical and biological data to identify impaired waters, and development of the biennial Integrated §303(d)/ 305(b) Report and List of Impaired Waters (Integrated Report / List), and maintaining the Assessment Database (ADB) and Administrative Record related to impairment listings. SWQB will continue to actively participate in the National EPA Integrated CWA 303(d)/305(b) Report workgroup to develop draft and final national reporting guidance. This activity requires a 0.5 FTE to complete and the time will be equally supported through CWA §604(b) and §106 funds.

1.3.2 TMDL Development

TMDL development includes integrating data from a variety of sources and preparing TMDL plans for impaired waters. The TMDL process includes review of the adequacy and significance of water quality and other supporting data, review of the effectiveness

of existing water quality protection and pollution control measures, evaluation of existing management strategies, and incorporation of new water quality management implementation strategies. NMED was operating under a 1997 consent decree stemming from EPA's settlement of the Forest Guardians, et al. v. Browner lawsuit (Civ. 96-0826 LH). The consent decree set forth a ten-year schedule for developing TMDLs for waters included on the CWA Section 303(d) List of Impaired Waters. A separate settlement agreement between EPA and Forest Guardians/Southwest Environmental Center Law outlines requirements to address all remaining impairments from the 1996 CWA 303(d) List of Impaired Waters. The final TMDL required under the Consent Decree was approved by the NM WQCC on November 14, 2006 and approved by EPA R6 on August 10, 2007. NM has twenty waterbody-pollutant pairs remaining under the Settlement Agreement that must addressed through TMDLs or other appropriate measures prior to 2017.

SWQB's ongoing TMDL development activities will continue to be guided by the 1997 Settlement Agreement between EPA and Forest Guardians, wasteload allocations required for NPDES permits, and other projects that help the state attain standards in impaired waterbodies. The comprehensive nature of TMDL development affects all aspects of SWQB activities, including NPDES and standards programs funded under this grant. This activity is supported through a combination of CWA §604(b) and §106 funds; details of the funding source for each TMDL is provided in the Table 3 below.

Outputs

1. FY10 – Revision to Integrated §303(d)/ 305(b) Report Assessment Protocols
   - Draft Assessment Protocols sent to EPA by March 31, 2011 for review and comment prior to opening for public comment.

2. FY11 TMDLs - SWQB cannot yet commit to waterbody-pollutant pairs until the assessments are completed and included on the 2010-2012 Integrated List. New Mexico's PACE number for FY10 is 26 and a similar number is likely for FY11. Once NMED determines the FY 2011 TMDL development PACE number, a candidate list of waterbody-pollutant pairs for which TMDLs are likely to be developed will be provided to EPA

   Likely areas of focus include the remaining listings for the Canadian Watershed as well as the Gila (11 Assessment Units) and San Francisco (2 Assessment Units) watersheds and the Chama watershed (15 Assessment Units) where water quality surveys were completed in 2007. SWQB also plans to have the necessary data collected in 2009 to complete the Rio Peñasco and Tularosa River TMDLs. These TMDLs include a TMDL for sedimentation for Rio Penasco (Hwy 24 to headwaters) and a temperature TMDL for Dog Canyon (Tularosa Creek to headwaters) and an E.coli TMDL for Three Rivers (USFS bnd to headwaters) in the Tularosa Closed Basin. The E.coli and sedimentation TMDLs were the two TMDLs that EPA R6 agreed to write for SWQB in 2007.

1.4 Supplemental Monitoring and Assessment Activities

New Mexico has received supplemental awards of CWA 106 funds which were used for

monitoring and assessment activities. The activities were covered under separate work plans. Should additional funds become available, SWQB will submit separate and detailed work plans to address the proposed activities.

2.0 PERMITS, ENFORCEMENT AND COMPLIANCE (8 FTEs – 7 Compliance Evaluation and State Certification, 1 Operator Certification)

2.1 Introduction

The overarching goal of the SWQB's point source regulation activities is to protect public health and the environment. This goal is achieved by assuring that regulated point source discharges to surface waters of the State comply with appropriate State and federal statutes and regulations through compliance assistance, inspection and enforcement activities, and by reviewing proposed federal NPDES permits (CWA section 402 permits) for State certification to ensure that permit provisions are consistent with appropriate state law, implement the state Water Quality Management Plan and are adequate to protect the state's water quality standards. These duties are carried out in cooperation with EPA, currently the primary agency responsible for enforcing and administering NPDES permits in New Mexico.

It is anticipated that SWQB will continue to meet on a periodic basis with the EPA permits and enforcement staff to refine procedures to facilitate the NPDES permitting process and to discuss permitting and enforcement activities. An "NPDES Permitting Process and Coordination with State" flow chart has been developed and implemented. As a non-delegated state, SWQB works with EPA Region 6 to help ensure that EPA is able to complete its share of the following federal Performance Activity Measure commitments each year:

Related EPA Priority Performance Activity Measures (from draft FY10 National Water Program Guidance)

WQ-11	*Number, and national percent, of follow-up actions that are completed by assessed NPDES programs. (cumulative)*
WQ-12	*Number, and national percent, of non-tribal NPDES permits that are considered current and number, and national percent, of tribal permits that are considered current.*
WQ-13	*Number, and national percent, of MS-4s covered under either an individual or general permit, number of facilities covered under either an individual or general industrial storm water permit, number of sites covered under either an individual or general construction storm water site permit, and number of facilities covered under either an individual or general CAFO permit.*
WQ-14	*Number, and national percent, of (a) Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements; and, (b) Categorical Industrial Users (CIUs) that aredischarging to POTWs without Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment requirements.*
WQ-15	*Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year, and of those, the number, and national percent, discharging the pollutant(s) of concern on impaired waters.*

WQ-20	*Number of facilities that have traded at least once plus all facilities covered by an overlay permit that incorporates trading provisions with an enforceable cap.*

2.2 Compliance Evaluation

The primary purpose of the compliance evaluation program is to evaluate compliance with effluent limitations and other NPDES permit conditions. The information derived from this program is also applied to the interpretation of water quality trends and to other evaluation and planning functions as well as other water pollution control programs. Compliance evaluation may also include providing compliance assistance, not associated with compliance inspections, to the regulated community to reduce violations and improve compliance with all aspects of the permit/regulatory program.

SWQB has developed industrial and municipal inspection priority lists to best utilize available staff resources and, in coordination with EPA, to inspect selected municipalities and industries each year in an equitable and non-duplicative manner. To the extent practicable, SWQB inspection priorities will accommodate the current EPA inspection targeting goals. Multi-media inspection opportunities will be identified whenever possible.

A selected number of major and minor municipal and industrial dischargers are inspected annually, with sampling as necessary to ensure compliance with applicable effluent limitations, permit conditions, and state regulations and standards. The inspections are carried out using the EPA's NPDES inspection procedures as identified in either the EPA NPDES Compliance Inspection Manual (EPA 305-X-03-004, July 2004) or through EPA Compliance Inspector Training (e.g., courses offered through the EPA's National Enforcement Training Institute). The data collected as part of the NPDES compliance inspection program are used in compliance evaluation and in support of State or federal enforcement and permitting activities. Compliance inspections done by SWQB are also addressed in the SWQB QAPP.

The EPA has long recognized the SWQB inspectors as authorized representatives (pursuant to CWA §308(4)(B)) to perform compliance inspections on behalf of EPA. Historically, the EPA did not issue federal inspector credentials to the State's inspectors; rather State inspectors presented their state issued credential to initiate NPDES inspections. In 2007, EPA determined it is appropriate to authorize state inspectors more formally through a Federal Inspector Credential Authorization Agreement. The agreement serves as a guideline for the process and requirements for inspector certification as well as the performance of NPDES inspections done by the SWQB. Funding from this grant agreement will be used to support meeting the goals/needs of the Inspector Credential Authorization (e.g., training and record keeping).

Compliance Evaluation Inspections (CEIs):

- assess the adequacy of permittee's self-monitoring program;
- check records, laboratory procedures, flow measurements, O & M, and sampling procedures;
- review and document physical treatment facility condition;
- as appropriate, assess ancillary facilities such as sludge disposal areas, and lift stations/collection systems;
- give guidance and advice on NPDES requirements; and

- observe the status of NPDES-related construction.

Compliance sampling inspections (CSIs):

- include performance of all aspects of a CEI (see bulleted items above)
- collect representative samples of the effluent in accordance with the EPA approved Quality Assurance Project Plan for Water Quality Management Programs.
- sample data transferred to STORET

CAFOs: SWQB will coordinate with EPA to conduct NPDES related inspections on an as needed basis, and coordinate with other state and federal agencies, learning institutions, and industry representatives on the CAFO program.

Storm Water: SWQB anticipates increased activity in storm water related functions since the implementation of Phase II (March 2003). SWQB will continue to conduct numerous NPDES storm water compliance inspections, provide programmatic information to the regulated community and the public, and coordinate extensively with the EPA Region 6 permitting and enforcement staff. Section staff routinely answer numerous inquiries regarding the program. Section staff are able to provide locally accessible programmatic information to the regulated community thus promoting compliance.

Outputs

1. Conduct compliance evaluation inspections (CEIs) and compliance sampling inspections (CSIs) of selected industrial and municipal NPDES permittees. Inspect a minimum of 10 permittees determined through coordination between the EPA Compliance Assurance and Enforcement Division and SWQB. Facilities may be "majors" or "minors" that assist EPA in meeting core NPDES program inspection frequency goals.

2. Conduct a minimum of 10 storm water inspections annually.

3. SWQB may conduct CAFO inspections on an as needed basis.

4. Summarize inspection information on the appropriate EPA NPDES compliance inspection report form(s) and forward the report to the EPA Enforcement Branch with a copy to the permittee, the appropriate NMED District Office, and the EPA Permits Branch upon request, within 30 days of completion of the inspection.

5. Attend one pretreatment program audit conducted by EPA staff or EPA contractors.

2.3 State Certification

Pursuant to Section 401 of the CWA, NMED, on behalf of the State of New Mexico,

certifies Section 402 NPDES permits as specified in section 74-6-4.E of the New Mexico Water Quality Act. In so doing, it is necessary to ensure that permit requirements are compatible with appropriate State laws, protect State adopted water quality standards and implement the State's water quality management plan. The process for State certification is strictly defined in the 40 CFR 124.53(e).

SWQB works in partnership with EPA's permit writers to help assure they have accurate information pertinent to setting permit effluent limits before a permit is proposed, thereby improving the efficiency of the permit issuance process and also aiding State certification. SWQB will continue to work with EPA Region 6 to assure timely issuance/reissuance of NPDES permits in New Mexico.

New Mexico's surface water quality standards are being continuously reviewed and revised as necessary. Accordingly, SWQB, as needed, consults with EPA to facilitate permit drafting in light of changing water quality standards to assure permits drafted by EPA are consistent with such revisions. Additionally, SWQB will continue to provide consultation to EPA permit writers, and can review information developed and provided by EPA for concurrence and quality assurance. On a case-by-case basis, SWQB can assist EPA by helping research and providing additional information such as critical low-flow (4Q3), water quality data information of receiving waters including hardness, TSS, and pollutant concentration background data; applicable water quality standards and water quality standards interpretations (if necessary); and other relevant information.

Outputs

1. Supply or review pertinent information for proposed draft permits from a prioritized list supplied by EPA, as limited by the manpower allocated to this work element.

2. Provide state certification of NPDES permits in writing, and in accordance with applicable federal regulations and provisions of the CWA. Certification letters, forms and comments will be submitted to EPA within 30 days of SWQB's receipt of the draft permit unless an extension has been requested and granted by EPA. Certification extensions will be requested at least 2 days prior to the 30-day deadline.

3. Continue to implement the "NPDES Permitting Process and Coordination with State" procedure, or its subsequent mutually developed revisions, during the grant period.

4. SWQB will continue to work with EPA, the Department of Energy, and Los Alamos National Laboratory (LANL) to develop a broad based approach to LANL storm water issues utilizing NPDES permits, TMDLs, nonpoint source programs.

2.4 Enforcement

State enforcement of point source dischargers is accomplished under the authority of the NM Ground and Surface Water Protection Regulations (20.6.2 NMAC) adopted by the Water Quality Control Commission (WQCC) and other appropriate State statutes (e.g., Water Quality Act and Public Nuisance Act). Enforcement at NPDES-permitted facilities

is contingent upon meeting the applicability requirement of Section 2100 of these regulations, or on the discharge resulting in a violation of a state water quality standard or regulation. The regulatory applicability clause is designed to prevent dual regulation by state and federal government but allows the State to act in cases where the federal program has been unable to gain compliance within a prescribed time. The State may enforce provisions of the regulations prohibiting disposal of refuse in a watercourse (Section 2201), which are not subject to the applicability clause. The Department has authority to issue compliance orders, including penalties, for any discharge that results in a violation of a water quality standard (20.6.4 NMAC) or regulation.

Outputs

1. Assist the EPA in its enforcement actions by providing compliance data or inspection-related information as needed.

2. Conduct state enforcement for a discharge resulting in a violation of a state water quality standard or regulation (e.g., prohibiting disposal of refuse in a watercourse) on an as needed basis.

2.5 DMR Quality Assurance Coordination

SWQB will continue to provide state coordination for EPA's Discharge Monitoring Reports (DMR) Quality Assurance Program studies, which check NPDES permittees' laboratory competence through required analyses of blind check samples. The bureau will provide technical guidance to study participants regarding laboratory procedures and EPA / WQCC approved methodologies and will provide follow-up contacts as requested by study participants receiving "check for error" or "not acceptable" results, to assure that permittees identify and correct sources of error.

Outputs

1. Provide state coordination for DMR-QA studies.

2.6 Operator Certification Program

INTRODUCTION

The goal of the Utility Operator Certification Program (implemented by the SWQB Facility Operations Team) is to protect public health and the environment, foster the implementation of pollution prevention activities, and protect public investment in infrastructure by ensuring the proper operation and maintenance of public drinking water systems and wastewater treatment facilities. The Program seeks to improve the operation and maintenance activities performed at public water and wastewater facilities through activities such as utility operator certification, enforcement of the New Mexico Utility Operator Certification Regulations (20.7.4 NMAC), training support and evaluation, operations management evaluations (OMEs) and technical assistance. The Regulations require all public water and wastewater utilities to have certified operators; the type and

level of certification is dependant upon population served and process complexity. Certification of individual operators is based on meeting prerequisite amounts of training and experience and successful completion of a written examination. The Operator Certification Program is administered primarily by the SWQB Facility Operations Team. Proper operation of these facilities contributes to improved compliance with Clean Water Act requirements at NPDES permitted facilities.

The Program consists of four FTEs. The 106 grant would support one FTE (the Team Leader) while other State funding sources will support the remaining FTEs and services (e.g., contracts). Since the efforts of one individual of the team cannot be segregated from the team effort, outputs described below reflect the product of the entire team.

OPERATOR CERTIFICATION ADMINISTRATION

The Operator Certification Program currently certifies approximately 4,200 water and wastewater utility operators in New Mexico.

Examinations are developed by the Program based on "need-to-know" criteria for each of the utility classifications in the regulations. The need-to-know criteria and examination items are regularly reviewed with the NM Utility Operators Certification Advisory Board and other experts in the field to assure their technical validity. Exam items are formally validated by at least two separate groups of subject matter experts before being used in examinations. Examination items are maintained in a database, which facilitates statistical evaluation and the generation of revised examinations. The Program administers exams at various sites throughout the State to accommodate participation.

The Program maintains computer and file records on all certified operators. The renewal of certificates occurs on a triennial basis and requires that the operator complete the equivalent of three continuing education units (CEUs). The Team tracks the continuing education history of each certified operator.

Outputs

- The Operator Certification Program will conduct seven examination sessions at various locations around the state.
- The Operator Certification Program will grade and distribute a minimum of 800 examination results from the test sessions.
- The Operator Certification Program will prepare testing statistics for each of the test sessions and for each fiscal year as a whole. These will be provided to members of the Utility Operators Certification Advisory Board and, upon request, the New Mexico Water Quality Control Commission.
- The Operator Certification Program will continue to maintain and upgrade database files for all certified water and wastewater utility operators.

OPERATOR CERTIFICATION REGULATIONS ENFORCEMENT

Facility staffing surveys involve intensive investigations of the staffing patterns of public water supplies and wastewater treatment facilities throughout the State. The process is initiated through the use of a "Utility Operators Listing" which must be completed by the utility and submitted to the Operator Certification Program for review. This listing is used by the Operator Certification Program to:

- assess 20 systems for the adequacy of the water or wastewater utility staffing;
- determine the population served by the utility and the treatment processes employed, thereby allowing the utility to be classified in terms of the complexity and size specifications in the regulations; and
- determine the pattern of shift operations for the facility and the staffing pattern for each shift.

The results of facility staffing surveys can serve as the basis of enforcement actions taken by the Bureau pursuant to the Utility Operator Certification Regulations and the New Mexico Utility Operators Certification Act. Utilities not in compliance with the regulations are notified of all specific violations and are given an opportunity to voluntarily comply through a negotiated "schedule of compliance." Legal assistance may be required at any step in this process or to pursue further enforcement actions if a utility does not meet its compliance schedule.

The Program also may take enforcement action in cases where certified operators have demonstrated incompetence or malfeasance in operational duties. In such cases, the Program may seek voluntary certificate relinquishment by the operator, or formal suspension or revocation by the Water Quality Control Commission. Legal assistance is required in all cases.

The Operator Certification Program maintains a comprehensive wastewater facility database to efficiently track information on wastewater facility treatment technologies, effluent and residuals disposal methodologies, operations staffing, and status of compliance with the certification regulations. The Program maintains a similar database on public water supply systems to track operations staffing and compliance with the certification regulations. This database will be used in coordination with the database on public water supplies maintained by the NMED Drinking Water Bureau.

Outputs

1. The Operator Certification Program will conduct and follow-up on 10 facility staffing surveys for all public water and wastewater utilities systems.

2. The Operator Certification Program will maintain databases and other records on public water supply and wastewater treatment facility compliance with the Utility Operator Certification Regulations.

3. In cooperation with the Department's Office of General Counsel, the Operator Certification Program will, as needed, prepare enforcement-related correspondence to non-compliant communities.

OPERATOR TRAINING SUPPORT

The Utility Operator Certification Regulations require certain amounts of approved training to qualify for initial certification or certificate renewal (certificates are renewed on a three year interval). The goal is to assure that all certified operators receive initial and continuing training that gives them the knowledge needed to effectively and efficiently operate and maintain their utilities. The Operator Certification Program is involved in many activities to improve the quality and quantity of training available to operators.

The Operator Certification Program evaluates all water and wastewater utility operator training in New Mexico to consistently assign training credits under the Utility Operator Certification Regulations. Training sessions are offered across the State by various providers. These sessions include:

- "short schools", seminars and workshops conducted by professional water and wastewater organizations such as the New Mexico Water and Wastewater Association or the New Mexico Rural Water Association,
- workshops conducted by other approved training providers,
- approved in-house training sessions conducted by the utilities, and
- start-up training provided by consultant engineering firms in conjunction with a utility construction project.

The Team Leader evaluates training for technical accuracy and pertinence to the need-to-know criteria for water and wastewater utility operator certification. Intensive on-site evaluations involve auditing classes in addition to reviews of the instructor qualifications and course content information required for all training submitted for credit toward operator certification. Approved courses are assigned training credits by the Operator Certification Program Team Leader, and the credits are recorded for all operators who complete the courses.

The Program will continue to consult with the various training providers in the State to assess training needs and to improve the quality and quantity of training and technical assistance available to water and wastewater utility operators in the State. Instructional support will be provided by Team staff when it can be done in conjunction with certification examination administration or training evaluations.

Outputs

1. The Operator Certification Program will conduct four full on-site training evaluations.

2. The Operator Certification Program will review all submitted utility operator training course information submitted during the FY, and will assign credits for entry into the records of certified operators.

3. The Operator Certification Program will provide operator training instructional support in conjunction with training evaluations or examination administration.

3.0 WATER QUALITY STANDARDS (2.12 FTEs)

3.1 Introduction

Periodic review of water quality standards is required by the Clean Water Act, federal regulation and the NM Water Quality Act. SWQB undertakes timely triennial reviews, pursues interim standards rulemakings, develops proposals and detailed justifications, and conducts public involvement efforts related to standards proposals. SWQB also updates the Water Quality Management Plan as needed. These efforts are coordinated with monitoring and assessment activities described in Section 1.

The Quality Management Plan for New Mexico Environment Department Surface Water Quality Bureau Environmental Data Operations (QMP) describes the quality system for planning, implementing, documenting, and assessing the effectiveness of SWQB's activities. The *Quality Assurance Project Plan* (QAPP) describes SWQB's data collection procedures and quality assurance and quality control activities. It ensures that the environmental data collection efforts conducted by SWQB are consistent, coordinated, and integrated. SWQB's quality assuance officer oversees the update and implementation of the QAPP.

SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality standards each year.

Related EPA Performance Activity Measures

WQ-1	*Number of States that have adopted EPA-approved nutrient criteria into their water quality standards, or are on schedule with a mutually agreed-upon plan to adopt nutrient criteria into their water quality standards.*
WQ-3 PART-6	*Number and national percent of states...that, within the preceding 3-year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in previous standards.*

3.2 Water Quality Standards

SWQB anticipates conclusion of the triennial review hearing process and adoption of water quality standards amendments by the WQCC in the summer of 2010. Submission of the package to EPA for approval is expected before the end of 2010; however, this schedule is tentative and depends on WQCC actions outside the control of SWQB.

In addition to concluding the triennial review, SWQB will continue to evaluate other needed changes to the water quality standards and to prepare future proposals for interim rulemakings between triennial reviews. Changes under consideration include segment-specific aluminum criteria, segment-specific aquatic life use refinements, adjustments to aquatic life use subcategories, incorporation of more lakes in the standards, incorporation of numeric nutrient criteria (development of nutrient criteria is

proceeding under separate funding), development of public water supply criteria and clearer articulation of criteria frequency and duration. Prioritization of these or other potential changes is an ongoing process, although development and incorporation of numeric nutrient criteria remain a high priority. Close coordination with EPA is anticipated in developing any proposals and necessary justification.

Ongoing development of the wetlands program, including water quality standards, is proceeding primarily under separate funding. However, standards staff are engaged with the effort to ensure that water quality standards requirements are given appropriate consideration.

Outputs

1. Submit triennial review amendments and supporting documentation to EPA for approval.

2. Respond to EPA questions/concerns about the triennial review submission.

3. Develop plans and supporting documentation for future highest-priority standards amendments.

3.3 Quality Assurance

Quality assurance is a bureau-wide enterprise requiring all staff to be familiar with, implement and suggest refinements to the QMP and QAPP. Both documents are reviewed and updated annually as needed.

Outputs

1. Review and update the QMP as necessary and submit to EPA by September 30, 2010.

2. Review and update the QAPP as necessary and submit to EPA by January 31, 2011

4.0 FINANCE & ADMINISTRATION (1 FTEs)

4.1 Introduction

SWQB's financial management focuses on the Bureau's financial processes, in particular, procurement, contracts, grant management, budget oversight and related personnel issues.

4.2 Financial Support for Surface Water Quality Bureau Programs

Methods to ensure proper financial controls and oversight of Bureau programs are implemented by SWQB financial and administrative staff. Continued fiscal control is needed to ensure that all project records comply with Federal, State and NMED regulations, policies and procedures and EPA associated grant requirements.

Outputs

1. Implement fiscal policies and accounting procedures to ensure proper financial controls and oversight for Surface Water Quality Bureau programs are in compliance with Federal and State regulations.

2. Consult with program staff, management, EPA administrators, department financial administrators, and auditors to identify financial management problems, constraints, and conditions, & develop and implement acceptable solutions.

3. Inform and train all relevant SWQB financial staff with proper procedures for preparing financial documents, including budgets, purchases, grant applications, professional services contracts, and joint powers agreements.

4. Prepare internal and external financial reports, including responses to all audits, to ensure financial management records comply with Federal, State and NMED requirements.

4.3 Database Management

SWQB currently maintains an in-house water quality database to store all field measurements and laboratory analytical results. Note that through a separately funded effort NMED is developing a new database system to interface with WQX as well as integrate our datasets. The database will be based on the EDAS2 platform and will allow for storage of all chemical and biological monitoring data.

Data management and reporting support tasks include upgrading and maintaining SWQB's in-house database, and uploading of SWQB ambient water data and effluent monitoring data into STORET.

Outputs

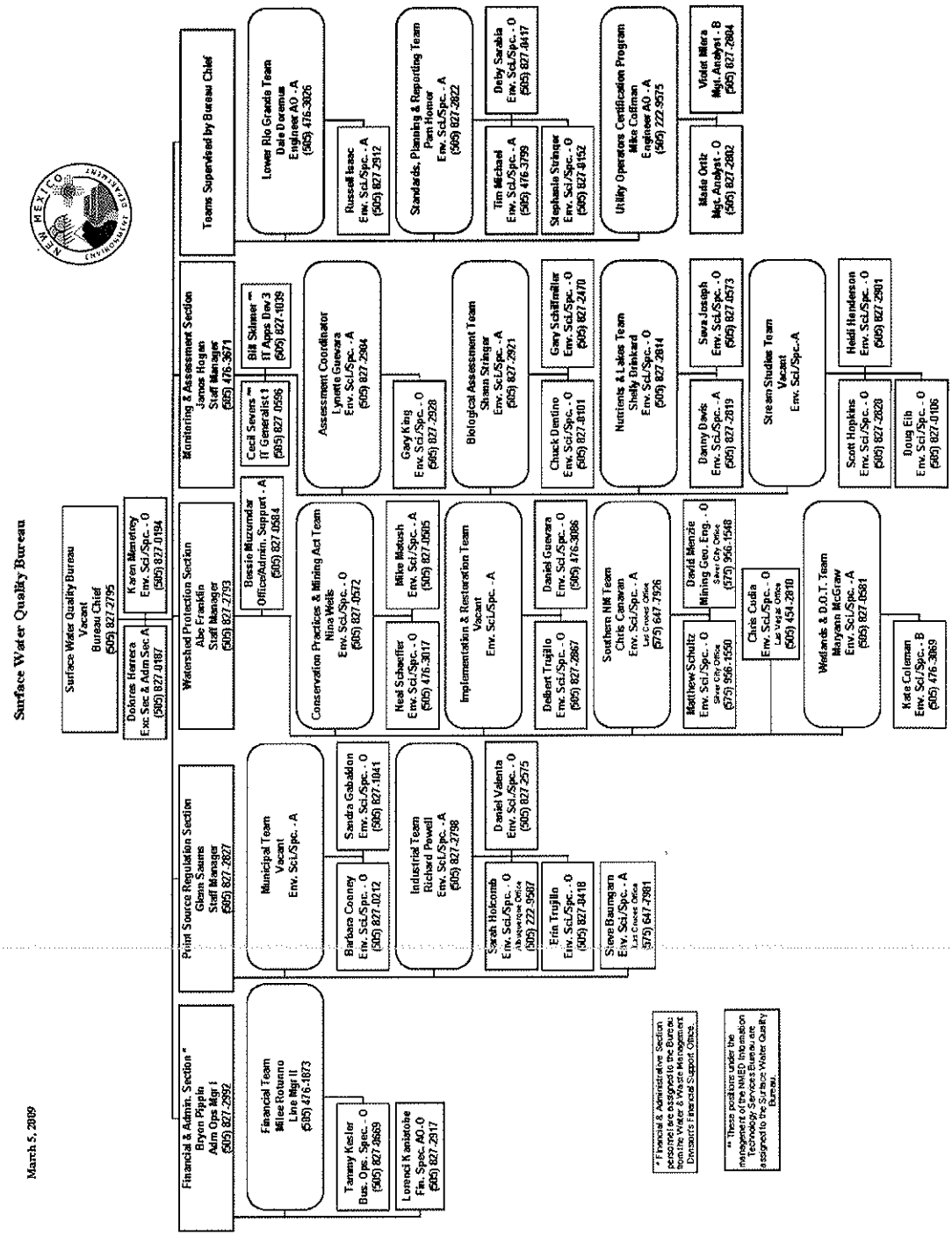
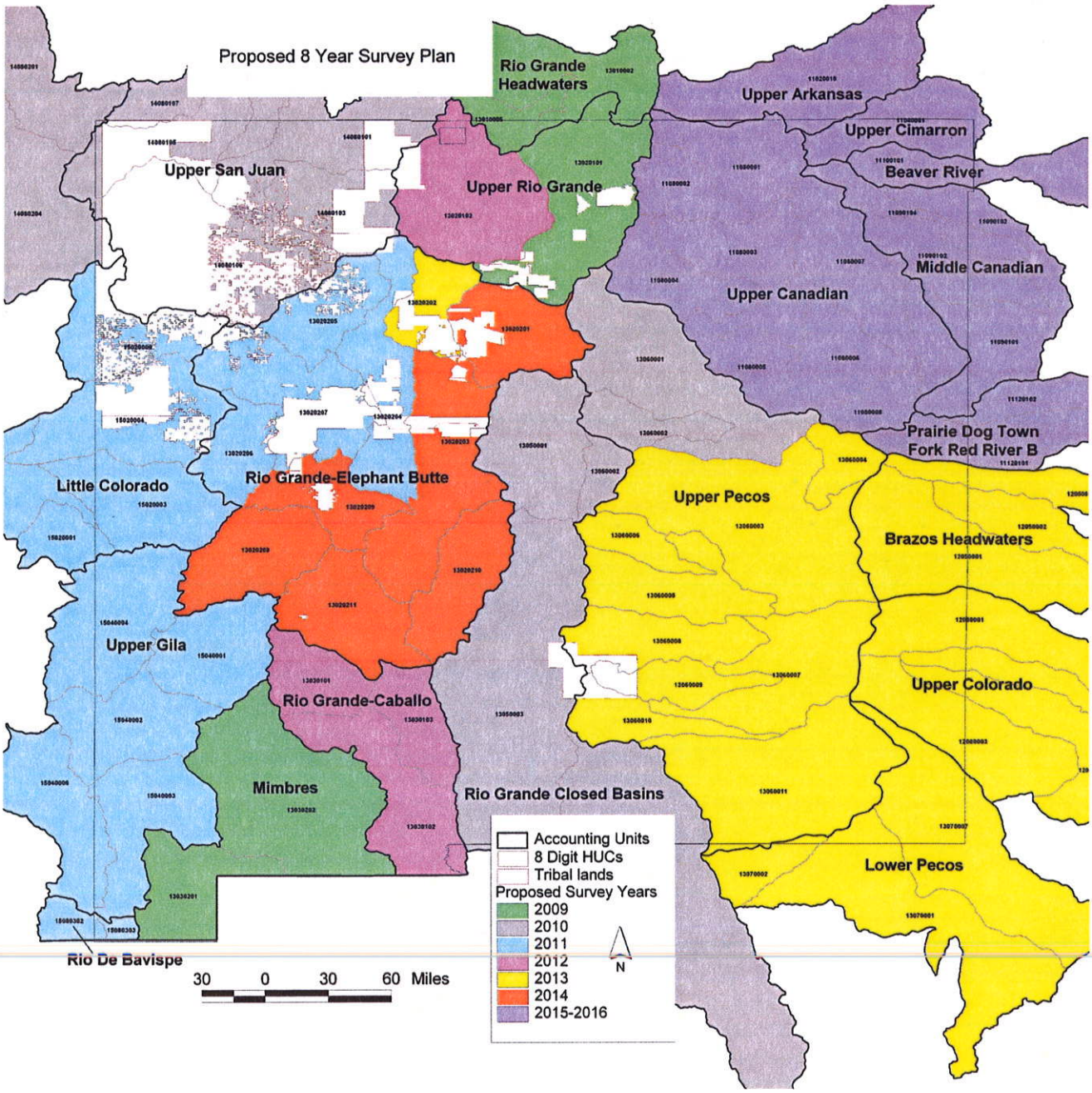
1. Update and maintain bureau databases and establish methods to ensure proper input, controls and oversight of SWQB data.

2. Import new laboratory results data to current SWQB Access database or new Oracle database.

3. Upload data exports from SWQB database to STORET or STORET replacement (WQX). See Table 1 for estimated upload dates.

4. Consult with program staff and management to identify data management problems and constraints. Develop and implement solutions.

Attachment 1. NM Environment Surface Water Quality Bureau Organization Chart



Attachment 2.