



# New Mexico Environment Department

WQMP/CPP in New Mexico

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# Outline

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- WQMP/CPP document approval process
- WQMP/CPP contents
- WQMP/CPP and NPDES permitting
- WQMP/CPP and TMDLs
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# WQMP/CPP History

- CPP initially adopted in 1976  
WQMP initially adopted in 1978
- Periodic document updates 1979-2004
- Consolidated WQMP and CPP into one document and one approval process in 2011
- Latest WQMP/CPP document-
  - NM WQCC approval September 21, 2020
  - EPA Region 6 approval October 23, 2020





# WQMP/CPP Approval Process

- ❑ Tribal and stakeholder outreach is conducted
- ❑ Public comments are solicited
- ❑ Public comments are incorporated as appropriate
- ❑ Proposed revisions presented to New Mexico Water Quality Control Commission for approval
- ❑ WQCC-approved draft submitted to EPA Region 6 for final approval



# WQMP/CPP Contents

- ❑ Crosswalk of WQMP/CPP and Federal requirements
- ❑ Water Quality Standards
- ❑ Monitoring and Assessment
- ❑ TMDLs
- ❑ Permitting- Antidegradation, effluent limitations, waste treatment
- ❑ Nonpoint source management
- ❑ Dredge and Fill permitting
- ❑ Groundwater
- ❑ Public Participation
- ❑ Appendices- Antidegradation policy, Hydrology Protocol, approved TMDLs



# WQMP/CPP and NPDES Permitting

- ❑ NM is not currently delegated authority for issuing NPDES permits-EPA Region 6 is the permitting authority responsible for issuing NPDES permits
- ❑ NMED reviews NPDES permit actions for purposes of state certification in accordance with Section 401 of the CWA
- ❑ WQMP/CPP provides opportunity for NMED to outline portions of the certification process, especially related to Antidegradation (Appendix A) and TMDLs.



# WQMP/CPP and NPDES Permitting

- Pursuant to 40 CFR 130.12(a), NPDES permits must be consistent with the WQMP
  
- NPDES and TMDLs
  - Permit renewal-impairment but no TMDL?
  - New permit but no WLA in existing TMDL?
  - Revised permit with new design flow with existing TMDL?
  - New or revised stormwater permits with existing TMDL?
  - Nutrient effluent limitations without approved TMDL?



# WQMP/CPP and TMDLs

- Basic TMDL process is outlined
- Appendix B lists all EPA-approved TMDLs
- Final Draft TMDL presented to NM WQCC for TMDL approval and incorporation into WQMP
- WQCC-approved draft submitted to EPA Region 6 for TMDL approval and incorporation into WQMP
- WQMP/CPP-Appendix B is updated 1-2 times a year as new TMDLs are approved. The TMDL approvals serve as a WQMP/CPP update without the need to update the entire WQMP/CPP.





# WQMP/CPP and TMDL Approvals

- The individual TMDL approvals serve as a WQMP/CPP update without the need to update the entire WQMP/CPP.
- WQMP/CPP-Appendix B is updated 1-2 times a year as new TMDLs are approved.
- TMDL revisions follow the same public participation process as new TMDLs and NM WQCC approval of revisions is still necessary



# WQMP/CPP TMDL Approvals

- NM WQCC approval order-

*“THEREFORE, having considered the above information provided by the Department and its counsel, together with their oral presentation at the October 13, 2020, meeting, and the proposed Final Draft TMDL for the Rio Chama Watershed, the Commission hereby approves the Final TMDL for the Rio Chama Watershed, a copy of which is attached to and made a part of this Order, and the Final TMDL for the Rio Chama Watershed is hereby adopted and incorporated into the WQMP-CPP.”*

- NMED approval request to EPA-

*“These TMDLs were approved by the WQCC as an update to New Mexico’s Statewide WQMP/CPP. In accordance with 40 CFR 130.6(e), this letter transmits to EPA hardcopy and electronic versions of this revision to the WQMP/CPP...As such, I hereby certify that the WQMP/CPP updates “are consistent with all other parts of the plan” and request EPA review and approval of the TMDL document and WQMP/CPP update.”*

- EPA approval letter-

*“The EPA also acknowledges that these TMDLs will be incorporated as updates to the State of New Mexico Water Quality Management Plan and the Continuing Planning Process (WQMP/CPP).”*



# Resources

Snow Lake, 2019

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Current New Mexico WQMP/CPP

<https://www.env.nm.gov/surface-water-quality/wqmp-cpp/>