

**MINUTES OF THE  
NEW MEXICO MINING COMMISSION  
REGULAR MEETING  
WEDNESDAY, JULY 9, 2003**

The New Mexico Mining Commission meeting was convened at 10:07 A.M., July 9, 2003 in Porter Hall (Oil Conservation Division conference room) 1st floor of the Energy, Minerals and Natural Resources Department building located at 1220 South St. Francis Dr. in Santa Fe. The meeting was tape-recorded and the tapes are in the custody of the commission clerk.

The following members were present:

Gary King	Chairman and Public Representative
Bob Rogers	State Engineer's Office
Ron Curry	Environment Department
Jim Barker for Peter Scholle	NM Bureau of Geology and Mineral Resources
Larry Kehoe	State Land Office
Leroy Apodaca	Public Representative
Hank Saxe	Alternate
Leroy Dugger	Alternate
Sally Malavé	Commission Attorney

The following members were absent:

Lisa Kirkpatrick	Department of Game and Fish
Steve Loring	Ex-Officio, NM Agricultural Experiment Station
J. R. Roybal	Designee, NM Soil and Water Conservation Comm.

**Roll call**

The Commissioners announce their own names.

**Approval of the agenda**

Chairman King suggests switching agenda item 5 (ONRT presentation) with item 6 (signature clarification) in order to give the Trustee as much time as needed for his presentation. With no discussion and no objections, Mr. Rogers moves to approve the agenda as amended, with second by Mr. Kehoe. Motion passes unanimously on a voice vote.

**Adoption of the minutes of the March 25, 2003 Meeting**

Mr. Kehoe moves to adopt the minutes, with second by Mr. Rogers. Motion passes unanimously on a voice vote.

**Discussion and setting of a hearing date on MMD's Petition for Rulemaking (03-01) regarding financial assurance**

Bill Brancard, Director of the Mining and Minerals Division, provides a presentation to the Commission on the need to have MMD's petition 03-01 heard. After several Commissioners question Director Brancard, Chairman King suggests a hearing date on MMD petition 03-01 of September 18, 2003. Mr. Apodaca moves to set a hearing date on September 18, 2003 with second by Mr. Curry. Motion passes unanimously on a voice vote.

**Clarification on signature authority on behalf of the Commission**

Chairman King states that he would like to leave signature authority with the Chairman and Vice Chairman. He requests that the minutes reflect that the Vice Chairman can sign on behalf of the Chairman, and that the Chairman reserves the right to designate another Commissioner to sign in the absence of both.

Note: Chairman King dismisses Sally Malave to allow her to attend to other pending legal matters.

**Presentation by the Office of the Natural Resources Trustee**

Jim Baca and his staff provide a presentation to the Commission on the Office of the Natural Resources Trustee. Several of the Commissioners ask questions about the program.

**Other business**

Chairman King makes a statement endorsing presentations, site visits and other activities by the Commission outside the primary function of deciding on petitions that come before it. He states that Amigos Bravos has made a request to provide the Commission with a presentation.

In response to question by Mr. Rogers, Ted Apodaca provides an update on the UNC settlement status.

Director Brancard suggests that the Commission consider periodic meetings. Chairman King states that he prefers meetings on an "as needed" basis.

**Adjourn**

Mr. Curry moves to adjourn, with second by Mr. Rogers. Motion passes unanimously on a voice vote. Meeting adjourns at approximately 11:12 A.M.

Approved:

Minutes by:

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Gary King, Chairman                      Date

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John J. Pfeil, Commission Clerk