

**MINUTES OF THE  
NEW MEXICO MINING COMMISSION  
REGULAR MEETING  
WEDNESDAY, DECEMBER 15, 2004**

*Note: Draft minutes subject to review and approval by the Commission*

The New Mexico Mining Commission meeting was convened at 1:05 P.M., December 15, 2004 in Porter Hall 1st floor of the Wendell Chino building (Energy, Minerals and Natural Resources Department) located at 1220 South St. Francis Dr. in Santa Fe, NM. 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
Derrith Watchman-Moore	Environment Department
John Bemis	State Land Office
Peter Scholle	NM Bureau of Geology and Mineral Resources
Leroy Apodaca	Public Representative
Steve Loring	NM Agricultural Experiment Station
Hank Saxe	Alternate
Leroy Dugger	Alternate
Sally Malavé	Commission Attorney

The following members were absent:

Lisa Kirkpatrick	Department of Game and Fish
J. R. Roybal	NM Soil and Water Conservation Comm.

### **Roll call**

The Commissioners announce their own names.

### **Approval of the agenda**

Chairman King asks if there are any changes to the agenda. Mr. Rogers moves to adopt the agenda as provided, with second by Mr. Scholle. Motion passes unanimously on a voice vote.

### **Adoption of the minutes of the January 14, 2004 meeting**

Chairman King asks if there are any changes to the minutes. Mr. Scholle moves to adopt the agenda as provided, with second by Mr. Apodaca. Motion passes unanimously on a voice vote.

### **Discussion and adoption of the NMMC's Draft Open Meetings Resolution**

After a short discussion on changes from the previous version there is a motion by Mr. Rogers to adopt the draft resolution, second by Mr. Apodaca. Motion passes unanimously on a voice vote.

### **Mining Act Reclamation Program annual report**

MMD Division Director Bill Brancard introduces Holland Shepherd, David Otori and Terry Foreback of the Mining Act Reclamation Program (MARF). MARF staff provides to the Commission a 40-minute PowerPoint presentation and a discussion of program activities for calendar year 2004. Commissioners ask several questions of staff. In addition to the presentation Commissioners are provided a hardcopy of the report.

### **Other business**

*legislative update:* Director Brancard provides a short presentation on legislative news relating to mining issues.

*litigation update:* The Commission receives a litigation update from Ted Apodaca of the EMNRD's Office of General Counsel.

### **Adjourn**

Mr. Scholle moves to adjourn, with second by Mr. Loring. Motion passes unanimously on a voice vote. Meeting recesses at approximately 2:45 P.M.

Approved:

Minutes by:

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Gary King, Chairman

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Date

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John J. Pfeil, Commission Clerk