



**NEW MEXICO**  
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***Draft: October 20, 2021***

**GROUND WATER QUALITY BUREAU**  
**DISCHARGE PERMIT**  
**Issued under 20.6.2 NMAC**

**Facility Name:** Sonoma Ranch Golf Course  
**Discharge Permit Number:** DP-1735  
**Facility Location:** 1274 Golf Club Road  
Las Cruces, NM

**County:** Doña Ana

**Permittee:** John Moscato, Member  
**Mailing Address:** Sierra Norte Sonoma, LLC  
3590 W. Picacho Ave.  
Las Cruces, NM 88007

**Facility Contact:** Bo Cichuniec, Superintendent  
**Telephone Number/Email:** (575) 373-8100/bo.cichuniec@redhawkgc.com

**Permitting Action:** Renewal  
**Permit Issuance Date:** DATE  
**Permit Expiration Date:** DATE

**NMED Permit Contact:** Gerald Knutson  
**Telephone Number/Email:** (505) 660-7189/gerald.knutson@state.nm.us

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**JUSTIN BALL**  
Acting Chief, Ground Water Quality Bureau  
New Mexico Environment Department

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Date

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## ATTACHMENTS

Discharge Permit Summary  
Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner  
Material and Site Preparation, Revision 0.0, May 2007  
Land Application Data Sheet (LADS - <https://www.env.nm.gov/gwb/forms.htm>)  
Fertilizer Log

## **I. INTRODUCTION**

The New Mexico Environment Department (NMED) issues this groundwater discharge permit renewal (Discharge Permit or DP-1735) to the Sierra Norte Sonoma, LLC (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants to the Sonoma Ranch Golf Course (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality, and flow characteristics.

The Permittee receives up to 680,000 gallons per day (gpd) of Class 1A reclaimed domestic wastewater from the City of Las Cruces-East Mesa Water Reclamation Facility (DP-1536). Treated wastewater (reclaimed domestic wastewater) stores in a synthetically lined impoundment and then discharges to approximately 130-acres of reuse area at the Facility. The Facility will use groundwater from two on-site supply wells at times when the reclaimed domestic wastewater from the City of Las Cruces-East Mesa Water Reclamation Facility is inadequate to meet the irrigation demand or at times when the reclaimed domestic wastewater fails to meet this Discharge Permit's quality standards.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at 1274 Golf Course Road, in Las Cruces, in Section 4, Township 23S, Range 02E, in Doña Ana County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 430 feet and having a pre-discharge total dissolved solids (TDS) concentration of approximately 1,395 milligrams per liter (mg/L).

NMED issued the original Discharge Permit to the Permittee on June 15, 2010 and subsequently renewed the Permit on December 4, 2015. The application (i.e., discharge plan) associated with

this Discharge Permit consists of the materials submitted by the Permittee dated June 14, 2021 and materials contained in the administrative record prior to issuance of this Discharge Permit.

The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
CRF	Code of Federal Regulations	NMED	New Mexico Environment Department
CAP	Corrective Action Plan	NMSA	New Mexico Statutes Annotated
Cl	chloride	NO <sub>3</sub> -N	nitrate-nitrogen
EPA	United States Environmental Protection Agency	QA/QC	Quality Assurance/Quality Control
gpd	gallons per day	TDS	total dissolved solids
LAA	land application area	TKN	total Kjeldahl nitrogen
LADS	Land Application Data Sheet(s)	total nitrogen	= TKN + NO <sub>3</sub> -N
mg/L	milligrams per liter	WQA	New Mexico Water Quality Act
mL	milliliters	WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code	WWTF	Wastewater Treatment Facility

## II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such wastewater may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.
2. The Permittee is discharging effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
3. The discharge to the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

## III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive up to 680,000 gpd of Class 1A reclaimed domestic wastewater from the City of Las Cruces-East Mesa Water Reclamation Facility (DP-1536). This Discharge Permit authorizes the Permittee to discharge treated wastewater (reclaimed domestic wastewater) to a synthetically lined impoundment (Irrigation Lake), with a capacity of 5.4 million gallons, prior to discharging it to 130-acres of land application area (i.e., reuse areas) at the Facility.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

## IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

### A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC.  [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

**Operational Actions with Implementation Deadlines**

#	Terms and Conditions
3.	<p>Within 60 days following the issuance date of this Discharge Permit (<b>by DATE</b>), the Permittee shall measure the thickness of the settled solids in the Irrigation Lake. The Permittee shall report the results of the solids thickness measurements to NMED in the next required periodic monitoring report.</p> <p>The Permittee shall measure the thickness of settled solids in accordance with the following procedure.</p> <ul style="list-style-type: none"> <li>a) The division of the total surface area of the impoundment into nine equal sub-areas.</li> <li>b) One measurement (to the nearest half foot) using a settled solids measurement device (e.g., core sampler) per sub-area.</li> <li>c) Calculation of the average of the nine measurements.</li> </ul> <p>In the event that the measured settled solids exceed one-third of the maximum liquid depth in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

**Operating Conditions**

#	Terms and Conditions						
4.	<p>Class 1A reclaimed domestic wastewater transferred from the City of Las Cruces-East Mesa Water Reclamation Facility in accordance with DP-1536 to the Facility shall not exceed the following limitations:</p> <table><tr><td><u>Test</u></td><td><u>30-day Average</u></td><td><u>Maximum</u></td></tr><tr><td>Fecal coliform</td><td>5 CFU or MPN/100 mL</td><td>23 CFU or MPN/100 mL</td></tr></table>	<u>Test</u>	<u>30-day Average</u>	<u>Maximum</u>	Fecal coliform	5 CFU or MPN/100 mL	23 CFU or MPN/100 mL
<u>Test</u>	<u>30-day Average</u>	<u>Maximum</u>					
Fecal coliform	5 CFU or MPN/100 mL	23 CFU or MPN/100 mL					

#	Terms and Conditions								
	<table><tr><td>BOD<sub>5</sub></td><td>10 mg/L</td><td>15 mg/L</td></tr><tr><td>Turbidity</td><td>3 NTU</td><td>5 NTU</td></tr></table> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>			BOD <sub>5</sub>	10 mg/L	15 mg/L	Turbidity	3 NTU	5 NTU
BOD <sub>5</sub>	10 mg/L	15 mg/L							
Turbidity	3 NTU	5 NTU							
5.	<p>The Permittee shall apply Class 1A reclaimed domestic wastewater evenly throughout the entire reuse area(s) such that the amount of total nitrogen applied does not exceed 200 pounds per acre in any rolling 12-month period. The Permittee shall not adjust nitrogen content to account for volatilization or mineralization processes. A requirement to track nitrogen loading utilizing a Land Application Data Sheet (LADS) is included elsewhere in this Discharge Permit.</p> <p>The Permittee shall prevent excessive ponding from occurring due to the discharge.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>								
6.	<p>The Permittee shall ensure adherence to the following general requirements for above-ground use of reclaimed domestic wastewater.</p> <p>a) The Permittee shall install and maintain signs in English and Spanish at all reuse areas such that they are visible and legible for the term of this Discharge Permit. The Permittee shall post signs at the entrance to the reuse area(s) and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: <b>NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.</b> The Permittee may submit alternate wording and/or graphics to NMED for approval.</p> <p>b) Reclaimed domestic wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC).</p> <p>c) Above-ground use of reclaimed domestic wastewater shall not result in excessive ponding of wastewater. The Permittee shall not discharge reclaimed domestic wastewater at times when the reuse areas are saturated or frozen.</p> <p>d) The Permittee shall confine discharge of reclaimed domestic wastewater to the reuse areas.</p> <p>e) The Permittee shall not discharge reclaimed domestic wastewater to crops used for human consumption.</p> <p>f) Water supply wells within 200 feet of a reuse area shall have adequate wellhead construction pursuant to 19.27.4 NMAC.</p> <p>g) Existing and accessible portions of the reclaimed domestic wastewater distribution system (with the exception of application equipment such as sprinklers or pivots)</p>								

#	Terms and Conditions
	<p>shall be colored purple or clearly labeled as being part of a reclaimed domestic wastewater distribution system. Piping, valves, outlets, and other plumbing fixtures shall be purple pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC) to differentiate piping or fixtures used to convey reclaimed wastewater from those intended for potable or other uses.</p> <p>h) Valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be accessible only to authorized personnel.</p> <p>The Permittee shall demonstrate adherence to these requirements by submitting documentation consisting of narrative statements and date-stamped photographs as appropriate. The Permittee shall submit the documentation to NMED once during the term of this Discharge Permit in the next required periodic monitoring report after the issuance of the Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74–6–5.D]</p>
7.	<p>The Permittee shall meet the following setbacks, access restrictions, and equipment requirements for spray irrigation using Class 1A reclaimed domestic wastewater.</p> <p>a) No required setback between any dwellings or occupied establishments and the edge of the reuse area.</p> <p>b) Postpone irrigation using reclaimed domestic wastewater at times when windy conditions may result in drift of reclaimed wastewater outside the reuse area.</p> <p>c) No required access control.</p> <p>d) Limit spray irrigation system to low trajectory spray nozzles.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74–5.D]</p>
8.	<p>The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by reclaimed domestic wastewater prior to discharging to the reuse areas. Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times.</p> <p>The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have successfully completed a 40-hour backflow prevention course based on the University of</p>

#	Terms and Conditions
	<p>Southern California's Backflow Prevention Standards and Test Procedures, and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP devices repaired or replaced within 30 days of discovery. The Permittee shall cease using supply lines associated with the RP device until repair or replacement is complete.</p> <p>The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
9.	<p>The Permittee shall maintain the impoundment liner to avoid conditions that could affect the liner or the structural integrity of the impoundment. Characterization of such conditions may include the following:</p> <ul style="list-style-type: none"><li>• erosion damage;</li><li>• animal burrows or other damage;</li><li>• the presence of vegetation including aquatic plants, weeds, woody shrubs, or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself;</li><li>• the presence of large debris or large quantities of debris in the impoundment;</li><li>• evidence of seepage; or</li><li>• evidence of berm subsidence.</li></ul> <p>The Permittee shall routinely control vegetation growing around the impoundment by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundment and surrounding berms on a monthly basis to ensure proper maintenance. In the event that an inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
10.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the liquid level in the impoundment and the elevation of the lowest-most top of the impoundment liner.</p> <p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

**B. MONITORING AND REPORTING**

#	Terms and Conditions
11.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

***Due Dates for Monitoring Reports***

12.	<p>Annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following period and shall submit annual reports to NMED by the following due dates:</p> <p>January 1<sup>st</sup> through December 31<sup>st</sup> – <b>due by February 1<sup>st</sup>.</b></p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
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***Facility Monitoring Conditions***

#	Terms and Conditions
13.	<p>The Permittee shall on a monthly basis measure the volume of Class 1A reclaimed domestic wastewater discharged to the Irrigation Lake using a totalizing flow meter. The meter shall be located on the transfer line between the City of Las Cruces-East Mesa Reclamation Facility and the Facility.</p> <p>The Permittee shall maintain a log that records the dates that discharges occur to the reuse areas and the monthly totalizing meter readings and units of measurement. The Permittee shall use the log to calculate the total monthly volume of reclaimed domestic</p>

#	Terms and Conditions
	<p>wastewater discharged to the reuse areas. The Permittee shall also use the monthly volume discharged to the reuse areas on the LADS (copy enclosed) to calculate nitrogen loading. The Permittee shall submit a copy of the log, including a copy of the City of Las Cruces-East Mesa Water Reclamation Facility's wastewater volume measurements, to NMED in the annual monitoring reports.</p> <p>The Permittee shall submit the volume measurements and logs used to calculate the total monthly and daily average volumes(s) of reclaimed domestic wastewater discharged to the Facility's reuse area.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
14.	<p>The Permittee shall complete LADS on a monthly basis that document the amount of nitrogen applied to the reuse areas during the most recent 12 months. The LADS shall reflect the total nitrogen concentration from the most recent wastewater analysis provided by the City of Las Cruces-East Mesa Water Reclamation Facility and shall include the measured discharge volumes to the reuse areas for each month. The Permittee shall complete the LADS with the information above or include a statement that application of wastewater did not occur. The Permittee shall submit the LADS, including a copy of the City of Las Cruces-East Mesa Water Reclamation Facility's wastewater analytical results, to NMED in the annual monitoring report.</p> <p>The Permittee may submit the LADS generated by the City of Las Cruces-East Mesa Water Reclamation Facility to NMED in the annual monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
15.	<p>The Permittee shall keep a Fertilizer Log (copy enclosed) of all additional nitrogenous fertilizer applied to the Facility's reuse areas. The Log shall contain the date of fertilizer application, the type (organic or inorganic) and form (granular or liquid), nitrogen concentration (in percent), the amount of fertilizer applied (in pounds per acre), and the amount of nitrogen applied (in pounds per acre) for each location. The Permittee shall submit the log, or a statement that application of fertilizer did not occur, to NMED in the annual monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

**C. CONTINGENCY PLAN**

#	Terms and Conditions
16.	<p>In the event that groundwater exceeds a groundwater protection standard identified in Section 20.6.2.3103 NMAC as a result of this discharge during the term of this Discharge Permit or upon closure of the Facility, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.</p> <p>The NMED may require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108, and Section 20.6.2.4112 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
17.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of the impoundment or liner or its ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
18.	<p>In the event the average solids accumulation exceeds one-third of the maximum liquid depth in the impoundment, the Permittee shall propose a plan for the removal and disposal of the solids. The Permittee shall submit the solids removal and disposal plan to NMED for approval within 120 days following discovery and includes the following information.</p> <ul style="list-style-type: none"><li>a) A method for removal of the solids to a depth of less than six inches throughout the treatment impoundment in a manner that is protective of the impoundment liner.</li><li>b) A description of how the Permittee will contain, transport, and dispose of the solids in accordance with all local, state, and federal regulations, including 40 CFR Part 503.</li><li>c) A schedule for completion of the solids removal and disposal project.</li></ul> <p>The Permittee shall initiate implementation of the plan following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
19.	<p>In the event that the LADS show that the amount of nitrogen in reclaimed domestic wastewater applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the reuse areas by submitting a CAP to NMED for approval. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP to NMED within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall implement the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
20.	<p>In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a “spill”), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ol style="list-style-type: none"><li>The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility.</li><li>The name and address of the Facility.</li><li>The date, time, location, and duration of the unauthorized discharge.</li><li>The source and cause of unauthorized discharge.</li><li>A description of the unauthorized discharge, including its estimated chemical composition.</li><li>The estimated volume of the unauthorized discharge.</li><li>Any actions taken to mitigate immediate damage from the unauthorized discharge.</li></ol> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a Corrective Action Plan (CAP) to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <ol style="list-style-type: none"><li>A description of proposed actions to mitigate damage from the unauthorized discharge.</li><li>A description of proposed actions to prevent future unauthorized discharges of this nature.</li><li>A schedule for completion of proposed actions.</li></ol>

#	Terms and Conditions
	<p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
21.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a Corrective Action Plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

#### D. CLOSURE PLAN

##### *Permanent Facility Closure Conditions*

#	Terms and Conditions
22.	<p>The Permittee shall perform the following closure measures in the event Sierra Norte Sonoma, LLC elects to no longer receive reclaimed domestic wastewater from the City of Las Cruces-East Mesa Water Reclamation Facility to the Sonoma Ranch Golf Course.</p> <p>Within <u>60 days</u> of ceasing to discharge to Irrigation Lake (impoundment), the Permittee shall remove or plug the transfer line between the City of Las Cruces-East Mesa Water Reclamation Facility and the Facility so that a discharge can no longer occur.</p> <p>Within <u>60 days</u> of ceasing to discharge to the impoundment, the Permittee shall evaporate or drain all reclaimed domestic wastewater from the impoundment and dispose of it in accordance with all local, state, and federal regulations or discharge reclaimed wastewater from the impoundment to the reuse areas. The Permittee shall not discharge accumulated solids (sludge) from the impoundment to the reuse areas.</p>

#	Terms and Conditions
	<p>Within <u>90 days</u> of ceasing to discharge to the impoundment, the Permittee shall submit a solids/sludge removal and disposal plan to NMED for approval. The Permittee shall implement the plan within 30 days following approval by NMED. The solids/sludge removal and disposal plan shall include the following information.</p> <ol style="list-style-type: none"><li>a) The method of sludge <i>removal</i> from the impoundment.</li><li>b) The method of <i>disposal</i> for all the solids/sludge (and its contents) removed from the impoundment. The method shall comply with all local, state and federal regulations, including 40 CFR Part 503. <i>Note: A proposal that includes the surface disposal of sludge may be subject to Groundwater Discharge Permitting requirements pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit.</i></li><li>c) A schedule for completion of sludge removal and disposal not to exceed one year from the date discharge to the impoundment ceased.</li></ol> <p>Within <u>60 days</u> following completion of the sludge removal and disposal, the Permittee shall complete the following measures.</p> <ol style="list-style-type: none"><li>a) Reline or rehabilitate the impoundment. If there is evidence of contaminated soil below the liner, assess the impact, report that assessment to NMED, and mitigate the impacts following NMED approval.</li><li>b) If the measures include the closure of the impoundment, the Permittee shall complete the following closure measures.<ol style="list-style-type: none"><li>i. Remove and dispose of the impoundment liner at a solid waste facility.</li><li>ii. Fill the impoundment with suitable fill.</li><li>iii. Re-grade the impoundment site and the locations of ancillary equipment, e.g., influent piping, to blend with surface topography, promote positive drainage, and prevent ponding.</li></ol></li></ol> <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

**E. GENERAL TERMS AND CONDITIONS**

#	Terms and Conditions
23.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"><li>• Information and data used to complete the application for this Discharge Permit;</li><li>• Information, data, and documents demonstrating completion of closure activities;</li><li>• Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;</li><li>• The operation, maintenance, and repair of all facilities/equipment used to store or dispose of reclaimed domestic wastewater;</li><li>• Facility record drawings (plans and specifications) showing the actual construction of the synthetically line storage impoundment and bear the seal and signature of a licensed New Mexico professional engineer;</li><li>• Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;</li><li>• The volume of reclaimed domestic wastewater received pursuant to this Discharge Permit; and</li><li>• Data and information related to field measurements pursuant to this Discharge Permit, including the following:<ul style="list-style-type: none"><li>○ the dates, locations, and times of field measurements;</li><li>○ the name and job title of the individuals who performed each field measurement; and</li><li>○ the results of each field measurement.</li></ul></li></ul> <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
24.	<p>SUBMITTALS - The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit paper and electronic documents to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
25.	<p>INSPECTION and ENTRY - The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may, upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained</p>

#	Terms and Conditions
	<p>records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
26.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
27.	<p>MODIFICATIONS and/or AMENDMENTS - In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
28.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any</p>

#	Terms and Conditions
	<p>objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>
29.	<p><b>CRIMINAL PENALTIES</b> - No person shall:</p> <ul style="list-style-type: none"><li>• Make any false material statement, representation, certification, or omission of material fact in an application, record, report, plan, or other document filed, submitted, or maintained under the WQA;</li><li>• Falsify, tamper with, or render inaccurate any monitoring device, method, or record maintained under the WQA; or</li><li>• Fail to monitor or report as required by a permit issued pursuant to a state or federal law or regulation.</li></ul> <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
30.	<p><b>COMPLIANCE with OTHER LAWS</b> - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits, or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>
31.	<p><b>RIGHT to APPEAL</b> - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p>

#	Terms and Conditions
	[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
32.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none"><li>• Notify the proposed transferee in writing of the existence of this Discharge Permit;</li><li>• Include a copy of this Discharge Permit with the notice; and</li><li>• Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification.</li></ul> <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
33.	<p>PERMIT FEES - The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>



## New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

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### Facility Information

**Facility Name** Sonoma Ranch Golf Course  
**Discharge Permit Number** DP-1735  
**Legally Responsible Party** John Moscato, Member  
Sierra Norte Sonoma, LLC  
3590 West Picacho Avenue  
Las Cruces, NM 88007  
(575) 524-2835

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### Treatment, Disposal and Site Information

**Primary Waste Type** Reclaimed Domestic Wastewater  
**Facility Type** Commercial Golf Course

#### Discharge Locations

Type	Designation	Description & Comments
Impoundment	Irrigation Lake	A synthetically lined storage impoundment with a 30 mil HDPE liner and with a storage capacity of approximately 5,400,000 gallons.
Reuse Area(s)	Sonoma Ranch Golf Course	Approximately 130 acres of landscape.

#### Flow Metering Locations

Type	Description & Comments
Totalizing Flow Meter	The meter is located on the reclaimed domestic wastewater transfer line between the City of Las Cruces-East Mesa Water Reclamation Facility and the Sonoma Ranch Golf Course.

**Depth-to-Ground Water** 430 feet  
**Total Dissolved Solids (TDS)** 1,395 mg/L

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### Permit Information

**Original Permit Issued** June 15, 2010  
**Permit Renewal** December 4, 2015

<b>Current Action</b>	<b>Permit Renewal</b>
Application Received	June 14, 2021
Public Notice Published	[not yet published]
Permit Issued (Effective Date)	[effective date]
Permitted Discharge Volume	680,000 gallons per day



## New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

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### NMED Contact Information

**Mailing Address**

Ground Water Quality Bureau  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

**GWQB Telephone Number**

(505) 827-2900

**NMED Lead Staff**

Gerald Knutson

**Lead Staff Telephone Number**

(505) 660-7189

**Lead Staff Email**

gerald.knutson@state.nm.us