



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

February 4, 2026

Curry Jones
Deputy Director, Water Division
U.S. Environmental Protection Agency (USEPA),
Region 6 (WDPE)
1201 Elm Street
Dallas, TX 75270
214-665-6793
Jones.Curry@epa.gov

Honorable Eloy Brazil
Mayor, Village of Cimarron
356 E 9th Street
P.O. Box 654
Cimarron, NM 87714
575-376-2232
ebrazil@villageofcimarron.net

Re: No Antidegradation Analysis Required; Village of Cimarron Wastewater Treatment Plant; NPDES Permit No. NM0031038; Permit Renewal Application

Dear Deputy Director Jones and Mayor Brazil:

Water quality standards include a framework and methodology known as “antidegradation” for deciding if, when, and how water quality may be degraded. Antidegradation applies to all activities with the potential to adversely affect water quality or existing uses or designated uses, including any new point source discharges. The New Mexico Environment Department (NMED), acting under authority delegated by the Water Quality Control Commission, implements water quality standards in the State of New Mexico, including the antidegradation policy and implementation plan. As such, NMED “requires the highest and best degree of wastewater treatment practicable and commensurate with protecting and maintaining the designated uses and existing water quality” [20.6.4.8(B) New Mexico Administrative Code (NMAC)].

The Village of Cimarron applied to the U.S. Environmental Protection Agency (EPA) to renew their National Pollutant Discharge Elimination System (NPDES) point source discharge permit for the Cimarron Wastewater Treatment Plant (WWTP), NPDES permit number NM0031038, in October 2025. The EPA determined that the Village of Cimarron application was administratively incomplete and required additional information. The Village of Cimarron resubmitted their NPDES permit application in December 2025, after the NPDES permit expiration date of October 31, 2025, which triggered this review. In their application, the Village of Cimarron did not identify any changes to the wastewater treatment processes, design flow, or discharge location.

The Cimarron WWTP discharges to French Lake-Ponil Creek, a tributary of the Cimarron River (20.6.4.306 NMAC) in the Canadian River Basin. Ponil Creek is a perennial stream with designated uses of irrigation, warmwater aquatic life, livestock watering, wildlife habitat, and primary contact. The warmwater aquatic life use in Ponil Creek is impaired due to dissolved oxygen.

Antidegradation applies to all activities with the potential to adversely affect water quality or existing or designated uses, including:

- Any proposed new or increased point source or nonpoint source discharge of pollutants that would lower water quality or affect the existing or designated uses.

- Any proposed increase in pollutant loadings to a waterbody when the proposal is associated with existing activities.
- Any increase in flow alteration over an existing alteration.
- Any hydrologic modifications, such as dam construction and water withdrawals.

In general, NMED's *Antidegradation Policy Implementation Procedure for Regulated Activities* applies to every proposal for a new or increased permitted discharge of a pollutant to the State's surface waters. The Village of Cimarron is requesting to renew their existing NPDES permit and is not proposing a new or increased discharge. As a result, NMED evaluated whether there were any changes in water quality standards since the last permit renewal, if there were any changes in baseline water quality of the receiving stream or downstream waters, and if there were any changes in permit conditions since the last permit.

As a result of this review, NMED concludes that there are no new or increased water quality impacts resulting from the discharge since there are no changes from the previous permit; therefore, no antidegradation review is required.

If you have any questions about this letter, please contact Susan A. Lucas-Kamat, SWQB Point Source Regulation Program Manager, at 505-946-8924 or susan.lucaskamat@env.nm.gov.

Sincerely,

Shelly Lemon, Bureau Chief
Surface Water Quality Bureau

cc: Tung Nguyen, USEPA (6WDPE), via email Nguyen.Tung@epa.gov
Roberto Bernier, USEPA (6ECD-WM), via email Bernier.Roberto@epa.gov
Rachel Matthews, USEPA, via email Matthews.Rachel@empa.gov
Susan A. Lucas Kamat, NMED SWQB Point Source Program Manager, via email, Susan.LucasKamat@env.nm.gov
Jason Martinez, NMED SWQB Point Source Permit Team, via email Jason.Martinez2@env.nm.gov
Nafis Fuad, NMED SWQB Point Source Compliance Team Lead, via email Nafis.Fuad@env.nm.gov
Haylea Nisbett, NMED GWQB PPS Permit Contact, via email Haylea.Nisbet@env.nm.gov
Thomas Vigil, NMED EMB District II Manager, via email thomasx.vigil@env.nm.gov
Mayor Pro Tem Valorie Garcia, Village of Cimarron, via email vgarcia@villageofcimarron.net
Village Administrator Shawn Jeffrey, Village of Cimarron, via email villageadmin@villageofcimarron.net
Village of Cimarron Public Works, via email tspublicwork@villageofcimarron.net

CITATIONS: 20.6.4.8 NMAC Antidegradation Policy and Implementation Plan
20.6.4.99 NMAC Perennial Waters
20.6.4.306 NMAC Canadian River Basin
Statewide Water Quality Management Plan and Continuing Planning Process (WQMP/PPP)

WQMP/ CPP – Appendix A: Antidegradation Policy Implementation Procedure
2024-2026 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report