

**Special Meeting
Town of Ignacio Board of Trustees
Wednesday, February 1, 2017**

- I. **CALL SPECIAL MEETING TO ORDER:** Mayor Stella Cox called the Special Meeting to order at 6:15 p.m. Trustees Present: Lawrence Bartley, Thomas Atencio, and Sandra Maez. Staff: Mark Garcia, Interim Town Manager; David Liberman, Town Attorney and Georgann Valdez, Town Clerk.

- II. **SUIT TAS APPLICATION – Consider and Approve Comments:** The Town received notice of the Tribe’s application to the EPA to be Treated as a State under Clean Water Act for the Water Quality Standards and 401 Certification Programs. This application was filed March, 2015 and is now in the review and comment period. All comments are due on Friday, February 3, 2017. La Plata County Commissioners held a public hearing Monday, January 30 where David Liberman and Trustee Tom Atencio attended. La Plata County has drafted a response letter to the EPA, and David was asked to prepare a draft letter for the Board to review and comment, using the County’s as a template.

Trustee Atencio stated the attorneys said the Tribe has met the State’s requirements to govern themselves. If the Tribe’s application is approved, their requirements can be more or less stringent water quality standards than the State. The Tribe can approve or deny the application for a permit, if requirements are not met. Authority beyond trust lands was questioned. Attorney David Liberman stated the County has been looking at this for a while and notified the City of Durango and the Town of Bayfield, but Town of Ignacio was not notified. County agrees the Tribe qualifies to be treated as a State, no jurisdictional arguments; should give more notice to people affected, better maps clarifying what Tribal lands the water standards will apply to, not challenging the authority; foregone conclusion, the application will be approved. At a later date, Tribe can set their own standards; public hearings will be held and additional comments can be heard. Once the Tribe gets the authority, when new applications for point source pollution permits such as mining activities, wastewater treatment plants, storage facilities, wet lands development or discharge permits to the State, the Tribe will also be contacted for compliance approval or denial.

Changes to the letter drafted by David from the Town would include civil and criminal jurisdictions being preserved by Federal law. David stated the comments can be included in the letter; they may not make a difference to the EPA but can be listed among the Town’s concerns stating the Town is not on trust land. After a brief discussion as to who would sign the letter, the Board’s names will be on the signature line. Mayor Cox has been given a letter from Tribal Council to acknowledge a conflict of interest as her employer on all issues between the Town of Ignacio and the SUIT. Why the Town was not notified by the County or the Tribe about the Tribe’s application was discussed. **Trustee Lawrence Bartley moved to prepare the letter to the EPA with the Town’s comments and concerns, with the Board’s signature. Trustee Atencio seconded the motion. The motion passed with Trustee Maez, Trustee Bartley and Trustee Atencio voting in favor and Mayor Stella Cox abstaining.**

III. ADJOURNMENT: Being no further business before the Board, Mayor Cox adjourned the meeting at 6:53 p.m. The next regular meeting will be February 15, 2017 at 7:00 p.m. at the Abel F. Atencio Community Center at 570 Goddard Avenue.

Stella Cox, Mayor

Date

Attest: Georgann Valdez, Town