

April 20, 2020

Via Email to: Jennifer.Pruett@state.nm.us Jennifer J. Pruett, Deputy Secretary New Mexico Environment Department 1190 St. Francis Drive, Room N-4050 Santa Fe, NM 87505

Re: Request for Exception to allow for Digital Signature

Dear Deputy Secretary Pruett:

This letter replies to your email this morning seeking clarity and guidance concerning my grant of exception to filing requirements. I have reviewed your agency's draft *Transmittal Form*. Your rule adoption date of April 9, 2020 requires you to have your rule filed by April 22, 2020, pursuant to Subsection D of Section 14-4-5 NMSA 1978.

After reconsidering both your requests and pursuant to my authority under 1.24.10.23 NMAC and the State Rules Act, Section 14-4-1 et seq. NMSA 1978, I am **GRANTING** your amended request for an exception to having to file in person the original *Transmittal Form* for your department's amendment to 20.6.4 NMAC, Standards for Interstate and Intrastate Surface Waters.

I am directing Administrative Law Division staff to accept, print out, and file-stamp your emailed amendment and *Transmittal Form*, with a valid digital signature, no later than April 22, 2020. This *Transmittal Form*, with your digital signature, will be the only required filing needed to complete your agency's rule filing.

Again, many thanks for the work that you and your department are doing for the environment and for keeping state employees safe!

Sincerely,

Dr. Rick Hendricks, Ph.D. State Records Administrator

1205 Camino Carlos Rey | Santa Fe, NM 87507 | www.srca.nm.gov

Hon. Hector Balderas Attorney General **Hon. Brian S. Colón** *Chairman/State Auditor*  Hon. Maggie Toulouse Oliver Secretary of State

**Debra Garcia y Griego** Department of Cultural Affairs Kenneth Ortiz General Services Department

**NMED EXHIBIT 3** 

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Cc: Matt Garcia, General Counsel, Office of the Governor Tania Maestas, Chief Deputy Attorney General Sally Malave, Open Meetings Division, Office of Attorney General Jennifer L. Hower, General Counsel, New Mexico Environment Department