



WATER IS LIFE.  
It's Our Duty to Protect It.

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## **US Supreme Court Sides with Polluters**

*Decision endangers New Mexico's Rivers by drastically weakening the Clean Water Act*

Today the US Supreme Court issued a decision in Sackett v EPA that drastically reduces clean water protections across the nation and in New Mexico. The opinion, delivered by Justice Alito and joined by Justices Roberts, Thomas, Gorsuch, and Barrett, narrows the scope of the Clean Water Act by eliminating protections for wetlands, except in very limited circumstances. In addition, protections for streams were limited to only those streams that are “relatively permanent” making the decision especially devastating for arid states like New Mexico. After the release of the Court’s decision, Rachel Conn, Amigos Bravos’ Deputy Director issued the following statement:

“The Court has embraced the extreme demands of big polluters and has dramatically narrowed the scope of the Clean Water Act, putting New Mexico’s communities, public health, and local ecosystems in danger – especially those most vulnerable to pollution and intensifying climate disasters. This decision dramatically decreases the number of NM waters that are federally protected under the Clean Water Act.

The constantly changing federal protections over the past decade has disproportionately impacted New Mexico due to its large percentage of ephemeral/intermittent streams and closed basins (watersheds that do not feed traditional navigable waterways). Today’s Supreme Court ruling adds to this uncertainty.

Furthermore, New Mexico is only one of three states that does not have its own surface water permitting program, meaning New Mexico relies on the EPA to permit point-source discharges and does not have the infrastructure in place to protect state waters that aren’t protected by EPA, which under recent federal actions, including today’s decision, make up as much as 96% of New Mexico’s waters.

This magnifies the need for New Mexico to create its own surface water permitting program and secure primacy for regulating discharges to the waters in our state.

The US Congress and New Mexico officials need to act fast to protect water bodies that our nation and state rely on for drinking, irrigating, fishing, and fueling local economies.”

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