

WATER QUALITY THREATENED IN NEW MEXICO

Sackett Decision Removes Protections for the Majority of Wetlands and Streams in New Mexico

Support FY2025 Special Appropriations for NMED to address the impacts of the US Supreme Court's Sackett decision on New Mexico: **\$600,000 for surface water permitting development, \$150,000 for mapping, and \$690,000 to protect our waters while a permitting program is being developed.**

Photo: Jim O'Donnell

PROBLEM

The condition of New Mexico's water systems impacts every single legislative district whether it is drinking water to irrigation for farmers, ranchers, and acequia stewards to the growth of our outdoor recreation economy.

- New Mexico has been in the crosshairs of federal uncertainty; the recent Supreme Court Sackett decision has left us particularly vulnerable to pollution and other threats to water.
- New Mexico is one of only three states that does not have a state surface water permitting program to control the discharge of pollution into the state's surface waters.
- Sackett increases vulnerability for ephemeral and intermittent streams (96% of NM's streams according to NMED) and wetlands which combine to provide critical wildlife habitat as well as water sources for drinking water, irrigation, and recreation opportunities.



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SOLUTIONS

- It's time for New Mexico to protect its own waters and remove the regulatory uncertainty created by unpredictable and unreliable federal protections.
- The people and communities who rely on these waters know best how to protect them we should be making those decisions here in New Mexico with the best available data and mapping.
- We need a comprehensive surface water permitting program that protects both New Mexico's streams and wetlands as well as additional resources to protect them in the near-term



NMED Appropriation Needs for FY 2025 (July 1,2024 - June 30, 2025)

- \$.150k for mapping the waters and wetlands impacted by Sackett.*
This funding would allow NMED to work with a wetland mapping contractor to better identify and map which New Mexico's waters have lost federal protection.
- \$.690k for near-term P-rotections*
This funding is necessary to implement and enforce current regulations to protect surface water quality from unauthorized discharges due to the loss of federal protections until a state permitting program can be implemented.
- \$.600k for surface water discharge...P-ermitting_P-rogram development
This is included in NMED's request and would go towards developing a permitting program database.

**The \$150k and \$690k special appropriations were not included in NMED's budget request because of the limitation on budget requests and NMED's leadership's recognition of the need to prioritize a pay equity line item that will better enable the agency to fill critical vacancies as well as retain current employees. NMED has indicated that they would welcome these funds.*

