

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: \$600k for surface water permitting development and \$840k to map Sackett impacts and 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.



Photo: Garrett VeneKlasen

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SOLUTIONS

- It's time for New Mexico to protect its own waters and free ourselves from 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.
- We need a comprehensive surface water permitting program that protects both New Mexico's streams and wetlands.



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

- **\$840,000 to conduct a statewide analysis of wetland and stream connectivity and to increase monitoring and enforcement of current rules and regulations to help protect surface water quality from unauthorized discharges in the near term while a surface water permitting program is being developed.****
- **\$600,000 for the development of a surface water permitting program, which is critical for building state capacity to address the impact of the 2023 Supreme Court decision. This is included in the executive budget.**

***The \$840k special appropriation was not included in the Executive Budget because of the limitations on budget requests and NMED's leadership 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. The \$840k includes \$150k for mapping and \$690k for for near-term protections.*

For more information go to nmwaters.org



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