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Protecting New Mexico's Waters

New legislation will restore clean water protections and safeguard drinking water for New Mexicans

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Today, Senate Majority Leader Peter Wirth and Rep. Kristina Ortiz introduced two bills at the New Mexico state legislature that will provide critical protections for the state's waters. Following rollbacks to federal clean water protections in recent years, up to 95% of New Mexico's waters have lost protection once provided under the Clean Water Act. These new bills would work together to ensure federal clean water protections that had existed in New Mexico for decades are continued at the state level. In addition, they will provide authority to the state to take over permitting for the waters that are still federally protected, streamlining the process.

The two bills: [SB 22](#)—a bill to establish a state-level permitting system for waters no longer federally protected under the Clean Water Act—and [SB 21](#)—a bill to assume state permit authority for waters currently managed by the Environmental Protection Agency—set in place the necessary authority to build a comprehensive state permitting program.

“New Mexico waters have lost critical protections in recent years, threatening our drinking water, the health of our communities, and the future of key industries like agriculture and outdoor recreation,” said Rachel Conn, deputy director of Amigos Bravos. “We’re grateful to Sen. Wirth, Rep. Ortiz, and the New Mexico Environment Department for moving forward a solution that reinstates decades of prior protections and establishes a system to ensure the wetlands and waterways we need for our way of life don’t become contaminated.”

“Our land-based communities depend on clean water in our streams, headwaters, and wetlands to irrigate our fields and care for our livestock,” said Paula Garcia, executive director of the New Mexico Acequia Association. “A state-based permitting system will help protect our acequias and farms for the future.”

“The governor’s 50-year water action plan identified the importance of establishing a state-level permitting program. SB 21 and SB 22 will be instrumental in safeguarding our drinking water, mitigating the impact of flooding, protecting Tribal communities and sacred places, and affirming New Mexicans’ way of life,” said Tricia Snyder, Rivers and Waters Program director for New Mexico Wild. “We urge the New Mexico legislature to quickly pass both bills to protect New Mexico waters.”

“Nuevo Mexico must now step up. Urgent action is required. The legislature must adopt protections and programs to safeguard our waterways from pollution,” said Jared Berenice Estrada, with The Semilla Project. “These waterways demand our immediate protection for the sake of future generations.”

“With much of the Mimbres and Gila Watersheds at risk due to loss of recent clean water protections, a state permitting program to protect our waters from pollution is needed,” said Allyson Siwik, executive director of the Gila Resources Information Project.

“New Mexico’s most precious resources are our streams, lakes, and wetlands. But this scarce resource is under singular attack,” said Tannis Fox, senior attorney with Western Environmental Law Center. “These two bills will establish the necessary framework to protect our waters from pollution, and protect New Mexico’s communities, acequias, wildlife habitat, and outdoor recreation economy now and for the future.”

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