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Bill to restore clean water protections, safeguard drinking water passes first House committee

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Today, the House Agriculture, Acequias, and Water Resources Committee voted 5-2 to pass [SB 21](#), a bill to provide critical protections for New Mexico waters. It will next go to the House for committee hearings and, if passed, a floor vote.

Following rollbacks to federal clean water protections in recent years, up to 95% of New Mexico's streams have lost protection once provided under the Clean Water Act. Because of these rollbacks and the lack of a state water quality permitting system, American Rivers named *all* New Mexico rivers atop its list of the [most endangered rivers in the country](#) in its [2024 Most Endangered Rivers report](#).

SB 21 ensures federal clean water protections that had existed in New Mexico for decades are continued at the state level. In addition, it provides authority for the state to take over permitting from the federal government for the waters that are still federally protected, streamlining the process and bringing oversight into the hands of New Mexicans.

Senate Majority Leader Peter Wirth, Senator Bobby Gonzales, and Rep. Kristina Ortez sponsored [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 permitting authority for waters currently permitted by the U.S. Environmental Protection Agency— to set in place the necessary authority to build a comprehensive state permitting program. Those two bills have now been combined into SB 21.

“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 pleased to see the progression of this important legislation that would reinstate decades of prior protections and establish a system to ensure the wetlands and waterways we need for our way of life don’t become contaminated.”

Thank you to bill sponsor Chair Ortez as well as House Ag supporters Vice Chair Cates, and Reps. Cadena, Herrera, and Matthews for voting in favor of this fundamental protection for New Mexicans and the Land of Enchantment.

“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.”

“Waters across New Mexico are at risk like never before,” said **Tricia Snyder, Rivers and Waters Program director for New Mexico Wild**. “This important effort will ensure they are permitted as they have been in the past, preventing pollution events before they occur and protecting our most precious resource for future generations. We’re grateful to the sponsors and the Environment Department for bringing this legislation and to the legislature for continuing to move it forward.”

“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**. “This legislation will establish the necessary framework to protect our waters from pollution, and protect New Mexico’s communities, Tribal waters, acequias, wildlife habitat, and outdoor recreation economy now and for the future. We thank all those in the New Mexico Senate who voted in favor of this critical bill.”

“Valuing water and valuing life are one and the same,” said **Rev. Clara Sims, assistant executive director of New Mexico & El Paso Interfaith Power and Light**. “In the absence of federal protections, our state leaders have an urgent and sacred responsibility to protect our precious waterways of New Mexico for the thriving of all our communities of life, human and beyond, for all generations to come.”

“New Mexico’s waters are becoming increasingly difficult to protect due to global warming and unstable federal legal protections,” said **Zoe Barker, conservation director of Conservation Voters New Mexico**. “This legislation will give the state authority to protect the quality of all our fragile surface waters and wetlands for the benefit of agriculture, outdoor recreation, drinking water, and wildlife habitat.”

“Rollbacks in federal protections left up to 95% of New Mexico's waterways vulnerable to pollution and degradation, resulting in American Rivers listing the waters of New Mexico as 2024’s Most Endangered River,” said **Emily Wolf, Rio Grande Coordinator of American**

Rivers. “This legislation provides a critical framework for clean water protections for all our waters, and communities, in New Mexico.”

SB21 vote history and path forward:

- ✓ Senate Conservation Committee: Passed 6-3 on 1/30
- ✓ Senate Judiciary Committee: Passed 6-3 on 2/12
- ✓ Senate Finance Committee: Passed 6-4 on 2/21
- ✓ Full Senate: Passed 25-16 on 2/26
- ✓ House Agriculture, Acequias, and Water Resources Committee: Passed 5-2 on 3/4
- House Energy, Environment, and Natural Resources Committee
- Full House of Representatives
- Governor’s signature

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