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Gov. completes strong NM response to SCOTUS gutting Clean Water Act by signing SB21

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Today, Gov. Michelle Lujan Grisham signed [SB 21](#), now a law to provide critical protections for New Mexico waters. Following rollbacks to federal clean water protections in recent years, up to 95% of New Mexico's streams and up to 88% of New Mexico's wetlands have lost protection once provided under the Clean Water Act. Because of these rollbacks and the lack of a state water quality permitting system at the time, 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 50 years 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.

The New Mexico Environment Department (NMED) and the governor's office led the development of SB 21 working with a diverse group of stakeholders. Senate Majority Leader Peter Wirth, Rep. Kristina Ortiz, and Sen. Bobby Gonzales sponsored the bill, which establishes a state-level permitting system for waters no longer federally protected under the Clean Water Act and gives the state permitting authority for waters currently permitted by the U.S. Environmental Protection Agency. SB 21 sets in place the necessary authority to build a comprehensive state permitting program for New Mexico's future.

"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 elated that the bill has now become law with the governor's strong support. This important legislation will 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."

"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."

“SB 21 represents a critical step forward in protecting New Mexico’s most precious resource, our waters,” said **Tricia Snyder, Rivers and Waters Program director for New Mexico Wild**. “With the signing of this bill, lost protections will be reinstated, removing serious vulnerabilities for our waterways. We’re grateful to Gov. Lujan Grisham for her support, the sponsors, and the Environment Department for bringing this important effort forward.”

“Nuevo Mexico’s legislature and the governor stepped up to this urgent need 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. I am grateful the governor signed this critical protection into law.”

“With much of the Mimbres and Gila Watersheds at risk due to the recent loss of clean water protections, we are grateful to the New Mexico Environment Department and legislature for their hard work on this bill. We are thrilled that the governor signed SB 21 into law, restoring these urgently-needed safeguards for New Mexico’s waters,” 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 law establishes the necessary framework to protect our waters from pollution, and safeguard New Mexico’s communities, Tribal waters, acequias, wildlife habitat, and outdoor recreation economy now and for the future. We commend NMED, the governor, and the sponsors for championing this bill that will protect New Mexico’s priceless waters, as well as everyone in the New Mexico legislature who voted in favor.”

“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 fulfilled 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**. “SB 21 puts the quality of all our fragile surface waters and wetlands in New Mexican hands 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, American Rivers Action Fund**. “With the signing of this bill, we will have a critical framework for clean water protections for all our waters, and communities, in New Mexico.”

“El agua es vida and New Mexico continues to step up to ensure our communities, wildlife, and agriculture have clean waters and wetlands for generations to come,” said **Adrian Angulo, Programs Director for Nuestra Tierra Conservation Project**. “We are thankful for Governor Michelle Lujan Girsham’s leadership and putting *nuevomexicanos* back in charge of our water decisions.”

SB21 history:

- ✓ 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: Passed 5-4 on 3/11
- ✓ Full House of Representatives: Passed 43-25 on 3/19
- ✓ Governor: Signed on 4/8

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