



New Mexico State Legislature

STATE CAPITOL
Santa Fe

August 8, 2025

Water Quality Control Commission
Harold Runnels Building
Suite S-2102
1190 S. Saint Francis Drive
Santa Fe, New Mexico, 87505

Dear Water Quality Commissioners:

We write to urge the commission to hear the Petition for Rulemaking and Statement of Reasons filed on June 20, 2025 (No. WQCC 25-34) by the Water Access, Treatment & Reuse (“WATR”) Alliance.

New Mexicans understand that our most precious natural resource is our limited supply of fresh water. For this reason, state lawmakers have taken significant budget and policy steps to safeguard our water supply.

This year, we dedicated \$7 million to support New Mexico’s river stewards’ program and \$5 million to the Office of the State Engineer to implement the Water Security Planning Act. We also invested \$1 million in clean water testing and provided \$2 million to the New Mexico Environment Department to address well water contamination. We also dedicated \$1.8 million in recurring dollars to the OSE to recruit and retain critical employees.

We supported water project development by beneficiaries of the Indian Water Rights Settlement, with a \$25 million appropriation. And we funded research to strategically plan the state’s water future, with \$8.9 million to New Mexico Tech for groundwater monitoring and improvements, and \$4 million for water research at New Mexico State University.

This year we also adopted the Strategic Water Supply Act to address scarcity by funding the treatment of brackish, previously unusable water from deep aquifers, helping to increase water availability to farmers as well as the manufacturing industry in our state. In addition, the

Legislature remains committed to supporting and funding the Surface Water Quality State Permitting Program as a vital safeguard for New Mexico's most precious resource.

Through active participation in the rulemaking process, targeted investments to build program capacity amid growing uncertainty in federal funding, and pursuit of creative solutions that blend general fund and fee-based revenues, the Legislature aims to ensure strong inspection, enforcement, and accountability mechanisms.

These efforts align with the goals outlined in the Governor's 50-Year Water Action Plan and reflect the state's responsibility to protect rivers, streams, lakes, wetlands, and other surface waters that sustain New Mexico's culture, economy, and ecosystems. This responsibility is especially important in light of recent federal court decisions that have narrowed protections under the Clean Water Act, and uncertainty around federal funding under the new administration.

By providing historic funding for these efforts, alongside landmark legislation such as the 2019 Produced Water Act (HB 546) and the 2023 Water Infrastructure Bill (SB 1), the legislature has demonstrated our ongoing commitment to being strong partners in building a sustainable water future for New Mexico for several years now. Our policy and funding roadmap is clear: from closing regulatory gaps and encouraging the safe reuse of produced water - which has helped us save over 8 billion gallons of freshwater so far - to improving infrastructure, resilience, and efficiency across the state.

Additionally, New Mexico institutions, including New Mexico State University, San Juan College, New Mexico Tech, and the New Mexico Produced Water Research Consortium, are continuing to lead the charge to further advance the research and filtering techniques that allow us to safely explore reuse options for produced water.

Given the state of the science, the commitment of this legislature, and the strengthened capacity of our New Mexico Environment Department and other state regulatory agencies, we trust the Water Quality Control Commission is well-equipped to hear and rule on this petition. While civil discourse related to this petition will be robust from across the state, we recommend the WQCC make every effort to hold this hearing in the communities where produced water is generated with options for remote participation.

We encourage the Commission to continue to carefully consider all rules that protect our surface and groundwater and continue to make evidence-based decisions regarding appropriate reuse with robust safeguards.

Thank you for your attention to this important matter which will impact New Mexicans for generations to come.


Sincerely,

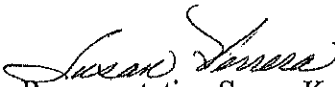

Representative Nathan Small, District 36


Representative Meredith Dixon, District 20


Representative Christine Chandler, District 43


Representative Art De La Cruz, District 12


Representative Raymundo Lara, District 34


Representative Susan K. Herrera, District 41


Senator Micheal Padilla, District 14