

June 29, 2025
Water Quality Control Commission
Harold Runnels Building, Suite S-2102
1190 S. Saint Francis Drive
Santa Fe, New Mexico 87505

Dear Members of the Water Quality Control Commission,

As a legislator focused on safeguarding New Mexico's natural resources while advancing innovation and economic development, I write today urging the Commission to advance Petition No. WQCC 25-34, submitted by the Water Access, Treatment & Reuse (WATR) Alliance, and to hold a public hearing on the matter in Jal, New Mexico.

This petition is a timely and necessary step toward implementing the clear directives of House Bill 546, the Produced Water Act, which received overwhelming bipartisan support in the Legislature. The intent of HB 546 is straightforward: preserve our limited freshwater supplies while enabling responsible reuse of treated produced water. The law requires the Commission to adopt regulations for non-oil-and-gas-related uses of produced water, including for road construction, dust suppression, and land applications.

This Commission plays a vital role in ensuring New Mexico does not fall behind. You have both authority and the responsibility to develop a science-based regulatory framework that supports environmental protection and economic resilience. With the right safeguards—including rigorous water quality testing, engineering controls, and toxicity monitoring, we can protect public health while turning a major waste stream into a valuable resource.

The New Mexico Produced Water Research Consortium has laid the scientific groundwork to support this effort. Their research demonstrates that with proper treatment, produced water can be safely reused. That science should guide your process. New Mexico has the chance to lead the nation in water innovation, and the Commission's actions will be key to whether we seize that opportunity or cede it to neighboring states.

Meanwhile, over 3 million barrels of produced water leave New Mexico each day for Texas where efforts are underway to reuse and discharge it into shared waterways. If we fail to act, we lose not only our water, but our competitive edge. We should not allow Texas to define the future of water reuse in the Permian Basin while New Mexico delays.

A hearing in Jal is essential. Over 98% of the state's produced water comes from Lea and Eddy Counties, and Jal alone accounts for over half of that. These communities are on the front lines of this issue and deserve to participate directly in shaping the rules that will govern the future of water reuse in New Mexico.

The Water Quality Control Commission has a critical opportunity to deliver on the promise of HB 546. I urge you to move this petition forward, hold a hearing in Jal, and develop rules that ensure New Mexico remains a national leader in responsible, science-based water policy.

Sincerely,

Nicole Chavez

Representative Nicole Chavez, District 31
New Mexico House of Representatives