CLEARING THE WATERS

A NEWSLETTER BY THE SURFACE WATER QUALITY BUREAU

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New Mexico Environment Department
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IN THIS ISSUE

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Cover Photo:
Jicarita Peak
Credit: Lucas Graunke

NEW MEXICO'S LAND OF ENCHANTMENT LEGACY FUND

By Susan Styer, Watershed Protection Section Project

New Mexico's Land of Enchantment Legacy Fund (Legacy Fund) is the first state funding source for conservation, prioritizing land and water stewardship, forest and watershed health, outdoor recreation and infrastructure, agriculture and working lands, historic preservation, and wildlife species protection. It provides consistent funding for previously unfunded or sporadically funded state programs, using distributions from the $350 million Conservation Legacy Permanent Fund. Each year, approximately $12.5 million is distributed to New Mexico communities through ten existing programs administered by six state agencies, including the New Mexico Environment Department (NMED), River Stewardship Program. Access the first fiscal year report for the Legacy Fund to learn more about which projects have been funded and where they are located.

Background

The Land of Enchantment Legacy Fund was established by the passage of Senate Bill 9, which was sponsored by Senate Majority Leader Peter Wirth, retired Senator Steven Neville and House Appropriations Chairman Nathan Small. It was created and championed by Gov. Michelle Lujan Grisham who signed the bill into law on March 23, 2023. The effort was the result of more than five years of negotiations among a broad, bipartisan coalition of New Mexicans.

In the 2023 session, legislators appropriated $50 million to establish the Legacy Fund and $50 million to establish the Legacy Permanent Fund. In the 2024 session, legislators appropriated an additional $300 million to the Legacy Permanent Fund to ensure the funds can produce enough annual returns to be self-sustaining, weather economic downturns, access federal matching dollars and meet the high demand from New Mexico communities.

In the first fiscal year that began on July 1, 2024 and ended June 30, 2025, the Legacy Fund distributed approximately $12.5 million to ten existing programs across six state agencies. Interest gained from the Legacy Permanent Fund is expected to increase annual distributions to all programs in FY26 and beyond. At the end of May 2025, the balance of the Legacy Permanent Fund was $382.9 million.

Photo and Text credit: New Mexico's Land of Enchantment Legacy Fund, The First Fiscal Year Legacy Fund Report

Governor Michelle Lujan Grisham and House Appropriations & Finance Chair Rep. Nathan Small Photo credit: New Mexico Wild

Governor Michelle Lujan Grisham and House Appropriations & Finance Chair Rep. Nathan Small (D-Las Cruces) joined local leaders in Grant County to celebrate the first-year success of the Legacy Fund at an event in Silver City. The event was held on July 17, 2025, at the Historic Waterworks Building, which dates back to 1887 and was the Town of Silver City's first municipal water supply. The New Mexico Department of Cultural Affairs' Cultural Properties Restoration Fund awarded a Legacy Fund program grant to this historic property, making it one of the first projects to receive funding. In addition, the Outdoor Recreation Division's Trails+ Grant Program provided funding for the property. Speakers at

this event included Carol Ann Fugagli, Executive Director, Upper Gila Watershed Association (UGWA) and Allyson Siwik, Executive Director, Gila Resources Information Project (GRIP). The NMED Surface Water Quality Bureau's (SWQB) River Stewardship Program provides project funding to both organizations.

The NMED SWQB's River Stewardship Program received 1.25 million dollars in Legacy Funds that supported 7 river restoration projects across the State. These projects were highlighted in the Spring 2025 issue of *Clearing the Waters* newsletter.

NMED SWQB's River Stewardship Program river restoration projects partially funded by the Legacy Fund:

- $114,652 Headwaters and wetland restoration in Catron County by Amigo's Bravos, Inc.
- $105,958 Watershed quality improvements in Sierra County by Upper Gila Watershed Association.
- $195,343 Cimarroncito Creek restoration in Colfax County by Philmont Scout Ranch, Phase 1.
- $200,00 Rio Embudo ecological restoration in Rio Arriba County by Ecotone Landscape Planning, LLC.
- $497,012 Rio Chama restoration in Rio Arriba County by Trout Unlimited, Inc.
- $37,035 Beaver habitat and riparian restoration on the Rio Puerco in Sandoval County by Rio Grande Returns.
- $100,000 Riparian and wetland habitat development and surface water improvements in Albuquerque's South Valley at the Valle de Oro National Wildlife Refuge by Rio Grande Returns.

The Legacy Fund will help to protect approximately 360 acres of wetlands and riparian habitat plus 32 miles of creeks/streams through 2025 funding by the NMED's River Stewardship Program.

Governor Michelle Lujan Grisham and House Appropriations & Finance Chair Rep. Nathan Small in Grant County to celebrate the first-year success of the Legacy Fund at an event in Silver City on July 17, 2025. Photo credit: New Mexico Wild

2025 TROUT FIRE AERIAL SEEDING PROJECT:

The three-week multi-agency, collaborative seeding project that took decades of experience, dozens of relationships, and relentless dedication to protect and restore New Mexico's natural resources

By Davena Crosley, Watershed Protection Section

In the ***NEWS*!**

State Agencies Swiftly React to Retore Wildlife Habitat After the Trout Fire, Grant County Beat (July 25, 2025)

In Wake of Trout Fire in Grant County, New Mexico State Agencies React Quickly to Restore Wildlife Habitat, (July 27, 2025)

These news articles do a great job of highlighting the post fire need for seeding, agency goals, and coordination between the United States Forest Service (USFS), NMED and New Mexico Deparment of Game and Fish (NMDGF). But, for those of us who have shepherded a contract through governments processes, who have coordinated with multiple agencies to get a project approved, and who have fought through endless reasons why "we can't do that", you know there is a lot more to this story.

The Fire:

Trout Fire burn scar at head of Allie Canyon (Photo credit: Davena Crosley)

The Trout fire was reported Thursday, June 12, 2025, in the Trout Creek area of the Gila National Forest (Gila NF). In total, the fire burned approximately 49,572 acres. The Soil Burn Severity map, published by the USFS, classified 2,069 acres (4.2%) as High Soil Burn Severity and an additional 8,647 acres (17.4%) as moderate Soil Burn Severity. Many of the high severity burn areas were within the southern portion of the burn scar and although they comprise a small percentage

of the total burn scar they are in critical parts of the watersheds including Sheppard Canyon-Mimbres River and Allie Canyon-Mimbres River HUC-12 watersheds; tributaries to the Mimbres River. Bear Canyon (in the Allie Canyon-Mimbres River HUC-12) feeds Bear Canyon Lake, which is a local recreation area, important wildlife habitat, and source of water for irrigators in the Mimbres Valley. Allie Canyon is found upstream of critical infrastructure and private property, which may be impacted by post fire rainstorms over the burn scar.

The Ask:

- June 25, 2025 – SWQB (Davena) attended the first day of the USFS Trout Fire BAER team meeting in Silver City, NM to learn about the process.
- Gila NF staff (Carolyn, Mike, and other staff) had identified about 1,500 acres of high and moderate severity burn areas that would benefit from aerial seeding to provide emergency vegetation cover, reduce erosion, and reduce flood severity downstream. Unfortunately, seeding was unlikely to be completed as part of the BAER process. Also, the lengthy federal approval processes would delay seeding beyond the optimal time to benefit from monsoon moisture.

The Hurdles:

- SWQB had never funded an aerial seeding project and had about three weeks to coordinate with the Gila NF and NMDGF to plan and execute the project.
- SWQB's newly created Watershed Protection Assistance Program was designed to address situations like this and had funding available but could not cover the entire cost of the needed seeding.
- This project needed to happen VERY quickly.

The Scheming (okay, okay) The Planning:

- Gila NF Supervisor's Office staff has decades of experience and expertise specific to the Gila. Daily mapping of the active Trout Fire is standard practice. USFS staff used available maps, data, aerial observations, and experience to identify the high and moderate burn areas that would most benefit from seeding. The problem and the request were clearly defined.
- The project area for aerial seeding was divided into four units.
  - Unit 1 – 160 acres
  - Unit 2 – 860 acres
  - Unit 3 – 85 acres
  - Unit 4 – 137 acres
- Gila NF staff required a certified weed free seed. A seed mix and seeding rate was identified based on the success of aerial seeding on previous fires in the area. The overall seeding rate of 30 seeds/ ft², included:
  - 15 seeds/ ft² – Barley – *Hordeum vulgare* (fast growing, sterile, cereal grass to provide soil cover) and,
  - Four native grass species:
    - 8 seeds/ ft² Mountain brom – *Bromus marginatus*
    - 3 seeds/ ft² Prairie junegrass – *Koleria macrantha*
    - 3 seeds/ ft² Muttongrass – *Poa fedleriana*
    - 1 seed/ ft² Bottle brush squirreltail – *Eymus elymoides*
- Ideally, seeding would begin as soon as the contractor could acquire the certified weed free seed and mobilize equipment for the project. Timing was critical to utilize monsoonal patterns to promote germination and vegetation response.
- Aerial seeding, germination and vegetation establishment would reduce flood peak flows thereby protecting property and critical infrastructure downstream, improve surface water quality, and help protect riparian and aquatic habitat post-fire.
- SWQB researched options for funding the Trout Fire Seeding project and reached out to NMDGF as their agency's missions and goals aligned with the goals of the project.

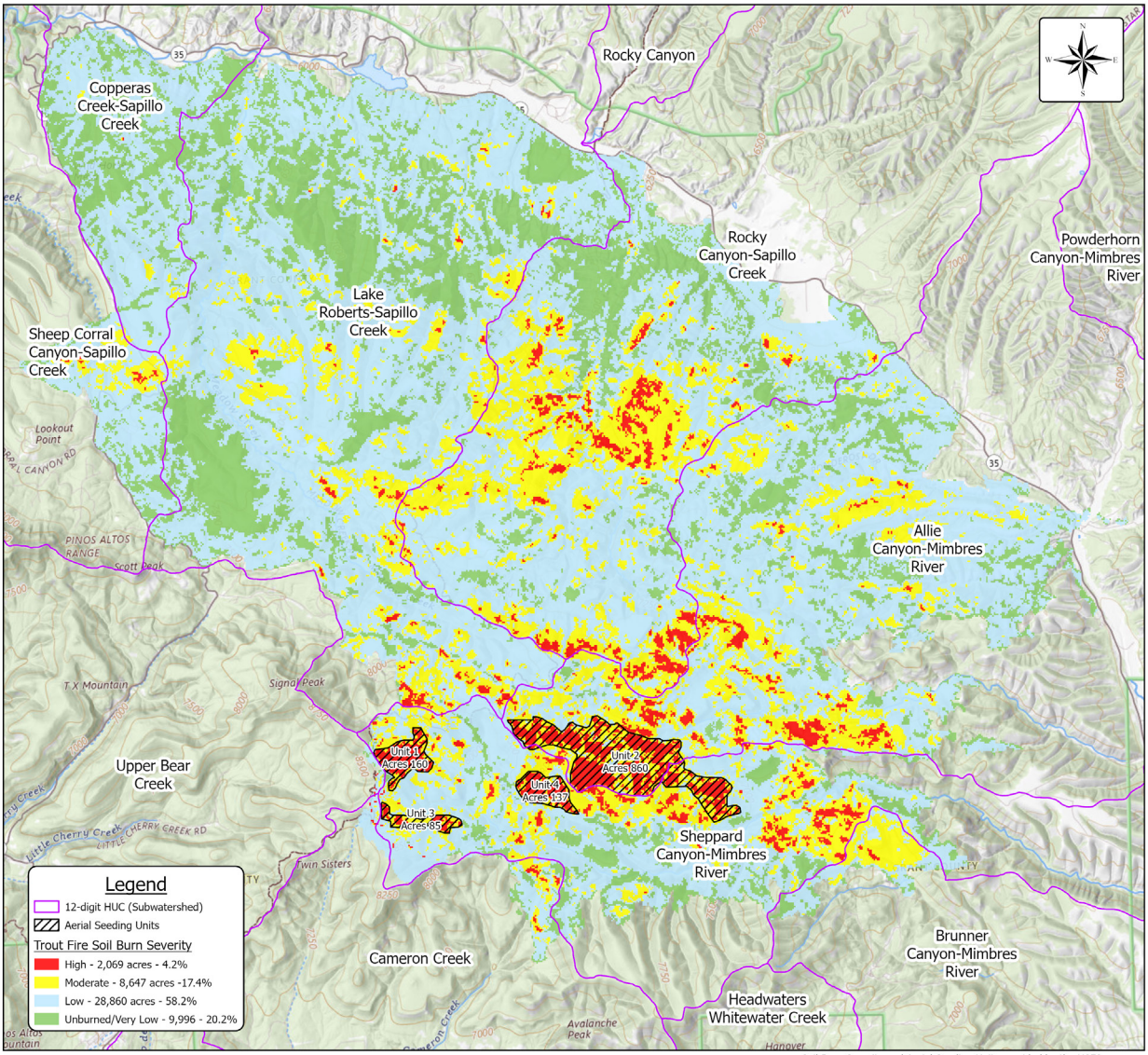
- Agency Goals for the Trout Fire Aerial Seeding Project:

SWQB Goals:

1. Provide emergency vegetative cover in select moderate and high severity burn areas to reduce erosion and flood severity,
2. Limit water quality degradation caused by flooding from the burn scar,
3. Mitigate flooding impacts from the burn scar to fish and wildlife habitat, critical infrastructure, and surrounding property.

NMDGF Goals:

1. Anchor soil, create groundcover, and diminish post-fire runoff and reduce flood severity.
2. Create future food and shelter for animals such as mule deer, quail, and songbirds,
3. Support long-term regrowth of the landscape for outdoor recreation like hiking, birdwatching, and hunting,
4. Enhance river habitat and limit water quality impacts to key watersheds that drain to Sapillo Creek, Lake Roberts, Bear Canyon Lake, and the Mimbres River.

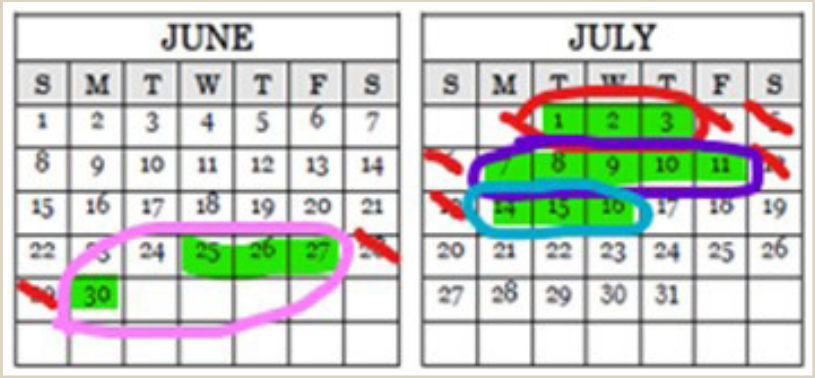


Trout Fire Seeding Unit and Soil Burn Severity

Trout Fire Seeding Units and Soil Burn Severity Map.

The Paperwork Miracle of 2025:

- **Hoping**
  - June 25, 2025 - Gila NF asked for help with aerial seeding. SWQB began looking for ways to fund the Trout Fire aerial seeding project on or before July 20, 2025.
- **Waiting**
  - June 30/July 1, 2025 – End/Begin of the State Fiscal Year when everything comes to a screeching halt to be set up for next Fiscal Year.



Three weeks by emotion.

- **Nail Biting**
  - July 1, 2025 - NMED & NMDGF request and receive a quote for aerial seeding from Corvus, LLC using statewide price agreement.
  - July 1, 2025 - NMED Paperwork packet submitted to Financial Team.
  - July 4 – 6th, 2025 – Holiday – the State is on hold for 3 days.
  - July 8, 2025 – NMED purchase oder issued.
  - July 10, 2025 – NMDGF purchase order issued.
  - July 10, 2025 – Trout Fire Aerial Seeding Approval Letter from USFS to NMED & NMDGF.
- **Cautiously Optimistic**
  - July 14, 2025 – Corvus, LLC mobilizes to Grant County Airport
  - July 15 & 16, 2025 – Aerial Seeding

The Aerial Seeding Project – On-The-Ground work from the Air:

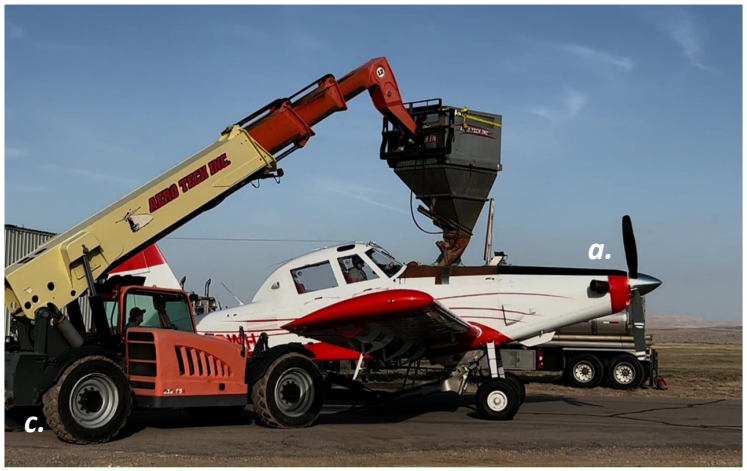
At this point, Corvus, LLC, the aerial seeding contractor, stepped in and made the paperwork battle worth it. They mobilized an airplane, semi-truck full of seeds, seed loading equipment, and a crew of four to the Grant County Airport on Monday, July 14th. They flew a calibration load that evening to verify settings on the plane's seed gate. On Tuesday, the 15th, they completed 12 flights before an afternoon thunderstorm ended the day. Three flights were completed early Wednesday morning.

The four seeding units were loaded into the airplane's GIS system, and the plane flew in long, straight passes, sometimes over multiple seeding units. The GIS system communicated with the aerial seed gate on when to open and close. This allowed only the selected areas to be seeded. Each pass covers an 85-foot-wide strip of land with seed. At the end of the pass, the pilot will make a turn and fly a parallel strip to the one just completed. As observed from the ground, it becomes a predictable and methodical pattern.

In total:

- 1,243 acres of high and moderate burn severity areas were seeded at approximately 81 acres/load-flight for a total of 16 loaded flights.
- 60,940 pounds of seed was distributed, at approximately 3,900 pounds of seed/load-flight.

Aerial Seeding in progress at the heads of Allie and Bear Canyons. (Photo credit: Davena Crosley)



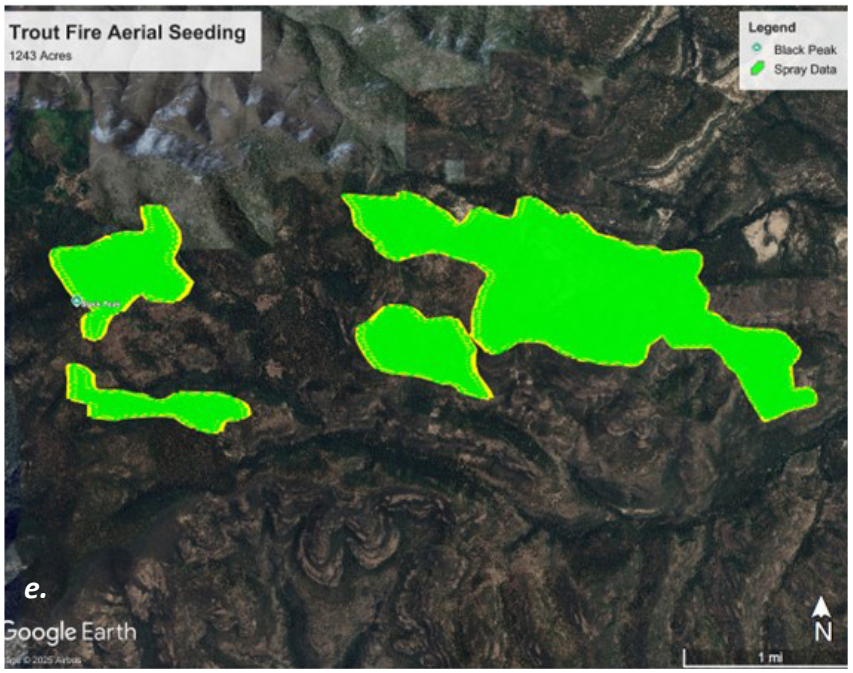


Image e: Aerial Seeding GIS flight verification data (note, the green polygons are the same as the hatched polygons on the Trout Fire Seeding Units & Soil Burn Severity Map on page 6. (Aerial image credit: Corvus, LLC)

Photo f: Verifying seed application rate on the ground. (Photo credit: Davena Crosley)

Photo a: Semi-truck of seed and loading conveyor. (Photo credit: Davena Crosley)

Photo b: Seed and conveyor trough at the tail of the semi-truck. (Photo credit: Davena Crosley)

Photo c: loading seed from a hopper into the airplane. (Photo credit: Carolyn Koury)

Photo d: On-the-ground operations of aerial seeding. (Photo credit: Carolyn Koury)

The RELATIONSHIPS:

The relationships I, Davena Crosley, credit with the success of this event are highlighted below. Each one of my connections has their own web of relationships that helped move this project to completion. If any one of these connections were missing, the project would likely not have happened. Every single person I worked with on this project was clear on what the goal was and doggedly pushed ahead until the goal was reached. You will notice a couple of newbies on the list and may wonder why I included them. They inherited relationships during this project whether they realized it or not; they took responsibility for maintaining and nurturing the relationships that enable us to protect and restore our natural resources. During the next emergency, they will be making phone calls, because they know someone.

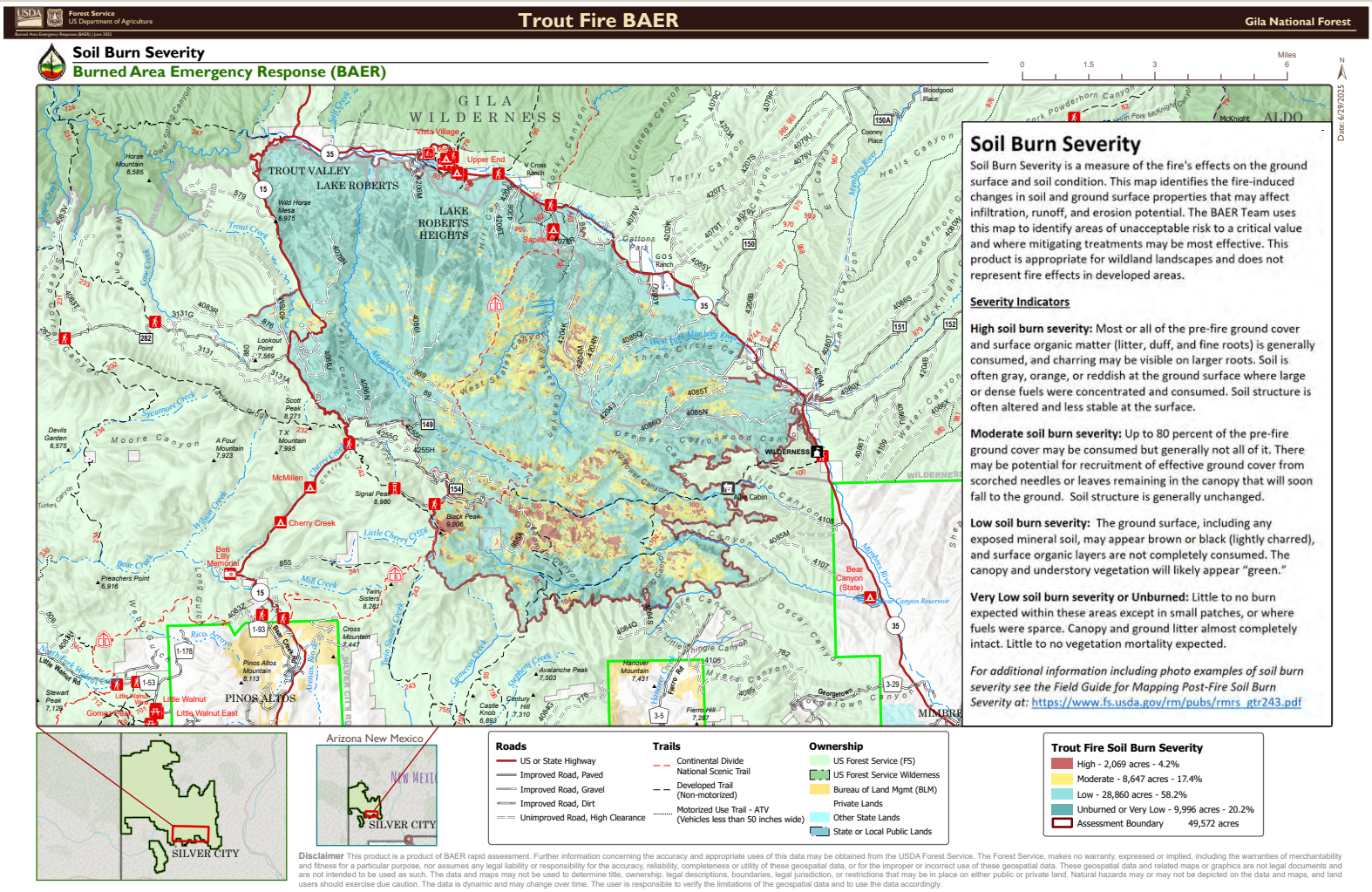
- Carolyn Koury, Gila NF Watershed and Air Program Manager, worked closely with SWQB staff on multiple surface water quality projects in the Gila over the past 20+ years. She worked with former NMED employee John Moeny on a Watershed-Based Plan (WBP)/Watershed Restoration Action Plan collaboration. This relationship was inherited from John and fostered through this incident.
- Mike Natharius Gila NF Soil Scientist (retired) led the Trout Fire BAER team – Mike has coordinated numerous post fire seeding projects for the Gila NF. Mike and Davena both presented research at the Gila Symposium, in 2014, on post fire vegetation response after the Whitewater Baldy fire. This was the largest fire in New Mexico history at the time and is referred to frequently as an example on large fires.
- Elizabeth Toney, Silver City and Glenwood District Ranger, worked closely with SWQB staff (John Moeny, again) on the unfortunate Jaybird Canyon Asphalt spill in 2023. This difficult situation built deeper relationships between NMED and the Gila NF – seeing the District Ranger using a hand trowel to dig black goo out of a beautiful mountain waterway is a vivid image of her passion for taking care of the forest.
- Camille Howes, Gila NF Supervisor. Camille was the District Ranger on the Lincon National Forest in 2021 and met with me to discuss a Watershed Based Plan planning for Lincoln. Camille was 100% behind developing the WBP then to take care of the Lincoln and now leads the mission of caring for the Gila, including getting the seeding project for the Trout Fire burn scar approved under challenging circumstances.
- Elizabeth Sorells, Gila NF Natural Resource Specialist, is new to the Gila NF team but old to Silver City. I met Liz in the halls of Western New Mexico University's Natural Science Department while working with her mom. She is now completing a master's degree in hydrology at NM Tech and applying her skills and knowledge to take care of the Gila.
- Shelly Lemon, SWQB Bureau Chief, said "*Yes*!". Shelly's assessment and approval of a project carries a lot of weight. She has protected New Mexico's surface water in various roles at NMED, including as Bureau Chief, for over 20 years. I have had the pleasure of working on Shelly's SWQB team for over six years – she empowers and supports her team in doing good work for New Mexico's waters even when, or especially when, it's hard work!
- Kate Lacey-Younge, SWQB Watershed Protection Section Program Manager. After the catastrophic 2022 fires in New Mexico, when Kate was the River Stewardship Coordinator, she started the process of establishing a statewide price agreement for Riparian Aquatic and Wetland Restoration Services. Having a statewide price agreement specific to restoration enabled SWQB to respond to the seeding request on the Trout Fire quickly. Kate knew how to make the financial side work efficiently, had connections at NMDGF and other state agencies, and was the driving force behind collaboration between agencies!
- Samantha Ferguson, SWQB River Stewardship Program Coordinator, came to SWQB a year ago from NMDGF and brought those relationships with her.
- Donald Auer, NMDGF Assistant Chief – Wildlife Management Division. Herded cats and corralled paperwork on the Game & Fish side. In truth, I did not know Donald before this, and I do not know everything he did to make this project happen. I do know that NMDGF was a critical partner in this project and Donald was the man on the other end of my phone calls. Shortly after this project, he called me with a question about another project… and it felt like a new win! Donald now has a contact with NMED, and I have a contact with NMDGF.
- Jennifer D'Annibale, NMDGF Southwest Habitat Biologist, received a call from Donald Auer at the last minute, jumped in the truck and headed to Silver City to represent NMDGF on-the-ground during the seeding project.

- Corvus, LLC, was the aerial seeding contractor for this project, President, Cameron Stallings, inherited his relationship with the Gila NF, and Mike Natharius, from his dad. Corvus is a 3rd generation, New Mexico-based small business. They wanted to help on this project and had to "pull a couple of rabbits out of the hat" to do the job on short notice, in the middle of fire season, and with an already full schedule. The Corvus Crew (Cameron Stallings- Owner and Director of Operations, David Gordon - Director of Maintenance, Larry Jones- Ground Coordinator, Greg Souther- Pilot) are the definition of competence, professionalism, and efficiency. They are the team we dream of working with!

My Lesson Learned? Invest in relationships.

Every site visit, meeting, conference, and hallway chat we attend is a chance to get to know people! Who is working on what? Who works with whom? How do our programs and projects fit together? So many times, our program or agency can address part A & B of a problem but not part, C through Z. Conversations at the coffee station of a workshop help solve problems. Sometimes the information simmers on the back burner of our mind for months or years, then one day in a meeting, or in the field, or on a phone call, there is a question about who or what or how… and we know who to call.

USFS & Natural Resources Conservation Service staff near Black Peak. (Photo credit: Davena Crosley)



USFS Trout Fire Soil Burn Severity Map - BAER. (Provided by: Gila NF USFS)

SWQB STAFF UPDATES

Watershed Protection Section

Alaina Osimowicz joined the River Stewardship Program as a Project Officer earlier this year. Alaina was most recently employed with the New Mexico Energy, Minerals and Natural Resources Department (EMNRD), serving as a reclamation specialist in the Mining and Minerals Division and as a Forester in the Forestry Division. Originally from Chicago, her career has taken her from Minnesota, California, and Alaska, and she has now settled in New Mexico. She holds a Bachelor of Science in Forestry from Southern Illinois University and has focused her career on writing forest management plans and prescribing treatments to ensure the future of healthy forests and watersheds across the West. In 2016, she started her career working for the USFS on the Stanislaus National Forest. She moved to New Mexico in 2020 to be a Park Ranger for the Bureau of Land Management (BLM) at the Rio Grande del Norte National Monument. Alaina has a deep passion for cold water fisheries across the West and spent the summer of 2022 in Bristol Bay, Alaska, where she worked on the historic sockeye salmon run from large fishing vessels, some of which were on the show *Deadliest Catch!* You will find her on the river in her free time, fly fishing for trout. She is thrilled to be part of the River Stewardship Program team and excited to work with organizations that are spearheading river restoration efforts across New Mexico.

Zach Shephard joined the NMED SWQB as a Wetlands Program Project Officer in early 2025. Zach was born and raised in Boise, Idaho and moved to New Mexico to attend graduate school in Socorro in the fall of 2016. He completed a Bachelor of Science degree in Geosciences from Boise State University and a Master of Science degree in Hydrology from the New Mexico Institute of Mining and Technology. For the past ~ 9 years, he was a hydrologist at the U.S. Geological Survey (USGS) New Mexico Water Science Center where he worked on and managed a wide variety of hydrology and water quality-related research projects. Many of which were regularly published in USGS Scientific Investigation Reports and in various journals. Zach's favorite type of work includes surface / groundwater / water quality modeling, post-wildfire and urban water quality monitoring, and working with geospatial or Uncrewed Aircraft Systems (UAS) collected data. He currently lives in Albuquerque with his wife and two dogs, named Almond and Emmitt. In his spare time, he likes to go to the gym, mountain bike, snowboard, and play board/video games.

Monitoring and Assessment Section

Hannah Burnham arrived at NMED's SWQB's Monitoring Team after working with the City of Santa Fe where she was with the Metropolitan Planning Organization planning the transportation system for the city. This was an enlightening divergence from previous work, having studied natural plant communities with Natural Heritage New Mexico at University of New Mexico (UNM), at which time she helped to develop the New Mexico Rapid Assessment Method (NMRAM) for montane and lowland river systems, and Playa lakes, among other projects. It was during this time that she received a Master of Science degree in Hydrologic Science through UNM's Water Resources Program in which she quantified Rio Grande Cottonwood rings to identify years of stress in relation to streamflow, sediment particle sizes, and climate factors at a riverside terrace on the Santa Ana Pueblo. Prior to that, she worked with the Colorado Natural Heritage Program on high elevation wetland assessments. Her undergraduate degrees are in soil and crop sciences, and rangeland ecology from Colorado State University in Fort Collins.

She has lived in Santa Fe since 2011, and in the Rocky Mountains for most of her life. Numerous research and trail positions have led her to regions as far north as the Bob Marshal Wilderness in Montana and as south as the Gila Wilderness in southern New Mexico.

Stephani Clark Barkalow joined the Monitoring and Standards Section as a Water Quality Standards Scientist in early 2025. She brings a background in fisheries biology, water quality monitoring, and native species conservation. Over the past decade, she has worked on endangered fish recovery and aquatic habitat protection across the Rio Grande, San Juan, and Colorado River basins.

Before coming to the SWQB, Stephani worked with the U.S. Fish and Wildlife Service, where she focused on conservation and restoration projects, evaluated the ecological impacts of water management, and supported regulatory compliance. Prior to that, she was a Senior Fisheries Biologist with American Southwest Ichthyological Researchers, where she designed and led large-scale native fish monitoring, recovery, and research projects.

Stephani holds a Master of Science degree in Fisheries Conservation and Management from the University of Arizona and a Bachelor of Science degree in Biology with a concentration in Conservation Biology from the UNM. She is excited to be part of the NMED team and looks forward to supporting efforts to protect and improve surface water quality across New Mexico.

Point Source Regulation Section

Trent Botkin started as the new State Permitting Program Team Supervisor in mid-2025, prior to NMED he worked with the New Mexico Department of Transportation Environmental Bureau for 13 years, starting as an Environmental Coordinator and migrating positions from supervisor to manager, and ultimately as acting Bureau Chief. Trent specialized in wetlands mitigation, the Clean Water Act (CWA) Section 404 permitting, United States Fish and Wildlife Service Section 7 consultation, and managed the Lordsburg Playa Dust Mitigation Program in southern New Mexico. Trent previously worked for the New Mexico State Forestry Division as a GIS coordinator/wildfire management specialist and as a water resource specialist for the Office of the State Engineer during his 21-year career with the state. Trent moved to New Mexico in 2002 to attend New Mexico State University and earn a Master of Applied Geography degree with a focus on arid lands restoration and water resources. He is looking forward to working on the development of New Mexico's first surface water permitting program to ensure that Surface Waters of the State are effectively managed and preserved for future generations.

Luke Zhong joined PSRS as a Municipal and Industrial Inspector in early 2025. He earned a Doctor of Philosophy degree in Natural Resource Ecology and Management from Oklahoma State University, with a minor in Statistics. His research focused on the hydrological impacts of redcedar expansion on the natural water cycle, specifically examining the interactive effects of meteorological drought and vegetation type change on root zone soil moisture and surface water quality. He also employed modeling techniques to scale up the effects of land cover change on surface water quantity and quality in the Lower Cimarron River Basin. In addition to his academic training, Luke has over three years of experience in the IT industry in Chicago, where he specialized in front-end development and cloud service management. He is particularly interested in data management and aims to leverage his interdisciplinary background in GIS, ecology, hydrology, fieldwork, lab work, data analysis, and quality assurance/quality control to support point source permitting, compliance, and enforcement efforts in the State of New Mexico.

CLEAN WATER ACT SECTION 319 PROGRAM ANNOUNCES NEW PROJECTS

By Alan Klatt, Watershed Protection Section

The SWQB, Watershed Protection Section (WPS) is excited to announce two new on-the-ground projects funded by the CWA Section 319 program. These projects address nonpoint source pollution by implementing water quality improvement projects that are consistent with an U.S. Environmental Protection Agency (EPA) accepted 9-element watershed-based plan. Projects were awarded through a Request for Applications that was conducted in the Spring of 2025. Both projects are anticipated to begin in the fall of 2025 and end by the summer of 2028.

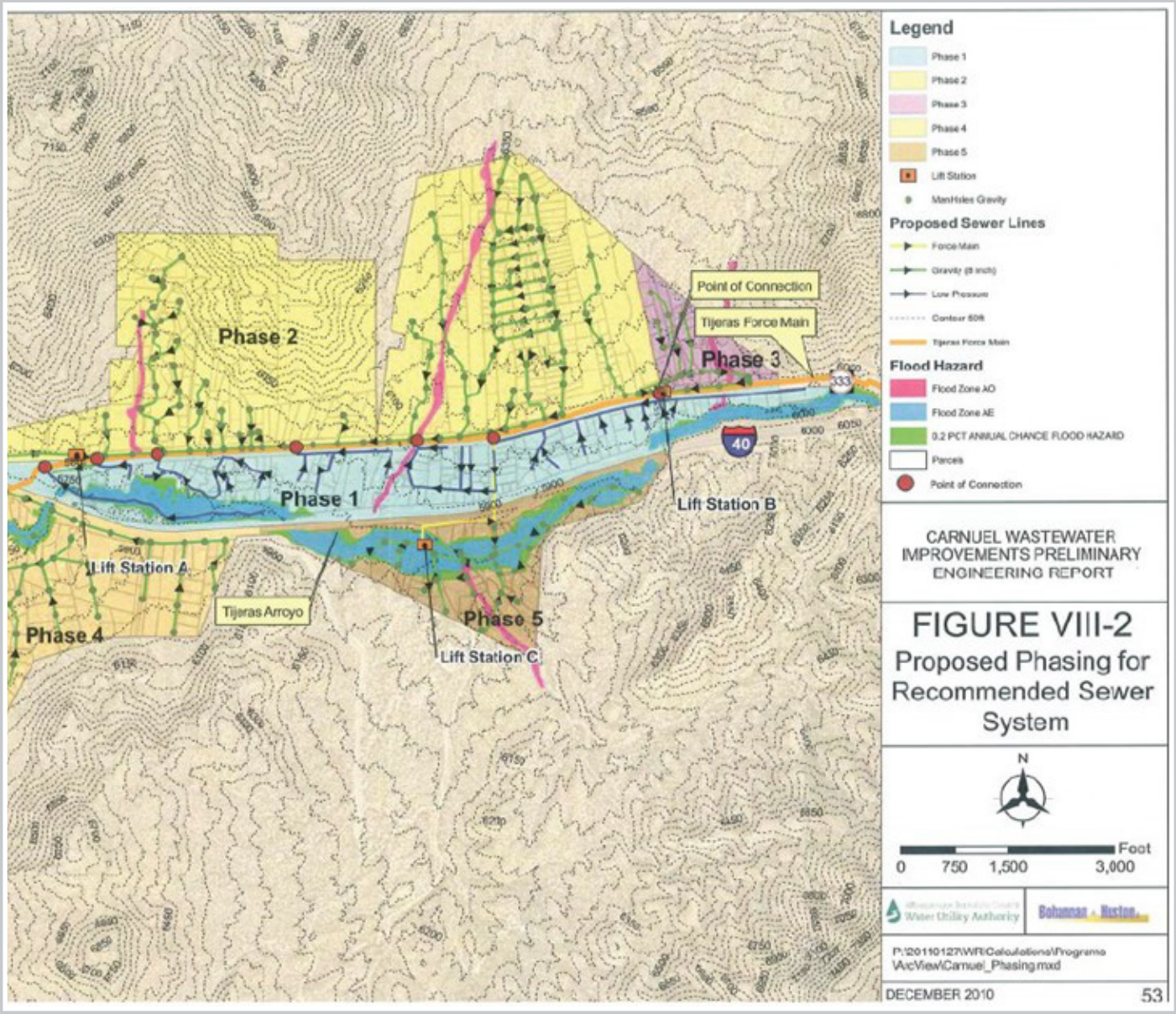
Intermittent Section of Dog Creek inside a riparian fence exclosure. (Photo provided by: Hermit's Peak Watershed Alliance

Project Title: Watershed Project Implementation for the Mora River - Upper Canadian Plateau - Phase 1C
Cooperator: Hermit's Peak Watershed Alliance

Hermit's Peak Watershed Alliance (HPWA) in partnership with Rio Grande Return (stream restoration subcontractor) and Fort Union Ranch (landowner) will be implementing a livestock management and stream restoration project for the Dog Creek sub-watershed utilizing the Watershed-Based Plan for the Mora River – Upper Canadian Plateau. Dog Creek is a tributary to the Mora River (USGS gage east of Shoemaker to HWY 434), which is impaired for nutrients and *E. coli*. HPWA will improve the livestock management across 3,700 acres by establishing an east/west Dog Creek pasture fence and a Shoemaker/Dog Creek pipeline and drinker to reduce direct grazing pressure on Dog Creek. Approximately 2 miles of instream restoration and 5.5 acres of riparian plantings will be accomplished by installing large woody debris (LWD) and rock structures, which will facilitate channel aggradation, the creation of complex in-channel habitat, pool development, floodplain reconnection, increased water storage capacity, flood atenuation, and increased low-flow rates. Livestock management improvements will decrease nutrient contributions from livestock and improved floodplain function will help cycle plant nutrients and improve water quality. The project also includes monitoring and education components. The total project budget is $307,840.50 with $244,440.50 in CWA Section 319 funding and $63,400 in local match. Fort Union Ranch will provide labor, materials and equipment to complete fence construction and they will assist in paying the subcontractors who will install the water development system within the Livestock Management area. The project is expected to be completed by May 31, 2028.

Project Title: Upper Tijeras Creek Septic Tank Abandonment and Low-Pressure Sewer Grinder Pump Installations
Cooperator: Public Works Division of Bernalillo County

The Public Works Division of Bernalillo County (County) will implement a septic mitigation project based on the Upper Tijeras Creek Watershed-Based Plan. Septic systems, rangeland grazing, urban runoff, waste from pets, and natural sources are probable sources that impair Tijeras Arroyo for nutrients (total nitrogen and total phosphorus). The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) will purchase and install ten (10) low pressure grinder pumps as part of the project to facilitate connection to the Low-Pressure Sewer System. This will replace the continued use of aging septic systems near Tijeras Creek, which are beginning to fail. The County's ABCWUA Partners in Improvement and Protection of the Environment (PIPE) low-income assistance program will provide additional funding to cover other connection costs associated with utility expansion charges and necessary electrical upgrades. The County will further cover project expenses associated with County staff time on the project. The project also includes a water quality monitoring component and public education and outreach efforts. The total project costs are $288,357.90 with $165,800 in CWA Section 319 funding. The project is expected to be completed by June 1, 2028.



The blue lines and black arrow in the western half of the light blue shaded area indicate the project area for the low-pressure sewer system installation. (Image provided by Bernalillo County)

CLEAN WATER ACT SECTION 319 FUNDS AS A SOURCE FOR ADVANCED WATERSHED PROTECTION THROUGH LAND CONSERVATION IN NEW MEXICO

By Jocelyn Harimon, Watershed Protection Section

Consistent with CWA §319 Grant: Current Guidance, these federal funds are most frequently used by states for the restoration of water quality through on-the-ground restoration projects addressing nonpoint source (NPS) pollution in impaired waterbodies. Water quality protection through conservation is also recognized as an invaluable tool to ensure the future availability and quality of healthy waters and watersheds. Using proactive measures such as land conservation can prevent the future need for water quality restoration. When aligned with the EPA-approved Nonpoint Source Management Plan for New Mexico, activities such as land conservation through acquisition and easements can be eligible for funding through the CWA §319 (Section 319) Grant Program. "States with significant open space, forest areas, and agricultural/pasture lands should identify large, connected land areas that are eligible for land preservation, conservation easements, and riparian buffer protection; [Best Management Practices] BMPs of this nature provide co-benefits such as climate resiliency, flood mitigation and drinking water protection (EPA, 2024)."

What is land conservation in the context of watershed protection?

Healthy watersheds provide essential ecosystem services such as filtering pollutants, slowing surface water runoff and recharging aquifers. Land use changes can contribute to and increase NPS pollution in watersheds, putting them and their associated habitats at risk as well as reducing their capacity to provide the services described above. Of the NMED SWQB's approximately 80 Total Maximum Daily Loads (TMDLs), all but two TMDLs include various land use related activities as a probable source of water quality impairment. Through long-term protection, sustainable development and stewardship it is possible to mitigate and prevent impacts on healthy watersheds.

Why land conservation?

Development and shifts in land use put increasing pressure on New Mexico's source waters. Watershed protection continues to be a first and very effective barrier against NPS pollution and impairment. Additionally, protecting a watershed can be significantly less expensive than restoring a degraded one. Potential benefits of land conservation as a watershed protection action include:

- Water quality protection through restricted use such as types of development and/or management practices.
- Support of completed restoration work on NPS impaired waters.
- Preservation of open space and natural areas.
- Managed recreation opportunities that protect open spaces for the public and at the same time provide long-term conservation.
- Flood zone buffering.
- Prevention of potential future NPS pollutant loads occurring from land use change.
- Potential for connectivity with other protected areas creating habitat corridors.
- Facilitation of larger watershed goals by bringing multiple stakeholders and partners together.
- Promote land stewardship and sustainable use through information, education, outreach and involvement.

Who are potential partners in land conservation?

Local stakeholders including landowners and watershed planning groups as well as land trusts and environmental nonprofits can be invaluable in consolidating skills, resources, commitments and knowledge when planning resilient and lasting land conservation efforts.

How is land conservation aligned with the New Mexico Environment Department Nonpoint Source Management Plan?

In compliance with the Section 319(b)(1) New Mexico has produced a Nonpoint Source Management Plan. The following sections address directly the need for water quality protection as part of an integrated Management Plan. Land conservation is one of the most effective tools to prevent NPS pollution in New Mexico's surface waters.

- **Section 1.5**

  "*Protection of water quality is another key aspect of the NPS Management Program. Although planning efforts often focus on impaired waters and meeting watershed-based planning elements, planning efforts may also identify opportunities to protect water quality where attainment standards are being met.*"

- **Section 2.3**

  "*Protection of water quality is a critical component of the NPS Management Program that, if effective, will prevent new water quality problems from developing in New Mexico.*"

- **Section 2.6**

  "*Actively manage a variety of natural resources to protect and restore water quality with assistance provided by the WPS and other SWQB programs, federal agencies, and State agencies in New Mexico.*"

What watersheds are eligible for Section 319 land conservation funds?

- EPA approved 9-element WBPs, and on some occasions, alternative plans are prerequisites for the award of Section 319 funds for on-the-ground projects.
- A complete list of approved watershed-based plans and alternatives can be found on the SWQB-Watershed-Based Planning webpage.
- If you do not see your watershed on the list, watershed-based planning is also eligible for Section 319 funding. Resources are available on the WBP Resources page.
- NMED's Open EnviroMap is another resource for locating priority nonpoint source watersheds for protection, planning and implementation.

Additionally when identifying lands and watersheds for conservation it is important to consider multiple criteria and prioritized watersheds such as source water priority areas, critical watershed areas, adjacency to existing protected lands and lands with overlapping benefits.

The role of land trusts in Section 319 land conservation.

Land trusts serve to protect and preserve private lands of specific natural or cultural value through land purchase or donation, or the donation or purchase of conservation easements. According to the Land Trust Alliance survey, more than 61 million acres have been voluntarily conserved in the United States and 2.4 million acres in New Mexico, through the collected efforts of land trusts. Using the Land Trust Alliance Find a Land Trust Tool the following land trusts in New Mexico were identified Forest Trust, New Mexico Land Conservancy, Santa Fe Conservation Trust, Taos Land Trust, Rio Grande Agricultural Land Trust. Working within the framework of an EPA approved watershed plan, land trusts are eligible to receive Section 319 grant funds for land conservation through acquisition and easements as well as all other EPA eligible activities. Land conservation projects can be used to meet Section 319 non-federal match requirements.

When are 319 funds available?

Requests for applications for Section 319 watershed implementation projects are generally available annually. Land Conservation falls within the scope of implementation projects. The request for proposals for Section 319(h) funds for watershed-based plan development will be opening in the Fall of 2025, see the *Announcement* section in this issue. More information can be found on the NPS Funding Opportunities page.

Potential supplemental funding for land conservation.

Clean Water SRF Program provides low interest loans for water quality projects including conservation easements, land leases and land purchases.

USDA-NRCS Easement Programs assists landowners, land trusts and others to create conservation easements for the protection, restoration and enhancement on eligible lands.

River Stewardship Program (RSP) is a state funded program managed by NMED to provide grants for the planning, design and construction of projects that improve surface water quality or river habitat. The program is funded by the New Mexico Legislators through Capital Outlay appropriations and the Legacy Fund. With RSP approval, funds may provide the match required to leverage federal grants.

Drinking Water SRF Program, (DWSRF)– states may use a portion of their capitalization grant from the EPA as 15% "set-asides". These "set-asides" can be used to protect the quality of small public water systems and fund capacity building non-infrastructure initiatives including source water protection such as the acquisition of land or conservation easements as well to leverage other funding sources such as 319 funds.

The NMED Nonpoint Source Management Plan provides a more exhaustive list of possible funding sources although not all are specifically available to support land conservation related projects.

Funding Program	Type	Land Trusts Directly Fundable?	ELIGIBLE ACTIVITIES: Land Conservation (Acquisition)	Land Conservation (Easement)	Restoration/BMPs/Stewardship	Sampling & Monitoring	Project Planning	Community Outreach	Watershed Partnerships & Plans	Administration	Capacity Development	Award Amount Range	Match Requirement	Funding Cycle (e.g. annual)
Brownfields Program - Assessment Grants	Cooperative Agreement	Yes				●	●	●		●		Community-wide up to $500,000; site-specific up to $200,000[1]	None	Annual
Brownfields Program - Cleanup Grants	Cooperative Agreement	Yes			●			●		●		Up to $500,000[1]	20%	Annual
Clean Water Act §319 Grant Program for States & Territories	Grant	Yes	●	●	●	●	●	●	●	●	●	Varies	Varies	Annual
Clean Water State Revolving Fund (CWSRF)	Loan	Yes[2]	●	●	●	●[3]	●	●[4]	●			-	None	Approx. annual, varies by state
Drinking Water State Revolving Fund (DWSRF) - Set- Asides[5]	Loan;[6] Grants; Technical Assistance	Yes	●	●	●	●[3]	●	●	●	●	●[7]	-	None; Varies[8]	Annual
Environmental Justice Collaborative Problem Solving Program	Cooperative Agreement	Yes			●	●	●	●	●	●	●	Up to $200,000	None	Approx. annual

EPA Funding Support Watershed Protection Work (Source credit: EPA, Advancing Watershed Protection Through Land Conservation, A Guide for Land Trusts)

WATERSHED PROTECTION ASSISTANCE PROGRAM

Now Accepting Applications!

By Sam Ferguson, Watershed Protection Section

In the winter of 2024, the WPS of the SWQB launched the Watershed Protection Assistance Program. The program seeks to provide support to organizations in their efforts to improve surface water quality and river habitat. Up to $75,000 can be requested for eligible projects. Recipients must be on the Riparian, Aquatic, and Wetland Restoration Services Statewide Price Agreement (40-00000-23-00037) or other applicable price agreements, National Association of State Procurement Officials, GSA schedule awards, or a local public body (e.g., municipalities, counties, or political subdivisions of state or local governments).

Projects eligible for funding must directly or indirectly contribute to improving surface water quality, riparian habitat, or aquatic habitat. Projects must be completed within a 6-month or 1-year term.

Funding is available for the following types of projects:

- Project planning: e.g., to collect baseline information such as watershed assessments, or to complete permitting and other environmental clearances.
- Designs: to complete preliminary or final designs for a project.
- Construction: to complete on-the-ground work that improves surface water quality, riparian habitat or aquatic habitat.
- Maintenance: to conduct maintenance on a previous project.
- Monitoring: to monitor water quality around a completed or prospective project.

Learn more about this funding opportunity by clicking here.

Watershed Protection Assistance Program Winter 2024 Awards

Cimarron Watershed Alliance: McCrystal Creek Restoration, Phase I: $63,918.48

The project plans to use hand-based, low-tech process-based restoration techniques to improve approximately two miles of stream along lower McCrystal Creek in Cimarron, NM. The project will stabilize the stream and raise the channel an average of three feet.

Cimarron Watershed Alliance and field crew working on McCrystal Creek. (Photo provided by Cimarron Watershed Alliance)

Keystone Restoration Ecology: Madrid Arroyo Habitat Restoration and Channel Stabilization: $74,911.36

Keystone Restoration Ecology plans to protect eroding banks, improve stream flow, and reduce sediment in the Madrid Arroyo, which drains into Galisteo Creek, to improve water quality.

Madrid Arroyo Overview Pre-Construction. (Photo provided by Keystone Restoration Ecology)

CONNECTING WATER, LAND, AND COMMUNITY: WETLANDS ACTION PLANS AS STRATEGIC TOOLS FOR CONSERVATION

By Shabana Shoukath, Watershed Protection Section

The SWQB Wetlands Program promotes and supports watershed groups and other stakeholders to develop Wetlands Action Plans (WAPs). WAPs provide a proactive, data-driven framework for wetland conservation and can be designed to focus on wetlands in a specific watershed, region or planning area, or can be designed to target a wetland type throughout New Mexico. Amid increasing pressures from climate variability, prolonged drought, land-use change, and wildfire, WAPs help stakeholders understand the resource and provide a platform for planning and prioritizing wetland resources for conservation, restoration, protection and management to enhance their ecological resilience and functional integrity.

A WAP provides guidance for protecting and restoring wetlands with an emphasis on water quality benefits and ecological integrity, preserving wildlife corridors, and conserving habitats of threatened and endangered species, migratory birds, and other species of concern. WAPs can be created by watershed groups, Tribes, researchers, educators, non-governmental organizations, and conservation stakeholders. WAPs emphasize partnerships and engaging stakeholders and communities and may focus on addressing water issues of disadvantaged communities and climate change vulnerabilities.

A. Core Components and Methodological Framework

WAPs are developed to address the ecological, hydrological, and socio-cultural dimensions influencing wetland systems. Each plan includes information for three major planning components; resource analysis, resource management, and local involvement. WAPs synthesize multidisciplinary data sets, incorporating field-based ecological assessments, hydrological analyses, remote sensing, and local traditional knowledge to inform targeted restoration interventions and guide adaptive management at multiple spatial and temporal scales.

Wetlands Action Plans focus on:

- Identifying all wetland resources within a given planning area.
- Describing natural conditions that affect the resource.
- Identifying anthropogenic stressors that affect wetlands in the planning area.
- Establishing wetlands baseline conditions and locating reference sites.
- Identifying data gaps.
- Prioritizing sites with potential for restoration and protection.
- Developing measures to reduce chronic and cumulative impacts to wetlands.
- Strategizing financing options.
- Identifying strategies and outreach to engage stakeholders and the community.
- Monitoring to measure success of implemented projects and to adaptively manage others.
- Clarifying goals and recommendations for future wetland protection, restoration, and management with an emphasis on restoring and preserving ecological condition, wetland functions, and preserving wildlife, wildlife corridors, refugia and habitat.

The key activities involved in developing the WAP include establishing a steering committee, gathering existing and supplemental data, assessing wetland condition, identifying reference wetlands, and conducting outreach efforts. The acquired information is used to establish wetland resources priorities, identify data gaps and develop a list of action items based on wetland resource needs into a written plan. Gathering these data, analyzing each component and involving stakeholders will result in achievable wetlands planning goals, strategies, future actions, and recommendations. WAPs are intended as dynamic documents, subject to refinement as new data emerge and environmental or social conditions evolve.

A WAP should reflect the goals and needs of the stakeholders in the planning area. To support this, the SWQB Wetlands Program provides an outline of key WAP components, without dictating the outcomes and priorities set by the steering committee and stakeholders it represents. The WAP should also be an educational tool for the group developing the WAP.

The planning process has as much value as the final set of action items. The WAP can be used as a promotional tool for obtaining support and funding to implement the priority actions, including preservation, restoration, or monitoring and assessment.

*Stakeholder workshops for the "*Wetlands Action Plan for Arid-Land Spring Ciénegas of NM*" were conducted at the Leonora Curtin Wetland Preserve in La Ciénega, and the Blue Hole Ciénega Nature Preserve in Santa Rosa NM. Landowners with functional or restorable ciénegas on their land were invited to these informational meetings for the development*

B. Funding Mechanism and Programmatic Support

The primary financial source for WAP development has been provided by the EPA through CWA Section 104(b)(3) Wetlands Program Development Grants (WPDG) awarded to NMED SWQB Wetlands Program. Additionally, WAPs enhance the capacity of local governments, Tribal authorities, and non-profit organizations to secure supplementary restoration funding from sources such as: EPA Section 319(h) Nonpoint Source Pollution Management Grants and the RSP.

C. Strategic Outlook: Ensuring Wetland Resilience Amidst Environmental Change

As climate and land-use stressors intensify, WAPs form a foundational element of New Mexico's integrated ecosystem and water resource management strategy. By aligning rigorous science, traditional knowledge, stakeholder collaboration, and sustainable financing, WAPs empower informed decision-making and the protection of vital wetland functions, biodiversity, and connectivity.

Through this framework, the NMED Wetlands Program supports resilient wetland ecosystems and watersheds and fosters community stewardship, ensuring the continued delivery of critical ecosystem services for current and future generations.

D. Current Status and Access to Wetlands Action Plans

To date, the New Mexico Environment Department has facilitated the completion of 25 Wetlands Action Plans statewide

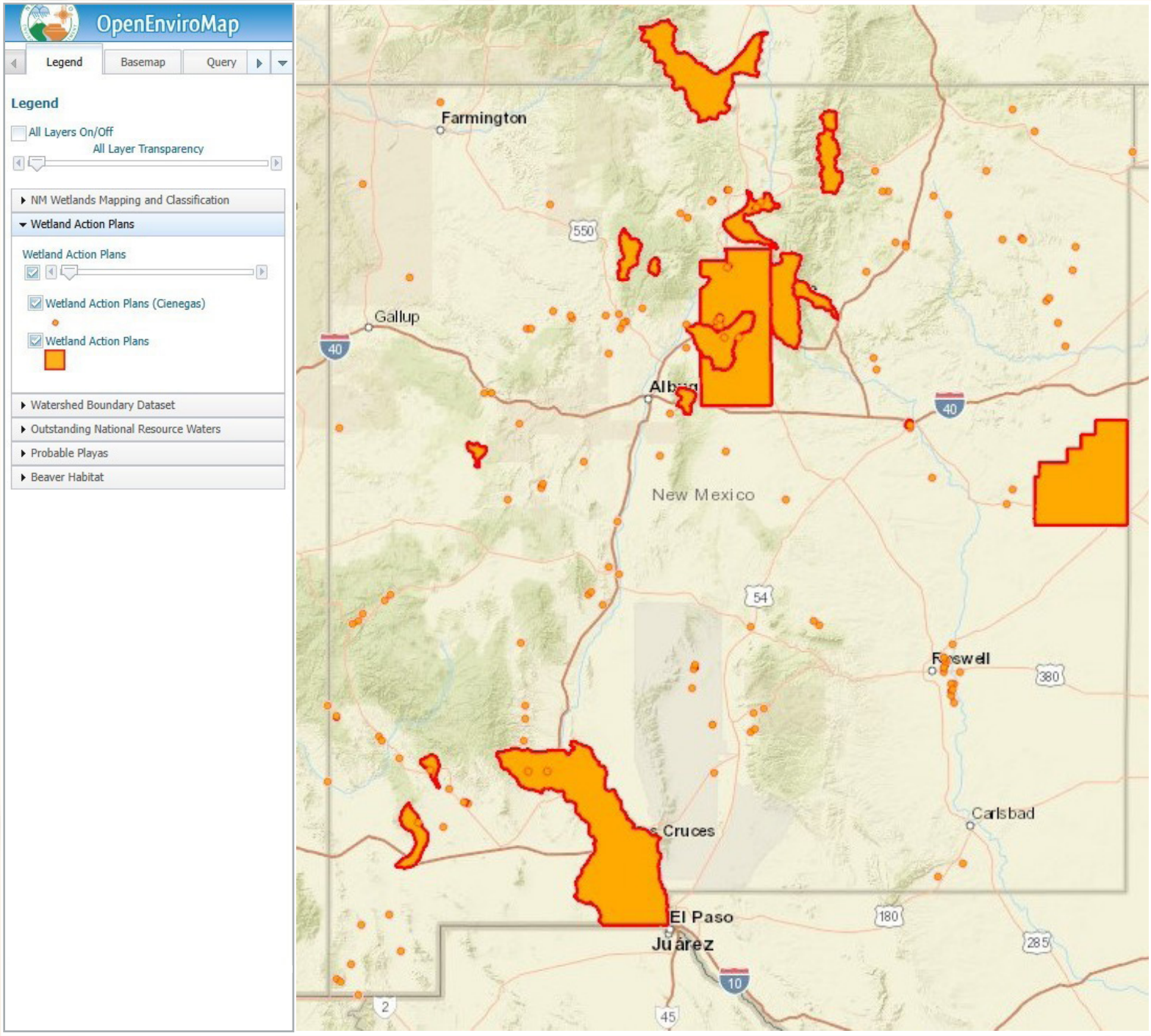
Complete	In Progress
Lordsburg Playa Wetlands Action Plan (2025)	Blue Water Creek Wetlands Action Plan
Lower Embudo Watershed Wetlands Action Plan (2024)	Santa Cruz River Wetlands Action Plan
Cruces Basin Wetland Action Plan and Wilderness Restoration Road Map and appendices (2024)	Brazos Wetlands Action Plan
City of Albuquerque Open Space Division Wetlands Action Plan (2024)	
Caring for Santa Fe County Wetlands and Rivers Wetlands Action Plan (updated 2023)	
East Fork Jemez Wetlands Action Plan (2023)	
Black River Wetlands Action Plan (2021)	
Santa Rosa Wetlands Action Plan (2021)	
Arid Land Spring Cienegas Wetlands Action Plan (2018)	
Sulphur Creek Wetlands Action Plan (2017)	
Comanche Creek Wetlands Action Plan (2016)	
Moreno Valley Wetlands Action Plan (2016)	
Upper Gallinas Watershed Wetlands Action Plan (2015)	
Cebolla Canyon Closed Basin Watershed Wetlands Action Plan (2014)	
Wetlands Action Plan for Playa Lakes in Curry County (2014)	
Upper Pecos Wetlands Action Plan (2013)	
Burro Cienaga Wetlands Action Plan (updated 2013)	
Keeping Santa Fe County Wetlands Viable and Functioning Wetlands Action Plan (2012)	
Alcalde/Velarde Valley Wetlands Action Plan (2011)	
Lower Rio Grande Wetlands Action Plan (2011)	
Rio de las Vacas Wetlands Action Plan (2011)	
Wetlands Action Plan for the Galisteo Watershed (2010)	
Cedro Creek Wetlands Action Plan (2009)	
Silver City Wetlands Action Plan (2008)	
San Antonio and Los Pinos Watersheds Wetlands Action Plan (2006)	

E. Access comprehensive plan documentation:

Download PDFs of finalized WAPs at www.env.nm.gov/surface-water-quality/wetlands/.

F. Spatial data visualization and analysis:

Utilize the NM EnviroMap Interactive GIS Viewer at https://gis.web.env.nm.gov/oem/?map=wetlands to explore the "Wetlands Action Plans" layer shown below, which highlights the locations and boundaries of completed WAPs across the state.



For additional information regarding WAP development, participation, or technical support, please contact:
Maryann McGraw, Wetlands Program Coordinator, maryann.mcgraw@env.nm.gov
www.env.nm.gov/surface-water-quality/wetlands/

Upper Rio Grande. (Photo credit: Elizabeth Stuffings)

2025-2026 Rio Grande Probabilistic Monitoring Survey

By Elizabeth Stuffings, Monitoring, Assessment, and Standards Section

The EPA requires states to incorporate probabilistic sampling designs into their water quality monitoring programs to generate statistically-based conclusions regarding water quality concerns. Accordingly, the SWQB's Monitoring, Assessment, and Standards Section (MASS) incorporated a probabilistic monitoring component into its 2019-2021 watershed surveys. A summary of the 2019-2021 probabilistic monitoring effort can be found in the 2024-2016 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report. After taking a pause to consider the pressing water quality concerns a probabilistic sampling program could help address, MASS kicked off the 2025-2026 Rio Grande Probabilistic Monitoring survey this spring.

To protect water quality from nutrient pollution, the state utilizes a nutrient water quality standard that is expressed in narrative form with an explicit reference to nutrients and their effects (i.e., narrative nutrient criteria):

> *Plant nutrients from other than natural causes shall not be present in concentrations which will produce undesirable aquatic life or result in a dominance of nuisance species in surface waters of the state.*

While methods for monitoring and assessing nutrients in wadeable perennial streams are well established, methods for large rivers are less advanced. In New Mexico, SWQB has defined "Large Rivers" as systems that cannot be monitored effectively with methods developed for wadeable streams and generally have drainage areas greater than 2,300 square miles. The Rio Grande in New Mexico falls under the large river definition. The activities planned in the 2025-2026 Rio Grande Probabilistic Monitoring survey are focused on providing data for the development and refinement of nutrient monitoring and assessment methods for the Rio Grande.

To facilitate the development of numeric translations of New Mexico's narrative water quality criteria for nutrients, MASS will utilize its probabilistic monitoring program to collect nutrient stressor and response variables at 50 randomly selected sites on the Rio Grande within New Mexico. The sampling frame was developed using the National Hydrology Dataset Plus and includes over 470 miles of Rio Grande waters within the state. The EPA National Health and Environmental Effects Research Laboratory in Corvallis, Oregon conducted random site generation for New Mexico. Three hundred sites from the sampling frame were randomly selected for the survey with the first 50 sites serving as the sample population and the remaining 250 sites as alternates. Sites that did not meet the sampling frame parameters (i.e., reservoirs) or were inaccessible (unsafe or landowner access denied) were excluded through office and field reconnaissance. Excluded sites are replaced by alternate sites in successive order.

SWQB staff collecting periphyton samples along the Rio Grande. (Photo credit: Daniel Guevara)

At each sampling site, SWQB staff collect nutrient stressor variables which include total nitrogen, total phosphorus, total organic carbon, dissolved organic carbon, total suspended solids, and orthophosphate water chemistry samples. Staff also collect nutrient response variables, including chlorophyll-a and diatoms. Both of these response variable samples are processed from a composite periphyton sample. Staff set up an approximately 1 – 3-kilometer-long sampling reach (total reach length dependent upon the wetted width of the river) and collect periphyton at 11 transects within the reach. Cholorphyll-a is filtered from the composite periphyton sample while a diatom sub-sample is poured off from it. MASS will also deploy dissolved oxygen loggers for at least 72 hours at select sampling sites within the survey.

Upon completion of the 2026 field sampling season, SWQB will engage with the EPA's Nutrient Scientific Technical Exchange Partnership & Support (N-STEPS) program to perform exploratory analysis of stressor and response variable data. This work will examine the linkages between nutrients and chlorophyll-a, dissolved oxygen dynamics and chlorophyll-a, and nutrients and diatom metrics. The river has three distinct regions, the Upper, Middle, and Lower Rio Grande, all of which are represented in the sampling plan. It is expected that a unique nutrient monitoring and assessment method will be developed for each region. The outcomes of this effort are expected to be incorporated into the 2027 Comprehensive Assessment and Listing Methodology.

Despite a significant low water year, the 2025 sampling season is off to a strong start. As of July, SWQB staff have completed work at 14 sampling locations in the Upper Rio Grande. Staff will continue to conduct monitoring activities at sites within the Upper and Middle Rio Grande through September. The 2026 field season will focus on the Lower Rio Grande, from approximately Socorro, NM to El Paso, TX.

For more information regarding the 2025-2026 Rio Grande Probabilistic Survey, please contact Elizabeth Stuffings at Elizabeth.stuffings@env.nm.gov or 505-819-9926.

SWQB staff utilize pack animals to access remote stretches of the Rio Grande. (Photo credit: Elizabeth Stuffings)

SWQB Announces 2026 Triennial Review

By Nate Reynolds, Monitoring, Assessment, and Standards Section

It is the objective of the federal CWA to restore and maintain the chemical, physical, and biological integrity of the nation's waters, including those in New Mexico. To uphold the objective of the CWA, the State of New Mexico is required by statute to adopt water quality standards that protect public health or welfare and enhance the quality of water and are consistent with and serve the purposes of the New Mexico Water Quality Act (WQA) and the federal CWA. New Mexico's surface water quality standards are codified under 20.6.4 NMAC.

In accordance with Section 303(c)(1) of the CWA and 20.6.4.10 NMAC, States are required to hold public hearings at least once every three years to review, amend, and adopt water quality standards, as applicable. This is referred to as a "Triennial Review." Pursuant to Section 74-6-4(F) of the WQA, the Water Quality Control Commission (WQCC) delegated NMED the responsibility for organizing and proposing amendments to the State's surface water quality standards.

The last Triennial Review of the State's surface water quality standards was approved by the EPA in January 2023. Therefore, NMED is initiating the current Triennial Review process by providing NMED's proposed amendments to the public for comment. NMED intends to consider comments and petition the WQCC by the end of 2025 for a hearing summer of 2026 Hearing.

The 60-day public comment period for the proposed amendments began on August 15, 2025 and closes October 14, 2025 at 5:00 p.m.

How to participate

There is still time to comment! Comments will be accepted via mail, email, and NMED's smart comment portal at https://nmed.commentinput.com/comment/search. The public review draft and all other related information may be found on NMED's website through the Smart Comment Portal or at https://www.env.nm.gov/surface-water-quality/wqs/. The public review draft contains proposed amendments to the regulatory language along with rationale for each amendment.

For more information and to submit comments contact Michael Baca, Water Quality Standards Coordinator, NMED SWQB, P.O. Box 5469, Santa Fe, NM, 87502, (505) 470-1652 or michael.baca1@env.nm.gov. To stay up to date with the latest news from NMED, please sign up for our listserv at https://public.govdelivery.com/accounts/NMED/subscriber/new?topic_id=NMED_4.

Persons having a disability or requiring assistance or auxiliary aid to participate in this public process should contact the NMED Human Resources Bureau at least 10 days before any scheduled meeting, by mail at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-487-0348.

SWQB Monitoring Team

By Miguel Montoya, Monitoring, Assessment, and Standards Section

The SWQB Monitoring Team has completed the verification and validation of the 2023-2024 Water Quality Monitoring Surveys that include the Sacramento Mountains and the Rio Chama Watersheds. The final reports for each survey are available on the SWQB's webpage at https://www.env.nm.gov/surface-water-quality/water-quality-monitoring/ and data may be downloaded from EPA's Water Quality Portal (https://www.waterqualitydata.us/). The Monitoring Team is currently collecting chemical, physical, biological, habitat, and bacteriological data for two years in the Middle Rio Grande River including the Canadian River and Dry Cimmaron River Watersheds, and the Santa Fe River Watersheds. The Team is also sampling priority lakes in both survey areas, that includes lakes such as Lake Maloya, Conchas Lake, Ute Reservoir, Springer Lake, Eagle Nest Lake, Elephant Butte, Caballo Lake, and many others. Field Sampling Plans (FSPs) for all surveys may be accessed at the SWQB's Water Quality Monitoring webpage. The FSP for each survey details the monitoring locations, planned sampling, and sampling frequency for each survey. The SWQB would also like to announce the completion of the renovation of our Sample Management Facility (SMF) at the Harold Runnels Building in Santa Fe, NM. The SMF is used by the NMED Water Protection Division, including the SWQB, Ground Water Quality Bureau, and the Drinking Water Bureau for sampling operations.

NMED State Permitting Program Development Update

By Trent Botkin and Beatriz Salazar-Archuleta, Point Source Regulation Section

The Mimbres River flows through the River Ranch Wildlife Management Area. This river is located within the closed (intrastate) Mimbres Basin and is not under the protection of the EPA CWA. (Photo credit: Trent Botkin)

The NMED is actively taking steps to protect the State's surface waters, which hold cultural, ecological, and economic significance. Currently, New Mexico relies on the EPA and the permitting requirements under the federal CWA to protect its surface waters.

There have been significant reductions in federal protection coverage over the past several decades, in particular protections for intermittent (seasonal flow) and ephemeral (flow only during storms) waters, and wetlands that are next to but do not touch jurisdictional waters. This has resulted in major gaps in surface water protection, leaving the majority of New Mexico's surface waters unprotected by the CWA.

To better protect our water quality, NMED is pursuing delegation of the federal permitting program from the EPA under the authority of the New Mexico Pollutant Discharge Elimination System (NMPDES) Act. The New Mexico delegated program will be known as the NMPDES Program and will regulate point source discharges into waters of the United States (WOTUS). The NMED SWQB is also developing the State Permitting Program under the authority of the New Mexico Water Quality Act to regulate both point source and dredge and fill discharges into surface waters of the State (SWOTS). SWQB is in the process of developing a publicly accessible mapping application to help explain whether waters are under federal (WOTUS) or state (SWOTS) jurisdiction.

SWQB organized a Surface Water Advisory Panel (SWAP), a diverse group of stakeholders that may be affected by the new permitting program. The SWAP was convened in the Fall of 2024 and over the course of several meetings provided feedback, comments, and concerns to the SWQB regarding potential legislation and rules pertaining to a state-led permitting program.

Key discussion areas were regulatory scope and program clarity, public engagement and communication, program funding, and sector-specific operational considerations. A summary of the SWAP meeting and key points made can be found in the SWAP Executive Summary, available on the SWQB SWAP Webpage.

NMED has prepared the draft surface water permitting rules for the NMPDES Program and State Permitting Program, which includes permits for discharges of dredged and fill material. The NMPDES regulations are included in 20.6.5 NMAC and serve as the foundation for NMED's application to EPA for NPDES delegation to allow the state to regulate discharges into WOTUS. Meanwhile, the State Permitting Program regulations are amendments to 20.6.2 NMAC and are the framework for the state-led permitting program for discharges into SWOTS. The U.S. Army Corps of Engineers (USACE) will continue to regulate discharges of dredged and fill materials into WOTUS under the authority of the CWA.

NMED has received feedback and comments on the draft rules from the SWAP and tribal representatives. NMED has initiated tribal consultation and coordination with New Mexico's Tribes, Pueblos, and Nations. Although the NMPDES and State programs will not apply to tribal waters, the regulated discharges may impact downstream tribal water quality.

SWQB published the draft rules for public comment in August 2025 and intends to petition the Water Quality Control Commission (WQCC) in December 2025 for a rulemaking hearing, anticipated in Spring 2026. Additional information regarding the NMPDES and State Permitting programs can be found on the SWQB SPP webpage. To be added to the State Permitting Program listserv, please email swq.pp@env.nm.gov.

Protecting New Mexico's Rivers and Streams: Understanding New Mexico's Antidegradation Policy

By Jason Martinez, Point Source Regulation Section

When we think about clean water in New Mexico we picture rivers and streams like the Rio Grande or the Pecos River. These waters not only provide habitat for fish and wildlife, but they also support agriculture, outdoor recreation, and other uses. To help protect this valuable resource, the NMED implements an Antidegradation Policy to ensure surface water quality is protected and maintained, and not unnecessarily degraded.

What is Antidegradation?

Antidegradation is part of the federal CWA and the New Mexico Water Quality Act. It requires that a waterbody's existing water quality be maintained and protected and can only be lowered when determined to be necessary to accommodate important social or economic development in the area where the waterbody is located. During an antidegradation review, NMED focuses on evaluating how the waterbody will be affected by a proposed discharge, such as evaluating the capacity of the water to incorporate pollution, a.k.a. "assimilative capacity" (is there dilution?) and the difference, or gap, between the in-stream water quality and the water quality standard (is in-stream water quality impaired or just meeting the standard, or is it a "high-quality" water?).

New Mexico's antidegradation policy is built around three (3) tiers of water protection:

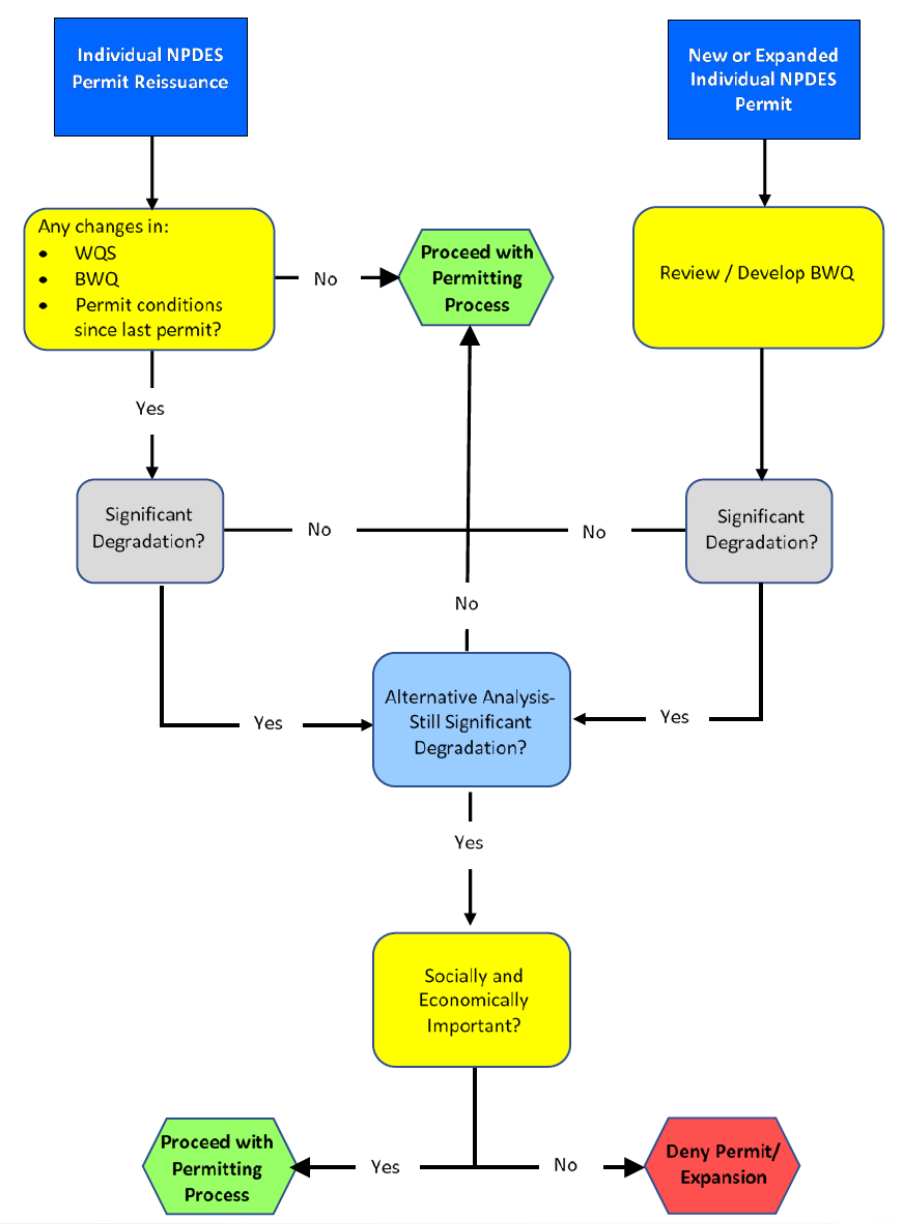
- Tier 1: Protects all waters to ensure they can support their current use. No further degradation is allowed if water quality is already below standards.
- Tier 2: Applies to high-quality waters that have water quality that is better than standards. These waters have some capacity to incorporate pollutants without significant degradation.
- Tier 3: Reserved for Outstanding National Resource Waters (ONRWs). No degradation is allowed unless it is short-term and essential for public health or environmental restoration.

How Does the Policy Work?

Before a permit is issued for a new or expanded discharge at a wastewater treatment plant or industrial facility, NMED reviews the proposal through a process called an antidegradation analysis and review.

NMED's review involves:

1. **Determining the protection tier** for the waterbody.
2. **Evaluating baseline (ambient, or in-stream) water quality** of the waterbody using existing data or new monitoring data.
3. **Evaluating effluent water quality** using existing or modelled effluent data of the proposed discharge.
4. **Analyzing if the proposed discharge will degrade water quality**, and whether that degradation is minimal or significant. A significant degradation is more than 10% of the stream's assimilative capacity.
5. If degradation is **significant**, the applicant must:
    - Evaluate and propose **less degrading alternatives**.
    - Demonstrate the project is **necessary for important social or economic development** in the area.



Antidegradation Review Flowchart for Individual National Pollutant Discharge Elimination System Permits

NPDES – National Pollutant Discharge Elimination System

WQS – Water Quality Standard,

BWQ – Baseline Water Quality

A list of recent antidegradation analyses can be found on the NMED website at: https://www.env.nm.gov/surface-water-quality/point-source-regulation-section/.

Why It Matters

Water is one of New Mexico's most precious resources, especially in the face of drought and climate variability. The Antidegradation Policy helps provide a balance between socio-economic needs and long-term environmental protection. Whether you are a water/wastewater utility, farmer or rancher, outdoor enthusiast, or member of the public, this policy helps ensure our rivers and streams remain clean, healthy, and available for generations to come.

For further information about the antidegradation process, contact the SWQB Point Source Regulation Section at psrs.program.manager@env.nm.gov.

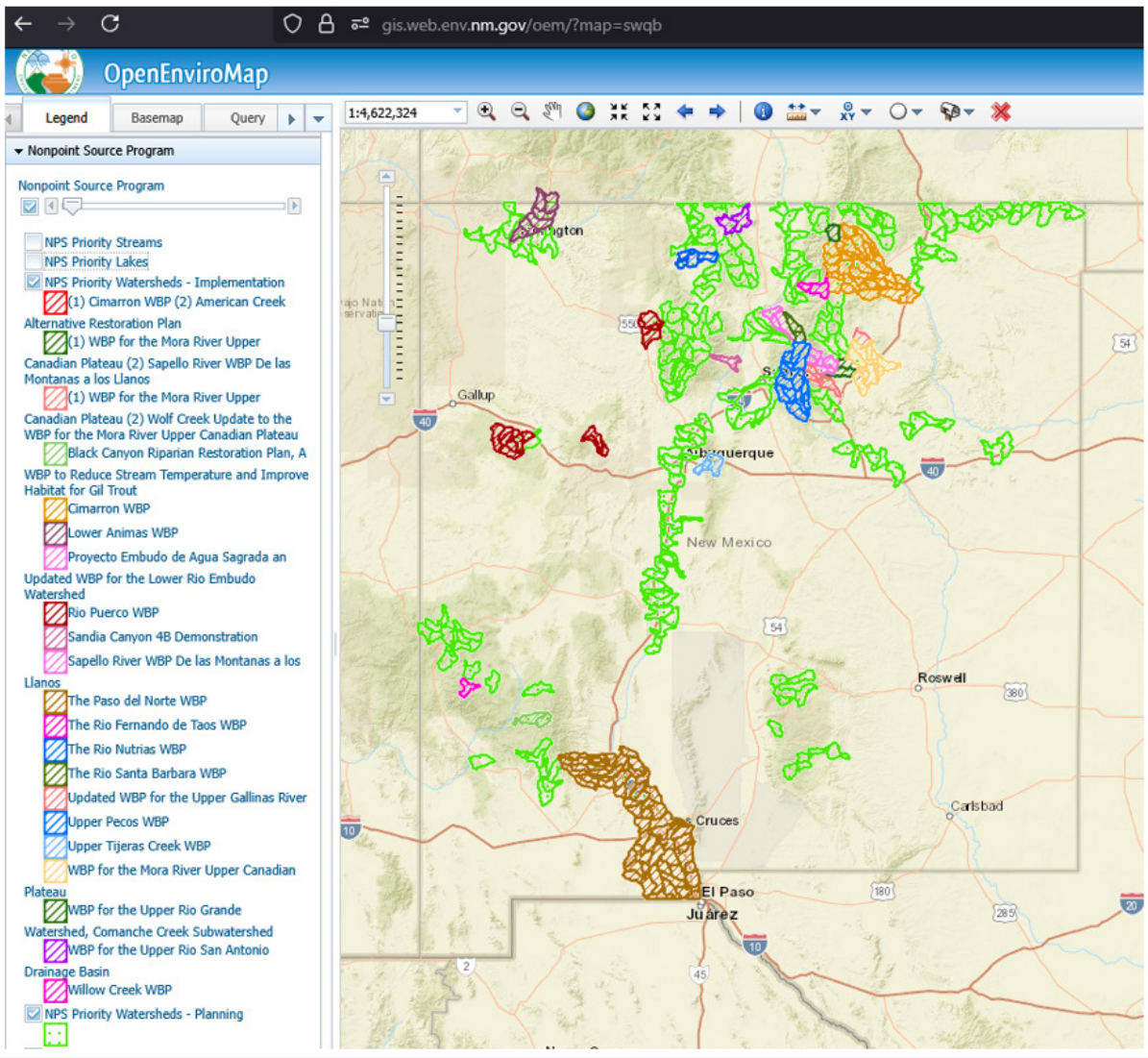
Request for Proposals

CWA 319 Watershed-Based Plan Development

This Fall, the SWQB will be announcing a Request for Proposals (RFP) seeking entities interested in development of new watershed-based plans or revision of existing watershed-based plans (WBP) that improve surface water quality in streams that are listed as impaired under CWA Section 303(d) and have a Total Maximum Daily Load (TMDL) for one or more pollutants for watersheds in New Mexico. The RFP is anticipated to be released in October 2025 and approximately $500,000 in CWA Section 319 funds will be available. To receive an email announcing the opening of the RFP, please be sure to sign-up for SWQB announcements at https://www.env.nm.gov/surface-water-quality/.

The SWQB's online mapper (https://gis.web.env.nm.gov/oem/?map=swqb) can be used to help identify watersheds that are eligible for WBP development by turning on the "NPS priority Watersheds – Planning" layer see screen grab below.

Under SWQB's general framework for identifying, protecting, and restoring New Mexico's surface waters, watersheds that are ready for WBP development are those watersheds that include an impaired waterbody for which a TMDL has been approved. An impaired waterbodies does not meet surface water quality standards needed to attain a designated use such as aquatic life use, wildlife habitat, primary and secondary contact, domestic water supply, irrigation, livestock watering, etc. A TMDL sets pollution limits for point sources and nonpoint sources of pollution, and a TMDL estimates pollutant reduction goals that are needed to meet water quality standards. A WBP identifies management measures that can be implemented to reduce nonpoint source pollution and reach the TMDL's pollutant reduction goals. More information about WBPs is available here; https://www.env.nm.gov/surface-water-quality/wbp/. Management measures identified in WBP's are eligible for additional on-the-ground funding which will be announced in a separate, future RFP.



Screen grab of SWQB's online mapper with HUC12 watersheds that are eligible for WBP development shown in bright green.

The multi-colored HUC12 watersheds are those watersheds that already have a WBP. Of the 248 HUC12 watersheds that have a water quality impairment and TMDL (bright green watersheds), 62 HUC12's have an existing WBP.

Eligible entities include businesses, nonprofit organizations, local public bodies, pueblos, and tribes. The funding opportunity and more information can be found on our website: https://www.env.nm.gov/surface-water-quality/funding-opportunities/.

New Mexico Nonpoint Source Cooperators Workshop
November 18, 2025

The SWQB Watershed Protection Section hosts an annual workshop in the Fall for cooperators and collaborators who are a part of New Mexico's Nonpoint Source Management Program. This workshop is open to all entities, organizations, public, and agencies who are interested in helping improve surface water quality by addressing sources of nonpoint source pollution in New Mexico. Topics vary between administrative and program updates to technical topics to help cooperators and collaborators with projects to improve surface water quality. This year's workshop will be virtual and held on **November 18, 2025 from 9 am to 12:30 pm** and include program updates, technical spotlights for nonpoint source issues, and an overview of state and federal agency priorities for riparian, river, wetland, and surface water quality restoration in New Mexico.

Keep an eye out for our GovDelivery announcement on our email listserv and please join us!

Point Source Regulation Section General Email Boxes

The Point Source Regulation Section has created the following general email boxes to assist the public, stakeholders, and regulated community in communications with the Section.

Email Box	Subjects
PSRS.Program.Manager@env.nm.gov	Permit applications, Notice of Intent(s), public comments
SWQ.Reporting@env.nm.gov	All notifications and reports, including Discharge Monitoring Report (DMR), Sanitary Sewer Overflow (SSO) notifications and reports; Spill reporting; Submittal Corrective Action Plans, Exceedance Notifications; WET Testin notifications; Compliance Reports
SWQ.Tier.Determination@env.nm.gov	Requests for Tier Determinations for CGP and MSGP notice of intents
SWQ.PP@env.nm.gov	Inquiries and information requests related to the Surface Water Quality State Permitting Program
SWQ.Pretreatment@env.nm.gov	Questions, submittals and reports related to pretreatment programs
SWQ.DMR-QA@env.nm.gov	Questions, submittals and reports related to Discharge Monitoring Report Quality Assurance studies

Wetlands Rountable - Save the Date!

The New Mexico Fall Southern Wetlands Roundtable will be conducted on **Thursday, November 20, 2025, from 9 am to 4:30 pm** via WEBEX and the New Mexico Fall Northern Wetlands Roundtable will be conducted on **Wednesday, December 10, 2025, from 9 am to 4:30 pm** via WEBEX, to better reach all potential attendees and communities in New Mexico and beyond. Virtual Roundtables allow us to reach more participants that would have a long way to travel to an in-person meeting.

We are working on the Agendas and are looking for presenters for each meeting, so if you would like to present, or hav any questions, please contact Maryann McGraw; maryann.mcgraw@env.nm.gov. We would love to have presentations by watershed groups for at least part of the Roundtable, so if you have a great project or watershed plan that you would like to present, please send us an email! Of course, almost any topic relevant to wetlands and water resources is welcome. Please do not hesitate to offer to present at the upcoming Wetlands Roundtables. If you have any questions, please email (maryann.mcgraw@env.nm.gov). There is no cost to attend.

October 17th

USDA Announces Application Deadlines for Conservation Program Funding in New Mexico.

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) is announcing application deadlines for conservation program funding in New Mexico. The deadline for the Environmental Quality Incentives Program (EQIP), EQIP Conservation Incentive Contracts (CIC), Conservation Stewardship Program (CSP), and the Agricultural Conservation Easement Program (ACEP) is October 17, 2025. All other conservation programs offered through NRCS New Mexico will be announced later.

Programs with an October 17, 2025, Application Deadline

- Environmental Quality Incentives Program (EQIP)
- EQIP Conservation Incentive Contracts (CIC)
- Conservation Stewardship Program (CSP)
- Agricultural Conservation Easement Program (ACEP)

Although applications are accepted on a year-round basis, only applications received by these deadlines will be considered for funding for fiscal year 2026 for projects where the majority of the land is located in New Mexico.

More information can be found here.

October 21st - 23rd

New Mexico Water Resources Research Institute
70th Annual New Mexico Water Conference:
Research with Impact
Location: Las Cruces

This year's conference will be held at the New Mexico Farm & Ranch Heritage Museum, with a virtual option also available. Join us Tuesday, October 21st, for an optional pre-conference field trip, a water research funding workshop, and a welcome reception. October 22nd and 23rd will feature presentations from water researchers, managers, engineers, and community members sharing current information on water needs and challenges facing New Mexico, and lessons learned. For more information; https://web.cvent.com/event/f34718ba-e1cd-4460-8a6d-9cbaebf277a6/summary.

October 25th

Albuquerque Wildlife Federation's (AWF) Service Project
Location: Cedro Creek near Tijeras

More information can be found on their website: https://www.abqwildlifefederation.org/.

November 13th - 15th

Society for Ecological Restoration
Southwest Chapter 2025 Conference
Location: Las Cruces

More information can be found on their website: https://event.fourwaves.com/sersouthwestconference/pages.

November 15th and 16th

Restoration Planning and Design Workshop
with AWF at Ghost Ranch
Location: Ghost Ranch

AWF is planning to hold our first-ever workshop to help teach land owners, land managers, agency personnel, restoration-focused ecologists/biologists/hydrologists, and early career land restoration professionals how to create a restoration plan. We will focus on learning to "read the landscape," identify restoration needs, and determine where to build structures (as well as which structures to select) to address those needs. The workshop will be at an intermediate level, so participants should have a basic working knowledge of different types of restoration structures (Zuni bowls, one-rock dams, media lunas, etc.) and how to build them.

Details about cost and lodging options coming soon. Email abqwildlifefederation@gmail.com if you would like to receive more information about this event, and please share with others who may be interested.

NOW AVAILABLE FOR STREAMING AT
www.ThinkingLikeWater.com!

Thinking Like Water: A Five-Part Documentary Film Series
Part biography, part how-to, New Mexico's own "Water Wizard" Bill Zeedyk (and his proteges and allies) illustrate a proven toolbox of simple, low-tech, low-cost methods to restore degraded lands. They work with nature, rather than against her, to mitigate the extremes of drought and flood while fostering climate resiliency.