



Office of the Governor

MICHELLE LUJAN GRISHAM

FOR IMMEDIATE RELEASE

Contact:

Office of the Governor

Jodi McGinnis Porter, Jodi.McGinnisPorter@exec.nm.us

New Mexico Environment Department

Drew Goretzka, drew.goretzka@env.nm.gov

April 8, 2025

Governor signs Strategic Water Supply and environmental protection bills

State acts to protect all surface waterbodies, a targeted response to the 2023 U.S. Supreme Court ruling that narrowed federal pollution protections

SANTA FE — Gov. Michelle Lujan Grisham today signed legislation that advances New Mexico's 50-Year Water Action Plan through conservation of freshwater resources, enhanced water quality protections, and protecting residents from harmful PFAS chemicals.

“Today marks a turning point for New Mexico's water future,” said **Lujan Grisham**.

“The Strategic Water Supply program unlocks economic opportunities by providing brackish water for manufacturing and clean energy development, while preserving our freshwater for other vital uses.”

[House Bill 137](#), sponsored by Rep. Susan K. Herrera, Sen. George K. Muñoz, Sen. Craig W. Brandt, Rep. Raymundo Lara, and Rep. Rod Montoya, establishes the Strategic Water Supply program to conserve New Mexico's limited freshwater resources by promoting the treatment and use of brackish water — naturally occurring underground salty water. Using a largely untapped water supply for manufacturing and clean energy development supports economic growth while preserving freshwater supplies for other uses.

“House Bill 137 represents a new day for New Mexico's water future, securing critical funding for local brackish water projects and unprecedented resources for aquifer mapping,” said **Rep. Susan K. Herrera**. “This legislation was a heavy lift that required much communication, debate, and collaboration. It marks a transformative step forward in how our state manages and conserves our most precious resource.”

[Senate Bill 21](#), sponsored by Sen. Peter Wirth, majority floor leader, Sen. Roberto

“Bobby” J. Gonzales, and Rep. Kristina Ortez, modernizes the Water Quality Act to enhance protection of New Mexico's water resources, a key component of the governor's 50-Year Water Action Plan. The legislation expands regulatory authority to protect surface waters no longer covered by federal law due to the U.S. Supreme Court's 2023 decision in *Sackett v. EPA*. It also gives New Mexico authority to seek U.S. Environmental Protection Agency approval to become the 48th state to gain authorization from U.S. EPA for surface water permitting. Finally, SB 21 addresses polluted groundwater that falls outside federal Superfund program jurisdiction.

"Senate Bill 21 finally gives New Mexicans control over the quality of our surface water, restoring critical protections for 90-95% of our waterways that were left vulnerable by the Supreme Court's Sackett decision," said **Sen. Peter Wirth, Majority Floor Leader**. "This legislation represents a monumental achievement that ensures our intermittent streams and wetlands will be protected for generations to come, rather than leaving those decisions to EPA administrators in Dallas."

"I am deeply grateful to see this bill signed into law today, so that no matter what happens at the federal level, New Mexico can help protect our precious water supply for many generations to come," said House sponsor **Rep. Kristina Ortez**. "This critical legislation ensures decisions on New Mexico's water future will be made here, by those who know these waters best."

"New Mexico is once again leading the way—today in protecting our precious water resources. I am deeply grateful to Governor Lujan Grisham and the Legislature for their leadership in protecting New Mexico's waters with the passing of Senate Bill 21—which will protect our water quality for generations to come," said **Rep. Melanie Stansbury**. "These protections are vital in the wake of the Federal Administration and Supreme Courts' undermining of national water quality protections. Because as we know, water is life, and I am deeply grateful to our state leaders for protecting our life-giving waters."

These bills mark milestones in the implementation of Gov. Lujan Grisham's [50-Year Water Action Plan](#) that aims to ensure the long-term sustainability of New Mexico's freshwater resources.

The governor today also signed two bills aimed at tackling toxic PFAS contamination in New Mexico, protecting New Mexicans from human health issues like thyroid disease, cancer, liver damage, birth defects, and increased risk of miscarriage.

[House Bill 212](#), sponsored by Sen. Jeff Steinborn and Reps. Joanne J. Ferrary, Debra M. Sariñana, Majority Whip Dayan Hochman-Vigil, and Kathleen Cates, protects New Mexicans from harmful PFAS chemicals by phasing out and prohibiting consumer products containing intentionally added PFAS. The bill allows for the education of consumers through the labeling of products containing intentionally added PFAS. In 2027, the bill prohibits PFAS in items like cookware food packaging and juvenile products, with additional products including cosmetics, furniture, and carpets prohibited in 2028. By 2032, all non-exempt products with intentionally added PFAS

will be banned for sale in New Mexico.

The legislation exempts critical applications in medical, electronic, and manufacturing sectors while requiring inventories of PFAS-laden firefighting foams and restricting their use to emergencies. This approach safeguards public health from chemicals linked to serious diseases, prevents expensive water remediation costs, and protects New Mexico's water and land resources. New Mexican children will especially benefit from this legislation, protecting them from PFAS exposure that often starts at a young age through juvenile products and other PFAS-laden products like cookware, cleaning supplies, and home furnishings.

"Addressing PFAS is one of the most important environmental issues of our time. It required tremendous collaboration to help everyone understand the necessity and impact of this legislation," said **Rep. Dayan Hochman-Vigil, Majority Whip**. "I am grateful to Secretary Kenney for his close work with bill sponsors and House Leadership and his tenacity throughout the legislative process. Together, we've created legislation that will protect New Mexicans from these dangerous chemicals for generations to come."

"These PFAS bills represent an important step forward in protecting New Mexico from profound contamination issues, banning these dangerous chemicals and establishing regulations that create parity with federal agencies," **Sen. Jeff Steinborn**. "This proactive, visionary legislation will make our state safer, protect our environment and wildlife, and demonstrates our commitment to stopping pollution before it happens rather than dealing with its aftermath."

[House Bill 140](#), sponsored by Sen. Jeff Steinborn and Rep. Christine Chandler, designates discarded firefighting foams containing PFAS chemicals as hazardous waste, enabling state-level regulation even when these substances aren't federally listed. The legislation shifts cleanup costs from taxpayers to polluters, protects communities by preventing contamination of land and water, and establishes legal clarity for regulating these toxic substances. This designation will particularly protect our military communities, including those near Cannon Air Force Base in Clovis and Holloman Air Force Base in Alamogordo.

"Our PFAS legislation protects public health and shifts cleanup costs from taxpayers to polluters, preventing expensive remediation in the future while exempting critical industrial applications," said **Lujan Grisham**. "These bills ensure clean water for generations while strategically positioning New Mexico for sustainable economic growth in key industries across our state."

"It's time for states break the cycle of PFAS moving through our economy and our environment," said **Environment Secretary James Kenney**. "Our comprehensive laws establish consumer protections while addressing firefighting foams polluting our military communities."

###