

**MINUTES  
of the  
FIRST MEETING  
of the  
WATER AND NATURAL RESOURCES COMMITTEE**

**June 13, 2023  
State Capitol, Senate Chamber  
Santa Fe**

The first meeting of the Water and Natural Resources Committee was called to order by Senator Elizabeth "Liz" Stefanics, chair, on June 13, 2023 at 9:37 a.m. in the Senate Chamber of the State Capitol in Santa Fe.

**Present**

Sen. Elizabeth "Liz" Stefanics, Chair  
Rep. Matthew McQueen, Vice Chair  
Rep. Gail Armstrong  
Rep. Kathleen Cates  
Rep. Joanne J. Ferrary  
Rep. Miguel P. García  
Rep. Susan K. Herrera  
Sen. Stuart Ingle  
Rep. T. Ryan Lane  
Rep. Tara L. Lujan  
Rep. Marian Matthews  
Rep. Kristina Ortez  
Rep. Andrea Romero  
Rep. Debra M. Sariñana  
Sen. Benny Shendo, Jr.  
Sen. Jeff Steinborn  
Sen. Pat Woods  
Rep. Martin R. Zamora

**Advisory Members**

Sen. Crystal R. Diamond  
Rep. Jenifer Jones  
Sen. Linda M. Lopez  
Rep. Rod Montoya  
Rep. Greg Nibert  
Rep. Patricia Roybal Caballero  
Sen. Antoinette Sedillo Lopez  
Rep. Nathan P. Small  
Sen. Mimi Stewart

**Absent**

Sen. Pete Campos  
Sen. Joseph Cervantes  
Sen. Cliff R. Pirtle  
Rep. Larry R. Scott

Rep. Christine Chandler  
Rep. Jack Chatfield  
Rep. Candy Spence Ezzell  
Sen. Gerald Ortiz y Pino  
Sen. Shannon D. Pinto  
Rep. William "Bill" R. Rehm  
Rep. G. Andrés Romero  
Sen. Peter Wirth

## **Staff**

Sara Wiedmaier, Researcher, Legislative Council Service (LCS)

Sheila Keleher, Researcher, LCS

Tom Kricka, Staff Attorney, LCS

## **Guests**

The guest list is in the meeting file.

## **Handouts**

Copies of all handouts and written testimony are in the meeting file and posted on the legislature's website.

## **References to Webcast**

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at [www.nmlegis.gov](http://www.nmlegis.gov), under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

## **Tuesday, June 13**

### **Call to Order and Introductions (9:37 a.m.)**

Senator Stefanics called the first meeting to order and asked members and staff to introduce themselves.

### **Discussion of the 2023 Work Plan and Meeting Schedule (9:43 a.m.)**

Ms. Wiedmaier and members of the committee discussed the 2023 work plan and meeting schedule.

### **Approval of the 2023 Work Plan (10:02 a.m.)**

Representative Zamora moved for approval of the 2023 work plan, seconded by Representative Lujan.

### **Approval of the 2023 Meeting Schedule (10:10 a.m.)**

Representative Zamora moved for approval of the 2023 meeting schedule, seconded by Representative Herrera.

### **Overview of *Sackett v. Environmental Protection Agency*: Implications for Waters and Wetlands in New Mexico (10:12 a.m.)**

John Rhoderick, director, Water Protection Division, Department of Environment (NMED), discussed the recent United States Supreme Court decision *Sackett v. Environmental Protection Agency* and the implications for the management of surface water in the state, which could include the exclusion of ephemeral and non-perennial surface waters from surface water protections under the federal National Pollutant Discharge Elimination System program. Subsequently, Mr. Rhoderick discussed the need for and benefits of a state surface water quality

permitting program and the NMED's current plans to implement a state program. The presentation can be found here:

<https://www.nmlegis.gov/handouts/WNRC%20061323%20Item%202%20NMED%20WOTUS%20and%20NM.pdf>.

**Post-Session Report: Natural Resources (11:22 a.m.)**

Charles Sallee, interim director, Legislative Finance Committee (LFC), and Brendon Gray, economist, LFC, provided the committee with a post-session fiscal report, a natural resources post-session review, a state financial outlook and a report on 2023 tax changes and legislation affecting revenues. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=6/13/2023&ItemNumber=3>.

**Public Comment**

There was no public comment.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 12:19 p.m.