

DRAFT — NEW MEXICO LEGISLATIVE RESOLUTION

SUPPORTING FEDERAL, STATE AND TRIBAL ACTION AND FUNDING TO PROTECT THE ESPAÑOLA BASIN SOLE SOURCE AQUIFER

WHEREAS, the Española Basin Sole Source Aquifer remains federally designated by the United States Environmental Protection Agency pursuant to Section 1424(e) of the Safe Drinking Water Act, 42 U.S.C. §300h-3; and

WHEREAS, the aquifer provides drinking water to more than sixty-five thousand residents of northern New Mexico, including Pueblo communities, the City of Española, rural mutual domestic water systems, portions of Los Alamos County and surrounding communities; and

WHEREAS, the federal Sole Source Aquifer designation recognizes the critical importance of this groundwater resource and the lack of a reasonably available alternative drinking-water source for the region; and

WHEREAS, on November 18, 2025, the New Mexico Environment Department ordered cessation of injection operations under Discharge Permit DP-1835 following monitoring and technical findings concerning hexavalent chromium contamination and migration within the regional aquifer beneath Pueblo de San Ildefonso; and

WHEREAS, the chromium plume is associated with legacy contamination and remediation activities at Los Alamos National Laboratory, requiring continued federal cleanup responsibility, groundwater monitoring and accountability; and

WHEREAS, protection of the Española Basin Sole Source Aquifer requires more than remediation of the existing chromium plume and must include regional early-warning monitoring, sentinel wells, independent sampling, updated hydrogeologic modeling, drinking-water infrastructure resilience, public access to monitoring data and adequate emergency water-supply planning; and

WHEREAS, these needs involve distinct but complementary federal and state funding authorities, including Department of Energy Environmental Management cleanup funding, Environmental Protection Agency drinking-water and groundwater programs, Drinking Water State Revolving Fund resources, tribal water infrastructure programs and other federal and state infrastructure resources; and

WHEREAS, a Fiscal Year 2027 programmatic appropriations request has been submitted through the office of United States Representative Teresa Leger Fernández seeking restoration of federal funding for Sole Source Aquifer mitigation and protection activities, including resources for tribal governments and communities dependent upon federally designated sole source aquifers; and

WHEREAS, additional federal support is being sought for monitoring, drinking-water infrastructure and protection of the Española Basin Sole Source Aquifer, while the Department of Energy remains

responsible for adequately funding corrective action and cleanup associated with Los Alamos National Laboratory contamination; and

WHEREAS, the Española Basin Sole Source Aquifer designation remains in effect, and the present challenge is to secure the financial, technical and infrastructure resources necessary to protect the drinking water resource that the federal designation recognizes as irreplaceable;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the Legislature supports coordinated federal, state, tribal and local action to protect the Española Basin Sole Source Aquifer and the communities dependent upon it; and

BE IT FURTHER RESOLVED that the Legislature support Fiscal Year 2027 federal appropriations efforts to restore funding for Environmental Protection Agency Sole Source Aquifer mitigation, technical assistance and protection activities under Section 1424(e) of the Safe Drinking Water Act; and

BE IT FURTHER RESOLVED that the Legislature support federal and state funding for a regional Española Basin groundwater monitoring and early-warning network, including sentinel monitoring wells, Pueblo and community monitoring capacity, independent sampling, hydrogeologic modeling, public data access and drinking-water infrastructure resilience; and

BE IT FURTHER RESOLVED that the Legislature urge the United States Department of Energy to provide sufficient funding and resources for containment, corrective action, monitoring and cleanup of the hexavalent chromium plume associated with Los Alamos National Laboratory and to prevent further migration of contamination within the regional aquifer; and

BE IT FURTHER RESOLVED that affected Pueblo governments be full partners in the development, implementation and governance of monitoring, infrastructure and cleanup measures affecting their lands and water resources; and

BE IT FURTHER RESOLVED that the Legislature support coordination among the New Mexico Environment Department, Environmental Protection Agency, Department of Energy, affected Pueblo governments, municipalities, counties, mutual domestic water associations and community stakeholders to identify and pursue all available funding sources for monitoring, infrastructure, mitigation and cleanup; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Governor of New Mexico; the New Mexico Environment Department; the New Mexico congressional delegation; the Administrator of the United States Environmental Protection Agency; the EPA Region 6 Administrator; the United States Secretary of Energy; the Department of Energy Office of Environmental Management; and the governors of the affected Pueblo nations.