

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR  
SENATE RULES COMMITTEE SUBSTITUTE FOR  
SENATE MEMORIAL 46

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

A MEMORIAL

SUPPORTING THE DESIGNATION OF OUTSTANDING NATIONAL RESOURCE  
WATERS IN NEW MEXICO FOR UNITED STATES FOREST SERVICE  
ROADLESS AREAS AND WILDERNESS WATERS.

WHEREAS, Governor Richardson announced, on earth day 2008,  
his intention to secure protection for over five thousand miles  
of surface waters within national forest wilderness and  
inventoried roadless areas in New Mexico under the Clean Water  
Act; and

WHEREAS, water resources are vital to survival in the arid  
southwest, the lifeblood of New Mexico's communities, as well  
as critical to the state's cultural, agricultural and natural  
heritage; and

WHEREAS, surface waters originate largely in the state's  
high-mountain forests or in the headwaters of the United States

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1 forest system; and

2 WHEREAS, many of New Mexico's municipalities, villages,  
3 pueblos and ranches rely, wholly or in part, on the surface  
4 waters of the state for their domestic water supplies, and  
5 their numbers are increasing; and

6 WHEREAS, goals of the state water plan include "ensuring  
7 that water is available for the continued and future economic  
8 vitality of the state; ensuring a safe and adequate drinking  
9 water supply for all New Mexicans; protecting, maintaining, and  
10 enhancing the quality of the state's waters; and providing for  
11 fish and wildlife habitat preservation and maintenance and for  
12 river restoration"; and

13 WHEREAS, the designation of "outstanding national resource  
14 waters", per the state of New Mexico's antidegradation rules,  
15 allows for the continuation of preexisting, authorized  
16 activities and the preservation of property rights and acequia  
17 maintenance; and

18 WHEREAS, watershed improvement and forest management  
19 projects, including controlled burns, forest thinning,  
20 reestablishing native vegetation, improving habitat for aquatic  
21 species and restoring native fish populations, are encouraged;  
22 and

23 WHEREAS, for upstream nonpoint source discharges, New  
24 Mexico's department of environment will encourage voluntary  
25 implementation of best-management practices, and there is no

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1 impact on downstream waters except for the potential for better  
 2 water quality; and

3 WHEREAS, the state has held eleven public meetings with  
 4 stakeholders, and final approval of the proposed outstanding  
 5 national resource waters designation will be decided by the  
 6 water quality control commission in a full public hearing in  
 7 which all stakeholders can present their views orally or in  
 8 writing, in accordance with the legislative requirements in the  
 9 Water Quality Act and the procedures in the water quality  
 10 control commission's regulations;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
 12 OF NEW MEXICO that its support be given to the governor's  
 13 intention to secure water quality in the state's headwaters  
 14 with the outstanding national resource waters designation; and

15 BE IT FURTHER RESOLVED that all outstanding national  
 16 resource waters designations be made pursuant to the Water  
 17 Quality Act and other relevant state laws and regulations,  
 18 including "20.6.4.9 NMAC OUTSTANDING NATIONAL RESOURCE WATERS";  
 19 and

20 BE IT FURTHER RESOLVED that copies of this memorial be  
 21 transmitted to the governor, the secretary of environment and  
 22 the water quality control commission.

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