

Senate Bill 1—2023
Regional Water System Resiliency Act

“Collaboration between small drinking water and wastewater systems serving adjacent communities—ranging from informal to formal arrangements—can help them overcome the economies of scale that larger systems take for granted.” *

The [Regional Water System Resiliency Act](#) would authorize such formal arrangements. The bill provides a legal framework that allows small drinking water and wastewater systems serving adjacent communities to voluntarily form regional water authorities.

Many types of small water and wastewater systems could form a regional water authority. Founding entities could be municipal or county water utilities, water and sanitation districts, water and natural gas associations, water user associations, non-profit corporations, public improvement districts, or mutual domestic water consumers associations.

A Regional Water Authority would be a political subdivision of the state, governed by a Board of Directors. Each small system would be represented initially by a director appointed by the small system, and subsequently by a publicly elected director from a district including that system.

An authority would:

- Own, regulate, supervise, operate, and maintain the infrastructure and assets of the systems that transferred to regional water authority ownership
- Employ an executive director who may employ and retain the necessary staff
- Centralize financial matters, including billing customers
- Establish water and wastewater service rates
- Apply for federal and state funding assistance
- Generally, realize economies of scale

Many small water systems across New Mexico struggle to provide safe drinking water and reliable wastewater treatment. Certified water and wastewater operators are hard to find. Volunteers and board members are aging out with no younger replacements. Some small systems cannot properly operate and maintain their infrastructure. Their business and financial systems may not function well. They may not have the capacity to plan upgrades and replacements, get them designed, secure financing, and get them built. They buy duplicate equipment. It’s common for state and federally funded infrastructure to fall into disrepair long before the end of its intended life.

* State Engineer’s Water Policy and Infrastructure Task Force Dec 2022 report. The task force also recommended legislation that drinking water and wastewater finance programs prioritize and incentivize regional collaboration. <https://uttoncenter.unm.edu/resources/state-water-task-force/index.html>