

WATER POLLUTION

N.M. tribes sue EPA over Trump-era wetland rule

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Two Indigenous communities in New Mexico have sued EPA over a revised federal rule that lifts protections for many streams, creeks and wetlands across the nation, saying the federal government is violating its trust responsibility to Native American tribes.

The pueblos of Jemez and Laguna are the latest to raise concerns over inadequate protections for local water sources in the desert Southwest. The [challenge](#) filed last week in the U.S. District Court for the District of New Mexico follows a similar case brought in 2020 by the Navajo Nation, the nation's largest Native American tribe, and several environmental groups.

Like other Indigenous communities, the Laguna and Jemez pueblos said in the court filing that waters flowing through their lands are used for domestic and agricultural purposes and are essential for cultural and ceremonial practices.

Removing or limiting access to clean water for both rural communities directly threatens to diminish tribal resources and adversely affect cultural practices, the lawsuit stated.

Both pueblos have small populations with poverty rates surpassing the national average. Laguna encompasses nearly 20 square miles just west of Albuquerque. Jemez Pueblo covers mountainous and desert regions in northern New Mexico.

The tribes argue that water holds a special value because of its scarcity in the arid Southwest. They describe the gullies, arroyos and seasonal streams inscribed into the landscape as "a vein of life" that channels rain or snowmelt to their communities.

"Any water pollution in and around the pueblos has a disproportionate impact because of the scarcity and preciousness of the resource in the region," the lawsuit stated.

The rule change, which took effect in June, narrowed the types of waterways that qualify for federal protection under the half-century-old Clean Water Act. As a result, critics have said, the number of waterways in New Mexico and other arid states in the West that were previously protected under the act were drastically reduced.

The Navajo Nation, environmental groups, public health advocates and some Western states that are waging their own legal battles over the rule have said the rollback left many of the nation's millions of miles of waterways more vulnerable to pollution since permits are no longer necessary for discharging pollution into many rivers, lakes and streams.

Since January, the Biden administration has been reviewing numerous rules adopted over the last four years and is expected to reverse many of them. — *Susan Montoya Bryan, Associated Press*

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