



Newsletter  
**Environmental Practice Group**

### Amendments to Water Regulations in Queretaro

On April 9, 2024, the Congress of the State of Queretaro enacted the amendment to the Law that Regulates the Provision of Potable Water, Sewerage, and Sanitation Services of the State of Queretaro (the "Law"). The main changes of this amendment are: **(i)** defining the scope and linkage of the feasibilities to providing water services in the State; **(ii)** allowing the porting of water within the State; **(iii)** privileging domestic and urban public use over other uses, in case of shortage; **(iv)** suspending commercial and industrial supply services to users who accumulate two periods of debt or fail to comply with the obligations in the care of water and hydraulic system; **(v)** guarantee the safe and continuous supply of at least 50 liters of water per day to all the population within the State of Querétaro, as established by the World Health Organization; and **(vi)** inclusion of new obligations to permit holders regarding sanitation, discharges and water infrastructure.

In other words, the purpose of this reform is to promote the conservation of water and to guarantee a minimum supply to its inhabitants, as well as to strengthen the obligations regarding the treatment and disposal of wastewater. Therefore, there will be changes in the procedures, obligations, and conditions for the use of water in the State of Querétaro, as well as for the treatment and discharge of wastewater, which, in the case of non-compliance with these changes, will allow the State to suspend or limit these services, as well as apply various sanctions.

Based on the foregoing, it is advisable to analyze the scope of the reform on a case-by-case basis to determine the new obligations and requirements that

will be applicable and enforceable as of this amendment for operating entities, industrial and commercial users, those that discharge into municipal hydraulic systems, and users that provide wastewater treatment services, as well as to review the clauses in water supply contracts in cases of shortage and sanitation, measurement of the amount of pollutants in water, among others. It will also be necessary to analyze the measures to be taken in the event of a state or national water emergency.

As part of the above, it is important to note that just a few months ago, due to the crisis of water scarcity in the State of Queretaro and the accelerated population growth (in less than 15 years, a 46% increase, between 2010 and 2024), last January an agreement was signed between the Federal Government, through the National Water Commission (CONAGUA), and the State of Queretaro, through the State Water Commission of Queretaro (CEAQ). The agreement, called "Batan, Water for All", aims to double the supply capacity in the state to 1,500 l/s through several actions by both authorities. CONAGUA will train CEAQ officials and provide opinions on the feasibility of granting a concession for the water and federal zones of the Batan Dam to CEAQ, which in turn will have to build a water system based on two state-of-the-art water treatment plants, with a sustainable and environmentally friendly system. The implementation of this project is intended to guarantee the supply of water to the population, as well as to the industrial and commercial sectors in the state for the next 20 years. However, this project will not be functional in the next 5 years, so all types of users must ensure the supply and sanitation of water in the face of various critical water scenarios.

This system will be a pioneer in Mexico and will mark a path of coordinated action between different levels of government and private initiatives to address the serious water crisis, allowing the population to enjoy the human right of access to water and sanitation, as well as guaranteeing industries and businesses the ability to supply water for their installation, strengthening the economy and development of the entity.

At Sanchez Devanny, we have a highly experienced team in these matters, and we will be pleased to provide you with more information and attend to your specific questions to ensure proper legal and regulatory compliance in the areas of water and sanitation in the State of Queretaro.

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