



# **Compilation of Input on New Mexico Water Security Planning Act Discussion Draft Rule and Guidelines Appendix III: Discussion Draft Guidelines**

May 2025



## NEW MEXICO INTERSTATE STREAM COMMISSION

### GUIDELINES FOR THE DEVELOPMENT OF REGIONAL WATER SECURITY PLANS

#### INTRODUCTION

**The following Guidelines supplement the Regional Water Security Planning Rule, NMAC x.xx.xx (“the Rule”) to provide additional clarification and guidance for planning under the Regional Water Security Act, Section 72-14A-1, et seq. NMSA 1978 (“the Act”).**

#### 1.0 DEFINITIONS

- 1.1 "New Mexico Interstate Stream Commission" ("NMISC" or "Commission") means the New Mexico Interstate Stream Commission and its members, authorized under NMSA 1978 § 72-14-1, and the director and other employees of the NMISC.
- 1.2 “Planning Activities” means all aspects of developing a Regional Water Security Plan. Planning Activities does not include engineering design, capital expenditure, or construction.
- 1.3 "Planning Program" means the staffed program within the NMISC that administers the Regional Water Security Planning Program and statewide planning initiatives.
- 1.4 “Planning Region” means the regions identified in the Rule and governed by a Regional Water Security Planning Council.
- 1.5 "PPP" means the project, program or policy proposed within the prioritized list within a Regional Water Security Plan.
- 1.6 “Regional Water Security Planning Council” or “Planning Council” or “Council” means the individuals, representing groups or organizations as outlined in the Rule, who make up the Council and lead the regional water security plan development process in their region.
- 1.7 "Regional Planning Grant Program" ("RPGP") means the fund created to provide funding for Planning Activities to be accomplished by each Planning Region, subject to funds being allocated by the New Mexico legislature.
- 1.8 “Regional Water Security Plan” (“RWSP”) means a plan developed by a Planning Region that meets the criteria for NMISC acceptance.
- 1.9 “Stakeholder” means someone who resides in, or has direct interest in the region’s water security.
- 1.10 “State agency” means any department or agency of the State or of a political subdivision of the State.
- 1.11 “WSPA” or “the Act” means the Water Security Planning Act, Section 72-14A-1, et seq. NMSA 1978.

#### 2.0 IDENTIFICATION OF REGIONAL STAKEHOLDERS AND OPPORTUNITIES FOR STAKEHOLDER COLLABORATION

- 2.1 Stakeholders shall be consulted in the development of any RWSP. Stakeholders shall have a voice in the planning process but do not have final say in the decisions regarding water planning in a region.

2.2 Planning Councils must establish a method for Stakeholders to enter into and engage in the planning process. At a minimum, the identification of Stakeholders shall include:

- a. documentation that the Stakeholder lives within the region or has provided a statement of interest.
- b. a point of contact for the Planning Council.

2.3 Planning Councils shall conduct adequate notice and maintain a distribution list for Stakeholders. Stakeholders may elect to receive information by email, USPS First Class mail, or other methods approved by the Planning Council. Members of the Stakeholder list should be notified of the following opportunities:

- a. to support/endorse council members.
- b. to provide comments on proposed plan language.
- c. to provide notice of dissent to the NMISC at the time of plan submission for consideration.
- d. notice of Planning Council meetings and in-person or remote attendance options.

2.4 Additional opportunities can be developed at the discretion of the Planning Council.

### **3.0 PUBLIC INPUT REQUIREMENTS FOR REGIONAL WATER PLANNING**

3.1 RWSPs must include ample opportunities for the public to be involved in the development of the plan and the development of the prioritization of PPPs. During the development of any regional water security plan, the Planning Council must, at a minimum:

- a. Inform Stakeholder list and distribute information regionally about the development of the plan, including opportunities for input, at regular intervals.
- b. Host two public meetings, with support for both in-person and virtual opportunities for participation.
- c. Provide a minimum of sixty days for the public to comment in person, via email, or through a web site on a draft water security plan.
- d. Provide an opportunity for public comments to be reviewed ahead of finalization of a water security plan.

3.2 Additional opportunities for input may include, but are not limited to:

- a. Providing materials in languages in common use within the region (e.g., sign, Spanish, Tewa, Navajo).
- b. Hosting additional meetings, focus groups, listening sessions, open house events, etc.

3.3 WSPA emphasizes engaging rural communities, therefore the Planning Council may consider a range of participation options that eliminate barriers such as access to a stable internet connection or lengthy travel. This could include, for example:

- a. providing engagement resources (e.g., presentations, paper surveys) to local community partners with existing connections in rural areas.
- b. multiple in-person opportunities distributed throughout larger regions.

- c. meeting spaces or computer access for remote participation.

3.4 Planning Councils may create working groups to increase opportunities for participation or to address water security planning topics of concern that are particular to a geographic sub-region, Stakeholders, or other sector. Regardless of the number of working groups within a Planning Region, a prioritized list of projects, programs and policies (“PPPs”) must be consolidated into a single list for the Regional Water Security Plan.

3.5 Planning Regions or sub-regions are encouraged to coordinate and share information or resources with other Planning Regions or sub-regions.

#### **4.0 GRANTS OR LOANS FOR PLANNING ACTIVITIES**

4.1 Subject to appropriations from the legislature, the Commission will develop a Regional Planning Grant Program with proposal requirements for grants or loans for Planning Activities and an approval process.

#### **5.0 PROCESS FOR STATE AGENCY COLLABORATION**

5.1 State agencies can:

- a. provide comments on draft RWSPs to the NMISC and the Planning Council developing the RWSP, including:
  - i. highlighting permit requirements should a given project be funded.
  - ii. highlighting areas of conflict between proposed projects and state of NM goals.
  - iii. estimating time commitment for State Agency staffing.
  - iv. identifying opportunities for leveraging or accessing funding and expertise.
  - v. Identifying any other issue the State Agency finds relevant to a region’s proposed plan.
- b. Identifying a person or group to act as the liaison for their agency and provide NMISC with up-to-date contact information for the person or group.

5.2 Regional Water Security Planning Councils will:

- a. consider all agency comments and input to ensure compliance with regulations.
- b. document all agency comments and their resolution in an Appendix in the region’s water security plan.

5.3 NMISC Planning Program will:

- a. serve as an informational resource for topics associated with planning, such as various state and federal funding sources, the best available scientific tools/models, or opportunities to connect projects that may have multiple benefits.
- b. act as a liaison between agencies and Councils.
- c. provide agency comments to the Councils.
- d. endeavor to maintain a list of agency partners for regional consultation.

- e. provide a forum for state agencies and planning entities to meet and collaborate.
  - i. at the request of an agency or Planning Council.
  - ii. at an annual coordination meeting.
  - iii. or as needed.

## **6.0 METRICS FOR REPORTING ON REGIONAL WATER PROJECTS, PROGRAMS AND POLICIES and WATER SECURITY PLAN IMPLEMENTATION**

- 6.1 The Planning Program will develop a template for Planning Councils to use for their required reporting to the Commission by June 30 each year. The template will include metrics and measures for reporting on implementation of projects, programs, or policies.
- 6.2 Planning Councils shall utilize tools and support provided by groups including the Planning Program to evaluate and report on regional water balance. Water balance reporting shall:
  - a. utilize the best available science with NMISC support, and
  - b. not conflict with statewide objectives.

## **7.0 PROCEDURES TO SUPPORT IMPLEMENTATION OF A REGIONAL WATER SECURITY PLAN**

### **7.1 Responsibilities of Planning Councils:**

- a. With the support of NMISC:
  - i. Develop a water security plan with the support of the NMISC planning team per the schedule in section 8.
  - ii. Update a Regional Water Security Plan at least every 10 years.
  - iii. Update the prioritized PPP lists at least once every 5 years.
- b. The PPP's identified sponsor is responsible for implementing PPPs from the prioritized lists.

### **7.2 Responsibilities of the Planning Program:**

- a. Subject to appropriation of funding by the legislature, administer the RPGP.
- b. support Planning Councils in developing an initial RWSP per the timeline and process in section 9.
- c. Help connect Planning Councils to other resources by:
  - i. serving as a liaison between Planning Councils and potentially other partner state and/or federal agencies.
  - ii. identifying knowledgeable local resources.
  - iii. informing Planning Councils about other funding opportunities.
  - iv. supporting development and utilization of up-to-date science/data/models.
- d. informing Planning Councils about statewide objectives.
- e. providing support identified elsewhere within these Guidelines.

- f. Planning Program or NMISC responsibilities do not include:
  - i. acting as a fiscal agent,
  - ii. Managing any grant or loan, or
  - iii. project management.

## **8.0 SCHEDULE FOR IMPLEMENTATION OF REGIONAL WATER PLANNING, INCLUDING INTEGRATION WITH STATEWIDE OBJECTIVES**

- 8.1 Initial plan development phase. The goal of the initial drafting phase is to develop water security plans for each region in the state. This phase will last for six years, and the Planning Regions will be addressed three-at-a-time with a two-year time period for each. NMISC will ensure that initial plans for all regions are completed before a subsequent planning cycle is initiated for any region.
- 8.2 Subsequent phases. After the initial drafting phase, NMISC will support each Planning Council during the updating each regional water security plan. NMISC will undertake no more than three (3) plan updates at time, for two years at a time.
- 8.3 Integrating with statewide objectives. Statewide objectives will need to be reviewed and adhered to.

## **9.0 COMMISSION APPROVAL OF REGIONAL WATER SECURITY PLANS**

To be presented for Commission approval, RWSPs must contain the following elements, in addition to meeting the requirements set forth in the Rule:

- 9.1 Prioritized list of PPP requests from the region. This list includes multiple, sub-lists organized based on readiness with project types and sponsor noted for each individual PPP.
  - a. Each of these readiness-based sub lists is independently prioritized, ranking each PPP at an individual level relative to all other PPPs on that list (region-wide).
  - b. Project readiness includes 3 categories:
    - i. ready to implement/proceed (like shovel ready).
    - ii. needs planning (one step away from shovel ready).
    - iii. needs scoping (one step away from being planned).
  - c. Each proposed PPP must list the sponsor(s) that intends to obtain the funding for and implement the PPP.
  - d. PPP types include, but are not limited to:
    - i. watershed health
    - ii. drinking water
    - iii. storm water
    - iv. dam maintenance
    - v. water conservation resulting in reduction of total water use
    - vi. education

## DISCUSSION DRAFT

- vii. efficiency
- viii. water reuse
- ix. aquifer storage and recovery
- x. aquifer recharge
- e. Additional information for each PPP that would strengthen its case for prioritization includes:
  - i. Documentation/Proof of existing funding match commitments for identified PPP's on the prioritized list if that exists.
  - ii. Other items that may strengthen the case for specific PPP.
- f. Planning councils may elect to repeat PPP list items in subsequent iterations of RWSP's.

9.2 A statement of public welfare values and the needs of future generations of New Mexicans.

9.3 Documentation of working groups within a Planning Region.

9.4 Any additional requirements for the composition of the Planning Council beyond those specified in the Rule.

9.5 Acknowledgement and discussion of regional water balance including reductions in projected water availability and decision-making practices adapted for increasing uncertainty.

9.6 Documentation of outreach conducted to encourage participation in regional planning. This could be a website, newsletter, presentations, or articles.

### 10.0 GUIDELINE REVISIONS/MODIFICATIONS

These Guidelines may be revised or modified as needed as approved by the NMISC.

These Guidelines are adopted, approved, accepted and effective on this \_\_\_\_ day of \_\_\_\_, 2025 by a vote of \_\_\_\_ in favor, \_\_\_\_ opposed and \_\_\_\_ abstaining.

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Mark Sanchez, Chairman  
NM Interstate Stream Commission