

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

New Mexico Water Advocates (NMWA)
Submission to the 2025 Formal Rule Promulgation Process
under the
2023 Water Security Planning Act (72-14A NMSA)

Recommended Improvements to the NMISC Staff’s “Proposed Rule”
Submitted As a Word Document Redline

Exhibits



Table of Contents

Exhibit B-1 - Rationale for Improvements to the “Proposed Rule” – Summary
Exhibit B-2 - Reasons for Change and Proposed Improvements
Exhibit B-3 - Acknowledgements
Exhibit B-4 – Resume of Dr. Wessely

IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Exhibit B-1

Rationale for Improvements to the "Proposed Rule" – Summary

New Mexico must face up to its current and growing water shortfalls. New Mexico has a diverse set of regions whose water needs and problems must be well-addressed for the future economic and cultural well-being of the state. The unanimously passed 2023 Water Security Planning Act (WSPA, 72-14A NMSA) presents a once in a generation opportunity to competently address those needs and problems.

The ISC staff's "proposed rule" provides for a limited and top down (ISC controlled) planning process, contrary to the statutory words and intent for a region/community driven process with support from the state. Further, the ISC staff's "proposed rule" does not lay out either an objective or a process to build the regions' (and thus the state's) resiliency. We are concerned that it would again result in "shelf reports"

The WSPA paragraph 4.C.(1) words "*at a minimum*" allow, and even encourage, development of rules beyond those explicitly called out in the WSPA paragraphs. The WSPA calls for, allows, and encourages each region of the state to conduct a highly public scientifically/data-based water planning process that, using local knowledge, will yield resiliency against current and growing water shortfalls in its region.

As indicated in 72-14-43 NMSA "The future water needs of New Mexico can best be met by allowing each region of the state to plan for its water future" with help from the state. The state should simply monitor and help regions with tribal liaison support, as-proposed funding support, and as-requested technical support to allow the regions to build their respective water resiliency programs.

To develop regional plans whose implementation will create the needed resiliency under the guidance and direction of WSPA, the following framework for rulemaking is designed to establish a robust regional/community-driven water planning process. The resulting state supported highly public and scientifically based water security planning process should enable each region to:

- self-organize a regional council to conduct the water security planning process
- ensure the council represents, on a continuing basis, the diverse water interests in the region
- understand the region's water availability situation, current and future
- understand the region's demographically driven demands for water, current and future
- declare the region's public welfare and values
- use community and regional knowledge to identify possible remedial policies and projects
- evaluate and prioritize such policies and projects
- select a preferred program (or package) of policies and projects that best meets the region's public welfare and whose implementation would establish regional resiliency
- properly document its water resiliency planning and plan
- obtain state approval for implementation of the plan
- provide ongoing monitoring of the plan's implementation
- provide ongoing monitoring of the region's water and demand environments
- develop and seek state approval of plan updates based on the monitoring

Following the above rationale and framework, the Water Advocates have marked up the ISC staff's "proposed rule" to establish a "Revised Proposed Rule." The "Revised Proposed Rule," if approved, will yield a statewide regional/community water planning process. We expect the implementation of the products of that process can establish New Mexico's needed current and future water resiliency.

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Exhibit B-2

Markup of ISC Staff’s Proposed Rule

Reasons for Change Are In Red Type
and Proposed Improvements Are Shown with Tracked Changes

Based on our dealing for nearly three decades with New Mexico’s regional water planning, the New Mexico Water Advocates have formulated a substantial partial comment, recommending specific changes to the ISC staff’s “proposed rule.” We have tried to present information in a way that will be convenient for the Commission to understand and make use of.

We present here an “Improved Proposed Rule” in the form of a paragraph-by-paragraph markup of the ISC staff’s “Proposed Rule”. For each paragraph, we start with a brief summary statement in red typeface of the rationale or reasons for any changes in that paragraph, or a statement that no change is needed from the ISC staff’s “Proposed Rule”.

Paragraphs 19.25.16.1 through 19.25.16.5 need no change.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 25 ADMINISTRATION AND USE OF WATER – GENERAL PROVISIONS
PART 16 REGIONAL WATER SECURITY PLANNING

19.25.16.1 ISSUING AGENCY: New Mexico Interstate Stream Commission, hereinafter the commission.
[19.25.16.1 NMAC – N, xx/xx/202x]

19.25.16.2 SCOPE: This rule implements the provisions of the Water Security Planning Act, Section 72-14A-1 NMSA 1978, and sets forth the processes and criteria for convening and establishing regional water security planning councils and developing and maintaining regional water security plans. [19.25.16.2 NMAC – N, xx/xx/202x]

19.25.16.3 STATUTORY AUTHORITY: Section 72-14A-1, et seq. NMSA 1978.
[19.25.16.3 NMAC – N, xx/xx/202x]

19.25.16.4 DURATION: Permanent.
[19.25.16.4 NMAC – N, xx/xx/202x]

19.25.16.5 EFFECTIVE DATE: xxxxxxxxxxxx xx, 2025, unless a later date is cited at the end of a section.
[19.25.16.5 NMAC – N, xx/xx/202x]

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.6 OBJECTIVE does not cite WSPA’s requirement, opportunity, and need for regions and communities to identify and address regional water problems, including current and growing water shortfalls.

WE RECOMMEND a revision similar to that written below in tracked changes.

19.25.16.6 OBJECTIVE:

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A. Objective: The objective of this rule is to establish the Commission’s requirements for New Mexico’s regional water security program, as provided in § 72-14A-4(A), NMSA 1978. The rule empowers the nine geographical regions illustrated in Exhibit I to organize, plan, and act collectively to improve regional and statewide water security. Its purpose is to ensure that water planning functions as a problem-solving process grounded in science, data, and public participation.

B. Organization of Regional Water Security Planning Councils: The rule authorizes and directs the organization of nine regional water security planning councils corresponding to the regions shown in Exhibit I. It establishes requirements for the Commission to organize and convene councils and for councils, if they choose, to organize and convene themselves.

Representative groups within a region may apply to the Commission to receive funds to establish a council if the Commission determines the proposal would be helpful to the regional council’s creation. Once a council is established and approved by the Commission, it may apply for additional funding to develop a detailed work plan.

C. Work Plan Development and Commission Support: Following any needed negotiation and upon Commission approval of the work plan, the council applies to the Commission to receive the best available data, expert services, grants, and staff assistance to implement the approved plan. Councils and the Commission work cooperatively to ensure that each plan is based on the best available science, data, and models describing regional water supply, use, and trends.

D. Council Responsibilities and Planning Process: Councils shall emphasize public communications and transparency. Councils shall transparently develop, document, and publicly report their work and progress; draft plan sections for public review and comment; obtain public review of the complete draft plan; submit the complete draft plan to the Commission; respond fully to review comments; and obtain Commission approval of the completed regional water security plan.

Each council shall provide opportunities for meaningful participation by credentialed experts, the public, local communities, and the Nations, Pueblos, and Tribes within its region. Councils shall acknowledge and respect tribal sovereignty, water rights, settlements, and water needs, and document how their work advances the public welfare and the needs of future generations of New Mexicans.

E. Plan Content and Outcomes: Each completed regional plan shall document the region’s prioritization of policies, projects, and programs to improve water security. Plans shall demonstrate how the region’s planning responds to the hydrologic realities of the region and to statewide objectives and constraints. Councils shall take full cognizance of those realities and produce vetted, prioritized, and implementable regional water security plans that define and document their consideration of the public welfare and the needs of future generations.

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

F. Implementation, Tracking, and Updating: With Commission assistance, councils secure funding, implement their plan, and keep it current. They track and publicly report implementation progress, including progress toward achieving the mandatory planning outcomes specified in § 72-14A-5(C), NMSA 1978.

[19.25.16.6 NMAC – N, xx/xx/202x]

Deleted: a framework for regional water security planning councils to develop, maintain, and aid in implementation and tracking of regional water security plans. This framework will be grounded in regional values, scientific consensus, and New Mexico water law. The processes outlined in this rule are intended to: ensure that the plans will be based on the best available science, data, and models regarding available water supplies, use, and trends; provide transparency and opportunities for meaningful input and participation by the public and Nations, Pueblos, and Tribes within each regional water security planning region; acknowledge the sovereignty, water rights, and water needs of tribal communities; consider public welfare and the needs of future generations of New Mexicans; align with state and federal laws; and identify and prioritize projects, programs, and policies that will help to ensure water security into the future.→¶

IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.7 DEFINITIONS for several additional terms are needed or modified to reduce the likelihood of multiple interpretations.

WE RECOMMEND revisions similar to those shown below in tracked changes.

19.25.16.7 DEFINITIONS:

A. "Commission" means the New Mexico interstate stream commission, authorized under Section 72-14-1 NMSA 1978.

B. "Communities" means geographically bounded communities and communities of interest within subregions, including users of a discrete groundwater resource, that are the centers of subregional water planning because water problems arise in communities and solutions to those problems must be shaped there.

C. "Council" means a body organized and convened in accordance with these Rules, with the authority and responsibilities delegated to regional water planning entities by the Water Security Planning Act and accountable for achieving the outcomes set forth in § 72-14A-5(B). The primary responsibilities of each Council are to assist and support the subregions and communities within its region in fulfilling their planning and implementation roles as agreed in work plans and to create and obtain approval of their regional water security plan that reconciles their water security problem analyses and solutions and presents their cooperatively developed, fully prioritized list of policies, programs, and projects (PPPs) to achieve the measurable mandatory outcomes.

D. "Initial planning period" means the time period from the establishment of each council to the approval of its first regional water security plan by the commission.

E. "NMISC staff" means the employees of the New Mexico interstate stream commission.

F. "Ongoing planning period" means any time period following the initial planning period for each council. The ongoing planning period begins once an initial regional water security plan is approved by the commission.

G. "Policy" means a definite course or method of action adopted by a governmental body under color of state law to guide and determine present and future decisions in managing water and related resources, specifying responsible entities and providing for implementation and compliance.

H. "Project" means a discrete infrastructure project of any size, undertaken to deliver a defined outcome within a set timeframe; projects may be integral components of broader programs.

I. "Program" means an organized set of related policies and projects coordinated to achieve a defined goal or strategic objective in water management or planning.

J. "Regional water security plan" or "plan" means a plan produced by a council, that meets the requirements described herein and is approved by the commission.

K. "Regions" means the administrative planning areas delineated by the Commission as shown in Exhibit 1, *Regional Boundaries Delineation (Exhibit 1 to the Rule)*, within which subregions and communities collaborate to prepare integrated, science-based water security plans. Each region is responsible for reconciling all subregional analyses and solutions into a unified set of prioritized policies, programs, and projects that achieve measurable outcomes at the regional scale, including the reconciliation of all water-overuse matters.

L. "Region-specific stakeholder" means a member of the public who is not a member of a council but has identified themselves to NMISC staff or a council as interested in engaging in the planning process for a specific region.

M. "Subregion" means a tributary basin, hydrologically or hydrogeologically distinct aquifer, or other coherent area within a planning region that encompasses one or more communities sharing related water sources, problems, and management needs. Subregions are essential building blocks of regional water security planning in large administrative regions, providing the scale at which locally grounded analyses and actions can be integrated into a coherent regional plan.

[19.25.16.7 NMIC – N, xx/xx/202x]

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E. → "Projects, programs, and policies" or "PPPs" or "PPP" means identified strategies and alternatives, including infrastructure projects, conservation programs, watershed or groundwater management policies, and other types of initiatives that will promote regional water security and are identified in the plans and PPP lists.

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Deleted: K. → "Regional water security planning council" or "council" means the members described herein who lead regional water security plan development, and aid in and track implementation of the plan in their respective region. ¶
L. → "Regional water security planning region" or "planning region" or "region" means an area of the state as described herein that is the planning area for each regional water security planning council. ¶

Deleted: G. → "Regional water security planning council" or "council" means the members described herein who lead regional water security plan development, and aid in and track implementation of the plan in their respective region. ¶
L. → "Regional water security planning region" or "planning region" or "region" means an area of the state as described herein that is the planning area for each regional water security planning council. ¶
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IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.8 needs no change.

19.25.16.8 WATER SECURITY TRIBAL ADVISORY COUNCIL:

A. NMISC staff shall provide administrative support and facilitation, in coordination with the office of the state engineer and Indian affairs department, for the establishment and operation of a water security tribal advisory council (“WSTAC”) comprising representatives of New Mexico Nations, Pueblos, and Tribes.

B. The purpose of the WSTAC is to provide a forum for input from New Mexico Nations, Pueblos, and Tribes to ensure that their sovereignty, water rights, water needs, and viewpoints are considered and incorporated in regional water security planning and other related activities as determined by the commission.

C. The participating Nations, Pueblos, and Tribes shall determine their own procedures and principles for the operation of WSTAC.

[19.25.16.8 NMAC – N, xx/xx/202x]

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.9 needs changes to allow for planning communities within regions or subregions.

WE RECOMMEND revisions similar to those shown below in tracked changes.

19.25.16.9 REGIONAL WATER SECURITY PLANNING REGIONS:

 A. The nine regional water security planning regions are shown in exhibit A, water security planning regions (map).

 B. Subject to commission approval, regional water security planning regions may be subdivided into sub-regions consistent with the definition in 19.25.16.7.M within a planning region. In determining whether to approve a proposed sub-region, the commission shall use the following criteria:

(1) the basis, hydrological or otherwise, for the sub-region and what circumstances make the proposed sub-region distinct from the region;

(2) whether there is sufficient population and capacity within the proposed sub-region to engage in a transparent and inclusive planning process for the proposed sub-region;

(3) the impact of the proposed sub-region on the ability of the remainder of the region to engage in a transparent and inclusive planning process;

~~(4)~~ the process for how the work of the proposed sub-region will be integrated with the regional water security plan(s) of associated regions, including the prioritization of projects, programs, and policies.

 C. Regions and subregions may identify contained communities as defined in 19.25.16.7.B to enable, encourage, and support planning for local issues based on local knowledge.

[19.25.16.9 NMAC – N, xx/xx/202x]

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.10 INITIAL PLANNING PERIOD does not direct an adequate planning process. The paragraph envisions too much in-line ISC staff approval in what should be reserved as regional processes. Further, the paragraph omits many of the obligations that must be imposed upon the ISC staff and councils to specify functions, functionality, outcomes, and accountability to achieve legitimacy for the resultant planning. This will constitute a robust process resulting in water security plans whose implementation will yield water resiliency for the regions, and thus for the state.

WE RECOMMEND revisions similar to those shown below in tracked changes.

19.25.16.10 INITIAL PLANNING PERIOD: During the initial planning period,

A. The NMISC staff shall:

(1) provide grants to an appropriate fiscal agent within each region defined in 19.25.15.9 to allow the region to self-convene a broad public process, to establish the initial membership of the regional council consistent with the requirements of 19.25.16.12. If self-convening doesn't occur in a timely manner, NMISC staff may perform the convening.

(2) provide grants to established Councils' fiscal agents for Councils to develop funding proposals that contain work plans for the Councils' water planning process and regional security water plan.

(3) establish guidelines for recommended practices, protocols or requirements for regional councils to conduct their regional water security planning consistent with 72-14A NMSA and these rules.

(4) prior to accepting any regional work plan funding proposals, develop guideline criteria for evaluating such proposals. These guideline criteria at a minimum shall provide for:

(a) clear identification of the water planning region requesting funds,

(b) reasonable proposed costs and timetables for completion of the planning process,

(c) adequate provisions for the notice of, review of, and comment on the regional water security planning proposal,

(d) satisfactory planned use of a water security planning process consistent with the requirements of 19.25.16.10.B,

(5) contract with established Councils to execute acceptable proposals using funds provided by NMISC staff and other available funds.

(6) provide councils with technical support, including assistance with accessing the best available and sufficient data, models, and science, templates to guide decision making, and compilations of existing plans and additional resources.

(7) support acquisition of state and federal implementation funding for approved regional water security plans.

(8) cooperate with federal and state agencies to jointly fund and conduct groundwater resources investigations, intended to make available reliable water data in regions where remaining available groundwater resources are uncertain or knowledge is insufficient to support water security planning

(9) provide regionally relevant inputs and guidance to Councils based on the WSTAC collaboration processes as described in 19.25.16.8.

(10) Refine, as necessary, the 19.25.16.14.C statewide goals and objectives for the overall planning and provide those to the regional councils

(11) each year before August 1, prepare and deliver to the Interim Committee on Water and Natural Resources a regional water security planning report describing:

(a) actual funding compared to requests for the current fiscal year,

(b) expenditures to date

(c) progress achieved since the most recent annual report,

(d) plans for regional water security planning during the coming fiscal year, and,

(e) legislative funding requests/requirements to meet those plans.

B. Once established with members through a broad convening process, each council shall:

Deleted: inviting governmental entities identified in Paragraph (1) of Subsection A of 19.25.16.12, NMISC to select their representatives, and convening a meeting of these representative members.

Deleted: assisting representative members in the invitation of at-large members, identified in Paragraph 2 of Subsection A of 19.25.16.12, NMISC, and non-voting members, identified in Paragraph (3) of Subsection A of 19.25.16.12, NMISC

Deleted: acting as the commission's liaison to the councils for the purpose of ensuring the coordination of commission information, policies, and resources. Subject to adequate funding and resources, NMISC staff assigned to these tasks shall be located at an office of the state engineer district office within or near the region.

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Deleted: providing administrative support and facilitation for at least four meetings of each council per calendar year.

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

~~(1)~~ establish and update as needed its own operating rules or adaptation of NMISC staff-supplied templates for conducting water security planning which may include:

- (a) the roles and responsibilities of the council's members;
- (b) the duration(s) of the term(s) and term limits if any for council members;
- (c) methods for membership succession
- (d) the grounds and process for removing a member from the council;
- (e) mechanisms to assure ongoing membership balance consistent with

19.25.16.12.B

- (f) meeting and operating rules
- (g) needs for planning, technical and administrative staff,
- (h) the potential roles of committees and work groups;
- (i) procedures for administrative and financial management,
- (j) the decision-making process to be used by the council,
- (k) the process for integration and engagement with communities and any

subregions,

(2) maintain cooperation and coordination with internal and external organizations throughout the planning process

(3) in recognition of the proposal evaluation criteria developed under 19.25.16.10.A.(4), prepare and deliver to the NMISC staff proposals for funding grants to conduct all or part of the necessary regional water security planning effort and develop a resultant plan of action. Such proposals shall include:

- (a) the regional council's work plans and plans for progress reporting,
- (b) any embedded subregions and communities' work plans,
- (c) any needs for planning, technical and support staff,
- (d) schedule milestones, and,
- (e) funding requirements.

(4) seek to obtain regional water security planning funds from outside of the NMISC staff

(5) support and facilitate subregion and community level water security planning which may

include:

- (a) public outreach and education to create and engage community planning groups,
- (b) provide water security planning guidance,
- (c) provide funds in response to well-organized requests,
- (d) provide or obtain NMISC staff technical support as requested,
- (e) monitor subregion's and communities' financial and planning progress, and,
- (f) incorporate communities' planning information into the regional plan.

(6) Conduct an ongoing process to enhance water security across the region. The process

shall include:

- (a) establishing a quantitative understanding of the legal, hydrologic, and demand attributes of the region, yielding knowledge of the region's water situation and problems,
- (b) extensive iterative interaction with NMISC staff, public, and communities by providing interim work products and ingesting inputs throughout the planning process,
- (c) developing a coherent statement of public welfare and values of the region in accordance with 19.25.16.17,
- (d) ensuring scientific integrity in the planning through use of data and models,
- (e) requesting technical support from NMISC staff as needed,
- (f) identifying potential infrastructure projects and administrative policies at regional and community levels to enhance regional water adaptability
- (g) evaluating, such projects and policies against multiple criteria
- (h) prioritizing such projects and policies in accordance with their evaluations,
- (i) packaging groups of prioritized projects and policies into one or more

Deleted: (1) once convened by the NMISC staff, the representative members shall invite, with NMISC staff support, and select at-large members as identified in Paragraph (2) of Subsection A of 19.25.16.12 NMISC. NMISC staff shall review membership and confirm compliance with Paragraph (2) of Subsection A of 19.25.16.12 NMISC. ¶ the representative members and the at-large members shall invite, with NMISC staff support, and select non-voting members as identified in Paragraph (3) of Subsection A of 19.25.16.12 NMISC. ¶

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

alternative programs.

- (j) modeling or otherwise evaluating the alternative to programs to determine that, if implemented, they would meet the statewide goals and outcomes developed under 19.25.16.10.A.(10)
- (k) selecting a preferred alternative program that best meets the declared public welfare of the region, and,
- (l) creating a detailed plan for implementation of the preferred alternative program.

(7) Only if the regional council determines that implementation of a duly evaluated high-priority project or policy is sufficiently urgent, the regional council may pursue an interim plan element for that project or policy sooner than approval of the full regional plan. The interim plan element shall be submitted to the commission for approval, and, if needed, be subject to negotiated changes

(8) develop a regional plan document in recognition of the approval criteria stated in 19.25.16.15 which regional plan include:

- (a) the region's hydrological situation,
- (b) the statement of public welfare of the region,
- (c) description of the planning process that led to the regional plan,
- (d) a description of each recommended policy and project,
- (e) a summary of the project and policy evaluations,
- (f) a prioritized list of recommended infrastructure projects for the region,
- (g) a prioritized list of recommended administrative policies for the region,
- (h) the preferred alternative program for the region, and,
- (i) the implementation plan for the preferred alternative program.

(9) submit the regional plan to the NMISC staff and commission for approval, and if needed negotiate changes to obtain NMISC staff and commission approval for implementation

(10) provide quarterly summary progress reports to the NMISC staff including:

- (a) use of funds,
- (b) progress to date,
- (c) any difficulties encountered and possible paths to resolution,
- (d) cost or progress deviations from the proposed processes,

cost to complete, and,

- (e) near term plans.

[19.25.16.10 NMAC – N, xx/xx/202x]

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.11 ONGOING PLANNING PERIOD is probably premature and would be better written in a few years after we all become smarter. However, it doesn't hurt to leave it in at this time. As written in ISC staff's "Proposed Rule", the subparagraphs are too prescriptive in some places (as in meetings) and too silent in noting needs for funding, etc. in other places.

WE RECOMMEND revisions similar to those shown below in tracked changes.

19.25.16.11 ONGOING PLANNING PERIOD: During the ongoing planning period.

A. The NMISC staff shall:

- (1) review and confirm compliance with 19.25.16.12 when council vacancies are filled.
- (2) providing administrative support and facilitation for councils as requested.
- (3) provide councils with technical support as requested, including assistance with accessing

the best available data and science, decision-making guides, compilations of existing plans, and resources to aid in tracking and reporting on implementation.

(4) publish all regional water security plans developed by councils and approved by the NMISC staff and commission.

(5) subject to appropriations, provide funding grants to regional councils consistent with submitted proposed work plans.

B. After approval of the initial water security plan, each council shall perform a continued publicly interactive planning process which may include:

- (1) proposing work plans to NMISC staff for funding ongoing efforts
- (3) monitoring changes to water supply and demand
- (3) addressing newly recognized issues at community and regional levels
- (4) filling vacancies on the council as they occur in accordance with 19.25.16.12(A).
- (5) preparing proposed regional water security plan updates and presenting proposed plans

to the NMISC staff and commission for implementation approval.

(6) preparing proposed updates to regional water security plans and presenting proposed updates to the NMISC staff and commission for approval.

- (7) reviewing the operating principles for the council and making changes if needed.
- (8) aiding in and tracking plan implementation, including outcomes.
- (9) developing and maintaining region-specific lists of stakeholders and providing

information to stakeholders about opportunities to engage in the planning process. The council may request NMISC staff support to carry out these responsibilities.

(10) updating plans at least once every ten years.

(11) providing semi-annual summary reports to the NMISC staff reflecting:

- (a) use of funds.
- (b) progress to date.
- (c) any difficulties encountered.
- (d) cost or progress deviations from the proposed processes,
- (e) near term plans.

[19.25.16.11 NMAC – N, xx/xx/202x]

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.12 COMPOSITION OF REGIONAL WATER SECURITY PLANNING COUNCILS details the ISC staff's perception of how a region should represent interests of water stakeholders in a balanced way. Besides overweighting the balance away from actual stakeholders, the paragraph specifies too much complexity, unnecessary ISC staff involvement, and an unwieldy set of council members unlikely to create an agreed-upon useful product.

WE RECOMMEND a total replacement of the paragraph to provide criteria for, rather than specification of, the membership with revisions similar to those written below in tracked changes.

19.25.16.12 COMPOSITION OF REGIONAL WATER SECURITY PLANNING COUNCILS: Membership of a regional council shall be determined within the region with support as needed from the NMISC staff, subject to the following:

A. A regional council shall be self-selected and composed of at least six individual members and not more than twenty individual members having needed expertise. Each member may designate an alternate with similar interests to serve in the member's absence

B. The set of members collectively must represent water interests in the region, balanced for the region, among residential, community, commercial, agricultural, natural, technical and institutional interests, including water right owners and groundwater permit holders who depend on the shared water supplies of the region.:

C. In the event of conflict about membership balance or quantity within a region, the NMISC staff shall mediate, or arbitrate if necessary, to resolve the controversy.

D. Regional councils may hire planning, technical and administrative staff.

[19.25.16.12 NMAC – N, xx/xx/202x]

Deleted: A. → Councils shall comprise three categories of members: representative members, at-large members and non-voting members. Representative members and at-large members shall be voting members of a council. If a qualified or willing representative member, as described in Paragraph (1) of Subsection A of 19.25.16.12 NMAC or at-large member, as described in Paragraph (2) of Subsection A of 19.25.16.12 NMAC cannot be identified by the council, the council may propose or NMISC staff may select a replacement non-voting member who is knowledgeable about water resources in the region.¶
members. Each governmental entity listed below, if present within the region, is entitled to have a representative serve on the council for any planning region within which it is located. A single representative may represent multiple governmental entities. In the event that a governmental entity is located in multiple regional water security planning regions, the governing body may appoint the same or different representatives to each council. Each representative member shall be appointed by resolution of each governmental entity's governing body. Representative members will consist of the following:¶
(a) → one representative member identified by the governing body of each municipality;¶
(b) → one representative member identified by the governing body of each county;¶
(c) → one representative member identified by the governing body of each irrigation or conservancy district;¶
(d) → one representative member identified by the governing bodies of each Nation, Pueblo, and Tribe;¶
(e) → one representative member identified by the governing bodies of each soil and water conservation district;¶
(f) → one representative member of each regional acequia association in the planning region or if no regional acequia association exists in a planning region, one representative from that region appointed by the New Mexico Acequia Commission; and¶
active land grant appointed by the Land Grant Council in a planning region.¶
members shall represent each of the following stakeholder groups. There shall be one at-large member position for each stakeholder group, but members may represent multiple stakeholder groups. The stakeholder groups to be represented are:¶
(b) → farmers in the region (these farmers may include 4H, Young Farmers, etc.);¶
(c) → statewide or regional public higher education institutions (such as a student, professor, administrator, etc.);¶
non-governmental organizations with members or local chapters in the region;¶
(e) → water-based recreational interests located in the region (fishing, rafting, etc.);¶
(f) → mutual domestic water consumer associations or community regional water systems in the region;¶
(g) → commercial, industrial, mining, and power in the region;¶
(h) → special districts established pursuant to Chapter 73, NMSA 1978, with staff whose responsibilities include water management, located in whole or in part within the region, and that do not fall within the previous membership categories within Paragraph (1) of Subsection A of ... [1]

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.13 needs no change.

19.25.16.13 REGIONAL WATER SECURITY PLANNING COUNCIL MEETING AND INPUT REQUIREMENTS:

A. Councils shall hold regularly scheduled meetings as follows:

(1) meetings shall be held at least four times per year during periods when the region’s plan is being developed or updated.

(2) meetings shall be held at least two times per year during periods when the plan is not being developed or updated.

(3) councils shall provide at least 14-day notice of meetings or other activities to council members, the public, region-specific stakeholders, Nations, Pueblos and Tribes, and the commission, with NMISC staff support as needed.

(4) councils, with NMISC staff support, shall offer meetings for hybrid participation if practicable.

B. Councils shall develop regional water security plans through broad input. This shall include opportunities for the public, region-specific stakeholders, and Nations, Pueblos, and Tribes to be involved in the development, vetting and prioritization of PPPs. During the plan development or update of any plan, councils shall, with NMISC staff support, at a minimum:

(1) notify the public, region-specific stakeholders, and Nations, Pueblos and Tribes, including by distributing publicly available information regionally about the development of the plan, and opportunities for input, at regular intervals.

(2) provide in-person and virtual opportunities for input at council meetings.

(3) provide a minimum of 60 days for the public, region-specific stakeholders, and Nations, Pueblos and Tribes to provide input in person, via email, or through a website on proposed regional water security plans.

(4) make comments publicly available ahead of finalization of a regional water security plan to be presented for commission approval.

C. Councils shall consider a broad range of participation options for input, which may include but are not limited to:

(1) providing materials in languages in common use within the region (e.g., ASL, Spanish, Tewa, Navajo).

(2) hosting additional meetings, focus groups, listening sessions, open houses or other events.

(3) providing engagement resources (e.g., presentations, paper surveys) to local community partners with existing connections in rural areas.

(4) providing multiple in-person opportunities distributed throughout the region and expanded strategies for community engagement.

(5) providing meeting spaces or computer access and connectivity for remote participation.

D. To promote broad awareness and to encourage participation, council outreach efforts, with NMISC Staff support as needed, shall include, but are not limited to:

(1) educational content; and

(2) multimedia advertising of engagement opportunities.

(3) additional opportunities may be developed at the determination of the council.

[19.25.16.13 NMIC – N, xx/xx/202x]

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.14 CONSIDERATIONS FOR COUNCILS DURING PLANNING PROCESSES. The paragraph allows (Subparagraph C) councils to treat the stated statewide objectives as optional. This is a contradiction of the requirements of WSPA 4.B.(9).(b). The paragraph requires (Subparagraph D.) councils to conduct planning without the benefit of needed hydrological data. This is contradiction of the WSPA 4.B.(7) requirement for scientific integrity.

WE RECOMMEND small revisions similar to those shown below in tracked changes.

19.25.16.14 CONSIDERATIONS FOR COUNCILS DURING PLANNING PROCESSES:

- A.** Councils shall consider, with resources provided by NMISC staff, the following information for inclusion in regional water security plans:
- (1) existing water plans and water resources planning initiatives;
 - (2) compliance with state water law, including recognition of established water rights;
 - (3) best available science for considering climate resiliency and increasing aridification;
 - (4) recognition and respect of federally recognized or reserved tribal water rights;
 - (5) access to water for domestic use;
 - (6) compliance with applicable federal water law;
 - (7) [a consensus definition of the region's](#) public welfare values;
 - (8) balancing water uses and the needs of future generations of New Mexicans; and
 - (9) public participation and comments.
- B.** Councils [shall](#) consider the following information for inclusion in any regional water security plan:
- (1) best available resources or methodologies for considering the needs of rural and urban places and populations within the region;
 - (2) groundwater management strategies and needs;
 - (3) regional food security and agricultural resilience; and
 - (4) water needs for healthy upland and riparian habitats [and wetlands](#).
- C.** Councils shall [comply with](#) the following statewide objectives in any regional water security plan:
- (1) state obligations under interstate compacts;
 - (2) compliance with the Endangered Species Act and the prevention of serious harm to the habitats [or wetlands](#) of species that are threatened or endangered under state or federal law;
 - (3) implementation of water rights settlements, including local and federally executed Indian water rights settlements;
 - (4) the state’s existing administration plans under the Active Water Resources Management program.
- D.** Councils shall develop and update regional water security plans as provided herein using the best available science, data, and models. [Councils shall](#) identify data gaps and [seek](#) further studies in their regional water security plans [to fill such data gaps](#).
- [19.25.16.14 NMAC – N, xx/xx/202x]

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.15 CRITERIA FOR APPROVAL OF REGIONAL WATER SECURITY PLANS. The paragraph specifies needed content of the plans but does not provide criteria by which the commission should approve/disapprove the plan. Those criteria should ask the commission to evaluate the sufficiency of the planning process and the effectiveness of the recommendations in the plan.

WE RECOMMEND the insertion of new subparagraphs A and B similar to those written below in tracked changes. We also recommend a correction of the cross reference in Subparagraph C.(7) to match our recommendations for Improvements to 19.25.16.10.

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19.25.16.15 CRITERIA FOR APPROVAL OF REGIONAL WATER SECURITY PLANS: In order to be approved by the commission, a regional water security plan shall show compliance with these criteria:

A. Adequate Planning Process: the regional council prepared its regional plan or interim plan element through a coherent planning process that demonstrated:

(1) evenly balanced participation: the regional council sought, documented, considered and acted upon stakeholder and public voices,

(2) transparency: the regional council regularly brought the water security planning program work and progress to the public and facilitated public participation and comments

(3) a scientific foundation: water security planning has taken full cognizance of the scientific foundation for planning provided by the ISC staff and commission and the regional plan demonstrates scientific integrity,

(4) formal evaluation: proposed policies and projects that have been well vetted and grouped into alternative programs, including a no action alternative program, from which a preferred alternative program has been selected,

(5) public welfare: the regional council's planning developed and adhered to a statement of current and future public welfare of the region as specified in 19.25.16.17,

(6) tribal sovereignty: the regional council's planning took into account ongoing cognizance of tribal sovereignty and interests within the particular region, and,

(7) natural water uses: the regional planning identified groundwater/aquifer, riverine, riparian habitat, and wetlands impacts and addressed how those impacts would be limited and balanced under reduced water availability due to increasing temperatures and aridity.

B. Adequate Planning Content: implementation of the preferred alternative program in the regional plan would:

(1) close the gap between overall regional water demand and regional water supply,

(2) address any significant intraregional gaps between supply locations and demand locations,

(3) increase the long-term viability of the water planning region's water supplies and the water adaptability for current and future generation users,

(4) provide for reliable domestic water supplies for rural communities,

(5) protect riverine, wetlands, and riparian habitat and species values,

(6) include groundwater management plans,

(7) for regions containing perennial streams, surface water management plans,

(8) for regions containing interstate perennial streams, assure ongoing compliance with interstate compacts,

(9) achieve consistency with community, municipal and institutional water plans within the region, and,

(10) provide for the regional council to lead and manage regional plan implementation, monitor and report the outcomes, and prepare amendments and updates to the approved regional plan.

C. To meet the approval criteria in 19.25.16.15.A and 19.25.16.15.B, plans shall include documentation of the following items:

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IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

- (1) Water Security Tribal Advisory Council (WSTAC) engagement, involvement, information and recommendations;
- (2) public notice under Section 19.25.16.13.A.(3);
- (3) stakeholder engagement in the development, vetting and prioritization of PPPs;
- (4) comments received, considered, and incorporated from stakeholders and the public;
- (5) comments received from state and federal agencies;
- (6) council consideration of public welfare values, balancing water uses and the needs of future generations of New Mexico in the region, if any;
- (7) Council committees, working groups and/or sub-regions, if applicable, within a region;
- (8) consideration of the regional water balance, including any projected reductions in water availability due to the impacts of climate change or other factors; and
- (9) compliance with statewide objectives identified in Paragraph C of Section 14.
- D. Plans shall include documentation that the needs of rural and urban populations within the region were considered.
- E. Plans shall include a list of prioritized proposed projects, programs, and policies with each item ranked individually relative to all other PPPs on that sub-list region wide.
- (1) Each proposed PPP must list the sponsor(s) that intends to lead implementation of the PPP, including obtaining and administering any necessary funding for the PPP.
- (2) PPPs shall be classified in accordance with the following readiness-to-implement stages:
- (a) ideas stage;
- (b) whether or not it is fully scoped; and
- (c) rapidly implementable if funded stage.
- (3) PPP types include, but are not limited to projects, programs, and policies that address the following:
- (a) watershed health
- (b) drinking water
- (c) storm water
- (d) wastewater
- (e) water retention and delivery infrastructure
- (f) water conservation resulting in a reduction of total water depletions
- (g) education
- (h) efficiency resulting in a reduction of total or per-capita water use
- (i) water reuse
- (j) aquifer storage and recovery
- (k) aquifer recharge
- (l) agricultural resilience
- (m) development of new water resources
- (n) river and riparian habitat and wetlands restoration
- (o) livestock management
- (p) alternative water administration strategies (under Active Water Resources Management, water markets or banks, voluntary shortage sharing, etc.)
- (q) drinking water system regionalization
- (r) asset management planning
- (s) scientific studies
- (4) Additional documentation for each PPP if appropriate shall include:
- (a) existing or potential funding, including funding to match state or federal resources;
- (b) ability to enhance regional water resilience or have long-lasting and sustainable benefits;
- (c) the presence of multiple benefits or ability to meet multiple objectives;

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Deleted: (1) The prioritized list of PPPs included in each plan shall be organized based on the readiness of each individual PPP.

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IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

- (d) substantial support from diverse stakeholders; or
 - (e) identification of interrelated PPP’s and potential enhanced benefits of implementing multiple PPPs in conjunction with each other.
- (56) Councils may elect to repeat PPP list items in subsequent plans and updated PPP lists.
- (6) Councils with sub-regions shall integrate all sub-regional priorities into a single prioritized list of PPPs for submittal to the commission with their plan. Processes for resolving sub-regional priorities alongside the recommendations of other sub-regions in the region shall be resolved by the council pursuant to its operating principles, as provided for in Paragraph (1) of Subsection B of 19.25.16.10 NMAC.
- [19.25.16.15 NMAC – N, xx/xx/202x]

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IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Paragraph 19.25.16.16 STATE ENGINEER CONSIDERATION OF REGIONAL ISSUES OF PUBLIC WELFARE IN PERMITTING DECISIONS. WSPA 4.C.(1).(c) asks for a procedure to report planning issues to the commission. The "proposed rule" does not appear to address that requirement.

WE RECOMMEND the revision of the title of this 19.25.16.16, to address the matter of "Issues" and a total replacement of the text in the paragraph with text similar to that written below in tracked changes.

Further, WSPA 4.C.(1).(e) asks councils to consider public welfare for their region. It does not seek to provide guidance or direction to the State Engineer for her interpretation of Public Welfare of the State. We believe the intent is to have each region decide what its public welfare and values are, for use in conducting the planning and in evaluating alternative recommendations

Accordingly, WE ALSO RECOMMEND the creation of a new paragraph 19.25.16.17 to address the matter of public welfare of the region with text similar to that written on the next page in tracked changes.

19.25.16.16 PROCEDURE FOR REGIONAL WATER SECURITY PLANNING COUNCILS TO DEVELOP AND PROVIDE NOTICE TO THE NMISC STAFF OF ISSUES

- A. The issues to be reported may include problems such as:
- (1) needs for state level technical assistance or financial assistance,
 - (2) difficulties in supporting at risk communities within the region,
 - (3) delays affecting timely work product deliveries, or,
 - (4) difficulties in coordination with internal or adjacent water planning agencies.
- B. In response to reported issues, the NMISC staff shall promptly take necessary action to resolve the issue and get the regional council back on track. The actions may include
- (1) negotiated revision of the approved work plan,
 - (2) supplemental funding
 - (3) negotiation or mediation support, or,
 - (4) provision of technical advice, data and modeling.

[19.25.16.16 NMAC – N, xx/xx/202x]

Deleted: STATE ENGINEER CONSIDERATION OF REGIONAL ISSUES OF PUBLIC WELFARE IN PERMITTING DECISIONS:

Deleted: The state engineer, in its decisions on permit applications under Sections 72-5-6; 72-5-7; 72-5-23; 72-5-24; 72-5A-6; 72-6-5; 72-12-3; 72-12-7; and 72-12B-1 NMSA 1978, may consider issues of public welfare of a water planning region identified by a council if the state engineer determines that such regional issues are related to or may impact the public welfare of the state.

Deleted: A council's determination shall not be binding on the state engineer's determination of whether a particular permit application would be detrimental to the public welfare of the state. ¶
→C→ The state engineer, in determining whether a regional public welfare issue identified by a council is relevant to the determination of whether a particular permit application would be detrimental to the public welfare of the state, shall explain the reasoning in writing

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IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

Paragraph 19.25.16.17 PROCEDURE FOR A REGIONAL WATER PLANNING COUNCIL TO CONSIDER PUBLIC WELFARE VALUES OF THE REGION AND THE NEEDS OF FUTURE GENERATIONS OF NEW MEXICANS. As noted in the introduction of 19.25.16.16, this is a new paragraph to address the matter of public welfare. WSPA 4.C.(1).(e) asks councils to consider public welfare for their region. It does not seek to provide guidance or direction to the State Engineer. The intent is to have each region decide what its public welfare and values are, for use in conducting the planning and in evaluating alternative recommendations.

WE RECOMMEND the creation of this new paragraph 19.25.16.17 with text similar to that written below in tracked changes.

19.25.16.17 PROCEDURE FOR A REGIONAL WATER PLANNING COUNCIL TO CONSIDER PUBLIC WELFARE VALUES AND THE NEEDS OF FUTURE GENERATIONS OF NEW MEXICANS: Through a broad public process, regional councils shall develop a statement defining the public welfare of the region. Regional councils shall ensure their planning processes and recommendations take careful cognizance of welfare needs that might not be specifically or sufficiently represented among the regional council’s membership. At a minimum, aspects to be considered for possible inclusion shall include:

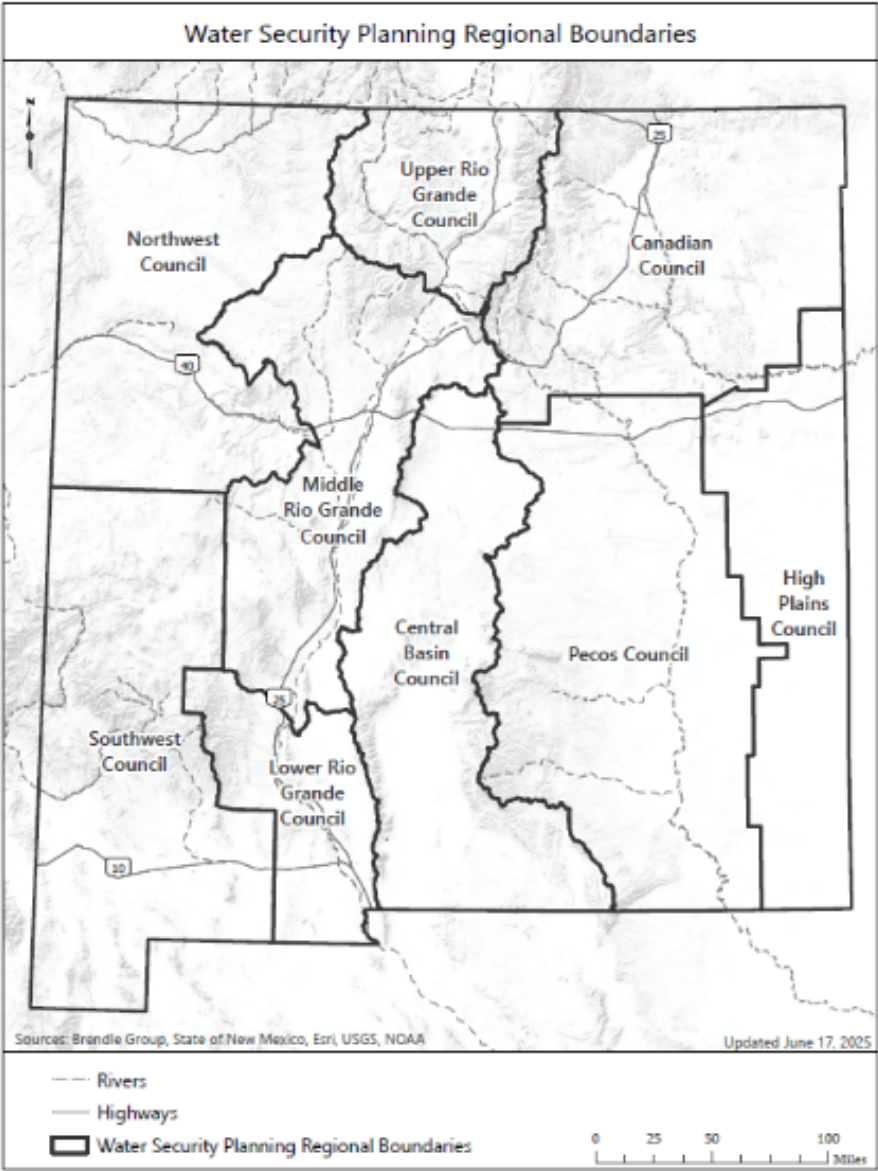
- A. understanding the legal, hydrologic, and demand attributes of the region
 - B. avoiding or minimizing impacts to disadvantaged communities within the region,
 - C. preserving non-renewable resources (aquifers) for future generations of New
- Mexicans:
- D. avoiding or minimizing impacts to wetlands, habitats of threatened or endangered
- species,
- E. avoiding or minimizing impacts to traditional communities’ uses of water,
 - F. recognizing and respecting the property rights of water rights holders,
 - G. needs for economic growth and encouragement of new business opportunities,
 - H. ensuring consistency with internal and adjacent water planning processes,
 - I. avoiding or minimizing degradation of existing traditional and acequia water rights

and uses.

[19.25.16.17 NMAC – N, xx/xx/202x]

HISTORY OF 19.25.16 NMAC [RESERVED]

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE



IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Exhibit B-3 Acknowledgements

We wish to express our appreciation to Water Advocates Board members and others who supported the 30-month effort and resultant product. Almost all these people participated at various times, in large or small roles, as part of the team that developed and critiqued precursor rule document drafts. These drafts were the source for our submissions to ISC staff and for our recommended markup improvements to the ISC staff's "proposed rule:"

Norm Gaume, BSEE, MSCE, P.E. (ret.), the President, is a water Professional and former director of the New Mexico Interstate Stream Commission.

Ann McCartney, JD, the Vice President, is a leader of the Valencia Water Watchers and is an attorney at the New Mexico Environmental Law Center.

Carolyn Kennedy, the Secretary-Treasurer, is District Manager for the Coronado S&WCD and has worked for more than 20 years as a paralegal with a prominent Albuquerque law firm.

Bob Wessely, Ph.D., the Past President, is a system engineer who co-led the development of the \$3 million Middle Rio Grande 2004 Regional Water Plan.

Brittany Gaume, MBA, a member of the Board, is a water rights consultant and works closely with the Office of the State Engineer.

Gillian Gonda, MA, a member of the Board, consults regularly as a communications advisor.

John Brown, B.A. C.L. Harvard., M.A. UCLA, a member of the Board, is a policy analyst whose work has focused on the governance of common-pool resources, and who served for several years as executive director of the NM Water Dialogue.

Mihael, Marcus, Ph.D., a member of the Board, is a biologist and has been a member of the Endangered Species Act Collaborative Program.

Lynn Montgomery, a member of the Board, is the Chair of the Coronado Soil and Water Conservation District.

Ralph Wrons, a member of the Board, is a political activist and recreational advocate.

Rip Anderson, Ph.D. and Marcia Fernandez, MA, two members of the Board, are farmers and water activists in the Albuquerque South Valley.

Sarah Knopp, Ph.D. Candidate, a member of the Board, is a policy specialist for Amigos Bravos.

Betsy Diaz, Ph.D., an advisor, is regular committee participant and is a leading participant with the Interfaith Power and Light Organization.

Tricia Snyder, an advisor, on the improved rules design is the Rivers and Waters Program Director for New Mexico Wild.

Rachel Conn, an advisor, on the improved rules design is the Deputy Director of Amigos Bravos.

John Mumm, an advisor, previously a water planner with the ISC.

IMPROVED PROPOSED RULE – NMWA's Recommended Revisions to ISC Staff's PROPOSED RULE

Exhibit B-4

270 County Road A3
Las Vegas, New Mexico 87701

Robert M. Wessely, Ph.D.

(505) 259-7842
wessely@sciso.com

Experience Abstract

Following a twenty-nine-year career as owner, founder, and technical director of an Albuquerque-based high tech system engineering company, Dr. Wessely turned his efforts toward improving the long-term viability and sustainability of New Mexico's water resources.

Water Related Experience – 1998 to Present

Middle Rio Grande Water Assembly, Albuquerque, New Mexico 1998 - Present
Chairman 2000 - 2004, Vice President 2005 - 2012, President 2013 - 2021

The Water Assembly (recently renamed MRG Water Advocates) developed and wrote the 2004 Regional Water Plan for Sandoval, Bernalillo and Valencia Counties in New Mexico. Dr. Wessely interactively directed and coordinated the planning process, including the public and governmental interaction, as well as the hydrological and modeling aspects. The multi-faceted role found Dr. Wessely deeply involved with the analyses of water science, engineering and technologies, presentations to lay personnel, and sometimes contentious mediations associated with the water issues involved in the planning process. Examples of the involvement include:

- reconciling various water budgeting approaches for the region
- understanding the aquifer status and rates of change
- dealing with fluctuations in annual inflows
- evaluating the relative feasibilities of candidate water saving technologies
- evaluating alternative proposed means for enhancing water supplies
- selecting from among varied urban conservation techniques
- delving into the practicalities of proposed agricultural efficiencies
- understanding and eliciting public attitudes and values
- balancing the implications of water rights legalities against the realities of available wet water and political exigencies.

New Mexico Water Dialogue, Albuquerque, New Mexico, Director 2014 - Present

The New Mexico Water Dialogue (NMWD) is a statewide entity that focuses on creating and maintaining dialogue among stakeholders and others concerning evolving water issues, particularly related to water planning. The NMWD designs and conducts an annual water issue symposium with diverse participants from around the state, including a convocation of ISC staff, NMWD Board members, and Regional Water Planners to address issues arising from the ISC's regional water planning project. The NMWD also developed the original guidance template for regional water plans and sponsored an "upstream-downstream" series of meetings to coordinate the regional water planning along the Rio Grande from Santa Fe to Socorro.

House Memorial 1 Working Group, Albuquerque, New Mexico, Participant 2015

The House Memorial 1 Working Group (previously called Governance Study Group) developed six issue papers, each paper identifying a shortfall in the current regional water planning process and proposing suggesting remedial actions. House Memorial 1 (2017) requested ISC to convene a Task Force to develop a water planning process proposal for the 2019 Legislature. In the absence of that, the HM1WG, developed a policy document *Making the Case for Change*, along with three proposed bills for the 2019 Legislature's consideration.

Las Vegas Community Water Board, Las Vegas, New Mexico, Member 2008 - 2022
President 2012 - 2022

The Community Water Board serves to stimulate the Las Vegas City Council and Mayor to address serious age-related deficiencies of the City's water infrastructure. The Board, and particularly Dr. Wessely, serves as ongoing advisor to the Utility Director and staff through the process of engineering studies, decision making, acquisition of external and internal funding, and project implementation for the City's water system.

IMPROVED PROPOSED RULE – NMWA’s Recommended Revisions to ISC Staff’s PROPOSED RULE

City of Las Vegas Utility Advisory Committee, Las Vegas, NM, Chairman 2010 - 2014

The Utility Advisory Committee provided monthly guidance and assistance to the City’s Utility Director with emphasis on City water issues including the City’s entire water system from water sources and storage through liquid waste disposal. At the same time, the City was experiencing severe drought which involved updating the City’s regulatory regime. The Committee also provided advice to the Director on operations and maintenance of the City’s heating gas system, recycle programs, and solid waste services,

Sandia National Laboratories, Albuquerque, New Mexico, Consultant 2004 - 2008

As a part of Sandia National Laboratories’ desalination research program, Dr. Wessely was asked to develop a strategy for outreach to the public and small governments so as to help recipients base desalination decisions upon technical reality rather than rumor. As a part of the strategy that was developed, he defined and developed a computer-based visual model that will allow lay personnel to see, in real time, cost and design consequences of decisions relating to meeting the increasing water needs of their small communities.

Other Community Involvement – 2007 to Present

Las Acequias de Placitas, Parciante 2007 - Present; Private Acequia Parciante 1977 - 2008

Irrigator of fruit orchard in the Village of Placitas from Las Acequias de Placitas 2008 - Present. As a member of the acequias, developed an Emergency Infrastructure Plan, unanimously approved by the membership. Irrigator from spring system of extensive fruit orchard at Rancho de Los Alamos (apples, apricots, plums, peaches, pears, cherries) four miles north of Placitas Village 1977 - 2008.

San Miguel, Mora, Sandoval, Bernalillo Counties, Advisor 2010 – 2020

Dr. Wessely served with area citizens as a neutral advisor concerning the development of reasonable oil and gas and mining ordinances in the respective counties. This involved research, presentations, drafting and critiquing ordinance drafts, and educating commissioners on the issues.

Other Work Related Experience – 1966 to 2000

SciSo Inc., Albuquerque, New Mexico, Co-Founder, Chairman, and Technical Director 1971 - 2000

A small business, SciSo was comprised of 30 professionals headquartered in Albuquerque, with a branch office in Virginia. As a principal of SciSo, an engineering management consulting company, Dr. Wessely managed the SciSo facilities and operations including technical execution and business development of projects in support of major DoD, DoE, DoT, NASA and NATO prime contractors as well as various commercial businesses (healthcare, manufacturing, electronics, petroleum). Among the projects, Dr. Wessely’s technical role addressed most phases and aspects of system development, from concept through test and initial operation, and from project planning and coordination to evaluation of new technologies for use in the nascent systems.

Comarco, Inc. Yorba Linda, California, Member, Board of Directors 1974 -1994

During Dr. Wessely’s tenure as member of the Board of Directors, Comarco grew from a \$3M to an \$80M provider of engineering services for DoD agencies as well as developer of selected wireless technologies for commercial uses.

RCA, Moorestown, New Jersey, Principal Engineer 1970 - 1971

Dr. Wessely led the development group for the AEGIS Command and Control system development during the formative years of the program

Radiation Service Company, Alamogordo, New Mexico, Research Physicist 1966 - 1970

Dr. Wessely played key role in missile test data reduction processes, including detailed interface with the various missile range test program user communities.

Education

Ph.D.	Rutgers University	Theoretical Solid State Physics	1966
M.S.	Rutgers University	Physics	1962
B.S.	Carnegie Mellon University	Physics	1960

