

May 14, 2025

Director Hannah Riseley-White
NM Interstate Stream Commission
P.O. Box 25102
Santa Fe, NM 87504-5102

Via email - Hannah.Riseley-White@ose.nm.gov

Dear Director Riseley-White,

On behalf of the Water Security Tribal Advisory Council (WSTAC), the Ad Hoc Steering Committee is submitting recommendations to the Discussion Draft Rules, Guidelines and the Hydro-Administrative Boundaries map.

WSTAC has met several times to discuss these recommendations and the maps that we're presenting for the ISC Commissioners consideration. WSTAC has worked to ensure that our recommendations foster equity for Tribes in the new regional water planning process while also making it clear that Tribal water rights and settlements are honored in the Water Security Planning Act.

With respect to the established government-to-government relationship that the state has with New Mexico Tribes, Pueblos and Nations, some Tribes have decided to submit their own comments which you should be receiving from those specific Tribes in the near future.

Tribes that have offered full support of these recommendations are noted in the attached spreadsheet; however, we have included additional correspondence from Tribes who wished to augment their position in support of these recommendations.

We look forward to meeting with you on how you will address our recommendations in the rule promulgation process.

Sincerely,

WSTAC Ad Hoc Steering Committee members
Aaron Sims, Chestnut Law Offices
David Yepa, NM Law Group
Myron Armijo, Governor, Santa Ana Pueblo
Greg Kaufman, Environment Director Sandia Pueblo,
Jason John, Director, Navajo Dept. of Water Resources, Navajo Nation
Josh Mann, Mann Water Law
Leticia Yazzie, Water Resource Director, Ute Mountain Ute
Natasha Cuylear, Dumas Law Firm
Tyler Lystash, Water Rights Manager, Ohkay Owingeh

*Organizational/Tribal affiliations are for identification purposes only

Encls:

NM ISC EXHIBIT

12

Document 1 - Comments and Recommendations re: ISC's Draft **RULE**
Document 2 - Comments and Recommendations re: ISC's Draft **GUIDELINES**
Document 3 - Planning Region Map Options (Proposed New Rio San Jose Region Map, Santa Fe Option 1, Santa Fe Option 2)
Additional Tribal Support Letters
Document 4 - Tribal Response Spreadsheet

CC:

WSTAC Designees

Tribal leaders (23)

Cab. Sec. Monette, NM Indian Affairs Dept.

Elizabeth Anderson, State Engineer

James Mountain, Sr. Advisor to Governor Lujan-Grisham

**WATER SECURITY TRIBAL ADVISORY COUNCIL'S
AD-HOC STEERING COMMITTEE'S**

Comments and Recommendations re: ISC's Draft **RULE**
That Governs the Process for Developing and Maintaining Regional Water Planning

- **Purpose of the Draft Rule**
 - To establish the criteria and procedures to develop, approve and maintain regional water plans, pursuant to the Water Security Planning Act.
- **Overall Comment**
 - The Water Security Planning Act provides that the ISC will “establish an advisory council for ***taking into account*** in the regional water security program tribal sovereignty, tribal water rights and the water needs of tribal communities.”
 - ***The current draft of the Rule should be strengthened to better “take into account” tribal input at all stages of the regional planning process, ensuring that tribal sovereignty, water rights and the water needs of tribal communities are protected are actively recognized and safeguarded in both the development and finalization of regional plans.***
- **Comment: Ensure Representation in Council Decision-Making**
 - **Concern:** While each Tribe/Pueblo/Nation is allocated one representative, they may be outnumbered by city, county, irrigation district, and industrial representatives.
 - See x.xx.xx. 10: COMPOSITION OF REGIONAL WATER SECURITY PLANNING COUNCIL
 - **Recommendations:**
 - Implement a weighted voting mechanism that ensures tribal representatives' votes carry equitable influence in matters directly impacting tribal water resources.
 - Require consensus-based decision-making for any water planning decisions affecting tribal water rights.
- **Comment: Specify Tribal Engagement Requirements**
 - **Concern:** While the rules encourage consultation with the WSTAC, there are no explicit requirements regarding how often WSTAC or affected Pueblos, Tribes or Nations must be consulted or how their concerns will be integrated.
 - See x.xx.xx. 12 ADOPTION OF REGIONAL WATER SECURITY PLAN: “Councils shall seek and document in the plan Water Security Tribal Advisory Council (WSTAC) involvement, input and endorsements, as applicable.”
 - **Recommendations:**
 - Add language requiring consultation with WSTAC and affected Pueblos, Tribes or Nations at the initial planning, draft review and final approval stages of the Regional Water Security Plan development process.

- Add language requiring Regional Councils to provide documentation of WSTAC's and affected Pueblos, Tribes or Nations concerns with or opposition to a Regional Water Security Plan or its projects, programs or policies.
- **Comment: Enhance Tribal Consultation and Input to Permitting Decisions Affecting Their Water Rights**
 - **Concern:** The State Engineer is not bound to consider a Planning Council's determination of public welfare concerns, even if those concerns affect tribal water rights. Also, the draft Rule distinguishes between public welfare of the *region* and public welfare of the *state*.
 - See Section x.xx.xx.13 ...*CONCERNS RELATING TO THE PUBLIC WELFARE OF THE WATER PLANNING REGION*
 - **Recommendations:**
 - In Section x.xx.xx.13 B., change "may" to "shall" and eliminate the distinction between public welfare of the region and public welfare of the state.
 - "The state engineer, in its permitting decisions, ~~may~~ **shall** consider issues of public welfare of a water planning region identified by a Regional Council ~~if the state engineer determines that such regional issues are related to or may impact the public of the welfare of the state.~~"
 - Remove x.xx.xx.13.A(5) or edit to conform with the recommended change to Section x.xx.xx.13 B.
 - Add additional provisions to incorporate tribal input in permitting actions that may impact tribal water rights.
 - Proposed additional language: "Any permit application submitted to the State Engineer that may impact tribal water rights shall be referred to the affected Pueblo(s), Tribe(s), or Nation(s) for consultation before any final permitting decision."
- **Comment: Ensure water security plans comply with Congressionally authorized Indian water rights settlements**
 - **Concern:** The draft regulation Section 72-14A-4.C(9) of the Water Security Planning Act specifies that statewide objectives for regional water security plan development include "compliance with . . . congressionally authorized tribal water settlement acts."
 - **Recommendation:** The regulations should expressly state criteria for ISC approval of a regional plan, including:
 - a requirement that a regional plan be consistent with and facilitate implementation of Tribal water rights settlement acts and agreements; and
 - a requirement that the prioritized projects, policies, and programs be consistent with and facilitate implementation of the projects, policies, and programs in Tribal water rights settlement acts and agreements.

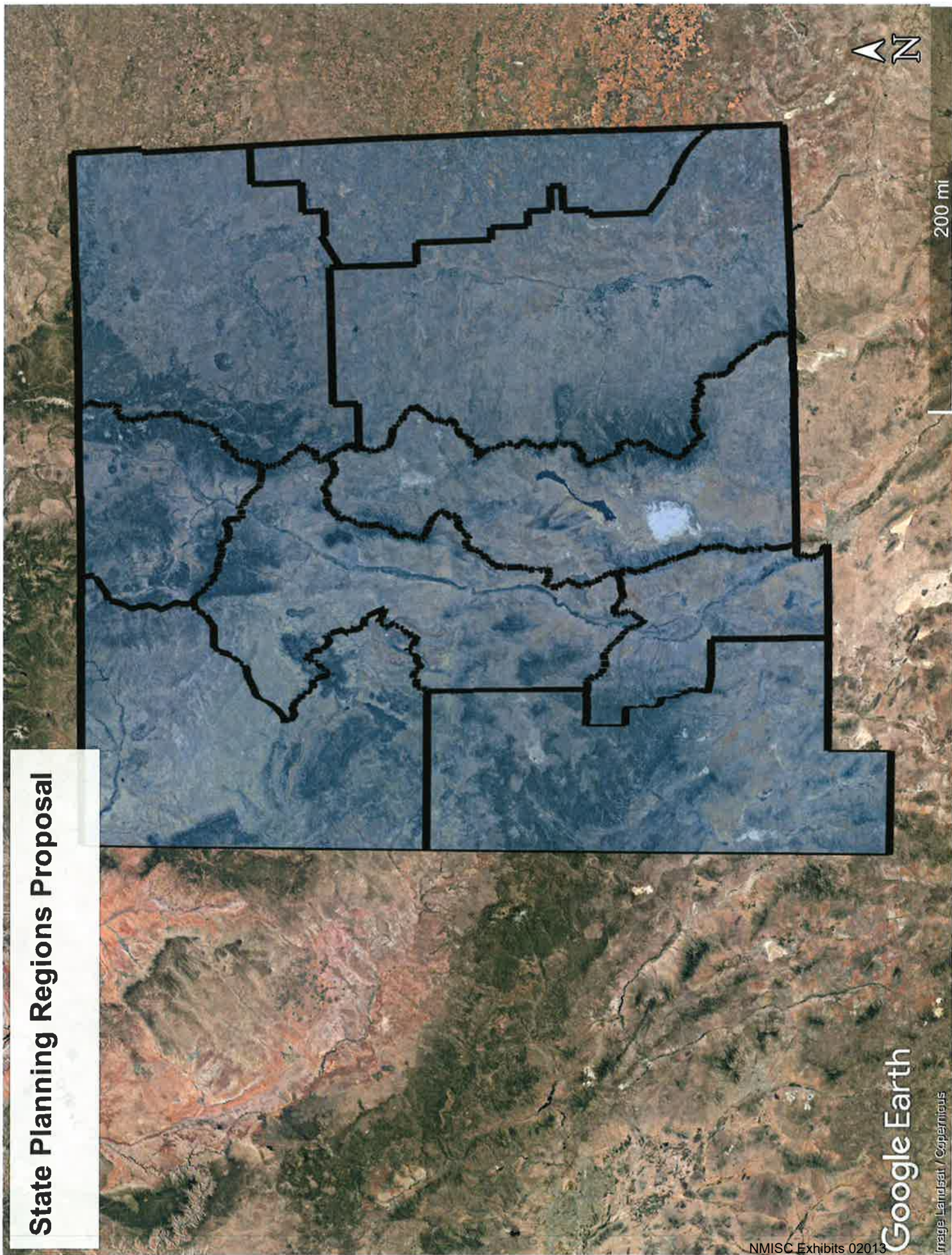
- Comment: **Clarify requirement that plans list projects, program and policies in order of priority**
 - Concern: The requirement in x.xx.xx.12.A (“Plans shall include a list of projects, programs, and policies in order of priority”) might be construed to require projects to be ranked against programs and policies.
 - This does not seem to be the intent of the Act’s requirement in 72-14A-4.C(1)(b) that the “commission shall (1) promulgate rules that, at minimum, establish . . . (b) the criteria for commission approval of a regional water security plan with prioritized projects, programs and policies . . . “
 - Recommendation: Clarify in x.xx.xx.12.A to allow plans to identify policy priorities, program priorities, and project priorities.

**WATER SECURITY TRIBAL ADVISORY COUNCIL'S
AD-HOC STEERING COMMITTEE'S**

***Comments and Recommendations* re: ISC's Draft **GUIDELINES**
For the Development of Regional Water Security Plans**

- **Purpose of the Guidelines**
 - To provide additional clarification and guidance for planning under the Regional Water Security Act.
- **Comment**
 - The Guidelines do not include any reference to the WSTAC or to Pueblos, Tribes or Nations.
- **Recommendations**
 - Add the WSTAC to the list of definitions.
 - Add a section titled: "Ensuring Tribal Engagement in Regional Water Security Plans" that adds details to Section x.xx.xx.12 of the Rule establishing clear requirements for how the Councils must engage with the WSTAC and all affected Pueblos, Tribes or Nations.
 - **1. Tribal Notification & Consultation Requirements**
 - Planning Councils must notify the WSTAC and affected Pueblos, Tribes, or Nations early in the planning process and before key decisions.
 - Notices should include a summary of proposed plans and clear ways for tribal representatives to provide feedback.
 - At least one consultation opportunity must be provided at each major stage (initial planning, draft review, finalization).
 - **2. Documentation of Tribal Input**
 - Councils must keep a record of tribal input, including meeting notes and written comments.
 - If recommendations are not incorporated, the final plan should include a brief explanation.
 - Plans should note whether tribal representatives endorse the plan or have remaining concerns.
 - **3. Addressing Disputes**
 - If a tribe raises concerns, Councils should make reasonable efforts to address them.
 - If disagreements remain, the Commission may assist in facilitating further discussions.

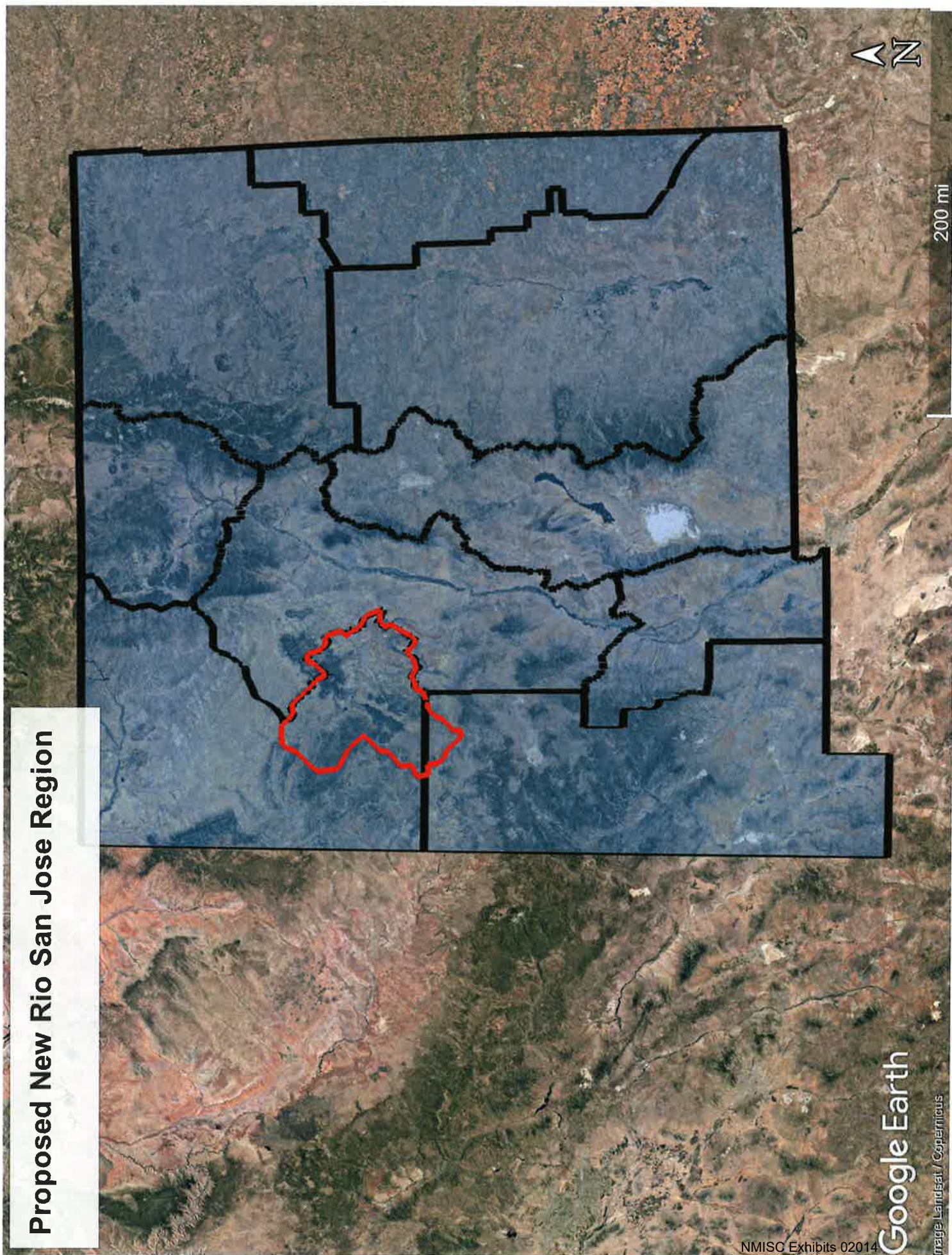
State Planning Regions Proposal



Google Earth

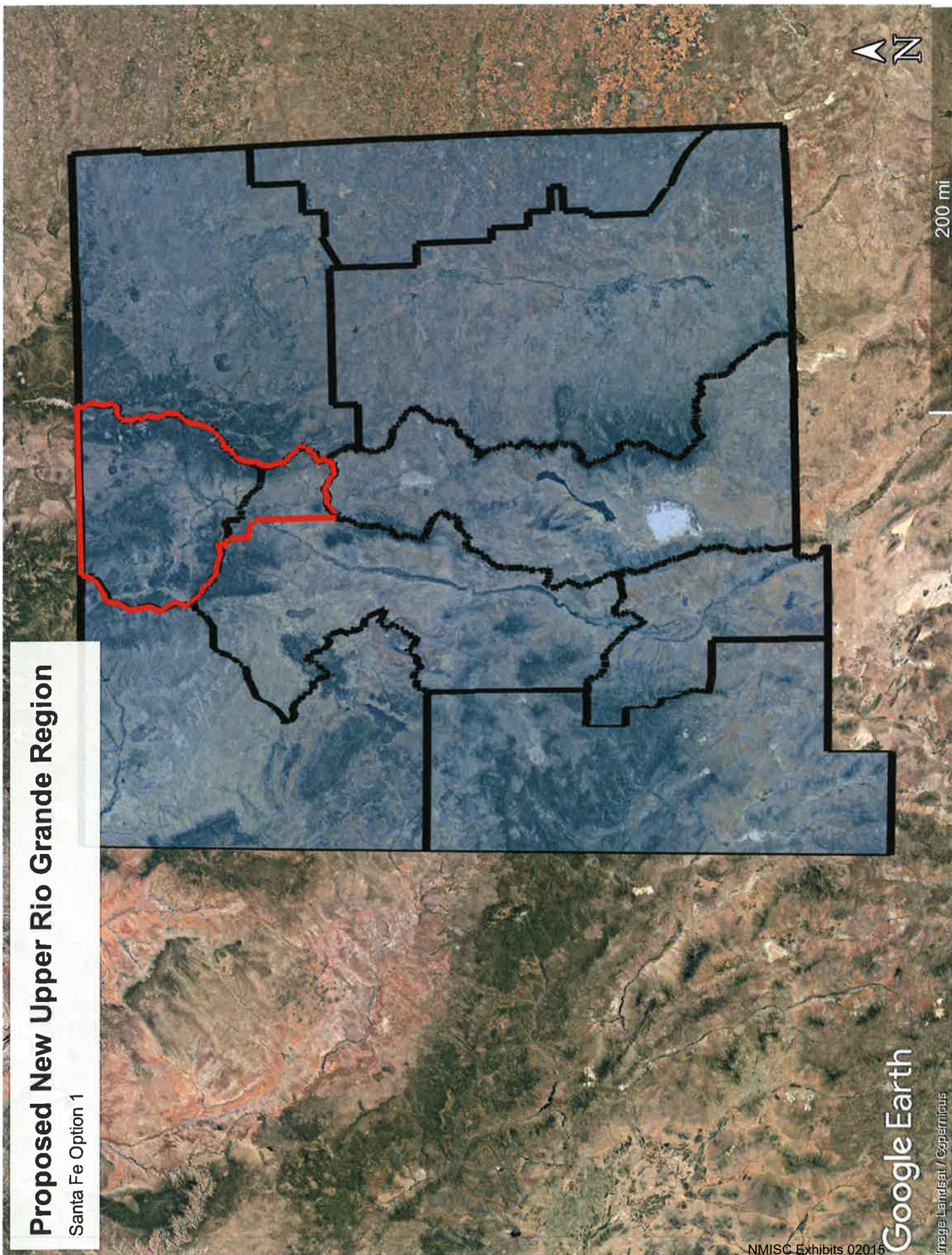
Image Landsat / Copernicus

Proposed New Rio San Jose Region



Proposed New Upper Rio Grande Region

Santa Fe Option 1

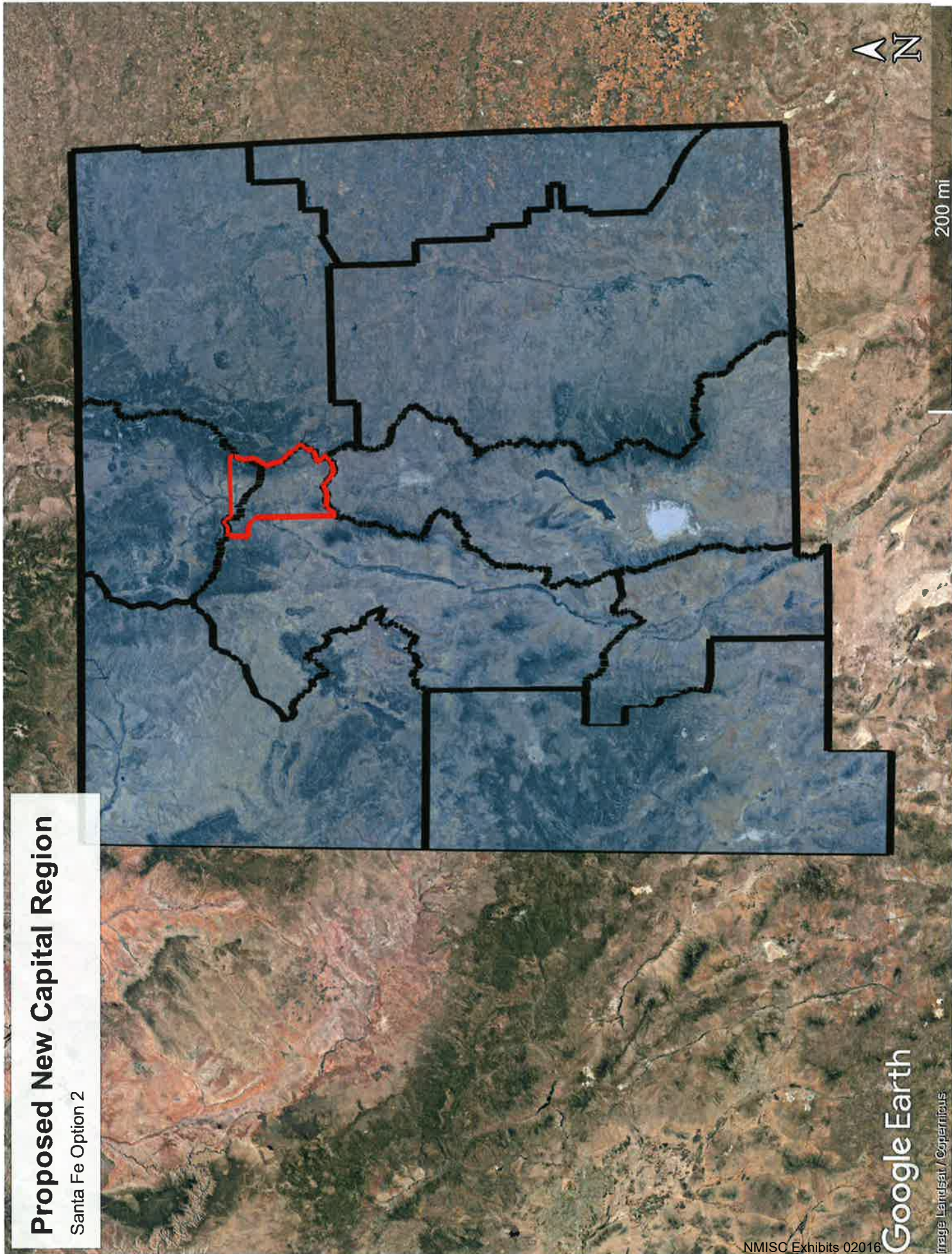


Google Earth

Image Landsat / Copernicus

Proposed New Capital Region

Santa Fe Option 2



Google Earth

Image Landsat / Copernicus



PO Box 1099
Ohkay Owingeh, New Mexico 87655
Phone (505) 852-4400
Fax (505) 852-4820

May 13, 2025

Dear Laurie Weahkee and WSTAC Ad Hoc Steering Committee,

Ohkay Owingeh has reviewed the WSTAC recommendations regarding ISC's Draft Rules and Guidelines for the Water Security Planning Act and **Fully Supports all recommendations** including the creation of a Rio San Jose Settlement planning region and the re-drafting of the Middle Rio Grande Planning Region to exclude Santa Fe. Ohkay Owingeh's preferred option is "Santa Fe Option 1".

Thank you for all the time and effort put into these recommendations. Ohkay Owingeh looks forward to continued participation with WSTAC and the final development of these rules, guidelines, and planning regions.

Regards,

Governor Benny J. Lujan

Ohkay Owingeh

Ute Mountain Ute Tribe
Office of the Chairman

Mr. Manuel Heart
P.O. Box JJ
Towaoc, CO 81334

May 21, 2025

Director Hannah Riseley-White
NM Interstate Stream Commission
P.O. Box 25102
Santa Fe, NM 87504-5102

Via email - Hannah.Riseley-White@ose.nm.gov

Dear Director Riseley-White,

The Ute Mountain Ute Tribe ("Tribe") has reviewed the Water Security Tribal Advisory Council (WSTAC) Ad Hoc Steering Committee recommendations to the Water Security Planning Act (WSPA) Discussion Draft Rules, Guidelines and the Hydro-Administrative Boundaries map.

The Ute Mountain Ute Tribe respectfully gives our full support to the Ad Hoc Committees Recommendation on the WSPA Rules and Guidelines. The Tribe has no position on the Map Options. The Tribe commends the State of New Mexico and the New Mexico Interstate Stream Commission on implementing and standing up WSTAC with involvement from the tribes, pueblos, and nations.

Thank you for the opportunity to allow the Tribe to provide input and we look forward to the Tribe's continued participation in WSTAC and the opportunities through regional planning that are available to provide infrastructure money to our future water projects.

On behalf of the Ute Mountain Ute Tribe,



Manuel Heart
Tribal Chairman



135 CAPITOL SQUARE DRIVE
ZIA PUEBLO, NM 87053-6013

PHONE (505) 867-3304
FAX (505) 867-3308

May 8, 2025

Via Email: Laurie.weahkee@gmail.com

Director Hannah Riseley-White
Water Security Tribal Advisory Council (WSTAC)
New Mexico Interstate Stream Commission
Bataan Memorial Building
407 Galisteo Street, Suite 101
Santa Fe, NM 87501

RE: Pueblo of Zia Comments on Ad Hoc Committee Recommendations on WSPA Rules, Guidelines, and Map Options

Dear Director Riseley-White and Members of the WSTAC,

On behalf of the Pueblo of Zia, we respectfully submit our position regarding the Ad Hoc Committee's recommendations related to the Water Sustainability Planning Area (WSPA) process. After reviewing the materials provided, we offer the following responses:

- **Document 1 – Ad Hoc Committee Recommendations on WSPA Rules:** *The Pueblo of Zia offers its full support.*
- **Document 2 – Ad Hoc Committee Recommendations on WSPA Guidelines:** *The Pueblo of Zia offers its full support.*
- **Document 3 – Ad Hoc Committee Recommendations on Map Options:** *The Pueblo of Zia offers its full support.*

We appreciate the opportunity to engage in this important process and thank the WSTAC and the Ad Hoc Steering Committee for their work and continued collaboration with tribal communities.

Sincerely,

5-8-2025

Lambert Pino
Governor
Pueblo of Zia



OFFICE OF THE GOVERNOR

Charles P. Riley, Governor
Loren Aragon, 1st Lt. Governor
Ted Ortiz, 2nd Lt. Governor
Ardell Concho, Tribal Secretary
Norman F. Torivio, Tribal Interpreter

25 PINSBAARI DRIVE ACOMA, NM 87034

PO BOX 309 ACOMA, NM 87034

PHONE: 505-552-6604

FAX: 505-552-7204

May 8, 2025

Via Email: to Laurie.weahkee@gmail.com

NM Interstate Stream Commission
C/O Laurie Weahkee
P.O. Box 25102
Santa Fe, NM 87504-5102

RE: Pueblo of Acoma Comments on Ad Hoc Committee Recommendations on WSPA Rules, Guidelines, and Map Options

Dear Interstate Stream Commission Members,

The Pueblo of Acoma appreciates the work of the Water Security Tribal Advisory Council (WSTAC) Ad Hoc Steering Committee in developing recommendations to promote equitable tribal participation under the Water Security Planning Act (WSPA).

After review of the three referenced documents, the Pueblo of Acoma responds as follows:

Document 1 – Ad Hoc Committee Recommendations on WSPA Rules

Position: Full Support

Document 2 – Ad Hoc Committee Recommendations on WSPA Guidelines

Position: Full Support

Document 3 – Map Options: Ad Hoc Committee Recommendation on Rio San Jose Settlement Map

Position: Full Support with Comments and Justification

Acoma strongly recommends the adoption of a smaller administrative boundary for the Rio San Jose region, aligned with the geographic and legal scope of the Rio San Jose Indian Water Rights Settlement and corresponding to two Hydrologic Unit Code (HUC 8) sub-basins. Additional justifications are detailed below:

Justification for Revised Rio San Jose Boundary:

1. Alignment with Tribal Water Rights Settlements

The proposed larger "Upper Colorado" administrative region stretches from Laguna Pueblo to the Four Corners region, encompassing diverse hydrologic, legal, and governmental boundaries. This structure undermines the specificity required to address water planning and administration in areas governed by distinct tribal water rights settlements, such as the Rio San Jose Settlement. Acoma and Laguna's shared settlement agreement, which includes the Navajo Nation, the cities of Grants and Milan, and nine acequias and community ditches as well as the State and the United States, provides a well-defined and legally significant framework for water administration and planning.

The negotiating parties faced an extreme challenge: the Rio San Jose flow in the reach serving the Pueblos of Acoma and Laguna has been reduced to a mere 1.8 cubic-feet per second, a small fraction of its historic flow, due to unfettered upstream industrial, commercial, and municipal groundwater development. The settlement parties spent eight years studying the basin hydrology and potential alternative water supplies and developing the basin-specific administrative framework embodied in the settlement terms. *See, e.g.*, Settlement Agreement Article 10 "Basin Administration for Pueblo and non-Pueblo Water Rights" (including minimum requirements for district-specific management rules and similar administration tools in consultation with parties to the settlement, requirements for the State Engineer to take into account Pueblo water rights in permit decisions, and a process for approval of hydrologic model(s)); Article 11 "Pueblo Water Rights Administration" (addressing permitting process requirements on and off Pueblo lands such as surface water depletion offsets); Article 12 "State Funding for Municipal and Acequia Projects" (including funding for Signatory Acequias' irrigation infrastructure with a procedure for assessing the hydrologic needs and benefits, funding for a joint City of Grants-Village of Milan project for water re-use, water conservation, and augmentation of the Rio San Jose, and funding for drinking water infrastructure for both municipalities); Article 13 "Settlement Funding for Pueblos" (including funding for water supply infrastructure development on and off Pueblo lands).

Given that there may be no more water-supply challenged basin in the State than the Rio San Jose basin, and the Pueblos are at the bottom of the Rio San Jose stream system, it is particularly important to establish a hydro-administrative planning region boundary that coincides with the Rio San Jose stream system as defined in the pending federal legislation to authorize the settlement. Doing so is the essential ensure the regional plan's policies, programs, and projects will be consistent with the settlement requirements and will honor the State's commitment to implement the settlement.

2. Recognition of Tribal Sovereignty and Governance

The Water Security Planning Act explicitly acknowledges the government-to-government relationship between the State and Tribes. Treating tribal governments as full partners in water planning necessitates recognizing their jurisdictional and legal planning regions. A smaller, settlement-based region ensures that Acoma and Laguna, and parties to the settlement in the region, can effectively

manage water infrastructure, drought mitigation, and shortage sharing agreements in accordance with their established governance structures and settlement agreement.

3. Improved Planning Precision and Resource Allocation

Smaller administrative regions, particularly when aligned with existing settlement geographies and HUC 8 sub-basins, enhance the ability to:

- Tailor drought contingency planning to specific aquifer recharge and usage patterns.
- Prioritize local infrastructure needs based on hydrological and legal realities.
- Ensure fair and effective allocation of state funding for water-related projects within the context of regional needs and tribal self-determination.

4. Support amongst region's Tribes

The Pueblos of Acoma and Laguna are in agreement on this revised boundary and the Navajo Nation's WSTAC representatives have indicated their support to this approach.

5. Hydrologic Validity Using HUC Framework

The proposed boundary is hydrologically coherent, following the U.S. Geological Survey's Hydrologic Unit Code (HUC) classification system. Legislation to authorize settlement of the water rights claims of the Pueblos of Acoma and Laguna in the Rio San Jose Stream System defines the Rio San Jose Stream System as the geographic extent of the area involved in the Rio San Jose general stream adjudication. The adjudication area generally correlates with the two HUC 8 sub-basins proposed here for the hydro-administrative region planning boundary. Legislation to authorize settlement of the water rights claims of the Navajo Nation in the Rio San Jose Stream System uses the same definition. Accordingly, the use of two HUC 8 sub-basins offers a scientifically recognized and administratively manageable scale for regional planning.

The Pueblo of Acoma urges the ISC to incorporate this revised boundary recommendation in future planning documents, and we thank you for your continued efforts to center tribal voices in this important work.

Respectfully,

PUEBLO OF ACOMA



Charles P. Riley
Governor

CC: WSTAC Ad Hoc Steering Committee
Aaron M. Sims, Chestnut Law Offices, P.A.

Felix Chaves
Governor

Angelo K. Paisano
Lt. Governor



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www.sandiapueblo.nsn.us

May 13, 2025

Via e-mail: Hannah.Riseley-White@ose.nm.gov

Hannah Riseley-White, Director
New Mexico Interstate Stream Commission
P.O. Box 25102
Santa Fe, New Mexico 87504-5102

**Re: The Pueblo of Sandia's Comments and Recommendations on the Draft Rules,
Guidelines, and Planning Regions Proposed Under the Water Security Planning Act**

Dear Ms. Riseley-White,

On behalf of the Pueblo of Sandia (Pueblo), I submit the following comments and recommendations regarding the draft rules, guidelines, and planning region boundaries proposed by the Interstate Stream Commission under the Water Security Planning Act.

1. Proposed Rules

The Pueblo supports the Water Security Tribal Advisory Council's Ad-Hoc Steering Committee's comments and recommendations on the proposed rules, with the following modifications:

- Page 1: "Implement a weighted voting mechanism that ensures tribal representatives' votes carry equitable influence in matters **that could impact** tribal water **rights or** resources."
 - Comment: Pueblos, Tribes, and Nations should have equitable influence in all matters that have the potential to impact their water rights and resources.
- Page 1: "Require consensus-based decision-making for any water planning decisions affecting tribal water rights **or resources**."
 - Comment: The rules should consistently reference "tribal water rights or resources" to help ensure that the interests of Pueblos, Tribes, and Nations with unadjudicated water rights are taken into consideration.
- Page 2: "Proposed additional language: 'Any permit application submitted to the State Engineer that **could** impact tribal water rights **or resources** shall be referred to the affected Pueblo(s), Tribe(s), or Nation(s) for consultation, **and such**

consultation shall be taken into consideration and documented in any final permitting decision.”

- Comment: The rules should expressly require tribal consultation to be taken into consideration and documented in any final permitting decision.

The Pueblo also makes the following recommendations regarding the proposed rules:

- Proposed Rule x.x.xx.13(A)(4): “In determining whether a particular issue or concern rises to the level of the public welfare of the water planning region, a Council **shall endeavor** to reach unanimous consensus, but **if unanimous consensus is not possible** the Council shall include a clear description of the positions of any opponents when it transmits its determination to the Commission.”
- Comment: The Regional Councils should strive for unanimous consensus in determining whether particular issues or concern rise to the level of the public welfare of the water planning region, which will help to ensure that input from affected Pueblos, Tribes, and Nations is taken into consideration.

2. **Proposed Guidelines**

The Pueblo fully supports the Ad-Hoc Steering Committee’s comments and recommendations regarding the WSPA proposed guidelines. In particular, the Pueblo agrees with the Ad-Hoc Steering Committee’s recommendation that the guidelines should establish clear requirements regarding engagement with WSTAC and all affected Pueblos, Tribes, or Nations.

3. **Planning Region Boundaries**

The Pueblo has no position on the Ad-Hoc Steering Committee’s Recommendation on the Rio San Jose Settlement Map. The Pueblo fully supports the Ad-Hoc Steering Committee’s recommendation to exclude Santa Fe from the Middle Rio Grande Planning Region.

Thank you for your consideration of these comments.

Sincerely,



Felix Chaves
Governor

Cc: Greg Kaufman, Pueblo of Sandia Environment Director (via e-mail)
File



May 8, 2025

**To the New Mexico Interstate Stream Commission and Water Security Tribal Advisory Council
Ad Hoc Steering Committee:**

Via Email

Dear Director Riseley-White and Members of the WSTAC Steering Committee,

The Pueblo of Laguna respectfully submits the following comments and recommendations regarding the proposed rules and guidelines, including revisions to New Mexico's hydro-administrative boundaries under the Water Security Planning Act (WSPA).

We are in full support of the Ad Hoc Committee's recommendations on the WSPA Rules.

We are in full support of the Ad Hoc Committee's recommendation on the WSPA Guidelines

In addition, we strongly recommend the adoption of a smaller administrative boundary for the Rio San Jose region, aligned with the geographic and legal scope of the Rio San Jose Indian Water Rights Settlement and corresponding to two Hydrologic Unit Code (HUC 8) sub-basins.

Justification for Revised Rio San Jose Boundary:

1. Alignment with Tribal Water Rights Settlements

The proposed larger "Upper Colorado" administrative region stretches from Laguna Pueblo to the Four Corners region, encompassing diverse hydrologic, legal, and governmental boundaries. This structure undermines the specificity required to address water planning and administration in areas governed by distinct tribal water rights settlements, such as the Rio San Jose Settlement. Acoma and Laguna's shared settlement agreement, which includes the Navajo Nation, the cities of Grants and Milan, and nine acequias and community ditches as well as the State and the United States, provides a well-defined and legally significant framework for water administration and planning. The negotiating parties faced an extreme challenge: the Rio San Jose flow in the reach serving the Pueblos of Acoma and Laguna has been reduced to a mere 1.8 cubic-feet per second, a small fraction of its historic flow, due to unfettered upstream industrial, commercial, and municipal groundwater development. The settlement parties spent eight years studying the basin hydrology and potential alternative water supplies and developing the basin-specific administrative framework embodied in the settlement terms. *See, e.g., Settlement Agreement Article 10 "Basin Administration for Pueblo and non-Pueblo Water Rights"* (including minimum requirements for district-specific management rules and similar administration tools in consultation with parties to the settlement, requirements for the State Engineer to take into

account Pueblo water rights in permit decisions, and a process for approval of hydrologic model(s); Article 11 “Pueblo Water Rights Administration” (addressing permitting process requirements on and off Pueblo lands such as surface water depletion offsets); Article 12 “State Funding for Municipal and Acequia Projects” (including funding for Signatory Acequias’ irrigation infrastructure with a procedure for assessing the hydrologic needs and benefits, funding for a joint City of Grants-Village of Milan project for water re-use, water conservation, and augmentation of the Rio San Jose, and funding for drinking water infrastructure for both municipalities); Article 13 “Settlement Funding for Pueblos” (including funding for water supply infrastructure development on and off Pueblo lands). Given that there may be no more water-supply challenged basin in the State than the Rio San Jose basin, and the Pueblos are at the bottom of the Rio San Jose stream system, it is particularly important to establish a hydro-administrative planning region boundary that coincides with the Rio San Jose stream system as defined in the pending federal legislation to authorize the settlement. Doing so is the essential to ensure the regional plan’s policies, programs, and projects will be consistent with the settlement requirements and will honor the State’s commitment to implement the settlement.

2. Recognition of Tribal Sovereignty and Governance

The Water Security Planning Act explicitly acknowledges the government-to-government relationship between the State and Tribes. Treating tribal governments as full partners in water planning necessitates recognizing their jurisdictional and legal planning regions. A smaller, settlement-based region ensures that Acoma and Laguna, and parties to the settlement in the region, can effectively manage water infrastructure, drought mitigation, and shortage sharing agreements in accordance with their established governance structures and settlement agreement.

3. Improved Planning Precision and Resource Allocation

Smaller administrative regions, particularly when aligned with existing settlement geographies and HUC 8 sub-basins, enhance the ability to:

- Tailor drought contingency planning to specific aquifer recharge and usage patterns.
- Prioritize local infrastructure needs based on hydrological and legal realities.
- Ensure fair and effective allocation of state funding for water-related projects within the context of regional needs and tribal self-determination.

4. Support amongst region’s Tribes

The Pueblos of Acoma and Laguna are in agreement on this revised boundary and the Navajo Nation's WSTAC representatives have indicated their support to this approach.

5. Hydrologic Validity Using HUC Framework

The proposed boundary is hydrologically coherent, following the U.S. Geological Survey’s Hydrologic Unit Code (HUC) classification system. Legislation to authorize settlement of the water rights claims of the Pueblos of Acoma and Laguna in the Rio San Jose Stream System defines the Rio San Jose Stream System as the geographic extent of the area involved in the Rio San Jose general stream adjudication. The adjudication area generally correlates with the two HUC 8 sub-basins proposed here for the hydro-administrative region planning boundary.

Legislation to authorize settlement of the water rights claims of the Navajo Nation in the Rio San Jose Stream System uses the same definition. Accordingly, the use of two HUC 8 sub-basins offers a scientifically recognized and administratively manageable scale for regional planning.

Conclusion

For these reasons, the Pueblo of Laguna urges the ISC and WSTAC to adopt the Rio San Jose Settlement boundary—based on two HUC 8s—as the revised hydro-administrative region. Doing so affirms the principles of tribal sovereignty, legal integrity, and effective water governance embedded in the Water Security Planning Act.

Lastly, The Pueblo of Laguna takes no position on the recommendations to exclude Santa Fe from the Middle Rio Grande Planning region, neither to include in the northern region, nor to have its own planning region.

We appreciate your consideration and welcome continued dialogue on this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Harry A. Antonio, Jr.", with a stylized flourish at the end.

Harry A. Antonio, Jr.

Governor

Pueblo of Laguna

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Acoma Pueblo	Governor Charles Riley	(505) 552-6604	Governor Charles Riley & Aaron Sims	Document 1 & 2 - Full Support; Document 3 - Full Support with Comments and Justifications; They have a full letter that we should include in the overall packet. (email 5/8 Gov's ExecAsst.)
Pueblo of Cochiti	Governor Joseph Benji Herrera	(505) 629-4284	Pete Herrera Earl Conway David Yepa	Cochiti Pueblo also supports the recommendations of the Ad Hoc Committee. (Email 5/12 D.Yepa)
Pueblo of Isleta	Governor Eugene Jiron	(505) 869-3111	Lt. Gov Juan Rey Abeita & Josh Mann	Governor Jiron has communicated to me that the Pueblo of Isleta fully supports all the recommendations. (email 4/30 from JMann)
Pueblo of Jemez	Governor George Shendo, Jr.	575-834-7359	David Yepa & Clarice Madalena	On behalf of Jemez Pueblo, I am notifying you that the Pueblo supports all of the recommendations of the Ad Hoc Committee. (email 5/7 from David Yepa)
Pueblo of Laguna	Governor Harry Antonio, Jr.	(505) 552-6654	Adam Ringia & Susan Jordan	Please find attached the Pueblo of Laguna's Letter of support for the Water Security Tribal Advisory Council's Ad Hoc Steering Committee Comments. (email/Ltr 5/8 A.Ringia)
Pueblo of Nambe	Governor Nathaniel Porter	(505) 455-2036	Mike Lujan	The Pueblo of Nambe has no objection to Document 1, Document 2, or Document 3 and with regards to the two map proposed changes including the proposed Santa Fe move into our District, (so to speak) the Pueblo of Nambe also has no objections as well. I Michael R. Lujan, Mayordomo of the Pueblo of Nambe, make this decision with the full knowledge and support of our Governor Nathaniel S. Porter. (email MLujan 5/8)

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Ohkay Owingeh	Governor Benny Lujan, Sr	(505) 852-4400	Governor Lujan & Tyler Lystash	Ohkay Owingeh has reviewed the WSTAC recommendations... and fully supports all recommendations including the creation of a Rio San Jose Settlement planning region and the redrafting of the Mid Rio Grand Planning Region to exclude Santa Fe. Ohkay Owingeh's preferred option is the "Santa Fe Option 1". (Ltr from Gov. Ben Lujan 5/13)
Pueblo of Picuris	Governor Wayne Yazza	(575) 587-2519		
Pueblo of Pojoaque	Governor Jenelle Roybal	(505) 455-4500	Jeff Montoya	On behalf of Pueblo of Pojoaque Governor and Special Projects. We are in support of all the recommendations. (email JMontoya 5/9)
Pueblo of San Felipe	Governor Anthony Ortiz	(505) 867-3381	Michael T. Sandoval & Josh Mann	On behalf of our Governor and it's Administration, San Felipe fully supports all recommendations (email 5/7 from MT. Sandoval)
Pueblo of San Ildefonso	Governor Christopher Moquino	(505) 455-2273	Lt. Gov. Raymond Martinez	The Pueblo de San Ildefonso supports the WSTAC's recommendation's. (email Lt. Gov RMartinez 5/9/25)
Pueblo of Sandia	Governor Felix Chaves	(505) 867-3317	Greg Kaufman	Sandia Pueblo will submit their comments by May 14. (email 5/7 from Greg Kaufman)
Pueblo of Santa Ana	Governor Myron Armijo	(505) 867-3301	Gov. Myron Armijo & Tammy Montoya	The Pueblo of Santa Ana fully supports the three documents (rules, guidelines, and map). (email 5/14 from Tammy Montoya)
Pueblo of Santa Clara	Governor James Naranjo	(505) 753-7330	Jesse Gutierrez	
Pueblo of Santo Domingo	Governor Thomas Moquino, Jr.	(505) 465-2214	Cody Crumbo	Santo Domingo Pueblo is in support of submitting the recommendations developed by WSTAC. Santo Domingo Pueblo will also be submitting recommendations developed specifically by the Pueblo as well. (email 5/9 WCrumbo)

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Pueblo of Taos	Governor Edwin Concha	(575) 758-9593	Daniel Suazo & Susan Jordan	Taos Pueblo is in Full Support of the Rules and Guidelines; but say "No position on WSTAC map options at this time. How ever the Santa Fe mapping issue is resolved it must not result in enlarging the "Upper Rio Grande" region.(email 5/9 D.Suazo)
Pueblo of Tesuque	Governor Earl Samuel	(505) 955-7733	Joseph Abeyta Sage Mountainflower Ryan Suazo-Hinds	The Pueblo of Tesuque supports the proposed new Rio San Jose Region because of the Rio San Jose Stream System Water Rights Local Settlement agreement. This water right settlement involves Pueblos, Navajo Nation, and non-tribal communities. The proposed Santa Fe option will require the Pueblo of Tesuque to review more information prior to supporting or opposing the proposed regions. (email 5/14 J.Abeyta Tesuque also supports Docs 1 & 2)
Pueblo of Zia	Governor Lambert Pino	(505) 867-3304		The Pueblo of Zia will not be submitting our own comments and recommendations but will instead fully support the Ad Hoc Steering Committee's recommendations. (email 5/7 Glenn Tortalita) Please find attached the Pueblo of Laguna's Letter of support for the Water Security Tribal Advisory Council's Ad Hoc Steering Committee Comments. (email 5/8 G.Tortalita)
Pueblo of Zuni	Governor Arden Kucate	(505) 782-7021	Councilman Edward Wemytewa	On this day, May 7, 2025, the Zuni Tribe in a "Duly Called Meeting" APPROVED, "WSTAC and the Ad Hoc Committee's recommendations with full support to the ISC." The Zuni Tribe's approval is in reference to: Document 1. WSPA RULES, Document 2. WSPA GUIDELINES, and Document 3. RIO SAN JOSE SETTLEMENT MAP. (email 5/7 E.Wemytewa)

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Mescalero Apache Nation	President Thora Padilla	(575) 464-4494	John Nelson	After reviewing the concerns and recommendations of the Water Security Tribal Advisory Council's Ad Hoc Steering Committee, the Mescalero Apache Tribe is hereby providing FULL SUPPORT as follows: Document 1 – Ad Hoc Committee Recommendations on WSPA RULES; · Document 2 – Ad Hoc Committee Recommendations on WSPA GUIDELINES; · Document 3 – Map Options (email 5/8 Pres. Padilla)
Jicarilla Apache Nation	President Adrian Notsinne	(575) 759-3242	Natasha Cuylear & Jen Dumas	Pending
Navajo Nation	President Buu Nygren	(928) 871-7000	Jason John	
Ute Mountain Ute	Chairman Manuel Heart		Leticia Yazzie	Pending

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Acoma Pueblo	Governor Charles Riley	(505) 552-6604	Governor Charles Riley & Aaron Sims	Document 1 & 2 - Full Support; Document 3 - Full Support with Comments and Justifications; They have a full letter that we should include in the overall packet. (email 5/8 Gov's ExecAsst.)
Pueblo of Cochiti	Governor Joseph Benji Herrera	(505) 629-4284	Pete Herrera Earl Conway David Yepa	Cochiti Pueblo also supports the recommendations of the Ad Hoc Committee. (Email 5/12 D. Yepa)
Pueblo of Isleta	Governor Eugene Jiron	(505) 869-3111	Lt. Gov Juan Rey Abeita & Josh Mann	Governor Jiron has communicated to me that the Pueblo of Isleta fully supports all the recommendations. (email 4/30 from JMann)
Pueblo of Jemez	Governor George Shendo, Jr.	575-834-7359	David Yepa & Clarice Madalena	On behalf of Jemez Pueblo, I am notifying you that the Pueblo supports all of the recommendations of the Ad Hoc Committee. (email 5/7 from David Yepa)
Pueblo of Laguna	Governor Harry Antonio, Jr.	(505) 552-6654	Adam Ringia & Susan Jordan	Please find attached the Pueblo of Laguna's Letter of support for the Water Security Tribal Advisory Council's Ad Hoc Steering Committee Comments. (email/Ltr 5/8 A. Ringia)
Pueblo of Nambe	Governor Nathaniel Porter	(505) 455-2036	Mike Lujan	The Pueblo of Nambe has no objection to Document 1, Document 2, or Document 3 and with regards to the two map proposed changes including the proposed Santa Fe move into our District, (so to speak) the Pueblo of Nambe also has no objections as well. I Michael R. Lujan, Mayordomo of the Pueblo of Nambe, make this decision with the full knowledge and support of our Governor Nathaniel S. Porter. (email MLujan 5/8)

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Ohkay Owingeh	Governor Benny Lujan, Sr	(505) 852-4400	Governor Lujan & Tyler Lystash	Ohkay Owingeh has reviewed the WSTAC recommendations... and fully supports all recommendations including the creation of a Rio San Jose Settlement planning region and the redrafting of the Mid Rio Grand Planning Region to exclude Santa Fe. Ohkay Owingeh's preferred option is the "Santa Fe Option 1". (Ltr from Gov. BenLujan 5/13)
Pueblo of Picuris	Governor Wayne Yazza	(575) 587-2519		
Pueblo of Pojoaque	Governor Jenelle Roybal	(505) 455-4500	Jeff Montoya	On behalf of Pueblo of Pojoaque Governor and Special Projects. We are in support of all the recommendations. (email JMontoya 5/9)
Pueblo of San Felipe	Governor Anthony Ortiz	(505) 867-3381	Michael T. Sandoval & Josh Mann	On behalf of our Governor and it's Administration, San Felipe fully supports all recommendations (email 5/7 from MT. Sandoval)
Pueblo of San Ildefonso	Governor Christopher Moquino	(505) 455-2273	Lt. Gov. Raymond Martinez	The Pueblo de San Ildefonso supports the WSTAC's recommendation's. (email Lt. Gov RMartinez 5/9/25)
Pueblo of Sandia	Governor Felix Chaves	(505) 867-3317	Greg Kaufman	Sandia Pueblo will submit their comments by May 14. (email 5/7 from Greg Kaufman)
Pueblo of Santa Ana	Governor Myron Armijo	(505) 867-3301	Gov. Myron Armijo & Tammy Montoya	The Pueblo of Santa Ana fully supports the three documents (rules, guidelines, and map). (email 5/14 from Tammy Montoya)
Pueblo of Santa Clara	Governor James Naranjo	(505) 753-7330	Jesse Gutierrez	
Pueblo of Santo Domingo	Governor Thomas Moquino, Jr.	(505) 465-2214	Cody Crumbo	Santo Domingo Pueblo is in support of submitting the recommendations developed by WSTAC. Santo Domingo Pueblo will also be submitting recommendations developed specifically by the Pueblo as well. (email 5/9 WCrumbo)

Tribe/Pueblo/Nation	Tribal Leader	Tribal Office No.	Designee	Tribal Response
Pueblo of Taos	Governor Edwin Concha	(575) 758-9593	Daniel Suazo & Susan Jordan	Taos Pueblo is in Full Support of the <u>ad hoc committee recommendations on Rules and Guidelines</u> ; but say "No position on WSTAC map options at this time. However the Santa Fe mapping issue is resolved it must not result in enlarging the "Upper Rio Grande" region.(email 5/9 D.Suazo)
Pueblo of Tesuque	Governor Earl Samuel	(505) 955-7733	Joseph Abeyta Sage Mountainflower Ryan Suazo-Hinds	The Pueblo of Tesuque supports the proposed new Rio San Jose Region because of the Rio San Jose Stream System Water Rights Local Settlement agreement. This water right settlement involves Pueblos, Navajo Nation, and non-tribal communities. The proposed Santa Fe option will require the Pueblo of Tesuque to review more information prior to supporting or opposing the proposed regions. (email 5/14 J.Abeyta Tesuque also supports Docs 1 & 2)
Pueblo of Zia	Governor Lambert Pino	(505) 867-3304		The Pueblo of Zia will not be submitting our own comments and recommendations but will instead fully support the Ad Hoc Steering Committee's recommendations. (email 5/7 Glenn Tortalita) Please find attached the Pueblo of Laguna's Letter of support for the Water Security Tribal Advisory Council's Ad Hoc Steering Committee Comments. (email 5/8 G.Tortalita)
Pueblo of Zuni	Governor Arden Kucate	(505) 782-7021	Councilman Edward Wemytewa	On this day, May 7, 2025, the Zuni Tribe in a "Duly Called Meeting" APPROVED, "WSTAC and the Ad Hoc Committee's recommendations with full support to the ISC." The Zuni Tribe's approval is in reference to: Document 1. WSPA RULES, Document 2. WSPA GUIDELINES, and Document 3. RIO SAN JOSE SETTLEMENT MAP. (email 5/7 E.Wemytewa)

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Mescalero Apache Nation	President Thora Padilla	(575) 464-4494	John Nelson	After reviewing the concerns and recommendations of the Water Security Tribal Advisory Council's Ad Hoc Steering Committee, the Mescalero Apache Tribe is hereby providing FULL SUPPORT as follows: Document 1 – Ad Hoc Committee Recommendations on WSPA RULES; · Document 2 – Ad Hoc Committee Recommendations on WSPA GUIDELINES; · Document 3 – Map Options (email 5/8 Pres.Padilla)
Jicarilla Apache Nation	President Adrian Notsinneh	(575) 759-3242	Natasha Cuylear & Jen Dumas	Pending
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Ute Mountain Ute	Chairman Manuel Heart		Leticia Yazzie	Pending