

NOTICE OF PROPOSED RULEMAKING

The New Mexico Interstate Stream Commission (“NMISC” or “Commission”) will hold a public hearing for the Commission to consider and take possible action on the Request of the NMISC Water Planning Program to adopt a new rule, Proposed Rule 19.25.16 NMAC, Regional Water Security Planning. The purpose of the Proposed Rule is to establish 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 the Proposed 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 local governing entities, the public and Nations, Pueblos, and Tribes within each Regional Water Security Planning Region; acknowledge the sovereignty, water rights, and water needs of Tribes, Nations, and Pueblos; 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.

Proposed Rule 19.25.16 NMAC identifies nine Regional Water Security Planning Regions that form the basis for Councils to be established and undertake a review of the science on the hydrology, use, and availability of water and produce Regional Water Security Plans. The Proposed Rule provides for the NMISC Staff to aid in the gathering of members and information for members to consider and evaluate, yet it is Councils that will develop a Regional Water Security Plan that includes prioritized Projects, Programs, and Policies. Proposed Rule 19.25.16 NMAC requires that Councils prioritize the Projects, Programs, and Policies based on readiness and identify a sponsor(s) for subsequent implementation.

The public hearing will begin on Wednesday October 15, 2025, at 9:00 a.m. and will resume at 1:00 p.m. on Thursday, October 16 and at 9:00 a.m. on Friday, October 17. The hearing will continue as long as required but not later than 5:00 p.m. on October 17 to hear all testimony, evidence, and public comment related to the Proposed Rule. The hearing will be conducted in a hybrid format to allow for both in-person and virtual participation. The in-person hearing will be held in the auditorium of the Willie Ortiz Building, 2600 Cerrillos Rd, Santa Fe, New Mexico 87505. Information on how to attend the hearing remotely, can be found on the NMISC/NMOSE website <https://www.ose.nm.gov/RulesRegs/rulemaking.php>.

The NMISC is authorized to adopt rules pursuant to the Water Security Planning Act, NMSA 1978, Sections 72-14A-1 through 72-14A-5. The hearing will be conducted in accordance with 1.24.25 NMAC, Default Procedural Rule for Rulemaking Procedures; NMSA 1978, Section 14-4-1, the State Rules Act, and other applicable procedures, including any orders from the Commission and appointed hearing officer. The Commission may deliberate and make a final decision on the Proposed Rule at the conclusion of the hearing or may convene a later meeting for that purpose.

The Motion to Initiate the Rulemaking Process, Statement of Reasons, and Proposed Rule 19.25.16 NMAC, as well as any orders from the Commission and appointed hearing officer governing the conduct of the hearing may be accessed by visiting <https://www.ose.nm.gov/RulesRegs/rulemaking.php> and scrolling down to “Regional Water Security Planning” under “Docketed Matters.” Paper copies of the Motion, Statement of Reasons, and Proposed Rule 19.25.16 NMAC are available at NM Office of the State Engineer district offices, the addresses for which can be found at <https://www.ose.nm.gov/DO/index.php>.

PUBLIC COMMENT: The NMISC rulemaking hearing is open to the public, and individuals or representatives seeking to provide comments are encouraged to submit comments or data, views, or arguments in one of two ways:

1. During the public comment period in advance of the hearing comments may be submitted online at: <https://www.ose.nm.gov/RulesRegs/rulemaking.php>, or via postal mail to the NMISC Administrator, 5550 San Antonio Dr. NE, Albuquerque, NM 87109. **The deadline for submitting written comments in advance of the hearing is September 27, 2025.** Comments submitted during the public comment period will be posted to the

website and available for viewing within three business days of receipt and will be submitted to the Commission in advance of the hearing.

2. During the hearing there will be multiple opportunities each day for public comment, which can be made in person or virtually at the following times:

Wednesday, October 15 at 12:00 p.m. (noon) and again at 4:00 p.m.

Thursday, October 16 at 1:00 p.m. and 4:00 p.m.

Friday, October 17 at 9:00 a.m.

No prior notification is required to make public comment at the hearing; however, for planning purposes if it is known that comment is to be provided at the hearing, please send an email to Jennifer.Salazar@ose.nm.gov and identify the name, affiliation, and the date, approximate time frame, and amount of time requested for making the comment. The appointed hearing officer shall determine the process and times for comments during the hearing. Any individual who provides comment during the hearing must state their name and affiliation for the record. All written comments will be considered exhibits for reference, but do not require formal admission into the hearing record. Any written material presented for review by the Commission at the rulemaking hearing must be provided to the Hearing Officer with 12 copies. If any person requires an interpreter to make public comment in a language other than English, please contact the NMISC Administrator as soon as possible, and at least 14 days prior to the hearing date at 5550 San Antonio Dr. NE, Albuquerque, NM 87109, telephone (505) 490-2171, or email Jennifer.Salazar@ose.nm.gov.

ACCESSIBILITY: In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the New Mexico Interstate Stream Commission will not discriminate against individuals with disabilities on the basis of the agency's services, program, or activities. If any person requires an accommodation or an auxiliary aid or service or qualified sign language interpreter to participate in the rulemaking hearing, please contact the NMISC Administrator as soon as possible and at least 14 days prior to the hearing date at 5550 San Antonio Dr. NE, Albuquerque, NM 87109, telephone (505) 490-2171, or email Jennifer.Salazar@ose.nm.gov. (TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).