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**PROPOSED EDITS THAT WERE NOT INCORPORATED
DURING DAY 1 OF NMISC DELIBERATIONS ON PROPOSED RULE
19.25.16 N.M.A.C. Regional Water Security Planning**

19.25.16.6 OBJECTIVE:

[19.25.16.6 NMAC – N, xx/xx/202x]

[Responding to comments made during the hearing, the Program recommends adding the language in red, above, for clarification.]

[New Mexico Acequia Association (NMAA), New Mexico Acequia Commission (NMAC), New Mexico Land Grant Council (NMLGC), and the Rural Community Assistance Corporation (RCAC) suggest inserting the words “political subdivisions of the state” between the words “public” and “and Nations, Pueblos, and Tribes.” See pp. 1812, 1850, 1910, 1959]

[Aidan Manning for NM Willd and several other NGOs suggests deleting the word “and” after “public welfare” and inserting “safeguard water resources to meet” before the words “the needs of future generations.” Pp. 1787-1795.]

[New Mexico Water Advocates (NMWA) proposes to replace Section 6 entirely, stating that the Proposed Rule 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. See PC101-102. To see all of NMWA’s revisions in one place, see PC098-125.]

19.25.16.6 OBJECTIVE:

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

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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.

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.

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19.25.16.7 DEFINITIONS:

A. “Commission” means the New Mexico interstate stream commission and its nine appointed members, authorized under Section 72-14-1 NMSA 1978.

[NMWA would insert additional definitions here for “Communities” and “Council,” among others, “to reduce the likelihood of multiple interpretations.” See PC103. Note that if the Commission accepts further definitions or recommended deletions that the necessary re-numbering and re-lettering of subsections will be handled later.]

“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.

“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.

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.

[NMWA would replace “Projects, programs, and policies” with separate paragraphs, PC103]

“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

“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.

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

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[New Mexico Cattle Growers and NM Farm and Livestock Bureau encourage a definition of “public welfare.” NMCG suggests it include existing, traditional uses of water. Pp. 1801-1802]

[Environmental Defense Fund (EDF) encourages a statewide definition for public welfare values that shall be considered by councils. P. 1884]

[NMWA would delete the definitions for “Regional water security planning council” and “Regional water security planning region” and insert definitions for “Regions” and “Subregions,” PC 103-104.]

“Regions” means the administrative planning areas delineated by the Commission as shown in Exhibit 1, Regional Boundaries Delineation (Exhibit I 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.

“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.

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19.25.16.9 REGIONAL WATER SECURITY PLANNING REGIONS:

[NMWA states that Section 9 needs edits to allow for planning communities within regions or subregions, PC106]

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.

[Pueblo of Isleta suggests redrawing regional boundaries to ensure that the Middle Rio Grande region can effectively protect its own water resources, ecosystems, and cultural values. PC015-018.]

[Central TriCounty Soil and Water Conservation District support the request by Estancia Basin Water Planning Committee to refine basin boundaries based upon hydrological rather than political boundaries, and that Estancia basin remain separated from the basins to the south, rather than becoming part of the Central Basin Council. See Supplemental filing, p. 1]

[NM Cattle Growers urges defining regions by hydrologic units/acequia systems rather than metropolitan service areas; prohibit regional boundaries that subordinate predominantly agricultural and rural basins to metropolitan councils. Pp. 1801-1802]

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[NMAA, NMAC, and RCAC suggest that the nine regions should overlap with or be contained within Council of Government regions, to ensure overlap of technical assistance and additional capacity. See pp. 1813, 1911, 1960]

[The San Francisco Soil and Water Conservation District (SFSWCD) states that their watershed and basin is hydrologically separated and the basin is fully adjudicated. The San Francisco basin and other distinct basins should be granted automatic subregion status. Pp. 2047-2049]

[NMAANMAC, NMLGC, and RCAC propose a new Section 9, establishing a new group similar to WSTAC:

19.25.16.9 ACEQUIA AND RURAL WATER SECURITY ADVISORY WORKING GROUP

A. NMISC staff shall provide administrative support and facilitation, in coordination with the New Mexico Acequia Association, the New Mexico Acequia Commission, the New Mexico Land Grant Council, and the New Mexico Rural Water Association for the establishment and operation of the Acequia and Rural Water Security Advisory Working Group ("ARWSAWG") comprising of the appointed representatives of each Regional Water Security Planning Council that represents acequias, mutual domestics or community regional water systems, and land grant-mercedes.

B. The purpose of the ARWSAWG is to provide a forum for input from New Mexico acequias, mutual domestics or community water systems, and land grant-mercedes to ensure that their 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 appointed representatives of the acequias, mutual domestics or community regional water systems, and land grantmercedes of each Regional Water Security Planning Council shall determine their own procedures and principles for the operation of ARWSAWG.
See pp. 1813, 1851, 1911, 1960]

[NMAA, NMAC, NMLGC, and RCAC also propose a new section 10, to establish a Regional Water Security Program Fund to carry out WSPA. No text was offered. See pp. 1813, 1851, 1911, 1960]

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19.25.16.10 INITIAL PLANNING PERIOD:

[EDF recommends that 10.A require ISC staff to review each region's proposed plan for inclusion of the required components in Section 15, prior to submitting the proposed plan to the ISC for technical content review and approval process. See pp. 1888-1889]

[Aidan Manning for NM Wild and other NGOs suggests 2 insertions in 10.A(5): "providing councils with technical support, including assistance with accessing the best available data and science, templates to guide decision making, information on funding sources, and compilations of existing plans and additional resources from inside and outside of state government." The Proposed Rule already includes another suggested edit in B(3)(e). Pp. 1787-1795.]

[ABCWUA recommends addressing ambiguity in 10.B(3)(c) by adding a definition or explanation in the rule or guidelines, with examples, of how a council can use a steering committee. Pp. 1865-1876]

[Trout Unlimited recommends in 10.B(3) identifying standards and/or best practices to be adopted across all planning councils for greater consistency and effectiveness. Pp. 1936-1940]

*[NMAA, NMAC, NMLGC, and RCAC offered edits in Sections A(3) through (6) and B(3):
A. (3) 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, one NMISC staff shall be assigned to one planning region for the purpose of ~~to~~ these tasks and shall be located at an office of the state engineer district office within or near the region.*

(4) providing administrative support and facilitation for at least four meetings of each council within the region per calendar year and in the convening of each councils' working groups.

(5) providing councils with technical support, including assistance with accessing the best available data and science, templates to guide decision making, convening working groups of the councils, and compilations of existing plans and additional resources.

(6) developing and maintaining lists of region-specific stakeholders, planning stakeholder engagement opportunities, and notifying stakeholders of opportunities to engage in the planning process.

B. (3)(b) the duration(s) of the term(s) for at-large council members;

And a new subsection (f) the process for integration and engagement to be used by the council for the inclusion of input provided by the WSTAC and ARWSAWG, and ... See pp. 1813-1815, 1851-1852, 1911-1912, 1960-1961]

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[Pueblo of Laguna notes that although WSPA authorizes the ISC to make grants or loans for regional planning, nothing in the Rule addresses funding. Pp. 1903-1907]

[NMWA recommends the revisions shown below, stating that proposed Section 10 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 the state. See PC107-110]

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.

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- (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:
 - (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

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- (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:

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- (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 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,

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- (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.

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19.25.16.11 ONGOING PLANNING PERIOD:

[Aidan Manning of NM Wild and other NGOs suggests 2 revisions to A(3) as follows: providing councils with technical support, including assistance with accessing the best available data and science, information on funding sources, decision-making guides, compilations of existing plans, including inside and outside of state government, and resources to aid in tracking and reporting on implementation. In Subsection B(7) Dr. Manning suggests the insertion of the words “and Council activities” after the words “planning process.” In Section C Dr. Manning suggests the inclusion of the words “and steps taken to ensure stakeholder and public input throughout the planning process.” Pp. 1787-1795.]

[NMAA, NMAC, NMLGC, and RCAC suggest adding at the end of A(2) “and providing assistance for the operation of the councils’ working groups.” And a new subsection A(4): “providing administrative support, facilitation, and technical support to the councils for carrying out Subsection B of 19.25.16.12 NMAC.” In Section C, NMAA suggests inserting “funding recommendations” in the list of things to be reported to the Commission. See pp. 1815, 1853, 1913, 1962]

[NMWA recommends revisions as shown below, stating that Section 11 is probably premature and would be better written in a few years after we all become smarter. It doesn’t hurt to leave it in at this time. As written the subparagraphs are too prescriptive in some places (as in meetings) and too silent in noting needs for funding, etc. in other places. See PC111-112]

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:

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- (1)** proposing work plans to NMISC staff for funding ongoing efforts
- (2)** 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, cost to complete, and,
- (e)** near term plans.

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19.25.16.12 COMPOSITION OF REGIONAL WATER SECURITY PLANNING COUNCILS:

[The Program accepted 2 of the 4 edits suggested by Dr. Manning in this Section; the 2 outstanding suggestions are to add the words “in the region” at the end of Subsection (2)(c), and “who represents grassroots or community water needs” at the end of Subsection (2)(j). PP. 1787-1795.]

[Trout Unlimited suggests in Section 12.A that each of the at-large members should be required to reside within the region they are appointed to. See pp. 1936-1940]

[EMNRD State Parks Division would like to be included in regional water security planning where one or more state parks exist. The Parks Division proposes to add this language to proposed 19.25.16.12(A)(1) NMAC as a new subsection: (h) one representative member identified by the state parks division of the energy, minerals and natural resources department for planning regions that have one or more state parks;]

[EMNRD Forestry Division would like to be included in regional water security planning based on several factors that are listed below. The Forestry Division proposes to add this language to proposed 19.25.16.12(A)(1) NMAC as a new subsection: (i) one representative member identified by the forestry parks division of the energy, minerals and natural resources department to address wildfire and watershed risks and mitigation. Specifically, the Forestry Division has identified these areas of concern to address:]

*[San Juan Water Commission and water lawyer Liz Taylor urge the addition of two additional representative members in Subsection A:
(g) one representative member of each regional community ditch association or rural water users association in the planning region or if no regional community ditch association or rural water users association exists, one representative from that region appointed by the New Mexico Rural Water Users Association; and
(hi) one representative from each additional political subdivision located in whole or in part within the planning region not falling within the previous membership categories.
PP. 1839-43, 2041-2046]*

[NM Cattle Growers suggests requiring that each council include acequia/ditch association(s), agricultural producers (row, forage, dairy, beef, sheep) and livestock/rangeland interests with minimum seat allocations and voting commensurate with traditional utilization. P. 1801]

[Mark Fischer, Chair of the Lincoln County Commission, questions the standing of statewide or regional public higher education institutions (such as a student, professor, administrator, etc.);

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or environmental, conservation, or water advocacy non-governmental organizations with members or local chapters in the region; these non-constituent groups should not be voting members of Regional Water Security Planning Councils. Pp. 1804]

[David Carmichael of Las Cruces: some of largest users of water (farmers, ranchers, miners, and other industrial users) would be overrepresented on the Planning Councils as proposed. Proponents of non-consumptive water uses, such as wildlife habitat management, outdoor recreation, birding, and ecological science interests should be better represented than they are. It seems that all of the disciplines involving special expertise are outweighed by the number of political leaders included. p. 1807]

[Laura Watchempino of the Pueblo of Acoma: Membership on the Regional Planning Committees should be as diverse and inclusive as possible, to avoid overrepresentation by the largest and most powerful water users and political leaders in a planning region at the expense of smaller water users and proponents of non-consumptive water uses that promote sustainable stream systems and the ecosystems and cultural uses that they support. P. 1935]

[Pueblo of Laguna wonders if Councils will be too large to develop plans, and the manner in which technical support is provided by ISC staff should be more clearly set out. They also believe the task of the Northwest Regional Council will be virtually impossible, considering Indian water rights settlements and inclusion of lands not covered by settlements. At a minimum, the Rio San Jose basin should be set aside as a separate region or subregion. Pp. 1903-1907]

[NMWA recommends replacement of Section 12 to provide criteria for, rather than specification of, Council membership, stating that the current Proposed Rule overweights the balance away from actual stakeholders, and specifies too much complexity, unnecessary ISC staff involvement, and an unwieldy set of council members unlikely to create an agreed-upon useful product. See replacement Section 12 below. See PC113-114]

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

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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.

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PROPOSED EDITS THAT WERE NOT INCORPORATED DURING DAY 1 OF NMISC DELIBERATIONS ON PROPOSED RULE 19.25.16 N.M.A.C. Regional Water Security Planning

19.25.16.13 REGIONAL WATER SECURITY PLANNING COUNCIL MEETING AND INPUT REQUIREMENTS:

[The Eastern NM WUA and the Pueblo of Acoma suggest that council meetings be held within the region they serve. This approach would enhance accessibility for local stakeholders and foster meaningful engagement, consistent with the rule's stated goals of transparency and inclusive participation. Pp. 1892, 1935. Note that the Proposed Rule does contain such language in Section 10.A(4), above.]

[ABCWUA suggests that Council requirements are too intense and could overwhelm Council capacity. The Commission should scale back or add flexibility to the meeting and input mandates. NMISC should also commit to provide greater support and resources to Councils. Pp.

[Dr. Manning suggests edits in Section A(3): councils shall ~~provide at least 14 day notice of meetings~~ follow the provisions of the Open Meetings Act to notice all meetings and formal ~~or other~~ activities to council members, the public, region-specific stakeholders, Nations, Pueblos and Tribes, and the commission, with NMISC staff support as needed. Pp. 1787-1795.]

[EDF suggests that the Rule require at least one public meeting during plan development and another for each update, dedicated to presenting the draft plan and receiving public comments. These public meetings should be conducted prior to submission of the plan to the ISC for approval. All other council meetings should designate time for public comments. P. 1889]

[NMAA, NMAC, NMLGC, and RCAC suggest inserting the words "and public comment opportunities" following the word "input" in the first line of 13.B, B(3), and C. See pp. 1819, 1857, 1917, 1966]

[Trout Unlimited generally cautions against too many requirements placed on councils in this section without a clear sense of ongoing NMISC staff support and capacity, pp. 1936-1940]