

October 2, 2018

New Mexico Legislature
Interim Committee on Water and Natural Resources

Dear Committee Members:

In response to House Memorial 1 (2017), the HM1 Working Group is pleased to submit this proposal¹ for New Mexico to establish more effective and useful water planning and management processes.

The submission consists of two key documents:

- *“Making the Case for Change”* presents a policy paper summary of the major problems and solution paths the Working Group identified.
- *“Executive Guidance for Water Planning”* presents a draft structure and guidance for New Mexico’s future regional water planning activities.

The Working Group identified four major problems whose remedy is urgent for the State’s long term economic health. And the Working Group identified a set of five Core Initiatives that are necessary, in our estimation, to effectively address these four problems.

We recognize that there are many other important water issues that eventually need to be addressed. Key among them is the uncertainty over quantification of Native American Tribal water rights and the impact of their resolution. We believe that non-Tribal water issues will largely be addressed through the newly effective state and regional water planning processes outlined in our proposal.

The widely-recognized need to improve water planning processes led to HM1 and this proposal. Amidst a groundswell of critical voices more than three years ago, the New Mexico Water Dialogue convened a statewide workshop at the Sevilleta National Wildlife Refuge to address concerns about a “second round” of regional water planning then being directed and staffed by employees and consultants of the NM Interstate Stream Commission (ISC). Attendees included representative citizen-planners from 14 of the 16 water planning regions and other NMWD Board members, as well as ISC staff and contractors. Many of them had participated in the initial regional planning effort, 10-20 years earlier. Discussion focused on ISC’s then-current round of regional water planning. Participants identified substantial deficiencies in the methodology, process and product.²

A result of that workshop was the formation of a “Governance Study Group” (GSG), eleven citizen water planners from several water planning regions around New Mexico.³ Its intention was to work with the ISC (encouraged by its director, Deborah Dixon) on reforms to future iterations of regional water planning to better link planning with hydrologic reality and with the processes by which the State’s water is governed.

¹ The authors refer to these submissions as products of an “HM1 Working Group,” to acknowledge that the Task Force HM1 anticipated to be convened by the ISC was never established.

² Positive and negative experiences in each region are documented in the facilitator’s report. Find it at <http://nmwaterdialogue.org/library/water-governance/sevilleta-workshop-july-28-2015-summary-report/view>

³ Members were Allyson Siwik (Region 4 - Silver City), Bob Wessely (Region 8 - Las Vegas), Dael Goodman (Region 11 - Las Cruces), Elaine Hebard (Region 12 - Albuquerque), Shaun Bishop (Region 2, San Juan), Janet Jarratt (Region 12 - Los Lunas), John Brown (Region 12 - Corrales), Jeff Kiely (Region 6 - Grants), Larry Winn (Region 6 - Gallup), Norm Gaume (Region 12 - Sandoval Co.), Sharon Hausam (Region 12 - Albuquerque), Theresa Cardenas (Union of Concerned Scientists, New Mexico).

After the Sevilleta workshop, the GSG met regularly and early on, produced six papers on water planning issues,⁴ which were shared with the ISC and reported on to this body in 2016. Following that, the GSG worked with legislators to pass HM1 (2017).

The ISC, for various reasons – staffing changes, a lack of resources and conflicting priorities (including a deadline for completing a new State water plan (which, being delayed, overlapped with HM1's deadline)) – has not participated in crafting this response to HM1. Thus, this report is not the work of the Task Force that HM1 described. However, the HM1 Working Group addressed the problem areas and requests for recommendations described in HM1. We expanded the task a little to identify and propose planning solutions for major problems. That expansion adds to and supports a detailed description of how water planning should be made effective – purposes, processes, products, and impacts.

The HM1 Working Group invited review from a wide range of knowledgeable individuals. Though not every concern raised was fully addressed, particularly those of scope, this report benefitted substantially from the input.⁵

The HM1 proposal addresses how New Mexico water planning should be conducted in the time period after the new State Water Plan is completed. The draft State Water Plan has recently been released and does not address the issues raised in the recommendations from the Sevilleta workshop, in the six issue papers, in the December 2017 ISC Town Hall or in HM1 itself.

We believe the serious and urgent problems we face dictate that the Legislature give consideration to the problems and solutions presented herein.

We respectfully request that committee members read and consider *“Making the Case for Change,”* amend State law and provide funding necessary to implement the identified solutions. We also request, that you encourage the Executive (ISC) to refine and implement the water planning approaches set out in the *“Executive Guidance for Water Planning”* document.

Thank you,

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⁴ The issue papers are available at <http://nmwaterdialogue.org/library/water-governance/governance-study-group-issue-papers>.

⁵ An appendix table maps invited responses to the draft *“Making the Case for Change”* document. It identifies the respondents (with their permission), summarizes each comment, and notes their disposition.