

HOUSE AGRICULTURE AND WATER RESOURCES COMMITTEE SUBSTITUTE FOR
HOUSE MEMORIAL 1

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

A MEMORIAL

REQUESTING THE INTERSTATE STREAM COMMISSION TO CONVENE A TASK
FORCE TO MAKE RECOMMENDATIONS TO CORRECT DEFICIENCIES IN STATE
AND REGIONAL WATER PLANNING PROGRAMS AND PROCESSES.

WHEREAS, legislative authority for regional water planning
was enacted in 1987 and was compiled at Section 72-14-43 NMSA
1978, wherein the legislature found that "the future water
needs of New Mexico can best be met by allowing each region of
the state to plan for its water future"; and

WHEREAS, with the interstate stream commission, local
government and private financial support, sixteen regions
developed their own regional water plans during the period from
1995 to 2008; and

WHEREAS, during the thirty years that have elapsed since
regional water planning was authorized, threats to the

1 sustainability of New Mexico's water supplies have grown as
2 changing patterns of precipitation and increased demand have
3 reduced the availability of surface water, resulting in
4 unsustainable mining of ground water in many parts of the
5 state; and

6 WHEREAS, in 2013, the interstate stream commission
7 initiated a regional water plan update program that has been
8 largely implemented by interstate stream commission consultant
9 contractors assigned to every region working with pro forma
10 steering committees convened to provide input to and ratify
11 work products generated by those consultants; and

12 WHEREAS, concerns have been voiced around the state
13 regarding the process employed being driven by the state rather
14 than at the regional level, with the "common technical
15 platform" and with the "administrative water supply", resulting
16 in a failure to use best available science in the update and
17 thus making the regions potentially more vulnerable to future
18 impacts, including compact litigation; and

19 WHEREAS, ongoing integrated water resources planning tied
20 to monitoring and implementation is vital for ensuring the
21 future economic, ecological and cultural well-being of New
22 Mexico;

23 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
24 REPRESENTATIVES OF THE STATE OF NEW MEXICO that it affirm the
25 importance of water planning and implementation as intended in

1 the 1987 legislation, while noting that a lack of adequate
2 definition of regional organizations, their boundaries, scope
3 of authority and continuity of functioning has hampered the
4 ability of existing regional entities to fulfill their
5 potential; and

6 BE IT FURTHER RESOLVED that the interstate stream
7 commission be requested to convene a volunteer task force that
8 will address improvements in the following areas related to
9 water planning:

- 10 A. governance and institutional arrangements;
- 11 B. strengthening planning linkages;
- 12 C. public participation;
- 13 D. tribal participation;
- 14 E. technical information; and
- 15 F. water rights adjudication; and

16 BE IT FURTHER RESOLVED that the task force develop,
17 through an open process, a detailed plan or proposal for
18 statutory, agency and regional action, to include the rationale
19 for and results expected from the water planning, specific
20 tasks, milestone schedules and estimated costs, to be presented
21 to the appropriate legislative interim committee not later than
22 July 1, 2018 for approval or modification; and

23 BE IT FURTHER RESOLVED that the task force membership,
24 solicited through open invitation, include a diverse set of
25 participants from the sixteen planning regions, representing,

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1 at a minimum, the following interests:

- 2 A. tribes;
- 3 B. agriculture;
- 4 C. the extractive industry;
- 5 D. urban users;
- 6 E. development and urban businesses;
- 7 F. environmental protection;
- 8 G. county and municipal governments; and
- 9 H. current water rights holders;

10 as well as representatives from the interstate stream
11 commission and other invited state agencies, such as the office
12 of the state engineer, the department of environment, the
13 energy, minerals and natural resources department, the New
14 Mexico department of agriculture and the Indian affairs
15 department; and

16 BE IT FURTHER RESOLVED that the task force consider the
17 legislature's encouragement of collaboration among neighboring
18 communities sharing common water sources or otherwise connected
19 hydrologically to develop shared strategies to improve their
20 resilience; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the interstate stream commission, office of the
23 state engineer, department of environment, energy, minerals and
24 natural resources department, New Mexico department of
25 agriculture and Indian affairs department.

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