



UNDERSTANDING THE REGIONAL WATER PLANNING PROCESS

A Roadmap to
Community-Driven
Solutions

Doug West, Arroyo Salado,
serigraph, 1993

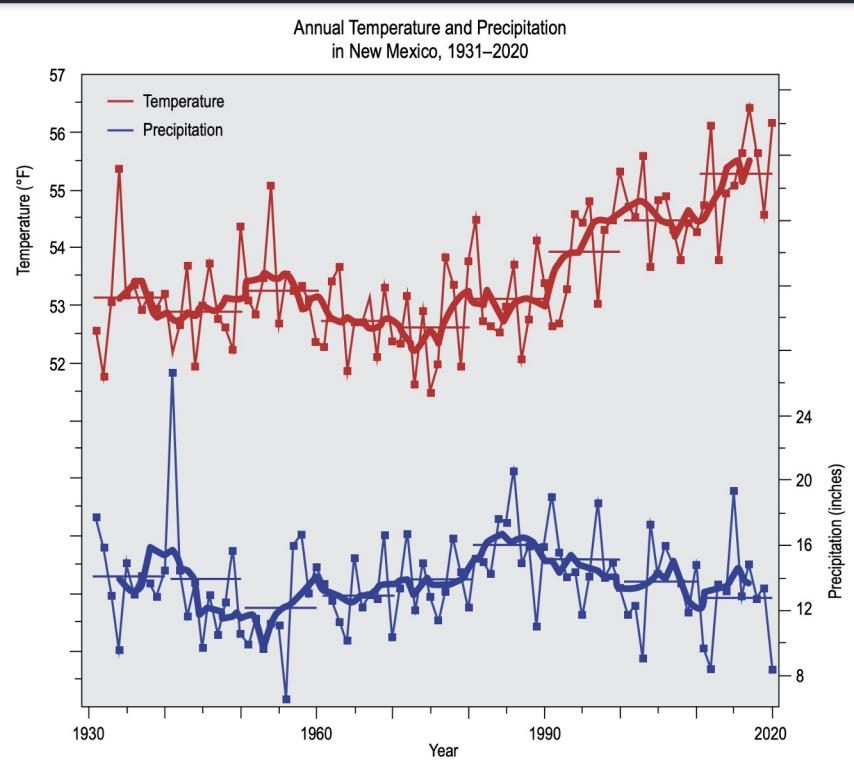
We Heard You!

1. Policies to ensure year-round flows in the Rio Grande
2. Funding for ecological restoration, habitat improvement, wetlands, and access for recreation
3. Policies to restrain development and urban sprawl
4. Programs to address agricultural water use: voluntary fallowing, purchasing water rights from farmers, funding for more efficient irrigation, subsidies to farmers to transition to desert crops
5. More data on groundwater and aquifers readily available to the public

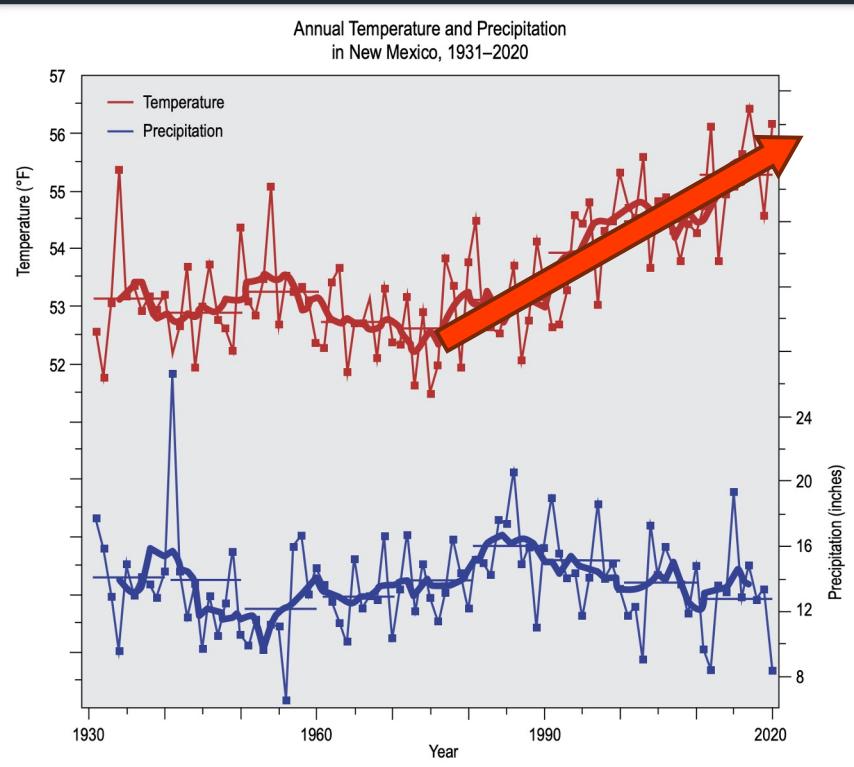
We heard you! continued...

6. A system of water allocation that equitably balances multiple uses
7. Increased community education on water data and issues confronting the region and communities
8. urban conservation projects – greywater, direct potable reuse, outdoor irrigation
9. Projects addressing stormwater capture and recharge
10. Regulations protecting surface and groundwater from pollution and regulations on oil and gas industry and their use of water

Why is Regional Water Planning Needed?



Why is Regional Water Planning Needed?





A blurry, brownish background image of a reservoir, showing water and distant land.

Elephant Butte Reservoir
Time Lapse
1984-2022

1994

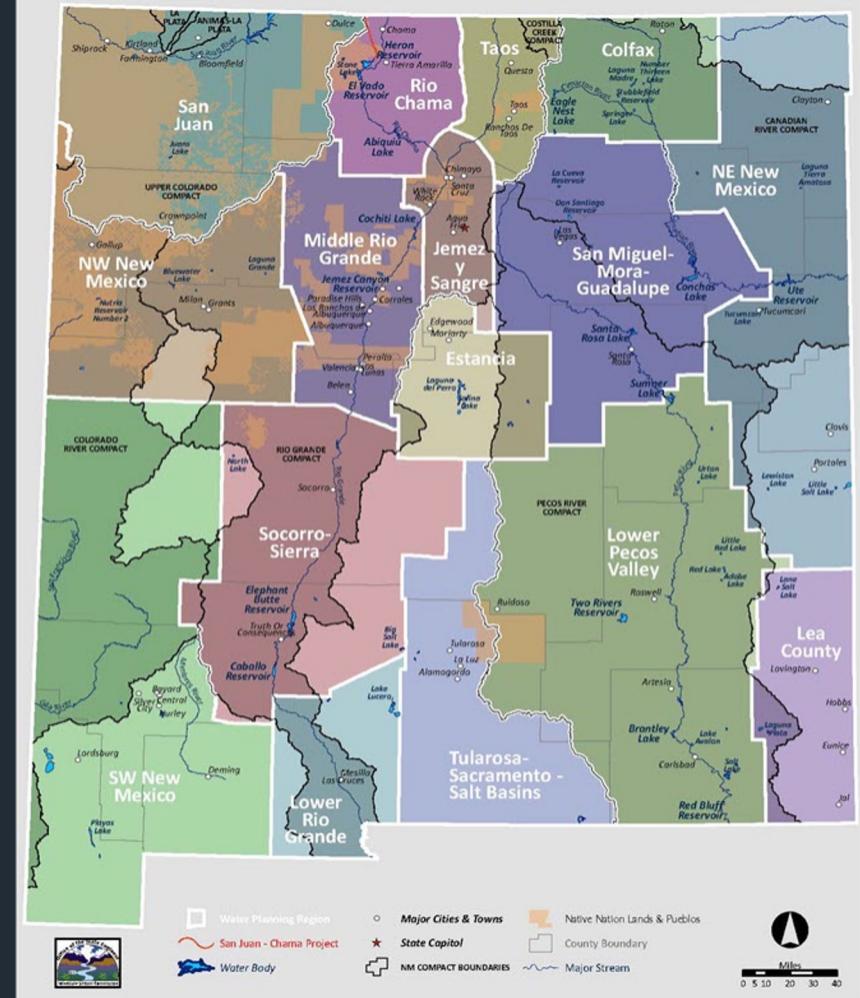


2022

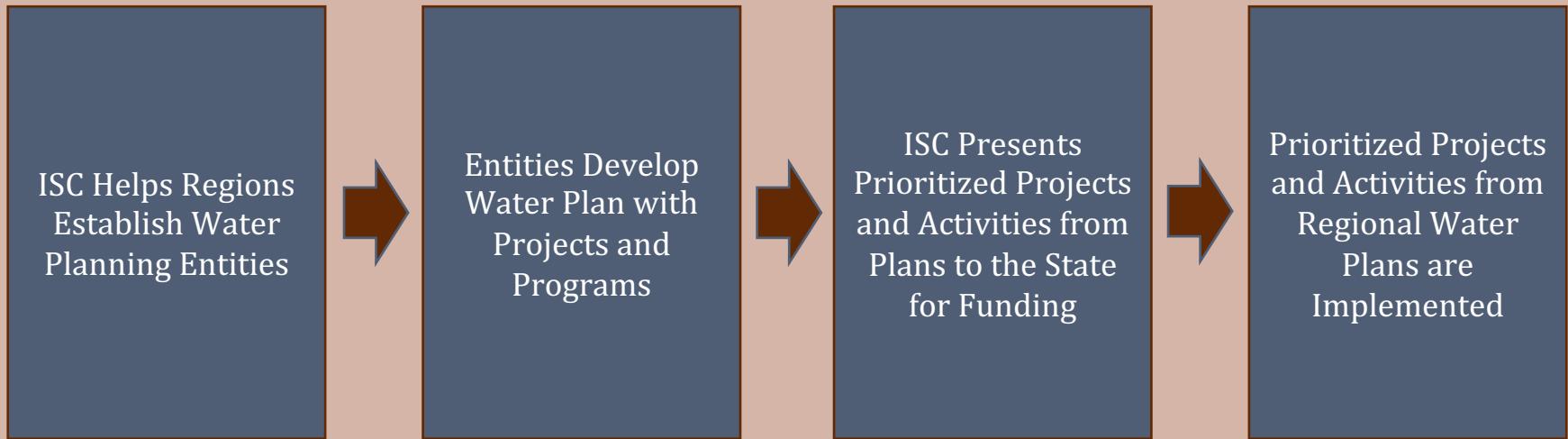




What is Regional Water Planning?



Regional Water Planning Process Roadmap



Regional Water Planning Process Roadmap

1. Collect public input on water planning needs, regional boundaries, who should be involved, and other issues
2. Establish rules and guidelines for regional planning process and criteria, and define regional boundaries

ISC Helps Regions Establish Water Planning Entities

Entities Develop Water Plan with Projects and Programs

ISC Presents Prioritized Projects and Activities from Plans to the State for Funding

Prioritized Projects and Activities from Regional Water Plans are Implemented



Regional Water Planning Process Roadmap

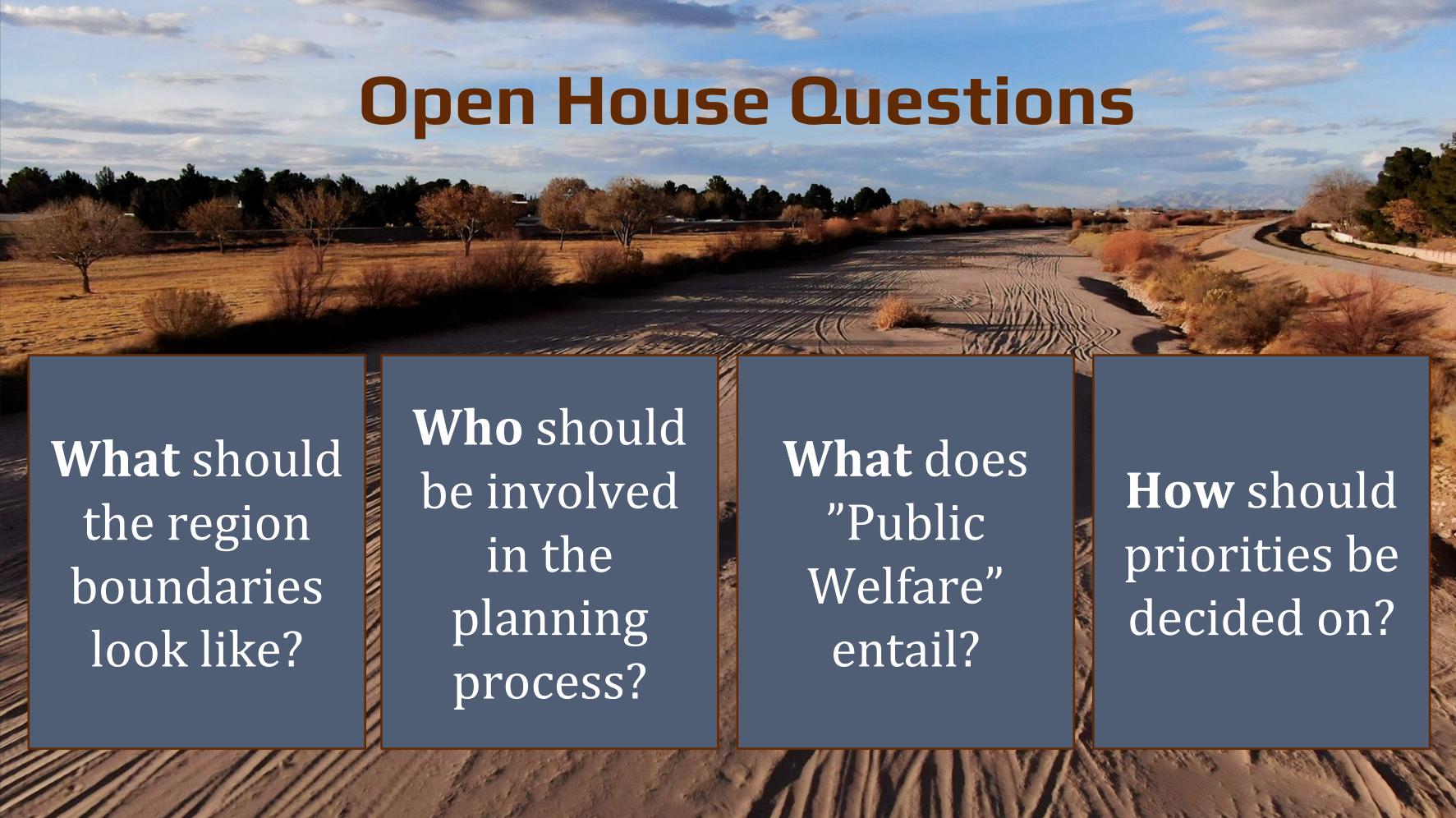
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Open House Questions

What should
the region
boundaries
look like?

Who should
be involved
in the
planning
process?

What does
"Public
Welfare"
entail?

How should
priorities be
decided on?

Sustainable

- Conserving the water we do have
- Ensuring water for future generations

Equitable

- Robust public participation
- Democratic prioritization

Holistic

- Equally considering of all uses

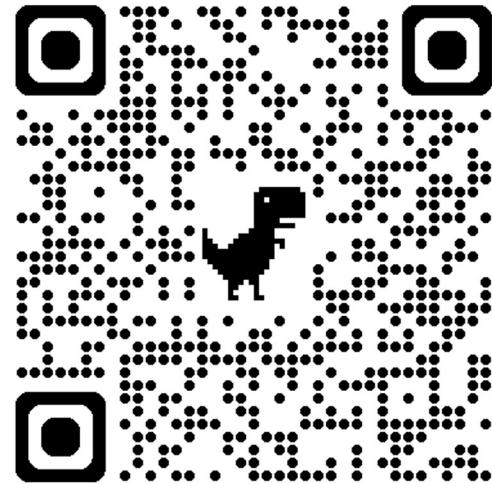
Actionable

- Clear steps that demonstrably prepare for a drier future

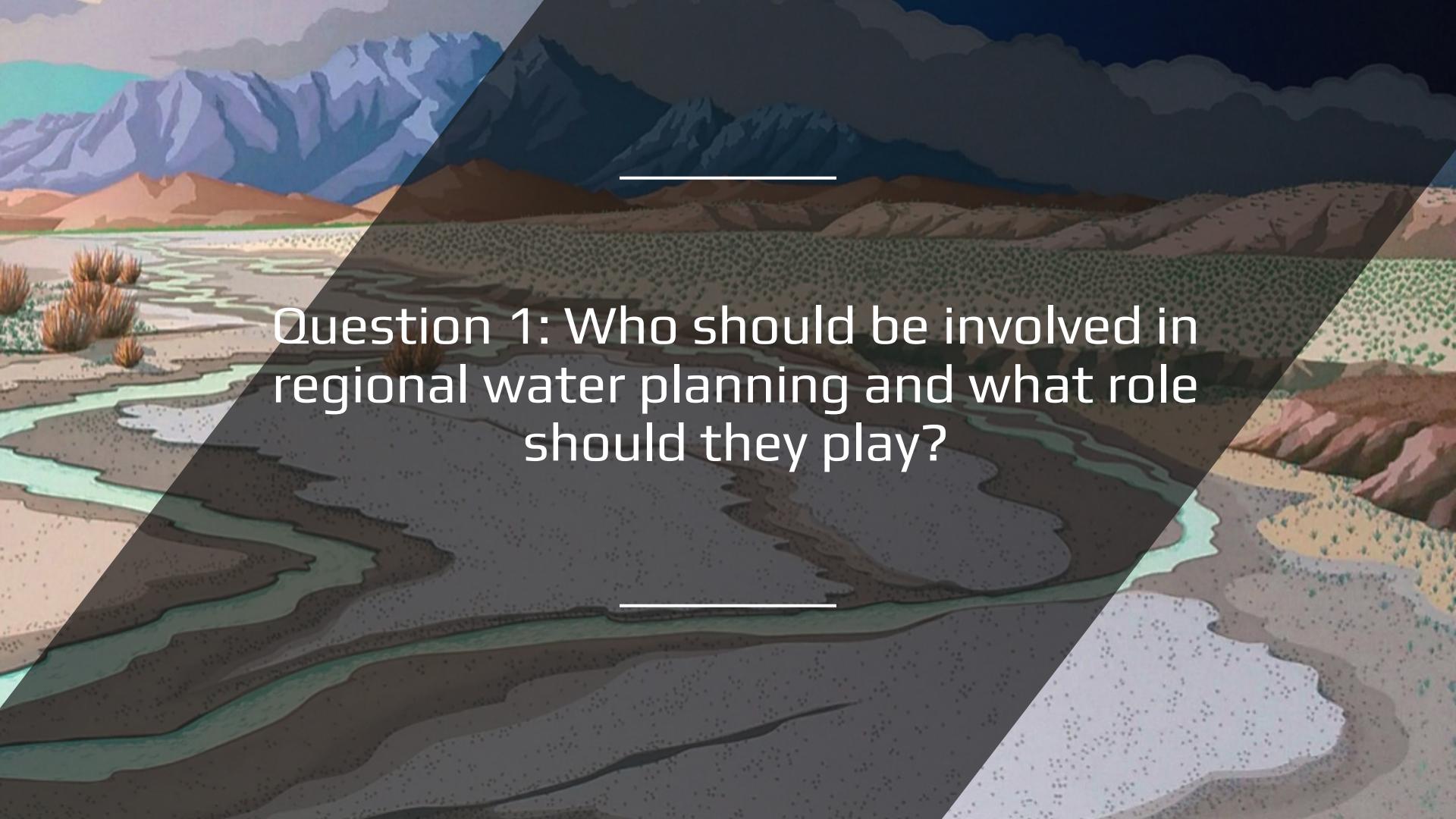
Your Input is Needed!

- Attend the Lower Rio Grande Open House Meeting
 - July 24th from 3pm to 7pm
 - Las Cruces City Hall
- Fill out the more in-depth online survey
 - Visit mainstreamNM.com
- Help your friends and neighbors get involved too!
 - Numbers matter!

Mainstream NM Website



Discussion



The background of the slide is a stylized landscape illustration. It features a range of mountains in the distance, with peaks colored in shades of blue and purple. In the foreground, there's a winding river or stream bed filled with light green water, surrounded by dark brown, textured ground. Sparse desert vegetation, including small orange and yellow bushes, is scattered across the landscape. The overall style is painterly and somewhat abstract.

Question 1: Who should be involved in regional water planning and what role should they play?

Water & Public Welfare

- New Mexico's water code requires State Engineer to consider "public welfare" in decisions for water transfers and new applications (Section 72-5-23)
- This applies to both surface water and groundwater
- However, public welfare remains undefined
- The Problem: OSE must take public welfare into consideration, but little to no guidance on what that term means or how to apply it when making these decisions



Economic Development & the Intel Case

1993 Intel wanted to expand & increase water use from 3 million-10 million gpd

Village of Corrales opposed expansion

Intel argued jobs, social benefits, and Intel's investment in water infrastructure—mostly quantified in economic development terms and the creation of capital and investment

Village of Corrales argued public welfare is more than purely economic considerations: water used in domestic wells, water for traditional agriculture, for recreation, and the environment. Intel expansion would impact air quality, traffic, wastewater discharge into waterways,

State Engineer "refused to make policy decisions based on public welfare" - granted Intel the permit on basis of beneficial use equated to Econ development (Hoffman-Dooley)

Defining Public Welfare

How should public welfare be defined?

What is proper forum?

What priorities should be taken into account when public welfare is being considered?

Options for defining public welfare:

- Legislature could put forward a list
- Regional Water Planning could set forth a definition
- Continue defining public welfare on ad-hoc basis at OSE
- Courts could make rulings on case-by-case basis
- Public welfare impact statement

Further Reading:

Consuelo Bokum, Implementing the Public Welfare Requirement in New Mexico's Water Code, 36 Nat. Resources J. 681 (1996).

Susanne Hoffman-Dooley, Determining What is in the Public Welfare In Water Appropriations and Transfers: The Intel Example, Available at:
https://digitalrepository.unm.edu/uc_rio_chama/30/

Restoring the Public Interest in Western Water Law,
Mark Squillace, Utah Law Review,

Public Welfare – Western States

Alaska - harm to other persons, losses of alternative uses of water, public health

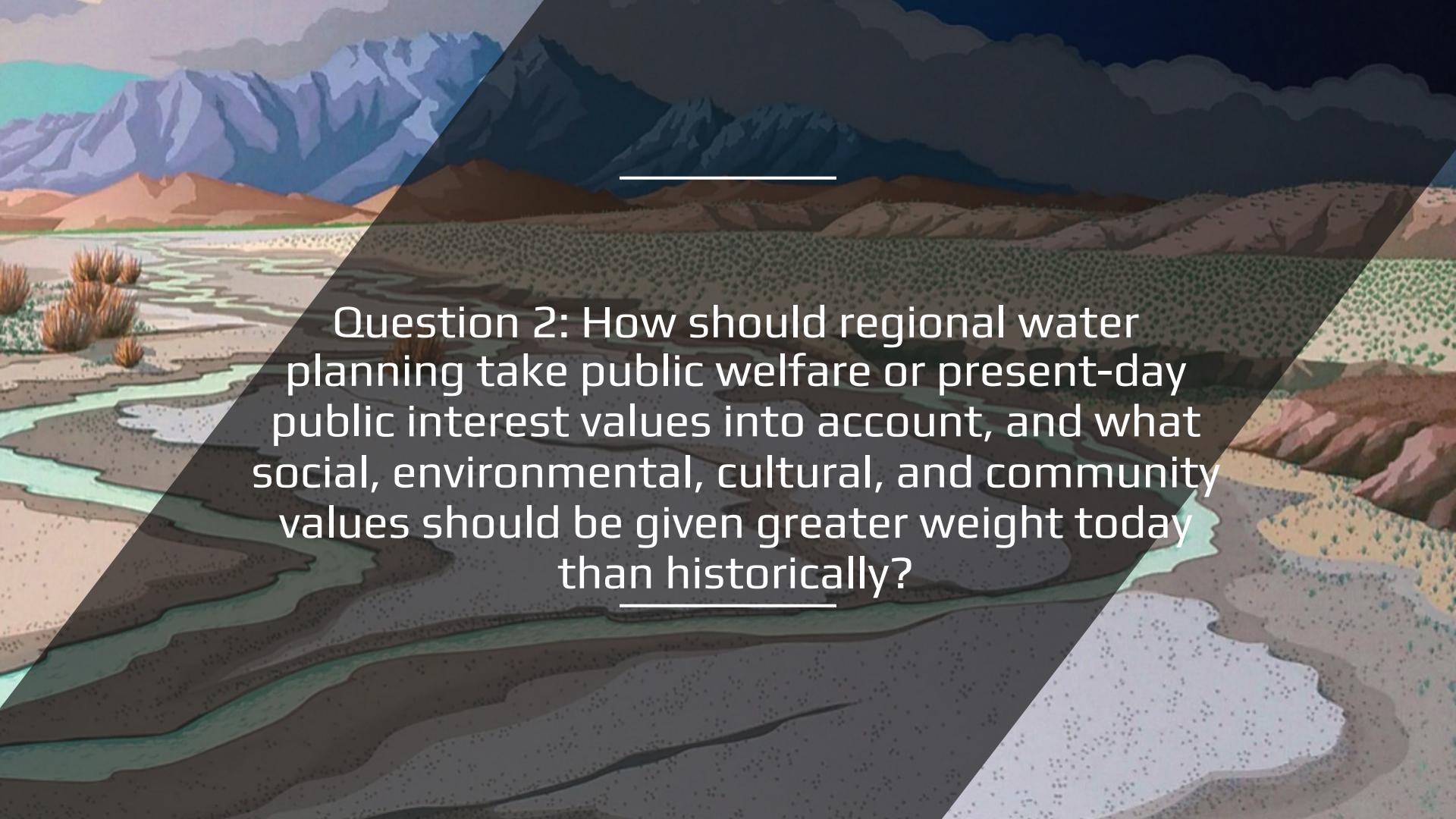
Arizona - groundwater recharge

California - recreation, preservation and enhancement of fish and wildlife

Idaho - aquatic life, aesthetic beauty, water quality, assuring minimum stream flows, discouraging waste and encouraging conservation

Nebraska - Instream flows

Oregon - Flood control

The background of the slide is a detailed landscape illustration. It features a range of mountains in the distance, with peaks colored in shades of blue and purple. In the foreground, there's a dry, cracked earth area with some small, brown, bushy plants. A winding, light-blue river or stream bed cuts through this arid terrain. The overall style is painterly and somewhat desolate.

Question 2: How should regional water planning take public welfare or present-day public interest values into account, and what social, environmental, cultural, and community values should be given greater weight today than historically?

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