

Supporting Document L

Criteria and Procedures for Acceptance of Regional Water Plans

April 1999

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Adopted by the New Mexico Interstate Stream Commission April 27, 1999

Regional Water Plan Acceptance Strategy

"New Mexico statutes provide that, for a state to prefer its own citizens over an out-of-state appropriator, there must be a showing of need within the state and feasibility of supplying that need from particular sources.¹ Water planning by a region may...be used as evidence...(but)...assertions of need and feasibility of supply may be tested in a court setting, and should therefore be reliable, specific, technically sound, and based on generally acceptable hydrologic and engineering principles."²

The purpose of the ISC Regional Water Plan Acceptance Procedure is to assure Regional Water Plans are available to New Mexico water managers and planners as resources for development of the state water plan, to benefit water resources management, conservation, and development in the regions, to provide guidance for the State Engineer in decisions affecting the public welfare of the state and/or the region, and identification of water resources vulnerable to export that may be appropriated and reserved on behalf of the region by ISC.

Completion and acceptance of Regional Water Plans by the Interstate Stream Commission (ISC) is the goal for the regional water planning effort. All of New Mexico's regional water plans should be completed and accepted by ISC by June 2002.

Acceptance means regional water plans have sustained technical and public scrutiny with respect to the validity of the region's water resources assessment and that the regional water plan recommendations are feasible alternatives for the protection, conservation, management and development of water supplies in the region.

Acceptance of a Regional Water Plan by the ISC should include:

Adherence to the criteria for acceptance.

Identification of unresolved interregional conflicts regarding water supply alternatives.

Endorsement resolutions of the regional water plan by local governments.

Acceptance of a regional water plan by ISC, either wholly or partially, may be conditional relative to its statutory responsibilities as expressed by Chapter 72, Articles 14 and 15, Laws of New Mexico or any other conflicts, decrees, judgments, or public welfare concerns that may arise specific or unique to the region.

¹ N.M. Stat. Ann. Section 72-12B-1 (1985 Repl. Pamp.)

² New Mexico Interstate Stream Commission, Regional Water Planning Handbook, 1994, p. 6

Acceptance Criteria

The regional water plan must be found to be complete according to the 1994 Interstate Stream Commission (ISC) Regional Water Planning Handbook and the following.

The regional water plan must answer the five questions:

- What is the water supply available to the region?
- What is the regions current and projected water demand ?
- What alternatives are available to meet the projected demand with available supplies, including management alternatives to increase supply and reduction of demand via conservation or other measures?
- What are the relative advantages and disadvantages of each alternative?
- What is the selected set of alternatives that comprise the plan and how the alternatives may be implemented?

Regional water plan water supply and demand assessment must address water quantity and quality in accordance with p. 16 of the ISC water planning template.

Regional water plan must conform to ISC requirements for public involvement, plan process, and contract management.

Regional water plan must address interstate compact compliance issues and recommendations must conform to state law, other applicable legal and institutional constraints, and identify and analyze any federal actions that may impact the region.

Regional water plan must have local government endorsement. Endorsement resolutions from local governments are recommended.

Regional water plan must identify all unresolved interregional conflict (s) at the time of completion.

Regional water plan must include a drought contingency plan and a water conservation plan as it pertains to the water supply for the region.

Acceptance Procedures

1. The completed draft of the regional water plan shall be submitted to ISC staff for review and analysis.
2. The review will include an analysis of the regional water plan against the Acceptance Criteria and the following:
 - ISC responsibilities toward interstate stream compact obligations.
 - The State's interest in regional plan alternatives relating to public welfare, conservation and implementation strategies.
 - Other administrative responsibilities of the Office of the State Engineer and the Interstate Stream Commission under law.
 - Considerations of applicable unique legal, institutional, historical constraints to the water supply of the region.
3. The region shall address ISC staff comments and, if possible, attempt to resolve any conflicts that may arise with respect to review comments on the regional water plan document for the final draft of the plan.
4. The final draft of the completed regional water plan shall be presented to local governments in the region for review and endorsement.
5. The completed regional water plan may then be submitted for presentation to the New Mexico Interstate Stream Commission accompanied by the local government endorsement resolutions and ISC staff recommendations expressed in a proposed acceptance resolution.
6. ISC may accept the regional water plan for filing based on findings that the completed regional water plan has met the acceptance criteria and followed the acceptance procedures. The ISC may condition its acceptance of the regional water plan or request revisions to the water plan prior to accepting the plan.
7. ISC may then pursue reservation of water identified by the regional water plan as accepted by ISC.