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## PANEL DISCUSSION OBSERVATIONS OF ONE

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Water planning, like any endeavor we undertake, has a beginning, where we identify challenges; a middle, where we encounter obstacles, address concerns, and provide opportunity for growth and development; and an ending, where a product is completed.

My involvement in water planning began a decade and half ago with the recognition that a guide needed to be established to assist water planners. I, along with about twelve others joined to draft a document that would provide this assistance. This resulted in the creation of the Regional Water Planning Template. Early in the process, the State staff failed to recognize that uniformity in plans was unrealistic and was not the point of the Template. The Template does not call

for each plan to be written the same, but rather that each plan take a uniform approach and consider the same issues within the regions' unique situation. Over time, I have come to realize that a failure of the planning process is the early recognition by most, that plans, like people, will not be the same.

It has been my observation that the first challenge any effort faces is that everyone comes to the table with an agenda, which is not a bad thing, but it does present an obstacle that has to be overcome. To achieve the best result and avoid having this challenge turn into a problem, we must work with all agendas and reach a solution that everyone can live with. However, most of the time, this is easier said than done.

Resolving differences within the region associated with sources of water supply, demographics, economics, ethnic/cultural diversity, and environmental concerns is the second challenge. Efforts to protect traditional ways of life and the traditional use of water, whether it is agricultural, municipal, or industrial, make surmounting this challenge even more difficult. In the San Juan Basin we are constantly faced with these differences and we continually work to find workable solutions to meet this challenge.

Along with multiple agendas, the voluntary nature of planning brings different levels of understanding about water's role and the laws governing it. The leadership challenge is to correct the misinformation regarding both, and keep everyone talking. The fact is regional planning should, and rightly does, only address 'wet' water supply, and not water rights. Meeting the 'wet' water supply with legal water rights is not done during the planning stage, but rather, during the implementation stage, which is carried out according to existing water law.

The role of the planning committee has been poorly communicated and understood, both in our Basin and others. I recall Gary Davies, formerly with the City of Albuquerque, raising the question at the beginning of the current effort; "are water planners the decision makers?" The answer is a simple "no". However, I have found that no matter how this point is conveyed, nothing seems to change the public's misconception about planning. The planner is not a decision maker and the plan is not a binding decision. Planning is a series of ever-changing steps and the planners' role is to plan well and market the plan to the general public and governing entities. The plan is not a definitive decision; it is a tool that governing bodies can use to gain insight into the public's opinion to assist them in determining which direction to take. Ultimately, governmental entities are the authority, as long as they follow State processes.

The role of regional planning in defining the "Public Welfare of the State" has become confused. When he was serving as State Engineer, Eluid Martinez indicated he would use regional water plans as he had used zoning ordinances of local governing bodies in making 'public welfare' determinations for his office. Subsequently, a statement was included in the Template that said, "regional plans may contain relevant and substantive elements for use by the State Engineer in "public welfare" and "conservation" determinations in actions before the State Engineer within the regional planning area or affecting the area." Correctly, the

decision of whether or not to include a 'public welfare' statement in any plan should be left up to the region. However, these 'public welfare' statements represent only one group's opinion at a given time, and they most certainly cannot and should not bind the OSE.

The "authority" of State and Regional Water Planning is confusing. State Water Planning is what the Legislature and Administration makes it. Regional Water Planning authority is the integrity of the process and is what the local governing bodies make it. Although there is no binding authority forcing any governing body to follow regional plans, it does make sense that the governing body would use regional plans for assessing the will of the public at a given time.

Ignorance can lead to both disaster and genius. A 'good' planning process affords all interests a forum to test, sell, and/or modify their ideas to develop realistic solutions for real or perceived water issues. A planning effort that addresses the concerns and meets the challenges created by multiple agendas, regional demographics, and cultural diversity produces an informed core of individuals and most importantly, provides an escape from the "BOX" we are often trapped within.