



NEW MEXICO LEGISLATURE

TRANSPORTATION
INFRASTRUCTURE REVENUE
SUBCOMMITTEE

2021 INTERIM FINAL REPORT

LEGISLATIVE COUNCIL SERVICE
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INTERIM SUMMARY

Transportation Infrastructure Revenue Subcommittee 2021 Interim Summary

The Transportation Infrastructure Revenue Subcommittee held four meetings in 2021. All meetings were held at the State Capitol in Santa Fe. Presentations to the subcommittee addressed various topics, including work being done on autonomous vehicles; the trucking industry; the role of rail in the state; agricultural transportation needs; military and federal facility routes; oil and gas industry roadway needs; rural roads; and the ongoing Carlsbad brine well mitigation.

The Department of Transportation provided a comprehensive report of its work, including recent accomplishments and future priorities. The subcommittee dedicated a full day to the state's broadband infrastructure deployment, including a discussion regarding rights of way and the establishment of infrastructure required to enable internet connectivity for homes, businesses and community institutions.

The Transportation Infrastructure Revenue Subcommittee endorsed a letter to be sent to New Mexico's congressional delegation urging the establishment of a national infrastructure bank to maintain high-quality infrastructure to supercharge the United States economy and support American industry.

WORK PLAN AND MEETING SCHEDULE

**2021 APPROVED
WORK PLAN AND MEETING SCHEDULE
for the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

Members

Rep. Angelica Rubio, Chair
Sen. Bill Tallman, Vice Chair
Rep. Anthony Allison
Sen. David M. Gallegos
Rep. Harry Garcia
Rep. Joy Garratt
Sen. Roberto "Bobby" J. Gonzales

Sen. Ron Griggs
Rep. Patricia A. Lundstrom
Rep. Willie D. Madrid
Sen. George K. Munoz
Rep. Randall T. Pettigrew
Rep. Jane E. Powdrell-Culbert

Advisory Members

Sen. Craig W. Brandt
Rep. Ambrose Castellano
Rep. Christine Chandler
Rep. Randal S. Crowder
Rep. Rebecca Dow
Rep. Susan K. Herrera

Rep. Marian Matthews
Rep. Rod Montoya
Sen. Shannon D. Pinto
Rep. Debra M. Sariñana
Rep. Linda Serrato

Work Plan

The New Mexico Legislative Council created the Transportation Infrastructure Revenue Subcommittee on May 3, 2021 to develop recommendations to meet the needs of New Mexico's businesses and residents for transportation and infrastructure and to identify current and new sources of revenue.

During the 2021 interim, the Transportation Infrastructure Revenue Subcommittee will review and discuss the following topics, as time permits:

1. financing and future investment needs for New Mexico transportation and infrastructure;
2. the interstate highway system in New Mexico;
3. Department of Transportation maintenance, environmental concerns and public safety;
4. autonomous vehicles;
5. interstate trucking and frontage road development;
6. the future of rail and the status of the New Mexico Rail Runner Express;
7. roads and highways on Native American land;

8. intermodal facilities;
9. highway conditions and safety;
10. the oil and gas industry and other related industries;
11. the Waste Isolation Pilot Plant;
12. the agriculture industry;
13. military routes;
14. brine well mitigation and infrastructure and roads;
15. rural highways and opportunities to improve services and share resources with state and federal entities;
16. metropolitan area highway conditions and transportation plan;
17. public-private partnerships and government-to-government relations to improve infrastructure;
18. ABQ RIDE bus systems and public transportation;
19. bike and pedestrian trails and infrastructure improvements;
20. electrification plans in New Mexico for personal vehicles, public transportation and pedestrian use;
21. intelligent transportation systems;
22. new fuel technology, including hydrogen and other fuels;
23. rights of way for broadband;
24. driving under the influence incidence relative to cannabis use;
25. clean fuel standards; and
26. the gasoline tax.

**Transportation Infrastructure Revenue Subcommittee
2021 Approved Meeting Schedule**

<u>Date</u>	<u>Location</u>
June 17	Video Conference
August 30-31*	Prewitt/Gallup
October 4-5	Artesia/Carlsbad
November 29-30	Santa Fe

*The September 1 meeting date has been changed to November 30.

AGENDAS AND MINUTES

Revised: June 14, 2021

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**June 17, 2021
Video Conference**

Thursday, June 17

- 10:00 a.m. **Call to Order**
—Representative Angelica Rubio, Chair, Transportation Infrastructure Revenue Subcommittee
- 10:15 a.m. (1) **[Subcommittee 2021 Work Plan and Meeting Schedule](#)**
—Representative Angelica Rubio, Chair, Transportation Infrastructure Revenue Subcommittee
- 11:30 a.m. (2) **[Department of Transportation and the State Transportation Commission: State of the State](#)**
—Michael Sandoval, Secretary, Department of Transportation
—Representative, State Transportation Commission (invited)
- 12:30 p.m. **Lunch**
- 1:00 p.m. (3) **[State Transportation Infrastructure Best Practices and Congressional Infrastructure Plans](#)**
—Douglas Shinkle, Director, Transportation Program, Environment, Energy and Transportation Program, National Conference of State Legislatures (NCSL)
—Ben Husch, Federal Affairs Advisor, Natural Resources and Infrastructure, NCSL
- 2:00 p.m. (4) **[Department of Transportation Budget](#)**
—Michael Sandoval, Secretary, Department of Transportation
- 3:00 p.m. (5) **[Federal Special Appropriations, General Fund Special Appropriations and Revenue Bonds](#)**
—Michael Sandoval, Secretary, Department of Transportation
- 4:30 p.m. **Public Comment***
- 5:00 p.m. **Adjourn**

*Members of the public may make comments during the public comment portion of the meeting by clicking the video icon beneath the meeting agenda on the Transportation Infrastructure Revenue Subcommittee [web page](#) and following instructions under the "Extra Information" section.

**MINUTES
of the
FIRST MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**June 17, 2021
Video Conference Meeting**

The first meeting of the Transportation Infrastructure Revenue Subcommittee was called to order by Representative Angelica Rubio, chair, on June 17, 2021 at 10:00 a.m. by video conference via an online platform.

Present

Rep. Angelica Rubio, Chair
Rep. Anthony Allison
Sen. David M. Gallegos
Rep. Harry Garcia
Rep. Joy Garratt
Sen. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs
Rep. Patricia A. Lundstrom
Rep. Willie D. Madrid
Sen. George K. Munoz
Rep. Randall T. Pettigrew
Rep. Jane E. Powdrell-Culbert

Absent

Sen. Bill Tallman, Vice Chair

Advisory Members

Rep. Ambrose Castellano
Sen. Shannon D. Pinto
Rep. Debra M. Sariñana
Rep. Linda Serrato

Sen. Craig W. Brant
Rep. Christine Chandler
Rep. Randal S. Crowder
Rep. Rebecca Dow
Rep. Susan K. Herrera
Rep. Marian Matthews
Rep. Rod Montoya

Staff

Peter Kovnat, Bill Drafter, Legislative Council Service (LCS)
Pam Stokes, Staff Attorney, LCS
Nancy Martinez, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the subcommittee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and subcommittee discussions for agenda items can be found on the recorded webcast for this meeting.

Thursday, June 17

Subcommittee 2021 Work Plan and Meeting Schedule (10:15 a.m. and 2:53 p.m.)

Representative Rubio and members of the subcommittee discussed the 2021 proposed work plan and meeting schedule. After suggestions from members, the proposed work plan was updated while subsequent presentations were made and revisited after Item 5 at 2:53 p.m. The 2021 proposed work plan and meeting schedule can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=6/17/2021&ItemNumber=1>.

Upon a motion by Representative Garratt at 3:01 p.m., the subcommittee voted to approve the 2021 proposed work plan and meeting schedule.

Department of Transportation (DOT) and the State Transportation Commission: State of the State (11:28 a.m.)

Michael Sandoval, secretary, DOT; Walter Adams, chair, State Transportation Commission; and Thomas C. Taylor, commissioner, State Transportation Commission, gave an overview of the department, its purpose and issues of concern, including funding for the department and transportation issues of concern. The handout for the presentation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=6/17/2021&ItemNumber=2>.

State Transportation Infrastructure Best Practices and Congressional Infrastructure Plans (1:07 p.m.)

Douglas Shinkle, director, Transportation Program, Environment, Energy and Transportation Program, National Conference of State Legislatures (NCSL), gave a presentation on transportation funding trends in the states. Ben Husch, federal affairs advisor, Natural Resources and Infrastructure, NCSL, provided an outlook on federal transportation proposals. Handouts for the presentations can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=6/17/2021&ItemNumber=3>.

DOT Budget (2:19 p.m.)

Laura Bianchini, economist, DOT, provided a revenue forecast for the DOT. Mallery Manzanares, administrative services director and budget director, DOT, provided an overview of how state road user revenues are distributed, the department's budget and General Fund appropriations to the department. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20061721%20Item%204%20Sandoval.pdf>.

Federal Special Appropriations, General Fund Special Appropriations and Revenue Bonds (2:37 p.m.)

Secretary Sandoval made a presentation on projects funded by revenue bonds and the General Appropriation Act of 2021. Secretary Sandoval also provided the DOT's debt portfolio and projected debt service on outstanding bonds. Handouts for the presentation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=6/17/2021&ItemNumber=5>.

Public Comment

There was no public comment.

Adjournment

There being no further business before the subcommittee, the meeting adjourned at 3:02 p.m.

Revised: August 25, 2021

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**August 30-31, 2021
State Capitol, House Chambers
Santa Fe**

Monday, August 30

- 8:00 a.m. **Call to Order**
—Representative Angelica Rubio, Chair, Transportation Infrastructure Revenue Subcommittee
- 8:15 a.m. (1) **City of Gallup Updates**
—Louie Bonaguidi, Mayor, City of Gallup
- 9:00 a.m. (2) **Statewide Conditions of the New Mexico Interstate Highway System: Traffic Volumes, Permitting and Revenue to the State Road Fund**
—Rick Padilla, P.E., Executive Director of Highway Operations, Department of Transportation (NMDOT)
—Laura Bianchini, Ph.D., Chief Economist, NMDOT
- 10:30 a.m. (3) **Update on Autonomous Vehicles**
—Jerry Valdez, Executive Director, Executive Projects, NMDOT
—Charles Remkes, Manager, Intelligent Transportation Systems Operations, NMDOT
—Adam Wasserman, Managing Partner, GLDPartners
—Lois Yates, Partner, Economic Development and Aviation Practice Leader, GLDPartners
- 12:00 noon **Lunch**
- 1:00 p.m. (4) **Improvements and Permitting for Ports of Entry**
—Franklin Garcia, Modal Division Director, NMDOT
- 2:30 p.m. (5) **Commercial Trucking Industry Perspective**
—Johnny R. Johnson, Managing Director, New Mexico Trucking Association

4:00 p.m. (6) [BNSF Railway Partnership with State](#)
—Peiter Hjertstedt, Regional Manager of Economic Development, BNSF
Railway

5:00 p.m. **Public Comment**

5:15 p.m. **Recess**

Tuesday, August 31

8:00 a.m. **Reconvene**
—Representative Angelica Rubio, Chair, Transportation Infrastructure
Revenue Subcommittee

8:15 a.m. (7) [Overview of NMDOT District 6 Highway Conditions and Future
Projects](#)
—Lisa Vega, P.E., Acting District 6 Engineer, NMDOT
—Charles Lundstrom, Secretary, State Transportation Commission, District 6

9:15 a.m. (8) [History of Highway 491 Four-Lane Improvements](#)
—Lisa Vega, P.E., Acting District 6 Engineer, NMDOT

10:30 a.m. (9) [New Mexico Highways on the Navajo Nation and Rural Road Needs](#)
—Garret Silversmith, Executive Director, Navajo Nation Division of
Transportation (Invited)

12:00 noon **Lunch**

1:00 p.m. (10) [Private and Local Partnerships Stimulating Economic Development
Through Transportation Infrastructure](#)
—Michael Sage, Deputy Director, Greater Gallup Economic Development
Corporation

2:30 p.m. (11) [Green Fuel Technology](#)
—Wiley Rhodes, Co-Founder, Escalante H2 Power

4:00 p.m. **Public Comment**

4:30 p.m. **Adjourn**

**MINUTES
of the
SECOND MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**August 30-31, 2021
State Capitol, House Chambers
Santa Fe**

The second meeting of the Transportation Infrastructure Revenue Subcommittee was called to order by Representative Angelica Rubio, chair, on August 30, 2021 at 8:06 a.m. in the House Chambers of the State Capitol in Santa Fe.

Present

Rep. Angelica Rubio, Chair
Sen. Bill Tallman, Vice Chair
Rep. Anthony Allison
Rep. Harry Garcia
Rep. Joy Garratt
Sen. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs
Rep. Patricia A. Lundstrom (8/30)
Rep. Willie D. Madrid
Rep. Randall T. Pettigrew
Rep. Jane E. Powdrell-Culbert

Absent

Sen. David M. Gallegos
Sen. George K. Munoz

Advisory Members

Sen. Craig W. Brandt
Rep. Ambrose Castellano (8/31)
Rep. Christine Chandler
Rep. Randal S. Crowder
Rep. Debra M. Sariñana

Rep. Rebecca Dow
Rep. Susan K. Herrera
Rep. Marian Matthews
Rep. Rod Montoya
Sen. Shannon D. Pinto
Rep. Linda Serrato

Guest Legislator

Rep. Tara L. Lujan (8/31)

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Peter Kovnat, Bill Drafter, Legislative Council Service (LCS)
Pam Stokes, Staff Attorney, LCS
Erin Bond, Research Assistant, LCS
Sara Wiedmaier, Research Assistant, LCS
Christian Carrillo, Intern, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

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Monday, August 30

City of Gallup Updates (8:11 a.m.)

Louie Bonaguidi, mayor, City of Gallup, provided an update on the city, which is a gateway to New Mexico from the west. Efforts are under way to make the downtown area more enjoyable by adding trees and making it more interesting for visitors. The city is also taking efforts to move into the twenty-first century, including getting involved in the sustainable energy industry. The city is concerned about hits to Gallup's economy, not just from the impact of the COVID-19 pandemic, but also from the loss of gross receipts tax revenue on the sale of groceries that has had a significant impact on the city's budget. And while Gallup has lost businesses recently, affecting employment, it is a vibrant community that wants to bring industry into the community.

Statewide Conditions of the New Mexico Interstate Highway System: Traffic Volumes, Permitting and Revenue to the State Road Fund (8:33 a.m.)

Rick Padilla, P.E., executive director of highway operations, Department of Transportation (DOT), made a presentation on the condition of bridges and highways in the state, as well as details on the department's traffic monitoring program. At 9:42 a.m., Laura Bianchini, Ph.D., chief economist, DOT, provided an overview of the forecast of the State Road Fund and the revenue sources that contribute to the State Road Fund. Handouts for the presentation can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=8/30/2021&ItemNumber=2>.

Update on Autonomous Vehicles (9:54 a.m.)

Jerry Valdez, executive director, Executive Projects, DOT, introduced Charles Remkes, manager, Intelligent Transportation Systems Operations, DOT, who reported on the progress of the department's rulemaking efforts to establish requirements for testing autonomous vehicles in the state, as required after the enactment of House Bill 270 (2021). Mr. Remkes reported that the

final rule is expected to be effective on July 1, 2022. At 10:00 a.m., Adam Wasserman, managing partner, GLDPartners, and Lois Yates, partner, Economic Development and Aviation Practice Leader, GLDPartners, made a presentation on the status of the mobility industry and clean energy vehicles. Noting that New Mexico is at the center of two critical transcontinental freight routes, that Gallup is a gateway to the state and that the hours of service rules require truckers to stop in or near Gallup, a strategy using a statewide mobility laboratory and Gallup's Mobility Investment District can position New Mexico as a recognized mobility center for the industry. Handouts for the presentations can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=8/30/2021&ItemNumber=3>.

Improvements and Permitting for Ports of Entry (1:12 p.m.)

Franklin Garcia, director, Modal Division, DOT, and Jennifer Block, manager, Ports of Entry Operations, DOT, made a presentation on the state's ports of entry, including improvements made to the ports, costs of oversight and maintenance for each port and revenue from permits. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%204%20Garcia.pdf>.

Commercial Trucking Industry Perspective (2:04 p.m.)

Johnny R. Johnson, managing director, New Mexico Trucking Association (NMTA), presented the top issues facing the trucking industry, including parking, especially to provide adequate opportunity for rest, the need for truck-only lanes on highways and the benefits of an NMTA-certified truck driving school. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%205%20Johnson.pdf>.

Adoption of Minutes

The minutes of the June 17, 2021 meeting were adopted without changes.

BNSF Railway (BNSF) Partnership with State (2:32 p.m.)

Peiter Hjertstedt, regional manager of economic development, BNSF, provided an overview of BNSF's activities in the country and the state and its strategic economic development programs, including its BNSF-certified site program, created to develop a collection of prospective rail-served industrial sites along the BNSF network. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%206%20jerstedt.pdf>.

Recess

The subcommittee recessed at 3:02 p.m.

Tuesday, August 31

Overview of DOT District 6 Highway Conditions and Future Projects (8:06 a.m.)

Lisa Vega, P.E., acting District 6 engineer, DOT, provided an overview of the department's selection process for pavement and bridge projects, the district-level process, the statewide transportation improvement program and the needs and status of highways and bridges in District 6. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%207%20Vega.pdf>.

History of Highway 491 Four-Lane Improvements (9:11 a.m.)

Ms. Vega provided a history of the improvements made to the United States Highway 491 corridor that begins in Gallup and continues to the New Mexico-Colorado state line and an overview of existing, new and upcoming projects on the highway. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%208%20Vega.pdf>.

New Mexico Highways on the Navajo Nation and Rural Road Needs (9:42 a.m.)

Garret Silversmith, executive director, Navajo Nation Division of Transportation, explained the Navajo Nation's long-term transportation goals, transportation funding sources and needs and improvement strategies and costs. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%209%20Presentation%20by%20NDOT.pdf>.

Green Fuel Technology (10:51 a.m.)

Wiley Rhodes, co-founder, Escalante H2 Power, discussed how his company is converting the Escalante generating station from coal-fired fuel to hydrogen-fired fuel and the opportunities available by using hydrogen-fueled freight. Prewitt, New Mexico, is an ideal location to provide a transportation connection from the west, east and south coasts. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%2011%20Rhodes%20Presentation.pdf>.

Private and Local Partnerships Stimulating Economic Development Through Transportation Infrastructure (1:12 p.m.)

Michael Sage, deputy director, Greater Gallup Economic Development Corporation, discussed using infrastructure assets in McKinley County to develop new economic base generators such as the Navajo-Gallup Water Supply Project that can bring a sustainable and reliable water supply to the community and Gallup's location as a necessary stop for truckers due to the hours of service rules. This strategic location has resulted in plans for a Gallup supercenter

to support those truckers, certification of the Gallup Energy Logistics Park as a BNSF-certified site and creation of the Gallup Mobility Investment District. The handout for the presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20083021%20Item%2010%20Sage.pdf>.

Public Comment

There was no public comment.

Adjournment

There being no further business before the subcommittee, the meeting adjourned at 1:52 p.m.

Revised: September 30, 2021

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**October 4-5, 2021
State Capitol, House Chambers
Santa Fe**

Monday, October 4

- 10:00 a.m. **Call to Order**
—Representative Angelica Rubio, Chair, Transportation Infrastructure Revenue Subcommittee
- 10:15 a.m. (1) **The Needs of and Impediments to Agricultural Transportation**
—Jeff M. Witte, Secretary, New Mexico Department of Agriculture
—Walter Bradley, Director, Business and Government, Dairy Farmers of America
—David Shelton, President and Chief Executive Officer, Western Dairy Transport, LLC
—Jason Ables, Director of Transportation and Logistics, Dairy Farmers of America
—Pat Woods, State Senator, District 7
- 12:00 noon **Lunch**
- 1:00 p.m. (2) **Transportation Needs for the Oil and Gas Industries**
—Allen Davis, County Manager, Eddy County
—Mike Gallagher, County Manager, Lea County
—Mike Stark, County Manager, San Juan County (invited)
- 2:30 p.m. (3) **Local Transportation Update for Carlsbad and Artesia**
—KC Cass, Deputy Administrator, City of Carlsbad
—Raye Miller, Mayor, City of Artesia
- 3:30 p.m. (4) **Military Routes on Rural Roads**
—Rick Masters, GS-14, DAF, Director of Staff, 27th Special Operations Wing, Cannon Air Force Base
—TBD, White Sands Missile Range (invited)
- 4:30 p.m. **Public Comment**
- 5:00 p.m. **Recess**

Tuesday, October 5

- 9:00 a.m. **Reconvene**
—Representative Angelica Rubio, Chair, Transportation Infrastructure Revenue Subcommittee
- 9:15 a.m. (5) **Waste Isolation Pilot Plant Access Routes**
—Reinhard Knerr, Manager, Carlsbad Field Office, Office of Environmental Management, United States Department of Energy
—Rick Padilla, P.E., Executive Director of Highway Operations, Department of Transportation (NMDOT)
—Francisco Sanchez, P.E., District 2 Engineer, NMDOT
- 10:45 a.m. (6) **Update on the Carlsbad Brine Well Mitigation**
—Jim Griswold, Special Projects Manager, Oil Conservation Division, Energy, Minerals and Natural Resources Department
—Dylan Fuge, General Counsel, Energy, Minerals and Natural Resources Department
—Michael Sandoval, Secretary, NMDOT
—Francisco Sanchez, P.E., District 2 Engineer, NMDOT
- 12:15 p.m. **Lunch**
- 1:15 p.m. (7) **Update on Rural Roads in New Mexico Transportation Districts 2 and 5**
—Rick Padilla, P.E., Executive Director of Highway Operations, NMDOT
—Francisco Sanchez, P.E., District 2 Engineer, NMDOT
—Paul Brasher, P.E., District 5 Engineer, NMDOT
- 3:45 p.m. **Public Comment**
- 4:15 p.m. **Adjourn**

**MINUTES
of the
THIRD MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**October 4-5, 2021
State Capitol, House Chambers
Santa Fe**

The third meeting of the Transportation Infrastructure Revenue Subcommittee was called to order by Representative Angelica Rubio, chair, on October 4, 2021 at 10:07 a.m. in the House Chambers of the State Capitol in Santa Fe.

Present

Rep. Angelica Rubio, Chair
Sen. Bill Tallman, Vice Chair
Rep. Anthony Allison
Rep. Harry Garcia (10/4)
Rep. Joy Garratt
Sen. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs
Rep. Patricia A. Lundstrom (10/4)
Rep. Willie D. Madrid (10/4)
Sen. George K. Munoz (10/4)
Rep. Randall T. Pettigrew
Rep. Jane E. Powdrell-Culbert (10/5)

Absent

Sen. David M. Gallegos

Advisory Members

Sen. Craig W. Brandt
Rep. Ambrose Castellano
Rep. Christine Chandler (10/5)
Rep. Randal S. Crowder

Rep. Rebecca Dow
Rep. Susan K. Herrera
Rep. Marian Matthews
Rep. Rod Montoya
Sen. Shannon D. Pinto
Rep. Debra M. Sariñana
Rep. Linda Serrato

Guest Legislator

Sen. Pat Woods (10/4)

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Peter Kovnat, Bill Drafter, Legislative Council Service (LCS)
Pam Stokes, Staff Attorney, LCS
Joanne Vandestreek, Senior Legislative Librarian, LCS
Christian Carrillo, Intern, LCS

Guests

The guest list in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

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Monday, October 4

The Needs of and Impediments to Agricultural Transportation (10:08 a.m.)

Jeff M. Witte, secretary, New Mexico Department of Agriculture; Walter Bradley, director, Business and Government, Dairy Farmers of America; and David Shelton, president and chief executive officer, Western Dairy Transport, LLC, presented on the needs of and impediments to agricultural transportation. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=10/4/2021&ItemNumber=1>.

Transportation Needs for the Oil and Gas Industries (1:02 p.m.)

Allen Davis, county manager, Eddy County, spoke on the importance of the extraction business and the state revenues that are earned. Mike Gallagher, county manager, Lea County, presented on transportation and the oil and gas industries in Lea County. Mike Stark, county manager, San Juan County, presented on transportation needs for the oil and gas industries in San Juan County. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=10/4/2021&ItemNumber=2>.

Local Transportation Update for Carlsbad and Artesia (2:43 p.m.)

K.C. Cass, deputy administrator, City of Carlsbad, presented on the transportation needs in Carlsbad. Raye Miller, mayor, City of Artesia, presented an update on local transportation in Artesia. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=10/4/2021&ItemNumber=3>.

Military Routes on Rural Roads (3:14 p.m.)

Rick Masters, GS-14, DAF, director of staff, 27th Special Operations Wing, Cannon Air Force Base, gave a presentation on military routes on rural roads. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20100421%20Item%204%20Military%20Routes.pdf>.

Public Comment

There was no public comment.

Tuesday, October 5

Waste Isolation Pilot Plant (WIPP) Access Routes (9:04 a.m.)

Reinhard Knerr, manager, Carlsbad Field Office, Office of Environmental Management, United States Department of Energy, gave a presentation on WIPP access routes. The presentation can be found here:

<http://www.nmlegis.gov/handouts/TIRS%20100421%20Item%205%20OEM%20WIPP%20Roads%20Presentation.pdf>.

Update on the Carlsbad Brine Well Mitigation (10:30 a.m.)

Jim Griswold, special projects manager, Oil Conservation Division, Energy, Minerals and Natural Resources Department, provided an update on the Carlsbad brine well mitigation. Dylan Fuge, general counsel, Energy, Minerals and Natural Resources Department, presented an update on the existing contract to implement the final remedial plan. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=10/4/2021&ItemNumber=6>.

Update on Rural Roads in New Mexico Transportation Districts 2 and 5 (11:14 a.m.)

Rick Padilla, P.E., executive director of highway operations, Department of Transportation, and Paul Brasher, P.E., district 5 engineer, Department of Transportation, gave updates on rural roads in New Mexico Transportation Districts 2 and 5. The presentation documents can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=10/4/2021&ItemNumber=7>.

Public Comment

There was no public comment.

Adjournment

There being no further business before the subcommittee, the meeting adjourned at 12:19 p.m.

Revised: November 23, 2021

**TENTATIVE AGENDA
for the
FOURTH MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**November 29-30, 2021
State Capitol, Senate Chambers
Santa Fe**

Monday, November 29

- 10:00 a.m. **Call to Order**
—Representative Angelica Rubio, Chair
- 10:15 a.m. (1) **Broadband Infrastructure Deployment: Progress, Plans and Needs: Update on the Follow-Up to 2021's Legislative Broadband Initiatives**
—Raja Sambandam, Acting Secretary and Chief Information Security Officer, Department of Information Technology
—Matt Schmit, Broadband Advisor, Office of Broadband Access and Expansion
- 12:00 noon **Lunch**
- 1:00 p.m. (2) **Status of Rights of Way Rules and Fees**
—Jeremy Lovato, Chief Information Officer, Department of Transportation (DOT)
—Priscilla Lucero, Executive Director, Southwest New Mexico Council of Governments
—Thomas Wyman, Acting Deputy General Counsel, DOT
—Luis A. Reyes, Jr., Chief Executive Officer and General Manager, Kit Carson Electric Cooperative
- 2:45 p.m. (3) **Infrastructure Needs to Satisfy the Yazzie/Martinez Findings**
—Martica Casias, Director, Public School Facilities Authority (PSFA)
—Ovidiu Viorica, Program Manager, Broadband and Technology, PSFA
- 4:00 p.m. **Public Comment**
- 4:30 p.m. **Recess**

Tuesday, November 30

- 9:00 a.m. **Reconvene**
—Representative Angelica Rubio, Chair
- 9:15 a.m. (4) **Lessons to Be Learned from California's Broadband Deployment**
—Rob Osborn, Director, Communications Division, California Public
Utilities Commission
- 10:30 a.m. (5) **Diversification of Revenues for Infrastructure and Economic
Development**
—Axie Navas, Director, New Mexico Outdoor Recreation Division,
Economic Development Department
—Joseph Talachy, Owner, Indigenous Arms
—Warren Unsicker, C.Ec.D., Director, Economic Development and
Outdoor Recreation Industry Initiative, City of Farmington
—Lee Gruber, Executive Director, Southwest New Mexico ACT
—Teresa Ana Martinez, Executive Director and Co-Founder, Continental
Divide Trail Coalition
- 12:15 p.m. **Lunch**
- 1:15 p.m. (6) **Consideration of Legislation for Endorsement**
—TBD
- 2:15 p.m. **Public Comment**
- 2:45 p.m. **Adjourn**

**MINUTES
of the
FOURTH MEETING
of the
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE**

**November 29-30, 2021
State Capitol, Senate Chambers
Santa Fe**

The fourth meeting of the Transportation Infrastructure Revenue Subcommittee was called to order by Representative Angelica Rubio, chair, on November 29, 2021 at 10:10 a.m. in the Senate Chambers of the State Capitol in Santa Fe.

Present

Rep. Angelica Rubio, Chair
Sen. Bill Tallman, Vice Chair (11/29)
Rep. Harry Garcia (11/29)
Rep. Joy Garratt (11/29)
Sen. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs (11/29)
Rep. Jane E. Powdrell-Culbert (11/29)

Absent

Rep. Anthony Allison
Sen. David M. Gallegos
Rep. Patricia A. Lundstrom
Rep. Willie D. Madrid
Sen. George K. Munoz
Rep. Randall T. Pettigrew

Advisory Members

Rep. Ambrose Castellano (11/30)
Rep. Christine Chandler
Rep. Deborah M. Sariñana
Rep. Linda Serrato (11/29)

Sen. Craig W. Brandt
Rep. Randal S. Crowder
Rep. Rebecca Dow
Rep. Susan K. Herrera
Rep. Marian Matthews
Rep. Rod Montoya
Sen. Shannon D. Pinto

Guest Legislator

Sen. Stuart Ingle (11/29)

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Peter Kovnat, Bill Drafter, Legislative Council Service (LCS)
Sean Dolan, Staff Attorney, LCS
Joanne Vandestreek, Senior Legislative Librarian, LCS
Christian Carrillo, Intern, LCS

Minutes Approval

Because the subcommittee will not meet again this year, the minutes for this meeting have not been officially approved by the subcommittee.

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the subcommittee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and subcommittee discussions for agenda items can be found on the recorded webcast for this meeting.

Monday, November 29

Broadband Infrastructure Deployment: Progress, Plans and Needs: Update on the Follow-Up to 2021's Legislative Broadband Initiatives (10:12 a.m.)

Raja Sambandam, acting secretary and chief information security officer, Department of Information Technology; Matt Schmit, broadband advisor, Office of Broadband Access and Expansion; Rand Tilton, program manager, Office of Broadband Access and Expansion; and Gar Clark, project manager, Office of Broadband Access and Expansion, provided the subcommittee with a presentation regarding 2021 broadband legislation, state and federal funding and 2021 broadband projects and initiatives. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20112921%20Item%201%20A%20Sambandam.pdf>

Approval of Minutes (11:48 a.m.)

Upon a motion made and duly seconded, the subcommittee approved the minutes from the October 4-5, 2021 meeting.

Status of Rights of Way Rules and Fees (1:05 p.m.)

Jeremy Lovato, chief information officer, Department of Transportation (DOT); Priscilla Lucero, executive director, Southwest New Mexico Council of Governments; Thomas Wyman, acting deputy general counsel, DOT; and Luis A. Reyes, Jr., chief executive officer and general manager, Kit Carson Electric Cooperative, provided the subcommittee with information regarding the DOT's work on state roadway rights of way, the need for statewide broadband connectivity, the ongoing work of Kit Carson Electric Cooperative and progress made toward the goal of building a statewide broadband transportation network, including next steps. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=11/29/2021&ItemNumber=2>.

Infrastructure Needs to Satisfy the Yazzie/Martinez Findings (1:45 p.m.)

Martica Casias, interim director, Public School Facilities Authority (PSFA), and Ovidiu Viorica, program manager, Broadband and Technology, PSFA, provided the subcommittee with information regarding steps taken to provide access to broadband for New Mexico students, including immediate and long-term solutions and a financial plan. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20112921%20Item%203%20PSFA.pdf>.

Public Comment

There was no public comment.

Recess

The meeting recessed at 3:38 p.m.

Tuesday, November 30

Lessons to Be Learned from California's Broadband Deployment (9:10 a.m.)

Rob Osborn, director, Communications Division, California Public Utilities Commission, provided the subcommittee with information regarding the steps taken by California to increase broadband availability, particularly in more rural areas. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20112921%20Item%204%20California.pdf>.

Diversification of Revenues for Infrastructure and Economic Development (10:30 a.m.)

Axie Navas, director, New Mexico Outdoor Recreation Division, Economic Development Department; Warren Unsicker, C.Ec.D., director, Economic Development and Outdoor Recreation Industry Initiative, City of Farmington; Lee Gruber, executive director, Southwest New Mexico ACT; and Teresa Ana Martinez, executive director and co-founder, Continental Divide Trail Coalition, provided the subcommittee with information regarding outdoor recreation, applicable grants, budget requests, river utilization expansion, bike paths expansion and land and building restoration. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TIRS&Date=11/29/2021&ItemNumber=5>.

Consideration of Legislation for Endorsement (11:42 a.m.)

The subcommittee endorsed a letter from the subcommittee to United States Senators Martin T. Heinrich and Ben Ray Luján and United States Representatives Yvette Herrell, Teresa Leger Fernandez and Melanie A. Stansbury. The letter can be found here:

<https://www.nmlegis.gov/handouts/TIRS%20112921%20Item%206%20A%20Letter.pdf>.

Senator Gonzales spoke about a bill to award grant money to local airports that he will introduce in the 2022 regular session.

Public Comment

There was no public comment.

Adjournment

There being no further business before the subcommittee, the meeting adjourned at 11:45 a.m.

ENDORSED LEGISLATION

December 13, 2021

The Honorable Martin T. Heinrich
United States Senate
303 Hart Senate Office Building
Washington, DC 20510

The Honorable Teresa Leger Fernandez
United States House of Representatives
1432 Longworth House Office Building
Washington, DC 20515

The Honorable Ben Ray Luján
United States Senate
498 Russell Senate Office Building
Washington, DC 20510

The Honorable Melanie A. Stansbury
United States House of Representatives
1421 Longworth House Office Building
Washington, DC 20515

The Honorable Yvette Herrell
United States House of Representatives
1305 Longworth House Office Building
Washington, DC 20515

Dear Senator Heinrich, Senator Luján, Congresswoman Herrell, Congresswoman Leger Fernandez and Congresswoman Stansbury:

Decades of underfunding infrastructure in the United States and relying upon a patchwork of reactive approaches have slammed into reality. This country faces unprecedented extreme weather events and other challenges from coast to coast that threaten our well-being. Thus far, Congress's response has been inadequate. The need for new infrastructure investment is \$5 billion or more. While we support proposed legislation to address this need, the legislation lands far short of the amount this country needs and Americans deserve.

Members of the interim Transportation Infrastructure Revenue Subcommittee of the New Mexico Legislature are in support of a \$5 billion National Infrastructure Bank (NIB), as outlined in House Resolution 3339 of the 117th Congress. A \$5 billion NIB would not rely upon the appropriations process, nor would it require new federal taxes or increase the country's deficit. Repurposing existing United States Treasury debt, as was done previously, would quickly finance the entire project, enabling multiple layers, such as water, sewer, rail and power, all of which inhabit the same space, to be built simultaneously.

The Honorable Martin T. Heinrich
The Honorable Ben Ray Luján
The Honorable Yvette Herrell
The Honorable Teresa Leger Fernandez
The Honorable Melanie A. Stansbury
December 13, 2021
Page 2

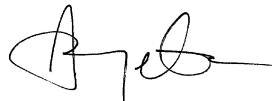
Infrastructure requires concerted federal action. The United States needs a new power grid, a new high-speed rail system and large-scale water projects like those last erected under President Franklin D. Roosevelt.

Only an NIB can address this staggering need. It would create tens of millions of new jobs, pay federal Davis-Bacon Act wages and mandate "Buy American" policies. An NIB would supercharge the United States economy and reopen American industry. It would ensure robust minority hiring, promote disadvantaged business enterprises and spawn a resurgence of small business.

It is better to think ahead to 50 years from now, and where we will need to be then, as we repair and upgrade the current systems. While China spends eight percent of its gross domestic product on infrastructure and Europe spends five percent, the United States spends barely two percent. Is it any wonder that United States infrastructure is ranked thirteenth in the world?

Members of the interim Transportation Infrastructure Revenue Subcommittee of the New Mexico Legislature are in support of the creation of a \$5 billion NIB as outlined in House Resolution 3339 of the 117th Congress. We urge you to join us in supporting this effort.

Sincerely,



ANGELICA RUBIO
State Representative, District 35
Chair, Transportation Infrastructure Revenue
Subcommittee

AR:ad



LEGISLATIVE COUNCIL SERVICE
SANTA FE, NEW MEXICO