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## FISCAL IMPACT REPORT



SPONSOR: Ruiz DATE TYPED: 01/31/02 HB 245/aHAGC

SHORT TITLE: Salt Cedar & Phreatophyte Management SB \_\_\_\_\_

ANALYST: Baca

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$500.0			Recurring	General Fund

(Parenthesis) Indicate Expenditure Decreases)

Relates to HB 21, HB 50, HB 104, HB 288 and SB 228

### **SOURCES OF INFORMATION**

Department of Agriculture, (DOA)  
Commission on Higher Education (CHE)

### **SUMMARY**

#### Synopsis of HAGC Amendment

House Agriculture and Water Committee amendment inserts the term "exotic" to the plant life affected by the bill and adds the resources following:

"In expending these funds, the districts shall ensure that:

- (1) For each management project a management and native vegetation restoration plan are developed, and the districts shall provide public notice of such plans and assessments and shall make them available to the public in district offices and on the internet at least fourteen days before project implementation begins;
- (2) aerial spraying of target areas shall carried out by helicopter only after public notice;
- (3) projects shall be implemented in accordance with best management practices and with the management and native vegetation restoration plan;
- (4) project areas are monitored for a period of at least four years after project

implementation to determine any effects of a project on wildlife, water supplies, water quality, vegetation and soil health;

(5) reports on project implementation and monitoring shall be submitted to the legislature and shall be available to the public in district offices and on the internet; and

(6) where a site involves threatened or endangered species, project proponents will take action to ensure compliance with applicable federal law and conformance with any duly enacted recovery plan...”

### Synopsis of Original Bill

House Bill 245 appropriates \$500.0 from the general fund to the Board of Regents of New Mexico State University (NMSU) to improve water flow in the Rio Grande for endangered species habitation by supporting soil and water conservation districts' efforts to manage salt cedar and other phreatophytes, to improve habitat for the willow flycatcher and the silvery minnow and to enhance water supplies in cooperation with the Middle Rio Grande Conservancy District.

### Significant Issues

According to NMDA, salt cedar and other non-native species vegetation have degraded endangered species habitat as well as complicating New Mexico's ability to meet its compact delivery obligations due to high water consumption rates associated with salt cedar. Soil and water conservation districts are uniquely situated and qualified to make significant progress in the removal and control of salt cedar and other non-native vegetative species.

### **FISCAL IMPLICATIONS**

The appropriation of \$500.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY2003 shall revert to the general fund.

### **ADMINISTRATIVE IMPLICATIONS**

New Mexico Department of Agriculture will serve as fiscal agent for the funds.

### **CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP**

House Bill 245 relates to HB 21, HB 50, HB 288 and SB 228. HB 245 is different in scale and in the specific area of focus. the Middle Rio Grande Conservancy District. HB 50 and SB 228 are companion bills, each making an appropriation of \$300,000 from the general fund to be used for salt cedar and other phreatophyte control anywhere in the state. HB 21 provides \$100,000 for salt cedar and other non-native vegetation control in the northeastern portion of the state. HB 288 provides for \$10,000.0 to be appropriated for control of salt cedar and other phreatophytes to the Pecos River Basin.

**OTHER SUBSTANTIVE ISSUES**

The following information is provided for information only. It is not intended as a commentary on the merits of the bill.

The request was not included in NMSU' budget request, and, consequently, was not reviewed by the CHE.

**AMENDMENTS**

NMDA suggests that the words "other undesirable" be inserted before "phreatophytes". As currently written, the bill could be construed to disallow revegetation and reclamation with native species that are also phreatophytes.

LB/ar/njw