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FISCAL IMPACT REPORT

SPONSOR B. Lujan DATE TYPED 2/23/05 HB 918

SHORT TITLE Santa Clara Pueblo Utility Line Survey SB _____

ANALYST Hadwiger

APPROPRIATION (in \$000s)

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$250.0			Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Indian Affairs (DIA)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

House Bill 918 appropriates \$250,000 from the general fund to the Department of Finance and Administration (DFA) in FY06 to survey and provide an appraisal of city utility lines located on land of the Pueblo of Santa Clara.

Significant Issues

The Department of Indian Affairs (DIA) indicated this bill seeks to address a trespass issue between the City of Espanola and the Pueblo of Santa Clara. A comprehensive assessment of the extent of trespasses by the City of Espanola onto lands within the exterior boundaries of Santa Clara Pueblo is a first step towards a long-term resolution by these governmental entities. The survey will identify any roads, utility lines and water and wastewater lines that require rights-of-way agreements and provide an appraisal of the fair market value of these rights-of-way. The City of Espanola and Santa Clara Pueblo negotiated this as a first step to addressing existing these issues. The DIA noted the City of Espanola and the Santa Clara Pueblo support this bill.

DFA indicated that, according to the Espanola city manager, the City of Espanola is proposing to survey and appraise land in Santa Clara Pueblo to determine where the boundaries are and what utility lines currently exist within the Pueblo with no easements in place. For many years, the city has piggy-backed off of New Mexico Department of Transportation to obtain a lease from the Pueblo and to pay for right-of-way. In order to clear a dispute between the City of Espanola and Santa Clara Pueblo, which has continued for years, the City is requesting assistance to pay for services necessary to determine where the lines are and what condition they are in so they may either be rerouted or upgraded. Once the survey and appraisal have been conducted, the City plans to meet with the tribe to request right-a-way and negotiate a price agreement.

FISCAL IMPLICATIONS

The appropriation of \$250,000 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 would revert to the general fund. The total estimated costs of the survey and appraisal is about \$600,000. The City plans to seek state funding for the balance, according to DFA.

DH/lg