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FISCAL IMPACT REPORT

SPONSOR Cisneros DATE TYPED 03-03-05 HB _____

SHORT TITLE NM Tech Taos County Aquifer Monitoring SB 991

ANALYST Woods

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$135.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to the appropriation to New Mexico Institute of Mining and Technology in the General Appropriations Act.

Relates to SB189, SB992

SOURCES OF INFORMATION

- LFC Files
- New Mexico Commission on Higher Education (CHE)
- New Mexico Environment Department (NMED)
- Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

Senate Bill 991 – Making an Appropriation to the Board of Regents of New Mexico Institute of Mining and Technology for the Taos County Aquifer Monitoring Program – appropriates \$135,000 from the general fund to the Board of Regents of New Mexico Institute of Mining and Technology for expenditure in FY06 for the Taos County aquifer monitoring program to design and begin to implement a ground water database repository and design an implementation plan to monitor and network test water wells with the New Mexico Bureau of Geology and Mineral Resources of New Mexico Institute of Mining and Technology. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

Significant Issues

NMED indicates that Taos County is nearing the completion of an aquifer mapping data project. The collected data will be incorporated into a decision-making tool for use by the Taos County Board of Commissioners. Development and implementation of the aquifer mapping program

will allow Taos County to monitor and regulate new water well development and assess water quality to ensure protection of the resource for current and future use. Such a decision-making tool is necessary to ensure that the county can fulfill the mandates of the New Mexico Interstate Stream Commission (i.e., requirement for regional water planning and meeting interstate stream compacts), respect local water rights settlements, and fulfill the mandate of the New Mexico Subdivision Act to regulate the development of ground water.

CHE adds that the New Mexico Bureau of Geology and Mineral Resources geologic mapping program is partly funded by the STATEMAP component of the National Cooperative Geologic Mapping Program. NMIMT is in the twelfth year of a program designed to rapidly produce and distribute state-of-the-art maps. New Mexico is the most successful state in the country in obtaining STATEMAP funds, totaling \$2,075,382 federal dollars. By June 2005, NMIMT will have mapped 97 quadrangles (5,280 sq. miles) in twelve counties and all three congressional districts.

Modern digital geologic maps are essential for New Mexico's environmental and economic prosperity. Geologic maps are uniquely suited to solving problems involving earth resources, hazards, and environments, and perhaps most importantly for the people of New Mexico, such maps help identify and protect ground-water aquifers, aid in locating water-supply wells, and are fundamental for all environmental studies and land-use plans.

CHE notes that this specific legislation was not presented to the commission for review. Accordingly, the request was not included in the commission's funding recommendation for FY06, although the commission did recommend \$4,468,900 for the Bureau of Geology and Mineral resources, an increase of \$579,400 over the previous year.

FISCAL IMPLICATIONS

The appropriation of \$135,000 contained in this legislation is a recurring expense to the general fund allocated for expenditure in FY06. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

New Mexico Institute of Mining and Technology would retain oversight of this project.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to the appropriation to New Mexico Institute of Mining and Technology in the General Appropriations Act.

Relates to SB189 in that SB189 seeks to appropriate \$620,000 from the general fund to the Board of Regents of New Mexico Institute of Mining and Technology for expenditure in FY06 and subsequent fiscal years to conduct a statewide aquifer mapping project by the Bureau of Geology and Mineral Resources.

Relates to SB992 in that SB992 seeks to appropriate \$75,000 from the general fund to the Board of Regents of New Mexico Institute of Mining and Technology for expenditure in FY06 for the Taos County Aquifer Mapping Program to implement phase II of phase III geologic aquifer mapping data collection with the New Mexico Bureau of Geology and Mineral Resources of New Mexico Institute of Mining and Technology.

OSE indicates that Aquifer monitoring activities are presently being performed by the state engineer, the U.S. Geological Survey, and other entities. Data collected are maintained in a USGS database available for public use. Further, since both New Mexico Tech and the New Mexico Bureau of Geology and Mineral Resources are research institutions, the basic monitoring activities proposed in the legislation might be considered a deviation from their primary missions.

TECHNICAL ISSUES

OSE suggests that it cooperates with the U. S. Geological Survey to collect and store information on groundwater levels. The program has been in place for many decades and is the primary source of water level monitoring information. A study was performed recently to assess the statewide water level measuring program. Criteria for the selection of monitoring wells have been developed by the state engineer in coordination with the USGS and groundwater consultants. Based on these criteria, and funding availability, recommendations were provided for improved water level monitoring. These recommendations have been implemented and include monitoring wells in Taos County.

OSE further notes that additional data collection and database development efforts are always important to improve hydrologic understanding but these efforts should be coordinated with the State Engineer. Groundwater modeling experts associated with the water users in the Taos area have cooperated with OSE hydrologists to develop a new groundwater flow model. The model may be applied to guide data collection. Model developers should be involved in the design to expand monitoring efforts. The State Water Plan states that the OSE/ISC will coordinate the creation of a multi-agency taskforce to identify, focus and prioritize studies and this avenue for setting study priorities needs to be considered with this legislation.

OTHER SUBSTANTIVE ISSUES

NMED observes that water resources in New Mexico are finite, yet demands for water continue to increase as the population grows. Inadequate management of water resources could lead to conflict and legal action against the State by other parties with resource rights. Development of the decision-making tools contemplated by the Taos County Aquifer Mapping Program promises to make management of the county's water resources more efficient and effective. Such tools do not appear to be in widespread use throughout New Mexico at the present time.

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