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FISCAL IMPACT REPORT

ORIGINAL DATE 1/26/08

SPONSOR Nunez LAST UPDATED _____ HB 385

SHORT TITLE NMSU Non-Native Phreatophyte Removal SB _____

ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$10,000.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB47

SOURCES OF INFORMATION

LFC Files

Responses Received From

Higher Education Department (HED)

New Mexico Department of Agriculture (NMDA)

Energy, Minerals & Natural Resources Department (EMNRD)

Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

House Bill 385 appropriates \$10,000.0 from the general fund to the Board of Regents of New Mexico State University for the New Mexico Department of Agriculture to manage and administer non-native phreatophyte removal and riparian restoration projects. The projects are to be conducted by Soil and Water Conservation Districts according to the non-native phreatophyte/watershed management plan program.

FISCAL IMPLICATIONS

The appropriation of \$10,000.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of any fiscal year shall not revert to the general fund.

This request was not submitted by NMSU to the New Mexico Higher Education Department (NMHED) for review and was not included in NMHED's funding recommendation for FY09.

SIGNIFICANT ISSUES

The NMDA states that the non-native phreatophyte program has been funded over a number of years. In the last three years, however, funding has been vetoed or substantially lower than warranted by the program's plan. If this bill is not enacted, some of the progress made to date may be jeopardized and additional goals will not be met.

According to the HED, salt cedar or non-native phreatophyte is an invasive plant that crowds out native trees, like willows and cottonwoods; makes soil salty; and lowers the water table. The primary removal method has been to use a specially configured helicopter to spray an herbicide, which limits damage to desirable riparian vegetation. Other options are mechanical extraction, which pulls the salt cedar plants from the ground, and the cut-stump method, in which salt cedar is cut by shears or chain saws, and the stumps are treated with an herbicide. Salt cedar is a major factor in low water levels in rivers. Studies show that removing salt cedar will greatly improve quantity and quality of water.

This appropriation would enhance water supplies, improve water flow, and restore riparian areas that adjoin watersheds. It is critical to remove salt cedar in a cost effective and environmentally sound manner. Salt cedar is a non-native plant that threatens native trees and shrubs and contributes to decreasing water quantity/quality levels. Watershed protection is a water conservation measure that preserves this natural resource in arid environments like the desert southwest.

The EMNRD says that this bill will benefit the Forestry Division's efforts to restore the health of riparian ecosystems. Conducting riparian restoration and fire mitigation projects by removing stands of salt cedar and replacing them with native vegetation will reduce the risk of wildfires and make wildfire suppression less costly. Healthy, native stands of riparian vegetation are less flammable than stands of non-native phreatophyte plants, such as salt cedar. Satisfactorily completed projects could also help protect structures and communities from wildfires when structures are in the vicinity of the projects.

In addition, EMNRD states that The Forestry Division occasionally oversees projects that are similar to those indicated in this bill and requires cooperators and contractors to adhere to the non-native phreatophyte/watershed management plan program.

The OSE notes that the latest analyses by the United States Academy of Sciences and the American Council of Civil Engineers indicate that the amounts of water salvaged by phreatophyte removal programs are directly proportional to a carefully planned program of phreatophyte removal and reintroduction of low water use native plants. Studies show that in most instances, great care must be taken or net water consumption can actually increase, not decrease. Similar assessments are given by scientists from national laboratories and academia. Phreatophyte removal projects will not result in optimal water salvage unless they are executed in compliance with New Mexico Non-Native Phreatophyte/Watershed Management Plan. Aspects of that Plan, such as the technical team, research, databases, and planning project templates have not been supported or completed yet. To gain the maximum benefits from this appropriation, the legislature may wish to designate a sufficient portion of the funding to these elements of the Plan.

DUPLICATION

Senate Bill 47 is a duplicate.

GH/bb