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## FISCAL IMPACT REPORT

ORIGINAL DATE  
LAST UPDATED

SPONSOR HBIC 3-14-09 HB 467/HBICS

SHORT TITLE Aquatic Invasive Species Control SB \_\_\_\_\_

ANALYST Woods

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NONE		

(Parenthesis ( ) Indicate Expenditure Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands) \*

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>	\$30.0	\$120.0	\$150.0	\$300.0	N/A (TBD)	N/A (TBD)

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Response to Substitute Received From  
New Mexico Department of Game and Fish (DGF)

### SUMMARY

#### Synopsis of HBIC Substitute

This legislation would provide the Department of Game and Fish and other authorized agencies with authority to control and prevent the spread of aquatic invasive species (AIS) within New Mexico.

There is no appropriation attached to this legislation.

### FISCAL IMPLICATIONS

This legislation mandates coordinated statewide AIS monitoring and control efforts. While not

\* Projections proposed by DGF.

specifically identified in the legislation, an enforcement effort of this magnitude would necessitate a major companion education/outreach effort to improve the effectiveness of enforcement as well as advance prevention efforts. There will be resource needs for materials and manpower to coordinate the statewide effort, develop and implement certification procedures for decontamination facilities, train authorized individuals in the identification and detection of AIS, and devote enforcement resources to check stations and impounding actions. There are no good estimates of what it would cost in New Mexico but comparable adjacent state budgets for AIS provide a starting point for trying to calculate a fiscal impact on the department operating budget. Colorado spends about \$4 million in revolving fund monies per year to monitor and control Zebra and Quagga Mussels. Utah which spends \$2.3 million per year for AIS management divided: 40% for public information & outreach; 30% for law enforcement; and 30% for population monitoring. At this time, these mussels have restricted distributions in both states.

### **SIGNIFICANT ISSUES**

As background, DGF advises that the presence of AIS in New Mexico will place a tremendous burden on the State's economy, water infrastructure, agriculture, and the environment. There are many potential AIS already in the U. S. and of those, Zebra and Quagga mussels have proven to be two of the most difficult and expensive to manage. These mussels heavily infest the upper Mississippi River basin and Great Lakes, and cost the U.S. up to \$137 billion per year for response to and control of mussels and for maintenance and repair of equipment. Despite efforts to contain these species to the east, they have entered western waters. Quagga mussels have invaded Arizona, California, Colorado, Nevada, and Utah while Zebra mussels are found in California, Colorado, and Oklahoma.

New Mexico is essentially surrounded by infestations and efforts to keep them from becoming established in this state is imperative. Once these species are established, it is virtually impossible to eliminate them from a body of water. If they get into the Rio Grande, they could infest every reservoir and large parts of the river channel and all irrigation infrastructure that draws and distributes water from the river. This could prove to be a crippling burden for agriculture in New Mexico. Part of the problem for the southwest is that warmer conditions permit these species to reproduce up to 6 times per year where in northern latitudes they reproduce twice per year. So the potential for population growth is considerably greater here in NM than in the Great Lakes.

The legislation provides a framework for detecting the presence of and enforcing control of the human assisted spread of AIS. What is not addressed in the legislation but would be needed is a companion educational/outreach component to facilitate the control and enforcement efforts. Education/outreach does not require legislative authority but it will be an expensive component of the overall control effort.

### **PERFORMANCE IMPLICATIONS**

DGF suggests that this legislation, without additional resources, could have performance implications for monitoring and conservation of threatened and endangered species, law enforcement, and providing sportsmen's recreational opportunities. The widespread presence of AIS would alter habitats and demand resources to the extent that achieving department objectives will be impaired.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

DGF indicates that the department and other state agencies will have limited authority to control the introduction and spread of AIS in New Mexico.

**AMENDMENTS:**

None proposed by respondent.

BW/svb:mc