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## FISCAL IMPACT REPORT

SPONSOR Maestas Barnes/Garcia, M. ORIGINAL DATE 02/06/17 LAST UPDATED 02/08/17 HJM 3/aHLELC

SHORT TITLE Alternative Land Designations Near Pecos SB \_\_\_\_\_

ANALYST Daly

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

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI					

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)  
 Energy, Minerals and Natural Resources Department (EMNRD)  
 Department of Game and Fish (DGF)  
 State Land Office (SLO)

### SUMMARY

#### Synopsis of HLELC Amendment

The House Local Government, Elections, Land Grants and Cultural Affairs Committee amendment to House Joint Memorial 3 clarifies that the memorial's purpose is to protect meaningful access for traditional forest-dependent, gateway and land grant communities to ensure traditional uses of lands that have socioeconomic or cultural impacts on those communities when the United States Congress and the Forest Service of the United States Department of Agriculture consider designations for those lands.

#### Synopsis of Original Bill

House Joint Memorial 3, for the Land Grant Committee, addresses issues arising from actions by all the national forests in New Mexico, which are currently undergoing a forest plan revision process to update forest management plans. These plans must include evaluations to determine whether any lands have wilderness characteristics and if so how they should be managed. In the past, these evaluations did not include considerations for socioeconomic or cultural impacts on

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traditional forest-dependent, gateway and land grant communities.

HJM 3 resolves that special care be exercised when changing and developing land management methods for national forest land to maintain local cultural values, to ensure watershed health, to protect meaningful access for traditional uses and to allow government agencies to respond to wildfires.

Further, it requests the United States department of agriculture forest service 1) provide traditional forest-dependent, gateway and land grant communities, Indian pueblos and acequias with a meaningful role in the development of appropriate and beneficial designations and management plans for lands under its jurisdiction; and 2) engage in immediate dialogue with all traditional forest-dependent, gateway and land-grant communities of all national forests in New Mexico regarding potential alternative designations for all lands that may be evaluated for possible inclusion in the Pecos wilderness and for other proposed wilderness designations now and in the future.

HJM 3 requests copies of it be transmitted to the region 3 regional forester, the forest supervisors for each of the national forests within New Mexico; the principal executive officer holder for each of New Mexico's Indian tribes, pueblos and nations; the chairs of the land grant council and acequia commission; the members of the New Mexico congressional delegation; and the governor.

### **FISCAL IMPLICATIONS**

Responding agencies report no fiscal impact on the State.

### **SIGNIFICANT ISSUES**

The memorial comments that for generations, small, rural and historically isolated communities in New Mexico have depended on surrounding forests, grasslands and rivers as their primary sources of food, medicine, fuel, building materials and water. Recently, forest-dependent, gateway and land grant communities have experienced increasing restrictions on and denial of their traditional access to and use of adjacent lands and water. It notes that wilderness designation is one of the most restrictive land management alternatives available for national forest land.

It also points out that alternative land management protections were created for the Rio Grande del Norte national monument that specifically retain certain tradition uses. Further, adjacent gateway communities were provided a meaningful role in the development of that land management plan.

DGF comments that the designation of additional wilderness lands negatively impacts its ability to effectively and efficiently manage wildlife resources including stocking fish, wildlife surveys, trapping/transplanting efforts, habitat restoration and other recreational opportunities, since management actions within wilderness areas are severely limited in scope and the ability to manage the designated area is greatly impeded by bureaucracy. DFG believes this memorial emphasizes the need for the USFS to receive input from the affected gateway communities to better understand the traditional wildlife resource uses and impacts of such wilderness expansions before the designation is changed by the U.S. Congress.

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Additionally, SLO reports significant amounts of state trust lands are located within national forests and other federal lands, and the state land office has experienced the negative effect of restrictive federal land management practices that “landlock” state trust lands, including wilderness and monument designations. The state land office and trust land beneficiaries would benefit from a more cooperative relationship with the US Forest Service and other federal land management agencies.

EMNRD notes that although currently it has no role in Pecos Canyon, there are discussions underway regarding the establishment of Pecos Canyon State Park. If HJM 3 is passed and EMNRD has a role in Pecos Canyon, EMNRD may be consulted by the Forest Service regarding expansion of the Pecos Wilderness Area.

### **OTHER SUBSTANTIVE ISSUES**

During the 2016 Regular Legislative Session, House Memorial 43, which is virtually identical to HJM 3 except that it was not a joint memorial, was passed by the House.

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