

<b>LFC Requester:</b>	<b>Davidson</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 1/16/2025 *Check all that apply:*  
**Bill Number:** HB85 Original X  Correction   
 Amendment  Substitute

**Sponsor:** Cates **Agency Name and Code** Environment-667  
PROHIBITING **Number:** \_\_\_\_\_  
**Short Title:** NONFUNCTIONAL TURF **Person Writing** Jonas Armstrong  
INSTALLATION **Phone:** 505-670-9050 **Email:** [Jonas.Armstrong2@en.v.nm.gov](mailto:Jonas.Armstrong2@en.v.nm.gov)

**SECTION II: FISCAL IMPACT**

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

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>				See Fiscal Implications	Recurring	Water Quality Management Fund – Additional permitting staff

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: House Bill 85 (HB85) restricts the installation of non-functional turf on state funded or state-owned property and requires all existing non-functional turf to be irrigated with reclaimed wastewater. The bill also requires the installation of drought and climate resilient landscaping when nonfunctional turf is replaced on state-owned and state-funded property.

## **FISCAL IMPLICATIONS**

NMED permits irrigation of nonfunctional turf with reclaimed wastewater. The team that handles wastewater reuse permits for end users in municipalities has historically been underfunded and understaffed. When HB85's requirements take effect, and probably a couple of years before then, the bill will increase this team's workload and result in further stress on the section's resources. Additional resources will need to be allocated to NMED to handle the influx of new end user reuse permits and modify existing permits. When that expected demand increase occurs, GWQB will require one additional FTE Water Resource Professional for the first two years and a second FTE in the third year to process, draft and issue the increased number of discharge permits.

## **SIGNIFICANT ISSUES**

Many municipalities do not own or operate systems capable of treating wastewater to a high enough quality for use as landscape irrigation water. Municipalities that do not already have an existing reuse distribution system will be required to install "purple pipe" infrastructure to all properties required to irrigate with reclaimed wastewater in addition to making significant upgrades to their treatment facilities. In some cases, systems may need to employ operators with higher level credentials as well. Wastewater reuse distribution systems are expensive to install and require extensive engineering to complete. Costs for water reuse lines can range from \$50 to \$250 per linear foot of line, which translates to \$264,000 to \$1.32 million per mile of water reuse transmission lines (average cost of \$792,000 per mile). Utilities typically charge the individual or organization requesting the line extension with associated costs. This could increase the costs of projects significantly.

Replacing turf with xeriscaping can result in water savings that range from 50-70% of irrigation water currently used on the turf. Reduction in water use would result in a theoretical 50-70% cost savings in water utility bills.

## **PERFORMANCE IMPLICATIONS**

None.

## **ADMINISTRATIVE IMPLICATIONS**

The New Mexico Environment Department will need to add additional staffing in the Ground Water Quality Bureau to administer new permits.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

## **TECHNICAL ISSUES**

None.

## **OTHER SUBSTANTIVE ISSUES**

None.

## **ALTERNATIVES**

None.

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

Non-functional turf will continue to be installed and maintained, requiring the use of fresh water in many cases.

## **AMENDMENTS**

None.