

LFC Requester: _____

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to 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: 2/11/2025 *Check all that apply:*
Bill Number: SB0342 Original Correction
Amendment Substitute

Sponsor: George K. Muñoz, Elizabeth "Liz" Stefanics **Agency Name and Code Number:** New Mexico Institute of Mining and Technology 962
Person Writing
Short Title: Brackish Water Projects Funding **fsdfs** Analysis: The VPAF Office
Phone: 575-835-5606 **Email:** VPAF@nmt.edu

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
16,000,000		Non-recurring thru 2030	General Fund

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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:

Relating to the water;

- Requiring the department of environment to promulgate rules for the use of brackish water;
- Making an appropriation to the Office of the State Engineer for Brackish Water use exploration, treatment and aquifer characterization for water projects;
- Making appropriations to the Board of Regents of the New Mexico Institute of Mining and Technology and the Board of Regents of New Mexico State University for the development of technology for projects related to brackish water use.

FISCAL IMPLICATIONS

For NMT, this bill appropriates \$16M for years 2026 through 2030 for innovation, research, monitoring support and development of technology associated with work tasked to OSE for aquifer characterization projects in specific regions of NM.

SIGNIFICANT ISSUES

Funding requested by NMT/NMBGMR related to this type of work was estimated at an initial \$28.75M over 3 years of a 12-year, \$175M effort to characterize all fresh and brackish aquifers in the state and establish 100 new monitoring wells as directed in the Governor’s 50-year Water Action Plan. The \$28.75M request is also included in the executive budget recommendation at the full amount and the LFC recommendation at \$19M. Unless this bill is building upon the Executive and LFC recommendations, this bill reduces funding, expands the timeline, focuses only on deep brackish water, and specifies regions including Lower Rio Grande, Middle Rio Grande, Permian Basin, and Northwest quadrant of the state.

New Mexico WQCC already has guidelines on water quality related to the use of shallow brackish water and protecting water quality up to 10,000 ppm Total Dissolved Solids. NM OSE provides guidelines for regulating the development of deep, non-potable groundwater, more than 2500 ft deep and greater than 1000 ppm Total Dissolved Solids.

PERFORMANCE IMPLICATIONS

Statutory requirements to characterize aquifers in the timeframe provided can help drive success and improve outcomes, especially if funding is appropriated.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill may be perceived as duplicative of aspects of HB 137. HB137 includes \$28.75M in Aquifer Characterization funding.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

The recommendations are:

Page 2, line 1: Suggest adding “deep” to definition of brackish water to better align with other water bills and definitions.

Page 2, line 21: add “aquifer characterization” before innovation.

Page 2, line 22: delete “technology associated with”

Consider adding reference to NM Water Data Act (NMSA 1978, § 72-4B) to require that any data collected as part of these efforts are available and accessible in accordance with data sharing protocols and standards.