

LFC Requester:

Connor Jorgensen

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) 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: 2/21/2025

Check all that apply:

Bill Number: SB 471Original Correction Amendment Substitute Sponsor: Sen. Pat WoodsAgency Name
and Code

Office of the State Engineer

Number:

550

Person Writing

Analysis:

Frank ScottShort Title: Rainfall Enhancement PilotProjectPhone: 505-396-1997 Email: Frank.scott@ose.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	\$1,200	Nonrecurring	General

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	\$75	\$75	\$150	Recurring	ISC

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 362
Duplicates/Relates to Appropriation in the General Appropriation Act: None

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 471 would create a 1-year rainfall enhancement pilot project to be conducted by the Roosevelt Soil and Conservation District.

Section 1: This Section would require the Roosevelt Soil and Conservation District to create, develop, and administer a one-year "rainfall enhancement pilot project." This section would also require the Roosevelt Soil and Water Conservation District and the Board of Regents of New Mexico State University (NMSU) to enter a joint powers agreement for the state climatologist and university extension services to review, analyze, and validate data from the rainfall enhancement pilot project to create evidence-based weather modification demonstration projects using current and evolving scientific methods of rainfall enhancement and to test benefits of those methods and study potential environmental risks. All water derived from this pilot project would be considered part of the natural water supply and any water derived from this project would not be subject to new appropriations but would be administered and distributed to users in accordance with existing water rights.

Section 2: This Section would require the establishment of forms and criteria for reporting data and record keeping and cause a permanent record to be kept of all pertinent data related to the rainfall enhancement pilot project or research related to other factors that may be affected by rainfall enhancement activities. This section would require reporting to the appropriate legislative interim committee and a final report to the Governor and Legislature. The final report would include recommendations for improvements to the project and the necessity of its continuation.

Section 3: This section would appropriate \$1,200,000 from the general fund to the board of regents of NMSU for expenditures in FY 2026 for the Roosevelt Soil and Water Conservation District to administer this project. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 would revert to the general fund.

FISCAL IMPLICATIONS

Under the Weather Control and Precipitation Enhancement rule (NMAC §19.17.2) pursuant to the New Mexico Weather Control Act (NMSA §75-3-1 through 72-3-15), the New Mexico Interstate Stream Commission (NMISC) is responsible for the administration of applications for weather modification programs in the State of New Mexico. The project as described in SB 471 would require application to the NMISC for a Weather Control and Precipitation Enhancement License. There will be an increased fiscal impact to the NMISC if this program results in an increase in applications submitted to the NMISC for Weather Control and Precipitation Enhancement Licenses. The application process requires significant staff time

and could be expected to impact the NMISC with an increase of an estimated half of an FTE (estimated at \$75,000 per FY).

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

The pilot program will be required to complete an application for a license with the Interstate Stream Commission's weather modification license program.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill (SB 471) is similar to HB 362. Both are for creation of a Rainfall Enhancement Pilot Project. HB 362 creates a 3-year project with an appropriation of \$3,600,000.

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None