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FISCAL IMPACT REPORT

SPONSOR: Tripp DATE TYPED: 02/13/03 HB 467

SHORT TITLE: 20 Community National Forestry Plan Projects SB _____

ANALYST: Valenzuela

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$100.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04			
	\$233.3		Recurring	Federal

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

- *Report of the Legislative Finance Committee to the Forty-sixth Legislature, First Session, January 2003 for Fiscal Year 2003 – 2004, pp. 412 - 413.*

Responses Received From

State Land Office
 Energy, Minerals and Natural Resources Department
 Department of Game and Fish

SUMMARY

Synopsis of Bill

House Bill 467 appropriates \$100.0 from the general fund to Energy, Minerals and Natural Resources Department for the purpose of providing matching funds to implement the twenty com-

munity national forestry plan projects in Catron county.

Significant Issues

20 Community Strategy for Fire Protection and Forest Health. The Forestry Division has identified 20 communities most vulnerable to fire: Angel Fire/Black Lake, Capitan/Lincoln, Catron County, Cloudcroft, East Mountains, Espanola bosque, Gallinas watershed, Jemez/La Cueva, Los Alamos, Manzano Mountains, Mayhill/Timberon, Middle Rio Grande bosque, Mora County interface, Pecos, Red River, Ruidoso, Santa Fe watershed, Silver City area, Taos Canyon/Shadybrook and Upper Brazos. The Forestry Division has developed a strategy to protect the 20 New Mexico communities most vulnerable to wildland fire emphasizing partnerships between the state and federal, county and local government agencies to assess, protect and restore forest ecosystems. Its accomplishments to date are detailed below:

Assessment

- All 20 communities have begun assessments to evaluate the risks of surrounding forests.
- Plans are being designed to identify future projects and set funding priorities.
- Santa Fe County was the first community to complete its assessment. The assessment led to the adoption of the first wildland fire safety ordinance for homeowners in New Mexico.

Protection

- State and federal agencies are working with 11 of the 20 communities to improve fire department wildland suppression capability and firefighter safety.
- More than \$468.0 in funding has been provided for 39 projects to purchase wildland fire equipment and to provide specialized training to 800 firefighters.
- EMNRD has agreements with nine communities to provide rapid mobilization of highly trained fire departments to protect structures from approaching wildfires.
- Seven community-wide fire prevention workshops called "Firewise" have been conducted for 270 landowners promoting defensible space and home protection.

Restoration

- Defensible space projects in 11 communities, which include thinning and creating fire-safe areas around homes in high risk areas, have been completed using \$2,400.0. The funding has assisted 341 landowners in treating 1,296 acres.
- Nine communities were granted a total of \$2,900.0 for projects in 2002 and work is beginning.
- An additional \$1,200.0 in fuels treatment funding from the Federal Emergency Management Agency (FEMA) is pending for Las Vegas and Ruidoso.
- New Mexico federal land management agencies in FY01, completing 50 fuels treatment projects around 17 communities and have planned 109 in FY03 covering 261,253 acres, with at least one in each of the 20 communities.

FISCAL IMPLICATIONS

The appropriation of \$100.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the

general fund.

The 20-community strategy has been funded by a general fund and federal fund match. The match of “30% state/70% federal” will allow the department to generate \$233.3 from federal funds for this project.

TECHNICAL ISSUES

EMNRD reports the following concern:

As currently drafted, HB467 may violate the anti-donation provision in the state constitution because of the lack of state or county land in the affected areas. The only land besides federal land is privately owned. To comply with the anti-donation provision, a state entity such as the Soil and Water Conservation Districts (SWCDs) would need to have complete control over the project and dispersion of the funds. The majority of the landowners in the affected area would need to be part of a district developed by SWCDs created to develop fuel breaks or watershed restoration. These projects can only be effective if most landowners participate and could not be accomplished by a few landowners working separately.

MFV/njw