

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Culbert DATE TYPED 02/02/05 HB 459

SHORT TITLE La Barranca Drainage Facility Improvements SB _____

ANALYST Moser

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$368.0			Non-Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Department of Transportation

SUMMARY

Synopsis of Bill

House Bill 459 would provide to the New Mexico Department of Transportation (NMDOT) three hundred sixty-eight thousand dollars (\$368,000) from the general fund for the first phase to improve severe erosion and drainage problem at the lower La Barranca facility in Sandoval County by stabilizing the reach directly downstream of the New Mexico highway 528 crossing; in order to protect the structure crossing the highway, the existing soil cement drop structure, the existing waste water treatment plant, and the adjacent residential areas from erosion damage.

Significant Issues

The major issues identified by the NMDOT pertaining to the bill are the following:

- Drainage improvement could require **over one million dollars (\$1M)** or more than three times of the amount of this first phase of \$368,000 to reshape the arroyo to its historic condition. Additional funding will be required in the future.
- Materials were mined downstream of the soil cement drop structures several years after its completion of construction; and could have caused the head cut of approximately 10 feet.

- It may require approximately 10-foot grade control within the arroyo and bank stabilization at the waste water treatment plant.
- Construction of the drainage improvement requires permit application and approval from the New Mexico Environment Department and the US Army Corps of Engineers in compliance with the Clean Water Act program.

PERFORMANCE IMPLICATIONS

This bill may result to a cost increase to the Department of Transportation's program.

FISCAL IMPLICATIONS

The appropriation of \$368 thousand contained in this bill is a non-recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the General Fund. The NMDOT believes that this bill may require federal or other local, state and/or federal matching funds; as well as it may take two to three years of design and construction.

ADMINISTRATIVE IMPLICATIONS

The NMDOT believes that passage of this bill will be beneficial to the public and a long term savings to the State of New Mexico. Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) or Sandoval County should be responsible in taking the lead of the drainage improvement.

OTHER SUBSTANTIVE ISSUES

This bill will require compliance with the Clean Water Act program.

ALTERNATIVES

NMDOT feels that a comprehensive drainage study should be conducted and their should be continuous temporary drainage maintenance to keep the arroyo from migrating laterally, prevent continuous erosion of the banks, and degrading the channel bottom that eventually could damage the structures under NM 528. The NMDOT also requests local agencies such as, SCCAFCA and the City of Rio Rancho to assist in the study and maintenance.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

The consequences of not enacting this bill could result in continuous deterioration of the arroyo and severe erosion that could jeopardize the adjacent properties, the structures under NM 528, and public safety

GM/sb