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FISCAL IMPACT REPORT

SPONSOR Griego DATE TYPED 2/25/05 HB _____

SHORT TITLE La Bajada Water Flow Recovery SB 693

ANALYST Hadwiger

APPROPRIATION (in \$000s)

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$50.0			Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Department of Environment (NMED)

No comments were received from the Office of the State Engineer at the time this FIR was prepared.

SUMMARY

Synopsis of Bill

Senate Bill 693 appropriates \$50,000 from the general fund to the Department of Finance and Administration (DFA) to pay for planning by Santa Fe County to recover uninterrupted water flow of the Santa Fe river for the village of La Bajada.

Significant Issues

DFA indicated that the unincorporated Village of La Bajada has experienced a decrease in the amount of water allowed to flow downstream from Santa Fe. The Village believes that Santa Fe effluent is being diverted and, as a result, the Village has experienced a decrease in water flow. The Village has incorporated the La Bajada Community Ditch Inc. This organization would use the appropriated funds in this bill to ask the Office of the State Engineer to determine if the City of Santa Fe is illegally retaining effluent that should be allowed to flow downstream.

NMED noted that La Bajada is an agricultural community that uses Santa Fe River water for irrigation. Much of the water in the Santa Fe River is actually treated wastewater discharged by the Santa Fe wastewater treatment plant. In recent years a smaller percentage of treated wastewater from the Santa Fe wastewater treatment plant has been discharged to the Santa Fe River. Treated wastewater has been diverted to golf courses, parks and other uses to reduce pressure on the local aquifer and in response to drought conditions. Reuse of treated wastewater has been encouraged as a means to preserve, on a long term basis, clean ground water for critical uses such as drinking water. According to NMED, one way to balance the concerns of SB 693 while still encouraging reuse of treated wastewater could be to encourage better timed discharges that facilitate use in agriculture, rather than restoring uninterrupted flow in the Santa Fe River.

FISCAL IMPLICATIONS

The appropriation of \$50,000 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 would revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

DFA indicated that their Local Government Division (LGD) currently has in place a format which allows appropriations to flow through the LGD to the local government (Santa Fe County) then to the organization. The LGD's Community Development Block Grant Bureau would provide the oversight at the state level. The local oversight would be provided by Santa Fe County's Project and Operation Division, who would act as the fiscal agent.

TECHNICAL ISSUES

NMED suggested a possible amendment to better capture the intent of the bill:

On page 1, lines 12 and 20, replace the word 'recover' with 'restore'.

ALTERNATIVES

NMED noted that timed flows might address the needs of La Bajada and Santa Fe.

DH/sb