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FISCAL IMPACT REPORT

	ORIGINAL DATE 2-6-06		
SPONSOR	Griego	LAST UPDATED	HB
	TAOS COUNTY AQUIFER MONITORING		
SHORT TITLE	PROJECT	SB	570
			ANALYST Hadwiger

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$185.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB343, Companion to SB569.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Office of the State Engineer (OSE)

New Mexico Department of Environment (NMED)

SUMMARY

Synopsis of Bill

Senate Bill 570 appropriates \$185 thousand from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration (DFA) in FY07 to develop and implement a Taos county aquifer monitoring project.

FISCAL IMPLICATIONS

The appropriation of \$185 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY07 would revert to the general fund.

SIGNIFICANT ISSUES

DFA explained that SB570, with it companion bill SB569, are phases III and I, respectively of a multi-phased project which, when completed, will create a ground water protection program that

monitors existing wells in Taos County for aquifer depletion and water quality. The funding in SB 570 will complete Phase I which has been ongoing for the past three years. Phase I is a topographical survey of the Taos County aquifer and all of its users. This is the first step in the County's long term ground water protection plan by monitoring draw downs pertaining to senior water rights, irrigated land, and the 7,400 individual domestic wells that may impact the water quality of the aquifer. The funds will pay for the services of a hydrologist, a geologist, field technician, professional services contracts, map reproduction and digitization, and water sampling. Subsequent phases, including SB 569, are dependent on SB 570 being funded and the Phase I survey completed.

OSE urged that this program be more closely integrated into groundwater monitoring programs run by that agency and by the USGS. OSE wrote that additional aquifer monitoring is always useful to improve the understanding of how water levels are responding to well diversions and recharge. OSE maintains a long-term monitoring network in Taos County. In addition to this network, OSE understands that the New Mexico Bureau of Geology and Mineral Resources (NMBGMR) is already involved in the collection of water level data with local individuals. The Town of Taos and Taos Pueblo may also have monitoring programs in place. SB570 does not provide a purpose nor does it describe the type of monitoring to be performed. Typically aquifer monitoring refers to the collection of groundwater level data from existing wells. The level of funding requested seems excessive for this activity alone, according to OSE.

The OSE maintains a statewide aquifer monitoring program with the U.S. Geological Survey (USGS) for about the same level of funding as requested in the bill. The OSE monitoring program includes approximately 2,600 wells and was designed to incorporate a monitoring distribution specific for the needs of New Mexico. Long-term monitoring is required to assess water level changes over time but the bill proposes monitoring for one year. A groundwater flow model for water resource administration and planning in the Taos area has just been finalized. The project included an assessment of water level changes. In general, water levels are fairly stable in the study area. A number of tributaries to the Rio Grande are located in the area and help maintain stable water levels. Additional water level measurement would be useful, but data collection should expand a period longer than one year to identify water level changes. Since the OSE maintains a water level measuring program, the project should be coordinated with the OSE. Other parties should also be made of aware of the program for potential cooperation. The OSE can assist in this coordination.

OSE indicated data collected under this bill should be provided to the USGS for inclusion into their water level database. This database is the accepted repository for this information and allows wide public access.

PERFORMANCE IMPLICATIONS

NMED indicated that SB570 does not have significant performance implications for the agency. However, monitoring of ground water would allow for the regional assessment of ground water aquifers and provide additional information that NMED could use in the issue of discharge permits and abatement of ground water pollution in Taos County. Thus, SB570 could result in long-term improvements in ground water quality in Taos County.

ADMINISTRATIVE IMPLICATIONS

The grant will be administered through DFA which already has the staff and the knowledge to easily fund and monitor this project.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to SB343, Companion to SB569.

TECHNICAL ISSUES

OSE indicated that data collected from the program should reside in the U.S. Geological Survey water resource database to ensure wide access to information obtained. This database is the widely accepted repository for hydrologic information. Inasmuch as the OSE maintains a cooperative program with the USGS to maintain this information, the project should be coordinated with the OSE.

OSE also indicated that the NMBGMR will perform this work if the bill is approved. However, it appears likely that NMBGMR staff will be tied up with other projects year and have been advised that staffing limitations restrict the initiation of new projects. Due to staffing limitations, a period longer than one year would ensure adequate time to perform the project.

NMED was concerned that the DFA was not the best agency to administer this project, noting that SB570 appropriates funds to LGD/DFA for development and implementation of a ground water monitoring project in Taos County. However, LGD/DFA is not a science-based organization that has the technical expertise to develop and implement a ground water monitoring project. It would be more appropriate for technical scientific experts, such as geologists and hydrologists at the New Mexico Bureau of Geology associated with the NM Tech, to develop and implement a ground water monitoring project. Therefore, SB570's general fund appropriation should be made to the Board of Regents of the NM Tech to pay for the New Mexico Bureau of Geology to develop and implement this aquifer monitoring project.

DH/mt