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FISCAL IMPACT REPORT

ORIGINAL DATE 02/01/12

SPONSOR Eichenberg LAST UPDATED _____ HB _____

SHORT TITLE Rio Grande State Park Expansion SB 85

ANALYST van Moorsel

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY12	FY13		
	None		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY12	FY13	FY14	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Unknown	Unknown			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Energy, Minerals and Natural Resources Department (EMNRD)

SUMMARY

Synopsis of Bill

Senate Bill 85 amends the Rio Grande Valley State Park Act to authorize the secretary of EMNRD may expend state funds as a partner with local, state and federal agencies in the acquisition, development and management of the middle Rio Grande national wildlife refuge adjacent to the Rio Grande Valley State Park (RGVSP).

SB85 further authorizes the secretary of EMNRD to enter into cooperative agreements with local, state and federal agencies and other entities for the benefit of RGVSP and cooperative agreements that establish the department's role as a partner in the middle Rio Grande national wildlife refuge adjacent to the RGVSP.

FISCAL IMPLICATIONS

The EMNRD notes that SB85 authorizes, but does not compel, the secretary of EMNRD to expend funds in an area not contained within RGVSP on a proposed national wildlife area adjacent to RGVSP. Since there is no requirement for the state to spend the funds, the department does not report a known fiscal impact.

SIGNIFICANT ISSUES

The EMNRD states that, although SB85 only applies to the RGVSP, it provides EMNRD with new authority related to a proposed federal wildlife refuge located adjacent to the RGVSP. SB85 does not include the proposed national wildlife refuge in RGVSP, but does allow the secretary to partner with other agencies in funding the acquisition, development, and management of the wildlife refuge. EMNRD notes that this provision could be read broadly to authorize EMNRD to become a co-owner and co-manager of the wildlife refuge.

EMNRD notes that current provisions of the Rio Grande Valley State Park Act permit “agreements or contracts between the conservancy district and federal agencies such as the United States Department of Interior[.]”

A press release from the United States Department of the Interior indicates that the proposed federal wildlife refuge is a 570-acre former dairy in the South Valley of Albuquerque. The U.S. Fish and Wildlife Service reports that, after completing the necessary studies and planning documents, the service is now authorized to acquire land and establish the refuge. The press release adds that the Bernalillo County Commission has set aside \$5 million to assist with land acquisition.

ADMINISTRATIVE IMPLICATIONS

The EMNRD reports that development and management of a cooperative agreement will create an additional administrative burden on the State Parks Division of EMNRD, noting that no funding is allocated for this purpose.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The EMNRD would maintain its ability to expend funds within the RGVSP boundary but would not be able to expend funds at the middle Rio Grande national wildlife refuge. The department could enter into cooperative agreements to share resources.

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