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## FISCAL IMPACT REPORT

**SPONSOR** SIAC **ORIGINAL DATE** 2/13/20 **LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_  
**SHORT TITLE** Remove Stray Cows from Gila Forest **SB** 293/SIACS  
**ANALYST** Daly

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$150.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)

New Mexico Livestock Board (NMLB)

State Land Office (SLO)

### SUMMARY

#### Synopsis of Bill

The Senate Indian and Cultural Affairs Committee Substitute for Senate Bill 293 appropriates \$150 thousand from the general fund to the Local Government Division of Department of Finance and Administration for the purpose of contracting with an appropriate organization to remove stray cows from the Gila National Forest.

### FISCAL IMPLICATIONS

The appropriation of \$150 thousand contained in this bill is scored in the appropriation table as a recurring expense to the general fund. Although any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund, this bill may establish an expectation that funds will be continued to be appropriated from one fiscal year to the next for this purpose.

## **SIGNIFICANT ISSUES**

Both SLO and NMAG advise that the Gila National Forest is federally owned and managed by the United States Department of Agriculture, Forest Service, who is subject to the laws of the U.S. Congress. <https://www.fs.usda.gov/gila/>. As federal land, NMAG reports the Gila National Forest grants grazing permits, and has developed comprehensive policies for the grazing of cattle on federally owned land and recording of ownership of permitted grazing cattle. See 36 CFR 222 Subparts A and C, FSM 2230.1 --- 2238.6. The policy includes procedures for removal of non-permitted cattle whose ownership is identifiable. 36 CFR 262.10 and FSM 2209.13. There also are federal policies and procedures for removing non-permitted cows.

In addition, SLO reports there is an ongoing contract to remove feral cattle from the Gila National Forest that has been in place for approximately 15 years.

## **OTHER SUBSTANTIVE ISSUES**

According to SLO, in 2019 the Center for Biological Diversity filed a notice of intent to sue due to the significant cattle damage within riparian areas within the Gila National Forest.

**MD/rl**