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## FISCAL IMPACT REPORT

SPONSOR: Lundstrom DATE TYPED: 02/18/03 HB 202/aHENRC/aHJC

SHORT TITLE: Amend Subdivision Regulations SB \_\_\_\_\_

ANALYST: Chabot

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Finance and Administration  
Regulation and Licensing Department

### SUMMARY

#### Synopsis of HJC Amendment

The House Judiciary Committee amendment strikes the Energy and Natural Resources Committee amendment 2. In its place, it inserts language requiring all costs associated with metering of domestic wells to be the responsibility of the person contracting for the drilling of the well. The owner of the domestic well permit must submit readings on a biannual basis, metering requirements shall be part of the final conditions of approval of subdivision by the county or municipality and, if there is overuse, a fine may be imposed.

In addition, it deletes prohibitions on high-water use plants and adds the requirement for “low-water use landscaping and efficient irrigation systems based on xeriscape principles and regulation of high-water use landscaping.”

Synopsis of HENRC Amendment

The House Energy and Natural Resources Committee amendment removes the requirement for water use efficiency requirements for plumbing and architectural design components in Section 3-19-6 NMSA 1978 for municipal and Section 47-6-9 NMSA for county subdivision regulations.

**TECHNICAL ISSUES**

Item 2 in the House Energy and Natural Resources Committee report dated February 5, 2003 should be changed to read: "On Page 6, strike lines 2 and 3 in their entirety."

Synopsis of Original Bill

House Bill 202 amends Section 3-19-6 NMSA 1978 (municipalities) and Section 47-6-9 NMSA 1978 (counties) concerning subdivision regulations to include water conservation measures. Under this bill, subdivision regulations shall include the following conservation measures: metering and accounting of water use of private wells, drought-tolerant landscaping; prohibition of high-water use landscape plants and water use efficiency requirements for plumbing and architectural design.

Significant Issues

New Mexico has a desert climate and receives an average of 10 inches or less precipitation annually. With a growing population, there are concerns about the ability of water resources to keep up with demand. Many organizations, such as 1000 Friends of New Mexico, have emphasized the need to use water conservation measures to stretch our water resources. This bill would require that municipalities and counties consider water conservation measures through their subdivision regulations. Responding state agencies did not provide an estimate of how much additional water could be saved by requiring water conservation measures. However, 1000 Friends of New Mexico estimates that xeriscaping can reduce a household's water use by 50 percent, low-flow toilets and showerheads and clothes washers by another 20 percent. Other water savings could result from new building designs and construction.

**FISCAL IMPLICATIONS**

There is no direct fiscal impact resulting from this bill. However, new subdivision regulations could result in costs to homeowners and developers.

**POSSIBLE QUESTIONS**

1. How long do municipalities and counties have to adopt new regulations on water conservation?
2. Are existing residences grandfathered from complying with the new requirements?
3. How much water could be saved from adopting these requirements?