

LFC Requester:**Connor Jorgensen**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

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{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/20/24

Bill No: HB 130

Sponsor: Rep. Jack Chatfield
Short Title: Cloud Seeding Pilot Program

Agency Name and Code Number: Office of the State Engineer 550
Person Writing: Frank Scott
Phone: 505-396-1997 **Email:** Frank.scott@ose.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	\$1,980	Nonrecurring	general

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NA	NA	NA		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None

Duplicates/Relates to Appropriation in the General Appropriation Act None

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 130 would create a 3-year cloud seeding weather modification pilot project as part of the New Mexico Department of Agriculture.

Section 1: This Section would require the New Mexico Department of Agriculture to create, develop, and administer a three-year "cloud seeding weather modification pilot project." This section also would require a joint powers agreement between the Department of Agriculture and the Roosevelt Soil and Water Conservation District to conduct a cloud seeding weather modification pilot project. All water derived from this pilot project shall be considered part of the natural water supply and any water derived from this project shall not be subject to new appropriations but shall be administered and distributed to users in accordance with existing water rights.

Section 2: This Section would require the establishment of forms and criteria for reporting data and recordkeeping and cause a permanent record to be kept of all pertinent data related to the cloud seeding weather modification pilot project or research related to other factors that may be affected by cloud seeding activities. This section also requires annual reports and a final report to the Governor and Legislature. The final report will make recommendations for improvements to the project and the necessity of its continuation.

Section 3: This section appropriates \$1,980,000 from the general fund to the board of regents of NMSU for expenditures in FY 2025 through 2027 for the Department of Agriculture to administer this project. Any unexpended or unencumbered balance remaining at the end of fiscal year 2027 shall revert to the general fund.

FISCAL IMPLICATIONS

There may be increased fiscal impact to the New Mexico Department of Agriculture for the establishment of a program to oversee the cloud seeding weather modification pilot program.

There may also be fiscal impacts to the Roosevelt Soil and Water Conservation District regarding the same.

Under the Weather Control and Precipitation Enhancement rule (NMAC §19.17.2) pursuant to the New Mexico Weather Control Act (NMSA §75-3-1 through 72-3-15), the New Mexico Interstate Stream Commission is responsible for the administration of applications for weather

modification programs in the State of New Mexico. The project as described in HB 130 would require application to the NMISC for a Weather Precipitation Enhancement License. There should be no fiscal impact to the NMISC as a result of this bill.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

The pilot program will be required to complete an application for a license with the Interstate Stream Commission's weather modification license program.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Roosevelt Soil and Water Conservation District funded a cloud seeding program during the 2022 calendar year. The contractor, Seeding Operations and Research (SOAR), holds a permit for the 2024 calendar year.

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS

None