

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR  
SENATE MEMORIAL 8

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

A MEMORIAL

REQUESTING THE ENERGY, MINERALS AND NATURAL RESOURCES  
DEPARTMENT TO STUDY AND RECOMMEND LEGISLATION FOR ESTABLISHING  
SETBACKS OR OTHER MEASURES FOR OIL AND GAS FACILITIES TO  
PROTECT HUMAN HEALTH AND THE ENVIRONMENT.

WHEREAS, oil and gas facilities emit air pollutants that  
are hazardous to human health and the environment; and

WHEREAS, there is a reasonable degree of scientific  
certainty that living in close proximity to oil and gas  
facilities may result in increased human health risks from  
elevated air pollution levels, including increased risks of  
cancer, impacts to the central nervous system, adverse  
respiratory effects and premature death in people with heart or  
lung disease; and

WHEREAS, oil and gas facilities present a risk of harm to

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underscored material = new  
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1 the surrounding environment, including contamination of surface  
2 waters; and

3 WHEREAS, establishing setbacks for new oil and gas  
4 facilities to reduce proximity and exposure to humans and the  
5 natural environment is a targeted strategy to protect public  
6 health and the environment; and

7 WHEREAS, there is no authority under the Oil and Gas Act  
8 to establish setbacks for oil and gas facilities;

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
10 OF NEW MEXICO that the energy, minerals and natural resources  
11 department be requested to evaluate the risks to humans and the  
12 environment from proximity to oil and gas facilities based on  
13 peer-reviewed scientific literature and other sources; and

14 BE IT FURTHER RESOLVED that the energy, minerals and  
15 natural resources department be requested to convene relevant  
16 stakeholders to evaluate the risks to humans and the  
17 environment from oil and gas facilities and how to mitigate  
18 those risks by establishing setbacks or other measures for oil  
19 and gas facilities; and

20 BE IT FURTHER RESOLVED that the energy, minerals and  
21 natural resources department be requested to recommend  
22 legislation to the first session of the fifty-seventh  
23 legislature to establish setbacks or other measures for oil and  
24 gas facilities; and

25 BE IT FURTHER RESOLVED THAT the energy, minerals and

1 natural resources department be requested to report the results  
2 of its evaluation and recommendations for legislation to the  
3 appropriate interim legislative committees by December 1, 2024;  
4 and

5 BE IT FURTHER RESOLVED that a copy of this memorial be  
6 transmitted to the secretary of energy, minerals and natural  
7 resources.

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