

SENATE MEMORIAL 94

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Mimi Stewart

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO BRING
STAKEHOLDERS TOGETHER TO DISCUSS THE NEED FOR DEEPER ANALYSIS,
GREATER TRANSPARENCY AND MORE PUBLIC INVOLVEMENT IN STATE
AGENCY DECISIONS THAT AFFECT THE ENVIRONMENT.

WHEREAS, the creation and maintenance of a clean and
healthy environment are the foundation for economic development
in both rural and urban communities; and

WHEREAS, pursuant to Article 20, Section 21 of the
constitution of New Mexico, it is incumbent upon the state to

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ensure that residents of New Mexico have clean air and water; are able to enjoy the natural environment, including healthy fish and wildlife populations; and are free from threats to human health; and

WHEREAS, nineteen states, districts and territories of the United States have environmental planning requirements that are similar to the National Environmental Policy Act of 1969; and

WHEREAS, to make informed decisions about a proposed project, the impacts and benefits of the project on the natural environment and human health need to be understood; and

WHEREAS, it is desirable for state regulatory processes and environmental reviews to be streamlined and consolidated wherever possible;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to convene a working group to study and discuss the need for deeper analysis, greater transparency and more public involvement in state agency decisions that affect the environment; and

BE IT FURTHER RESOLVED that the working group be requested to consider the following issues:

- A. air and water quality in the state;
- B. the number of projects permitted each year by the department of environment, the state land office and the department of game and fish;

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C. how other states approach environmental analysis of state-permitted projects;

D. the role of environmental analysis under the National Environmental Policy Act of 1969 in causing different decisions to be made by federal agencies than would have been made without the analysis;

E. the costs and benefits of doing environmental impact analyses before the issuance of permits;

F. the streamlining of permitting processes by having the same environmental analysis done for all permit applications submitted for the same project; and

G. the current practices of state agencies with regard to environmental analyses and public participation; and

BE IT FURTHER RESOLVED that, in addition to legislators from both major parties and representatives from the department of environment, SCONC→the energy, minerals and natural

resources department,←SCONC the state land office and the department of game and fish, stakeholders from throughout the state be invited to participate in the working group, including, for example, representatives of industry, the renewable energy sector and conservation organizations; residents of neighborhoods affected by heavy industrial use; an attorney familiar with public lands law; a public health specialist; a scientist who specializes in air and water quality; a biologist or ecologist; and representatives of

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Indian nations, tribes and pueblos; and

BE IT FURTHER RESOLVED that the working group present the outcome of its study and discussions to the appropriate interim committee by October 31, 2018; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of environment, SCONC→the secretary of energy, minerals and natural resources,←SCONC the commissioner of public lands, the director of the department of game and fish and the co-chairs of the New Mexico legislative council.