

1 A MEMORIAL

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

6
7 WHEREAS, the creation and maintenance of a clean and
8 healthy environment are the foundation for economic
9 development in both rural and urban communities; and

10 WHEREAS, pursuant to Article 20, Section 21 of the
11 constitution of New Mexico, it is incumbent upon the state to
12 ensure that residents of New Mexico have clean air and water;
13 are able to enjoy the natural environment, including healthy
14 fish and wildlife populations; and are free from threats to
15 human health; and

16 WHEREAS, nineteen states, districts and territories of
17 the United States have environmental planning requirements
18 that are similar to the National Environmental Policy Act of
19 1969; and

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

24 WHEREAS, it is desirable for state regulatory processes
25 and environmental reviews to be streamlined and consolidated

1 wherever possible;

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

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

10 A. air and water quality in the state;

11 B. the number of projects permitted each year by
12 the department of environment, the state land office and the
13 department of game and fish;

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

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

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

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

25 G. the current practices of state agencies with

1 regard to environmental analyses and public participation;
2 and

3 BE IT FURTHER RESOLVED that, in addition to legislators
4 from both major parties and representatives from the
5 department of environment, the energy, minerals and natural
6 resources department, the state land office and the
7 department of game and fish, stakeholders from throughout the
8 state be invited to participate in the working group,
9 including, for example, representatives of industry, the
10 renewable energy sector and conservation organizations;
11 residents of neighborhoods affected by heavy industrial use;
12 an attorney familiar with public lands law; a public health
13 specialist; a scientist who specializes in air and water
14 quality; a biologist or ecologist; and representatives of
15 Indian nations, tribes and pueblos; and

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

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