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SENATE MEMORIAL 94

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

INTRODUCED BY

Mimi Stewart

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  
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

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1 United States have environmental planning requirements that are  
2 similar to the National Environmental Policy Act of 1969; and

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

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

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

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

17 A. air and water quality in the state;

18 B. the number of projects permitted each year by  
19 the department of environment, the state land office and the  
20 department of game and fish;

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

23 D. the role of environmental analysis under the  
24 National Environmental Policy Act of 1969 in causing different  
25 decisions to be made by federal agencies than would have been

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1 made without the analysis;

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

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

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

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

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

24 BE IT FURTHER RESOLVED that copies of this memorial be  
25 transmitted to the secretary of environment, the commissioner

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1 of public lands, the director of the department of game and  
2 fish and the co-chairs of the New Mexico legislative council.

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