



July 6, 2010

Dear Candidate,

Conservation Voters New Mexico (CVNM) is a non-partisan, non-profit organization dedicated to protecting our air, land, water, wildlife and quality of life in New Mexico—by empowering people to participate in the political process, educating and holding elected officials accountable, and electing pro-conservation candidates.

**Enclosed, please find our candidate questionnaire for the election for Governor in 2010.**

Please read the questionnaire, including the introductory page, very carefully. Two key points:

- 1) Your responses to Part 1 (Issue Questions) will be public; your responses to Parts 2 and 3 will be kept confidential.
- 2) Many questions include a Yes/No component. If elected, you will face many decisions that require such choices, often in the absence of perfect information. A response will be deemed incomplete if it does not include a "yes" or "no", where applicable. Space is available for you to make any comments you feel are necessary to clarify your position on any of the issue questions.

Should CVNM decide to officially endorse a candidate in your race, we will base this decision on the responses received to this questionnaire and follow-up interviews, as well as your public conservation record. Any communication of an endorsement – privately or publicly – will be contingent on agreement between the organization and the candidate as to the appropriate time and mode of such communication.

**Please submit questionnaires by 6pm, July 27<sup>th</sup>. Questionnaires not received by 6:00pm on July 27<sup>th</sup> will not be eligible for endorsement consideration.**

If you received this questionnaire in hard copy, and would prefer an electronic version, please contact [leanne@cvnm.org](mailto:leanne@cvnm.org) and we will email it to you. Or you can download a copy from our website at [www.cvnm.org](http://www.cvnm.org).

Please return the questionnaire to:

Conservation Voters New Mexico  
320 Aztec Street, Suite B  
Santa Fe, NM 87501

E-mailed responses should be submitted to [leanne@cvnm.org](mailto:leanne@cvnm.org). You will receive a confirmation of receipt. If you haven't received a confirmation of receipt within 24 hours, please re-submit your questionnaire.

Please note that submission of a questionnaire does not guarantee that CVNM will endorse in any given race.

Thank you very much for your time and effort. We look forward to moving conservation issues to the forefront of the 2010 elections.

Sincerely,

Sandy Buffett  
Executive Director

Leanne Leith  
Political Director



**Conservation Voters New Mexico  
Candidate Questionnaire for Governor  
2010 Election Cycle**

Candidate Name

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Candidate Signature

Date

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Address

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Phone(s)

E-Mail

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*Your responses to Part 1 of this questionnaire (Issue Questions) will be published on CVNM's web site ([www.cvnm.org](http://www.cvnm.org)), as well as our NM Green Governor web site ([www.nmgreengov.org](http://www.nmgreengov.org)), and may be included in newsletters or distributed to our members. They will not be directly released to the media. Your responses to Parts 2 and 3 will be held confidential. Only members of the staff and Board of Directors of Conservation Voters New Mexico will review them. The information will not be published in newsletters, released to the media or distributed to members.*

✘                      ✘                      ✘

There are three parts to this questionnaire. The first part deals with issues and policy stances; the second part addresses the philosophy of your administration and its relationship with the conservation community; the third part focuses on your background and your campaign. Please answer all of the questions. For Yes/No questions, please tick the appropriate box (or, if responding by e-mail, please include only Yes/No, as appropriate). A response will be deemed incomplete if it does not include a "yes" or "no", where applicable. Space is available for you to make any comments you feel are necessary to clarify your position on any of the issue questions.

✘                      ✘                      ✘

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Please submit questionnaire no later than 6:00pm on Tuesday, July 27<sup>th</sup> to:

Conservation Voters New Mexico, 320 Aztec Street, Suite B, Santa Fe, NM, 87501

OR electronically to: [leanne@cvnm.org](mailto:leanne@cvnm.org)

## **Part 1: Issue Questions**

### ***Water Policy***

1. Many New Mexico communities are concerned about the future of their water supply, particularly in areas where consumption exceeds renewable supply to the point that aquifers are being depleted. Unfortunately, the various regional water plans developed over the past several years are irreconcilable, because many regions are expecting to meet their future needs by transferring water from basins in neighboring regions – water that is unavailable because the communities in those areas need the water for their own future. Would you publicly support legislation placing certain restrictions on major water transfers, such as evaluating the long-term impacts on the area from which the water will be transferred, or requiring certain water conservation standards in the area to which water will be transferred?

Yes

No

2. New Mexico is one of few western states with no protection for environmental flows. Texas and Idaho are two examples of states that are years ahead of NM in planning and implementing programs to restore and protect the health of rivers and their associated riparian habitats. Would you publicly support legislation to provide for the minimum flows necessary to maintain basic functioning of our river ecosystems?

Yes

No

3. a) Despite strong support from the public for keeping water in our rivers for fish and wildlife, the financial resources necessary to pursue this goal have not been made available. Would you dedicate a percentage of capital outlay monies for the acquisition of water rights from willing sellers (acequias exempted) for recreation uses, and fish and wildlife?

Yes

No

b) If yes, what percentage, or percent range?

## ***Health & Environment***

4. a) New Mexico is one of few states with no requirement that projects funded with public money or regulated by state agencies identify their impacts on public health or the environment. As a result, there tends to be a concentration of polluting facilities in minority and low-income communities. Would you publicly support legislation requiring a state environmental and socio-economic impact assessment of all publicly-regulated or publicly-funded projects?

Yes

No

- b) Would you support the state's ability to deny funding or permits for such projects if they were determined to have a significant adverse impact on environmental or public health?

Yes

No

5. The adverse environmental and public health effects of past uranium mining and milling on New Mexico—particularly Native American communities—have been significant. Would you publicly support legislation that places a moratorium on new uranium mining, including a moratorium on issuance of exploration permits, in New Mexico until contamination from past uranium mining and milling has been cleaned up?

Yes

No

6. The regulatory process in New Mexico is designed to protect public peace, health, safety and welfare. Corporate special interests have invested a lot of time and resources trying to undermine the strength of New Mexico's regulatory regime – by requiring legislative review or burdensome impact statements, or by gutting the permitting and enforcement capabilities of state agencies. Would you vigorously oppose, and veto, any legislation that would weaken the regulatory and enforcement authority of the state?

Yes

No

7. Although it exists in every other significant environmental state statute, there is no provision in the New Mexico Air Quality Control Act that allows the state to deny or revoke a permit for a facility with a track record of egregious violations of environmental laws. Would you publicly support legislation that would authorize the state to deny or revoke permits in instances where the applicant or permittee is guilty of specific bad acts?

Yes

No

8. Currently, in a situation where an individual or community is being harmed by unlawful pollution, victims can sue for damages to their health or property after the fact. However, they have limited legal options to stop the pollution that is harming or threatening them, and to force compliance with all environmental laws. Would you publicly support legislation that would afford landowners or other affected parties a private right of action to pursue enforcement of environmental laws against violators, or against agencies that are failing to enforce existing law?

Yes

No

9. In hundreds of cases across the country, biotechnology companies have sued farmers for 'patent violations' when the farmers' fields have been accidentally contaminated by genetically-engineered pollen or seeds. Would you publicly support legislation to provide some liability protection for farmers in New Mexico from similar legal actions when their crops are contaminated through no fault of their own?

Yes

No

10. a) The recently-adopted pit rule to govern disposal of toxic and hazardous wastes from oil and gas development is designed to protect the groundwater upon which so many New Mexican communities, ranchers and rural residents depend. Since its adoption, it has already undergone changes that weaken its effectiveness. Would you publicly support restoring the pit rule to its original form?

Yes

No

b) If no, would you publicly commit to maintaining the pit rule in its current form?

Yes

No

11. Especially in the wake of the BP Gulf oil disaster, do you support the precautionary principle, which holds that if an action or policy has a potential risk of causing harm to the [public](#) or to the [environment](#), the [burden of proof](#) that it is **not** harmful falls on those taking the action?
- Yes                       No

### ***Energy Policy***

12. Global climate change is one of the most critical challenges facing our economy and our environment. New Mexico is particularly vulnerable to the impacts of climate change because of the scarcity of water in the southwest.

a) Do you believe that climate change is caused by human activity?

- Yes                       No

b) Should fighting climate change be a public policy priority for the state?

- Yes                       No

c) Do you support current efforts at the state Environmental Improvement Board to develop regulations for greenhouse gas emissions from stationary sources?

- Yes                       No

d) Would you publicly support legislation entering into a multi-state agreement to restrict carbon emissions to 2000 levels and establish carbon trading privileges?

- Yes                       No

13. Would you oppose, and veto, any public subsidies for new coal plants in New Mexico?
- Yes  No
14. Would you publicly support legislation requiring all new residential, commercial and institutional construction to meet certifiable standards for energy efficiency that are at least 40% greater than conventional build?
- Yes  No
15. Currently, the Oil Conservation Division (OCD) of the Energy, Minerals & Natural Resources Dept. has antiquated and limited authority to examine the impacts of oil and gas drilling on wildlife and our environment. Would you publicly support legislation to expand the mandate of OCD to include environmental protection?
- Yes  No

***Land Use & Transportation Policy***

16. One of the challenges faced by local governments in accommodating rapid growth and development is how to pay for the infrastructure for new development beyond the already-served areas. Would you publicly support legislation allowing local governments to assess impact fees to developers for schools, libraries, community centers, transit facilities and water rights?
- Yes  No
17. Tax Increment for Development Districts (TIDDs) are a new financing mechanism that, while originally intended for revitalization of older neighborhoods, are now being used for large-scale development. TIDDs use bonds to finance the up-front costs for infrastructure, and then service the bonds over the long term by diverting property and gross receipts tax revenue

from state and local governments – revenues that would otherwise be paying for health care, public safety and education. Would you:

- a) publicly support reform legislation to ban TIDDs from being used for projects outside existing developed areas ('greenfields' development), where the tax diversion rates are demonstrably higher?

Yes  No

- b) publicly support legislation to place restrictions on TIDDs so that the maximum allowable diversion of tax revenues is scaled based on public interest criteria such as: provision of workforce housing, construction of 'green'-certified buildings, application of transit-oriented design principles, and provision of high-wage jobs?

Yes  No

18. Would you publicly support legislation establishing a state transit fund (supporting public transit) with a specific dedicated revenue stream, such as the projected increase in excise taxes from vehicle sales?

Yes  No

### ***Wildlife and Wilderness***

19. Studies document that 95% of land-based outdoor recreation is passive or 'quiet' recreation – including hunting, fishing, camping, hiking, trail cycling, horseback riding, bird watching, outdoor education, snowshoeing, etc. Motorized, or off-highway, vehicles (OHVs) represent only 5% of land-based outdoor recreation, but the negative environmental impacts of OHVs are well-documented – constituting one of the most critical threats to our public lands and forests. Would you publicly support legislation that places strict controls on OHV use, including strong sanctions for illegal use, and restrictions on use in areas where natural resource damage and degradation would likely occur?

Yes  No

20. New Mexico lags far behind other states in providing funding for the conservation of land and wildlife. Would you publicly support legislation to earmark a particular revenue stream, such as the existing Oil and Gas Conservation Tax (generating a long-term average of about \$15 million per year), for land and wildlife conservation projects?

Yes

No

21. a) Describe your position on reintroduction of predators into their native habitat.

b) Would you maintain current state support for the Mexican gray wolf reintroduction program in New Mexico?

Yes

No

### ***Environmental Priorities***

22. Please describe your top environmental priorities for your administration, and how you intend to accomplish them.

## **Part 2: Administration-Related Questions**

1. What are the top legislative environmental priorities you would like to accomplish in your first two years?

2. What are the top administrative environmental priorities you would like to accomplish in your first two years?

3. a) Would you have a full-time energy and environmental policy advisor on staff?

Yes

No

b) If yes, how would you describe the role and responsibilities of that position?

4. a) What qualities and experience will you be looking for in appointing the following positions:

Secretary of Environment?

Secretary of Energy, Minerals and Natural Resources?

State Engineer?

Director of the Interstate Stream Commission?

- b) Will you consult with Conservation Voters New Mexico and other representatives of the environmental community before making these appointments?

Yes

No

5. a) Will you consult with Conservation Voters New Mexico and other representatives of the environmental community before making appointments to environment-related boards and commissions? (examples include the Environmental Improvement Board, the Interstate Stream Commission, the Water Quality Control Commission, the Water Trust Board, to name a few)

Yes

No

- b) If yes, how would that consultation occur?

6. a) Will you consult with Conservation Voters New Mexico and other representatives of the environmental community when developing your legislative and administrative agendas on environmental issues?

Yes

No

b) If yes, how would that consultation occur?

7. Currently, the state Environment Department has been actively engaged in representing New Mexico in the Western Climate Initiative. Would you maintain that current level of participation?

Yes

No

8. a) Please describe how your administration would balance the needs of permitting and enforcement with respect to environmental laws.

What relative proportion of resources should be dedicated to each function, to ensure protection of public health and environment, while still conducting permitting activities in accordance with state statute?

