



Turning Environmental Values into State Priorities

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CVNM LAUNCHES 2011 LEGISLATIVE SCORECARD WEBSITE



In August, Conservation Voters New Mexico (CVNM) released our 2011 Legislative Scorecard by launching a new, fully-interactive website: cvnm.org/scorecard. The scorecard assesses the impact of the 2011 legislative session on our environment and communities, and provides New Mexicans with the conservation voting records of all state legislators.

What's New This Year

One of the biggest changes is that there are no numerical scores this year. Why, you ask?

The reason is quite simple: in 2011, the most important votes were cast in a handful of committees, on which only a small number of legislators serve. In fact, of the 27 top priority bills, only a single measure resulted in a floor vote on which all Representatives' positions could be recorded. The full Senate also cast only one priority vote.

The result is that members of a few committees have many critical conservation votes on record, while most other legislators cast very few key votes this session. In the end, we felt it would be unfair to attach a numeric score to most legislators based on only a small number of votes—especially when none of those votes were on the most important measures.

Where Do Your Legislators Stand on Conservation?

What is most important, however, is that you can still see how your state Senator and Representative voted on conservation issues that matter to you. Once on the

website, simply select your state legislators to view their voting records. You'll see on which critical environmental measures they voted, and—most importantly—whether they represented your conservation values on those issues.


Spooky Issue Spotlights

The site also features several hard-hitting commentaries, including:


- an overview of Governor Susana Martinez's aggressive attacks on the safeguards that protect our clean air and drinking water;
- brief stories addressing the "Green Deeds" of some legislators and the "Green Duds" of others;
- a guest feature spotlighting recent shifts in the state's rulemaking process; and
- a review of the bright and not-so-bright spots of the 2011 legislative session.

We hope this new online scorecard will be a tool to help you communicate with your legislators about the conservation issues that matter to you the most.

Remember to say 'thanks' or 'no thanks'—it's the only way elected officials will know if they're representing their constituents well.



Check out the 2011 Legislative Scorecard and much more at cvnm.org/scorecard.



Executive Director's Message

Dear Conservation Voter,

Happy Halloween and thank you for reading our special ghosts and goblins edition of our newsletter. While the onslaught of anti-environment actions by the Martinez administration these days is spooky and frightening, you can be sure that we are focused on exposing this administration's polluter-friendly agenda and the real impacts on New Mexicans' health and quality of life.



This year, we have witnessed an overwhelming volume of attacks on our common-sense environmental safeguards. Policies that keep our communities healthy -- like the Pit Rule (see page 4) -- are under a constant threat of being dismantled. If that's not distressing enough, we've also seen the City of Albuquerque start to follow in the state's backpedaling-the City Council is currently considering a repeal of the city's energy conservation codes.

But at the same time, many of New Mexico's communities are working hard to strengthen their local pro-conservation policies, including Las Vegas and Las Cruces. These cities and their leaders understand that building our economy while protecting our natural resources creates more vibrant and livable communities.

This summer, we also released our 2011 Legislative Scorecard. We've worked hard to make sure our scorecard is more environmentally- and user-friendly, and have launched a new interactive scorecard website: cvnm.org/scorecard. Through this website, you will find key votes from the 2011 Legislative Session, and issue spotlights on transparency, the Martinez administration, and much more.

I wish you a happy and safe Halloween, and thank you for being a Conservation Voter!



Sandy Buffett
CVNM Executive Director

P.S. our efforts to shine a light on this administration take resources! Your support of CVNM is critical to protecting what we love most about New Mexico. Please give generously today!



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CVNM is a nonpartisan, non-profit 501c(4) organization that works to protect New Mexico's natural environment and our cherished way of life by:

- Educating legislators and voters on critical conservation issues;
- Lobbying on behalf of pro-conservation legislation;
- Holding legislators accountable for decisions that impact the environment; and
- Endorsing and electing pro-conservation candidates to public office.

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ARE NEW MEXICO'S COMMUNITIES LEADING OR LAGGING?

One thing is certain: from the water that we drink to your family's energy bills, conservation policies impact all of us. And this year, we've seen more attacks on our state's conservation policies than ever before. Despite this assault, some New Mexico communities are taking the reins and working to strengthen policies that protect our air, land, and water. Here are a few shining examples:

Leading: Las Vegas Plans For A Greener Future

Recently, the community of **Las Vegas** launched a process to update its 20-year city master plan. A community's master plan describes its collective vision for its future, and tends to focus on economic development and revitalization.

As a true testament to the critical role conservation plays in the short- and long-term health of our communities, Las Vegas has included new pro-conservation goals in their plan, including: carbon pollution reduction, energy efficiency, community walkability, public transportation, and water conservation. To develop the plan, the city worked with a broad range of stakeholders and the public to solicit input and ideas. The City Council is slated to continue discussing the adoption of the plan this fall.

Leading: Las Cruces Encourages Smarter Growth

With its vast beautiful open spaces and academic opportunities, it's no wonder that **Las Cruces** is experiencing a population boom. However, a growing community also increases new development and construction. This past summer, the Las Cruces City Council worked to help protect its open spaces and hold developers accountable by approving an increase in local impact fees. Impact fees are applied to developers who build in new areas that require new infrastructure, like roads. These areas are often along the outskirts

of a community, like their open spaces. As a result, impact fees make sure that developers pay the full cost of a new development up front, and ease undue burden on taxpayers.

Lagging: Albuquerque Drags Its Feet

At a time when some New Mexico communities are clearly demonstrating the importance of "green" policies, New Mexico's largest city - Albuquerque - seems to be attacking environmental policies, much like state government.

In Albuquerque, energy efficiency has recently become the focus of heated debate. In 2010, our state adopted a common-sense energy saving code: the 2009 New Mexico Energy Conservation Code. This code would lower consumer energy bills, create local jobs, and protect our air and water through energy efficiency measures. Similarly, the City of Albuquerque also adopted a strong common-sense energy conservation code which is considered to be a model for other communities nationwide. Unfortunately, this past summer Governor Martinez's newly appointed Construction Industries Commission set out to dismantle the state's code, which was rescinded in June.

In what seems to be a knee-jerk reaction to the state's decision, the Albuquerque City Council is now considering a proposal to rescind the city energy code as well. The Council is expected to make a decision on the repeal this fall.

Share your story

Is your community leading or lagging? Tell us! Send us your story at info@cvnm.org.

Jim Hightower headlines CVNM Event in Santa Fe

CVNM welcomed 125 guests to our inaugural Protect New Mexico Celebration, held at the home of Stephen and Karen Durkovich in Santa Fe on June 19. National radio commentator, public speaker, and author Jim Hightower gave a rousing speech, inspiring us to keep fighting the good fight to protect the health of our environment. Our guest emcee Mary-Charlotte Domandi, radio producer and host of Santa Fe Radio Café on KSFR 101.1 FM, helped us celebrate the occasion; and Rep. Bill O'Neill gave a powerful personal testimony to the work CVNM did to help him win his election and re-election. We are looking forward to another fabulous celebration in 2012!



Jim Hightower (Above) speaks to a crowd of CVNM members in June.

HOUSE OF HORRORS: WILL NEW MEXICO'S WATER FALL VICTIM TO GOVERNOR MARTINEZ AND THE OIL AND GAS INDUSTRY?

On September 30, the NM Oil & Gas Association (NMOGA) filed a petition to dismantle the “pit rule”, which governs the treatment and disposal of toxic wastes from oil and gas production. The pit rule was adopted in order to protect our groundwater from contamination that threatens public safety.

The state Oil Conservation Commission (OCC) has indicated it will hold hearings in January 2012 on the petition. Unfortunately, the prospects of saving the rule aren't very good: two of the three members of the OCC are appointees of the Martinez administration, which has long-expressed its intention to get rid of the rule.

Why we need the pit rule

Before the rule, the community of Flora Vista, near Farmington, suffered contaminated drinking water from a nearby disposal pit. In 2002, a leaky waste pit threatened Lovington's municipal water wells. Ultimately, New Mexico taxpayers were forced to foot the tab to haul away the waste.

Since 1992, and prior to the pit rule, the oil and gas industry self-reported 421 cases of groundwater contamination caused by waste disposal pits. After adoption of the pit rule, there has not been a single reported case of groundwater contamination from an oil or gas waste pit.

The seriousness of the problem can't be overstated: not only are New Mexico's water supplies precious and scarce, but the health of our families and communities is threatened by contaminated drinking water.

No impact on industry

Unfortunately, the oil and gas industry and Governor Martinez seem willing to jeopardize public health and safety by dismantling the pit rule. They claim they are reversing the rule in order to create jobs, because they argue that the pit rule has driven down oil and gas production.

But that simply isn't true.

Although oil and gas production has declined in recent years, the drop has been the result of oil and gas prices, not the pit rule. For almost six months after implementation of the pit rule, the rig count in New Mexico actually **increased** by approximately 25%--to

near all-time highs. The rig count only dropped when the price of oil plummeted from \$133 to less than \$55 per barrel.

So if the pit rule isn't responsible for production declines, why dismantle a tool that is so essential to protecting clean water?

Martinez's priorities

During the 2010 election campaign, Susana Martinez announced repeatedly that she wanted to repeal the pit rule:

“As governor, I would absolutely remove the Pit Rule as a regulation,” she said. “Regulation that is imposed by the government has to be reduced. The folks in the oil industry are good stewards of the Earth.”

What Martinez doesn't mention is how the pit rule protects us. By ensuring that our limited water resources stay clean, and by preventing contaminants from entering our drinking water supply, the pit rule keeps us safe today, and our children safe tomorrow.

What's interesting is that Martinez also made this comment during last year's campaign:

“The laws that involve harming children and seniors... are too light,” she said. “I have 23 years' experience in how the laws have changed and not changed and how they have to be developed to ensure our kids and seniors are safe.” This statement directly contradicts her efforts to strip away the safeguards on our water supply. The question is: “Why?”

The petition

The petition itself is lengthy and involves a myriad of proposed changes to the existing pit rule—all of which effectively amount to a repeal of the protections the rule provided in the first place.

If the petition is approved, the oil and gas industry in New Mexico will once again be able to permanently dispose of toxic waste on someone else's land (public or private), with no monitoring or oversight.

Now **that's** a horror movie! And it's coming to a public hearing of the Oil Conservation Commission in January 2012... so stay tuned.

Sources: Information provided by the Oil Conservation Division; http://www.santafe.newmexican.com/Local%20News/Operators_balk_at_proposed_rule_on_drilling_pits; http://www.earthworksaction.org/PR_PitWaste2.cfm; Baker-Hughes rig count data; and http://www.hs.facebook.com/note.php?note_id=234509215999&comments.



THE MARTINEZ MAMBO:

A YEAR-LONG ASSAULT ON THE LAND OF ENCHANTMENT

Halloween is a day that is often synonymous with horror movies, urban myths, and folklore. But unlike the scary movies and storytelling that entertain us this time of year, New Mexicans are being haunted by something that is all too real: Governor Martinez's aggressive assaults on our environment. Since her very first day in office, Gov. Martinez has been hacking away at critical policies that keep our communities safe and healthy - and she shows no signs of stopping.

Conservation Voters New Mexico (CVNM) has been working overtime to combat the Governor's swinging ax. It is abundantly clear that the Martinez administration has put the "wish list" of big polluters and out-of-state corporations above the rights of our families and communities to breathe clean air and drink clean water. Here's what's at stake:

Clean Air

On November 8, Martinez's Environmental Improvement Board (EIB) is slated to begin hearings to rescind rules that would reduce New Mexico's carbon pollution. These rules were adopted in 2010 after weeks of public comment, expert testimony, and cross-examination. They will create new jobs, protect our communities, and combat climate change. In addition, the courts will soon be hearing industry's unwarranted legal challenges of these rules. Most disturbing is that Martinez's EIB is supporting the petitions of industry groups to overturn rules that are designed to protect public health and safety.

Our Pocketbooks and Jobs

In June, Martinez's Construction Industries Commission dismantled our state's common-sense energy conservation code, despite strong opposition from stakeholders across the state (including over 100 CVNM members and activists who submitted public comment).

This 2009 code would have increased energy efficiency in buildings by 20%, provided much-needed relief to homeowners and business owners in the form of lower utility bills, and stimulated the creation of green jobs in this challenging economy. As a result, the City of Albuquerque is following suit with a similar proposal to rescind the municipal code (read "NM Cities: Leading or Lagging?", page 3" for more detail).



YOU CAN HELP PROTECT THE PIT RULE!

Take a few moments
TODAY to call Governor
Martinez and urge her to
uphold the Pit Rule and
protect our water
quality.

Gov. Martinez's Office:
(505) 476-2200

Clean Water

New Mexico's oil and gas producers have petitioned to rewrite industry regulations at the expense of our clean drinking water. (Read "House of Horrors, page 4" for more detail).

Wildlife

This summer, Gov. Martinez's game commission reversed a rule that had suspended the use of leg-hold traps in the Gila National Forest. These traps have injured at least 14 endangered Mexican gray wolves since 2002. Allowing them to be used in some of the wolf's most critical habitat will further jeopardize the recovery of the species, while harming other wildlife as well.

What we are seeing from the Martinez administration only reaffirms that *elections matter*. We must work to turn the political tide in New Mexico to ensure that our state maintains crucial safeguards that protect the health of our families and communities, while promoting clean jobs and a growing economy.

Thank you for being a conservation voter. Your support enables us to hold Gov. Martinez accountable and lay the groundwork to win in the 2012 elections. **Will you help us continue our important work ahead by making your most generous donation today?** (See attached contribution form.)

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