



THE GREEN GAZETTE

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Environment Department Leads Environmental Justice Effort

Representatives from nine state agencies gathered on March 30 at the Roundhouse in Santa Fe for the first meeting of the New Mexico Inter-Agency Environmental Justice Task Force, created by Governor Richardson's Environmental Justice Executive Order that was signed in Las Cruces in November.

"This is a historic occasion because for the first time today we have multiple state agencies coming together to establish a process for addressing environmental justice issues across the state," Secretary Curry said. "Starting today we begin the work of developing a comprehensive approach for all state agencies, boards and even commissions to combat environmental injustice. New Mexico has an opportunity to really stand out and develop an environmental justice program that is a model for other states."

The Task Force will create a mechanism for state government to address environmental justice concerns raised by communities. Part of that effort will include developing a process to foster early and meaningful public and community participation, improving notification of proposals and solicitations for public input, and translation of notices and documents into Spanish and native languages, as appropriate. The Task Force is required to submit a report on its accomplishments at the end of each year to Governor Richardson.

Led by NMED, the Task Force is comprised of representatives from the State Engineer's Office, Department of Agriculture, Department of Health, Department of Transportation, the Energy, Minerals and Natural Resources Department, the Department of Public Safety, Department of Labor and the Department of Education.



The first meeting focused on introductions and a review of the history of environmental justice issues across the nation and within New Mexico, as well as challenges the Task Force will face.

The next Task Force meetings, which have yet to be scheduled, will be held in May and June. For the May meeting, each agency representative will review Governor Richardson's Environmental Justice Executive Order to determine how it applies within to their agency's policies and regulations, and will also review environmental justice policies that are already in place to report back to the Task Force.

The Executive Order means better health protection for New Mexico's children, more meaningful involvement for all New Mexicans in environmental decisions and more direct communication with citizens. By signing an executive order, New Mexico joins six other states with formal Environmental Justice efforts in place.

"To me, environmental justice means two things," Governor Richardson said at the time of the signing in November. "First, it means that no group, whether it is cultural, racial or economic, should have to bear an unfair environmental burden. Secondly, it means that every New Mexican deserves equal access to the process through which environmental decisions are made."

"This issue is never more important than when it impacts the health of a child," Governor Richardson said. "I want to be sure that a child born today in Las Cruces or Vado, Anthony or Chaparral has the same opportunities as a child born in Albuquerque. The environment we bring these children up in, the air they breathe and the water they drink, is so important. This effort will help protect these kids."

MISSION STATEMENT: TO PROVIDE THE HIGHEST QUALITY OF LIFE THROUGHOUT THE STATE BY PROMOTING A SAFE, CLEAN, AND PRODUCTIVE ENVIRONMENT.

Congratulations to Outstanding Employees

Chris Liebson named Employee of the Year

Chris Liebson Information Technology Division quarter

Dolores Herrera Water and Waste Management Division

Jim Chiasson Administrative Services Division

Joe Savage Field Operations

Andy Berger Environmental Protection Division





A Message from Secretary Curry

This past legislative session saw some important action for Environment Department initiatives at the Roundhouse as four of the Department's top legislative initiatives were passed and signed into law by Governor Richardson.

None were what you might call big-ticket items, but they were all important in terms of giving the Department increased flexibility and some sharper teeth to make sure we do our job in a timely manner and New Mexico's environment is protected.

Equally important was the behind-the-scenes work of NMED folks to ensure the Department's general fund appropriation for FY07 remained intact. Many long hours of effort, trolling the halls of the Roundhouse and arguing our case, paid off in the end. Now we are looking forward to a more aggressive 2007 legislative session that will include a wide range of important proposals that will allow us to do our job even more effectively.

In this issue, you'll read about the Department's important work to lead the way on implementing the Governor's Environmental Justice Executive Order, signed last November, and on our re-branding effort, including our new slogan "Protecting Our Environment, Preserving the Enchantment."

Keep up the good work.

Secretary Ron Curry

Deputy Cabinet Secretary Derrith Watchman-Moore Leaves Environment Department

Deputy Secretary Derrith Watchman-Moore resigned from the Department. Her last day with NMED was Monday, March 20. She resigned from her post to seek election to the Public Regulatory Commission's District IV seat, which includes much of the northwestern region of the state, including her hometown of Crystal, New Mexico, on the Navajo Reservation.

"Derrith Watchman-Moore's service has been focused on making New Mexico a cleaner and healthier place, especially for our children," said Governor Richardson. "She brings a diverse viewpoint to the table and is a fighter for communities in New Mexico that have been too easily ignored in the past. She was also a driving force behind our environmental justice initiative. I wish her all the best."

"Derrith has been a crucial part of this administration's efforts to elevate environmental justice issues across the state. Her experience, motivation and skill at working with a diverse range of people from the private sector to the under-served communities of rural New Mexico will be greatly missed," NMED Secretary Ron Curry said. "I wish her the best of luck in her future pursuits."

Governor Richardson appointed Watchman-Moore Deputy Cabinet Secretary of NMED in 2003. At the time of her appointment as Deputy Cabinet Secretary, Watchman-Moore was the highest-ranking Native American woman to ever serve in New Mexico state government.

Previously, she served as Executive Director of the Navajo Nation's Environmental Protection Agency and as Chief of Staff to former Nation President Kelsey Begaye. She has a long history of involvement with environmental issues from the perspectives of both tribes and private industry, working as an environmental and safety engineer for Packard-Hughes Interconnect, a General Motors subsidiary, and as Deputy Director for the Pueblo Office of Environmental Protection.

"I feel I accomplished what I was brought into this administration to do," Deputy Secretary Watchman-Moore said. "With my industry background and my understanding of tribal and cultural issues, I was able to bring more people to the table, especially those from rural New Mexico, by expanding the Department's efforts to increase public participation through better notification and translation into Spanish and native languages. The Environment Department and the state, through Governor Richardson's Executive Order and support, are now incorporating environmental justice issues into their policies and regulations." Cindy Padilla, NMED's Water and Waste Management Division Director, will serve as Deputy Secretary on an interim basis.



Four-Corners Air Quality Task Force Making Strides

The Four-Corners Air Quality Task Force, co-founded by the New Mexico Environment Department and the Colorado Department of Public Health and the Environment, will hold its third meeting in Farmington on May 9.



Comprised of federal land managers, federal and state environmental regulators, industry and tribal representatives and public stakeholders from New Mexico, Colorado, Arizona and Utah, the Task Force was convened to address air-quality issues related to oil and gas development, coal-fired power plants, cumulative effects, air pollution from other emission sources, and air-quality monitoring.

As a broad-based and collaborative air-quality planning process, the Task Force intends to allow the region to meet the needs of a growing population and economic development, while preserving air quality and the environment.

The Task Force's first public meeting was held in Farmington in November; its second meeting was held in Durango in February. The Task Force meets quarterly.

Since the first public meeting, the Task Force has formed five work groups to address each of the overarching issues and has also developed a series of technical background fact sheets that will serve as the basis for continued work.

"The intent behind the fact sheets was to provide a common understanding of the work that already has been done in the Four Corners region," said Mary Uhl, Bureau Chief of NMED's Air Quality Bureau. "We expect that these fact sheets will form the basis of the work for each individual work group that has been created, and allow us to determine where we need to focus and expand our efforts."

The Farmington meeting will include a brief introductory session before the five work groups break out for concurrent 90-minute sessions. The entire Task Force will reconvene for a plenary session before the meeting is adjourned.

The Task Force will generate a report by the end of 2007 that will identify options for policymakers to consider for addressing air quality issues and concerns in the region.

Governor Richardson Announces Changes to Environmental Improvement Board Membership

Governor Bill Richardson announced in January a change in the composition of the Environmental Improvement Board, the governor-appointed board responsible for promulgating rules and standards relating to environmental management and consumer protection in the state.

Cliff Stroud, a Carlsbad economic development advisor to Los Alamos National Laboratory who served as Vice Chairman on the Board, will now serve on the state Lottery Authority. His new appointment will introduce broader geographic representation to the Authority while providing a new venue and role for his expertise.

"We appreciate Cliff's interest in New Mexico's environment and his efforts at trying to make improvements," New Mexico Environment Department Secretary Ron Curry said.

In Stroud's place, Governor Richardson appointed Kathi Bearden, a small business owner from Hobbs, for her great work as chairwoman of the Commission on Higher Education and her expertise as a small business owner.

"Kathi Bearden's small business experience will serve her well on the Environmental Improvement Board," Richardson said. "I would also like to thank Cliff Stroud for his service. He will represent southeastern New Mexico well on the Lottery Authority."

The Pollution Prevention Video for Small Businesses will be available June 1, 2006.

This Pollution Prevention Video will be available for all NMED Bureaus, small businesses, local municipalities and any organizations considering pollution prevention or environmental management tools. Your organization will love this 10 minute video designed to encourage organizations to implement pollution prevention practices. Contact Michelle Vattano at 827-0677, for your free copy.



EJ Incorporated into

Solid Waste Regs and NMED's Colonias Initiative

NMED is already addressing environmental justice through its proposed revisions of to the state Solid Waste Regulations, scheduled to go before the state Environmental Improvement Board May 2-5, and through its efforts to address environmental health issues in New Mexico's border colonias. The proposed solid waste regulation revisions include historic environmental justice provisions that will position New Mexico among the leading states addressing impacts to under-served communities through formal, state government policies and could serve the Task Force as a model for how to address environmental justice concerns. "New Mexico is truly making history here by putting the burden on solid waste facilities to prove they won't have a disproportionate effect on the health and environment of a community," NMED Secretary Ron Curry said. "The provisions will ensure that the communities and people of New Mexico who stand to receive the greatest environmental impacts will be protected by requiring that potential impacts be considered when new solid waste facilities or modifications to existing facilities are proposed." The provisions lay out a clear process and requirements for anyone seeking a permit for a landfill or other solid waste facility, or for proposed changes to an existing facility, to determine if the proposed site is within a vulnerable area. Vulnerable areas and communities are defined as those within a four-mile radius of the geographic center of a proposed facility; have a proportion of economically-stressed households higher than the state average; have a population of 50 people or more within any square mile; and contain three or more regulated facilities, which might include a solid waste, a hazardous waste or a Superfund site, or a facility with a large source air quality permit. If the facility is within a vulnerable area, the applicant must give public notice of its proposed plans and explain how residents can file comments to NMED on the proposal. The notice also must include a description of the facility, its location, proposed transportation routes, anticipated hours of operation, contact information for NMED and details for a community meeting that will explain the proposed facility and its operation. Revisions to the solid waste regulations, as well as the environmental justice provisions, are posted on NMED's Web site at www.nmenv.state.nm.us/swb/draftregs.htm. The EIB must approve the revisions for them to become effective. Beginning with a kick-off Summit in Las Cruces in November, NMED has hosted a series of community and stakeholder meetings with community leaders, citizens, industry representatives, as well as local, state and federal government officials to establish a framework for

addressing a wide range of environmental health concerns in under-served border communities. Issues raised include improved access to clean water, hook ups to wastewater lines, dust and flood control, as well as increased access for emergency vehicles and better communication with regulatory agencies. Once the community's priorities are established, NMED will work to develop solutions.

"Governor Richardson has committed to tackling key environmental issues along the border that will improve the quality of life for communities that often lack critical infrastructure and have otherwise been largely underserved," NMED Secretary Ron Curry said. "These forums are an opportunity for these communities to tell us what needs fixing and what the priorities should be. We will be there to listen and then take action on the most doable projects."

2nd Annual Tribal Summit

When : May 11, 2006

Time : 8:30 a.m. to 3 p.m.

Where: Sandia Casino Resort,
Meeting Rm. 1 in the Event Center.

Surface Water Quality Bureau Takes Steps to Support Environmental Sustainability

NMED's Surface Water Quality Bureau produces a quarterly newsletter focusing on programs in our watershed protection section. The publication is mailed to our mailing list of over 200 New Mexicans, distributed via email, handed out at public meetings, and is also available on our website.

This fall we began publishing our printed version on 100% post consumer recycled paper produced by Mohawk Paper Mills. The 11x17 paper comes from a plant that uses wind-generated electricity for manufacturing their 100% postconsumer waste recycled papers. Mohawk is on the EPA's Green Power Partnership list of "Top 25" green power purchasers with an annual renewable energy usage of 45,000 MWh.



ENVIRONMENTAL JUSTICE EXECUTIVE ORDER

WHEREAS, the State of New Mexico is committed to affording all of its residents, including communities of color and low-income communities, fair treatment and meaningful involvement in the development, implementation, and enforcement of environmental laws, regulations, and policies regardless of race, color, ethnicity, religion, income or education level;

WHEREAS, the State of New Mexico is further committed to promoting the protection of human health and the environment, empowerment via public involvement in the development, implementation, and enforcement of environmental laws, regulations, and policies, and the dissemination of information related to the environment to inform and educate, especially in people of color and low-income communities;

WHEREAS, environmental justice issues exist in New Mexico, as they do in other states, causing concern and creating problems for some communities, businesses and households that bear the impacts of air and water contamination, noise, crowding, reduced quality of life, and depressed land and housing values - many of which could be mitigated by better siting decisions and processes;

WHEREAS, the cumulative impact of multiple sources of exposure to environmental hazards in low-income and people of color communities, and the roles of multiple agencies in addressing the causes and factors that compromise environmental health and quality of life in these communities require an interagency response; and

WHEREAS, the Federal government has underscored the importance of Environmental Justice in Executive Order 12898 and created the National Environmental Justice Advisory Council to integrate environmental justice into federal policies, programs, initiatives and activities.

NOW, THEREFORE, I, Bill Richardson, Governor of the State of New Mexico, by the virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. All cabinet level departments and boards and commissions that are involved in decisions that may affect environmental quality and public health shall provide meaningful opportunities for involvement to all people regardless of race, color, ethnicity, religion, income, or education level. Programs and policies to protect and promote protection of human health and the environment shall be reviewed annually to ensure that program implementation and dissemination of information meet the needs of low-income and communities of color, and seek to address disproportionate exposure to environmental hazards and risks.

2. All cabinet level departments and boards and commissions shall recognize the need to communicate in writing and orally significant public health and environmental information in languages other than English by State Capitol Room 400 Santa Fe, New Mexico 87501 505-476-2200 www.governor.state.nm.us ensuring that all publicly disseminated information, including websites, is available in Spanish and in English, at a minimum, and in tribal languages and dialects as appropriate for areas of the state where these languages are spoken.

3. All relevant cabinet level departments and boards and commissions shall utilize available environmental and public health data to address impacts in low-income communities and communities of color as well as in determining siting, permitting, compliance, enforcement, and remediation of existing and proposed industrial and commercial facilities.

4. There is hereby created a multi-agency task force, to be named the Environmental Justice Task Force, which shall include designees from the New Mexico Environment Department (NMED), State Engineer's Office, Department of Agriculture, Department of Health, New Mexico Department of Transportation, Energy, Minerals, and Natural Resources Department, Department of Public Safety, Department of Labor, and Department of Education. The NMED shall serve as the lead agency. The Task Force shall be an advisory body, the purpose of which is to make recommendations to State Agencies regarding actions to be taken to address environmental justice issues consistent with agencies' existing statutory and regulatory authority. The Task Force shall develop policies and procedures for communities to request the Task Force to address environmental justice issues in those communities. The Task Force is authorized to consult with, and expand its membership to, other agencies and stakeholders as needed to address concerns raised in affected communities. The Task Force shall meet not later than March 31, 2006 and shall report Task Force accomplishments to the Office of the Governor not later than December 31 of each year.

5. The NMED shall continue to work with the existing Environmental Justice Policy Committee, whose mission is to make recommendations regarding Environmental Justice issues in New Mexico to the Secretary and Deputy Secretary of NMED.

6. All state agencies shall assist as appropriate in implementing this Order and achieving its purposes. The actions mandated as a result of this Executive Order shall be accomplished within the bounds of, and consistent with, the relevant agency's existing statutory and regulatory authority.

7. Nothing in this Executive Order is intended to create a private right of action to enforce any provision of this Order or any Action Plan developed pursuant to this Order; nor is this Order intended to diminish any existing legal rights or remedies.

8. This Executive Order shall take effect immediately.

NEW NMED GROUP FOCUSES ON IMPROVING PUBLIC OUTREACH

For the past nine months staff within NMED have been working to improve internal communication and public outreach.

Department staff actively involved with the group are: Greg Baker, Gary King, Jerzy Kulis, Anna Maestas, Dominic McBride, Dennis Quintana, Adam Rankin, Julie Roybal, Melanie Sanchez, Linda Sosa, Jill Turner, Tacy VanCleave, and Michelle Vattano. And Cindy Padilla has also been very involved and was instrumental in establishing the group.

A variety of projects have been identified as important elements of the effort, including creating a strong, unified image for the Department; creating a Department-wide informational brochure and reference guide; working with IT to ensure that our materials are high quality and user friendly; and working with the news media to improve community connections.

The NMED Outreach Group is working on a Brand Identity Project, which will build a strong and unified public image and provide a set of guidelines to aid in creating a polished and professional look to all our printed materials. You may recall the Department-wide slogan contest held last fall. This was part of the initial phase of the Brand Identity Project. The winner, announced at the end of November, was Chris Canavan from the Surface Water Quality Bureau's Las Cruces office, who submitted, *"Protecting Our Environment, Preserving the Enchantment."*

Several creative entries ensured the process was humorous. One entry was "NMED...Saving New Mexico one memo at a time," then there was "Red or Green, Keepin' it Clean!" And paying homage to our regulatory mandate, another aptly described NMED as "Thinking Outside the Permit."

The second phase of the project has involved updating our logo, creating an NMED brochure and templates for bureau brochures, revising stationary, and creating a Brand Identity System Manual to aid in standardizing the use of all the brand elements. The last phase, set to be completed by the end of May, will involve consulting with a marketing firm to add a final polish to the project and to create an internal Web page where all NMED employees will be able to access high-quality logo images, stationary and brochure templates, and the manual.

The NMED Outreach Group is open to any and all NMED employees interested in strengthening bureau or Department outreach efforts. For more information or to participate contact Jill Turner at (505) 476-1866.

WWW.NMENV.STATE.NM.US

Department Honors Top Quarterly Employees

The New Mexico Environment Department's Employee Recognition Committee (ERC) recently announced the recipients of the Fall 2005 Employee of the Quarter Awards and the Employee of the Year Award.



Candidates were evaluated for their performance from October 1, 2005, to December 31, 2005, and a winner was selected from each Division that submitted nominations. Please join the ERC in congratulating these outstanding employees for their commitment to the Department.

Michael Dale, of the U.S. Department of Energy Oversight Bureau (DOE OB), was selected for the Water and Waste Management Division. He was recognized for his vast knowledge of LANL operations, his collaboration with other Bureaus, work on the Westbay Monitoring Wells project, as well as for alerting NMED of an unreported release containing high levels of chromium.

Michelle King of the District IV Clovis Field Office was selected from the Field Operations Division (FOD). She was recognized for her positive and cooperative attitude toward both her colleagues and the public. She has also gone beyond her normal duties while the office was without a Staff Manager and continued to provide professional services to the public.

Bill Skinner was selected from the Information Technology Division (ITD). Skinner was recognized for his timely and accurate work for the Surface Water Quality Bureau on projects that included updating GIS layers to reflect the revised surface water quality standards and researching and developing maps of coalbed methane sites to be used as exhibits in the State's testimony to the Water Quality Control Commission regarding designating rivers and lakes in the Valle Vidal as National Outstanding Resource Water.

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