

Feb. 22, 2013

This morning in the House Energy Committee there was significant testimony against HB 458 (Consolidated Environmental Review Act) that would have created a state level NEPA review. (Affectionately called 'baby NEPA'). The State agencies would have been required to do environmental assessments on any project impacting the environment which was loosely defined as 'any physical condition that would be affected' by a proposed project. The sponsor, Representative Chasey, had expert testimony from the New Mexico Environmental Law Center and a public health expert who tried to argue that the public health effects from any further development in New Mexico would be so costly to the state that it would be put out of business. She also argued that the Tourism industry is the most important industry to the state.

The opposition to the bill pointed to the costs to the taxpayers and businesses, the cumulative overlay on existing NEPA review that costs thousands of dollars and many years to complete and most often results in litigation. IPANM, Concho, Chevron, Conoco, Devon, several mining interests, the New Mexico Business Coalition, ACI, PNM, Counsel for NMED and Secretary Bemis all testified strongly against the bill.

Representatives Ezzell, Strickler, Bratton, Lewis and Gray all voted against the bill. Representative Gonzalez related to the committee his personal cost and difficulties with federal environmental review. Representative Magdalena stated that he was also aware of significant cost and litigation with no environmental benefit of the NEPA review process.

The bill was killed on a 7-5 vote