

Date: 11/26/2007

Ms. colleen mccann  
33 old san marcos trail  
Santa Fe, NM 87508  
c\_m\_mccann@cybermesa.com  
5054387198

TO: State Legislators & Representatives, County Commissioners, Senators, Governor Richardson, and Mr. Ross:

RE: NMOG Open Pit Waste sites, Tecton's Drilling in Galisteo Basin, The OCD Strengthening NOT Weakening Environmental Laws, New Mexico's 2008/2009 "Strategic State Plan" to become a "Green State," and Arguments about Santa Fe County's GRT.

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I'm writing to all of you to express my concerns about the OCD "strengthening" and NOT weakening environmental laws and county regulations for open pits, oil drilling, or any type of mineral extraction. I also wish to express my concerns about the NMOG and Tecton Inc. whose goals are to lax environmental laws and county regulations by using open waste pits etc. to increase their corporate profit. Their complaints environmental regulations being too costly and by following them would result in reduced Santa Fe County Gross Receipts Taxes and employment is "unfounded." The NMOG and Tecton's complaints also do not coincide with New Mexico's strategic plan of "Becoming a Green State in 2008-2009" or Santa Fe County's campaign to "Be the First in the State to Change the World by Reducing Carbon Emissions." Therefore, NMOG goals and Tecton's Oil Drilling in the Galisteo Basin clearly presents a conflict of interests with State and County goals and strate!  
gic plans. (<http://www.emnrd.state.nm.us/MAIN/Publications.htm> }

In recent years the Oil and Gas industries have made record breaking profits yet continues to pollute the environment by using antiquated mineral extraction techniques and antiquated energy sources. The NMOG also complains about having to following stronger environmental laws and regulations. Hobbs and Four Corners areas are examples of highly polluted areas where birth defect rates are 5x higher than the national average specifically due to unregulated oil, gas, and coal business practices. The NMOG business practices describe "unethical" business behavior where corporate profits are more important than the health of citizens and the environment. More examples

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follow.

In a recent OCD and NMOG county meeting (November) the NMOG made it clear their intention was to lax environmental laws and to use open pits located ten feet above groundwater as opposed to the current fifty foot regulations. The NMOG lawyers were only concerned about how much they would be fined and how many times; i.e.; per permit or per incident?

The NMOG wants "open" systems (opposed to closed) known to pollute groundwater.

Small private oil companies and The NMOG say, "It costs too much to use closed systems."

Tecton Energy LLC has proposed drilling sites in Galisteo Basin which would require many variances from present ordinances. The 1993 ordinance prohibits any extraction that could damage groundwater. But Tecton proposes drilling sites in aquifers and riparian areas around creek beds. They also propose sites within a few hundred feet of residences and wells -- a direct violation of county ordinances.

The NMOG has been interrogating the OCD to lax environmental laws for corporate gain. Forbes magazine recently quoted the Director of the OCD, Mark Fesmire, who said; ... "4,500 spills and releases by the industry since 1992 ... about 800 of those caused groundwater contamination. Roughly half of the contamination cases were caused by leaking pits."

("N.M. Lawmakers Fume Over Oil Rules" - <http://www.forbes.com/feeds/ap/2007/11/20/ap4360004.html> )

Both the State and the County need to work towards New Mexico's Strategic Plan to become a Green State in 2008 and 2009. Allowing drilling in Santa Fe, or elsewhere in New Mexico, would not CHANGING THE WORLD or REDUCING GREENHOUSE GASES. Oil Drilling clearly demonstrates a continued reliance on outdated modes of energy sources and a lack of planning for the future which is based upon unethical or uneducated decisions made by politicians that are not made with the public's best interests in mind. For instance, Senator Timothy Jennings also recently interrogated the OCD and supported the NMOG goals to lax environmental laws. According to the League of Conservation Voters Senator Timothy Jennings' environmental scorecard is "zero." This makes one wonder whether or not Mr. Jennings "cares about" or has an educated understanding of New Mexico's Strategic Plan to become a "Green State or is concerned about New Mexico's citizens." ([http://www.cvmn.org/pdf/20107\\_Scorecard.pdf](http://www.cvmn.org/pdf/20107_Scorecard.pdf) )

The NMOG Industries who have record breaking profits can not only "afford" to Reduce Greenhouse Gases by following strict environmental laws and county regulations, but, also start "ethical" Green Businesses to bring employment and GRT to New Mexico. The County can do more than "change light bulbs" to Reduce Greenhouse Gases and Change the World. The County can not only STRENGTHEN environmental regulations and county ordinances, but insist upon green businesses and upholding the state's strategic plan for becoming a Green State in 2008-2009.

( <http://www.santafecounty.org/> "County Campaigns to Reduce Greenhouse Gases; First in State" )

A weak NMOG argument is that their GRT will increase Santa Fe County money for teacher's salaries, etc.

The truth is: The County TAX Accessors' office is 10+ years behind in assessing property taxes. Many people are paying 3-4X more in taxes than their neighbors whose properties values have not been reassessed. (Sun, Oct 2007 " Trouble in the Tax Accessor's Office" ) These unrecorded taxes & GRT from local businesses will help foot the bill for teacher's salaries. If not, and environmental regulations are lax, the "taxpayers" of Santa Fe County will pay for NMOG clean-up. (Are Santa Fean "taxpayers" also currently footing the bill for the lengthy NMOG interrogations of the OCD now?) This a waste of tax-dollars.)

Most of Santa Fe County's GRT comes from tourism generated by local business owners. Will tourists come to Santa Fe to see "oil wells?" Will Santa Fe continue to be a "Conde' Nast" destination site? Would Santa Fe still be voted one of the "healthiest places" to live and retire in the US due to environmental quality? Will Rte 14 still be designated a "scenic" highway? Will "property values depreciate" because of oil drilling? What will happen to the GRT of the local economy which is based upon tourism and "ethical" business practices?

Only strengthening and NOT weakening environmental laws and county regulations and following New Mexico's strategic plan of becoming a "Green State" in 2007-2208 will allow for a healthy environment for Santa Fe citizens and ethical business practices to develop. The county can "Change the World and Reduce Carbon Emissions" by making the right decisions that conflict with the NMOG. Oil Drilling in the Galisteo Basin clearly presents a conflict of interests not only with the state but with county goals and environmental regulations.

Thank you for your time and understanding my concerns.

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Sincerely,

Colleen McCann

REALTOR  
Santa Fe Agency

300 Paseo De Peralta

Santa Fe, NM 87501  
TEL: 505-660-8148

**Zac Westbrook**  
**Constituent Services and Correspondence**  
**Office of the Governor**  
**505-476-2235**