



# SOUTHWEST ORGANIZING PROJECT

*41 Years in the Movement for Peace and Justice!  
¡41 Años en el Movimiento para la Paz y Justicia!*

January 18, 2022

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Secretary Sarah Cottrell Propst  
New Mexico Energy, Minerals, and Natural Resources Department

Secretary James Kenney  
New Mexico Environment Department

## **Re: Comments on Draft Bill - Zero Emission Economy Act (Clean Future Act HB6)**

This letter from the SouthWest Organizing Project (SWOP) is meant to address concerns and comment on the draft Zero Emission Economy Act (HB6). SWOP is a 41-year-old nonprofit organization that works at the local, state, and national levels to address racial and social justice issues. Our organization has been a leader in the grassroots environment movement for decades and we continue to work alongside frontline communities across New Mexico.

Our analysis of the draft Zero Emission Economy Act (HB6) is that it does NOT put forth any real solutions that will change the current climate paradigm, but instead creates an economic dependency on out-of-state entities. Rather than investing in a regenerative economy, centered on homegrown solutions, HB6 reflects the ideals of the fossil fuels industry and private stakeholders to advance market mechanisms while profiting off pollution. This proposal will not lower consumption, net-zero and other market-based mechanisms have been shown to INCREASE consumption by those who can afford to pay for the proposed "carbon sequestration and offsets".

Much like the Energy Transition Act this is a bailout for the utilities sector, and other polluting industries, who will buy their way out of the crisis they created in our state. We must also highlight that there is no mention of consultation with traditional and Indigenous community leaders who will be disproportionately impacted by these offsets. This is not the type of legislation we need to prevail as a national climate leader.

SWOP stands with other grassroots leaders such as Pueblo Action Alliance, Youth United for Climate Crisis Action, along with EarthCare and other NM climate organizations that reflect the state's diverse frontline communities. We ask our elected officials and agency representatives to reconsider the proposal of HB6 and see our recommendations. The bottomline is that this bill as written will do more harm than good, and by accepting net-zero as a climate solution we endanger the future of our state.

Below are the changes that we would like to recommend:



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1. “Direct emissions” is not clearly defined nor are the sectors and/or industries that have contributed to the majority of greenhouse gasses (GHG) emissions in the state of New Mexico. Nor is there language that will hold dominant GHG emitters accountable for their actions to decrease their emissions footprint.
2. “Net Zero” as a solution for decreasing GHG emissions is not **REAL** zero. Achieving net zero is using offsetting programs to change where point sources of pollution are. Offsetting is also contributing to global climate disvestations.
  - a. Net zero emissions means allowable direct emissions of greenhouse gasses are fully offset
3. “Offset” is not accurately defined or acknowledged as a global market tool to create carbon credits or other dividends to incentivize fossil fuel sectors to continue polluting. Offsetting doesn’t actually decrease carbon emissions at the source and won’t improve the air quality in New Mexico. This needs to be clearly defined before it is put into climate policy.
4. When defining the claim that “disproportionately impacted communities” will be taken into consideration when looking at environmental impact reports is contradictory when the bill itself is a promotion for net-zero emissions which will negatively affect “disproportionately impacted communities.” To truly promote the health and well being of impact communities, policies and rules must be put in place to limit pollution in frontline communities. These include setbacks and cumulative impact assessments.
5. The requirement is that NMED petition the Environmental Improvement Board no later than June 30, 2025 to promulgate rules to reduce greenhouse gas emissions from sources subject to the Air Quality Control Act.

Respectfully,

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