

**Indivisible Nob Hill
New Energy Economy
Retake Our Democracy
Rio Grande Valley Broadband, Great Old Broads for Wilderness
Southwest Environmental Center
Southwest Native Cultures
Youth United For Climate Crisis Action (YUCCA)
Green Amendments For The Generations – NM Chapter
350 New Mexico
350 Santa Fe
American Planning Association NM
Climate Change Leadership Institute
Friends of Valle de Oro National Wildlife Refuge
Interfaith Worker Justice - New Mexico
Middle Rio Grande Water Advocates
Multicultural Alliance for a Safe Environment
New Mexico Beekeepers Association
New Mexico Interfaith Power and Light
NM Healthy Soil Working Group
Renewable Taos
Rio Arriba Concerned Citizens
Rio Grande Waterkeeper
Think Like a Bee
Water Culture Institute
Western Environmental Law Center
WildEarth Guardians**

March 13, 2021

Dear Senator Cervantes,

We entered the 2021 legislative session with great enthusiasm given the strong message sent in support of environmental, social and racial justice by the results of the 2020 election. Many candidates who won office spoke powerfully about a vision for protection and reform, which makes the backlog that has prevented SJR 3, the Environmental Rights Amendment, from receiving a second committee hearing all the more frustrating to us.

Forty organizations signed on in support of SJR 3 because we are alarmed by the environmental degradation that is severely impacting land, air, waterways, wildlife and the health of communities across our state. The current legal remedies available provide for redress only after environmental harm has already occurred. The people of New Mexico deserve the right to proactively protect themselves and their children from environmental harms that are, even now, affecting health and livelihoods.

SJR 3 recognizes that we all have an “inalienable right to a clean and healthy environment, including water, air, soil, flora, fauna, ecosystems and climate, and to the protection of the natural, cultural, scenic and healthful qualities of the environment” and ensures that all New Mexicans, regardless of their race, ethnicity, or socioeconomic status, have a pathway to protect our environmental rights when they are infringed upon by government. It affirms that our government shall act as a “trustee of the natural resources of New Mexico and shall conserve, protect and maintain these resources for the benefit of all New Mexicans, including present and future generations.”

Passage of the bill does not mean that the constitution is amended. It simply means the people of New Mexico will be given the opportunity to vote on whether We, The People of New Mexico, would like to amend our constitution to protect our rights to clean water, air, soils, and the many values that a clean and healthy environment provides all of our communities.

We are saddened that in this legislative session we have yet to see any environmental legislation pass. Given the mandate for community and environmental protection that the November election handed to this legislature to advance positive and protective change, we are dismayed. And yet, we remain hopeful because there is still an opportunity for this current legislature to hand our communities some significant and meaningful environmental legislation.

Given the short amount of time left, we believe that passage of SJR3 through both houses could be the best opportunity for advancing well-rounded environmental progress that could benefit all environmental interests.

We are appreciative of the significant number of bills going through Judiciary, and the long hours being worked by you and other Senators, including on weekends, but we are concerned that many environmental priorities have yet to advance.

We respectfully ask you to prioritize SJR3 so that the full body has the opportunity to consider this constitutional proposal and, hopefully, give the people of New Mexico a chance to vote for ourselves on whether we would like to see this constitutional reform that can more meaningfully protect the rights of all people in our state to a clean and healthy environment.

Sincerely,

Rayellen Smith, Indivisible Nob Hill
Mariel Nanasi, New Energy Economy
Paul Gibson & Roxanne Barber, Retake Our Democracy
Linda Starr, Rio Grande Valley Broadband, Great Old Broads for Wilderness
Kevin Bixby, Southwest Environmental Center
Terry Sloan, Southwest Native Cultures
Steering Committee, Youth United For Climate Crisis Action (YUCCA)
Maya van Rossum, Green Amendments For The Generations – NM Chapter
Daniel Pava, American Planning Association NM
Rob Hirsch, Climate Change Leadership Institute
Aryn LaBrake, Friends of Valle de Oro National Wildlife Refuge
Sr. Joan Brown, osf & Judith Smith, New Mexico Interfaith Power and Light
The Rev. Dr. Holly Beaumont, Interfaith Worker Justice - New Mexico
Norm Gaume, Middle Rio Grande Water Advocates
Susan Gordon, Multicultural Alliance for a Safe Environment

Isabelle Jenniches, NM Healthy Soil Working Group
Jay Levine, Renewable Taos
Barbara Turner, Rio Arriba Concerned Citizens
Jen Pelz, Rio Grande Waterkeeper
Tom Solomon & Jim Mackenzie, 350 New Mexico
Robert Cordingley, 350 Santa Fe
Anita Amstutz, Think Like a Bee & New Mexico Beekeepers Association
David Groenfeldt, Water Culture Institute
Kyle Tisdell, Western Environmental Law Center
Rebecca Sobel & Jen Pelz, WildEarth Guardians

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Representative Joanne Ferrary joanne.ferrary@nmlegis.gov

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Think Like a Bee ~ Common Ground Community Trust
Adelante Progressive Caucus ~ Great Old Broads for Wilderness
Rio Arriba Concerned Citizens ~ Rio Grande Waterkeeper ~ WildEarth Guardians
Aldo's Silver City Broadband, Great Old Broads for Wilderness
Water Culture Institute ~ Albuquerque Wildlife Federation ~ 350 New Mexico
350 Santa Fe ~ Interfaith Worker Justice - New Mexico
Multicultural Alliance for a Safe Environment
Amigos Bravos ~ Renewable Taos ~ Sierra Club Rio Grande Chapter
Middle Rio Grande Water Advocates ~ New Mexico Youth Climate Strike
New Mexico Solar Energy Association ~ Rio Grande Return
Progressive Democrats of America, Central New Mexico
Pajarito Environmental Education Center ~ Santa Fe Green Chamber of Commerce
Western Environmental Law Center ~ Defenders of Wildlife
Friends of Valle de Oro National Wildlife Refuge ~ Tewa Women United
NM Healthy Soil Working Group ~ Native American Democratic Caucus of NM
American Planning Association NM**

March 10, 2021

We Support the People of New Mexico Having a True and Enforceable Right to Clean Air, Pure Water, a Stable Climate and Healthy Environment.

Dear New Mexico State Legislature,

While our New Mexico constitution recognizes and protects many important human, civil and political rights – such as our rights to free speech, freedom of religion, property rights and due process – it does not recognize and protect the inalienable rights of all New Mexicans to a clean and healthy environment.

Passage of a New Mexico Green Amendment will raise up our environmental rights to be legally on par with the other human, civil and political rights which are protected from government infringement.

With a New Mexico Green Amendment, we will ensure and strengthen environmental protection; we will have a stronger check on government actions that could allow our water, air, soil, climate and critical natural resources to be degraded in dangerous and devastating ways; we will strengthen environmental justice protections and ensure generational environmental protection; we will strengthen the cultural and health values of the environment; we will ensure government is protecting environmental rights equitably regardless of race, ethnicity or socioeconomic status; we will be ensuring that informed government decisionmaking is a constitutional pre-requisite to taking action that could infringe upon environmental rights including accounting for the pollution and industrial burdens a community already bears, relevant science, and the of impacts proposed

action; and in those instances when these mandates and constitutional environmental rights are infringed upon, we will have strengthened our position for securing needed government action.

Given that we all depend upon pure water, clean air, a stable climate, and healthy environments to support and sustain our healthy lives and a healthy economy, we, the undersigned organizations, call for the passage of a New Mexico Green Amendment which will repeal Article XX Section 21 and raise up environmental rights to our constitution's Bill of Rights by Amending Article II of our State Constitution to read:

- A. The people of the state have the natural, inherent and inalienable right to a clean and healthy environment, including water, air, soil, flora, fauna, ecosystems and climate, and to the protection of the natural, cultural, scenic and healthful qualities of the environment.
- B. The protection of the state's environment is hereby declared to be of fundamental importance to health, safety and the public interest.
- C. The state, including its political subdivisions, shall serve as trustee of the natural resources of New Mexico and shall conserve, protect and maintain these resources for the benefit of all New Mexicans, including present and future generations.
- D. The provisions of this section are self-executing.

Respectfully,

Terry Sloan, Southwest Native Cultures
Rayellen Smith, Indivisible Nob Hill
Paul Gibson & Roxanne Barber, Retake Our Democracy
Linda Starr, Rio Grande Valley Broadband, Great Old Broads for Wilderness
Kevin Bixby, Southwest Environmental Center
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Artemisio Romero y Carver, Youth United For Climate Crisis Action (YUCCA)
Maya van Rossum, Green Amendments For The Generations
Sr. Joan Brown, osf & Judith Smith, New Mexico Interfaith Power and Light
Anita Amstutz, Think Like a Bee
Elaine Cimino, Common Ground Community Trust
Cheryl Harris, Adelante Progressive Caucus
Shelley Silbert, Great Old Broads for Wilderness
Barbara Turner, Rio Arriba Concerned Citizens
Jen Pelz, Rio Grande Waterkeeper
Jen Pelz & Rebecca Sobel, WildEarth Guardians
Aldo's Silver City Broadband, Great Old Broads for Wilderness
David Groenfeldt, Water Culture Institute
Cameron Weber, Albuquerque Wildlife Federation
Tom Solomon & Jim Mackenzie, 350 New Mexico
Robert Cordingley, 350 Santa Fe
The Rev. Dr. Holly Beaumont, Interfaith Worker Justice - New Mexico
Susan Gordon, Multicultural Alliance for a Safe Environment
Joseph Zupan, Amigos Bravos
Jay Levine, Renewable Taos
Camilla Fiebelman, Sierra Club Rio Grande Chapter

Norm Guame, Middle Rio Grande Water Advocates
Lilith Clark, New Mexico Youth Climate Strike
Walter Gerstle, New Mexico Solar Energy Association
Cameron Weber, Rio Grande Return
Karen Bentrup, Progressive Democrats of America, Central New Mexico
Katherine Bruell, Pajarito Environmental Education Center
Glenn Schiffbauer, Santa Fe Green Chamber of Commerce
Kyle Tisdell, Western Environmental Law Center
Bryan Bird, Defenders of Wildlife
Aryn LaBrake, Friends of Valle de Oro National Wildlife Refuge
Beata Tsosie-Peña, Tewa Women United
Christina Allday-Bondy, NM Healthy Soil Working Group
Rebecca Touchin, Native American Democratic Caucus of NM
Daniel Pava, American Planning Association NM