



Written by [James Heiser](#) on November 4, 2010

Unelected Board Imposes Cap and Trade on New Mexico

Even as the actions of New Mexicans at the polls on Tuesday mirrored the nationwide trend away from the policies pushed by the Washington elite, an unelected board was busy working to impose the “cap and trade” agenda of the radical environmentalists.

As Simon Lomax [reported](#) for Bloomberg.com,

A New Mexico environmental panel adopted a cap-and-trade plan to cut greenhouse gases, a measure opposed by the state’s incoming Republican governor.



The state Environmental Improvement Board approved on a 4-3 vote the program for restricting carbon-dioxide emissions that scientists link to climate change, the New Mexico Environment Department said yesterday in a statement on its website.

The measure wouldn’t go into effect unless other U.S. states or Canadian provinces move ahead with similar systems for limiting greenhouse gases, the department said. The New Mexico program would regulate about 63 “large industrial sources,” such as power plants, the department said.

Just as the federal Environmental Protection Agency has drawn attention under the Obama administration for [significantly expanding](#) its drive essentially circumvent the legislative process through increasingly expansive regulation, the effort by a narrow board majority to fundamentally alter the economy of the entire state of New Mexico is already eliciting a strong reaction from incoming Governor Susana Martinez. In fact, both Martinez and her Democrat challenger, Diane Denish, [opposed the plan](#) by the Environmental Improvement Board (EIB) in the weeks leading up to the election.

The members of the EIB are not directly answerable to the people of New Mexico; instead, as explained on the New Mexico Environment Department’s [website](#), the seven members of the EIB are appointed by the governor with the advice and consent of the state senate. In addition, “The members of the board are appointed for overlapping terms, with no term exceeding five years. No more than four members are appointed from any one political party.” (Of the seven current members, all but two of those currently listed are residents of the state capital, Santa Fe.)

The Environment Department maintains that New Mexico will not implement the EIB cap-and-trade program unless a coalition of states or provinces with emissions of at least 100 million tons of carbon dioxide join in such a regulatory scheme (New Mexico’s output is approximately 24 million tons). But the state’s involvement in the [Western Climate Initiative](#) (WCI) means that achieving the 100-million-ton threshold is essentially a foregone conclusion. At present, WCI “Partners” in the United States and Canada include Arizona, British Columbia, California, Manitoba, Montana, New Mexico, Ontario, Oregon, Quebec, Utah, and Washington. [According to the WCI website](#),

The WCI began in February 2007 when the Governors of Arizona, California, New Mexico,



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Oregon, and Washington signed an agreement directing their respective states to develop a regional target for reducing greenhouse gas emissions, participate in a multi-state registry to track and manage greenhouse gas emissions in the region, and develop a market-based program to reach the target.

The WCI built on existing greenhouse gas reduction efforts in the individual states as well as two existing regional efforts. In 2003, California, Oregon and Washington created the West Coast Global Warming Initiative, and in 2006, Arizona and New Mexico launched the Southwest Climate Change Initiative.

The Premiers of British Columbia, Manitoba, Ontario, and Quebec, and the Governors of Montana and Utah have since joined the original five states in committing to tackle climate change at a regional level.

Thus the outgoing governor of New Mexico, Bill Richardson, was a central figure in creating the WCI, and, [as reported by the Albuquerque Journal](#), he also appointed every current member of the EIB. Furthermore, the *Albuquerque Journal* notes:

The plan was opposed by both candidates for governor, dozens of lawmakers, some cities like Farmington and utility and oil and gas groups which argued it would raise consumer prices, destroy thousands of jobs and put New Mexico at an economic disadvantage with other states. Richardson appointed all members of the EIB and the head of the Environment Department which proposed it.

"I am pleased that the EIB adopted the program I have worked so hard to develop," Richardson said in a news release from his Environment Department Tuesday night....

Supporters of the cap-and-trade program say it's the first step for New Mexico getting a handle on the pollution blamed for global warming, but critics are worried the new regulations will lead to higher electricity costs for consumers and an exodus of businesses and jobs to surrounding states.

Public Service Company of New Mexico, the state's largest electric utility, said annual costs to comply with the new regulations are estimated to reach \$110 million by 2020. The utility said those costs will have to be passed on to customers.

Even as Richardson gleefully took credit for an election eve fiasco that will further devastate an already economically troubled state by burdening its citizens with new regulatory costs, the voice of the people was heard at the ballot box, choosing a new governor who opposes such a reckless scheme. What remains to be seen is whether the new governor will take the lead in overturning the EIB's action, working with the legislature to deal with the state's real problems, including [a projected \\$230 million budget deficit](#) in the coming year. Like all Americans, New Mexicans need the economic growth that comes from thriving businesses, not the creation of further financial troubles created by environmental posturing.



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