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HOUSE MEMORIAL 58

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Joseph L. Sanchez

A MEMORIAL

REQUESTING THE ENERGY, MINERALS AND NATURAL RESOURCES
DEPARTMENT TO STUDY AND RECOMMEND LEGISLATION FOR ESTABLISHING
SETBACKS FOR OIL AND GAS FACILITIES.

WHEREAS, oil and natural gas have been produced in New
Mexico since the 1920s; and

WHEREAS, New Mexico ranks second for oil production in the
United States and is among the top ten states for production of
natural gas; and

WHEREAS, the oil conservation division of the energy,
minerals and natural resources department and the oil
conservation commission have jurisdiction and authority over
all matters relating to the conservation of oil and gas; and

WHEREAS, the oil conservation division and the oil
conservation commission are empowered to prevent waste and

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1 protect correlative rights; and

2 WHEREAS, the oil conservation division and the oil
3 conservation commission regulate the venting and flaring of
4 natural gas from wells, production equipment and facilities to
5 prevent waste and protect correlative rights, public health and
6 the environment; and

7 WHEREAS, the provisions of the Oil and Gas Act require
8 operators to report and remediate unauthorized releases of oil,
9 gas, produced water, condensate and oil field waste that occur
10 during drilling, producing, storing, disposing, injecting,
11 transporting, servicing or processing; and

12 WHEREAS, the environmental improvement board and
13 municipal, county and joint air quality control boards enforce
14 emission standards for oil and gas operations that cause or
15 contribute to ozone concentrations that exceed ninety-five
16 percent of the primary national ambient air quality standard
17 for ozone; and

18 WHEREAS, the United States environmental protection agency
19 regulates emissions from oil and natural gas facilities; and

20 WHEREAS, local governments in the Permian and San Juan
21 basins have adopted ordinances relating to the siting of oil
22 and gas wells; and

23 WHEREAS, revenue to the state of New Mexico in 2023 from
24 the oil and gas industry is approximately thirteen billion nine
25 hundred million dollars (\$13,900,000,000); and

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1 WHEREAS, labor statistics indicate that approximately one
2 hundred thirty-four thousand New Mexicans are either directly
3 or indirectly employed by the oil and gas industry;

4 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the energy,
6 minerals and natural resources department be requested to
7 convene a stakeholder working group that includes legislators
8 and relevant stakeholders to study current laws and oil and gas
9 industry operating practices and develop legislative
10 recommendations for establishing setbacks for oil and gas
11 facilities; and

12 BE IT FURTHER RESOLVED that the energy, minerals and
13 natural resources department be requested to consult with the
14 legislative finance committee to study the fiscal impacts to
15 the state if setbacks for oil and gas facilities are adopted;
16 and

17 BE IT FURTHER RESOLVED that the energy, minerals and
18 natural resources department be requested to study the adoption
19 of setbacks that prevent waste and protect correlative rights
20 while protecting human health and the environment; and

21 BE IT FURTHER RESOLVED that the energy, minerals and
22 natural resources department report its findings and
23 legislative recommendations to the appropriate interim
24 legislative committee dealing with natural resources and the
25 legislative finance committee by December 1, 2024; and

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1 BE IT FURTHER RESOLVED that copies of this memorial be
2 transmitted to the secretary of energy, minerals and natural
3 resources and the director of the legislative finance
4 committee.

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