

**STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**

IN THE MATTER OF PROPOSED NEW REGULATIONS,

20.2.350 NMAC – *Greenhouse Gas Cap and Trade Provisions*

No. EIB 10-04 (R)

**NEW MEXICO ENVIRONMENT DEPARTMENT'S
NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY**

The New Mexico Environment Department, pursuant to 20.1.1 NMAC - *Rulemaking Procedures*, and the Notice of Public Hearing, files this Notice of Intent to Present Technical Testimony at the public hearing in this matter scheduled to commence on September 20, 2010.

1. Person filing the statement

New Mexico Environment Department.

2. Witnesses

Jim Norton. Mr. Norton is the Director of the Department's Environmental Protection Division which supervises the Air Quality Bureau, Solid Waste Bureau, Petroleum Storage Tank Bureau, and Occupational Health and Safety Bureau and climate change programs. Prior to joining the Department, Mr. Norton worked for two decades in the environmental field, including as regional director of The Wilderness Society, executive director of 1000 Friends of New Mexico and at the Nature Conservancy, and as a teacher in the Santa Fe public school system. He holds a B.A. in Biology and Environmental Studies from Williams College, attended the graduate

program at the Yale School of Forestry and Environmental Studies, and earned a Teaching Certificate from the University of New Mexico.

Sandra Ely. Sandra Ely has served as the Environment and Energy Policy Coordinator for the New Mexico Environment Department since 2005.. In this position she coordinates many of New Mexico's climate change initiatives, represents New Mexico as a Western Climate Initiative Partner, and was awarded the EPA Climate Protection Award in 2009. Previous to her current position, she served as New Mexico's Air Quality Bureau Chief for six years. Ms. Ely holds a B.S. degree in Conservation and Resource Sciences from the University of California at Berkeley, a B.S. degree in Nursing from Creighton University, and a M.S. degree in Environmental Studies from the University of Oregon.

Lany Weaver. Lany Weaver is an Environmental Analyst for the Control Strategies Section of the Air Quality Bureau. She has worked in the Bureau since 1990 in the areas of regulation and permit development. Ms. Weaver holds a B.S. degree in Mechanical Engineering from the University of California at Davis.

Mary Uhl. Mary Uhl is the Bureau Chief of the Department's Air Quality Bureau. Since joining the Bureau in 1992, she has served as the manager of the modeling and planning/policy sections, and as an air dispersion modeling expert, during which she completed more than eight hundred (800) modeling analyses, developed the state's modeling guidelines, managed the Corrales air toxics study, and testified in numerous court cases and public hearings. Ms. Uhl has served as co-chair of the WESTAR Technical Committee and the Western Regional Air Partnership's Modeling Forum, and currently serves as co-chair of the Western Regional Air Partnership and the Western

Regional Air Partnership's Oil and Gas Workgroup and as Treasurer and Board member of the National Association of Clean Air Agencies. Ms. Uhl has published several technical articles regarding air chemistry and dispersion modeling. She earned her B.S. degree in Math and Chemistry and M.S. degree in Atmospheric Sciences at Purdue University.

Michael Schneider. Michael Schneider is an Environmental Scientist for the Emissions Inventory Section of the Air Quality Bureau. He has worked in the Bureau since 1993 primarily in the permitting section. Since 2008, he has implemented the Bureau's mandatory greenhouse gas emissions reporting rules. He holds a B.S. degree in Agriculture from Ohio State University.

Brad Musick. Brad Musick has been an Environmental Scientist, Environmental Engineering Specialist, and Environmental Analyst with the Air Quality Bureau since 1996. His responsibilities include the development of air quality regulations and plans. Since 2005, his work has focused on climate change and greenhouse gas emissions, including serving as Staff Lead for the Western Climate Initiative Reporting Committee. Prior to joining the Bureau, he conducted environmental research at the University of New Mexico and the National Aeronautics and Space Administration. Dr. Musick holds B.A. and M.A. degrees in Biology from the University of California at Santa Barbara, and a Ph.D. degree in Biology from the University of Arizona.

The curriculum vitae for Drs. David Gutzler, Jonathan Patz, Karl Hausker, Adam Rose, and Ranajit Sahu are attached.

3. Testimony and Exhibits

The direct testimony and supporting exhibits for each witness has been attached. The Department anticipates that the witnesses can summarize their written testimony and respond to the rebuttal testimony of other parties in the following times:

Jim Norton	45 minutes
David Gutzler	60 minutes
Jonathan Patz	60 minutes
Mary Uhl	45 minutes
Karl Hausker	60 minutes
Adam Rose	60 minutes
Ranajit Sahu	60 minutes
Michael Schneider	30 minutes
Lany Weaver	90 minutes
Sandra Ely	45 minutes

4. Cross-Examination

The Department intends to present Drs. David Gutzler, Jonathan Patz, Karl Hausker, Adam Rose, and Ranajit Sahu individually for cross-examination.

The Department intends to present the remaining witnesses as a panel for cross-examination.

5. Text of Recommended Modifications.

The proposed regulation showing the Department's recommended modifications is attached in legislative format.

6. Reservation of Rights.

The Department reserves the right to call any person and offer any exhibit in response to the testimony or exhibit offered by another person in the hearing.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF GENERAL COUNSEL



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