



# State of New Mexico

## *Office of the Governor*

Bill Richardson  
Governor

### **EXECUTIVE ORDER 2007-053**

#### **INCREASING ENERGY EFFICIENCY in STATE GOVERNMENT BY 2015 AND STATEWIDE BY 2012 AND 2020**

**WHEREAS**, the Richardson Administration has assumed a leadership role nationwide in the advancement of beneficial and groundbreaking energy efficiency policies and practices;

**WHEREAS**, Governor Richardson has adopted a number of Executive Orders to promote and implement policies regarding energy conservation, renewable energy development, the reduction of greenhouse gas emissions, and energy efficiency measures, namely:

1) Executive Order No. 04-19: Declaring New Mexico the "Clean Energy State," Creating a Clean Energy Development Council and Directing State Agencies to Support and Participate.

2) Executive Order No. 05-33: Climate Change and Greenhouse Gas Reduction.

3) Executive Order No. 05-49: Requiring the Increased Use of Renewable Fuels in New Mexico State Government.

4) Executive Order No. 06-01: State of New Mexico Energy Efficient Green Building Standards for State Buildings.

5) Executive Order No. 06-69: New Mexico Climate Change Action.

**WHEREAS**, the most recent Executive Order related to energy issues, Executive Order No. 06-69, sets forth a history of these various Executive Orders and provides the most recent summary of various initiatives taking place within state government and statewide on such matters;

**WHEREAS**, Executive Order No. 2004-019 declared the State of New Mexico to be the "Clean Energy State" and established the Clean Energy Development Council which continues to exist today;

**WHEREAS**, Executive Order 2006-69, established the Climate Change Action Implementation Team (hereinafter "Team"), which is subject to the direction of the Clean Energy Development Council, and directed the Team to examine the sixty-nine (69) recommendations of the former New Mexico Climate Change Advisory Group regarding the promotion of energy efficiency in energy supply, building and transportation sectors, among other duties;

**WHEREAS**, the Team, pursuant to Executive Order 2006-69, was established to address the need for energy efficiency from electric and gas utilities, in appliance standards, in building codes, and in transportation as part of New Mexico's efforts to address global climate change;

**WHEREAS**, in addition to Executive Orders, Governor Richardson has advocated for, and enacted, a wide range of legislation and obtained appropriations to fulfill the objectives of making New Mexico a "Clean Energy State;"

**WHEREAS**, Governor Richardson spearheaded the Western Governors' Association ("WGA") adoption of a resolution in 2004 that set a regional goal of a 20% increase in energy efficiency by 2020 as one of the three key goals of the Clean and Diversified Energy Initiative;

**WHEREAS**, the WGA Energy Efficiency Task Force Report of January 2006 reports that increasing the efficiency of energy use in western states will provide a broad range of benefits, including:

- Saving consumers and businesses money on their energy bills;
- Reducing dependence on imported fuel sources;
- Reducing vulnerability to energy price spikes;
- Reducing peak demand and improving the utilization of the electricity system;
- Reducing the risk of power shortages;
- Supporting local businesses and stimulating economic development;
- Enabling avoidance of the most controversial energy supply projects;
- Reducing water consumption by power plants; and
- Reducing pollutant emissions by power plants and improving public health;

**WHEREAS**, increasing the efficiency of energy use will benefit all consumers, including low-income populations;

**WHEREAS**, the State of New Mexico is committed to taking the lead regionally and nationally with other states in combating catastrophic climate change;

**WHEREAS**, electricity and natural gas use are predicted to account for 40% of the growth in greenhouse gas emissions by 2020 and the transportation sector is predicted to be the fastest growing source of greenhouse gas emissions under a business as usual scenario; and

**WHEREAS**, increases in energy efficiency will increase disposable income, increase jobs and stimulate the economy while significantly improving our state air quality and protecting our state's valued scenic vistas.

**NOW, THEREFORE**, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico, do hereby ORDER and DIRECT the following:

I. Supplement to Prior Executive Orders. The Richardson Administration has issued prior Executive Orders referenced above that have addressed issues of clean and renewable energy, reduction of greenhouse gas emissions, and related matters. This Executive Order supplements those previous Executive Orders and further enhances their requirements and actions. Pre-existing deadlines and directives in the prior Executive Orders remain in effect unless they have been expressly superseded by executive action.

II. Mandatory Implementation of Energy efficiency targets.

- a. "Lead by Example" Initiative: The Richardson Administration has been at the forefront of positive change in energy policies through a proactive approach. Accordingly, as part of New Mexico's "Lead by Example" initiatives, it shall be the goal of all Executive Branch state agencies to achieve a 20% reduction below 2005 levels in energy usage in state buildings for all Executive Branch state agency operations by 2015. The 20% energy usage reduction shall be based on the average energy usage per square foot of building space. It also shall be the goal of all Executive Branch state agencies to achieve a 20% usage reduction below 2005 levels in the state fleet and transportation-related activities by 2015 based on the average transportation-related energy usage per state employee.
- b. State-wide target: New Mexico shall have a goal of a 20% reduction in per capita energy use statewide from 2005 levels by 2020. New Mexico shall have an interim goal of a 10% reduction in per capita energy use statewide from 2005 levels by 2012.

III. Additional General Services Department Responsibilities. In addition to complying with all prior directives in the various applicable Executive Orders, and in keeping with previously established "Lead by Example" directives, the General Services Department (GSD) shall:

- a. Develop an implementation plan, with assistance from the Energy, Mineral and Natural Resources Department (EMNRD), to achieve a 20% reduction below 2005 levels in energy usage in state buildings for all Executive Branch state agency operations by 2015.
- b. Develop an implementation plan, with assistance from EMNRD and the New Mexico Department of Transportation, to achieve a 20% usage reduction below 2005 levels by 2015 in the state fleet and transportation-related activities based on the average transportation-related energy usage for work purposes per state employee.
- c. Continue to pursue the aggressive use of renewable energy and renewable fuels as directed in previous Executive Orders for both the building and transportation sectors.

However, use of renewable power and renewable fuels shall not be counted toward achievement of these energy use reduction goals.

- d. Present a draft of the building and vehicle energy efficiency implementation plans to the Team as established in Executive Order 2006-69 by July 1, 2008. The Team shall submit its final recommendations to the Clean Energy Development Council (CEDC), as established in Executive Orders 2004-19 and 2006-69, by October 1, 2008.
- e. Create a "Lead by Example Coordinator" position in GSD that shall serve at the pleasure of the Governor and shall be dedicated to developing and implementing clean and renewable energy strategies throughout state government to promote state "lead by example" efforts in combating climate change and achieving energy efficiencies.

IV. Additional Climate Change Action Implementation Team Responsibilities. In addition to its duties set forth in Executive Order 20No. 06-69, including its ongoing duty to report to the Clean Energy Development Council and the Governor annually on July 1 of each year, the Team shall:

- a. GSD Implementation Plans. Review GSD's recommendations in the building and transportation energy efficiency implementation plans per Section III above and submit final recommendations to the Clean Energy Development Council by October 1, 2008.
- b. Statewide Energy Efficiency Report: Oversee the development of a report containing recommendations for achieving a 20% reduction in per capita energy use statewide from 2005 levels by 2020, with an interim goal of 10% by 2012. The statewide energy efficiency report shall include all aspects of energy use statewide, including but not limited to electricity and natural gas used in commercial, residential and industrial building sectors and all fuels used in the transportation sector. In the building sector, the lead agency to submit policy recommendations to the Team shall be EMNRD, with active involvement by the Construction Industries Division of the Regulation and Licensing Department. In the transportation sector, the lead agency shall be the New Mexico Department of Transportation, with active involvement by the New Mexico Environment Department (NMED) and EMNRD.
- c. Consult with stakeholders and the Public Regulation Commission, as appropriate, in developing energy efficiency policy recommendations, including the statewide energy efficiency report.
- d. Present energy efficiency policy recommendations, including the statewide energy efficiency report, to the Clean Energy Development Council by July 1, 2008.

V. Additional Clean Energy Development Council Responsibility. In addition to its duties set forth in Executive Order 2004-19, including an annual report to the Governor, the Clean Energy Development Council shall present its final recommendations regarding GSD's implementation plans and the statewide energy efficiency report to the Governor by November 15, 2008.

VI. Database creation. The EMNRD shall develop a statewide energy usage and efficiency database in consultation with GSD and NMED to track progress toward the 20% state agency target and the 20% statewide target. The database shall be initiated in 2009 and shall complement NMED's statewide greenhouse gas emissions monitoring initiatives.

VII. Utility Measures. The EMNRD shall support the efforts of other agencies, such as the Public Regulation Commission, to ensure that all utilities in New Mexico maximize implementation of cost-effective energy efficiency measures and programs, and have incentives for doing so. Individual utilities in the state should make their best effort to contribute to achievement of the state's energy efficiency goal. Energy savings resulting from utility-sponsored energy efficiency programs shall count towards the state's goal of reducing overall energy use per capita 10% from 2005 levels by 2012 and 20% from 2005 levels by 2020

VIII. Locating Public Facilities. In making decisions regarding the relocation of public facilities or identifying a location for new public facilities, through new construction, acquisition, or lease, all state entities shall provide preferences in any selection and evaluation criteria to locations within close proximity of Rail Runner transit stations, to the extent adequate property, parcels or facilities are available and such a location will be most advantageous to the State.

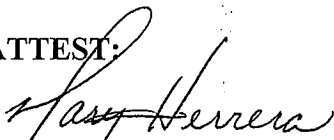
IX. Lead Coordinator. The Governor's Energy & Environmental Policy Advisor shall be the Lead Coordinator and in this capacity shall serve as the central point of contact for implementation of this Order, shall be authorized to obtain periodic progress reports from agencies regarding their compliance with this Order, and shall be authorized to give directives to agencies to ensure implementation of this Order.

X. All state agencies shall assist as appropriate in implementing this Order and achieving its purposes. The actions mandated herein by this Executive Order shall be accomplished within the bounds of, and consistent with, the relevant agency's existing statutory and regulatory authority.

XI. Disclaimer. Nothing in this Executive Order is intended to create a private right of action to enforce any provision of this Order or to mandate the undertaking of any particular action pursuant to this Order; nor is this Order intended to diminish or expand any existing legal rights or remedies.

THIS ORDER supersedes any other previous orders, proclamations, or directives to the extent they are in conflict. This Executive Order shall take effect immediately and remain in effect until such time as it is rescinded by the Governor.

ATTEST:



MARY HERRERA  
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE  
THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2007

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO



BILL RICHARDSON  
GOVERNOR OF NEW MEXICO

