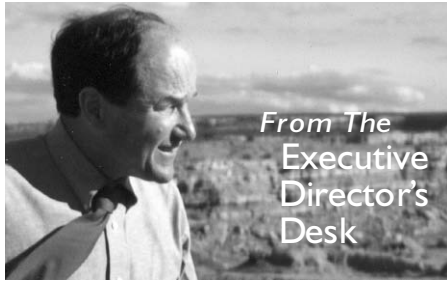




“The work of the Law Center demonstrates the power of combining organizing with legal advocacy to effect change.”

–Strengthening Democracy, Increasing Opportunities  
2008 report by Lisa Ranghelli for the  
National Committee for Responsive Philanthropy



## From The Executive Director's Desk

I am writing to update you on the financial health of the Law Center.

Our goal is to keep our current level of services

intact over the next year, which means maintaining our current staff, finding funds for expert witnesses and case costs, and continuing our public education.

As you know, it will not be easy but during the past 21 years we have seen economic downturns before and we plan to weather this storm too. In May 2008, we anticipated that we would raise \$711,100 from foundations; it appears that we will not make that goal, although we will certainly try. Fortunately, the Law Center has wonderful donors who are helping us to pull through these difficult times, a strong fundraising team that is working hard to find new funding and recruit new members, and a Financial Director who is doing an excellent job at keeping our expenses down.

In spite of the financial downturn, the need for our services remains great and we work to make a difference. In December, the Law Center and 13 other NM advocacy organizations were recognized in a report by the National Committee for Responsive Philanthropy which found that for every \$1 donated to these 14 groups, \$157 in public benefit was achieved. Moreover, this figure does not even take into account the intangible cultural benefits we have achieved for clients such as Picuris Pueblo.

During the first ten weeks of the new year, we received fourteen requests for assistance, in addition to our work in the legislature and our current docket (*please see next pages for our docket map*).

So on behalf of the state's communities in need, thank you for your continued support. As always, please contact me at [nmelc@nmelc.org](mailto:nmelc@nmelc.org) if you have any questions about the Law Center or our work.

Yours truly,



Douglas Meiklejohn  
Executive Director

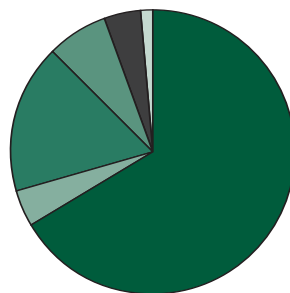
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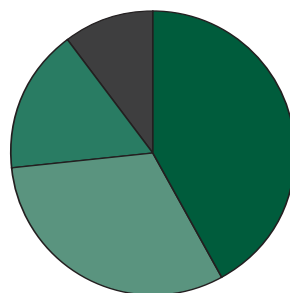
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**Total Income \$ 592,532**

Foundations	66.5%
Major Donors	16.9%
Membership	6.9%
Fees & Cost Reimbursements	4.2%
Other	4.2%
Special Events	1.3%



**Total Expenses \$ 716,342**

Native American Community Representation	43.0%
General Community Representation	32.3%
Development	15.0%
Administration	9.6%

The Law Center keeps its books according to “Generally Accepted Accounting Principles” (GAAP), which require us to book the entirety of a multi-year grant in the year that we receive the grant pledge. While that system keeps us in the good graces of the IRS, it can make our Annual Reports appear unbalanced. For instance, using the GAAP system, it seems that our expenses exceeded our revenue in fy08. In reality, we received payments for several grants that had been booked in previous years, and met all of our expenses last year. If you have any questions about our accounting, please email Yana Merrill, Director of Administration and Finance at [ymerrill@nmelc.org](mailto:ymerrill@nmelc.org), or call (505) 989-9022.

# Law Center Cases

## Your return on your investment in the New Mexico Environmental Law Center

Every day, we use your contributions to ensure that our attorneys and staff can respond to environmental crises throughout the state. Only with your help can we advocate for the laws and regulations that we need to keep our state healthy.

In the past year, we represented clients in twenty-two major cases, including nine new cases.

### Victories & Progress – 2008

**Oil Pit Rule (statewide)** We successfully advocated for some of the most environmentally-protective oilfield regulation in the U.S. It protects groundwater from toxic oil well by-products that previously were often dumped into unlined pits.

**Broe Water Appropriation (near Gallup)** We helped to prevent the speculative appropriation of 7,000 acre-feet of water/year to an out-of-state company that applied for the water rights with the sole intent of selling the water for profit.

**Chino Copper Mine Reclamation (near Silver City)** After nearly a decade, we successfully negotiated with Freeport McMoRan (formerly Phelps Dodge Mining Co.) to implement a new cleanup system at the country's 4th largest open pit mine. The company's original plan was to dilute its contamination with billions of gallons of potable water every year.

**Church Rock Uranium License Appeal (Church Rock)** We filed the first federal appeal of an in situ leach uranium mining license issued by the Nuclear Regulatory Commission and presented oral arguments in federal court.

**Con Agra Ethanol Plant (Clovis)** ConAgra sought to build a major ethanol plant adjacent to low-income and minority neighborhoods in Clovis, and then misrepresented where the plant would be located in its public notice. After we successfully appealed to reopen the permitting hearing, ConAgra withdrew its application.

**GEIS Participation (national)** The Nuclear Regulatory Commission (NRC) is undertaking a "Generic Environmental Impact Statement" (GEIS) process to streamline its uranium mine licensing process. Through our efforts, the NRC increased the number of public meetings about the GEIS, and extended the time for public comment.

### 2008 General Community Representation Program



#### Water Quality and Quantity Cases

**Broe water rights appropriation (near Gallup)** – prevent a proposed speculative water rights transfer. *Successfully completed, September 2008.*

**Buckman Direct Diversion (Santa Fe County)** – ensure that adequate study of the impacts of contamination from Los Alamos National Laboratory is made before the drinking water system is constructed. *Did not prevail, September 2008.*

**Los Alamos National Laboratory radioactive liquid waste facility permit (Los Alamos)** – prevent the contamination of groundwater and the Rio Grande with radioactive waste.

**San Augustin water rights appropriation (near Datil)** – prevent a speculative water rights transfer of 54,000 acre-ft. of water per year.



#### Climate Change Cases

**New Mexico carbon emission caps (statewide)** – advocate for a carbon emission cap 25% below 1990 levels in New Mexico to mitigate the state's contribution to climate change.



#### Oil and Gas Cases

**Galisteo Basin oil and gas drilling (Santa Fe County)** – advocate for stringent protections to ensure that oil and gas drilling is not detrimental to human health, or environmental and cultural resources in the Galisteo Basin.

**Galisteo Basin oil and gas drilling (Santa Fe County)** – represent clients in State permitting proceedings concerning Tecton Energy, which applied to drill for oil in the Galisteo Basin.

**Mora County oil and gas drilling (Mora County)** – advocate for stringent protections to ensure that oil and gas drilling is not detrimental to human health or environmental and cultural resources in Mora County, one of the poorest counties in the U.S.

**New Mexico oil pit regulation change (statewide)** – ensure that industry cleans up liquid waste pits associated with oil and gas wells.



#### Hard Rock (Non Uranium) Mining Cases

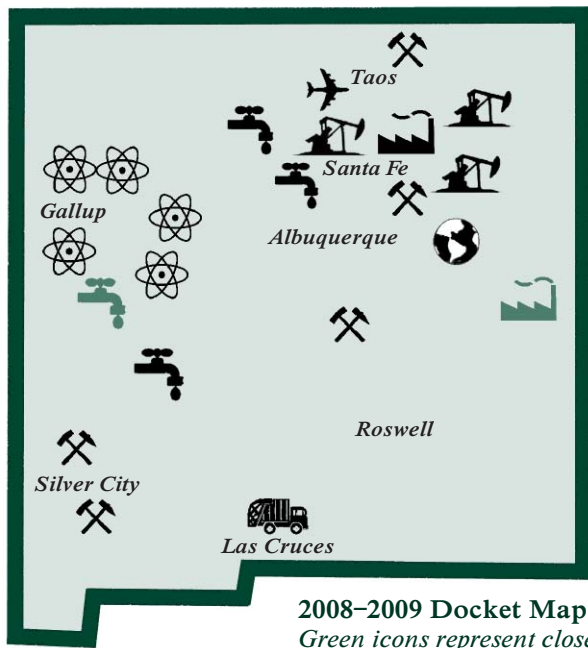
**BER beryllium mine (Sierra County)** – prevent the opening of a beryllium mine that would threaten the Monticello Ditch and springs that are culturally and ecologically sensitive.

**LAC gold mine reclamation (Santa Fe County)** – ensure that a cyanide heap leach gold mine is properly reclaimed.

**Chevron Mining (formerly Molycorp) molybdenum mine (Questa)** – force Chevron Mining to clean up its massive wasterock piles and the contaminated Red River.

**Freeport McMoRan (Phelps Dodge) Chino copper mine (near Silver City)** – protect groundwater from future contamination by the nation's 4th largest open-pit mine. *Successful negotiation, June 2008.*

**Freeport McMoRan (Phelps Dodge) Tyrone copper mine (near Silver City)** – protect groundwater from future contamination by the nation's 5th largest open-pit mine. *Achieved good ruling, January 2009; company appealed March 2009.*



**2008-2009 Docket Map**  
Green icons represent closed cases



### Air Quality Cases

**ConAgra ethanol plant (Clovis)** – prevent the siting of an ethanol plant adjacent to low-income Hispanic and African-American communities. *Successfully completed, February 2008.*

**Gavilon Grain air permit revision (Clovis)** – ensure that neighbors' health and well-being is protected from major impacts by the Gavilon grain processing plant.



### Solid Waste Cases

**Chaparral landfill construction (Chaparral)** – represent citizens concerning a proposed landfill in a Mexican-American community.

### 2008 Native American Community Representation Program



### Uranium Mining Cases

**Generic Environmental Impact Statement for in situ leach uranium mining (nationwide)** – prevent the Nuclear Regulatory Commission from streamlining its uranium mining licensure process.

**Haaku Water Office uranium consultations (Acoma Pueblo)** – represent Haaku Water Office in government-to-government consultations concerning new uranium mining permits near Acoma Pueblo and on or near Mt. Taylor.

**Marquez Canyon uranium mine (Acoma Pueblo)** – prevent exploratory uranium mining proposed for land near Mt. Taylor.

**Proposed HRI uranium mines & Navajo uranium initiatives (Crownpoint-Church Rock region)** – prevent proposed uranium mining that would contaminate the sole source of drinking water for nearly 15,000 people, as well as prevent other new uranium mines that would impact Navajo communities.



### Airport Expansion Cases

**Taos Pueblo airport expansion (Taos Pueblo)** – prevent, or mitigate the effects of, the expansion of Taos regional airport, which threatens Taos Pueblo's culture and environment.

The Law Center staff and board sincerely thank the contributors who make our work possible.

Contributions made January 1 – December 31, 2008

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