

**ENVIRONMENTAL SERVICES DIVISION**

**November 23, 1970**

**CONFIDENTIAL**

**Mr. Bruce King**

**Governor-Elect**

**Executive Building - Third Floor**

**Santa Fe, New Mexico 87501**

**Dear Mr. King:**

**It was nice to visit with you briefly while at the airport in Chicago last week. At that time you indicated your interest in receiving written information concerning some of the issues in programs of environmental and consumer protection in New Mexico.**

**We environmentalists were quite interested in the environmental issues raised during the last gubernatorial campaign, and repeatedly noticed that you came out strongly in favor of retaining New Mexico's environmental quality and insuring the necessary environmental programs to that end. It is heartening, to note that the public throughout the Nation now identifies problems of environmental health and consumer protection as one of the major issues of this decade, We all realize that New Mexico's environment is a prime asset to the State's citizens and the State's economy, and that it is one of the few remaining areas in the United States where we still have options open for retaining or regaining the necessary quality environment. The last year or so has been a time of renewed emphasis and effectiveness for environmental service programs such as those in this Division. Throughout the Nation, various levels of government have devoted huge new sums of money to attempting to solve the Nation's environmental crisis. Fortunately, New Mexico can still act in terms of preventing environmental deterioration and degradation to a large extent.**

**I, of course, do not know what your organization concepts are for programs of environmental and consumer protection. I have been involved in such organizational**

**matters for many years, and would like to specifically mention a few such experiences:**

**1. I was in the fortunate position of being able to plan, promote, and gain legislative approval to create the Nation's first Department of Environmental Health in Albuquerque. This Department received national recognition and awards on a number of occasions.**

**2. Last year, I was privileged to participate as the environmental expert in making recommendations for re-organizing the Nation's largest local health department ---Los Angeles County Health Department.**

**3. Last spring, as Chairman of the Section on Environment of the American Public Health Association, I chaired a small delegation which met with the Presidential Advisory Council on Executive Organization, and made meaningful recommendations pertaining to the organization, scope, mission and objectives of environmental and consumer protection programs at the federal level.**

**4. I have also been privileged to deliver papers on this general subject such as the enclosed presented at the recent Alaska Conference on "Man's Health in a Changing Arctic Environment".**

**From the point of view of program effectiveness, it is really not particularly important whether environmental and consumer protection programs are structured within a department such as Health and Social Services, or in a separate environmental and consumer protection agency. There are, however, some over-riding basic principles that must be attained no matter what the institutional organizational arrangement is. These include such basic considerations as:**

**1) adequate budget**

- 2) professional staffing**
- 3) laboratory facilities**
- 4) organizational visibility**
- 5) freedom of regulatory action**
- 6) ease of inter-agency communication and cooperation**
- 7) comprehensiveness of program components**
- 8) reasonable shielding from vested interest and political intervention**
- 9) appropriate mission and goals, and**
- 10) sound legislative base designed for results instead of procedural delays.**

**As you know, the President and the federal Congress have recently created a new Environmental Protection Agency in order to bring together some of the fragmented programs from Health, Education, and Welfare; Agriculture; the Atomic Energy Commission; Interior; and the Department of Transportation. Fortunately, we have not had to witness or endure this type of fragmentation in New Mexico and most of the basic environmental and consumer protection programs are still lodged in this Division.**

**It is interesting to note that, while the Congress concurred in the Presidential Proclamation establishing the Environmental Protection Agency, that practically all witnesses at the congressional hearings criticized the proposal on the basis that it was not truly comprehensive. In other words, it does not really include the scope of environmental and consumer protection programs presently lodged in this Division. For example numerous U. S. Representatives testifying at the hearings indicated that the concept of centralizing all environmental programs was desirable, but that the now Environmental Protection**

**Agency does not, in fact, meet this challenge. I hope we can profit from this criticism here in New Mexico**

**Regrettably, many leaders have mistakenly identified air, water, and wastes as "the environment." This is certainly not the case and this concept has led to further fragmentation of programs and effectiveness of governmental effort.**

**(The attached chart on Environmental Services Program Components depicts a scheme showing the total environment and the interdigitation of all program components) .**

**A number of states have recently created separate alleged environmental control departments. These include New York, Illinois, and Washington. Thus far, these particular new departments have resulted in confusion and bickering inasmuch' as they have been primarily departments of air, water and wastes. The personnel in these new agencies are already fighting with their former friends and peers in other agencies over program responsibility and budgets, indicating that the states did not have the foresight to create true environmental and consumer protection departments containing all the necessary environmental program components. The State of Pennsylvania is currently holding a hearing to consider an Environmental Protection Department, but to date, the State of Pennsylvania is showing enviable foresight by holding hearings on a bill designed to include all environmental programs in one environmental agency.**

**There are many pros and cons which I could list for leaving all environmental and consumer protection programs in this Division in this Department or I could list just as many pros and cons concerning a separate environmental and consumer protection agency. Achieving the goal of protecting man in his environment should, however, be the over-riding consideration in whatever decision IS made.**

**Some legislative leaders who have considered proposing a separate agency for environmental and consumer protection have vastly over-simplified the matter and have not looked at the total problem. Suffice it to say that any such separate agency would have to include not only all of our professional, technical, and secretarial staff, but also supporting staff services such as finance, legal, personnel, public information and data processing. Additionally, such a system would have to transfer all local (county, district, and regional) environmental health personnel that are currently listed in separate budgets. Any such effort would also have to include a well-functioning environmental or ecological laboratory designed not only to serve this agency but also other agencies involved in related ecological considerations such as forestry, game and fish, parks and recreation, etc. Any environmental effort must allow for program methods of surveillance, research, promulgating standards and regulations, public information, analyses, data processing, and enforcement. And lastly, any effort to centralize or provide a focal point for environmental and consumer protection programs should address itself to the environmental problems of water pollution, water supply, air quality, radiation protection, environmental chemicals, environmental injuries, food. protection, solid waste management, insect and rodent control, noise pollution control, congestion, and land-use. These problem areas are then converted into appropriate programs. This Division is currently responsible for administering approximately thirty such environmental and consumer protection programs.**

**I hope I have made it clear that I am not recommending a specific institutional organizational arrangement but do want to emphasize the necessity of program effectiveness being attained through adhering to certain basic organizational and program concepts. I look forward to working with you, and I recall your words to the affect that "We just want to do a good job!" If the decision is made to create a separate environmental and consumer protection agency, I do, however, wish to take this opportunity to apply for the job of directing the agency (please note attached biographical sketch).**

**I look forward to working with you and consulting with you as you may request.**

**Very sincerely,**

**Larry J. Gordon, Director**

**LJG:nl**

**encs.**

**cited**

