

HOUSE MEMORIAL 45

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Thomas A. Garcia

A MEMORIAL

OPPOSING THE STATE LAND OFFICE EXCHANGE OF STATE TRUST LAND FOR PRIVATE RANCH PROPERTY IN THE WHITE PEAK AREA OF NORTHEAST NEW MEXICO AND SUPPORTING THE ATTORNEY GENERAL'S EFFORTS TO DELAY THE EXCHANGE UNTIL FURTHER ANALYSIS IS DONE.

WHEREAS, according to the New Mexico wildlife federation, the state land office leases more than forty thousand acres of state trust land specifically for licensed hunters; and

WHEREAS, state trust lands consist of lands granted by the United States congress to the territory of New Mexico more than a century ago and, as such, are lands owned by the government and ultimately by the people of that government; and

WHEREAS, the commissioner of public lands has proposed the exchange of more than fourteen thousand acres in trust land primarily in the White Peak area of northeast New Mexico for

.180988.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 nine thousand six hundred fifty-six acres from four private
2 ranches; and

3 WHEREAS, it is estimated that the proposed land exchanges
4 would result in a net loss to the state of more than four
5 thousand acres of land, much of it pristine mountain, alpine
6 meadow, lake and riparian territory, and this land has some of
7 the finest public hunting and sporting grounds in the state;
8 and

9 WHEREAS, areas such as these are considered by many to
10 have intrinsic value that cannot be calculated in real estate
11 market dollars and should never be traded or sold, but rather
12 maintained in perpetuity; and

13 WHEREAS, although the commissioner of public lands has
14 stated that the exchange will help regularize the checkerboard
15 of public and private land in the area, the New Mexico wildlife
16 federation and others assert that no adequate analysis has been
17 completed to demonstrate how the trade will affect annual
18 income to the beneficiaries of the trust; and

19 WHEREAS, the first of four controversial land exchanges
20 has already occurred; and

21 WHEREAS, the commissioner of public lands has stated his
22 intention to proceed with land exchanges, including a trade
23 involving the Express UU-Bar ranch, in which approximately
24 eighty percent of the land the state will receive reportedly is
25 virtually treeless land next to a highway; and

.180988.1

underscored material = new
[bracketed material] = delete

1 WHEREAS, Governor Bill Richardson issued a press release
2 on November 20, 2009 expressing concern regarding the proposed
3 exchange and particular concern regarding the seemingly closed
4 process by which the exchange was arranged; and

5 WHEREAS, in a December 23, 2009 letter to the commissioner
6 of public lands, the New Mexico chief deputy attorney general
7 said that there were significant defects in the appraisals
8 determining the value of the public and private lands and asked
9 for the exchanges to be delayed; and

10 WHEREAS, the commissioner of public lands has raised
11 concern regarding trespass violations in the White Peak area;
12 however, law enforcement reports by the department of game and
13 fish show that very few violations occurred; and

14 WHEREAS, critics of the land exchange assert that the
15 trades benefit private landowners and potentially harm the
16 public schools and other beneficiaries of the state land
17 trusts;

18 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
19 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the state land
20 office exchange of state trust land for private ranch property
21 in the White Peak area of northeast New Mexico be opposed; and

22 BE IT FURTHER RESOLVED that the attorney general's efforts
23 to delay the exchange until further analysis is done be
24 supported; and

25 BE IT FURTHER RESOLVED that the commissioner of public

.180988.1

underscored material = new
~~[bracketed material]~~ = delete

1 lands be called upon not to conclude the trade proposal with
2 the Express UU-Bar ranch; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the governor, the attorney general and the
5 commissioner of public lands.

6 - 4 -
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25