



These lands are Our Wild. Let's keep them public.

New Mexico lands and outdoor opportunities lost to the highest bidder

Research shows New Mexico has sold 4 million acres of lands entrusted to the state—a forewarning that Our Wild could be lost forever under state control.¹

New Mexico, known as the Land of Enchantment because of its rich history and scenic beauty, contains more than 23 million acres of national public lands.² New Mexicans value these captivating landscapes for their cultural and historical connections, as well as for the access they offer to extraordinary outdoor recreation including hunting, fishing, horseback riding, hiking and mountain biking.

Wild Rivers Recreation Area. Santa Fe National Forest. Organ Mountains–Desert Peaks National Monument. Quality Waters of the San Juan River. These are just a few of the spectacular public lands and waters open to recreational opportunities that propel the economic engines of nearby communities. Across the state, these lands support campgrounds, rafting outfitters, ski resorts, hunting, and other recreation-based businesses.

Despite their remarkable value, a land-grab effort is underway to privatize and block access to these treasured public lands. A small group of New Mexico's politicians, spouting “state control” ideology, have aligned with a movement gaining steam in western states. A statement made by 11 of 12 western Attorneys General, including New Mexico's, have declared that there's little legal basis for state efforts behind the land seizure movement.³ Yet special interest groups, including the American Lands Council—funded primarily by fossil fuel and extractive industries—have ignored this conclusion, and continue to work with local politicians to maneuver

land-grab bills through state legislatures across the West. In New Mexico, twelve pieces of legislation have been introduced since 2013 with the ultimate goal of confiscating forests, refuges, parks and other shared lands that rightly belong to all Americans.

While those who are trying to seize our public lands claim they have no intention of selling off these treasured assets, if history is any indicator, New Mexico's national public lands and the opportunities for outdoor experiences are often lost to the highest bidder.

“We'll reverse this trend of public ownership.”

New Mexico Congressman Steve Pearce in a speech to the Colorado Conservative Political Action Conference.

4 million
acres of New Mexico lands
sold since statehood.



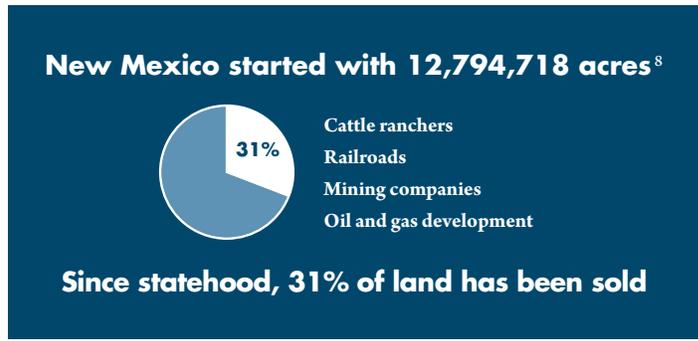
State land sell-offs have historically benefitted just a few well-heeled individuals and industries such as **Molycorp Inc.** and **Yates Petroleum Company**. Under private ownership, the public often loses all access to these lands or is forced to pay access fees.

- Once sold, state land acreage has often become industrialized with little regard for the health consequences and the environmental damage it can cause to surrounding communities. At the confluence of the Rio Grande and the Red River, 100 million tons of Molycorp mine tailings are infamously known as “the mine that turned the Red River blue,” because of catastrophic impacts to the drinking water and public health of Questa, a nearby town of 2,200 people. A New Mexico Water Quality Control Commission report “rendered the river dead for at least eight miles.”⁴
- The 1910 New Mexico Enabling Act gave New Mexico its constitution, state government and Union admittance, and also stated, “That the people inhabiting proposed State do agree and declare that they forever disclaim all right and title to the unappropriated and ungranted public lands lying within the boundaries thereof...” The cost to legally contest this statute would be passed on to its taxpayers.
- If the state of New Mexico assumed control of shared national lands, it’s estimated that taxpayers would take on an additional \$218 million annual burden to fight wildfires, maintain roads and trails, treat noxious weeds, conduct habitat restoration and otherwise manage that land.⁵

A recent review by The Wilderness Society found that New Mexico has a long history of disposing of its state trust lands, often to extractive industries. New Mexico’s history of state trust land sales

demonstrates that access to public lands would likely vanish through sell-offs and development.

Unlike national parks, forests and refuges, state trust lands “are not public lands,” according to the New Mexico State Land Office.⁶ **The state land commissioner has the sole discretion in the decision to sell and develop state trust lands—a power that has been exercised to sell over 4 million acres of land to date.**⁷



Unlike national monuments, forests and parks in New Mexico, state trust lands restrict outdoor recreation:

Permits required for hiking and watching wildlife	Camping only allowed with written permission
Campfires are prohibited	Recreational shooting prohibited

New Mexicans can ill afford the litigation costs sure to be incurred if “public lands takeover” legislation passes. Nor can they afford the cost of managing these lands.

New Mexico's outdoor economy at stake

What would happen to the outdoor recreation industry in New Mexico if access to public lands was denied? Ninety percent of the state's sportsmen hunt or fish on public lands, providing **\$579 million** annually to the state's economy. According to the Outdoor Industry Association, an overall **\$6.1 billion** is spent on outdoor

recreation in New Mexico. This robust economic engine would simply sputter to a halt if public lands are sold off and recreational access is denied.

The public lands takeover movement threatens:⁹

68,400

New Mexico Jobs

\$1.7B

wages

\$458M

state and local tax revenue



"Selling off America's treasured lands to the highest bidder would result in a proliferation of locked gates and no-trespassing signs in places that have been open to the public and used for generations. This would devastate outdoor traditions like hunting, camping and fishing that are among the pillars of Western culture and a thriving outdoor recreation economy."

Senator Martin Heinrich

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New Mexico's rural communities currently depend on the outdoor recreation economy that public lands provide. They cannot afford the lock-out that would ensue should such a land grab take place. Meanwhile, hiking, biking, fishing and all other recreational activities currently thriving on our public lands and their generation-upon-generation legacy would be gone forever.

To date, New Mexico has sold off 4 million acres of the land it was given when it became a state—some 30% of its original land holdings, according to The Wilderness Society’s analysis of state trust land sales. There is certainly reason to worry about what would happen to remaining national public lands if the state were to seize them.

SOLD

Here are some examples of past state trust land sales, indicating who, for the right price, might take over our cherished national forests, monuments, recreation areas and refuges under “state control.”

Chino Copper Company purchased 7,181 acres of state trust land, near Hurley, New Mexico, in the early part of the 20th century.¹⁰ Some of these purchased state trust lands became a tailing site—a dumping ground for the mine’s waste. More recent owners, Phelps Dodge and Freeport-McMoRan Copper & Gold Inc., have had issues in the past protecting groundwater in the area.¹¹

Phelps Dodge purchased 960 acres of state trust land near Silver City and the Chino Mine, used for mine tailings.¹²

Yates Petroleum Inc. made a considerable purchase of 14,710 acres of state trust land near Artesia for oil exploration and drilling.¹³

Molybdenum Corporation of America (Molycorp) purchased nearly 4,000 acres of state trust lands near Questa and the recently established Río Grande del Norte National Monument. The company purchased several different parcels, over many years, in this same region. Some of this land was then used as a mine tailing facility and was declared a Superfund site by the EPA in 2011. The land is currently owned and operated by Chevron, and is in the process of a \$143 million cleanup.¹⁴

The Sonoma Ranch Subdivision Ltd. Co bought 320 acres of state land in the Las Cruces area in 2004 to develop a golf course community.¹⁵



State trust land sales in New Mexico have often transpired for short sighted economic gain with little concern given to what detrimental effects might occur over the longer term. If the state were to take control of our public lands, would they treat them any differently? The Supreme Court has consistently upheld federal management of public lands since the 19th century, yet “state control” proponents remain emboldened and persistent.

New Mexico’s elected leaders should reject this ideological mischief and keep our public lands in public hands.

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