

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

October 27, 2021

New Mexico Legislative Council
Land Grant Committee
411 State Capitol
490 Old Santa Fe Trail
Santa Fe, NM 87501

Dear Honorable Chair, Vice-Chair and Distinguished Committee Members:

I want to take a moment to commend the Committee on your efforts to protect and support New Mexico land grant communities. The unique and complex history regarding land ownership in the State has caused long lasting economic consequences that have left these communities struggling for basic resources and fighting against inequalities while remaining some of the poorest in the Nation. Focusing on equity and access to justice concerns for minority communities in the natural resources and environmental protection arenas is a critical mission for my office, particularly around issues of racism and equity in natural resources and environmental policy. For this reason I have appointed an advisory council comprising representatives for marginalized communities to engage a wide range of stakeholders and make recommendations to help break down barriers and put these communities at the head of the decision-making.

Moreover, the Treaty of Guadalupe Hidalgo Division, created in the Office of the Attorney General (OAG) in 2003, consists of only one attorney to review, oversee and address concerns relating to its statutory mission to provide legal representation to the New Mexico Land Grant Council and the New Mexico Acequia Association. The Division takes a proactive approach to finding solutions and responding to the evolving needs of the Land Grant Community by providing support in policy development, Open Meetings Act training to members of community land grants, outreach, and responding to complaints. In the last three years the Division has received 46 complaints via our Electronic Complaint System (ECS), mail, email, and phone calls. These complaints vary from allegations of corruption, misuse of funds, fraud and elections to Open Meetings Act (OMA) and Inspection of Public Records Act (IPRA) violations. In most cases, complaints can be resolved through our Office informally, but in others a complaint may be referred to the appropriate agency that handles those concerns.

Lastly, I am aware that the Committee would like to expand the authority of the Treaty of Guadalupe Hidalgo Division to provide greater assistance to the land grant council and land grants-mercedes which will require a change in statute and additional staff, time and resources. Therefore, I urge the Committee to ask the legislature to consider increasing the necessary funding to the

Treaty of Guadalupe Hidalgo Division to increase support of New Mexico's community land grants and acequias.

I sincerely appreciate your leadership on these issues, and I look forward to collaborating on developing policy to better serve the land grant communities.

Respectfully,

A handwritten signature in blue ink, appearing to read "Hector Balderas", with a stylized flourish at the end.

Hector Balderas