State of New Mexico
OFFICE OF THE
Commissioner of Public Lands
Santa Fe

JIM BACA
COMMISSIONER

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SANTA FE, NEW MEXICO 87504

RECEIVED
FEB 14 1984
Office of General Counsel
Health and Environment Department

February 10, 1984

The Honorable Toney Anaya
Governor
State of New Mexico
Executive-Legislative Bldg.
Santa Fe, New Mexico 87503

Re: STATE LAND OFFICE - UNC LAND EXCHANGE

Dear Toney:

I have this day consummated my decision to exchange with United Nuclear Corporation a parcel of state trust lands located adjacent to UNC's Churchrock mill for a parcel of UNC's land near the Village of Milan. This action was taken despite EID Director Asher's request to delay it not only because I wanted to honor my obligations set forth in an Exchange Agreement between me and UNC, but also because I believe the circumstances surrounding the exchange required me to do so in fulfillment of my duties as a trustee of state trust land. All concerned in this matter apparently agree that this is a salutary exchange for the beneficiaries.

Obviously, as Commissioner of Public Lands, my interests must be exclusively in favor of the trust beneficiaries. I imagine, however, that there will be many occasions when those interests coincide with those placed under the guardianship of EID. Therefore, I am concerned about EID's seeming lack of clear, precise authority to enforce, as it currently desires, a full clean-up of the contamination of former state trust land caused by the Churchrock milling site. Previously, EID endorsed the acquisition of more land by uranium producer's in order to contain or control pollution. Hopefully, if EID is to reverse that policy, it will be provided the necessary tools.

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Finally, I offer the services of my professional staff to you and Mr. Asher to aid and cooperate in identifying and resolving contamination problems on state trust lands. In order to accomplish this with as much success as possible, I strongly request that EID identify landowners when contamination is suspected and notify me immediately when trust lands are involved.

Very truly yours,

Jim Baca

JIM BACA
Commissioner of Public Lands

cc: Mr. Paul Bardacke
Mr. Steve Asher
Mr. Tom Udall
Ms. Charlotte Uram
Ms. Sally Rogers