

New Mexico Land Grant Council (NMLGC)
September 16, 2016 - 10:00 am
Science & Technology Park
851 University Blvd SE, Suite 202
Albuquerque, NM 87106

Minutes

Regular Council Meeting

1. Call to Order and Roll Call

Council Chair Juan Sánchez called the meeting to order at approximately 10:21am. Roll of the Council members: Rita Padilla-Gutiérrez, Macario Griego, and Juan Sánchez, were present. Lee Maestas and Leonard Martínez were absent.

2. Introduction of Guests

Juan Sánchez (NMLGC); Macario Griego (NMLGC); Rita Padilla-Gutiérrez (NMLGC); Ericka Luna (USFS); Lisa Morrison (BLM); Nathan Combs (BLM); Wayne Sandoval (San Antonio de Las Huertas L. G.); Brittany Martínez (Office of the Attorney General); Manuel M. Trujillo (Santa Bárbara L. G.); Arturo Archuleta (staff – NMLGC); Robert Márquez (Chihenne Nde); Richard Jaramillo (Cebolleta Land Grant); Elizabeth Reitzel (Office of Congresswoman Michelle Luján-Grisham); Roberto Mondragón (Anton Chico Land Grant); Michelle Jacquez-Ortiz (Office of Senator Tom Udall); Cheyenne Trujillo (staff - NMLGC/UNM-LGSP); Priscilla Gonzales (Cristóbal de la Serna L. G.); Francisco “El Comanche” Gonzales (Cristóbal de la Serna L. G.); Jacobo D. Baca (staff - NMLGC/UNM-LGSP)

3. Approval of Agenda

Councilor Macario Griego moved to approve the meeting agenda. Councilor Rita Padilla-Gutiérrez seconded the motion. Motion passed unanimously.

4. Approval of Meeting Minutes from Regular Council Meeting of August 19th, 2016

Councilor Macario Griego moved to approve the August 19th, 2016 minutes (*handout*). Councilor Rita Padilla-Gutiérrez seconded the motion. Motion passed unanimously.

5. Discussion and Possible Action on Forest Service Update

Ericka Luna discussed rumors regarding the Santa Fe National Forest that state that massive road closures will result. She iterated that there are no plans to close roads other than in an emergency. She also commented on a plans for a September 19 Jemez Springs Santa Fe National Forest meeting circulating on Facebook and clarified that the meeting is not an official Santa Fe National Forest Meeting. Ms. Luna reported that the NMLGC is not yet signed up as a cooperating agency for the Santa Fe National Forest Plan revision process and urged the Council to do so. Mr. Archuleta commented that the Council had yet to receive an invitation to sign up as a cooperating agency and did not yet know that the Santa Fe National Forest was at that point in the planning process. Ms. Luna reported that the Forest Service was requested to present at a joint

meeting of the Natural Resources and Indian Affairs committees of the New Mexico State legislature (September 29th at New Mexico Tech in Socorro).

Lisa Morrison (BLM) discussed working with the NMLGC, and asked for clarification on the process in working on land grant issues, whether it was preferable to work with individual land grants or with the NMLGC. Mr. Archuleta suggested that the federal agencies consider working with both local land grants, who provide important local knowledge, and with the Council, which considers overarching issues.

Mr. Archuleta reported on comments on the Cibola National Forest Plan submitted on behalf of the New Mexico Land Grant Council. These comments included statements on water rights and included commentary and analysis of the Hassell Report. The NMLGC staff has since participated in a working group analyzing the Hassell Report and Hurst Memo and including their content in forest plans. Mr. Archuleta then discussed communal grazing and wild and scenic rivers, and commented that a trip with Ericka Luna, Bjorn Fredrickson and Mike Frazier of the US. Forest Service clarified designation as “Wild and Scenic” rivers, which are classified as wild, scenic and/or recreational. The wild and scenic river designation is also not as restrictive as a wilderness designation. Ms. Luna offered an additional presentation by Mr. Fredrickson to clarify this designation and its potential impact on land grants.

Official Comments on Cibola National Forest Plan Revision – Mr. Archuleta presented comments (*handouts*) submitted to Cibola National Forest – forest plan revision. Councilor Padilla-Gutiérrez motioned to approve the comments; Councilor Griego seconded the motion. Motion passed unanimously.

Mr. Archuleta reported that he, Councilor Leonard Martínez, and LM García y Griego met with Roger Martínez, a representative from Siete del Norte regarding the Piedra Lumbre Visitors Center. Siete del Norte was bought out by Chicanos por la Causa, which is the 3rd largest Latino-Hispanic owned business and is headquartered in Phoenix. Mr. Archuleta commented that Los Siete is interested in the development of the Piedra Lumbre Visitors Center, and that he will schedule an additional meeting with the Executive Director of Siete del Norte and representatives from land grants in the area to discuss continue discussions on the development of the site. The Forest Service had told Mr. Archuleta that the appraisal process includes work needing to be done to rehabilitate the site, had to be by completed by the purchaser. This impacts the affordability of the site for lands. Mr. Archuleta commented that perhaps the congressional delegation can get involved in the disposal process.

Ericka Luna reported that the Santa Fe National Forest was hosting general and technical meetings regarding wilderness evaluation on Monday, Sept. 19th at the Fitzgerald Center in Jemez Springs and on Tuesday, September 20th at Coronado High School in Gallina. Technical meetings take place from 10:00-3:00 and general meetings from 6:00-8:00. Mr. Archuleta asked if the NMLGC could only attend the public and not the technical meetings. Ms. Luna reported that it is the intent of Santa Fe National Forest to have land grants involved in the process.

6. Discussion and Possible Action on BLM Update

Lisa Morrison introduced Nathan Combes, the director of the BLM range program and weeds program. Mr. Combes reported that over 13 million acres of range land was being treated under the weeds program for noxious weeds to restore rangeland. Regarding unallotted grazing land across the state, Mr. Combes suggested that comments be forwarded to the BLM field offices and commented that it is generally difficult to allot access or permits to those who do not have land adjacent because tracts are often land locked and have no access. Councilor Padilla Gutierrez asked if these grazing allotments are available to the general public. Mr. Combes commented that they were and that if an individual wanted to, they could transfer a lease agreement to a land grant with BLM approval. Mr. Roberto Mondragón (Anton Chico LG) asked the BLM rate of charges for an acre for one year. Mr. Combes reported that the rate has changed in the last 2 years and is related to the value of beef. It was \$1.35 per AUM (animal unit month, which is the amount 1 cow plus 1 calf consumes in 1 month), and has moved to \$2.11 per AUM.

Lisa Morrison reported that the Rio Grande del Norte plan was underway and cooperating agencies included land grants such as the San Antonio del Río Colorado. A matrix will be distributed to cooperating agencies in November of 2016 and will be released to the public in 2017. Morrison reported that the BLM is working with the San Joaquín del Río Chama LG. Councilor Martínez asked if any BLM land was considered for disposal in the Gallina area. Morrison asked for an update on the San Miguel del Bado LG, and commented that the San Miguel del Bado will be the BLM's RMP pilot program.

7. Discussion and Possible Action on Treaty of Guadalupe Hidalgo Division of NM Attorney General's Office

Brittany Gonzales of the New Mexico Attorney General's Office reported that a candidate for the staff attorney position in the Treaty of Guadalupe Hidalgo Division has been sent an offer letter. Three applicants met the requirements. Ms. Gonzales reported that Tania Maestas will be reporting on the Treaty of Guadalupe Hidalgo Division at the Interim Land Grant Committee meeting in Anton Chico (Oct. 11th), the NMLGC meeting in Taos (Oct. 14th) and the next Consejo meeting as well.

8. Discussion and Possible Action on UNM Contract

Mr. Archuleta reported on July and August billing for the UNM contract (*handout*), including pay requests and billing narrative. Councilor Padilla-Gutiérrez motioned to approve billing in the amount of \$14,823.70; Councilor Griego seconded the motion. Motion passed unanimously.

9. Discussion and Possible Action on Council FY 2017

Mr. Archuleta presented an updated FY 2017 budget that July and August meetings. He also reported that he will meet with New Mexico Legal Aid regarding the contract for legal services. Chairman Sánchez asked if a FY 2018 budget was submitted; Mr. Archuleta stated that a FY 2018 was submitted to the LCS and DFA, and the DFA responded. Councilor Griego commented on budget line for the land grant support fund. Mr. Archuleta and Chairman Sánchez clarified the rationale for the amount designated for the land grant support fund (\$15,000.00) and related administrative

problems that land grants have had expending monies awarded. Legal support services previously provided from the land grant support fund are now provided through a contract with NM Legal Aid. Mr. Mondragón inquired of the availability of legal services provided through the NMLGC; Mr. Archuleta clarified that the NMLGC needs to approve all work done through the contract with NM Legal Aid before it is undertaken.

Councilor Griego commented on risk management liability insurance and tort liability insurance for land grants. Councilor Padilla-Gutiérrez commented that the Town of Tomé Grant purchased additional coverage and Mr. Mondragón related that the Anton Chico Grant did the same. Mr. Archuleta clarified that risk management liability insurance covers those things that are not covered by the State of New Mexico, which covers land grants as political subdivisions. For example, risk management insurance covers land grant boards if they are sued because of decisions like property decisions. Mr. Archuleta suggested adjusting insurance coverage based on range of activities that a land grant undertakes. He suggested that if the NMLGC is interested, a representative from risk management can discuss insurance at a future meeting.

10. Discussion and Possible Action on Legal Services for Land Grants

Mr. Archuleta and Chairman Sánchez have a meeting with NM Legal Aid on September 19th to discuss a contract for legal services for land grants.

11. Discussion and Possible Action on Land Grant Support Fund

Two applications have been submitted to the NMLGC. Mr. Archuleta reported that he had also received several formal requests that preceded the open application process. The two completed application submitted include a \$3,000.00 request from the Las Trampas Land Grant for the purchase of office equipment and a \$2,909.00 request from San Joaquín del Río Chama grant for historical and cultural preservation and outreach.

Michelle Jacquez-Ortiz of Senator Tom Udall's office asked if the state of New Mexico had a surplus program comparable to the federal program run by the General Service Administration. Wayne Sandoval (San Antonio de Las Huertas LG) reported that the State of New Mexico does have such a program, and that he has had success in getting property from county government ; Mr. Mondragón stated it is called the General Services Department, Surplus Property Division. Ms. Jacquez-Ortiz stated that she would speak with the GSA representative for New Mexico to see if land grants qualify. Ms. Luna clarified that the distinction between real and actual property. Real property refers to land; actual property included equipment that is parsed out. Mr. Archuleta added that property transfers to land grants can be considered government to government transfers and would be a gesture of good will.

Chairman Sánchez suggested that the NMLGC consider awaiting more applications and delay their decision on the San Joaquín del Río de Chama request in light of their past land grant support fund awards. Mr. Archuleta commented that the NMLGC has in the past set a priority date for best consideration of applications; Chairman Sánchez suggested that November 11th be the priority date. Councilor Padilla-Gutierrez suggested the Las Trampas LG clarify their request to ease administrative snags in their request; Chairman Sánchez suggested that the Las Trampas LG adjust their application

and resubmit for Oct. 14th NMLGC meeting. Mr. Archuleta cited budgetary concerns and suggested that the Council not hold their decision on the applications and remarked that the NMLGC can ask for clarification and adjustments in the grant agreements.

Action on Land Grant Support Fund

Councilor Padilla-Gutiérrez motioned to approve, with stipulations, the Las Trampas request for \$3,000.00; Councilor Griego seconded the motion. Motion passed unanimously.

Councilor Padilla-Gutiérrez motioned to approve, with stipulations, the San Joaquín del Río de Chama request for \$2,909.00; Councilor Griego seconded the motion. Motion passed unanimously.

12. Discussion and Possible Action on Federal and State Legislation

Federal Legislation - Mr. Archuleta reported that the NMLGC has not received any updates from Sissy García of Rep. Ben Ray Luján's office. Ms. Jacquez-Ortiz reported on the quarterly meeting of New Mexico congressional staff (New Mexico and Washington DC offices), at which Elizabeth Reitzel of Rep. Michelle Luján-Grisham's office mentioned the Piedra Lumbre Visitors center. Ms. Jacquez-Ortiz expressed her desire that the New Mexico Congressional delegation were included in the stakeholder meeting; Mr. Archuleta commented that the property authority allowing the Forest Service to dispose of the Piedra Lumbre property is expiring. Ms. Jacquez-Ortiz also expressed her support of the inclusion of comments deriving from the Hassell Report. Ms. Luna commented that the Forest Service does not consider the Hassell Report a policy, that many of the recommendations from the Hassell report are outdated and that the Forest Service has asked land grants to look at report, and identify what is contemporary and what is useful. Mr. Archuleta commented on the work of the Hassell working group in updating the recommendations of the Hassell report and including them into forest plans.

State Legislation - Chairman Sánchez reported that the Interim Land Grant Committee would hold its next meeting in Anton Chico on October 11th. The meeting will be a joint meeting of the Interim Land Grant Committee and the Economic and Rural Development Committee.

13. Discussion and Possible Action on Land Grant Registry

Mr. Archuleta reported that documents have been submitted by the Santa Bárbara and Las Trampas Land Grants.

14. Discussion and Possible Action on Staff Assignments

Councilor Padilla-Gutiérrez motioned to name Jacobo Baca as the official records custodian for the New Mexico Land Grant Council. Councilor Griego seconded the motion. Motion passed unanimously.

Councilor Griego motioned to direct the NMLGC staff to conduct historical research regarding traditional uses, including documentation; Councilor Padilla-Gutiérrez seconded the motion. Motion passed unanimously.

Councilor Padilla-Gutiérrez motioned to direct the NMLGC staff to maintain a website for the NMLGC and to create promotional materials publicizing the land grant support fund. Councilor Griego seconded the motion. Motion passed unanimously.

15. Discussion and Possible Action on Land Grant Leadership Retreat

Mr. Archuleta reported that a land grant leadership retreat has been planned. The retreat will be reflective of last 10 years of land grant work and will look forward to the next 10 years. It will be held in the late fall, likely in November, in a central location, perhaps UNM. The NMLGC, UNM-LGSP and Consejo will co-convene a leadership retreat. It will be limited to 35-40 participants to keep the size of the retreat manageable. Each land grant will have a representative and certain members of the Interim Committee and New Mexico Congressional delegation staffs may be invited as well. NMLGC councilors will also be invited. The retreat will be discussed at the Consejo meeting on September 17, 2016.

Councilor Griego motioned to name the NMLGC as a co-convenor of the Land Grant Leadership Retreat; Councilor Padilla-Gutiérrez seconded the motion. Motion passed unanimously.

16. Public Comments – discussion only

Discussion was held regarding the UNM Taos Carlos E. Cisneros Acequia and Land Grant Archive. Roberto Marquez (Chihenne Nde Nation) asked for clarification on the NMLGC’s relationship with the NM Economic Development Department, and suggested that the NMLGC comment on infrastructure in rural areas. Chairman Sánchez remarked that he would bring this up at the Interim Committee meeting in Anton Chico (Oct. 11). Richard Jaramillo (Cebolleta LG) commented that the Cebolleta grant is working on the 2005 audit and that the board is coming to consensus in hiring administrator.

17. Date and Location for next Council Meeting

The Council will next meet on Friday, October 14th, 2016 in Taos, NM, location tbd.

18. Adjournment

The Council meeting was adjourned at 1:43pm. (Motion to adjourn by Councilor Padilla-Gutiérrez, seconded by Councilor Griego). Motion passed unanimously.

Approved:

Chair

Date