



New Mexico Land Grant Council Fiscal Year 2012 Annual Report

Councilors

Juan Sanchez, Chair
Macario Griego, Vice-Chair
Rita Padilla-Gutierrez
Leonard Martinez
Lee Maestas

**New Mexico Land Grant Council
Fiscal Year 2012
Annual Report**

The New Mexico Land Grant Council was established in 2009 by the Legislature. Its enabling legislation can be found in the Land Grant Support Act, §49-11-1 NMSA 1978. The Council is comprised of five members appointed by the Governor and is administratively attached to the Department of Finance and Administration. The general purposes of the council are to establish a land grant support program, to provide advice and assistance to land grants, and to serve as a liaison between land grants and the federal, state and local governments (§49-11-3 NMSA 1978).

In fiscal year 2012 the New Mexico Land Grant Council received no state funding. However, despite the lack of an operating budget the members of the NM Land Grant Council continued to meet monthly in order to conduct business. In FY 2012, the NM Land Grant Council held a total of thirteen meetings, which included twelve regular monthly meetings and one special meeting. The NM Land Grant Council was able to continue to meet in FY 2012 through the support of UNM's Land Grant Studies Program. The Land Grant Studies Program provided the Council with a meeting space, paid for all of the newspaper advertisements announcing monthly meetings as required by the Open Meetings Act, provided minutes to all Council meetings in accordance with state law and has maintained and updated the Council's webpage.

Although the scope of services provided by the Council was limited due to budgetary constraints this reports summarizes the actions conducted by the Council in FY 2012. Actions are categorized according to the duties of the Council as prescribed in the law under §49-11-4 NMSA 1978.

In addition to the items listed below the Council accomplished administrative tasks such as: developing and adopting a budget request for submittal to the Department of Finance and Administration and the NM Legislature; Developing and adopting an amended budget based on funding obtained for FY 2013; meeting with Cabinet Secretary and DFA-LGD Director and staff to discuss DFA's administrative relationship with the Council; meeting with Legislative Finance Committee Director to discuss funding for Council in FY 2013; Attending and providing testimony at LFC Budget Hearing; Advocating, during the 2012 Legislative session, for legislation related to Land Grant Council including funding appropriations and statutory amendments to Council's enabling legislation.

§49-11-4-(B)-(3) NMSA 1978 - perform special studies and undertake surveys of interest to land grants and report the findings.

In Fiscal Year 2011 the New Mexico Land Grant Council entered into a contract with the University of New Mexico Land Grant Studies Program to conduct a mapping project that would help determine the historical boundaries of community land grant common lands originally granted under Spain and Mexico. The contract was funded through

federal stimulus dollars and there ran up until September 30, 2012. At the conclusion of the contract the Land Grant Studies Program presented the maps that had be completed by the funding deadline. The Land Grant Studies Program provided monthly updates of the mapping project progress at Council meetings. Since the end of the contract the Land Grant Studies Program, thru other funding has continued the mapping project. The Council has placed updates from the Land Grant Studies Program as a recurring agenda item for its monthly meetings. This allows the Council to stay informed about the mapping project progress as well as keep abreast of of all undertakings of the Land Grant Studies Program.

§49-11-4-(B)-(7) NMSA 1978 - provide other assistance to land grants.

In fiscal year 2012 the New Mexico Land Grant Council, through federal funding provided all community land grants with seals for use on official documents. These included embossers and ink stamps. Also the Council provide land grants with copies of the following printed materials: 1) a compilation of the 2001 and 2004 General Accounting Office's Reports Concerning the Treaty of Guadalupe Hidalgo; 2) Report to the New Mexico Attorney General - "A Response to the GAO's 2004 Report"; 3) Translated copies of Books IV and VI of the Recopilación de las leyes de las Indias; 4) the New Mexico Land Grant Governance Guidebook 2011 update; 5) the NM Land Grant Law Book, containing state and federal laws pertaining to land grants; 6) Report on State owned land that was former land grant common land produced by NM State Archives.

§49-11-4-(C)-(1) NMSA 1978 - facilitate the exchange of experience and advice among land grants.

At every meeting of the NM Land Grant Council community land grants present are given the opportunity to provide information about activities and experiences related to their respective land grants. Through this process land grants have been able to share knowledge and exchange experience related to the following:

- Accessing the Department of Transportation's Hardship Program for the purchase of heavy equipment by a land grant.
- Partnering with a county government to renovate a land grant community meeting facility that can be utilized for land grant business and accessed by the community as whole.
- Utilizing the MOU between the Forest Service and Land Grant Council to engage a local District Ranger to meet and discuss partnering with community land grants on forest planning and forest restoration initiatives.
- Experiences related to implementation of Collaborative Forest Restoration Program planning grant for wildfire reduction.

- Concerns related to wilderness designations in close proximity to land grant communities and the adverse effects they can have related to grazing, timber harvesting and catastrophic wildfire.

§49-11-4-(C)-(2) NMSA 1978 - serve as a liaison between land grants and federal, state and local agencies.

In fiscal year 2012 the New Mexico Land Grant Council, acting under the Memorandum of Understanding established between the U.S. Forest Service Southwest Region and the Council, continued discussions with the US Forest Service New Mexico Liaison regarding the development of stewardship agreements between the Council and/or individual community land grants and the US Forest Service. The purpose of the stewardship agreements would be to ensure that community land grants and their have an opportunity to help implement forest restoration initiatives on former common lands now managed by the Forest Service. Agreements would allow for exchange of goods (timber) for services (restoration treatment) and could create economic and community development opportunities for community land grants.

The Land Grant Council invited and received a presentation from the National Parks Services Colonial Research Center regarding the intersection of National Parks and Community Land Grants. The presentation and discussion helped to inform that Council and community land grants present about the history of land grants and National Parks.

§49-11-4-(C)-(4) NMSA 1978 - provide board development opportunities and technical assistance to the governing boards of land grants. & §49-11-4-(C)-(6)(b) NMSA 1978 - conduct training sessions for land grants on topics of interest, such as: state requirements for political subdivisions.

The Council provided the following training opportunities for land grant governing boards through its federally funded contract with the UNM Land Grant Studies Program.

1. Infrastructure Capital Improvement Planning held on July 9, 2011 at New Mexico Highlands University main campus in Las Vegas and on July 14, 2011 at the University of New Mexico main campus in Albuquerque.
2. Understanding the Land Grant Statutes held on August 6, 2011 at the University of New Mexico main campus and on August 11, 2011 at Northern New Mexico College main campus in Española.
3. Land Grant Election Process held on August 25, 2011 at the University of New Mexico main campus and on August 27, 2011 at New Mexico Highlands University main campus.
4. Understanding the NM Procurement Code held on September 8, 2011 at the University of New Mexico main campus and on September 10, 2012 at Northern New Mexico College main campus.

5. Understanding the NM Legislative Process held on September 17, 2011 at the Cebolleta Land Grant Hall, in Seboyeta NM and on September 23, 2011 at Northern New Mexico College.

§49-11-4-(C)-(6)(e) NMSA 1978 - conduct training sessions for land grants on topics of interest, such as: economic development.

The New Mexico Land Grant Council in conjunction with the UNM Land Grant Studies Program sponsored a economic development workshop for land grants to discuss economic development strategies. The workshop was attended by representatives from various land grants. The Council is interested in pursuing an Economic Development Administration Grant to further explore economic development potential of Land Grants throughout the State.

§49-11-4-(C)-(7) NMSA 1978 - disseminate information to relevant federal, state and local agencies on land grant issues and activities and, when requested, on the status of individual land grants.

The New Mexico Land Grant Council provided input into the development of an Amicus Brief for a case before a New Mexico District Court involving the Cebolleta Land Grant regarding the inclusion of portions of their common land in a Traditional Cultural Properties designation by the New Mexico Cultural Properties Division. The Council recognized the importance of the opportunity to help educate the courts on community Land Grants and the intend of the 2004 legislative changes to §49 of the New Mexico Statutes Annotated, 1978.

§49-11-4-(C)-(8) NMSA 1978 - develop and promote federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico & §49-11-4-(C)-(9) NMSA 1978 - review state and federal policies, plans, and legislation affecting land grants in New Mexico.

The New Mexico Land Grant Council reviewed and provided comments to draft federal legislation developed by the New Mexico Congressional Delegation that would establish a 10 million dollar set aside for community land grants within the USDA Rural Development programs. The Council provided comments and suggestions for amendments to the draft legislation that would maximum the benefit for community land grants. Comments were sent to Senator Tom Udall's staff as his office has taken the lead on this particular legislation. This action lead to Senator Udall submitting amendments to the Farm Bill for creating a Land Grant set aside of \$10 million for water and water disposal systems, community facilities, rural business development, micro-entrepreneur assistance, and rural community development initiatives. The amendments were introduced but failed to pass the Senate.

The New Mexico Land Grant Council reviewed draft federal legislation related to traditional use rights on former common lands now located on public lands managed by the federal government. This includes lands managed by several federal agencies in

New Mexico mainly the U.S. Forest Service and the Bureau of Land Management. The Council has had numerous discussions with Congressman Ben Ray Lujan's staff regarding this legislation as the Congressman is the lead on this particular piece of legislation. Interactions between the Council and the Congressman's office include telephone discussions and in person meetings regarding the language and content of the draft legislation.

Both pieces of draft legislation mentioned above were developed as a result of conversations with the NM Congressional Delegation following the submittal of legislative recommendations to the Delegation by the Council.

The New Mexico Land Grant Council reviewed NEPA requirements as it relates to traditional use rights on former common lands now managed by the Federal Government. The review was utilized to inform traditional use legislative and administrative initiatives the Council is pursuing with the New Mexico Congressional Delegation and the US Forest Service and Bureau of Land Management.

The Land Grant Council has reviewed, commented on and endorsed the passage of draft federal legislation for the return of a cemetery and former common land that is now held by the US Forest Service to the San Joaquin del Rio de Chama Land Grant. The land grant is located in Rio Arriba County. The cemetery and common land in question is approximately 1,400 acres of former patented common land that was purchased by the US Forest Service. The land is adjacent to wilderness and encompasses portions of the Rio Chama.

During FY 2012 Members of the New Mexico Land Grant Council attended all meetings of the Land Grant Legislative Interim Committee held for the 2011 interim session. This included meetings held July 28 in Abiquiu, August 25 in Cebolleta, October 17 in Carnuel, and November 21 in Santa Fe of 2011. The Council regularly updated the outcome of those meetings at the monthly Council meetings. The Land Grant Council provided the interim committee with an update of Council activities for the previous fiscal year at the November 21 meeting. As well Council members provided testimony at interim meetings when called upon by legislators. Representatives of the Council met with Legislative Council Service staff in May of 2012 to help develop the draft work plan for the 2012 session of the Land Grant Committee. Representatives of the Council also attended the first meeting of the Land Grant Committee held on June 15 in Santa Fe.

The Land Grant Council reviewed and discussed all bills relating to land grants that were introduced into the 2012 Legislative Session. Council members attended hearing and provided testimony when called upon legislators during committee hearings. Bills supported by the Land Grant Council included: funding appropriation for both the Council and the Land Grant Studies Program; increasing the Council's authority to provide assistance, under certain conditions, to all recognized land grants under state statute not just those that are political sub-divisions of the state; moving the land grant registry from the Secretary of State's Office to the Land Grant Council; bills related to individual community land grant proposed during the 2012 session.