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***NEW MEXICO
LAND GRANT
COUNCIL***

***ANNUAL
REPORT***



New Mexico Land Grant Council Annual Report FY 2017

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Executive Summary

The general purposes of the New Mexico Land Grant 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 other federal, state and local governments (49-11-3 (A), NMSA 1978). In fiscal year 2017 the New Mexico Land Grant Council received a \$225,300.00 General Fund appropriation from the New Mexico Legislature. Major expenditures in FY 2017 included \$169,792.76 with the University of New Mexico to provide program support and staff to the Council; \$30,000 in a contract through UNM with New Mexico Legal Aid; and \$11,100.71 in direct funding to community land grants through the Land Grant Support Fund. Additional information about the Council's FY 2017 budget expenditures can be found in the FY 2017 and FY 2018 Budgets section found on page 2 of this report.

The Council provided direct services and support to community land grants throughout New Mexico in the following areas: Technical Assistance to Land Grants (page 4); Liaison Work (page 7); Policy Work (page 10); Historical Research (page 14); Legal Services for Land Grants (page 15); Direct Financial Support (page 15). More information about these services can be found under the Council Accomplishments section beginning on page 4 of this report.

Land grants that received services or support from the Council in FY 2017 include:

- Merced Comunitaria de Juan Bautista Baldés
- Anton Chico Land Grant
- Merced de San Antonio del Río Colorado
- Merced de Los Pueblos de Tierra Amarilla
- Merced del Pueblo de San Joaquín del Río de Chama
- Cañón de Carnué Land Grant
- Santa Bárbara Land Grant
- Merced del Pueblo de Tajique
- Merced de Cristobal de La Serna
- Merced del Pueblo de Torreón
- San Antonio de las Huertas Land Grant
- La Petaca Land Grant
- Merced del Santo Tomás Apóstol del Río de las Trampas
- Merced del Pueblo Abiquiú
- Juan José Lobato Land Grant
- Merced de Santa Getrudis de Lo de Mora
- San Miguel del Bado Land Grant
- Santo Domingo de Cundiyo Land Grant
- Merced del Pueblo de Chililí
- Arroyo Hondo Arriba Land Grant
- Cebolleta Land Grant
- Town of Tomé Land Grant
- Merced del Pueblo de Manzano



The Council has also worked as a liaison with federal and state agencies. It has been working with the U.S. Forest Service New Mexico Liaison on drafting amendments to a Memorandum of Understanding between the Council and the Southwestern Regional Office. The Council has participated in the Land and Resource Management Plan Revision process for the Carson, Santa Fe, and Cibola National Forests and in FY 2018 served as a member of the official forest plan revision government working groups for the Cibola and Carson National Forests. In FY 2017 the Council has advocated for access for traditional uses by land grant communities on national forest lands that are former land grant common lands. The Council also worked with the U.S. Bureau of Land Management throughout FY 2017. This included serving on a cooperating government agency for the development of the Rio Grande Del Norte Resource Management Plan. More information about the Council liaison work can be found on page 7 of this report.

The Council has also worked with the Interim Land Grant Committee of the New Mexico State Legislature and New Mexico's Congressional delegation on state and federal policies and legislation. This work included review and analysis of draft federal and state legislation and providing expert testimony before relevant Standing Committee during the 2017 Legislative Session. Additional information about the Council's policy work can be found on page 10 of this report.

Lastly, during FY 2017 the Council continued to maintain the New Mexico Community Land Grant Registry. This included receiving documents to the registry submitted by land grants. For a listing of documents submitted by land grants in FY 2017 please see the registry section found on page 16.

FY 2017 AND FY 2018 BUDGETS

In fiscal year 2017 the New Mexico Land Grant Council received a \$225,300.00 General Fund appropriation from the New Mexico Legislature. Expenditures for FY 2017 totaled \$220,555.65. This included \$199,792.76 in a service contract with the University of New Mexico to provide program support and staff to the Council. The service contract included the following expenditures: \$126,103.97 on project personnel; \$7,800.00 on personnel travel; \$30,000 in a contract with New Mexico Legal Aid to provide free legal assistance to eligible community land grants; \$1,500.00 in supplies; \$1,090.00 in meeting expenses; and \$22,298.79 in Facilities and Administrative expenses to UNM. Additional expenses for FY 2017 included \$5,768.30 in mileage and per diem for Council members to attend Council meetings; \$1,557.10 in publishing costs to produce a supplemental land grant guide for Water Rights Declarations and Adverse Possession; \$2,337.36 in administrative fees to the Department of Finance and Administration and \$11,100.71 in direct funding to community land grants through the Land Grant Support Fund. Support fund projects funded in FY 2017 included: computers, printers and other office equipment for the Santa Bárbara, Santo Tomás Apóstol del Río de las Trampas, and Juan Bautista Baldés land grants; fencing material for the San Joaquín del Río de Chama land grant; and electrical improvements to land grant owned community center,



gravel and a cemetery plaque for the Tajique land grant. There was a total of \$4,744.35 reverted to the General Fund from the Council’s FY 2017 legislative appropriation. The revision amount is comprised of: \$1,062.60 that was budgeted by the Council for the Department of Finance and Administration (DFA) in administrative fees that was not drawn down by DFA - the Council has no control over the amount drawn down for admin fees by DFA; \$3,308.29 in unspent Support Fund dollars – this was largely due to issues relating grant agreement language that did not allow for expenditure of all funds allocated to individual land grants; \$3.10 in unspent publishing funds; \$232.28 in unspent travel reimbursement funds for mileage and per diem for Council members attendance at meetings; and \$138.04 in unspent funding from the UNM contract – largely due to unspent funds in the contract’s meeting expense line item (\$110) for rental of meeting space for Council meetings. Below is a detailed line item budget for FY 2017.

FY 2017 APPROVED BUDGET AND ACTUAL EXPENDITURES

FY 2017 Approved Budget Line Items	FY 2017 Budgeted Expenditures	FY 2017 Actual Expenditures	Unexpended Balance Reverted
DFA Admin Fee	\$3,400.00	\$2,337.36	\$1,062.64
Support Fund	\$14,409.00	\$11,100.71	\$3,308.29
Publishing	\$1,560.20	\$1,557.10	\$3.10
Equipment & Supplies	\$0.00	\$0.00	\$0.00
In State Travel	\$6,000.00	\$5,767.72	\$232.28
UNM	\$199,930.80	\$199,792.76	\$138.04
F&A	\$33,321.80	\$33,298.79	\$23.01
Staff Salary & Fringe	\$126,109.00	\$126,103.97	\$5.03
Personnel Travel	\$7,800.00	\$7,800.00	\$0.00
Planning	\$0.00	\$0.00	\$0.00
Legal Service Contract	\$30,000.00	\$30,000.00	\$0.00
Supplies	\$1,500.00	\$1,500.00	\$0.00
Meeting Expense	\$1,200.00	\$1,090.00	\$110.00
Totals	\$225,300.00	\$220,555.65	\$4,744.35

FY 2018 APPROVED BUDGET



The Council's FY 2017 Budget as allocated by the Legislature in January of 2017 is \$221,900.00. Below is the Council's approved Line Item Budget for FY 2018 as adopted by the Council in May of 2017.

FY 2018 Approved Budget Line Items	FY 2018 Budgeted Expenditures
DFA Admin Fee	\$3,400.00
Support Fund	\$13,000.00
Publishing	\$1,110.00
Equipment & Supplies	\$0.00
In State Travel	\$6,000.00
UNM Contract	\$198,390.00
F&A	\$33,065.00
Staff Salary & Fringe	\$125,425.00
Personnel Travel	\$8,000.00
Planning	\$0.00
Legal Service Contract	\$30,000.00
Supplies	\$1,100.00
Meeting Expense	\$800.00
Totals	\$221,900.00

COUNCIL ACCOMPLISHMENTS

Below are the specific details relating to work of the Council throughout Fiscal Year 2017. Accomplishments are divided 6 different categories. These include: Technical Assistance to Land Grants; Liaison Work; Policy Work; Historical Research; Legal Services for Land Grants.

TECHNICAL ASSISTANCE TO LAND GRANTS

During FY 2017 the Land Grant Council provided a various types of direct technical assistance to land grants. Below is a detailed account of direct assistance provided to individual land grants by the Council in fiscal year 2017.

The Council provided assistance to several land grants with the completion of their



Infrastructure Capital Improvement Plans (ICIP). This included hosting an ICIP workshop and direct technical assistance for individual land grants. Land grants that received assistance with their ICIP included: Juan Bautista Baldés, Anton Chico, San Antonio de Las Huertas, Tierra Amarilla, San Joaquín del Río de Chama, Cañón de Carnué, Tajique, Santa Bárbara and Cristobal de La Serna.

The Council provided direct assistance to the Tajique and Cañón de Carnué land grants with the development and submittal of budgetary reporting requirements to the Department of Finance and Administration.

The Council provided assistance to land grants relating legislative capital outlay. This included: providing assistance the San Joaquín del Río de Chama land grant to complete documentation in order to draw down and expend capital outlay dollars for the construction of metal storage building; providing assistance to the Tajique and Santa Bárbara land grants to complete and submit their FY 2018 Capital Outlay request for legislative funding.

The Council provided continued support to numerous land grants with the development of maps and comments relating to the United States Forest Service (USFS) Land and Resource Management Plan Revision process for the Carson, Cibola, Santa Fe and Rio Grande National Forests. This included the development of maps detailing the land grants respective boundaries (patented and historic/traditional); the overlap of patented and historic/traditional use boundaries with USFS boundaries; important watersheds to land grant communities; and USFS areas identified as having wilderness character. Land grants for whom maps and comments were developed and submitted include: Tierra Amarilla, Cristobal de La Serna, San Joaquín del Río de Chama, La Petaca, and Sangre De Cristo, Santa Bárbara, Santo Tomás Apóstol del Río de las Trampas, Abiquiú, Juan Bautista Baldés, Juan José Lobato, Los Trigos, Mora, San Miguel del Bado, and Santo Domingo de Cundiyo. Comments submitted to the USFS focused primarily on importance of accessing traditional uses on former common lands now located on USFS managed lands and the critical need for actively managing the forest for improving watershed health and reducing the risk of catastrophic wildfire.

The Council provided assistance to land grants with developing, updating or amending their respective bylaws to ensure compliance with state law or to clarify and improve how they conduct business. Land grants that received assistance with their bylaws included: Tierra Amarilla and Abiquiú.

The Council provided assistance to land grants with the conduct of their elections during FY 2017. This included: providing sample forms for use in the elections; serving as an election judge to assist with conducting the election; assisting with the canvassing of the votes; researching the Land Grant General Provisions and Election Code to determine proper methods for breaking tie vote for election to the board of trustees; land grants that received assistance with their elections from the Council in FY 2017 were the San Joaquín del Río de Chama and Cebolleta land grants.

The Council assisted the Tierra Amarilla Land Grant with research relating to a property



dispute on common lands of the land grant. This research included: researching the chain of title on the disputed property; chronologically organizing records relating to property dispute; providing copies of those records to the UNM Law Clinic, which is engaged in providing the land grant with free legal assistance; meeting with UNM Law Clinic student to review materials and provide them with background information on dispute.

The Council provided direct technical assistance to the Chililí Land Grant with to obtain parcel data from Bernalillo County. The purpose was to determine the percentage of land grant common land within Bernalillo County that was damaged by the Dog Head Fire of 2016. The data was utilized to begin producing maps depicting the impact of the fire on the land grant common lands. Preparation and amendment of maps included: Satellite-based estimation of burned areas; spatial information on individual land parcels synthesized between the two counties; analysis relative to burned area estimates. Burned and unburned parcels belonging to the land grant were identified and described with maps and corresponding tabular data presentation.

The Council provided assistance to the San Antonio del Río Colorado Land Grant in Questa relating to digitizing and archiving their historical documentation, including genealogical and historical records owned by the land grant.

The Council provided assistance to the community land grants of Tajique, Torreón, Chililí and Manzano relating to the development of a regional water authority in Torrance County. This included meeting with representatives of the land grants to discuss concerns, review authority incorporation documents and applicable statutes and the development of a draft letter outlining land grant concerns for submittal to the water authority.

The Council provided assistance the San Antonio de las Huertas Land Grant relating to procedures for filling temporary vacancies on the board of trustees due to a required leave of absence from an elected member of the board.

The Council also began assisting the Abiquiú Land Grant with research relating to the historical water uses on the common lands of the land grant regarding their pending water rights declaration.

The Council assisted the Chilili land grant with the preparation of a letter to Bernalillo County concerning a zoning change.

The Council provided assistance to the Tierra Amarilla and Tajique land grants with completing in-take forms for the UNM Water and Natural Resources Law Clinic, so that they can receive legal advice and assistance in coordination with the Council's free legal assistance through New Mexico Legal Aid.



LIAISON WORK

During fiscal year 2017 the Council served as a Liaison between community land grants and other governmental and non-governmental entities as part of its overall mission. The vast majority of this work was between land grants and the United States Forest Service (USFS) relating to the USFS Land and Resource Management Plan Revision process but also include work between land grants and the Bureau of Land Management as well. Below is a detailed accounting of the liaison work conducted during FY 2017.

Council liaison work relating to the USFS included work with the Southwest Regional Office, the Carson, Santa Fe, and Cibola National Forests.

The Council compiled list of community land grants by National Forest and provided it to the USFS Southwest Regional Office. The Council met with the U.S. Forest Service Southwest Regional Office, Santa Fe National Forest and San Joaquín del Río de Chama Land Grant in the Cañón de Chama area to review the Wild and Scenic River Corridor designation that overlaps the patented boundaries of land grant. The proposed boundaries were being finalized by the USFS and the meeting was necessary to discuss the potential impact on traditional uses and desired future agricultural uses of the former common lands by the land grant. The Council also worked with the USFS Southwest Regional Office New Mexico Liaison on drafting amendments to a Memorandum of Understanding between the Council and the Southwest Regional Office. The MOU will serve as a continuation of an MOU signed in 2011 that created a framework for the NM Land Grant Council and the USFS to address issues relating to land grants throughout the region.

The Council worked with the Carson National Forest to set up community land grant input meeting in Cebolla relating to the Wilderness Character evaluation phase of the Forest Plan Revision. This included helping facilitate meeting, assisting land grants with drafting comments, and compiling, scanning and ensuring that the Carson National Forest and each land grant received a copy of the comments. The Council continued working with the Tierra Amarilla, Abiquiú, San Joaquín del Río de Chama and Juan Bautista Baldés land grants and the USFS on the potential acquisition of the Piedra Lumbre Visitor's Center including: meeting with Carson National Forest Supervisor and Canjilón District Ranger to discuss project next steps; correspondence and conversation with Northern Rio Grande National Heritage Area regarding partnering on a Visitor Center project; meeting with Siete del Norte, a community and economic development organization, to discuss the potential for partnering with the land grants on the acquisition and develop of Piedra Lumbre Visitors Center; making a presentation regarding the Piedra Lumbre Visitor's Center before a joint committee hearing of the Rural & Economic Development and Land Grant Interim Committees in Anton Chico. The presentation was made at the request of the Legislative Council Service in order to provide information to both committees about the work between the Council, the Carson National Forest and the interested land grants. The Council coordinated and helped facilitate a meeting between the Carson National Forest and land grants of Santa Bárbara, Santo Tomás Apóstol del Río de las Trampas and San Joaquín del Río de Chama in Española relating to Forest Plan Revision and Collaborative Forest Restoration Program. The Council also assisted with meeting between the



Carson National Forest Camino Real Ranger District and the Santa Bárbara and Santo Tomás Apóstol del Río de las Trampas land grants regarding the development of a Collaborative Forest Restoration Program Grant and other options for conducting forest restoration work in the region. The Council also served as a liaison between the Carson's Camino Real Ranger District and the Cristobal de La Serna Land Grant concerning a public meeting relating to the Miranda Canyon Purchase by the USFS. The Miranda Canyon is approximately 5,000 of disputed land grant common land that was purchased by the USFS in 2016. The Council worked with both the USFS and the land grant to ensure that the traditional use needs of the land grant with regard to Miranda Canyon have been properly represented before the Carson National Forest.

The Council continued to maintain its Cooperating Agency status for the Cibola and Carson National Forests and also entered into a Cooperating Agency status with the Santa Fe National Forest. As part of the cooperating agency process the Council attended meetings held for cooperating agencies through the fiscal year the all three National Forests. These meetings included government working group sessions, public input meetings and plan specific open house events. In addition, the Council reviewed and provided official comments to various draft plan components released for public input throughout the fiscal year by the Carson, Cibola and Santa Fe National Forests. These components included: Need(s) for Change, Desired Conditions, Management Approaches, Wilderness Character Evaluation, and Plan Alternatives. In addition, the Council worked initially with the Carson National Forest and then with the Santa Fe National Forest as well to set up quarterly meeting between the USFS and the land grants to not only provide input into the forest plan revision but also to establish better overall relations between land grants and the USFS. These meeting have resulted in providing an opportunity for the land grants to raise concerns as well as advance project priorities between the land grants and the USFS. Land grants that have participated in the quarterly meetings include: San Antonio del Río Colorado, Cristobal de La Serna, La Petaca, Santa Bárbara, Santo Tomás Apóstol del Río de Las Trampas, San Joaquín del Río de Chama, Tierra Amarilla, Juan Bautista Baldés, Santo Domingo de Cundiyo and Abiquiú.

The Council assisted the Abiquiú land grant to set up meetings with the Santa Fe National Forest Española Ranger District relating to the concerns with 3 right-of-way easements that the USFS has running through the Abiquiú land grant common lands and the corresponding maintenance agreements for those easements. The land grant is concerned with trespass by not heirs that has resulted in damage to common lands, wood poaching and cattle theft. Work is ongoing but to date has resulted in the USFS relabeling their Travel Management road maps to distinguish between land grant roads and USFS roads. Additional work by on this issue included the review and recompilation of hundreds of documents relating to the easements and associated agreements obtained from the USFS in order to better assist the Abiquiú Land Grant with addressing the issue.

During the fiscal year the Council staff served on a U.S. Forest Service panel to discuss the importance of community land grants and the Forest Service working together for their mutual benefit. The panel was part of a Forest Service new employee orientation.



The Council provided liaison support to the Bureau of Land Management relating to two areas. First the Council provided BLM information about to the status and contacts for the Jacona and Bartolome Sánchez land grants relating the National Environmental Policy Act assessment for the proposed Verde electrical transmission line. Second the Council provided information about the status and contact information for the San Miguel del Bado land grant relating to three land grant cemeteries on BLM land. This included researching and providing copies of the 1932 Federal Color of Title Claims Act to both the land grant and the BLM.

The Council disseminated information regarding Financial Audit funding assistance from Office of the State Auditor to community land grants. Additionally the Council reached out to the San Antonio de Las Huertas Land Grant and the Abiquiú Land Grants on behalf of the Office of the State Auditor regarding outstanding financial reporting requirements.

The Council assisted the Santa Bárbara and Santo Tomás Apóstol del Río de Las Trampas land grant in meeting with Taos County Assessor's Office regarding research of county parcel data relating to un-identified parcels located within land grant patented boundaries.

The Council corresponded and met with Attorney General's Office regarding the Treaty of Guadalupe Hidalgo Division including: providing a brief history of land grants; identifying potential areas of investigation for Division; discussing a division of work between the Treaty Division and New Mexico Legal Aid; providing updated contact list of active community land grants by governance status; providing copies of NM Land Grant Council publications. The Council also prepared a map of state owned property in Socorro County and its proximity to active community land grants at the request of the Office of the Attorney General's Treaty Division. The Council also assisted the Tierra Amarilla and Cebolleta Land Grant with submitting requests for assistance to the Treaty Division.

To maintain up-to-date knowledge about concerns of land grants as well as to provide updates of the Council's work, the Council ensured that staff attended the quarterly meetings of the New Mexico Land Grant Consejo, a consortium of land grant leadership from throughout the state.

The Council worked during the fiscal year with the UNM Land Grant Studies Program and the New Mexico Land Grant Consejo on the development of a strategic leadership workshop that was held in December of 2016. The purpose of the workshop was to develop short and long term goals for entities in New Mexico engaged in work relating to land grants. Participants in the meeting included representatives from various land grants, the New Mexico Land Grant Consejo, the Council, the Land Grant Studies Program, the Attorney General's Treaty of Guadalupe Hidalgo Division, the New Mexico Congressional delegation staff, and the Land Grant Interim Committee.

The Council co-sponsored the Treaty of Guadalupe Hidalgo Commemoration at the State Capitol on February 2, 2017. This annual event provides an opportunity for community land grants from throughout the state to gather and receive updates from state agencies and elected officials, hear and see historical and cultural presentations relevant to community land



grants and learn about existing and proposed policies affecting community land grants at the state and federal Level.

During the 2017 Legislative Session the Council provided legislative updates to community land grants via e-mail regarding the status of bills relating to community land grants. The Council also provided assistance to the Legislative Council Service relating to development of the 2017 Land Grant Interim Committee schedule. Work in this area included: reaching out to the land grants of Arroyo Hondo Arriba, San Miguel del Bado, Tajique and Tomé to determine availability for hosting committee hearings; providing interim topic ideas endorsed by the Council; and sharing land grant contacts with LCS staff.

Lastly the Council also disseminated information to community land grants via e-mail and the Council's website relating to ICIP and state budget deadlines, BLM public hearings relating to firewood, USDA Farm Service Agency County Committees and USDA community development grants.

POLICY WORK

In FY 2017 the Council engaged in a wide variety of policy work relating to land grants at both the state and federal level. This included working with members of the New Mexico Congressional Delegation on draft federal legislation relating to land grants, working with state policy makers on land grant legislation and working with state and federal agencies with regard to administrative policies affecting land grants. Below are details about the policy work completed during FY 2017.

As regards to federal legislative policy work, the Council continued to work with Congressman Ben Ray Luján's Office on the development of legislation that would require federal land management agencies to recognize land grant traditional use boundaries and to consult with land grants on the management of former common lands within those boundaries. Consultation would be for the purpose of ensuring access for traditional use of natural resources located within the traditional use and patented boundaries by land grant communities. Work on this legislation during the fiscal year included reviewing and analyzing drafts of legislation provided by the Congressman's office in order to develop comments and recommended changes for improving the legislation. In addition, the Council reviewed existing administrative procedures relating to challenging federal agency decisions and developed a draft set of procedures for recommended use in the bill.

As well, the Council has also continued working with Congresswoman Michelle Luján Grisham's and Senator Tom Udall's offices regarding an amendment to the upcoming Farm Bill to make land grants that are political sub-divisions of the State of New Mexico eligible for EQIP (Environmental Quality Incentives Program) funding from the United States Department of Agriculture Natural Resource Conservation Service. This included reviewing draft language and providing input for recommended changes.



In addition, the Council began working with Senator Martin Heinrich's office to explore legislation relating to the return of land grant cemeteries located on federal lands. In conjunction with which land grant communities, the Council has been researching historic or active cemeteries that are located on former land grant common lands that are now managed by a federal agency. The Council also reviewed two federal legislative proposals by Senator Heinrich relating to creating additional Wilderness in Northern New Mexico within the Río Grande del Norte National Monument and removing the mining of gravel from the BLM managed Buffalo Tract in Sandoval County. The Council reviewed the proposals to determine their potential impact on adjacent land grants and contacted the adjacent land grant to get their input concerning the proposals. The Council provided feedback to the Senator's office regarding the both proposals.

Furthermore, the Council has also begun conversation with Sen. Tom Udall's office to work on drafting legislation that would provide a federal funding mechanism for land grants in New Mexico. The purpose would be to provide land grants with a much needed revenue stream for further community and economic development efforts and to purchase former land grant common lands. As part of this, the Council conducted research on past congressional funding initiatives for tribes and other community development organizations.

Lastly, during the fiscal year the Council also helped coordinate and participated in the first and second ever quarterly telephone conference call between land grants and the New Mexico Congressional Delegation staff from the New Mexico and Washington D.C. Offices. These conference calls take place quarterly with the purpose of providing relevant updates to the NM Congressional Delegation Offices with regard to federal policy initiatives relating to land grants that are endorsed by the Council and administrative work with federal agencies. The Council also provides regular updates regarding administrative policy work with the USFS and BLM at its monthly meetings to all the Congressional delegation staff in attendance.

With regard to state legislative policy work, during fiscal year 2017 the Council attended all meetings of the NM Legislative Land Grant Interim Committee. This included their calendar year 2016 meetings held in Peñasco in July, Atrisco in August, Anton Chico in October, and their final meeting in November held in Santa Fe. The Council attended all meetings to stay informed on issues being raised by land grants and other entities, providing testimony and to provide input to the Interim Committee as necessary. The Council gave a formal presentation to the Interim Committee in the October meeting in Anton Chico relating to the Piedra Lumbre Visitor's Center and the conversation between the land grants in the region and the Carson National Forest on the potential disposal of the property. At the request of the Interim Committee, the Council made a formal request to the Carson National Forest for information about grazing permittees by allotment in the Carson. The Council received, compiled and disseminated the information to the Interim Committee and interested land grants. The Council made a presentation concerning the annual status update of the Council's work at the final meeting of the Interim Committee in November of 2016.

The Council also tracked all legislation relating to land grants during the 2017 New Mexico Legislative Session. This included legislation sponsored by the Interim Committee as well as



other legislation relating to land grant introduced during the regular session. Interim Committee sponsored legislation introduced during the 2017 Regular Session included: House Bill 35 sponsored by Representative Tomás Salazar which would recognize partition land grants as political subdivisions of the State: the bill passed both the House and the Senate but was pocket vetoed and did not become law; House Bill 66 sponsored by Representative Miguel García and Rep. Tomás Salazar which would have amended Chapter 49 of the New Mexico Statutes to remove provisions specific to the Atrisco Land Grant that would put the Land Grant on equal footing with all other land grant covered by that statute: the bill died in committee; Senate Bill 12 sponsored by Senator Jerry Ortiz y Pino, Rep. Miguel García and Rep. Sarah Maestas-Barnes which would create a mechanism for providing third year law students and recent law school graduates with opportunities to work with land grants, acequias and colonias: the bill passed both chambers but was pocket vetoed; Senate Bill 58 sponsored by Sen. Jacob Candelaria which would amend the Land Grant General Provision to remove the requirement for land grants to have comprehensive plans approved by the Department of Finance and Administration, the bill passed the Senate but died in committee in the House. Other legislation related land grant introduced during the session but not endorsed by the Interim Committee on Land Grant included: House Joint Memorial 18 sponsored by Representatives Matthew McQueen and Tomás Salazar to investigate the role of the state in taxing the Cristobal de La Serna Land Grant which resulted in the loss of common lands by the community, this memorial died in committee; Senate Memorial 58 sponsored by Senator Linda López which called for the Attorney General's Office to investigate the role of the state in adherence to the Treaty of Guadalupe Hidalgo, this memorial died on the Senate floor; Senate Memorial 115 sponsored by Senator Jacob Candelaria which recognized the importance of land grants and requested that Councils of Government make them members, this memorial passed and was signed by the Senate. The Council attended all legislative hearing relating to Committee endorsed bills and served as an expert witness as requested by bill sponsors. In addition the Council reviewed all legislation as it progressed through the legislative process and provided legislative updates to community land grants via e-mail on the Council's website.

Lastly, in preparation for the 2017 New Mexico Legislative Interim Session the Council took the lead on setting up a meeting between land grant leadership, Council members and staff, the Attorney General's Treaty Division staff and New Mexico Legal Aid staff to develop a list of issues relating to community land grants in New Mexico that can be addressed before the Legislative Land Grant Interim Committee. The Council also attended the 2017 organizational meeting of the NM Legislative Land Grant Interim Committee held in Santa Fe in June 2017.

With regarding to federal administrative policy work the Council coordinated and facilitated a land grant working group, comprised of Council staff and community land grant representatives, to review and develop policy recommendations relating to the findings of the 1968 U.S. Forest Service Hassell Report and 1972 Hurst Memo collectively known as the Northern New Mexico Policy for forest management. The request for the Council to complete this work came from the U.S. Forest Service Southwest Regional Office and the Cibola National Forest. As a result of the working group review, the Council took the lead on



developing recommendations relating to the Northern New Mexico Policy in the form of Forest Plan Component language that could be integrated into the Forest Plans being developed for the Carson, Cibola and Santa Fe National Forests. During fiscal 2017 the Council began developing the plan components and an accompanying matrix detailing what plan components relate to recommendations from the Hassell Report and Hurst Policy Memo. The forest plan components will be completed in fiscal year 2018. Additional work in this area included Council staff serving on a panel relating to the Northern New Mexico Policy hosted by the Carson National Forest held in March of 2017.

In addition, other federal administrative policy work by the Council included researching the Wild and Scenic River eligibility process as it relates to Cibola Draft Plan and the San Antonio del Río Colorado and Tajique land grants as well as to finalization of the Wild and Scenic River boundaries of the Río Chama by the Southwest Regional Office and its impact on the San Joaquín del Río de Chama's desire to utilize the patented land of the land grant now managed by the USFS for an agricultural project.

Additional federal administrative policy work included the Council staff's review of USFS maps relating to areas identified as having Wilderness Character within the Santa Fe National Forest. Based on the review staff designed a series of maps, which illustrate how several proposed Wilderness Character Areas within the Santa Fe National Forest (NF) are related geographically to the patented and historical traditional use boundaries of active community land grants in north-central New Mexico. Land grants overlapped by or adjacent to the proposed Wilderness Character Areas within the Santa Fe NF include San Joaquín del Río de Chama, Abiquiú, Juan José Lobato, Juan Bautista Baldés, Piedra Lumbre, Anton Chico, Mora, and Santo Domingo de Cundiyó. Custom map layers were generated in order to assess watershed characteristics and the paths of hydrologic flows, which originate within the Wilderness Character Areas, as related to the land grants.

Also, during the fiscal year the Council continued to serve as a cooperating agency with the BLM for the development of the Rio Grande del Norte National Monument Plan. As such, in FY 2017, the Council reviewed draft plan alternatives provided by the BLM Taos Field Office and developed and submitted comments relating to the draft to the BLM.

Lastly, regarding to federal policy work the Council researched how the state administers Federal Land and Water Conservation Funds for local governments in New Mexico to determine if land grants are eligible and how they might apply for funding. Council staff also participated in a public lands policy discussion hosted by the University of New Mexico School of Architecture and Planning. As part of the panel the Council was able to provide information about how community land grants have been affected by the "publicization" of former land grant common lands by the federal government.

In terms of policy work at the state level, the Council developed a statewide map of active community land grants designed to facilitate discussion and assessment of the relationship between community land grants and other governmental entities with jurisdiction authority over adjacent lands or former common lands. This work included cartographic design and editing



which included developing, editing, re-organizing and resolving inconsistencies among various patented and historical traditional use boundaries. In addition, maps relating to land grants in Taos County was developed that included a detailed overview of watershed boundaries, river channels, townships, highways and location of communities. Further work included development and refinement of geographic data on patented boundaries of the active community land grants, which included geographic reconstruction of the patented surveys based on mathematical algorithms and spatial referencing to cadastral coordinate points associated with surveyor brass caps. Patent boundary reconstructions were completed for 3 community land grants. Staff also began researching and developing sample retention schedule for community land grant records to use as a best practice guide for land grants. Once complete the sample retention schedule will be included in an update to land grant governance guidebook.

HISTORICAL RESEARCH

During FY 2017 the Council conducted a variety of historical research relating to community land grants. This included research at the New Mexico State Records and Archive Center and the University of New Mexico's Center for Southwest Research and Special Collections relating to federal land acquisitions of former land grant common land in New Mexico by the Farm Service Administration and the transfer of those lands to the U.S. Forest Service (USFS) through an MOU and federal Public Law. The purpose of the research is to inform future input into Forest Plan Revision and administrative policy questions that may impact these lands and their respective land grant communities. Research was also conducted at the National Archives 1 and 2 relating to the El Pueblo Tract within the patented boundaries of the Anton Chico Land Grant now managed by the Santa Fe National Forest and the North portion of the Juan José Lobato Land Grant now managed by the Carson National Forest. Council staff also began to review documentation regarding USFS acquisitions of former common lands that was provided by the USFS Southwest Regional Office via a Freedom of Information Act Request by the UNM Land Grant Studies Program. The request resulted in the Forest Service providing over 8,000 documents relating to the acquisitions mentioned above. Staff has begun to review the documents to help inform comments relating to Forest Plan Revision for the Cibola, Carson and Santa Fe National Forests.

Council staff provided historical research to support to the Abiquiú Land Grant regarding their water rights adjudication negotiations with the Office of the State Engineer. This work included historical research in the Spanish Archives of New Mexico and historical monographs relating to historical water use on the common lands of the Abiquiú land grant. In addition Council staff conducted research in May-June, 2017 which consisted of several activities: (1) review of Santa Fe National Forest records from the 1960s on land acquisition and economic activities associated with land grant rural communities at the Denver Regional Office of the National Archives; (2) review of Southern Pueblos Agency records of the Bureau of Indian Affairs, also at the Denver facility, regarding agriculture and irrigation, for the period 1912-1939; (3) review of Frank Bond & Sons correspondence in the collection by that name at the Center for



Southwest Research, which includes economic matters relating to sheep raising in northern New Mexico, purchase of lands lost to delinquent taxes, and working with member of the Anton Chico land grant to acquire an interest in the grant; (4) analysis of materials collected earlier in 2017 during archival and library research at the Biblioteca Nacional de España (Madrid), the Archivo Histórico Nacional, also in Madrid, and the land records of New Spain at the Archivo General de Indias in Sevilla; and (5) preparation of a background paper to inform the public on historic and legal issues relating to New Mexico community land grants.

LEGAL SERVICES

During FY 2017 the Council provided \$30,000 worth of free legal assistance to land grants. This was done through a contract with New Mexico Legal Aid in which the Council paid New Mexico Legal Aid to provide services free to approved land grants. Land grants wanting legal service assistance simply had to make an official request to the Council. Once approved the Council would instruct New Mexico Legal Aid to provide assistance to the requesting land grant. Through its contract, New Mexico Legal Aid also provided some general legal analysis or legal work as instructed by the Council on projects aimed at providing general support to land grants. Legal work conducted by NM Legal Aid through the fiscal year included: review and analysis of the Cebolleta Land Grant bylaws concerning election procedures and compliance with state statute; assisting the community land grants of Tajique, Torreón and Chililí regarding concerns relating to the development of a regional water authority in Torrance County, which included legal research into formation of regional authority and development of draft letter outlining land grant concerns with inclusion in authority; providing legal assistance to the Tierra Amarilla Land Grant relating to the recovering of land grant funds from the estate of former president of the board of trustees and research relating options for addressing disputed common land; assisting the San Antonio de Las Huertas Land Grant on how to handle a leave of absence on board trustees, including whether it qualifies as a vacancy; compiling and distributing legal articles on the Sandoval decision and the underlying Spanish and Mexican law of common lands to New Mexico Land Grant Council and staff; assisting the Abiquiú Land Grant with a water dispute with a private party; assisting the Merced del Pueblo de Tajique and Torreón with developing a water rights declaration; developing land grant fact sheets/guides relating to adverse possession, water declarations, trustee vacancies and federal tax write offs relating to land donations to community land grants that are political subdivisions of the state; finalizing the water declaration and adverse possession guides including all relevant sample forms and other supporting documents and attachments; and assisting the Abiquiú land grant to provide support for their water rights declaration and adjudication negotiations with the Office of the State Engineer.

DIRECT FINANCIAL SUPPORT TO LAND GRANTS

In Fiscal Year 2017 the Council provided direct financial support to 5 land grants for various projects and administrative needs. This included: \$1,605.27 in funds to the Santo Tomás Apóstol del Río de Las Trampas for the purchase of laptop computers and printers for use by the board of trustees for conducting land grant business; \$2,698.22 in funds to the San



Joaquín del Río de Chama land grant for the purchase of fencing materials to fence their historic cemetery located in the Cañón de Chama; \$2,229.95 to the Santa Bárbara land grant for the purchase of laptop computers and printers for use by their board of trustees for conducting land grant business; \$599.99 to the Juan Bautista Baldés land grant for the purchase of a desktop computer for the land grant business office; \$3,967.28 to the Tajique land grant for the purchase base course gravel for placement on their land grant cemetery road, for a land grant cemetery plaque and for electrical improvements to their land grant community center.

LAND GRANT REGISTRY

The Registry was created in 2005 under the Secretary of State and transferred to the New Mexico Land Grant Council in 2013. The submittal of certain documents to the New Mexico Land Grant Registry fulfills the requirements found in the Land Grant General Provisions §49-1-23 NMSA 1978, which requires that community land grants organized and governed as political sub-divisions of the State of New Mexico submit to the Registry a copy of their bylaws and list of current officers. Fulfillment of this requirement is an important component to a community land grant to demonstrating they are a unit of government. In Fiscal Year 2017 the Council received the following documents into the New Mexico Community Land Grant Registry:

- August 2016 – list of current officers and current bylaws – Santa Bárbara Land Grant
- August 2016 – list of current officers and current bylaws – Santo Tomás Apóstol del Río de las Trampas Land Grant
- September 2016 - Historical documents: historical report report by M. Ebright regarding chain of title of the Santo Tomás Apóstol del Río de Las Trampas Land Grant
- November 2016 - results of election – Cañón de Carnué Land Grant
- January 2017 - Conservation plan: the San Joaquín del Río de Chama Land Grant Conservation Plan, submitted to the Santa Fe National Forest - Coyote Ranger District
- February 2017 - Letter to NMAG Hector Balderas, requesting aid to stop wilderness expansion; Letter to Taos County Assessor Abel Montoya, introducing the Santa Bárbara Land Grant
- March 2017 - Town of Tomé Land Grant 2016 Annual Report
- May 2017 - results of April 2017 election, including board organization and election certificates – San Miguel del Bado Land Grant
- May 2017 - letter regarding the reorganization of the Town of Tomé Land Grant Board



FY 2019 BUDGET REQUEST

For fiscal year 2019 the Council is requesting an increase in its budget from \$221,900 to \$365,000. An increase of this amount would provide the resources necessary for the Council to be properly staffed and to expand the services it offers to eligible community land grants. Below is an overview of the Council's FY 2019 budget request as well as a detailed budget and budget narrative.

FY 2019 BUDGET OVERVIEW

1. Administration & Operations -	\$ 79,418 (22% of total budget)
2. Publishing -	3,500 (1% of total budget)
3. Personnel -	195,082 (53% of total budget)
4. Land Grant Support Funding -	37,000 (10% of total budget)
5. Legal Services Contract -	<u>50,000</u> (14% of total budget)
Total:	\$365,000



FY 2019 DETAILED BUDGET

	FY 2018 Budget Request
DFA Admin Fee	\$5,840
Support Fund	\$37,000
Publishing	\$3,500
Equipment & Supplies	\$-
In State Travel for Council	\$7,000
UNM	\$311,660
F&A	\$51,943
Personnel	
Program Manager	\$52,000
Research Historian	\$29,250
P.I. Salary	\$11,000
Cartographer	\$5,000
Planner/Conservationist	\$40,000
Admin Assist	\$7,000
Graduate Student	\$6,000
total Fringe	\$44,832
Personnel Travel	\$12,000
Legal Service Contract	\$50,000
Supplies & Postage	\$1,435
Meeting Expense	\$1,200
Totals	\$365,000

Use of Funds Percentage Breakdown		
Admin & Operation	\$79,418	22%
Personnel	\$195,082	53%
Contracts	\$53,500	15%
Support fund	\$37,000	10%
Total	\$365,000	100%



FY 2019 BUDGET JUSTIFICATION NARRATIVE

Administration & Operations - \$79,418

This would cover general administrative and operating costs associated with fulfilling the Council's statutory mission, including: Administrative fees paid to DFA, Facilities and Administration fees paid to UNM, equipment and supply purchases, meeting expenses, travel for the Council for attending meetings and travel for personnel.

A. Meeting Expense - \$1,200.00

Purpose: Allows the Council to pay for rental space to host monthly Council meeting.

Benefit: Provides adequate public meeting space for council meetings.

Deliverable: The Council will hold 12 regular monthly meetings throughout FY 2019.

B. In State Travel Mileage & Per Diem for Council - \$7,000.00

Purpose: Provides funding for the Land Grant Council members to receive mileage and per diem for 12 regular meetings.

Benefit: Funding will allow the Council to meet monthly in order set policy and provide direction to Council staff in the fulfillment of the Council's statutory requirements under 49-11-1 through 49-11-5, NMSA 1978. This includes:

- (1) facilitate the exchange of experience and advice among land grants;
- (2) serve as a liaison between land grants and federal, state and local agencies;
- (3) promote cooperation between land grants and, by consultation and advice, assist in the coordination of land grant programs;
- (4) provide board development opportunities and technical assistance to the governing boards of land grants;
- (5) provide short- and long-range planning assistance to land grants;
- (6) conduct training sessions for land grants on topics of interest, such as: (a) local, state and national zoning trends and concerns and other land-use issues; (b) state requirements for political subdivisions on such topics as open meetings, public records, procurement, risk management, tort claims and financial accountability; and conservation; (c) techniques of historical research; (d) grant writing; (e) economic



development strategies; (f) rangeland management and water.

(7) 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; (8) develop and promote federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico; and (9) review state and federal policies, plans and legislation affecting land grants in New Mexico. (10) Report to the Governor and the Legislature.

Deliverable: 12 regular meetings and any necessary special meetings of the New Mexico Land Grant Council.

C. In-State Travel - Personnel- \$12,000.00

Purpose: Travel throughout New Mexico to provide direct technical assistance to eligible community land grants and to attend meetings with state and federal agencies and other land grant council related business.

Benefit: Provides ability for Council staff to provide direct assistance to land grants in their communities. Also provides Council staff the ability to attend land grant related meetings around the state.

Deliverables: Attend Forest Plan Revision meetings for Carson, Santa Fe and Cibola National Forests, attend Rio Grande del Norte Monument Plan meetings, attend meetings of NM Land Grant Interim Committee, provide in the field direct assistance to at least 8 eligible community land grants, attend NM Land Grant Council meetings located outside of Albuquerque, travel to Santa Fe for delivery of Council related materials to DFA-LGD as needed.

D. Facilities and Admin Fee to University of New Mexico - \$51,943.00

Purpose: To allow the Council to enter into an agreement with the University of New Mexico for administrative and support services related to fulfilling the Council's mission. Approved F & A rate for contracts between the University of New Mexico and the State is 20%.

Benefit: F & A provides the Council with office space at the University of New Mexico as well as administrative support from UNM.

Deliverable: Office space at the UNM main campus; hosting of Council website; administrative support for Council, staff and Council approved contracts; e-mail and internet access for Council and staff; access to copy machine and computers.



E. DFA Admin Fee - \$5,840.00

Purpose: To pay DFA-LGD admin fee for services related to the Council being administratively attached to the Department of Finance and Administration.

Benefit: Offset the DFA costs associated with administering legislative appropriation to NM Land Grant Council.

Deliverables: Processing of Council member travel and per diem, land grant support fund agreements and payments, executing of service contract with UNM, and processing of payments related to publishing and equipment and supply purchases.

F. Supplies and Postage - \$1,435.00

Purpose: To purchase necessary office supplies and postage relating to the conduct of Council business.

Benefit: Provide materials necessary such as copy paper, staples, paper clips, postage etc related to supporting the Council and community land grants through NM.

Deliverables: Ability to produce and disseminate information to community land grants, federal and state agencies and the general public.

Publishing - \$3,500

Purpose: To publish materials for distribution to community land grants.

Benefit: Publication of materials that increase capacity of community land grants.

Deliverables: Publication of an update to Land Grant Governance Guidebook.

Personnel - \$195,082

Purpose: To provide staff positions to support the Council and its mission. The positions would consist of: an operations/program manager, a regional planner or a conservationist, a historical researcher/archivist, an administrative assistant and the principal investigator for the University of New Mexico. The program manager will supervise all Council employees, work on policy analysis federal and state policies relating to land grants, ensure that Council resources are fully utilized and that the Council's mission is fulfilled. The regional planner would provide direct technical assistance to the 26 community land grants that are units of government. Technical assistance would include: governance capacity building; assisting land grants with completing all statutory requirements as units of state government; assistance with community and economic development project planning and implementation; grant writing and



administration; applying for and expenditure of capital outlay appropriations. The conservationist position would provide all 26 community land grants with assistance in the management of their common lands. This would include: advice and assistance with range and forest management; assistance with applying for and managing grant funding for forest restoration projects; training and capacity building in the areas of land management practices; ecological monitoring. The choice between a regional planner or a conservationist would be determined based on the greater need among the majority of the land grants. The historical researcher/archivist will oversee the New Mexico Land Grant Registry, conduct historical research on land grants as it pertains to policy analysis as well as provide direct support to community land grants with archiving their grant documentation. The principal investigator position will be the UNM faculty member that will oversee the compliance of the contract between UNM and the Council. The Council will only fund a small percentage of principal investigator's annual salary equivalent to approximately one month of their time. Several of the positions will be able to be shared with the University of New Mexico Land Grant Studies Program so that only portions of their annual salary will need to be covered by the Council.

Benefit: Provide technical assistance and support services to the New Mexico Land Grant Council and to 26 community land grants across the state. This will allow the Council to continue program of support for land grants related to duties required by state statute as previously outlined above. This will also provide support to community land grants and help them to increase their governance capacity, comply with applicable laws and regulations, initiate and implement community and economic development projects, and better manage their common lands and serve their respective communities.

Deliverables:

Support for the Council includes the following:

1. General administrative support including: drafting agendas, advertising meeting notices, producing minutes of Council meetings, completion of Council's annual report.
2. Coordinate Council Activities with Department of Finance & Administration & with UNM.
3. Programmatic administration of financial support funding to community land grants.
4. Oversee and administer contracts awarded by the Council.
5. Provide correspondence and follow up with other government entities.
6. Administer programmatic aspects of Council initiatives.
7. Work on Council's State and Federal policy initiatives including developing policy recommendations for adoption and/or endorsement by the Council and reviewing state and federal policies, plans and legislation affecting land grants.
8. Support with updating and maintaining the Land Grant Registry.
9. Disseminate information to land grants to other entities as requested.



Technical Assistance and Support to community Land Grants includes the following

1. Training workshops related to governance capacity building, compliance with applicable laws and regulations and land management practices.
2. Individual assistance to community land grants relating to budgets, ICIP's, financial reporting requirements, elections, procurement, expenditure of capital outlay appropriations, general compliance with applicable laws and regulations.
3. Historical Research and archival support to community land grants.
4. Comprehensive and natural resources planning assistance.
5. Assistance with the planning, initiating and implementing community development, economic development and natural resource protection/utilization projects.

Land Grant Support Funding - \$37,000

Purpose: To provide direct financial support to community land grants that are organized as political subdivisions of the State.

Benefit: provide resources to community land grants for a variety of projects, including: Community and economic development projects addressing land, water, wastewater and housing issues; Land-use planning & zoning projects, including development and/or updates comprehensive plans, master plans and zoning ordinances; Common land management services related to forest and watershed health, agricultural development, conservation, ecological monitoring, range management and environmental reviews, assessments and clearance for NEPA compliance; Historic and cultural preservation work such as archeological and cultural reviews, assessments, testing, excavation, and clearances as required by state or federal law; Land acquisition services including but not limited to professional fees for appraisals, title closings, title insurance, boundary surveys. May include land purchases; Outreach & Community Education

Deliverables: Provide financial support to at least 5 community land grants.

Legal Services Contract - \$50,000

Purpose: Provide legal services to support community land grants.

Benefit: Most community land grants lack the budgetary capacity to obtain the legal services necessary to properly utilize and protect the common lands of the land grant. This includes issues relating to real property disputes, contracts and negotiations, legal research and advice, compliance with federal and state law, and policy formulation.

Deliverable: On-call legal services contract for support to community land grants as designated by the Council.