

New Mexico Land Grant Council (NMLGC)
December 14, 2018 – 10:00am
UNM Science and Technology Park
851 University Blvd SE, Suite 202
Albuquerque, NM 87106

Minutes – Final

Regular Council Meeting

1. Call to Order - Roll Call

Chairman Juan Sánchez called the meeting to order at 10:12am. Roll call of the Council members: Leonard Martínez, Rita Padilla-Gutiérrez and Juan Sánchez were present.

2. Introduction of Guests

Juan Sánchez (NMLGC); Leonard Martínez (NMLGC); Rita Padilla-Gutiérrez (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Cheyenne Trujillo (NMLGC/LGSP); Venessa Chávez (LGSP); Joseluis Ortiz (LGSP) Lisa Morrison (BLM); Rebecca Skartwed (San Antonio de las Huertas LG); Patricia Domínguez (Office of Senator Martin Heinrich); Michele Jácquez-Ortiz (Office of Senator Tom Udall); LM García y Griego (LGSP).

3. Approval of Agenda

Councilor Rita Padilla-Gutiérrez made a motion to approve the agenda; Councilor Leonard Martínez seconded the motion. The motion was approved unanimously.

4. Approval of Meeting Minutes from Regular Council Meeting of November 16, 2018

Councilor Padilla-Gutiérrez made a motion to approve the meeting minutes of the November 16, 2018 Council meeting; Councilor Martínez seconded the motion. The motion was approved unanimously.

5. Discussion and Possible Action on Federal and State Legislative Update

Federal

Arturo Archuleta (NMLGC) reported that the Farm Bill passed Congress with language that benefits land grants / mercedes and acequias (in packet). This resulted from a conference committee that reconciled the Senate and House versions of the Farm Bill. The language in the bill was drafted in conversation with the Council, who also contributed to the bill's definition of land grants. The language in the bill mentions mercedes and acequias but seems to restrict the work done under these programs to water related work. The language is still beneficial as it may be amended to fit land grants more properly into the Farm Bill. We will need to discuss with local NRCS office in the new year (perhaps Chris Graham Chavez) to help to understand what programs land grants may apply for and how they can pursue this funding.

Representative Ben Ray Luján want to conference and speak about the H.R. 6487, the Traditional Use Rights Bill. Councilor Martínez added that Rep. Luján mentioned the bill in a telephone townhall (December 12) and stated that he wanted to reintroduce bill. Mr. Archuleta mentioned that he had a conference call with Stephanie Harding (Sen. Tom Udall's Office) and Levi Patterson (Rep. Ben Ray Lujan's Office) regarding the H.R. 6487 and Ms. Harding stated that she had not yet received input from the agency. She wanted a synopsis of the bill and to understand what the intentions of the bill are so that Sen. Udall can consider proposing a Senate version. Mr. Archuleta communicated to her that land grants do not want to start over in drafting a Senate version of the bill. Levi Patterson stated that the reintroduction of the bill depends on who is on the House Natural Resources Committee and Mr. Archuleta opined that it would be best if the discussion could continue after the legislative session but early in the new congress, maybe in April 2019. Patricia Domínguez (Office of Sen. Martin Heinrich) will coordinate the next quarterly Congressional conference call and will reach out to the staffs of the new members of Congress with possible dates. She stated that the congressional offices for the new members will have some staffing and basic office capabilities by the third week of January. Participants in the conference call will need to introduce themselves and state what their expectations of the meetings are.

Councilor Martínez asked if the San Joaquín del Río de Chama Grant can qualify for federal funding for its Cañón de Chama irrigation project under the new provisions of the Farm Bill. Chairman Sánchez of the NRCS stated that the Grant likely needs to create a conservation plan before the NRCS will consider them eligible for any programs. Mr. Archuleta added that the San Joaquín del Río Chama project is on federal lands so it may not qualify for NRCS funding. Michelle Jácquez-Ortiz (Office of Sen. Tom Udall) stated that she is asking Stephanie Harding of Senator Udall's Washington DC office to clarify if land grants are available for RCPP funding. Mr. Archuleta commented that he was unsure from the language of the Farm Bill amendment if the land grants are eligible for all of EQIP program funding or portions.

State

Mr. Archuleta reported that he presented to the Legislative Finance Council on Tuesday, December 11th during the report out of interim committees. Representative Miguel García wanted presentation to focus on the NMLGC budget and asked that the Council not present other legislative bills, even those encumbering monies. Mr. Archuleta stated that he was not sure how the NMLGC budget fits into the executive budget, which would help even if the LFC does not included in its funding recommendation. Chairman Sánchez reminded that February 11th is the final day to introduce capitol outlay and that legislators need to sign these requests by that date. Councilor Padilla-Gutiérrez stated that this was not mentioned in her meetings with legislators. Mr. Archuleta stated that revenue projections are allocating \$3.5 million for senators and \$1.7 million for representatives. Chairman Sánchez stated that some legislators want to put money into reserves and others may push to put these surplus monies into the permanent fund as oil and gas monies are not permanent. There is also a possibility that in this session they may create a fund that individual land grants can compete for. January 11th is the pre-filing deadline for all bills.

6. Discussion and Possible Action on BLM Update

Lisa Morrison (BLM) reported that the Carlsbad Resource Management Plan (RMP) is still being edited and is generating interest because of oil development in the Permian Basin. The Farmington and Las Cruces draft RMPs will be complete and made public in March 2019 and the Rio Puerco RMP will come out in the late spring. The administration's focus is on oil development in New Mexico and Oklahoma. Mr. Archuleta stated that the Interim Land Grant Committee asked if the Farmington and Rio Puerco RMPs were accepting cooperative agencies. Ms. Morrison stated that the Rio Puerco RMP is on the back burner and focus remains on Permian Basin oil development, which is at its highest output ever and has nearly quadrupled. She added that about \$500 million has gone to the state of New Mexico from the BLM for lease sales. Councilor Padilla-Gutierrez stated that she met with Representative Fajardo, who stated that the legislature expects about 6,000 bills to be introduced this legislative session.

Ms. Morrison reported that lease sales were completed in September and were mostly in the Carlsbad and Farmington districts but included some parcels in the Rio Puerco District as well. The administration has directed the BLM to accept nominations of parcels from companies for lease sale. This information is available online.

7. Discussion and Possible Action on Forest Service Update

Mr. Archuleta reported that the NMLGC has received no correspondence from the USFS. Carson National Forest supervisor James Durán called and wants to meet and have a quarterly meeting sometime early in the New Year. Ericka Luna stated that the MOU was in final stages. Chairman Sánchez stated that the CFRP workshop will take place the week of January 20th in Santa Fe. Jacobo Baca mentioned that the *Santa Fe New Mexican* ran an article about land grants efforts to acquire the Piedra Lumbre Visitors Center: Councilor Martínez added that the Georgia O'Keeffe Museum contacted him twice in the week after article.

8. Discussion and Possible Action on FY 2018 Annual Report

Mr. Archuleta presented the FY 2018 NMLGC Annual Report (handout). The report responds to the mandates of the council represented in the statutes and this year has added information on the state of lands grants and the activities of the Council. The report was sent to the Governor's office, the Legislative Council Service, the Department of Finance Administration, and the incoming Governor's transition office. Councilor Padilla-Gutiérrez commented that the report is reflective of the hardwork of council staff. Councilor Padilla-Gutiérrez made a motion to approve the FY 2018 NMLGC Annual Report; Councilor Martínez seconded the motion. The motion was approved unanimously.

9. Discussion and Possible Action on Input into DFA and ENMRD Transition

Chairman Sánchez reported that he is serving on the Energy, Minerals and Natural Resources Department transition team. The transition team has been busy reviewing reports, interviewing staff members and preparing reports on short deadlines. The need for change for departments in the new administration is obvious. Mr. Archuleta discusses his service on the Department of Finance and Administration transition team. He was tasked with gathering input from land grants and other local units of government. The

team needs to produce a 5 page report on many points so will need to do a lot of condensing. Information about experiences with DFA's capital outlay processing, submitting budgets, receiving payments as a councilor or commissioner, and anything from working with DFA are valuable to share. Councilor Padilla-Gutiérrez commented that it is important DFA understands that land grants have unique problems different from other municipal entities and they need help to work through the red tape. They should also discuss ways for land grants to compete for monies with other like-sized entities rather than with counties and larger municipal bodies. Councilor Martínez mentioned that the Office of State Auditor should increase monies for small governments to complete audits. Mr. Archuleta commented that DFA was once more service oriented but this was something that the Martínez administration strayed away from as the office is understaffed. Rebecca Correa Skartwed stated that clarity is important and a checklist from DFA listing everything that land grants need to submit to DFA would be helpful. Mr. Archuleta mentioned that the Council plans to do more training s and update the guidebook. Venessa Chávez (LGSP and Tajique LG) stated that land grants don't have full time volunteers and have hard time negotiating the bureaucracy. It would be great if the NMLGC could be a fiscal agent as the system is intimidating and confusing for a land grant.

10. Discussion and Possible Action on Legal Services Contract & Requests

Mr. Archuleta commented that water adjudication is coming up in upper Rio Chama watershed. In early 1990s, Acequias Norteñas negotiated with the Office of the State Engineer to claim water rights protected under the Treaty of Guadalupe Hidalgo. The OSE is now offering consent orders to individual parciantes and is not allowing acequias to confirm that these people that own water rights. All individuals that received consent orders were given notice to assert their treaty claims before the end of December 2018. The Tierra Amarilla Land Grant asked David Benavides to assert their claims to common waters to make a declaration on behalf of the grant. This is difficult as the land grant and acequia interests might diverge. Mr. Benavides might also have a conflict of interest issue, which underscores the need for the NMLGC to have in house Council. The Juan Bautista Baldes Land Grant has received an IPRA request and Mr. Benavides is helping them comply with the request, as well as a property dispute. Mr. Archuleta and Councilor Martínez also stated that the Mr. Benavides assistance is needed regarding the PLVC, including to help structure ownership.

11. Discussion and Possible Action on Council FY 2019 & FY 2020 Budgets

Mr. Archuleta provided a budget update. \$55,939.13 has been expended up to date, leaving a \$165,960.87 balance.

12. Discussion and Possible Action on UNM Contract FY 2019

Mr. Archuleta discussed UNM pay request 4 for \$11,641.29. Councilor Martínez made a motion to approve Pay Request 4; Councilor Padilla-Gutiérrez seconded the motion. The motion was approved unanimously.

13. Discussion and Possible Action on Land Grant Support Fund

Mr. Archuleta reported that the Land Grant Support Fund agreements have been sent to NMAG's office (Stephen Vigil) for review. Land grants will no longer be required to get pay

requests notarized and new forms were created. Once they are reviewed and approved, NMLGC will get signatures from grantees and get them finalized. This will probably be in the New Year.

14. Discussion and Possible Action on Land Grant Registry

None.

15. Discussion and Possible Action on Correspondence Received by Council

None.

16. Discussion and Possible Action on Land Grant Studies Program Update

José Luis Ortiz (LGSP) and Venessa Chávez (LGSP) presented their vision for Merced Youth Development Program (slide presentation). The youth program would be aim to increase intergenerational communication, immersing youth in land grant culture in a program that differentiates curricula by age group. Conservation is an important component of the program but is tricky as mainstream conservation has often take away our control of our land. The program aims to develop a land grant ethic while preparing youth with the skills that will place them in management agencies. It is important for youth leadership opportunities to be culturally relevant and to teach both civic engagement and service learning. A youth education steering committee will be formed to advise the program. A focus on media, history and culture will lead to preservation, history and education and will give young heirs a path to their land grant identity.

17. Discussion and Possible Action on Staff Assignments

Mr. Archuleta stated that he asked Cheyenne Trujillo (NMLGC) to create a draft social media policy. The Council will need to decide which social media platforms it wishes to use (i.e. Facebook, Twitter, etc.). Cheyenne Trujillo presented the social media policy and found that many state agencies use social media but do not have a written policy governing its use. She suggested that the Council limit itself to Facebook and Twitter, believing that these platforms will allow the Council to post deadlines, meetings, legislation (hearings, etc) and show all of the work that land grants do and their importance to the State of New Mexico. Mr. Archuleta commented that Twitter is important during the legislative session. This policy can be a part of a strategic plan for communication and social media. Dr. Baca commented that the NMLGC staff also produced a land grant newsletter titled "The Land Grant Forum," honoring the New Mexico Land Grant Forum that preceded the New Meixoc Land Grant Consejo.

18. Public Comments – discussion only

Patricia Domínguez commented that the Farm Bill also amended controlled substances act to allow for hemp production, which can produce CBD oils, etc. New Mexico State University will work on production and the New Mexico Acequia Association expressed interest at the 2018 Congreso de las Acequias. There is a costly investment but potential for a huge payout as it has to be done diligently and precisely and missteps can negate an entire crop. Venessa Chávez commented on behalf of the Tajiue Land Grant, thanking councilors for the NMLGC's help and the councilors for their service. Councilor Padilla-

Gutiérrez stated that Andrea Padilla (president of the Town of Tomé Land Grant) has reached out to the Middle Rio Grande Conservancy District regarding access to the bosque.

19. Miscellaneous Announcements

None.

20. Date and Location for November Council Meeting

The next meeting will be held on January 11, 2018 at 10:00am at the UNM Science and Technology Center.

21. Adjournment

Councilor Padilla-Gutiérrez made a motion to adjourn; Councilor Martínez seconded the motion. The motion passed unanimously. The meeting adjourned at 12:36pm.

Approved:

Chair

Date