

New Mexico Land Grant Council (NMLGC)
July 8, 2019 – 9:00am
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 9:03 am. Roll call of the Council members: Rita Padilla-Gutiérrez, Macario Griego and Juan Sánchez were present. Councilor Leonard Martínez was absent (called into the meeting from Spain).

2. Introduction of Guests

Juan Sánchez (NMLGC); Macario Griego (NMLGC); Rita Padilla-Gutiérrez (NMLGC); Arturo Archuleta (NMLGC/LGSP); Venessa Chávez (LGSP); Jacobo Baca (NMLGC/LGSP); Novela Salazar (NMAG - Treaty of Guadalupe Hidalgo Division); Malaquias Rael (NMAG - Treaty of Guadalupe Hidalgo Division); LM García y Griego (LGSP); Ericka Luna (USFS); Patricia Domínguez (Office of Sen. Martin Heinrich).

3. Approval of Agenda

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

4. Approval of Meeting Minutes from Regular Council Meeting of June 27, 2019 and

Councilor Padilla-Gutiérrez made a motion to approve the meeting minutes of the June 27, 2019 Council meeting; Councilor Griego seconded the motion. The motion was approved unanimously.

5. Discussion and Possible Action on BLM Update

None

6. Discussion and Possible Action on Federal and State Legislation Update

Federal

Mr. Arturo Archuleta reported that he had a conversation regarding traditional use legislation with both Ken Rooney of Senator Tom Udall's Washington DC office and Levi Patterson or Representative Ben Ray Luján's Washington DC office on Friday, June 28th. Mr. Rooney stated that a draft of Senate version has been forwarded to Legislative Council. Mr. Patterson reported that Rep. Luján's office is waiting to see what comes back from Legislative Council. Per. Mr. Patterson, Rep. Luján might opt to introduce traditional use legislation that is an exactly the same of H.R. 6487. The easiest path is to pass identical bills in both houses because it is very rare that they go through a conference committee. After committee hearings it goes through markup. The committee hearing is the first hurdle. The bill is in rough draft and will be ironed out in

markup. Changes to the bill can be made before it hits floor, all the while committee endorsement remains. The bill may need to be stripped down to get it through the committee process, after which provisions can be restored after the committee hearing process with as little resistance as possible. There remains a concern of objections from third party interest groups, including environmental groups and Native American tribes. Environmental groups and non-governmental organizations want to be in the process, which is not appropriate as they are not political subdivisions. The bill does have good language, but there is fear that the bill's provisions might put land grant communities ahead of tribes in their relationship with federal agencies. This will be part of our discussion with Congresswoman Deb Haaland during her August 28th meeting with land grants. House Natural Resources Committee Chairman Grijalva is interested in the bill.

State

Chairman Juan Sánchez reported that the Interim Land Grant Committee met in Anton Chico on July 1-2. Mr. Archuleta reported that he presented on a panel with representatives of the Anton Chico Land Grant, where the panel discussed the destruction of the common lands by illegal rock extraction. The Interim is interested in updating statutes to give land grants enforcement power and is working with the UNM School of Law to create legislative language. Mr. Archuleta reported that he also sat on a panel for SB 244 regarding tuition waiver program and legal services for land grants, acequias and colonias. On July 2, Venessa Chávez (LGSP) presented regarding a land grant youth activities program. The presentation was well received and the Committee asked for a proposal for funding. The tour exhibited the destruction of the land grant commons through illegal rock harvesting which was also demonstrated via aerial imagery in their presentation to the committee. Chairman Sánchez stated that the next interim committee meeting will be held on September 16 & 17 in Taos, with a tour on the Sangre de Cristo Land Grant in San Luis, Colorado the next day. Councilor Padilla-Gutiérrez asked if there are new committee members on the Interim. Chairman Sánchez reported that Rep. Christine Chandler and Rep. Debbie Sariñana are new to the committee and Rep. Alonzo Baldonado and Rep. Kelly Fajardo are no longer on the Interim Committee.

7. Discussion and Possible Action on US Forest Service Update

Mr. Archuleta reported that he and Jacobo Baca (NMLGC) will attend the CFLRP workshop in El Rito hosted by the Santa Fe and Carson National Forests at 1:30pm that day. Chairman Sánchez asked if Council staff has reviewed the draft forest plans. Jacobo Baca responded that he has only given the plans a cursory review. Ericka Luna (USFS) reported that the Soil and Water Conservation District Commission is working on a Canadian River Riparian Restoration project with the goal of restoring 880,000 acres. The Department of Agriculture, NM State Land Office, NMSU Cooperative Extension and eight Soil and Water Conservation Districts. The group has asked if there are any land grants in the area interested in this restoration work. Ms. Luna also reported that Region 3 Regional Forester Cal Joiner has signed an acequia guidance document that has been delivered to the New Mexico Acequia Commission and the New Mexico Acequia Association. The USFS has been working on this document for six years. August 7 has been chosen as the tentative date for a celebration of the Farm Bill that allow NRCS funding for acequias and land grants and to publicly release the acequia guidance document. It will be held at the Los Luceros Historic Site. Ms. Luna also reported that the Carson, Cíbola and Santa Fe

National Forests are collaborating on the New Mexico Aquatic Riparian Restoration Project, which is looking to complete a largescale NEPA to work on restoring riparian wetland.

The 2019 Capitol Christmas Tree will come from the Carson National Forest, Questa Ranger District; there is information on the Carson National Forest website to host ornament making. Fourth graders in New Mexico can also enter an essay contest and the winner will get an all-expense paid trip for their entire family to travel to Washington DC to light the tree with New Mexico Governor Michelle Luján-Grisham. The Carson NF is finalizing their draft plan and EIS and will release both this summer, which will begin the formal comment period of 90 days. The objection process will last through 2020 and final plan approval will be in 2021. The Santa Fe NF plan is on their website and the Cíbola NF draft plan and EIS will be out soon and will be finalized in late 2020 as well. The Gila NF is behind the other forests and their draft plan is being reviewed by Region 3 while their EIS is being developed. The Lincoln is ahead of the Gila. For all forests, the official 90-day comment period begins with publication in federal register.

8. Discussion and Possible Action on Treaty of Guadalupe Hidalgo Division Update

Mr. J.R. Rael and Ms. Novela Salazar of the Treaty of Guadalupe Hidalgo Division had no updates since the June 2019 meeting.

9. Discussion and Possible Legal Services Contract - Update and New Requests

Mr. Archuleta reported that DFA has issued a contract to New Mexico Legal Aid, which David Benavides is reviewing and sending up for signature.

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

FY 2019

Mr. Archuleta presented final FY 2019 budget update (in packet). The Anton Chico purchased a used pickup truck and a laptop with their Land Grant Support Fund award, leaving a \$50 balance. He is still working to get the final reports and additional information on the support fund from the Anton Chico and Chililí Grants. \$14,187.17 was submitted for the Land Grant Support Fund, leaving a balance of \$112.83. The UNM Intergovernmental Agreement (Contract) was drawn down completely and \$0.00 will be reverted. Total FY 2019 budget reverted will be \$214.40. DFA has let the Council know that Chairman Sánchez is over on travel and needs a memo. They have also issue new travel forms and we may need new signatures in event they need to be corrected.

FY 2020

The FY 2020 budget is in the packet. Councilor Griego asked if Council members can get reimbursed for travel expenses outside of meetings. He commented that Chairman Sánchez and Councilor Martínez attend hearings throughout the year and pay the expense out of pocket. Mr. Archuleta commented that previous administrations would not approve this but the Council can broach the subject with the new administration.

11. Discussion and Possible Action on UNM Intergovernmental Agreement – FY 2019 & FY 2020

FY 2019

Mr. Archuleta presented pay request 11 for \$41,839.43, which closes the entire contract amount, as well as the budget narrative and estimated billing. UNM has until July 10 to finalize all billing, Councilor Griego made a motion to approve Pay Request 11; Councilor Padilla-Gutiérrez seconded the motion. The motion passed unanimously.

FY 2020

The Council is waiting for DFA to give an official start date. It will need to hire a surveyor form the UNM Intergovernmental Agreement budget and have added a line item for copy machine maintenance.

12. Discussion and Possible Action on Land Grant Support Fund

None.

13. Discussion and Possible Action on Land Grant Registry

None.

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

Venessa Chávez reported that she presented to the Interim Land Grant Committee on July 2 in Anton Chico. The reception to her presentation was very receptive and she was asked to put together a proposal that may be funded with junior monies. Chairman Miguel P. García asked for the LGSP to complete a detailed demographic survey to ascertain what services are available to land grants. Councilor Padilla-Gutiérrez suggested pursuing existing state statistics. Ms. Chávez reported that she will be at the San Antonio de las Huertas grant tomorrow (July 9) and will be in Carnuel on July 20th for a matachine dance class.

LGSP Director LM García y Griego commented that the youth program is exciting. The survey seems particularly important and it is integral that the LGSP speaks with people in schools and clinics and discusses drug addiction. He reported that he has been organizing his research and reviewing materials from US Surveyor General reports, including the annual reports of the Surveyor General from 1854-1891. These include specific recommendations on community, private and pueblo grants. He is preparing a bibliography and preliminary analysis and the foundation for working paper and bibliography. Another working paper will focus on the surveyor general adjudication process, examining inconsistencies between US. Surveyor General and Sourt of Private Land Claims processes. Mr. Jacobo Baca reported that he will present on Taos County Land Grants at the Martínez Hacienda in Taos at the invitation of hacienda board member Robert Martínez.

15. Discussion and Possible Action on Correspondence Received by Council

Mr. Baca reported that he received an e-mail from Angie Krall, the western zone director of the Carson National Forest, regarding a Piedra Lumbre Visitors Center collaboration agreement that she wants the Council to sign on behalf of the participating land grants (San Joaquín del Río de Chama, Juan Bautista Baldes, Tierra Amarilla). Mr. Archuleta commented that the meeting was run as a conflict resolution meeting and Councilor Martínez added that the San Joaquín del Río de Chama Land Grant has no intention of signing the document. Mr. Archuleta stated that he plans to set up a meeting with the Carson National Forest to explain the land grants and Council position and why they will not sign the agreement.

16. Discussion and Possible Action on Staff Assignments

None.

17. Public Comments – discussion only

Councilor Padilla-Gutiérrez commented that she and Town of Tomé Grant president Andrea Padilla met with UNM Law Students regarding the tax delinquent properties issue. The grant will work with the Taxation and Revenue Department and have questions regarding inheriting penalties. They shared a copy of the Tomé Hill deed, which had no penalties.

Patricia Domínguez commented that the CFRP is in jeopardy of going away. Senator Heinrich’s office is coordinating letters of support for the program that brings about \$3 million to New Mexico every year. Her office would like the NMLGC to do letter and individual land grants to do the same with the hope that New Mexico can generate enough support that they might reconsider. They are asking for six letters total; one to each member of the New Mexico Congressional delegation and one to Department of Agriculture under secretary Jim Hubbard. Letters can be addressed to Secretary Sonny Perdue as well.

18. Miscellaneous Announcements

ICIP’s are due August 2nd; the Council will host workshops in late July.

Chairman Sánchez, Ms. Chávez, Mr. Baca and Mr. Archuleta recognized the service of Councilors Rita Padilla-Gutiérrez and Macario Griego, who will go off of the Council later this year. Councilor Padilla-Gutiérrez stated that the Council has accomplished a lot and thanked all for their comments. Councilor Griego added that this Council works well together and hopes that the new members will do so as well. He credited the work of Councilor Martínez, Chairman Sánchez and Mr. Archuleta for their work with the Congressional delegation and the New Mexico State Legislature, especially the Interim Land Grant Committee and stated that this has been a great opportunity for both he and Councilor Padilla-Gutiérrez.

19. Date and Location for August 2019 Council Meeting

The next Council meeting will be held on August 16, 2019 at 10:00am in Albuquerque, NM (UNM STC).

20. Adjournment

Councilor Padilla-Gutiérrez made a motion to adjourn; Councilor Griego seconded the motion. The motion passed unanimously. The meeting adjourned at 10:24am.

Approved:

Chair

Date