

New Mexico Land Grant Council (NMLGC)
October 22, 2020 – 10:00am
Virtual Meeting
Zoom ID: 973 4121 0080

Minutes – Final

Regular Council Meeting

1. Call to Order - Roll Call

Chairman Juan Sánchez called the meeting to order at 10:05am. Roll call of the Council members: Andrea Padilla, Leonard T. Martínez, Juan Sánchez, Steve Polaco and Rebecca Correa-Skartwed.

2. Introduction of Guests

Juan Sánchez (NMLGC); Rebecca Correa Skartwed (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Leonard T. Martinez (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Venessa Chávez (NMLGC/LGSP); Eric Chávez (Office of Congressman Ben Ray Luján); Novela Salazar (Office of the New Mexico Attorney General); LM García y Griego (NMLGC/LGSP); Sofía Sánchez (Office of Congresswoman Deb Haaland); Lisa Morrison (BLM); Patricia Domínguez (Office of Sen. Martin Heinrich); Kristen Graham Chavez (NRCS); David Benavides (NMLA); Jennifer Wolfe (USFS); Kayla Laywell (Office of Congresswoman Xochitl Torres-Small); Geneveive Romero (Office of Congressman Ben Ray Luján); Stefanie Gallegos (heir, Anton Chico Land Grant); Isis López (Office of Congressman Ben Ray Luján); Tim Hagaman (New Mexico Economic Development Department).

3. Approval of Agenda

Councilor Steve Polaco made a motion to approve the agenda; Councilor Rebecca Correa-Skartwed seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Correa-Skartwed - aye
Councilor Polaco - aye
Councilor Martínez- aye
Chairman Sánchez – aye

The motion was passed.

4. Approval of Meeting Minutes from Council Meeting of September 17, 2020

Councilor Leonard Martínez made a motion to approve the meeting minutes of the September 17, 2020 Council meeting; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Martínez- aye
Councilor Correa-Skartwed - aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

5. Discussion and Possible Action on U.S. Forest Service Update

Jennifer Wolfe, the acting state and local government liaison for USFS Region 3, reported that that USFS is still working on the Mexican Spotted Owl injunction. She clarified that the collection of personal use fuelwood is included with personal use of all forest products, which is exempted under the injunction order. For those unable to get wood themselves, they can get a third party on their permit to get wood, so long as money is not exchanged. Users should be able to contact local ranger district to arrange to drop into the office to get a permit, but need to wear a facemask at USFS offices. Mr. Arturo Archuleta (NMLGC) asked for clarification on personal use, specifically whether it includes green fuelwood, beyond dead and down. Ms. Wolfe responded that green fuelwood is allowed as well. Counselor Martínez added that there is not a lot of dead and down in the forest and asked if on 300 acre categorical exclusions are treatments still allowed. He also asked what the plan was for providing for the rest of the year and the future. Ms. Wolfe stated that there she had no answer regarding specific plans and Counselor Martínez responded that there is a lack of wood and wood prices for fuelwood are really high and the San Joaquín del Río de Chama Grant purchased wood from SFNF and has shared with other local communities and land grants. Mr. Archuleta added that its important for the USFS to consider categorical exclusions for NEPA, as NEPA requirements might fall under restrictions imposed by the injunction. Perhaps the USFS can figure out green fuelwood management sites that are designated areas away from critical habitat for the MSO.

Mr. Archuleta added that the Cibola National Forest is accepting public comments regarding the proposed mountain coaster in the Sandia Ranger District through March 2021. Jacobo Baca (NMLGC) provided an update on the Luna Fire burning near Chacón, New Mexico and added that stage 1 fire restrictions were enacted on the Carson and Santa Fe National Forests and on the Mount Taylor, Magdalena, Mountainair and Sandia Ranger Districts on the Cibola National Forest. Chairman Sánchez asked Ms. Wolfe if the CFRP panel has met to review applications for 2020. Councilor Correa-Skartwed commented that Phillip Clark, who is on the San Antonio de las Huertas Board and sits on the CFRP panel, have been reviewing applications. Chairman Sánchez asked Ms. Wolfe to provide any updates to Council staff. Dr. Baca added that the Santa Fe National Forest will have a cooperating agency meeting on Wednesday October 28th, 2020. Mr. Archuleta stated that he has a conversation with Debbie Romero, acting head of DFA, regarding the Master Stewardship Agreement and that Sec. Romero met with Laura McCarthy and the Secretary of the Energy, Minerals and Natural Resources Department. McCarthy discussed what the stewardship agreement would look like, commenting that a \$100,000 project could grow to millions in fund to do projects.

6. Discussion and Possible Action on Federal and State Legislative Updates

State

The Interim Land Grant Committee held its hearing on October 14 and their last meeting will be on November 23, 2020. WE are unsure what the agenda will look like and what legislation that the committee will consider endorsing. This year, the interim session was abbreviated and held only three meetings. On October 14, the Interim heard presentations regarding wildfire and preparedness, including presentations from the Secretary and Deputy Secretary for the Department of Homeland Security. The Department offers CERT (community emergency response trainings) and offered to do some with land grants; Council staff will reach out to discuss and arrange. The NM State Forestry Division presented on firefighting, most of which is done through JPAs with federal agencies and by fire teams around the state. The division also provides trainings, ranging from firewise trainings (protecting homes and structures) and mitigation to

training individuals for direct local response. They also have opportunities for seasonal fire work and get paid by the state to be a wildland fire fighter. Director McCarthy expressed her willingness to set up conversations with land grant communities and to get rid of excess equipment. Getting a full-fledged fire department is a big lift; but they do assist with disposal of equipment that a land grant might be able to procure. Venessa Chavez (Tajique Land Grant, UNM LGSP) presented regarding community response to wildfires.

The Treaty Division gave an update on the settlement of the Tierra o Muerte Case involving the Tierra Amarilla Land Grant and a presentation was given on partition grants by the Los Vigiles and Lower Gallinas Land Grants. Anton Chico attorney Andrea la Cruz Crawford gave a presentation on the Anton Chico Grant and the Tierra Amarilla Land Grant presented regarding the three New Mexico Game Commission managed areas on the Tierra Amarilla Land Grant. Council members discussed potential state legislation, including clean up of portions of 49.1.

Councilor Padilla asked if the Interim wants to focus on water issues for land grants; Mr. Archuleta responded that the Interim discussed water in August through the Manzano Land Grant and San Antonio de las Huertas Grant and hope to continue to address water issues in later interim sessions. Councilor Padilla added that large farmers are getting preference and are allowed by MRGCD to irrigate out of the ditch after the season was over and have been allowed to drill irrigation wells by the Office of the State Engineer. Mr. Archuleta stated that the State has discussed revamping water law, in terms of water and irrigation, well permitting and use, and that this is a large policy issue. Any changes in law, including discussion of land grants rights to common waters, will probably need to go in front of the natural resources and agriculture committees. Councilor Polaco added that water is a big issue, especially with drought and that the Tierra Amarilla Land Grant is at the top of the watershed, where the OSE has imposed its authority despite adjudication not being finalized.

Federal

Eric Chávez (Office of Rep. Ben Ray Luján) commented that Rep. Luján's has been working on resources and disseminating information on the Luna and Medio Fires in northern New Mexico. Isis López (Office of Rep. Ben Ray Luján) added that the House Natural Resources Committee advanced the Traditional Use legislation in July 29th and that Rep. Luján is still trying to secure floor time, even into lame duck session. This legislation is one of Rep. Luján's top priorities and he is trying to get further scoring of the bill to ascertain budgetary impacts. Rep. Luján has also forwarded legislation for the designation of the Cerro to la Joya as wilderness. This is in the Taos – Questa area and has received support from Taos Pueblo. Sofia Sánchez or Rep. Deb Haaland's office commented that her office is keeping an eye on USDA crop insurance cuts. Mr. Archuleta stated that he has a virtual meeting with Xochitl Torres-Small's staff, including Kayla Laywell, who is the field representative for Valencia County. Ms. Laywell (Office of Rep. Xochitl Torres-Small) stated that they are keeping an eye on the MSO issue, especially in western forests, along with the issued relating to the MRGCD and farmer concerns. Mr. Archuleta stated that they discussed racial equity framed as equity and access in public lands use. The focus is on recreation is limiting and ignorant of community uses and the relationship with forests and public lands. These uses need to be acknowledged. The question might be how public land managers use these resources to meet the needs of local communities. The idea is do move the conversation on public lands beyond recreation. The NMLGC staff have had this conversation with the USFS, especially with the Carson National Forest. Councilor Martínez discussed other resources on common lands, like oil, gas and

coal, whose sale can provide money for scholarships, and home health care to keep heirs local. Mr. Archuleta added that the Council has proposed the potential to look at oil and gas revenues extracted from land grant communities to create a federal fund to help regain common lands.

7. Discussion and Possible Action on BLM Update

Lisa Morrison (BLM) state that the Northern New Mexico Resource Advisory Council is looking for members. This is for the Taos, Farmington, Albuquerque and Rio Puerco Districts. Nominations are being accepted until Nov. 13, 2020. Councilor Martínez asked if the process for selection will be similar, where applicants fill our and application and receive a nomination from the Congressional delegation and asked if the RAC was larger since it covered so many districts. Ms. Morrison responded that the membership would remain at 12 members and that the open slots are category 3 memberships, including one spot for local officials and one for a federal permittee. Ms. Morrison reported that wood permits are for sale at the Taos, Albuquerque and Farmington offices and can be purchased in person or online. On November 23, the three offices will start selling Christmas tree permits. The BLM is also aware of the lack of fuelwood and has a new acting fuelwood manager. The Rio Puerco RMP is still with headquarters and there is no movement

Councilor Martínez made a motion to approve the NMLGC comments submitted to the BLM regarding the Farmington-Mancos-Gallup RMPA; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed – aye
- Councilor Polaco - aye
- Councilor Martínez– aye
- Chairman Sánchez - aye

The motion was passed.

8. Discussion and Possible Action on Stewardship Agreement with State Land Office

Mr. Archuleta commented that Camila Romero of the State Land Office is interested in pursuing a project for Tierra Amarilla and San Joaquín del Río de Chama Land Grants. They have also identified areas around Chililí and Tijeras and found other state lands for potential projects, including potential projects in the San Miguel del Bado Land Grant. The per cord price of \$15 per cord is in statute and cannot be waived, but the land grants can potentially cords for their community. NMLGC staff will continue discussing projects with Camila Romero to see what can happen in interim before stewardship agreement is put into place.

9. Discussion and Possible Action on Cristóbal Nieto Land Grant

Mr. Archuleta reported that a Jodilynn Trujillo contacted him and expressed her interest in forming the Cristóbal Nieto Land Grant as a community land grant. Dr. Baca researched and pulled together additional sources on the land grant and we found that the grant was never adjudicated. Nieto was a soldier in presidio and was granted a small tract of land near the capitol for his service to the crown. Speculators in the late 19th century attempted to enlarge the grant into the El Pino Land Grant. Ms. Trujillo does want to make formal presentation on grant in a future Council meeting and claims to have patents on the claim. Mr. Archuleta commented that this is a policy concern for NMLGC because if it was a private grant, it does not qualify for Council support and brings questions whether the council will support re-establishing the grant as a community land grant. Dr. Baca added that the grant seems to be a private land grant and not a

community grant and that the location of the grant is uncertain both in the literature, because of land speculation and even according to description of Ms. Trujillo.

10. Discussion and Possible Action on Council FY 2021 Budget

Mr. Archuleta presented a budget update and Pay Request #2 (in packet). The only expenditures are staff salary and F&A within UNM contract and per diem by council members (\$1,900 of \$9,000 of the in-state travel budget has been spent). In total, we have spent 11.4% of total budget to date. We will need to do a BAR, which DFA wants in December or January. The Council did get more support fund requests than available in fund (\$20,000) and will be underbudget in certain areas because of COVID. The projections presented are based on what we think actuals will be. The DFA fee will be spent, as will the Support Fund. Legal services will be spent and we can move more monies there and publishing can be shifted. The total Council budget is in two categories; monies under the UNM contract and monies housed by at DFA. It is hard to shift monies between these two areas. Anything under DFA can be more easily moved within DFA and the same with UNM, moving monies within UNM contract, from item to item, is the easiest. In state travel is projected to be \$6,686.24 spent by years end, with \$2313.76 remaining. This is based on four in person meetings and eight virtual. Out of state travel (\$5,000) is unlikely to be spent in FY 2021. The only possible travel would be to Washington DC, when we will have a new Congress. Altogether, \$7,313.76 is projected to be unspent in Council travel and could be moved.

Under the UNM contract, UNM approved the salary increase for Dr. Baca. The projected remaining balance in salary is ~\$4,000 and time allocation could transfer more of our time to NMLGC from LGSP, which would save monies to LGSP that will roll into next year. There is a potential F&A reversion as well, but it goes away if the budget is fully spent. Staff travel may be unspent as well. Altogether, \$14,500 in the UNM budget could remain. These monies could be reallocated to surveying work, increasing that budget from \$28,500 to \$40,000. With the DFA managed portion of budget, can look to adjust the remaining ~\$7,300 from travel and the Council has previously discussed funding Risk Management and could increase the LGSF. Councilor Padilla opined that the extra monies should go to the LGSF and legal services and that surplus UNM funds should go to increase the surveyor contract. Mr. Archuleta stated that the Council just needs to give the legal service and surveyor services contractors sufficient time to spend down their contract increases.

11. Discussion and Possible Action on Land Grant Support Fund

The Land Grant Support Fund applications were presented. Five applications came in before the September 30th deadline and two came after. The Santa Bárbara Land Grant application came in slightly after the deadline but they had contacted Mr. Archuleta before with questions on eligibility to use LGSF monies to purchase Risk Management insurance. The Don Fernando de Taos application came in very late (10/21/2020) because they are in process of purchasing a property and need to get insurance. Council staff encouraged them to submit their application to address the nature of their ask. In the guidelines it is stated that land grants cannot ask for more than 20% of total fund (\$4,000).

- The Cubero Land Grant requested funds to purchase office equipment (computer, printer, software) and a fireproof cabinet. They requested \$5,000 and have never received LGSF funding.
- The San Joaquín del Río de Chama Land Grant requested \$3,685 to upgrade the electrical line and meter for the sala and to upgrade metal gate at entrance to land grant

headquarters. Councilor Martínez, president of the San Joaquín del Río de Chama Land Grant, added that the needed upgrades are beyond the capital outlay monies that they received and the Jemez Rural Electrical Coop. needs to complete the upgrade and won't do so until they are paid. The grant still needs \$60,000 to finish their sala.

- The Town of Tomé Land Grant requested \$6,000 to purchase a four wheeler or UTV, or, if one cannot be found at that price, to purchase other items, including a Chromebook laptop, chairs and chair stand for rental hall, to purchase new chairs and ceiling fan, to repair commercial refrigerator, and to recarpet their office. Councilor Padilla, president of the Town of Tomé Grant, asked of the LGSF allowed grantees to purchase used items and offered to drop the request to \$4,000 or \$4,500.
- The Abiquiú Land Grant requested \$5,000 to purchase sign at entrance of Pueblo de Abiquiu to welcome tourists and indicate the protocols of the village. Mr. Archuleta has a subsequent conversation with Veronica Garcia, president of the Grant, and she said that they could purchase and install the signs for \$3,000.
- The San Antonio de las Huertas Land Grant requested \$3,000 to purchase and install a fence and two new gates blocking the irrigation pond from renters of El Campo de Oso. Access to the irrigation pond is a liability issue. Councilor Correa-Skartwed, who is president of the San Antonio de las Huertas Grant, stated that the Grant is concerned that people will visit the recreation area and will try to access the irrigation pond.
- The Santa Bárbara Land Grant requested \$1,000 to purchase liability insurance for their Copper Hill Forest Mayordomo Project with the State Land Office and Taos County. The Grant has received a \$10,000 grant to fund the project from Taos County but does not have the budget to pay the additional cost of liability insurance. Mr. Archuleta stated that the Grant was approved for Risk Management coverage and that he estimated their coverage cost at \$900.00, based on the cost that other land grants purchasing risk management insurance have paid.
- The Don Fernando de Taos Land Grant requested \$5,000 to purchase an insurance policy for fire, theft and general liability for three-year period on a building that they are in the process of purchasing. Mr. Archuleta advised that the Grant is unlikely to find three years of coverage paid in advance. The Council may not want to fund more than 1 year at a time because of this and DFA might reject their request as insurance could be considered an operating expense.

Councilor Martínez commented that the NMLGC previously discussed insurance issues, including risk management and tort liability coverage. He added that the NMLGC might need to create funding aside from support fund, either through legislation or as a separate line item in the budget. Mr. Archuleta added that the requests of Don Fernando de Taos and Santa Bárbara could be opportunity to test waters and use current monies to address this need. Legal services and surveying services grew out of the land grant support fund, so the creation of a separate and dedicated fund or budget item for insurance would be similar and with precedent. How the Council answers this request is the question. Does the Council approve this requests and continue to do so case by case? Do Council monies go to a fund managed by Risk Management with requests for coverage approved by the Council? Does the Council approach insurance funding as a pool? Does the Council implement a fund that reduces cost for all participating land grants? For the Santa Bárbara Land Grant, we may need to cover their premium before figuring this out or developing a policy. Don Fernando de Taos's request is not as urgent as they do not yet own the property they plan to insure. If we commit monies, we could approach the Risk Management

Division to discuss, offer what monies we've budgeted and it will between RMD, DFA and the NMLGC to negotiate a program. Or, we might grant money to land grant directly and they'll work with RMD to purchase, which might be best for the immediate needs of the Santa Bárbara Land Grant. We are not sure how DFA will react. RMD does have more than one insurance pool or fund that they provide coverage from. The tort liability fund is used by state entities so that they are exempt from being sued for certain things (immunity). However, there are certain things (exclusions) that they can be sued for. RMD also has funds for property coverage and small fund for other coverages like fire and theft that are applied at discretion of director. Risk Management insurance should be the first option before land grants try to get covered by private insurers.

Chairman Sánchez presented as suggested that the LGSF remain at \$20,000; Councilors discussed each application. They opted to address the insurance requests through the support fund this year and explore addressing insurance requests separately, outside of the LGSF, later.

Councilor Martínez made a motion approving the LGSF request of the Cubero Land Grant for \$4,000; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed - aye
- Councilor Polaco - aye
- Councilor Martínez - aye
- Chairman Sánchez - aye

The motion was passed.

Councilor Correa-Skartwed made a motion approving the LGSF request of the San Joaquín del Río de Chama Land Grant for \$3,685; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed - aye
- Councilor Martínez - recused himself
- Councilor Polaco - aye
- Chairman Sánchez - aye

The motion was passed.

Councilor Correa-Skartwed made a motion approving the LGSF request of the Town of Tome Land Grant for \$4,000; Councilor Martínez seconded the motion.

Roll call vote:

- Councilor Padilla - recused herself
- Councilor Correa-Skartwed - aye
- Councilor Martínez - aye
- Councilor Polaco - aye
- Chairman Sánchez - aye

The motion was passed.

Councilor Padilla made a motion approving the LGSF request of the Abiquiu Land Grant for \$3,000; Councilor Martínez seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Correa-Skartwed - aye
Councilor Martínez – aye
Councilor Polaco – aye
Chairman Sánchez – aye

The motion was passed.

Councilor Polaco made a motion approving the LGSF request of the San Antonio de las Huertas Land Grant for \$3,000; Councilor Martínez seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Correa-Skartwed –recused herself
Councilor Martínez – aye
Councilor Polaco – aye
Chairman Sánchez – aye

The motion was passed.

Councilor Correa-Skartwed made a motion approving the LGSF request of the Santa Bárbara Land Grant for \$1000; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Correa-Skartwed – aye
Councilor Martínez – aye
Councilor Polaco – aye
Chairman Sánchez – aye

The motion was passed.

Councilor Padilla made a motion approving the LGSF request of the Don Fernando de Taos Land Grant for \$1315; Councilor Martínez seconded the motion.

Roll call vote:

Councilor Padilla - aye
Councilor Correa-Skartwed – aye
Councilor Martínez – aye
Councilor Polaco – aye
Chairman Sánchez – aye

The motion was passed.

12. Discussion and Possible Action on Creation of Land Grant Institute at UNM

The Council discussed the creation of a Land Grant Institute at UNM in the October 2020 Council meeting. All five council members and past members Rita Padilla Gutierrez and Macario Griego participated in the workshop. The meeting packet includes a writeup of discussion and the proposal. Dr. LM García y Griego & Mr. Archuleta will work through process with the Office of the Vice President for Research. Dr. García y Griego will serve as the interim director for one year and the advisory committee will provide input and advice and would review the institute and director. Dr. García y Griego (director, LGSP; P.I., NMLGC) added that this would institutionalize the LGSP and NMLGC connection, housing the institute at UNM, making it the permanent home of NMLGC. He stated that it is his intention to step aside as director and P.I. but to continue working in

advisory capacity, etc. The OVPR needs to know that NMLGC supports creation of institute and wants to be in it and the LGSP advisory needs to know that this is the case.

Councilor Martínez made a motion that the New Mexico Land Grant Council supports the creation of a Land Grant Institute at UNM and that the New Mexico Land Grant Council expresses its desire to be a part of the Land Grant Institute. Councilor Correa Skartwed seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed – aye
- Councilor Martínez – aye
- Councilor Polaco – aye
- Chairman Sánchez – aye

The motion was passed.

13. Discussion and Possible Action on Land Grant Capital Outlay Update

The Cristóbal de la Serna Land Grant and Tecolote Land Grant did expend 5% of their capital outlay monies; the Cañón de Carnué Land Grant were unable to spend and their awarded monies will likely revert. Venessa Chávez stated that the Tecolote Grant is still working with contractor to get work started on the community center roof. The Cristóbal de la Serna Land Grant has identified two parcels and have submitted their W-9 to DFA. The Council is assisting the Grant in putting together quit claim deeds and will ask Chairman Sánchez advice. Two parcels of about 60 acres were purchased well below market value and will become common lands under the name Cristóbal de la Serna Land Grant. All other land grant that have monies are advised to act on spending these monies before the 2021 legislative session. If land grants need any assistance, they should contact the NMLGC. Economic forecasts are better then expected, but there still may be sweeps. Councilor Martínez reported that the San Joaquín del Río de Chama Grant has spent \$90,000 of their CO monies and will have an additional \$30,000 once the bonds are sold. The PLVC grant agreement has been signed and \$600,000 will be encumbered with the purchase. Councilor Padilla reported that the Town of Tomé Land Grant was approved for \$100,000 and got the grant agreement signed and submitted and has submitted a \$35,000 request for repayment and wondered why there was a delay. Chairman Sánchez responded that with DFA staff working from home there are delays. Mr. Archuleta added a 3-4 week usual turn around is now 4-6 week turn around.

14. Discussion and Possible Action on Professional Surveyor Services Contract - Updates and Requests – Santo Tomás Apostol del Río de las Trampas Land Grant, San Antonio de las Huertas Land Grant

The Santo Tomás Apostol del Río de las Trampas Land Grant has a request that does not require survey services immediately. A recent transplant from New York has fenced in a portion of the plaza at Las Trampas and people living around the plaza have encroached. The plaza in front of the church is a common area, not owned or assessed. The Grant needs to approach the Taos County assessor and get tracts including plaza assessed to the land grant. Counselor Padilla commented that she showed the Chililí case to the Valencia County assessor, who claimed that assessing unclaimed tracts to the land grant was out of her hands and had to go to the Taxation and Revenue Department. Mr. Archuleta responded that some could have a narrow interpretation of the case. Because the court signed off on the agreement, some might read that this narrowly to only stand in this case and in only Bernalillo County. Counselor Padilla added that Rita Padilla

Gutierrez discussed this with the assessor, especially regarding the 11-acre area of land around Tomé Hill. Chairman Sánchez stated that the Bernalillo County assessor has recommended that other county assessors follow the agreement and recommended that the Tomé Grant send a formal letter or e-mail to the County and then pursue their cause with the Taxation and Revenue Department. Mr. Archuleta added that we could also get an opinion of the Treaty of Guadalupe Hidalgo Division and bring this up with interim committee.

Counselor Correa-Skartwed reported that a land grant heir filed a lawsuit against mayordomo and business partner for trespass on their property and in his deposition, the surveyor, who has done work for the Grant, was found to have several violations against him. The Grant has grown concerned and feels it needs to reshoot a few areas, one where water leaves the land grant and another where a private land owner claims land grant property as his own. There is also a .75 acre tract that is land locked and that an heir wants to purchase.

Councilor Martínez made a motion approving the survey request of the San Antonio de las Huertas and Santo Tomás Apostol del Río de las Trampas Land Grant; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed – recused herself
- Councilor Polaco – aye
- Councilor Martínez – aye
- Chairman Sánchez – aye

The motion was passed.

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

Mr. Archuleta commented that he will reach out to Novela Salazar regarding the revision of the Treaty Division's statute.

16. Discussion and Possible Action on Legal Services for Land Grants – Update and Requests

Mr. Archuleta reported that there are no new legal service requests. He updated that Mr. David Benavides is waiting to hear from appeals court regarding the Tajique cell phone tower case. The Tierra Amarilla Land Grant is meeting with the La Puente Ditch regarding the water rights and Laguna del Campo on Friday. The San Antonio de las Huertas Grant claim to a water right will need approval by Office of the State Engineer to move the water right from one parcel to another within grant, which might require approval of acequia. When examining the declaration, Mr. Archuleta found that there were areas listed as owned in common and on these parcels the water right is owned by the land grant outright.

17. Discussion and Possible Action on UNM Intergovernmental Agreement – FY 2021

Pay request #2 was presented, for \$10,328.70 work completed in September 2020. This includes \$8,607.25 in personnel expenses; and \$1,721.45 in the 20% Facility and Administration Fees. Included in packet is narrative associated with PR#2.

Councilor Polaco made a motion to approve Pay Request #2 for \$10,328.70; Councilor Martínez seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed - aye
- Councilor Polaco – aye
- Councilor Martínez – aye
- Chairman Sánchez – aye

The motion was passed.

18. Discussion & Action on Piedra Lumbre Visitors Center Update

The Council received notice from USFS that environmental assessment is complete. Once DFA signs off on grant agreement, the Grants can request disbursement for purchase (\$600,000).

19. Discussion and Possible Action on Laguna del Campo Update

The Council has continued to work with the Tierra Amarilla Land Grant. The Grant presented to the NM Game Commission on Friday, October 16 and discussed water rights associated with the Laguna del Campo. The Game Commission can separate storage and diversion rights associated with the lake and give a 99-year lease. The Tierra Amarilla Land Grant would rather both rights be transferred to the grant outright and wants to discuss with the acequia and get their support of the transfer of all rights. Councilor Polaco commented that the director of NM Game and Fish has in the past discussed the Department holding onto these rights an asset that can be sold to

20. Discussion and Possible Action on Land Grant Registry Update

Dr. Baca stated that following has been submitted to the Registry:

- Anton Chico Land Grant - Results of the past elections (2009-2017); Rules and regulations of Anton Chico LG regarding common lands, and subsequent resolutions amending or adding to rules and regulations; Bylaws for the Land Grant Merced de Anton Chico, recorded by the Guadalupe County Clerk, August/September 2017.
- Cubero Land Grant - the draft (unapproved) bylaws for the Cubero Land Grant.
- Merced del Pueblo Abiquiú - results of the July 18, 2020 election (election of Victoria García and reelection of Max Archuleta) to the Board of Trustees for the Merced del Pueblo Abiquiú; organization of the Board of Trustees for the Merced del Pueblo Abiquiú

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

Dr. LM García y Griego submitted an interim report on his research. Mr. Archuleta reported that Councilor Polaco requested for an update on interviews done by the LGSP and youth with elders in Tierra Amarilla. Councilor Polaco added that members of the Tierra Amarilla Land Grant have asked about the interviews, which increased participation in the Grant. He requested copies of the interviews. Mr. Archuleta added that all interviews were submitted to the Northern Rio Grande National Heritage Area, which awarded a small grant for the interviews. The LGSP would like to do more editing, perhaps shorten the interviews, but the grant did not allow for that. Councilor Polaco added that other heirs would also like to be interviewed as well and youth are interested in participating. Dr. Baca added that he and Dr. García y Griego participated in a well-attended virtual panel organized by Dr. Baca for the Western Historical Association annual conference. He also reported that the NMLGC / LGSP received word that they did not receive the Outdoor Recreation Opportunity Grant from the New Mexico Economic Development Department.

22. Discussion and Possible Action on Correspondence

The Council received a copy of the Santa Bárbara Land Grant’s protest to the Office of the State Engineer regarding the diversion and impoundment of Río Santa Bárbara water by A. Sanchez, as well as an e-mail from the Santa Bárbara Land Grant to the Risk Management Division requesting coverage.

23. Discussion and Possible Action on Staff Assignments – Appointment to AG Equity Advisory Council; NM Department of Agriculture Healthy Soils Program Grant Review Committee

Chairman Sánchez announced that former Council member Rita Padilla-Gutierrez and Council staff member Arturo Archuleta have been appointed to the NM Attorney General’s Equity Advisory Council. Mr. Archuleta was also asked to serve on the NM Department of Agriculture Healthy Soils Grant Review Committee and was assigned 10 grants to review and is in charge of presenting 10 of the 40 applications to the committee.

24. Public Comments – Discussion only

Tim Hagaman (NM EDD) encouraged land grants to apply for the outdoor recreation grant again next year. He would be happy to walk through Economic Development Department initiatives and would like to see copy of grant.

25. Miscellaneous Announcements

None.

26. Date and Location for November 2020 Council Meeting

The November 2020 Council meeting will take place virtually on November 12, 2020 at 10:00am, online via Zoom.

27. Adjournment

Councilor Correa Skartwed made a motion to adjourn; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla - aye
- Councilor Correa-Skartwed - aye
- Councilor Polaco – aye
- Councilor Martínez – aye
- Chairman Sánchez – aye

The motion was passed. The meeting adjourned at 2:00pm MDT.

Approved:

 Chair

 Date