

New Mexico Land Grant Council (NMLGC)
March 18, 2022 – 12:00pm
In Person and Virtual Meeting (Hybrid)
UNM Science and Technology Park
851 University Blvd SE, Suite 202
Albuquerque, NM 87106
Zoom ID: 918 9337 3579

**Final Meeting Minutes
Regular Council Meeting**

1. Call to Order - Roll Call

Chairman Juan Sánchez called the meeting to order at 12:11pm MDT. Roll call of the Council members: Steve Polaco, Juan Sánchez, Andrea Padilla, Rebecca Correa Skartwed and Leonard Martínez were present.

2. Introduction of Guests

Juan Sánchez (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Leonard T. Martínez (NMLGC); Rebecca Correa Skartwed (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Anissa Baca (NMLGC/LGSP); Ricardo Dow y Anaya (NM Attorney General's Office); Ashley Beyer (Office of Senator Martin Heinrich); A. J. Pacheco (Office of Congresswoman Teresa Leger Fernández); Eric Chávez (Office of Sen. Ben Ray Luján); Ashley Wright (USFS); Pat Johnson (Cíbola National Forest); Jacob Trujillo (Office of Congresswoman Melanie Stansbury); Priscilla Ybarra (University of North Texas); Sandy Escarcida (San Antonio de las Huertas Land Grant); Henrietta Romero

3. Approval of Agenda

Chairman Juan Sánchez asked to move item 5 of the agenda to item 14, and move item 14 to item 27.

Councilor Andrea Padilla made a motion to approve the agenda, as amended; Councilor Rebecca 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.

4. Approval of Meeting Minutes from February 16, 2022 Council meeting

Councilor Correa Skartwed made a motion to approve the meeting minutes of the February 16, 2022 Council meeting; Councilor Steve 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.

6. Discussion and Possible Action on State Land Office Projects

Camila Romero could not attend this meeting today. She left updates with Mr. Archuleta. The SLO is continuing work with the Bearcat Project. Also, there are no community fuelwood areas available at the time as they have been cleared.

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

Federal

Ashley Beyer (Office of Senator Martin Heinrich) reported that the Congressional Direct Spending requests are available on their website. A. J. Pacheco (Office of Congresswoman Teresa Leger Fernández) stated that his office is continuing to watch H.R. 5493 but that there is no movement on the bill right now. Eric Chávez (Office of Sen. Ben Ray Luján) stated that last week the Senate passed the appropriation budget and that his office has opened up the appropriation request process. He reported to Councilor Polaco that the solar energy project has not been approved with the Northern New Mexico College. Jacob Trujillo (Office of Congresswoman Melanie Stansbury) added that his office is continuing to watch H.R. 5493 and that they will open their Congressional Direct Spending portal soon. They are also looking forward to their second land grant tour and will be in contact with the Council to arrange.

Mr. Archuleta reported that on March 1st, H.R. 5493 was heard by the Subcommittee on National Parks, Forests and Public Lands of the House Committee on Natural Resources. Rep. Leger Fernández and Mr. Archuleta (who served as the expert witness) fielded question from officials from federal agencies, who expressed concern that the bill's consultation requirements were too similar to tribal consultation. Council staff drafted a response (in packet) additional information in an attempt to clarify the term "consultation" and distinguish it from tribal consultation. Also in the packet are letters supporting the legislation from the Council and the New Mexico Land Grant Merced-Consejo.

State

HB 8 was passed and signed on March 2, 2022. HB 2, the General Appropriation Bill, included \$2 million dollars from the general fund for land grant. Distributions may have to wait until the end of the fiscal year to ensure we can get more land grants approved at the State Auditor's office. SB 48, the junior money bill, was vetoed, but it looks like it is on track to be revived through a special session or extraordinary session. The State Board of Finance has issued STB (Severance Tax Bond) questionnaires, which are due on the March 25th. Land grants may contact the Council for help completing their questionnaires. Councilor Padilla thanked Council staff (Anissa Baca & Venessa Chavez) for their work supporting land grants in submitting these items to DFA. DFA would like land grants to provide timely CMPS updates and NMLGC staff can provide support/training. The Council is working with DFA, the State Auditors office, and the General Services Department on a May 11th training on CPMS, procurement and other important requirements.

8. Discussion and Possible Action on Bureau of Land Management Update

No BLM representative was available with updates. Councilor Martinez inquired about Farmington-Mancos Land Management plan.

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

Ashley Wright (USFS) reported that the Carson National Forest has a new permanent Public Affairs Officer, Zach Berks. The Santa Fe National Forest had a meeting with local loggers, including discussions on firewood areas for land grants. The Cibola National Forest has a new acting Public Affairs Officer, Pat Johnson, and a new acting Forest Ranger for Magdalena District. Councilor Martinez has requested personnel from the Carson and Santa Fe National Forest offices to answer questions about fuelwood areas and bidding. From March 15-17 the USFS Region 3 held objection resolution meetings. NMLGC staff attended all three days of meetings and offered comments. Chairman Juan Sánchez attended some of the sessions, as did representatives from the Councilor Martínez (representing the San Joaquin del Río de Chama LG) and Santa Bárbara LG president Bonifacio Vásquez.

10. Discussion and Possible Action on USDA Programs

Included in the packet is the letter provided by Patricia Dominguez regarding additional information on the USDA Rural Development federal funds that are available.

11. Discussion and Possible Action on Office of the Attorney General & Treaty Division

Staff from the AG’s office were not able to attend today’s meeting.

12. Discussion and Action on Natural Resources Issues & Concerns – Local, State and Federal

Tome received a Healthy Soils Grant and soil samples have been gathered. Council staff have started a YCC pilot project and have been in contact with the Ancestral Lands Conservation Corps to begin planning these projects. The Council is co-coordinating the project with the Tajique Land Grant and all collaborators are trying to fill the YCC crew positions and will send out job descriptions.

13. Discussion and Possible Action on Manzano AUP

Manzano requested assistance with their AUP (agreed upon procedures). Manzano has asked about possibly using NMLGC funding or use funds from their LG Support Fund money to pay for their AUP.

Councilor Correa Skartwad made a motion to approve amending Manzano’s LG Support Fund for to allow for the payment of their AUP; Councilor Padilla 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 Skartwed made a motion to approve to give the Council staff permission to use their discretion to use other funds for Manzano’s AUP; 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.

5. Discussion and Possible Action on FY 2022 & FY 2023 Budget

Mr. Archuleta reported that the Council may have leftover funds for travel as we haven't expended any out-of-state travel funds. The UNM contract budget has a large balance left in personnel salaries, but it will be spent. Staff are in need of computer upgrades as their laptops are more than five years old and are losing function. Staff are also using their personal laptops. All but one of the support funds have been approved. We have a large budget leftover for externs – we budgeted for six externs, and four applied.

The Council discussed different options to use leftover funds that is outside of the UNM IGSA, including using funding to purchase microfilm equipment, paying to have microfilm digitized, and paying a researcher/attorney to write a legal analysis on U.S. v Sandoval. The projected amount that may be reverted is \$25,254.

Councilor Correa Skartwed made a motion to direct the extra \$25,254.00 to microfilming and to fund legal expenses associated with the Piedra Lumbre Visitors Center; Councilor Padilla seconded the motion.

Roll call vote:

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

The motion was passed.

15. Discussion and Possible Action on Land Grant Support Fund

Anissa Baca (NMLGC/LGSP) reported that been all grant agreements have been approved and the Council is only just waiting on the P.O. for the Torreón Land Grant.

16. Discussion and Possible Action on UNM Intergovernmental Services Agreement

Pay request number 5 was presented for \$16,174.80 including \$13,479.00 in personnel and \$2,695.80 F&A charges.

Councilor Polaco made a motion to approve pay request number 5 for \$16,174.80; Councilor Padilla 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.

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

Pay Request number 5 from New Mexico Legal Aid was presented for \$5,625.00 for work completed in January 2022, including work with the Tierra Amarilla, San Antonio de las Huertas and Juan Bautista Baldes Land Grants.

Councilor Padilla made a motion to approve NMLA pay request number 5 for \$5,625.00; Councilor Martinez seconded the motion.

Roll call vote:

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

The motion was passed.

Pay request number 6 from NM Legal Aid was presented for \$6,650.00 for work completed in February 2022, including work with the Juan Bautista Baldes, Tierra Amarilla and San Antonio de las Huertas Land Grants.

Councilor Padilla made a motion to approve NMLA pay request number 6 for \$6,650.00; Councilor Martinez seconded the motion.

Roll call vote:

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

The motion was passed.

Pay request number 7 from NM Legal Aid was presented for \$10,554.34 for work completed by subcontractor Joe Lennihan from November-December 2021 related to the Juan Bautista Baldes Land Grant.

Councilor Correa Skartwed made a motion to approve pay request number 7 for \$10,554.34; 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.

18. Discussion and Possible Action on Professional Surveyor Services Contract - Update and Requests

Mr. Archuleta reported that Chris Chavez of Territorial Land Surveying has started doing some work. Ongoing projects include Santa Barbara, Anton Chico, Tierra Amarilla, and Trampas land grant requests. Mr. Archuleta has contacted other surveyors as well. The Tajique common land, Tomé Hill, and the morada property of the San Joaquin del Rio del Chama can be easily worked on before the end of this fiscal year. Mr. Chavez will need the deed for the morada property from San Joaquin del Rio del Chama Land Grant to complete the project.

Councilor Correa Skartwed made a motion to request for quotes for surveyor services for the Tomé, Tajique, and San Joaquín del Rio de Chama projects; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – abstain

Councilor Correa Skartwed - aye

Councilor Martínez - abstain

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed.

19. Discussion and Possible Action on Piedra Lumbre Visitors Center Update

Councilor Martínez attended the last PLVC meeting and gave an update. Phase one assessment was discussed, where many materials will be removed. There will need to be a second assessment later. Councilor Polaco added that the three land grants will have to find a grant writer. Cook has visited for a well and water assessment – there was an obstruction found in one of the wells. There was an inspection for the roof, and the roof will have to be brought up to code, along with other things. They are still working on getting a facilitator for the retreat.

20. Discussion and Possible Action on Laguna del Campo Update

The Council has received no new updates. There is no word whether the Game Commission agreed to give the land grant property.

21. Discussion and Possible Action on Land Grant Registry Update

None

22. Discussion and Possible Action on Land Grant Institute / Land Grant Studies Program Update

Anissa Baca (LGSP) and Jacobo Baca (LGSP) reported that the ALGE project is ongoing. The LGSP is recruiting teachers for our mini-institute and will set a date soon. Councilor Padilla is a retired teacher and among the teachers that will participate. Councilor Polaco suggested contacting Dawn Salazar and Lisa Martinez as potential teachers. Dr. Baca reported that he presented to Dr. Eric Romero's land grant, acequias and tribal communities class at NMHU.

23. Discussion and Possible Action on Correspondence

None.

24. Discussion and Possible Action on Staff Assignments

None.

25. Public Comments – Discussion only

Councilor Martínez announced that the meeting PLVC will not happen next weekend. Councilor Padilla added that Rep. Stansbury will be in Tomé next Friday at the Community Center, and that the Tomé Land Grant is continuing with the renovations of the jail site and may organize an official open house, and are looking for other options of property purchases.

26. Miscellaneous Announcements

The next New Mexico Land Grant -Merced Consejo meeting is March 26, 2022 10:00 AM in Cañón de Carnué. Councilor Martínez discussed insurance and registration for vehicles bought by land grants.

27. Date and Location for April & May Council Meetings

The April 2022 Council meeting will take place on April 20, 2022 at 12:00pm, virtually and in person at the UNM Science and Technology Center.

The May 2022 Council meeting will take place on May 17, 2022 at 10:00am, virtually and in person at the UNM Science and Technology Center.

The June 2022 Council meeting will take place on June 15, 2022 time TBD, virtually and in person in Las Vegas (tentatively).

14. Discussion and Possible Action on Land Grant Road Easements

Chairman Juan Sanchez has stepped back from his role as Chair, which is to be filled by Councilor Rebecca Correa-Skartwed (Vice-Chair).

There is an ongoing lawsuit from Chililí Land Grant. The private parcel owner has tried to restrict heirs use of that easement. The grant has a need for continued access to this road. Decision was made by district court in the property owner's favor, this decision was partly overturned, leaning in favor of the grant. Case has still been ongoing, and the grant is trying to get the NM Supreme Court to take on the case. Filing an amicus requires other land grants that have been involved in similar situations to be involved. The Council discussed submitting an amicus to the NM Supreme Court.

Councilor Padilla made a motion to pursue an amicus brief to the New Mexico Supreme Court; Councilor Polaco seconded the motion.

Roll call vote:

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

The motion was passed.

28. Adjournment

Councilor Correa Skartwed made a motion to adjourn; Councilor Padilla 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. The meeting adjourned at 4:22 pm MDT.

Approved:

Chair

Date