

New Mexico Land Grant Council (NMLGC)
February 17, 2023 – 10:00am
In Person and Virtual Meeting (Hybrid)
UNM Science and Technology Park - Rotunda
801 University Blvd SE
Albuquerque, NM 87106
Zoom ID: 915 8677 2807

**Final Meeting Minutes
Regular Council Meeting**

1. Call to Order - Roll Call

Chairman Sánchez called the meeting to order at 10:03am MST. Roll call of the Council members: Andrea Padilla, Steve Polaco, and Juan Sanchez were present.

2. Introduction of Guests

Juan Sánchez (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Anissa Baca (NMLGC/LGSP); Greta Archuleta (NMLGC); Ricardo Dow y Anaya (NMAG); Chris Furr (Carson National Forest); Novela Salazar (NMAG – Treaty Division); A.J. Pacheco (Office of Cong. Teresa Leger Fernández); Eric Chávez (Office of Sen. Ben R. Luján); Zach Behrens (Carson National Forest); Lisa Morrison (BLM); Camila Romero (NM State Land Office); Savannah Guadalupe Gallegos (San Miguel del Bado LG heir); Joaquin Arguello (Arroyo Hondo Arriba LG); Jennifer Donovan; John Márquez; LM García y Griego (LGSP); Mannie Lopez (National Forest Foundation); Leonard Martínez (San Joaquín del Río de Chama LG).

3. Approval of Agenda

Councilor Steve Polaco made a motion to approve the agenda; Councilor Andrea Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed.

4. Approval of Meeting Minutes from January 20, 2023 Council meeting

Councilor Padilla made a motion to approve the meeting minutes of the January 20, 2023 Council meeting; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed.

5. Discussion and Possible Action on State Land Office Update

Camila Romero (NM State Land Office) reported that the Villanueva project will begin when snow has melted. The SLO is looking for other funding for the Bearcat Project and is soliciting youth crew bids as the inmate crews are still busy working on projects.

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

Chris Furr (Carson National Forest) reported that the USFS is still removing wood from the HPCC contingency lines and working to deliver wood to communities. The Carson National Forest is starting prescribed burns once again, burning piles on 500 acres near Tres Piedras. The Forest is having daily operator calls to be informed and up to date on prescribed burns. The Talpa Trail working group started and had its first meeting, with the second to be held on February 27th.

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

Lisa Morrison (BLM) reported that the BLM has hired a state forester and they will start in mid-March. The BLM issued its Final Environmental Impact Statement, Resource Management Plan Amendment for SunZia Southwest Transmission Project. It is also igniting prescribed burns in south in Doña Ana, Socorro and Lincoln counties. State Director Melanie Barnes would like to discuss prescribed burns and the BLM would like to reschedule the BLM Land Grant 101.

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

Federal

A.J. Pacheco (Office of Cong. Teresa Leger Fernández) reported that Congresswoman Teresa Leger Fernández will reintroduce the Traditional Use and Consultation Bill in the new Congress. Her office is working on the Chimayó Post Office fire, is working on the 2023 Farm Bill, and opened a new office in Clovis, NM. Mr. Archuleta responded that he would like to discuss the Farm Bill further and wants to ensure land grants are eligible for programs and are placed in the appropriate titles in the new Farm Bill. Right now, land grants are only in water conservation areas. He added that we can discuss this as part of the Congressional Quarterly call.

Eric Chávez (Office Senator Ben R. Luján) reported that Senator Luján's office is calling for preliminary interest in CDS for 2024, due to his office on due February 28th, 2023. Senator Luján also filed the Cattle Market Transparency Act to protect small producers who were not obtaining fair prices at cattle markets. His office is also taking steps to reintroduce Traditional Use and Consultation Bill in the new Congress. They are also working on ongoing inquiries on land grants and issues with EINs. The issue has been sent to a technical advisor / taxpayer liaison and if new forms are needed, they will be sent to Town of Tomé and other land grants experiencing these issues. Mr. Archuleta added the Council staff had discussions with Senator Luján's Washington DC staff regarding the traditional use bill, comments from agencies on language and questions from tribes and organizations. It will also be important to meet with agencies in Washington DC and to reach out to tribes and organizations and discuss their concerns.

State

There are two pieces of legislation, House Bill 319 and Senate Bill 376, that create a special appropriation for the NM Office of the State Auditor to assist small political subdivisions get caught up in their reporting requirements as many have fallen behind several years. The bill will create a onetime special appropriation to allow the OSA to hire CPA firms directly and assign them entities in need of assistance to clear the list by 2026.

Councilor Polaco made a motion to endorse Senate Bill 376; Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Councilor Padilla made a motion to endorse House Bill 319; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Council members discussed House Memorial 41, which asks that Rio Arriba County transfer the escuelita in Cañones from Rio Arriba County to the Juan Bautista Baldes Land Grant. The Grant, the mutual domestic and the acequias have offices in the building and are the primary users. The transfer of ownership will formalize control of the building. The memorial has made it through the Rural Development, Land Grants and Cultural Affairs Committee.

Councilor Padilla made a motion to endorse House Memorial 41; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Council members discuss House Bill 268, which would recognize the Arroyo Hondo Arriba Land Grant as a political subdivision of the state. The bill passed the Rural Development, Land Grants and Cultural Affairs Committee.

Councilor Padilla made a motion to endorse House Bill 268; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

The Committee Substitute for House Bill 33 clarifies which land grants are organized under Chapter 49 by naming them in the statute. It passed the Rural Development, Land Grants and Cultural Affairs Committee and will be heard on Saturday at 12:00noon by the House Judiciary Committee.

Councilor Steve Polaco made a motion to endorse the House RDLGC Committee Substitute for HB 33; Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Senate Bill 87, waste cleanup on land grants, received a negative FIR by the New Mexico Environment Department, with expressed concerns that they didn't have capacity to the manage funding. The bill passed Indian Affairs Committee and was sent to Senate Finance, where it could get included in budget packet if there is sufficient funding.

Chairman Sánchez thanked staff for their work putting on the 2023 Treaty Day celebration, which was well attended and a great success. Councilor Padilla added that the pins were beautiful and the plaques were a great way to recognize the lifetime achievement winners. She felt that it brought a lot of people together and will generate more involvement and said it was a great day and offered her thanks.

9. Discussion and Possible Action on Natural Resource Issues and Concerns – Local, State and Federal

The Cristóbal de la Serna, Santa Bárbara and Trampas Land Grants have been working on their fuelwood distribution projects. Chris Furr (Carson NF) reported that the Santa Bárbara Land Grant did find a new contractor since the previous contractor had tax liability concerns.

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

Novela Salazar (NMAG – Treaty Division) reported that the Treaty Division is working with the new Attorney General Raul Tórréz. There will not be too many changes until after session ends. NMAG Tórréz committed to continue to support land grants and acequias and attended and gave remarks for Treaty Day. He plans to meet with the NMLGC and Treaty Division to discuss land grants and wants to expand community outreach. Ricardo Dow y Anaya (NMAG – Treaty Division) presented deeds of deposit for items at the NMAG's gallery. He reported that Cholla Khoury is leaving the NMAG's office and going to the PRC.

11. Discussion and Possible Action on Presentation by Department of Information Technology

None.

12. Discussion and Possible Action on Council FY 2023 Budget

Mr. Archuleta presented a budget update, which was included in the packet. The second item, operating funds for land grants, was intended to go the Risk Management Division to help land grants with insurance and bonding, but RMD has not gotten back to the Council since information was provided to them in August 2022. The funding was accidentally sent to UNM rather than remaining on the DFA portion of the budget. There were no new billings from legal services. The contracts for Joe Lennihan and Holland and Hart are complete. Total budget expended to date is \$152,037.27 (18%), which will increase with the next UNM billing. The \$150,000 in youth projects have started, including a subaward for \$60,000 for the ERASWCD YCC. The Council has

received new billing from Chris Chavez. Councilor Padilla mentioned the difficulty in getting qualified surveyors and the shortage of surveyors. Mr. Archuleta responded that it is an expensive profession and NMSU is the only program in state. There are not many people interested and he is not sure what the Council can do. Chairman Sánchez responded that we can ask Chris Chávez for his advice and Mr. Archuleta added that this could be brought up with the Land Grant Interim.

13. Discussion and Possible Action on UNM Intergovernmental Services Agreement

In packet is PR 1, which was already sent to DFA and was approved and submitted. Pay request #2 was presented, with \$118,646.42 in personnel, \$2,485 in computer supplies, \$24,347.30 in F&A and \$320 in facility rental for a total of \$146,083.65.

Councilor Polaco made a motion to approve Pay Request #2 for \$146,083.65; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed.

14. Discussion and Possible Action on Legal Services Contract – Update and Requests

None

15. Discussion and Possible Action Professional Surveyor Services Contract Update and Requests

None

16. Discussion and Possible Action on Mercedes Unidas Center Update

Leonard Martínez (San Joaquín del Río de Chama LG) asked for guidance on RFPs if bids are not received. Mr. Archuleta commented that the RFP will help the reauthorization of funding as proof that the grants are trying to spend the monies.

17. Discussion and Possible Action on Laguna del Campo Update

Councilor Polaco reported that he met with attorney David Benavides and that there was another correction on the draft deed, which he will analyze and review with the Tierra Amarilla Land Grant board.

18. Discussion and Possible Action on Land Grant Registry Update

Mr. Baca reported that he received and fulfilled an Inspection for Public Records Act request.

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

LM García y Griego (LGSP) reported that has been in contact with Dave Hansen of the OVPR and has received materials from Mary Jo Daniels to move the Institute process forward. There will need to be adjustments to the advisory committee as Rebecca Correa Skartwed is no longer on the Council. Councilor Padilla volunteered to serve on the LGSP advisory committee. Mr. Archuleta reported that the UNM Law School is offering a land grant and acequia course starting the weekend of February 24-26th. Jacobo Baca and Anissa Baca reported that they are continuing to

collaborate with New Mexico Highlands University in the ALGE project, including the NMABE conference in April. Anissa reported that the LGSP continues to create and distribute the land grant newsletter, *El Grito de las Mercedes*

20. Discussion and Possible Action on Correspondence

None.

21. Discussion and Possible Action on Staff Assignments

Greta Archuleta (NMLGC) provided an update on her work. She has contacted 12 land grants and helped them submit budgets and quarterly reports. Tajique is in the process of submitting their final budget, while Torreón and Santo Domingo de Cundiyo and Abiquiú have not yet gotten back to DFA-BFB or to the Council. The two DFA analysts assigned to land grants are communicating well and have let us know who is in need of submissions. She also worked with Mr. Madrid, the Tierra Amarilla Land Grant accountant. Most land grants have budgets submitted and are working to get quarterly reports submitted. Mr. Archuleta added that Ms. Archuleta and Council staff is also working in templates for profit and loss statements and working with the auditor at on the at risk list to be sure that land grants are off of the list and remain eligible for future distributions. Quarterly reports are due 30 days after the end of the previous quarter, so reports for the July-September quarter are due in October, those for the October-December quarter are due in January and so on. Budgets need to be submitted at the ends of the fiscal year. Mr. Archuleta will also attend a meeting at 4:00pm regarding the Las Vegas Land Grant hosted by the Fourth Judicial District Court.

22. Discussion and Possible Action DC Trip

Mr. Archuleta discussed the need to travel to Washington DC to meet with the New Mexico Congressional Delegation and Natural Resource Committee Chair and committee members, as well as agency heads. The trip would likely be after May 15.

23. Public Comments – Discussion only

Mr. Martínez (San Joaquín del Río de Chama LG) commented that it has taken a lot of time for the grant's treasurer to do the required reporting. They have bought equipment from DOT, which was time consuming and costly. The Grant has gained properties and they are looking into hiring a land grant manager. He suggested the Council host a conference where land grants present to discuss their needs, concerns, and issues and share knowledge with one another. Chairman Sánchez agreed that it is a good idea for the grants to come together and Mr. Archuleta added that annual trainings are in the process of being developed and planned, including trainings for new budgets and those from other partners with other entities. Now that land grants have resources, they can afford to send people to a 2-day training. Joaquín Argüello thanked the Council for their assistance and formal support for HB 268. He thanked the Consejo and land grants for their support as well.

24. Miscellaneous Announcements

Letters regarding interest in the NM DOT hardship auction are due March 31st. Now that land grants are receiving funding, they will have to justify the reasons that they qualify for hardship. This would be an opportunity for the Las Vegas subgrants effected by the fire to borrow heavy equipment purchased and loaned by other grants. Chairman Sánchez also added that forest training classes are being offered in Las Vegas.

25. Date and Location for April 2023 Council Meeting

The March Council meeting will be on March 24th at 11:00 am in Espanola, location tbd, with a Congressional Delegation quarterly meeting at 10:00am.

The April Council meeting will be on April 21st at 10:00 am in Albuquerque, location tbd.

27. Adjournment

Councilor Padilla made a motion to adjourn; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed. The meeting adjourned at 12:15 MST.

Approved:

Chair

Date