

New Mexico Land Grant Council (NMLGC)  
March 24, 2023 – 11:00am  
In Person and Virtual Meeting (Hybrid)  
Northern New Mexico College  
Joseph Montoya Administration Building - Board room  
921 N. Paseo de Oñate, Española, NM 87532  
Zoom ID: 963 2400 6911

**Final Meeting Minutes  
Regular Council Meeting**

**1. Call to Order - Roll Call**

Chairman Juan Sánchez called the meeting to order at 10:59am MDT. Roll call of the Council members: Andrea Padilla, Steve Polaco, and Juan Sanchez were present.

**2. Introduction of Guests – welcome**

Denise Montoya, Chief of Staff and Vice President of Finance and Administration ay Northern New Mexico College, welcomed the Council on behalf of President Hector Balderas and NNMCM.

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); Novela Salazar (NMAG – Treaty Division); Eric Chávez (Office of Sen. Ben R. Luján); Zach Behrens (Carson National Forest); Denise Montoya (NNMC); Dominique Trujillo (NM Board of Professional Engineers and Surveyors); Marlene Segura, (NM Board of Professional Engineers and Surveyors); Miranda Gonzales, (NM Board of Professional Engineers and Surveyors); Perry Valdez, Executive Director (NM Board of Professional Engineers and Surveyors); Robert Gromatzky, Board Member (NM Board of Professional Engineers and Surveyors); Anabelle Sillas Graves; Abel Sillas (Arroyo Hondo Land Grant heir); Deborah Swanson; Priscilla Sillas Rael (Arroyo Hondo Land Grant heir); Elias Ontiveros; Chris Chavez (Territorial Land Surveying); Paulette Hammonds (FEMA); Crystal Medina (New Mexico Forest and Watershed Restoration Institute); Katrina Gutierrez (New Mexico Forest and Watershed Restoration Institute); Eric Stemmerman (acting Gov't affairs lead, USFS, Region 3); Gilbert Quintana; Victor Saavedra; Pam Baltimore (USFS).

**3. Approval of Agenda**

Chairman Sánchez asked to make the following changes to the agenda, moving item 11 under item 7 and item 14 under item 8. Councilor Steve Polaco made a motion to approve the agenda, as amended; 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 February 17, 2023 Council meeting**

Councilor Polaco made a motion to approve the meeting minutes of the February 17, 2023 Council meeting; Councilor Padilla 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 Bureau of Land Management Update**

Lisa Morrison was not available to attend. Mr. Archuleta and Mr. Baca will present “Land Grant 101” to the BLM at their state headquarters in Santa Fe on March 31.

### **6. Discussion and Possible Action on State Land Office Update**

Camila Romero was unable to attend. The Villanueva project has started and Camila Romero and Mark Meyers are flagging the area. The Bearcat Project continues as they meet with potential contractors to move wood from project site to Chililí.

### **7. Discussion and Possible Action on U.S. Forest Service Update**

Eric Stammerman introduced himself as Ashley Wright’s temporary replacement at USFS Region 3 in legislative relations. Zach Behrens (Carson National Forest) reported that they are in the middle of public comment period (ending March 31<sup>st</sup>) for draft EIS for the Taos Ski Valley Resort Projects. The McGaffey and Rio Grande del Rancho Restoration Project on NM 518 from Talpa to US hill onto Amole Canyon is in planning and the comment period ends April 6<sup>th</sup>. This is part of the Enchanted Circle Wildfire Crises Strategy Landscape, which includes 500,000 acres, a third of which is on U.S. Forest Service lands. The area declared to have emergency conditions and the Carson has an agreement with Taos County and is working to bring leñero projects to Mora County and other areas. Thinning 25% of the tree stand can reduce risk of catastrophic wildfire by 80%. Mr. Archuleta told Mr. Stammerman that the Council will be in Washington DC the first week of June and would like to visit the USFS and Department of Interior to discuss the traditional use bill. Mr. Stammerman responded that he will work with the Council to prepare for meetings.

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

Novela Salazar reported that the NMAG’s office is holding a Rapid Hire event and that the NMAG’s website is changing but the digital repository will be preserved. Ms. Salazar also reported that she will be leaving the NMAG’s office. Council members and staff thanked Ms. Salazar for her work and wished her good luck.

### **8. Discussion and Possible Action, Presentation by NM Board of Licensure for Prof. Surveyors – Perry Valdez**

Perry Valdez, Executive Director of the NM Board of Professional Engineers and Surveyors, along with staffers Dominique Trujillo, Marlene Segura, and Miranda Gonzales, and Board member Robert Gromatzky of the NM Board of Professional Engineers and Surveyors, presented regarding surveyors, licensing requirements, numbers of surveyors in New Mexico, as well as education, outreach and recruitment. Council members discussed difficulty getting surveyors to take important surveying work for land grants. Mr. Valdez and Mr. Gromatzky and Chris Chavez (Territorial Land Surveying) stated that the work is hard work and work is often completed in the field alone. Recruitment for new surveyors is likely best done at the local level, with veteran surveyors mentoring younger surveyors. Few people get their surveyor licensure through the alternative pathway, which might be an engineering degree and 18 hours of surveying. Mr. Valdez

also stated that the shortage of surveyors is a nationwide issue and New Mexico isn't experiencing the shortage that other states are experiencing.

#### **14. Discussion and Possible Action Professional Surveyor Services Contract Update and Requests**

Chris Chavez (Territorial Land Surveying) discussed work in Tajique and presented his invoice. Councilor Polaco made a motion to approve invoice #2 from Territorial Land Surveying for \$4,590.30; Councilor Padilla seconded the motion.

Roll call vote:

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

The motion was passed.

Councilor Polaco mentioned that the Tierra Amarilla Land Grant may need survey work on lands to transfer from Rio Arriba County, including an old administration building.

#### **9. Discussion and Possible Action on Federal and State Legislative Update**

##### *Federal*

The Council held a Congressional Quarterly call this morning. The traditional use legislation will be introduced at some point this Congress. The Farm Bill will be simple as land grants simply need to be listed as an eligible entity for programs under certain titles. The grazing reduction bill will also be reintroduced by Senators Heinrich and Luján. Staff will work on both bills. Eric Chávez (Office of Sen. Ben R. Luján) stated that the CDS deadline was March 16 and several applications received. The land grant EIN issue is ongoing and information for the Town of Tomé and San Joaquín del Río de Chama has been sent to a technical expert for processing. The taxpayer advocate liaison will reach out to him and he will loop in land grants with more information. Mr. Archuleta mentioned that the Juan Bautista Baldés and the Chililí Land Grants might have a similar issue. He added that the Council hoped to establish a line of contact in case other land grants had this issue. For the Town of Tomé Grant, they cannot get a NM CRS# as New Mexico deems the federally issued EIN invalid. Land grants that had their EIN issued before 2004 will have similar issues since before 2004 land grants self-identified as corporations or other entities and not as a government entity.

##### *State*

HB 268 (in packet) has been signed into law. The law is two part, recognizing four land grants seeking political subdivision status and explicitly recognizing all other land grants operating as political subdivisions. These subgrants were discussed by interim in 2004, long before legislation was proposed in 2015. Senate Bill 505 is capital outlay (in packet) includes \$1.5 million to nine land grants, all funded through general fund monies. Land grants need to be aware of 1% for the arts when planning their monies. SB 309 was for capital outlay reauthorizations, where five land grants had more than \$500,000, all funded by severance tax bond funding. These grants need a new grant agreement needs to be issued or it needs to be amended. SB 192 is for junior monies, including \$320,000 for the Anton Chico, San Miguel del Bado Land Grants and the NMLGC. Abel Sillas asked if the NMLGC can facilitate meeting between his family and the Arroyo Hondo Arriba Land Grant Board. Chairman Sánchez responded that the Arroyo Hondo Arriba Land Grant board

of trustees need to request from help from the Council and that the Council cannot intervene on an internal affair.

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

Paulette Hammonds from FEMA stated that land grants and acequias are new to FEMA and there is interest from FEMA and State of New Mexico Department of Homeland Security to find a mechanism to distribute funding to the State of New Mexico and land grants. She asked several questions that Council members and staff answered and shared information for the Lower Gallinas and Los Vigiles Land Grants which were directly affected by the HPCC Fire and are on the Rio Gallinas, whose waters flow into Brantley Reservoir and Story Lake. Councilor Padilla mentioned how Pendaries was prioritized over Rociada. The HPCC claims office is set up and staffed by Carol Garcia and Angela Gladwell and each claimant will be assigned a navigator. Everyone should complete the notice of loss form and assume they are eligible and apply for relief.

**12. Discussion and Possible Action on Council FY 2023 Budget & FY 2024 Budget**

Mr. Archuleta provided a budget update (in packet). The funding for operating funds to land grants (\$80k) was accidentally sent to UNM as part of IGSA and was being pulled back to DFA. The applications for tort liability coverage have been sent and are being received from land grants. The Santa Bárbara Land Grant has drawn down on its \$5,000 support fund award; the Las Trampas Land Grant has yet to draw down on theirs. New Mexico Legal Aid has yet to send invoice and contract attorney Joe Lennihan dropped out since DFA took too long to process his request. The contract was lost with staff changes at DFA and the Council will need to reallocate the \$30,000. Holland and Hart’s contract has been completed. Out of state travel estimates may be higher than amount budgeted, but the Council can move monies from in state travel, which will come under budget. The subaward to East Rio Arriba SWCD is being processed under the IGSA. Also presented was the option for the Council to purchase an advanced account for quickbooks, as well as travel options for a trip to Washington DC (June 4-9) ranging from \$5,184.86 to \$6,689.28.

Councilor Padilla made a motion to purchase Quickbooks; Councilor Polaco 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 approve funding for travel to Washington DC; Councilor Polaco seconded the motion.

Roll call vote:

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

The motion was passed.

The Council has received 10 completed applications for RMD tort liability coverage. The NMLGC can purchase coverage that will run from May 2023-May 2024, which will cost about \$900.00 per grant. Bonding will go through MARSH, a private company that works with RMD. Other liability

coverage is yet to be determined. With tort liability coverage costing about \$1,000 per land grant, only \$20,000 will be spent. If bonding costs around \$1,000, an additional \$20,000 will be spent. With the \$10,000 to the Santa Bárbara and Las Trampas Grants, that only totals \$50,000 of \$80,000 encumbered, leaving at least \$30,000. Adding the \$30,000 from Joe Lennihan's contract totals \$60,000. Expending this \$60,000 could include \$5,000 to the Cristóbal de la Serna Land Grant for their wood project. Amendments could be made to give the Cristóbal de la Serna, Santa Bárbara and Las Trampas Grants \$5,000 more each for their wood projects. If land grants are ready to do a property acquisition, and are in process, monies from this fund can be expended for this purpose.

Councilor Polaco made a motion to allow staff to identify projects and have a special meeting to approve expenditure of funds; 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 grant \$5,000 to the Cristóbal de las Serna Land Grant for their wood project; Councilor Polaco seconded the motion.

Roll call vote:

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

The motion was passed.

The Council's FY 2024 budget was discussed (in packet).

### **13. Discussion and Possible Action on UNM Intergovernmental Services Agreement**

Pay request #3 was presented, including \$43,488.29 in personnel, \$9,264.78 in F&A and \$330.00 in facility rental for a total of \$55,588.70.

Councilor Polaco made a motion to approve Pay Request #3 for \$55,588.70; Councilor Padilla seconded the motion.

Roll call vote:

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

The motion was passed.

### **15. Discussion and Possible Action on Legal Services Contract – Update and Requests**

None.

### **16. Discussion and Possible Action on Laguna del Campo Update**

Councilor Polaco reported that he is waiting for David Benavides to review the deed for Laguna del Campo.

**17. Discussion and Possible Action on Land Grant Registry Update**

Mr. Baca reported that he sent requests for election updates to all land grants.

**18. Discussion and Possible Action on Land Grant Studies Program Update**

The Land Grant Studies Program will sponsor a talk by Ramón Gutierrez on Reies López Tijerina on April 11<sup>th</sup> at UNM. Mr. Archuleta and Mr. Baca presented for the UNM Law School land grants and acequias class on February 24 & 25<sup>th</sup>. Mr. Baca and Ms. Baca reported that they presented on land grants to the Tierra Amarilla youth group on February 22<sup>nd</sup>. Mr. Baca reported that presented to Dr. Eric Romero’s NMHU class on March 6<sup>th</sup>. Mr. Baca, Ms. Baca and Councilor Padilla will participate in the NMABE Annual Conference 2023 from April 13-15 in Albuquerque.

**19. Discussion and Possible Action on Correspondence**

Mr. Baca reported that the Las Trampas Land Grant has requested a letter regarding their authority to purchase and own land. Council staff will work on the letter and arrange with the chairman to obtain his signature for the letter.

**20. Discussion and Possible Action on Staff Assignments**

None.

**21. Public Comments – Discussion only**

Councilor Padilla commented that land grants should be represented in the exhibits at the Palace of the Governors. Mr. Archuleta added that he discussed the issue with Zach Quintero, who is now interim director at the National Hispanic Cultural Center, and wants to create a permanent exhibit on land grants and acequias and offered space for NMLGC meetings.

**22. Miscellaneous Announcements**

Land grants need to submit quarterly reports to DFA. The Consejo quarterly meeting will take place on March 25, 2023 at 9:00am via Zoom.

**23. Date and Location for April Council Meeting**

The Council will hold a special meeting relating to the FY 2023 and FY 2024 budgets at 9:00am on April 13<sup>th</sup>, 2023. The Council will holds its April 2023 regular Council meeting on April 20<sup>th</sup>, 2023 at 9:00am at the National Hispanic Cultural Center in Albuquerque.

**24. Adjournment**

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

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed. The meeting adjourned at 2:32pm MST.

**Approved:**

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 Chair

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 Date