

New Mexico Land Grant Council (NMLGC)  
August 16, 2024 – 10:00am  
UNM Continuing Education  
South Building – Room 207  
1634 University Blvd. NE - Albuquerque  
Zoom Meeting I.D. – 985 3838 3217

**Final Meeting Minutes  
Regular Council Meeting**

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

Chairman Juan Sánchez called the meeting to order at 10:02am MDT. Roll call of the Council members: Andrea Padilla, Steve Polaco, Monica Rodríguez and Juan Sánchez were present.

**2. Introduction of Guests**

Juan Sánchez (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Monica Rodríguez (NMLGC); Arturo Archuleta (NMLGC/LGSP); Anissa Baca (NMLGC/LGSP); Greta Archuleta (NMLGC); Jacobo Baca (NMLGC/LGSP); Camilla Romero (SLO); Lesley Elser (BLM); Enrique Romero (DOJ); Lisa Brown (DOJ); Leonard Martínez (San Joaquín del Río de Chama LG); Ernesto Luján; José Emilio Aragón; Eric Chávez (Office of Sen. Ben R. Luján); Roger Valdez; Jason Quintana (Manzano LG); James Durán (USFS – Carson NF); A.J. Pacheco (Office of Rep. Teresa Leger Fernández); Sandra López (USFS-R3); Priscilla Rael; Geoffrey Plant (Taos News).

**3. Approval of Agenda**

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

Roll call vote:

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

The motion was passed.

**4. Approval of Meeting Minutes from July 18, 2024 Meeting**

Councilor Polaco made a motion to approve the meeting minutes of the July 18, 2024 Regular Council meeting; Councilor Padilla seconded the motion.

Roll call vote:

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

The motion was passed.

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

James Duran (Forest Sup. Carson National Forest) reported that the USFS would like to expand the forest mayordomo projects. The FS is awarding contracts and working with communities through agreements and the program is gaining success. The Santa Fe National Forest is interested in

implementing these projects in its ranger districts. Taos County has a good neighbor agreement with the USFS and there is interest in similar agreements from Rio Arriba and Colfax Counties. He announced that Heidi MacRoberts is the new Forest Supervisor for the Cibola National Forest. The USFS is also seeking to build capacity in cultural awareness through trainings. Councilor Monica Rodríguez commented that the San Joaquín del Río de Chama LG coordinated a positive meeting with the US Forest Service to establish the history of the land loss to the USFS and the future plans of the Grant, including the Río Chama irrigation project. San Joaquín del Río de Chama LG President Leonard Martínez added that they presented the irrigation project to Eric Chávez, A.J. Pacheco and Congresswoman Teresa Leger Fernández on the irrigation project and the plaza project and the Board and surveyor Chris Chávez met with the Santa Fe National Forest to discuss the irrigation project and requested fencing for the plaza and capilla sites.

Councilor Padilla thanked the USFS for their presentation and added that the Council and El Consejo de Las Mercedes have advocated for and supported mayordomo projects and discussed the many benefits of the program. She added that the Town of Tomé LG has benefitted from becoming a political subdivision and they work with state agencies and are working to recover from the massive loss of land that the Tomé Grant suffered. She encouraged Messers Luján and Aragón to build partnerships as well. Mr. Arturo Archuleta (NMLGC) stated that the Council is interested in renewing the MOU with the USFS and using the good neighbor authority to pursue work with land grants. Jacobo Baca and Enrique Romero reported that they met with James Durán, Belinda Mollard and the Council regarding mayordomo project, land grant 101 and acequia trainings, etc. Mr. Durán reported that the grants and agreements department has improved and there is greater recognition that our disadvantaged communities were unable to have the capacity to pursue funding and projects. He encouraged the pursuit of a broader agreement with the Council which smaller agreements with land grant communities can fall under.

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

### *Federal*

Eric Chávez (Office of Senator Ben R. Luján) reported that Senator Luján is working on a hearing from the Senate Energy and Natural Resources Committee for the Traditional Use Legislation. The Senator is also pursuing legislation regarding AI, disaster relief for communities affected by the South Fork Fire and Rio Arriba county residents affected by floods. A.J. Pacheco (Office of Congresswoman Teresa Leger Fernández) reported that Congresswoman Leger Fernández continues to explore ways to pursue the cemetery issue. Rachel Montoya (Office of Congresswoman Teresa Leger Fernández) asked if the Council was available to coordinate and attend site visit August 22<sup>nd</sup> - 23<sup>rd</sup> or 26<sup>th</sup> - 27<sup>th</sup>. The the Traditional Use Bill has been assigned to the House Natural Resources Committee but the committee hasn't taken action on the bill. Councilor Rodríguez thanked her office for their work on cemetery legislation.

### *State*

The Legislative Land Grant Interim Committee will be meeting on Monday and Tuesday (August 19 & 20) at New Mexico Highlands University in Las Vegas (*agenda in packet*).

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

Lesley Elser (BLM) reported that the Rio Puerco Management Plan is nearly complete.

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

Bearcat Project and Villanueva Plan to be extended once project plans are signed by the Commissioner SGR

## **9. Discussion and Possible Action Presentation on presentation of concerns by Ernesto Lujan and José Emilio Aragón.**

Ernesto Luján asked why the board of the Las Vegas Land Grant was removed without justification from the judge. He asked for documentation saying the District Judge has the power to take that action. He claimed that east Las Vegas is running west Las Vegas and that east Las Vegas is making decisions and it should be the Town of Las Vegas Land Grant Board and added that he was unsure if West Las Vegas has a say. Mr. Luján alleged that changes were made to the Land Grant's status and their by-laws by Representative Miguel García, Chairman Juan Sánchez and Arturo Archuleta, and added that the last meeting he attended there was a new group of people. He questioned the goal of the BLM's, whether it was to make some money and support education. He commented that acequias cannot be separated from the land grant and that they were only separated for management purposes. He added that acequias are doing a good job and they know how they should be run and that when he was on an acequia in Dilia near Santa Rosa, the county used to clean the main acequia and the county should also help with land grants.

Mr. Luján commented that the purpose of land grants is to preserve the culture, questioned how land grant board members were being paid and wondered how land grants maintain their boards without payment. He finished by stating that the leña and pastos are supposed to be free to people in the land grant. José Emilio Aragón commented that his biggest concern is the victims of the Hermits Peak and Calf Canyon, adding that the victims could not make it to the Council meeting because their vehicles were harmed. He stated that FEMA is delaying the payments so people could be tricked into selling their lands and that newcomers are taking over this property and the former board of the Las Vegas Land Grant (himself and Mr. Luján included) wanted to fight this but they were unjustly removed from the board. FEMA lost his submission of 21 pages of blueprints and proposals to rebuild and victims do not know who to talk to anymore at FEMA. They are unresponsive and this is affecting him, viejitos, and other land grant heirs who lost their homes and are being forced out. He claimed that the Las Vegas Land Grant board is not helping him and asked the Council if they were concerned, adding that helping individual victims of the HPCC fire should be the number one priority of the Council since he and others are sacrificing for the land grant by taking care of the land by managing their individual tracts.

Mr. Luján added that illegal land splits and subdivisions that were not supposed to be approved have been approved. He stated that the board from the Las Vegas Land Grant is not questioning it, and the county (San Miguel County) is allowing it when they are supposed to be supporting the land grant. He questioned the status of monies that were supposed to be for the acequias and stated that there is a subdivision near Las Vegas and the City is providing water to them and without a plan or community voice. Mr. Luján stated that the County and Las Vegas Land Grant should be advocating against the subdivisions that are being made to cater to outsiders and that there needs to be representation from the Grant as the district commissioners should be there to include land grant's input. He complained about easements shutting out people who should have a right to the land grant and stated that newcomers took over thousands of acres because they are not allowing locals into the mountains. He added that the Governor has no legislative right to manage the land grants. According to Mr. Luján, when it happened in the past In Taos, Father

Martinez fought it as someone who was there for the people and not for himself. He finished his statement, stating that everyone should know the history of land grants, including Dr. Eric Romero of NMHU. He argued that political subdivision equals oppression and Manifest Destiny and that the Treaty of Guadalupe Hidalgo is more powerful than the legislature and complained that Representative Miguel García was an outsider from Bernalillo that came in and tried to take over Las Vegas. He added that the Las Vegas Land Grant is illegal and that the New Mexico Legislature had no standing to partition.

#### **10. Discussion and Possible Action on NM Dept. of Justice & Treaty Division Update**

Lisa Brown (NMDOJ Treaty Division) introduced herself as the new attorney with the Treaty Division. Enrique Romero (NMDOJ Treaty Division) discussed the September 13, 2024 Land Grant and Acequia training in Taos, stating that all are welcome to attend and that New Mexico Attorney General Raúl Tórrez is interested in building the capacity of land grants and acequias as political subdivisions of the State. Councilor Rodríguez commented that the NMAA is contacted frequently regarding property law, probate and ‘transfer on death’ deeds and disaster recovery. Mr. Romero responded that the Division seeks to learn what works and doesn’t work regarding the HPCC recovery and working with FEMA in the Las Vegas and Mora areas, but also with the Enchanted Circle and Taos Canyon work as well.

Leonard Martínez (San Joaquín del Río de Chama LG) stated that the San Joaquín del Río de Chama LG had requested that the New Mexico State Records Center and Archives return original land grant records deposited at the NMSRCA to the Grant. He inquired with the Treaty Division during the pandemic and worked with Council staff and the Division, but nothing came of the request. Mr. Baca commented that the records are considered the property of the National Archives and Records Administration (NARA) and are “on loan” with the NMSCRA, so pursuing the return of the records would necessitate the involvement of the State Records Administrator, Dr. Rick Hendricks and the appropriate representative from NARA. The NMDOJ and NMLGC committed to follow up on the issue.

Priscilla Rael commented that she was happy the New Mexico Attorney General’s office is hiring more staff but commented she was angry that her files were and inquired regarding about a policy regarding “federal land grant heirs” and land grant heirs that do not affiliated with a political subdivision. Mr. Romero responded that the September 13 training will not be a forum for these complaints or other questions regarding HB 268.

#### **11. Discussion and Possible Action on Natural Resource Issues & Concerns - Local, State and Federal**

Mr. Archuleta reported that as FEMA issues continue to reoccur, the Council is working to facilitate conversations between FEMA and the NMDOJ, but since it is a federal issue, there is little the Council can do. The Council will work to educate agencies on what land grants are.

#### **12. Discussion and Possible Action on FY 2025 Open Meetings Act Resolution**

Lisa Brown (NMDOJ-Treaty Division) presented the Council’s FY 2025 Open Meetings Act Resolution, which is substantively the same as the FY 2024 OMA Resolution, but in a different format. It does not mention telephonic contact from news organizations as e-mail is considered a compliant action nor does it specifically mention Zoom as a virtual meeting option as it is also unnecessary. Mr. Archuleta asked if public health emergencies necessitated a virtual or hybrid

meeting needs to be specifically addressed in the resolution; Enrique Romero (NMDNJ-Treaty Division) responded that it is not required by the OMA.

Councilor Polaco made a motion to adopt the resolution; Councilor Rodriguez seconded the motion.

Roll call vote:

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

The motion was passed.

### **13. Discussion and Possible Action on Council FY 2024, FY 2025 & FY 2026 Budget**

*FY 2024*

None.

*FY 2025*

The FY 2025 Contract (IGSA) is in place and the Council can now bill toward this contract.

*FY 2026*

None.

### **14. Discussion and Possible Action UNM FY 2025 Intergovernmental Services Agreement**

Mr. Archuleta reported that the FY 2025 IGSA is in place and the Council can bill toward it in the next Council meeting. Councilors and staff discussed the surveyor contract including the need for a new RFP, which may not need to through an RFP and may be able to be obtained through a small service agreement. Jason Quintana (Manzano LG) asked if Chris Chávez of Territorial Surveying, LLC, offers a discount to land grants. Mr. Archuleta encouraged Mr. Quintana to reach out to Mr. Chris Chávez to obtain a price quote and arrange for services, but added that the Grant would need to pay Mr. Chávez directly for his services.

### **15. Discussion and Possible Action on Support for Indigenous and Hispanic Youth Leadership Outdoor Recreation Grant**

The Council discussed Indigenous and Hispanic Youth Leadership (flier in packet; story in *El Grito* newsletter, both in packet). Vidal Gonzales, former NMLGC/LGSP student, is now with New Mexico Acequia Association, but also has his own fishing and guiding business, The Uncivilized Outdoorsmen, LLC, created the Indigenous and Hispanic Youth Leadership which partnered with Trout Unlimited to expand the program. The program, which connects land grant and tribal youth, is reflective of his of own history. The Leadership program received a \$40,000 grant from the New Mexico Outdoor Recreation Division in 2024 for a three-day project. Vidal Gonzales approached the Council through its staff and requesting a letter of support and Mr. Archuleta was able to identify funds available in the Council budget to support the program. The application is due at the end of August.

The Council discussed capping the funding at \$5,000.00 and options to support the program through supply purchases and the importance and success of youth focused programs. Mr. Durán commented that he heard about the program and the USFS is interested in these programs and

that there is national funding available that is highly competitive. The Council supported youth programming through YCC partnerships with land grants and Ancestral Lands Conservation Corps and with the East Rio Arriba Soil and Water Conservation District. The Council is interested in finding a good pipeline of funding to build partnerships to extend to 10 week crews, which is beyond the few weeks of funding that the Council can afford. Councilor Rodríguez mentioned the YCC that San Joaquín del Río de Chama LG implemented through a partnership with Jemez Mountain Schools and the US Geological Survey (Abiquiu Dam)

Councilor Rodríguez made a motion that the Council submit a letter of support for the application by The Uncivilized Outdoorsman and to approve funding from the NMLGC, capped at \$5,000.00, for the Indigenous and Hispanic Youth Leadership program; Councilor Padilla seconded the motion.

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

The motion was passed.

#### **16. Discussion and Possible Action on Legal Services Contract Update & Requests**

The legal services contract has already been put in place. We currently do not have any new requests for legal requests at this time.

#### **17. Discussion and Possible Action on Professional Surveyor Services Contract Update & Requests**

Mr. Archuleta reported that the Council will need a new surveyor contract in place now that the new fiscal year has started.

Councilor Padilla made a motion to allow staff to seek out contract with Territorial Land Surveying LLC; Councilor Rodríguez seconded the motion.

Roll call vote:

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

The motion was passed.

Monica Rodríguez made a formal request that the San Joaquín del Río de Chama LG be placed on the survey list. Councilor Padilla made a motion to approve San Joaquín del Río de Chama LG on the list for surveying services; Councilor Polaco seconded the motion.

Roll call vote:

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

The motion was passed.

Jason Quintana made a formal request for Manzano to be placed on the survey list. Councilor Padilla made a motion to place Manzano on the list to survey; Councilor Polaco seconded the motion.

Roll call vote:

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

The motion was passed.

### **18. Discussion and Possible Action on Land Grant Merced Institute Update**

Mr. Archuleta reported that Council staff participated in the UNM OVPR annual retreat, Anissa Baca has assisted the Tierra Amarilla Land Grant with oral history interviews and that Jacobo Baca presented to the San Joaquín del Río de Chama YCC crew and the TUO/TU group at Hopewell Lake.

### **19. Discussion and Possible Action on Land Grant Registry Update**

Mr. Baca reported that the following has been submitted to the Council and will be included in the New Mexico Community Land Grant Registry and that Council staff has responded to IPRA requests on behalf of the Council

- Tierra Amarilla LG - updated board membership
- Juan Bautista Baldes LG - updated board membership
- Don Fernando de Taos LG - bylaws amendments
- Manzano LG - board membership

### **20. Discussion and Possible Action on Correspondence**

The Council discussed a request from Jason Quintana for a letter of recommendation for an ombudsman position at DFA. Even in absence of a policy on these requests, Lisa Brown (NMDOJ-Treaty Division) advised that while the Council could offer a letter to DFA discussing the attributes of an ideal candidate, issuing such a letter for an individual could have anti-donation issues that need to be explored. Council staff also reported that Andrea la Cruz Crawford now on the Community Governance Attorney Commission as a representative for acequias (Ms. La Cruz Crawford serves on the New Mexico Acequia Commission). The CGAC only allowed a small window for its last round of applications (less than 1 day) and has repeatedly violated the Open Meetings Act by not properly advertising the meeting. Chairman Sánchez asked Council staff to draft a letter detailing concerns discussed. Mr. Archuleta reported that he received an e-mail from Robert Sierra accusing the son of a member of the Anton Chico Land Grant Board of illegal dumping on the Grant. The appropriate intervention would be done by NMED. Councilor Padilla commented that the Council should reach out to the Anton Chico LG Board for clarification.

### **21. Discussion and Possible Action on Staff Assignments**

None.

### **22. Public Comments – discussion only**

Councilor Polaco reported that Sansbro, the electrical contractor for Mercedes Unidas, has completed the work and wants the three land grants to have a tour of the work. Priscilla Rael thanked Mr. Aragón and Mr. Luján for their presentation and Geoffrey Plant for his article.

**23. Miscellaneous Announcements**

Lisa Brown (NMDOJ-Treaty Division) discussed the FY 2025 Open meetings Act Resolution and inadvertent quorums. She presented a prepared statement regarding inadvertent quorums, which Chairman Sanchez read. The statement read:

“Andrea Padilla, Steve Polaco and I attended the New Mexico Department of Justice’s Land Grant and Acequia Training Program in Taos July 12<sup>th</sup>, which created an inadvertent quorum. However, we did not discuss business or public policy during the event and make this disclosure in the interest of transparency.”

Council members and staff and NMDOJ-Treaty Division staff discussed the possibility of inadvertent quorums at future meetings, including the Interim Land Grant Committee meetings and future trainings.

**24. Date and Location for September Council Meeting**

The September 2024 New Mexico Land Grant Council meeting will be held on September 27, 2024 in Albuquerque at UNM Continuing Education.

**25. Adjournment**

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

Roll call vote:

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

The motion was passed. The meeting adjourned at 1:06 pm MDT.

**Approved:**

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Chair

\_\_\_\_\_

Date