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Steve Glass, Region I  
Ross Garcia, Jr., Region II  
Vacant, Region III  
Boe Lopez, Region IV  
Vacant, Region V  
Eddie Vigil, Region VI  
Cyle Sharp, At-Large

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**New Mexico Soil and Water Conservation Commission (SWCC) Meeting**  
**Via Teleconference**  
**June 18, 2024**  
**9:00 am**  
**Minutes**

All Items for Discussion and Possible Action

1. Call to Order and Roll Call: Commissioner Lopez was absent; all other commissioners were present-see roll call.
2. Approval of Agenda: Commissioner Glass moved to approve the agenda. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.
3. Approval of Previous Meeting Minutes (3/27/2024): Commissioner Garcia moved to approve the minutes. Commissioner Glass seconded and the motion passed by all commissioners present-see roll call vote.
4. Open Meeting Resolution: Commissioner Glass moved to approve the open meetings resolution. Commissioner Garcia seconded, and the motion passed by all commissioners present-see roll call vote.

**New Business**

5. Public Comment (*2 minutes per person*) Commissioner Glass gave the floor to Jennifer Pierce (Chaves SWCD). Their Noxious Weed Coordinator had attended a drone demonstration last month in East Rio Arriba. The drone utilizes a pesticide/herbicide spray to spray small crops or locations. Commissioner Glass questioned what the volume of herbicide the drone could carry. Commissioner Garcia reported the drone could carry 2.5 gallons, it returns to the source for new tank when empty, and then resumes in last location of application. Commissioner Garcia explained it is pretty accurate, follows the

map exactly, covers quite a bit of ground fairly quickly, and efficiently uses herbicide. The next demonstration date is on June 25<sup>th</sup>, at 10am, at the Roswell Fair Grounds.

6. Edgewood Name Change: proposed to change their name to Central Tri-County Soil and Water Conservation District (SWCD). Wendy Lossing (Edgewood SWCD) reported the Edgewood area history and the SWCD wants the name to be more inclusive of the area of service that includes Southern Santa Fe, Northern Torrance, and Eastern Bernalillo counties. They are only seeking to change the name of the SWCD, not their boundaries. Commissioner Sharp moved to approve Edgewood SWCD name change resolution, Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.

7. Soil and Water Conservation District (SWCD) Mil Levy Resolutions:

- Edgewood \$1.00
- Mora-Wagon Mound \$1.00
- Tierra y Montes \$1.00
- Carrizozo \$1.00
- Guadalupe \$1.00
- Upper Hondo \$0.75
- Western Mora \$1.00
- East Torrance \$1.00
- Upper Chama \$1.00
- Cuba \$1.00
- East Rio Arriba \$1.00
- Lava \$1.00
- Hagerman-Dexter \$1.00
- Sierra \$1.00
- Carlsbad \$0.70
- Ute Creek \$1.00
- Valencia \$0.25

- Central Valley                      \$0.50
- Penasco                                \$1.00
- Caballo                                 \$1.00

Commissioner Garcia moved to approve SWCD Mil Levy Resolutions, Commissioner Glass seconded, and the motion passed by all commissioners present-see roll call vote.

8. SWCD Supervisor Appointments:

- Taos: Mary Lane Leslie (7)
- San Juan: Cash Carruth (6), Gentry Sterling (7)
- Edgewood: Juan Sanchez (6), Jim Frost (7)
- Upper Hondo: Beth Mendiola (6), David Cox (7)
- Cuba: Ricardo Duran (6), Frank Chacon (7)
- Roosevelt: Sharon Davis (6), Dylan Marks (7)
- Ciudad: Gabriella Coughlin (6), Sarah Hurteau (7)
- Hidalgo: Levi Klump (6), Walt Anderson (7)
- Guadalupe: Earl Sena (6), Mary Baca (7)
- SW Quay: Preston Downey (6), Kandy Hutchins (7)
- Grant: Johnny Reed (6), Niel McDonald (7)
- Carlsbad: Fred Beard (6), Henry Vasquez (7)
- Sierra: Randy Coil (6), Willard Hall (7)
- Guadalupe: Earl Sena (6), Mary Baca (7)
- Caballo: Harvey Morrow (7)
- Carrizozo: Lee Sultemeier (6), Bryan Hightower (7)
- Valencia: Janice Lucero (6), Richard Bonine (7)
- Dona Ana: Joshua Smith (6), Joshua Sanchez (7)
- Claunch-Pinto: Larry Gomez (6), Susan Dale Rose (7)
- Carrizozo: Lee Sultemeier (6), Bryan Hightower (7)
- East Torrance: Jason Brumley (6), Patrick Patcha (7)
- Santa Fe-Pojoaque: Shann Stringer (7)

Commissioner Glass asked if these were appointments or re-appointments. Commissioner Garcia clarified some were new appointments and others were not. Commissioner Glass moved to approve the appointments as presented. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.

9. Water Quality and Conservation FY25 Grant Recommendations/Funding: Katie Mechenbier (NMDA) presented the updates on this program-see attached recommendation memo. The subcommittee recommended 12 projects for funding (Socorro, Mesa, Ute Creek, Chaves, Southwest Quay, Otero, Border, Salado, Quemado) which included the runners up (Hidalgo, East Rio Arriba, Deming). If any awardees cannot spend their approved funding, the extra funds will go to these runners up. Commissioner Garcia asked what determines the extra funding and when will that information be available. Ms. Mechenbier replied if at any time a grantee cannot complete their project; the extra funding will come from the grantee's relinquished award.

Chair Vigil questioned if the amount the SWCDs receive is typically \$150,000. Patricia Depner (NMDA) clarified the funding of \$107,592 is the appropriation amount. In recent years some grantees were not able to complete their project or completed their project under budget, so more money was added in those instances.

Commissioner Garcia moved to approve the Water Quality and Conservation FY25 Grant Recommendations/Funding as presented. Commissioner Glass, seconded and the motion passed by all commissioners present-see roll call vote.

10. Point System Changes for FY25: Katie Mechenbier reported that the SWCDs have the opportunity to earn \$70,000 this year (FY24) due to extra legislative funding (\$2.5 million). Earlier this year the SWCC had voted to increase the base funding to \$10,000 and add Land of Enchantment (LOE) legacy funding on the worksheet as item #8, as this funding is reoccurring and it gives more opportunity for districts to gain more points in this area.

Commissioner Vigil asked for clarification on whether the \$2.5 million was a one-time appropriation. Ms. Mechenbier confirmed it is a one-time appropriation. On next year's

worksheet, this will revert back to the base funding \$2,500 for items 1-5 and keep the LOE funding listed as an item.

Commissioner Glass moved to approve FY25 point system worksheet as proposed.

Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.

11. Santa Fe-Pojoaque - Obtaining Legal Assistance from District Attorney: Champe Green (Santa Fe-Pojoaque SWCD) reported in December 2023, Santa Fe-Pojoaque required legal assistance with several projects. They do not have a mill levy and therefore do not have a budget to pay for legal assistance. Based on the SWCD Act 73-20-41.e, “supervisors may call upon the district attorney of the judicial district within which all or part of the district lands may be situated for legal services required by the district”; the SWCD contacted attorney Kent Walquist of the 1<sup>st</sup> judicial district. Mr. Walquist informed them they did not have the staff or resources to provide legal assistance to the SWCD, as most if not all of their attorneys are criminal/defense attorneys and do not have the expertise to assist them. On Mr. Walquist’s recommendation, the SWCD contacted the Attorney General’s office for assistance. Deputy Attorney General Joseph Dvorak, gave almost the same response as Mr. Walquist regarding the lack of resources and expertise in the Attorney General’s office. Some resolutions Mr. Dvorak provided were 1) the wording in SWCD Act needed to be changed as the judicial district and Attorney General’s office could not provide what the law calls for, 2) the SWCC could advocate through legislature to sponsor a bill that would establish funds for SWCDs to use for legal assistance as needed. Mr. Green is asking the SWCC for assistance in finding possible solutions for this issue. Chair Vigil noted the SWCC itself is staffed from the Attorney General’s office, and would seek legal assistance or representation from their office. Commissioners Garcia and Glass reported similar experiences in East Rio Arriba and Ciudad SWCDs. Commissioner Glass commented regarding the language in the statute, supervisors “may” call upon the district attorney as opposed to the district attorney “shall” provide legal support. Mr. Green commented that if the wording of the statute needs to be

changed, they may need to get the appropriate committee or sponsor. Chair Vigil called upon Debbie Hughes (NMACD) to inquire if this issue would be something the NMACD or SWCC needs to take on. Ms. Hughes responded the NMACD would need to look into this issue, speak with Secretary Jeff Witte, and possibly consult with former legislator Rebecca Dow who was in attendance of this meeting. Chair Vigil directed Patricia Depner to send a letter from the commission to the Attorney General's office requesting the Attorney General's office abide by the statutes to provide assistance regardless of resources.

12. SWCC Meetings - Future In-Person Meetings: Katie Kruthaupt (NMDA) asked if the SWCC would take into consideration the possibility of future in person meetings. In prior years, the SWCC would at times meet in person at the NMACD's annual meetings. Chair Vigil agreed for future in person meetings, however a decision will need to wait until item #30 on the meeting's agenda. Debbie Hughes commented the next NMACD meeting would be October 28-30, unless the SWCC would need to meet before then.
13. Legislative Funding Outcomes - Katie Kruthaupt reported on the legislative outcomes:
  - \$2.5 Million for SWCDs - One-Time Appropriation: \$2.5 million for SWCDs is a one-time appropriation from the legislature. For the fiscal year 2025 worksheet that will be submitted in July, if equal distribution amongst districts and each one received 100 points, approximately \$70,000 per district or more depending on the points each district acquires.
  - Capital Outlay: Approximately 10 different districts received funding from the legislature this year for capital outlay projects.
  - Land of Enchantment Legacy Funding: review committee met earlier this month with Secretary Witte for approval of projects recommended for funding. 28 SWCD projects were approved for funding, with 3 runner ups to receive funding if a district is unable to use the funds. Approximately \$800,000 was awarded in total, approximately \$3.6 million requested from districts. All district applicants will be notified by email at end of this month, whether their project was approved

or declined for funding, along with feedback comments provided by the reviewers.

The awardees are: Chaves (received partial funding), Taos (various projects), Colfax, Carlsbad, Tierra y Montes, Ciudad (various projects), San Juan, Border, Santa Fe-Pojoaque, Salado, Quemado, Central Curry, Northeastern (various projects), Roosevelt, East Rio Arriba, Ute Creek (various projects), Socorro (various projects), Otero, Dona Ana, and Valencia (various projects). These SWCDs will be receiving memorandums of agreement.

### **Old Business**

14. Healthy Soil Program Update: Dean Bruce (NMDA) reported NMDA is in the process of determining final funding for HSP projects that included 18 applications from eligible entities (SWCDs, land grants, acequias, nations/tribes/pueblos, NMSU Cooperative Extension Service) and 70 applications from individual applicants. Total funding requested was \$2.5 million. Final award amounts and notifications will be sent out on/around June 27. HSP has met internally with Secretary Witte, reviewed final applications recommended for funding by technical review committee, and are determining final funding amounts at this time. The projects will last 10 months, beginning August 1 and ending May 31. Commissioner Glass relayed a comment from former recipients of HSP funding that the implementation schedule from August to May is not the best operational schedule for agriculture. Mr. Bruce has heard similar comments from individuals in regards to the project schedule does not line up with the agricultural calendar. NMDA seeks recommendations from the SWCC to improve the program for their producers that fits more in line with agriculture production in New Mexico.
15. Agriculture Workforce Development (AWD): Katie Mechenbier (NMDA) reported the application period opened June 17, 2024, and will close March 30, 2025, funding permitting. Agricultural business can apply to hire up to three interns per calendar year. The AWD will to pay the business grantee \$15,000 per intern, with a minimum of 130

hours of work experience, and the business grantees will need to pay the minimum wage and workers compensation.

**Reports/Verbal Highlights (5 min. each; written reports required 72 hours in advance)**

16. Commissioner Glass reported Ciudad collaborated with partners on a survey with landowners and voters with good results to indicate a possible successful mill levy on the November ballot. Valencia has an acting district manager and will be recruiting to fill the position in the coming months. Coronado is making progress on developing alternative ways to thin forests in wilderness areas, specifically in the overgrown area above Placitas. They are working with Forest Service and Sandia ranger district to treat the high fire and runoff threat area. San Juan is hiring a finance manager and office manager. Cuba collaborated with many partners to publish the guide *Living with Fire*, which was shared on the Cuba Facebook page. Commissioner Glass will share the news on the Ciudad Facebook page as well and perhaps get copies of the guide for landowners in Ciudad area.

Commissioner Garcia reported the SWCC weed management program is working together with various districts, and as a result Santa Fe-Pojoaque SWCD will implement weed management.

Commissioner Sharp reported the Emergency Watershed Protection (EWP) program implemented in the burn scar of Hermit's Peak/Calf Canyon (HPCC) fire, primarily San Miguel and Mora counties to reseed areas damaged by the fire. SWCDs are managing and preventing future flooding in burn scar area. Commissioner Sharp invited Gerald Romero (Tierra y Montes SWCD) to give insight on the fire situation. Mr. Romero reported the Tierra y Montes is a sponsor for the EWP on the HPCC fire, and received 1,200 requests for EWP assistance. There are reseeding efforts on approximately 60,000 acres of private land to reduce soil erosion and flooding. About \$180 million has been spent on these recovery efforts in the fire and subsequent flooding.

Chair Vigil reported portions of region 6 are facing an evacuation order due to fire.

Commissioner Sharp expects the SWCDs will be engaging soon for local sponsors. Mr.



Romero offered assistance to districts that are anticipating using EWP.

17. Governor's Office: none
18. New Mexico Department of Agriculture (NMDA): Katie Kruthaupt introduced the new NMDA program coordinators, Maddy Cole and Lulu Saenz, to the commissioners. They will be assisting Patricia Depner in financially managing all NMDA projects and grants.
19. Natural Resources Conservation Service (NRCS): Xavier Montoya (NRCS) gave an update on the department's various projects and large amounts of funding granted for this year. Environmental Incentives program (EQIP) and Conservation Stewardship program (CSP) received a large influx of funding by the Inflation Reduction Act (IRA). The NRCS anticipated \$19 million in EQIP, but due to rounding error there was an extra \$30 million. They received an extra \$8 million in CSP, and are working with landowners to use these funds in conservation efforts.

There is still ongoing progress with the 2018 farm bill, and hopefully there will be a new farm bill during this calendar year. The producers that have met the maximum amount of funds available will have to wait until a new farm bill is passed for additional funding. NRCS is currently working with landowners on resource conservation plans as well as watershed program sponsorship contracts that will be hopefully done within a year. NRCS has hired 40 new employees, for a current staff of 166, and a goal of 190 employees.

The EWP has spent over \$150 million the HPCC area, efforts that include seeding and mulching or protecting life and property. NRCS is working on 4 programs in the HPCC area, the largest being EWP. In March 2023, NRCS received a waiver for EWP for acequias, a large project not possible without partners. NRCS is currently writing conservation/restoration plans. As of last week, they had 1,456 applications, and completed 871 plans on 113,000 acres worth \$619 million.

20. Forest Service: none
21. Farm Service Agency: none
22. New Mexico Environment Department (NMED): none

23. Water Quality Control Commission (WQCC): Commissioner Glass remarked this week the WQCC is trying to adopt new rules water reuse that includes produced water, and will continue for the next 2 weeks.
24. New Mexico Mining Commission: none
25. National Association of Conservation Districts (NACD): none
26. New Mexico Association of Conservation Districts (NMACD): Debbie Hughes reported NMACD president Josh Smith also serves on the NACD executive board, and may be running for one of the executive offices. The annual meeting is set to take place in Albuquerque on October 28-31, 2024, at the Uptown Sheridan. NMACD received an emergency contract with the Department of Finance and Administration for \$2 million, in which about \$500,000 has been spent. They have been assisting 75+ acequias for engineering designs. NMACD has hired 14 new employees around the state to assist the NRCS, the funding for the new employees is from the additional funding NRCS placed into the NMACD's existing contract with NMDA and the NMSU/NMDA.
27. New Mexico Coalition of Conservation Districts (NMCCD): none
28. NMSU College of Agriculture, Consumer and Environmental Sciences (ACES): none
29. New Mexico Conservation District Employees (NMCDE): none
30. Next meeting: Chair Vigil commented the committee will work with Patricia Depner to schedule the next meeting, which may be in October or sooner. The in-person meeting may possibly be during the NMACD annual meeting on October 28-30, 2024, at the Uptown Sheridan in Albuquerque.
31. Meeting adjourned at 10:21am