

COMMISSIONERS  
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**  
**January 28, 2025**  
**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 (10/28/2024): Commissioner Glass moved to approve the minutes. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.

**New Business**

4. Public Comment (*2 minutes per person*)
  - Teresa Smith De Cherif (Valencia SWCD) spoke in favor of the appointment of supervisor applicants Eugene Pickett (2) and Rodney Jones (6), to the Valencia SWCD board. Mr. Jones, a former elected tribal council member and chief judge from the Pueblo of Isleta, is a dedicated public servant would make a great contribution to their board. As a little more than 50% of the district's land is on New Mexico Pueblo land (Laguna & Isleta), the board usually reserves positions 6 & 7 for members of the 2 Pueblos they serve. Ms. Smith De Cherif is aware that letters against the appointment of the other 2 applicants have been submitted, and is ready to answer any questions the commission may have.

- Gail D. Goodman (Valencia SWCD supervisor applicant position 6): restated the written comment she submitted regarding supervisor board positions 6 and 7. Please see reference letter.
- Eugene Pickett (Valencia SWCD supervisor applicant for position 2): Introduced himself to the commission, expressing his interest in contributing to the soil and water conservation work. Mr. Pickett thanked the commission for their consideration.
- Champe Green (Santa Fe-Pojoaque SWCD): For the modification of boundaries, the board of supervisors at Santa Fe-Pojoaque SWCD had discussed with constituents, 3 incorporated areas that currently cannot vote for candidates or ballot questions in their district. The affected incorporated areas include the cities of Santa Fe and Española, as well as the county of Los Alamos. Mr. Green asked the commission if they had ever experienced a modification such as requesting incorporated areas be recognized as voters, and allowing all constituents within those areas to be active in voting for candidates and ballot questions. What would the role of the board of supervisors be in this process if it were to go forward? Commissioner Garcia asked Mr. Green if he would like more voters who are not landowners. Mr. Green responded that in terms of candidates, non-landowners can already vote within the district. However, based on the 1941 Santa Fe-Pojoaque district foundation, people in incorporated areas cannot vote regardless of they are a landowner or not. Mr. Green mentioned a past conversation with Commissioner Glass regarding Ciudad SWCD and their incorporated areas, which is very different from Santa Fe-Pojoaque SWCD. As SWCD Act 73-20-36.B, it seems the only requirement for the boundary modification is a 25-signature petition that needs to be submitted to the commission. The statute does not really define the role of the board of supervisors of the existing district that will be affected. Chair Vigil responded that a modification change does require a petition with 25 signatures or more, which needs to be submitted to the local district, and the district would forward it to the commission for their approval. An

example of this process would be the Taos SWCD zoning boundaries item on today's agenda. Chair Vigil advised Mr. Green should meet with Peter Vigil (Taos SWCD) for details on the modification change process. Mr. Green stated his belief that the statute language is vague. Commissioner Sharp suggested they could research the details to confirm the process.

Mr. Green continued to address his second issue, the previous request made in June regarding 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". He was informed by Patricia Depner (NMDA) that there was a verbal communication from the Attorney General's office, in which they were not offering legal assistance to any boards or commissions. As no written communication was ever released by the Attorney General's office, Mr. Green asked if the commission had any plans to respond to their office? Chair Vigil responded that when he had last spoken to their office after the October meeting, the Attorney General's office was seeking clarification on their role, as the districts are supposed to be provided with assistance. Mr. Green and Commissioner Glass thanked Chair Vigil.

- For written public comments, please reference letters.

5. Zoning Boundaries: Taos SWCD: Maureen Johnson (Taos SWCD Chair) stated the district is requesting a rezoning of their boundaries, due to the voting population changes since the early 2000s. It came to their attention that the district would need to rezone in order to get a more equal voting population. If rezoned, it would bring about a 2% difference between boundary zones and better representation. Commissioner Sharp moved to approve the boundary modification request for Taos SWCD. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.
6. SWCD Supervisor Appointments:

- Valencia: Jason Husbands (2), Eugene Pickett (2), M. Rodney Jones (6), Gail D. Goodman (6)
- Taos: Sam DesGeorges (1, if rezoning approved), George Long (3, if rezoning approved), Greg Miller (6)

Commissioner Glass suggested Taos SWCD should be decided first. Chair Vigil agreed since they just approved their zoning. Commissioner Glass asked for clarification regarding the 3 vacancies on their 7-member board. Peter Vigil (Taos SWCD) confirmed this information is correct. Commissioner Glass moved to approve the Taos SWCD supervisor appointments. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote. Ms. Johnson thanked the commissioners and wanted to clarify that there are only 2 vacancies, positions 3 and 6. George Long is currently position 1, and due to rezoning, he would be moving to position 3.

Commissioner Glass assured her this would not affect the approval vote.

Commissioner Sharp moved to accept Eugene Pickett for Valencia SWCD supervisor position 2. Commissioner Garcia seconded the motion. The motion passed by all commissioners present-see roll call vote.

Commissioner Glass stated he wanted to address the issue of tribal representation on the Valencia SWCD board. He acknowledged Dr. Goodman's point that there has never been any formal reservation of any position for any particular representative.

Commissioner Glass observed that 50% of the district is represented by Isleta Pueblo property. It makes sense to have an Isleta Pueblo member on the board as tribal issues and concerns should be of vital importance to Valencia SWCD. Although there is no formal declaration, Commissioner Glass supports tribal representation in the form of Mr. Rodney Jones on Valencia's board. Chair Vigil acknowledges positions 6 and 7 on any board, can be filled by any member at the discretion by the board, and agrees that the Pueblo should be represented in some way. Commissioner Glass noted that although Dr. Goodman is a highly qualified individual with a clear record of community support, tribal concerns and entities should have a voice on that board with the amount of tribal property in that district. Chair Vigil and Commissioner Garcia agreed. Commissioner

Glass moved to appoint M. Rodney Jones for Valencia SWCD supervisor position 6. Commissioner Garcia seconded and the motion passed by all commissioners present-see roll call vote.

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

7. Commissioner Garcia reported he had attended last week's Secretary of State election training for the SWCDs. Some of the comments helped spotlight election and County Clerk processes. These comments included: an SWCD was informed that Bernalillo County was not responsible for verifying land ownership, in some cases supervisors are not indicated by position on the roster, and people can vote for a mill levy but cannot vote for supervisors. Commissioner Garcia asked his staff to research some of these requirements, as he thought County Clerks would be responsible for verifying land ownership, but the findings are they actually do not have that responsibility. Although East Rio Arriba SWCD has 5 supervisors, 4 of which the SWCD requires land ownership, the at-large position does not require land ownership but does require district residency. This information conflicts with the requirements, but it does later on say instead "Any registered voter may file a legal challenge of qualifications of candidates in the appropriate district court." Commissioner Garcia noted the conflict of information between the statute language and election process, the potential issues that may arise in the future, and the need for detailed educational changes regarding the election process. Chair Vigil commented that since the SWCDs fall under the election law that was passed a few years ago, it has been a learning process with the different County Clerks, as some do not include the declared supervisor positions and instead list them as open seat. Chair Vigil is positive the state government will be opening the election law during this legislative session, which will be watched with the possibility of making slight changes to this law. Commissioner Glass stated that Ciudad SWCD was the district told by Bernalillo County that the county was not responsible to verify land ownership, although land ownership is a requirement for several positions of any district. If a person without the proper qualifications were to be elected to the board, it can be taken to court in order to prove land ownership eligibility. This caused issues on the 2023 ballot as the land

ownership and non-landownership positions were 2 separate categories. Commissioner Glass also attended the Secretary of State election training, noting that the Secretary of State Office stated they heard the concerns from the attendees and will look into the practices of the county clerks with the possibility of additional trainings.

Commissioner Glass reported the Ciudad SWCD mill levy passed. The district will be in a position to do better work without relying entirely on grants as well as inter-agency agreements, providing stability to their employees, and financially support conservation programs. He also thanked all of the conservation agencies for providing funding and support to the district, as well as their assistance in getting this mill levy passed. Chair Vigil congratulated Commissioner Garcia on this significant event.

Chair Vigil reported on the laws the SWCC will be watching during this legislative session: HB 126 \$3 million for SWCD staff, SB 86 \$625,000 for DFA training in which NMACD will bid on to provide additional SWCD trainings, a Watershed District draft bill with changes to the elections allowing local board appointments, a draft bill sponsored by Representative Vincent for funding to train and educate college and/or high school students to assist with the art clearances in combination with youth course projects and workforce development, the capital outlay bill with \$10 million for NMDA conservation projects, HB 28 valuation for resting land and drought, HB 137 strategic water supply funding to support desalination municipal reuse as well as industrial water reuse, HB 92 \$10 million water quality project funding for river stewardship programs, \$222 million senate water project funds; and other bills that may affect Public Employees Retirement Association of New Mexico (PERA) healthcare taxes for contract staff, the New Mexico State Game Commission, high school water program. Chair Vigil requested for everyone to contact him with a bill they would like the commission to add to the current watchlist. Commissioner Glass requested SB 7 regarding storm water utility be added to the watchlist, which authorizes the establishment of a storm water utility and funding mechanism for storm water utilities across the state. If passed, this bill would aid the ability to reduce pollution to the receiving waters in urbanized areas.

8. Governor's Office: none
9. New Mexico Department of Agriculture (NMDA): Katie Crayton (NMDA) provided an update on the Healthy Soil Program (HSP). The FY26 HSP grant application launched online on January 15, 2025 and will close March 19, 2025 at noon. Late, incomplete, or paper applications will not be accepted. The January 23<sup>rd</sup> applicant webinar slides are currently available online, with captioned recordings of the webinars to be posted soon. The projects can involve cover cropping, compost application, biochar, prescribed grazing, bale grazing, or anything that has a direct and positive influence to soil health will be considered for funding. SWCDs, tribal governments, acequias, land grants, extension, or other governmental entities are considered Eligible Entities. They can apply for projects up to \$100,000.00 which includes mileage to the project site and a 15% administrative fee. Individual applicants that include non-governmental businesses and non-profits, are capped at \$24,999.99. These applicants **must** have projects based on USDA NRCS conservation planning recommendations, and require sponsorship from an SWCD or tribal government, if they are a tribal member. With the addition of the Land of Enchantment Legacy funds, the FY26 HSP grant cycle will now have a nearly 15-month project time.

Ms. Crayton offered a post-script of earlier remarks, clarifying that NMDA hosted staff from the Secretary of State Office last Friday. Districts who would like a copy of the slides and the recording, when available, from that training should contact their NMDA district specialist. Ms. Crayton announced NMDA is actively interviewing applicants for the next NMDA-Agricultural Programs and Resources Division Director, as Julie Maitland will soon be retiring. One last reminder for districts, the expectation on the part of Department of Finance and Administration (DFA) is that all districts will now be using the new Local Government Budget Management System (LGBMS) portal to communicate with DFA regarding district budgets. If any districts have questions regarding this issue, please contact DFA directly or an NMDA district specialist so they may assist the district in contacting DFA.

10. Natural Resources Conservation Service (NRCS): none
11. Forest Service: none
12. Farm Service Agency: none
13. New Mexico Environment Department (NMED): none
14. Water Quality Control Commission (WQCC): Chair Vigil reported the almost 2 weeks of produced water public hearings are closed. The pending transcripts and hearing officer's report will be completed soon, hopefully by this Friday. The WQCC will not deliberate on the rules until April or May.
15. New Mexico Mining Commission: none
16. National Association of Conservation Districts (NACD): none
17. New Mexico Association of Conservation Districts (NMACD): none
18. New Mexico Coalition of Conservation Districts (NMCCD): none
19. NMSU College of Agriculture, Consumer and Environmental Sciences (ACES): none
20. New Mexico Conservation District Employees (NMCDE): none
21. Next meeting: TBD
22. Adjourn: Chair Vigil adjourned the meeting at 10:08 am.