

New Mexico Land Grant Council Fiscal Year 2023 Budget Request

The general purposes of the Council are to establish a land grant support program to provide advice and assistance to land grants and to serve as a liaison between land grants and the federal, state and local governments (49-11-3 (A), NMSA 1978). In FY 2022 the Council received a \$296,900 legislative general fund appropriation which remained flat from FY 2021 and FY 2020. In addition, in FY 2022, the Council received an additional \$200,000 in one-time a junior money. This additional funding has been targeted for expanding legal services, surveying services and natural resources management services for land grants. The Council is requesting a budget of \$650,000 in FY 2023, which represents a budget increase of 119% above its base budget but is only a 31% increase above its combined base budget plus junior one-time appropriation. The purpose of the increase is to allow the Council to continue to provide for the expanded services offered in 2023. This level of funding will provide adequate resources for the Council to ensure high quality, direct, technical assistance and support to land grants-mercedes in fulfillment of its statutory mission.

Currently there are approximately 25 community land grants-mercedes that are political subdivisions of the State, spread across 12 counties in New Mexico. The Council is tasked with providing land grants-mercedes with support and assistance. Community land grant-merced boards of trustees are responsible for managing land grant common lands for the benefit of their heirs as well as for looking out for the health, safety and general welfare of their communities. In addition, boards of trustees are responsible for meeting all statutory requirements delegated to units of government in New Mexico. Unlike most units of government in this state, land grants-mercedes have no guaranteed revenue stream and they pay property taxes on their common lands. The members of the boards of trustees are elected officials that serve on a volunteer basis. Over 85% of all community land grants have annual operating budgets of less than \$10,000. In total, community land grant boards of trustees manage more that 200,000 acres of common land across the state. The boards of trustees must also protect the interests of the heirs on millions of additional acres of former common lands now considered public land managed by various federal and state agencies. Protecting those interests includes ensuring that heirs continue to have access to those public lands for traditional uses such as, timber harvesting, fuelwood and herb gathering, grazing and religious and cultural purposes.

Increasing the Council's budget will ensure that the necessary staffing and professional service contracts are in place to assist community land grants-mercedes with: management and protection of their common lands, community and economic development, expenditure of capital outlay; legal assistance; professional surveying; and compliance with laws and regulations pertaining to units of local government.

FY 2023 Budget Request

Budget Line Item	
DFA Admin Fee	\$3,300
Land Grant Support Fund	\$30,000
Publishing/Book Purchases	\$4,000
In-State Travel Council	\$10,000
Out-of-State Travel Council	\$5,600
Legal Services Contract	\$60,000
Tort Liability, Bonds, & Insurance Coverage Fund	\$30,000
Intergovernmental Service Agreement (IGSA) UNM - Line items below roll up into IGSA Total	\$507,100
Salaries & Fringe	\$354,359
Personnel In-State Travel	\$15,000
Personnel Out-of-State Travel	\$4,000
Supplies, Non Capital Equipment & Miscellenous	\$4,424
Computers, computer software & supplies	\$4,000
Postage	\$300
Copy Printing Binding	\$2,500
YCC Natural Resources Contract	\$25,000
Natural Resource Environmental Law Clinic Fee Waiver	\$500
Facility rental (meetings)	\$1,500
Surveyor equipment rental	\$10,000
Government Fee Expense (Surveying)	\$1,000
20% - F&A	\$84,517
Total FY 2023 Budget Request	\$ 650,000

FY 2023 Budget Justification

DFA Administrative Fee - \$3,300

Purpose: To provide Department of Finance and Administration Local Government Division an opportunity to recuperate costs associated with financial administration and oversight of the New Mexico Land Grant Council activities conducted by DFA-LGD in accordance with the Council being administratively attached to DFA.

Benefit: Administrative fees provides the Council with administrative support to handle indirect administrative overhead costs such as process financial expenditures.

Deliverable: Processing of: per diem and mileage for Council members; Land Grant Support Fund payments to land grants; and payments to third party contractors and vendors as requested by the Council.

Land Grant Support Fund - \$30,000

Purpose: To provide direct financial support to community land grants that are organized as political subdivisions of the State.

Benefit: provide resources to community land grants for a variety of projects, including: community and economic development projects addressing land, water, wastewater and housing issues; land-use planning & zoning projects, including development and/or updates comprehensive plans, master plans and zoning ordinances; common land management services related to forest and watershed health, agricultural development, conservation, ecological monitoring, range management and environmental reviews, assessments and clearance for NEPA compliance; historic and cultural preservation work such as archeological and cultural reviews, assessments, testing, excavation, and clearances as required by state or federal law; land acquisition and related services including but not limited to professional fees for appraisals, title closings, title insurance; may include land purchases; outreach & community education; small infrastructure capital purchase including building materials, equipment and supplies.

Deliverables: Provide financial support to at least 6 community land grants-mercedes per fiscal year.

Publishing/Book Purchases - \$4,000

Purpose: To publish/purchase books/materials for distribution to land grants-mercedes, elected officials, federal and state agencies and to the general public.

Benefit: Publication/purchase of books/materials that increase capacity of land grants-mercedes and provide information about land grants-mercedes to other relevant entities.

Deliverables: Publication/purchase of book/materials relating to land grants-mercedes during the fiscal year.

In-State Travel Mileage & Per Diem for Council - \$10,000

Purpose: Provides funding for the Land Grant Council members to receive mileage and per diem for meetings.

Benefit: Funding will allow the Council to meet at least monthly in order set policy and provide direction to Council staff in the fulfillment of the Council's statutory requirements under 49-11-1 through 49-11-5, NMSA 1978. This includes:

- (1) facilitate the exchange of experience and advice among land grants;
- (2) serve as a liaison between land grants and federal, state and local agencies;
- (3) promote cooperation between land grants and, by consultation and advice, assist in the coordination of land grant programs;
- (4) provide board development opportunities and technical assistance to the governing boards of land grants;
- (5) provide short- and long-range planning assistance to land grants;
- (6) conduct training sessions for land grants on topics of interest, such as: (a) local, state and national zoning trends and concerns and other land - use issues; (b) state requirements for political subdivisions on such topics as open meetings, public records, procurement, risk management, tort claims and financial account ability; and conservation; (c) techniques of historical research; (d) grant writing; (e) economic development strategies; (f) rangeland management and water;
- (7) disseminate information to relevant federal, state and local agencies on land grant issues and activities and, when requested, on the status of individual land grants;
- (8) review state and federal policies, plans and legislation affecting land grants in New Mexico;

Deliverable: 12 regular meetings and any necessary special meetings of the New Mexico Land Grant Council.

Out-of-State Travel & Per Diem for the Council - \$5,600

Purpose: Provides funding for the Land Grant Council members to travel to Washington D.C. to meet with congressional offices, federal executive branch agencies and to provide testimony before congressional committees on issues and legislation pertaining to land grants-mercedes.

Benefit: Funding will allow the Council to meet its statutory mission, as found in §49-11-4-C-8, which is to develop and promote federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico.

Deliverable: At least one trip to Washington D.C. during the fiscal year.

Legal Services Contract - \$60,000

Purpose: Provide legal support and assistance to land grants-mercedes.

Benefit: Most land grants-mercedes lack the budgetary capacity to obtain the legal services necessary to properly utilize and protect the common lands of the land grant-merced. This includes issues relating to real property disputes, contracts and negotiations, legal research and advice, compliance with federal and state law, and policy formulation. Funds would be utilized to contract legal services for land grants-mercedes.

Deliverable: On-call legal services contract for support to the Council and land grants-mercedes as designated by the Council.

Tort Liability, Surety Bonds and Insurance Coverage Fund - \$30,000

Purpose: Provide financial support and assistance to land grants-mercedes with statutory requirements to carry tort liability coverage for every risk for which immunity has been waived under the Tort Claims Act (§41-4-20, NMSA 1978) and surety bonds for the Treasurer and other members of the Board of Trustees (49-1-8, NMSA 1978). The purpose of the fund would also be to provide financial support to land grants for acquisition of property and general liability coverage.

Benefit: Most land grants-mercedes lack the budgetary capacity to maintain the necessary coverages to protect the assets of the land grant-merced as well as to ensure that members of the board, any employees have proper bonding and coverage protection in the event of a lawsuit. Proper insurance coverage also ensures that the general public has a mechanism for recovery of damages in the event of an accident resulting in harm.

Deliverable: Provide access to tort liability coverage and governmental surety bonds for approximately 25 land grants-merced that are political subdivisions of the State.

University of New Mexico Intergovernmental Service Agreement - \$507,100

Purpose: Provide staffing and other administrative support to the New Mexico Land Grant Council.

Benefit: Allows the Council to fulfill its statutory mission through contracted services.

Deliverables: Details about specific deliverable will be broken down below by Intergovernmental Services Agreement budget line items.

Staff Salary & Fringe - \$354,359

To provide staff positions to support the Council in fulfillment of its mission to provide a program of support to land grants-mercedes. The positions would consist of: principal investigator, program manager, research historian/archivist; administrative assistant; land grant

support outreach coordinator; surveyor; cartographer/natural resources technician; Graduate interns [law student(s), planning student(s)]. Several positions (program manager, research historian/archivist, youth and land grant support coordinator, administrative assistant) will be shared positions with the University of New Mexico Land Grant Studies Program. Therefore, only a portion of the salary for these positions will be covered by the Council. Below are additional details about the positions, including amount needed for each position, purpose, benefit and deliverable for each. All staff will also provide general administrative support to the Land Grant Council as needed in the areas of drafting agendas, securing meeting locations, posting meetings notices, development of meeting minutes, coordinating activities with the Department of Finance and Administration (DFA), programmatic administration of Land Grant Support Fund, oversee and administer contracts awarded by the Council, develop correspondence on behalf of the Council and disseminate information to land grants and to other entities as needed.

A. Principal Investigator - \$1,013

Purpose: UNM requires at least 1% effort by a Principal Investigator to serve as main point of contact between UNM and Council regarding Intergovernmental Services Agreement.

Benefit: Ensure compliance with Intergovernmental Services Agreement terms and conditions.

Deliverables: Ensure all administrative steps necessary at UNM are completed to allow for execution of all Intergovernmental Services Agreement objectives.

B. Program Manager (.75 FTE)- \$55,459

Purpose: The program manager supervises all Council employees, works on policy analysis and development of federal and state policies relating to land grants and represents the Council in meetings with state and federal agencies. The program manager also ensures that Council resources are fully utilized, and that the Council's mission is fulfilled.

Benefit: Provide oversight of day-to-day operations of the Council to ensure accomplishment of statutory mission; provide policy analysis, development and recommendations that will have positive impacts on land grants-mercedes; serve as main point of contact for Council with state and federal agencies.

Deliverables: Ensure completion of annual report to Governor and Legislature; ensure the proper expenditure of New Mexico Land Grant Council annual budget; ensure needed services are being provided land grants-mercedes statewide; Ensure that state and federal policies affecting land grants are reviewed and that the Council provides official responses; Ensure that the Council and land grants-mercedes are represented at relevant meetings and during official government required processes.

C. Research Historian/Archivist (.6 FTE) - \$33,251

Purpose: The research historian/archivist will oversee the New Mexico Land Grant Registry, conduct historical research on land grants as it pertains to policy analysis or legal services as well as provide direct support to land grants-mercedes with archiving their grant documentation. The research historian/archivist will serve as the custodian of records for the Council and will be in charge of keeping minutes of the Council meetings. The research historian also represents the Council in meetings with state and federal agencies.

Benefit: Provide accurate record keeping for the New Mexico Land Grant Registry and New Mexico Land Grant Council. Provide historical research to support policy initiatives of the Council. Provide support to land grants-mercedes with historical research and archiving their records. Serves as a point of contact for Council with state and federal agencies.

Deliverables: Maintain and update the New Mexico Land Grant Registry records and issue letters of receipt to land grants-mercedes for documents received by the registry; completion of monthly New Mexico Land Grant Council meeting minutes in timely manner; Ensure compliance with the Inspection of Public Records Act; assist at least 2 land grants-mercedes with historical research or archiving services. Helps to ensure that state and federal policies affecting land grants are reviewed and that the Council provides official responses; Helps to ensure that the Council and land grants-mercedes are represented at relevant meetings and during official government required processes.

D. Unit Administrator (.25 FTE)- \$11,380

Purpose: The Administrative assist will provide administrative support to the Council and staff throughout the fiscal year.

Benefit: To assist with the processing of council related expenditures including payroll and equipment and supply purchases, etc.

Deliverable: Administrative support during the fiscal year.

E. Land Grant Support Outreach Coordinator (.6 FTE) - \$22,243

Purpose: To coordinate direct technical assistance to land grants with: completion of ICIP's; expenditure of capital outlay; and assistance to Land Grant Support Fund award recipients.

Benefit: To help land grants more effectively and efficiently plan and complete capital projects.

Deliverables: Provide assistance to at least: 10 land grants with completion of ICIP; 5 land grants with expenditure of Capital Outlay appropriations; 4 land grants with Land Grant Support Fund sponsored projects.

F. Natural Resource Technical Assistance Provider/Cartographer (1.0 FTE) - \$42,266

Purpose: To direct technical assistance to land grants with management of natural resources including: planning and implementation of projects, applying for and administering natural resources management funding and developing GIS mapping for land grants.

Benefit: To help land grants more effectively and efficiently manage their common lands and natural resources.

Deliverables: Provide assistance to at least: 5 land grants with natural resources management concerns and projects and develop GIS maps as needed for distribution to land grants and the general public.

G. Surveyor (.75 FTE) – \$62,400

Purpose: To provide professional surveying services to land grants-mercedes to properly locate boundaries of existing common lands in order to decrease illegal encroachments and to review surveys conducted by private parties within or adjacent to exterior boundaries of land grants-mercedes.

Benefit: Since the original patent boundary surveys were completed of the exterior boundaries of land grants in the late 19th and early 20th centuries, few land grants have had the means to conduct boundary surveys for lands within the exterior boundaries. As a result, most surveys within the exterior boundaries have been conducted by private individuals, often times to the detriment of the common lands. The cost of land surveys is still a factor prohibiting most land grants from being able to conduct surveys on the common lands they still possess.

Deliverables: Provide surveying services to at least 4 land grants throughout the fiscal year.

H. Graduate Interns – Law Student(s) - \$22,500 for 2 - 4 students (2 year-long or 2 per semester for total of 4)

Purpose: To provide additional legal support to land grants through internship with students from UNM School of Law, while at the same time providing exposure of law students to land grant-mercedes.

Benefit: Low-cost legal assistance to land grants while utilizing internships to vet students for placement in the Community Governance Attorney Program, which provides loan forgiveness for 3rd year law students that commit to serve as a community governance attorney for two years after passing the BAR exam.

Deliverables: Provide at least 2 law student interns to work directly with the Council's legal services provider, there-by increasing amount of legal assistance to land grants-mercedes.

I. Graduate Intern – Planning Student - \$11,200

Purpose: To provide additional technical support to land grants in the area of natural resources and community development planning through internship with graduate student for the UNM School of Architecture and Planning.

Benefit: Low-cost planning and technical assistance to land grants through utilization of graduate interns.

Deliverables: Provide at least 1 Community and Regional student intern to work directly with the land grants on natural resources and community/economic development planning and implementation.

J. Fringe Benefits - \$92,647

Purpose: To cover employer portion of federal and state payroll salary deductions, employee health insurance and other employee benefits.

Benefit: Provide employee benefits as required by law.

Deliverables: Ensure compliance with federal and state deduction requirements.

Personnel Travel In-State – \$15,000

Purpose: Travel throughout New Mexico to provide direct technical assistance to eligible community land grants and to attend meetings with state and federal agencies, legislative hearings and other land grant council related business.

Benefit: Ability for Council staff to provide direct assistance to land grants in their communities. Also provides Council staff the ability to attend land grant related meetings around the state.

Deliverables: Attend meetings of: land grant boards of trustees; federal and state agency partners; attend meetings of the Legislative Land Grant Interim Committee and other legislative hearings; provide in the field direct assistance to at least 8 eligible community land grants; attend NM Land Grant Council meetings located outside of Albuquerque; travel to Santa Fe for delivery of Council related materials to the Department of Finance and Administration as needed.

Out-of-State Travel – Personnel - \$4,000

Purpose: Provides funding for the Land Grant Council staff to travel to Washington D.C. to meet with congressional offices, federal executive branch agencies and to provide testimony before congressional committees on issues and legislation pertaining to land grants-mercedes.

Benefit: Funding will allow the Council to meet its statutory mission, as found in §49-11-4-C-8, which is to develop and promote federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico.

Deliverable: At least 1 trip to Washington D.C. during the fiscal year.

Supplies, Non-Capital Equipment & Miscellaneous - \$4,424

Purpose: To purchase necessary office supplies, surveying supplies, orthographic photos (relating to survey work), office equipment, office keys and security codes.

Benefit: Provide materials necessary such as copy paper, staples, paper clips, surveying supplies, office equipment, etc., related to supporting the Council and land grants-mercedes throughout New Mexico.

Deliverables: Ability to produce work products by the Council directly to land grants-mercedes or for distribution to land grants-mercedes, federal and state agencies and the general public.

Computers, computer software and supplies - \$4,000

Purpose: To purchase computers, computer supplies and software relating to the conduct of Council business.

Benefit: Provide equipment and software necessary related to supporting the Council and land grants-mercedes throughout New Mexico.

Deliverables: Ability to conduct work by the Council staff.

Postage - \$300

Purpose: To purchase necessary postage relating to the conduct of Council business.

Benefit: Provide for mailing of materials such as Land Grant Registry receipt letters and materials distributed to land grants-mercedes throughout the year.

Deliverables: Disseminate information to community land grants, federal and state agencies and the general public via mail.

Printing and Copy Maintenance - \$2,500

Purpose: To maintain copy machine through a maintenance service contract.

Benefit: Allow for coping of materials related to conducting business of the Council and for

providing land grants with copies of materials as requested.

Deliverables: In house production of small-scale materials produced by the Council for use in daily operations and distribution to land grants and general public. Provide copying services to at least 4 land grants-mercedes throughout the fiscal year.

YCC Service Contract- \$25,000

Purpose: To provide funding for Land Grant Youth Conservation Corps through partnership with Ancestral Land Conservation Corps.

Benefit: Provide opportunities for land grant youth to participate in conservation projects in land grant communities that help protect and preserve land grant-merced natural resources and community assets.

Deliverables: 5 weeks of work from a 5-person youth work crew.

UNM Natural Resources and Environmental Law Clinic (NRELC) Fees - \$500

Purpose: To cover minimal client and materials fee for land grants-mercedes receiving assistance from UNM Natural Resources and Environmental Law Clinic.

Benefit: Give land grants-mercedes access to free legal services from UNM Law School students while providing law students an opportunity to practice law and learn about land grants-mercedes.

Deliverables: Cover the client and materials fee for land grants-mercedes receiving services from the NRELC throughout the fiscal year.

Meeting Expense - \$1,500

Purpose: Allows the Council to pay for rental space to host monthly Council meeting.

Benefit: Provides adequate meeting space for council meetings.

Deliverable: The Council will hold 12 regular monthly meetings and any necessary special meetings throughout FY 2023.

Surveyor Equipment Rental - \$10,000

Purpose: Allows the Council to pay for rental of surveyor equipment.

Benefit: Provides equipment and tools necessary to properly conduct land surveying. Rental of equipment is necessary due to the high cost of direct purchase of equipment. Surveying equipment on average can run upward of \$50,000 to \$60,000 not including any necessary annual subscriptions to maintain updated software. At the moment it would be more cost effective for the Council to rent equipment than to purchase.

Deliverable: Provide professional land surveying services to at least 5 land grants throughout the fiscal year.

Government Fee Expenses - \$1,000

Purpose: To cover fees charged by governmental entities for copies and filing.

Benefit: Allow Council's surveyor and other staff to obtain copies of deeds and other relevant records as well cover filing fees for recording deeds and surveys.

Deliverables: Obtain/file records for at least 4 land grants-mercedes throughout FY 2023.

Facilities and Administration Fee to University of New Mexico -\$84,517

Purpose: To allow the Council to enter into an agreement with the University of New Mexico for administrative and support services related to fulfilling the Council's mission. Approved F & A rate for contracts between the University of New Mexico and the Department of Finance and Administration is 20%.

Benefit: F & A provides the Council with office space at the University of New Mexico as well as general administrative support from UNM.

Deliverable: Office space at the UNM main campus; hosting of Council website; administrative support for Council, staff and Council approved contracts; e-mail and internet access for Council and staff; general accounting and grants management services, purchasing and procurement services, access to legal services related to IGSA.