

Report to New Mexico Soil and Water Conservation Districts

New Mexico Department of Agriculture, Agricultural Programs and Resources
Division

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<http://www.nmda.nmsu.edu/apr/soil-and-water-conservation-districts/>

October 2020

October 8 th	Deadline for “eligible entities” to submit to NMDA the project proposals received from district landowners/managers for the Healthy Soil Program grant
October 12 th	SWCC Meeting via zoom 9:00 am-See item #2
October 30 th	1 st quarterly budget report due to DFA-LGD (cc: to SWCC, SWCC region commissioner, and NMDA Specialist)
October 31 st	Water Quality and Conservation Grant 1 st quarterly report and budget due to the SWCC and NMDA Specialist
Nov to Dec	Adopt Open Meetings Act Resolution to cover upcoming calendar year (cc: NMDA)
December 1 st	Agreed Upon Procedure Report (AUP) Report or Certification forms due to the New Mexico State Auditor Office.

OMA Notification Requirements

Remember that if you have to hold a district board meeting at a place, time or location that deviates from the information you advertised in your open meetings act resolution, you must advertise it accordingly. Here are the guidelines:

Regular Meeting – 10 Days Prior

Special Meeting – 3 Days Prior

Emergency Meeting – 24 Hours Prior

COVID containment efforts in New Mexico have included restrictions on the size of social gatherings. As a result, it is possible that an event scheduled for the near future has been – or will be – postponed, canceled, or hosted online instead of in person. Because of the fluid nature of things in response to COVID, NMDA strongly recommends that you check with the host organization for the events contained in this report that the events have not changed in terms of their date or the manner in which they are to be hosted. We have included event websites to make this a simple step for you.

1. New SWCC Appointed

Governor Michelle Lujan Grisham's administration has announced the new Soil and Water Commission. NMDA would like to welcome you all to the Soil and Water Conservation Commission, we look forward to working with you:

Region 1: Steven Glass
Region 2: Ross Garcia Jr.
Region 3: Jennie Bierner
Region 4: Boe Lopez
Region 5: Clinton Harden
Region 6: Eddie Vigil
At Large: Cyle Sharp

Thank you for agreeing to serve in this role for the betterment and conservation of natural resources and the state of New Mexico.

2. SWCC Meeting

Based on the Public Health Emergency declared by the Governor, and guidelines for public gatherings set out by the Department of Health, as well as direction from the Attorney General, the New Mexico Soil & Water Conservation Commission (SWCC) will hold a virtual regular meeting at 9:00 am, October 12, 2020. The SWCC will use the video conferencing and teleconferencing application Zoom. With this, you may join the meeting online or by telephone. Join via online, go to: <https://nmsu.zoom.us/j/92595759156>, or telephone: 1-253-215-8782, meeting ID: 925 9575 9156. The general public and interested parties are invited to attend and provide input. Public comments can also be emailed to swcc@nmda.nmsu.edu, or by calling (575) 646-2642. Public documents including agenda and minutes can be provided in various accessible forms.

3. SWCD Meetings

It has come to the attention of NMDA that some SWCDs have decided to hold meetings in person due to the loosening of restrictions on the number of people allowed to gather from less than five to ten. While a loosening on the restriction may allow an SWCD board to meet without violating the public health order on gatherings, the public must still be able to participate in the meetings. If an SWCD board chooses to hold its meetings in person, the SWCD **must** continue to provide the public open access through one of the means mentioned above in continued accordance with the OMA.

In addition to compliance with the social distancing order, it is also important to respect that individuals with underlying health conditions (potentially members of the SWCD board, employees, or the public) may not want to gather, whether the gathering complies with the "not more than ten individuals," in a room even with the appropriate six feet of distance. Therefore, NMDA strongly urges you to conduct any meetings in strict accordance with the orders and guidelines issued by the State of New Mexico. The only current weapon the country has to curb

the COVID-19 pandemic and assist the state so that the medical community does not fall into a disaster is to observe the stay-at-home/social distancing order.

Please consider this information and the guidelines as you decide to hold a public meeting. If you have questions, please contact NMDA staff at (575) 646-2642 or call your specific SWCD specialist.

4. Online Soil Healthy Workshop

Please see the attached flyer advertising a **free online soil health training** offered October 27-28 by New Mexico State University—Cooperative Extension Service. *(This is a second opportunity to attend the training that Extension first offered September 22-23.)*

While it's open to all, **the training is primarily for people who work directly with farmers and ranchers, including natural resources staff** at:

- soil and water conservation districts
- nations, tribes, and pueblos
- land grants and *acequias*

Register in advance for this meeting:

<https://nmsu.zoom.us/meeting/register/tJ0vdOmvzkvGdZSej4r3thTKtyacaeK7VPj>

For more information, contact John Idowu at jidowu@nmsu.edu.

This training is offered at no cost to participants. Funding for the training has been provided by NMDA's Healthy Soil Program

5. 2021 New Mexico Invasive Plants Program Funding Available

The State of New Mexico, Energy, Minerals and Natural Resources Department (EMNRD), Forestry Division (Division) is seeking applications (Applications) to address management of invasive plants on state, private, and public non-federal lands from Cooperative Weed Management Areas (CWMAs) where noxious weeds threaten forested acres. Eligible applicants are non-federal governmental entities involved with a CWMA, including tribes (as long as other federal money is not involved). Successful applicants shall be required to provide 1:1 matching funds.

This Request for Application's (RFA) primary goal is to increase local capacity to manage and prevent invasions of noxious weeds in forested areas. The U.S. Department of Agriculture, Forest Service (Forest Service) has provided these funds specifically to address areas where invasive plants threaten forested acres. Projects must emphasize prevention and treatment of invasive plants. Projects that do not specifically target invasive plants threatening forested acres are not eligible for this funding. Locally-driven CWMAs have been shown to be the best vehicles for implementing weed management programs. Therefore, this program emphasizes the use of existing CWMAs or the creation of new CWMAs.

Projects must address any or all of the following:

- awareness and education;
- prevention and early detection;
- inventory and mapping;
- planning and coordination;
- integrated weed management; or
- monitoring and evaluation.

EMNRD has approximately \$76,500.00 currently available for this project, with the possibility of additional funds being provided later, and may award multiple contracts as a result of this RFA. Applications may request a minimum of \$5,000.00 and a maximum of \$20,000.00. Purchase of items such as backpack sprayers, storage cabinets, storage tanks, or trailers are limited to a maximum of \$5,000.00.

For more information, please visit: <http://www.emnrd.state.nm.us/SFD/RFPs/RFPMain.html>

Questions regarding this RFA shall be addressed to:

Shannon Atencio,

Las Vegas District Forester/New Mexico Invasive Plants Program Manager

EMNRD, Forestry Division/Las Vegas District

HC 33 Box 109-4

Las Vegas, New Mexico 87701

Telephone: (505) 425-7472

Please see attachments for more information.

6. NMDA's Healthy Soil Program

NMDA's Healthy Soil Program team is pleased to announce a second year of grant funding available for soil health improvement projects on farms, ranches, and other agriculturally productive lands in New Mexico.

Please note that there are now two deadlines associated with the Healthy Soil Grants Program.

NMDA will **not** accept applications if they are not submitted on time, in this way:

- The deadline **for Individual Applicants (farmers, ranchers, etc.)** to submit an application to Eligible Entities is 5:00 p.m. on **Monday, August 31, 2020**.
- The deadline **for Eligible Entities** to submit Individual Applicants' applications (and their own Eligible Entity applications) to NMDA via hsp@nmda.nmsu.edu is 5:00 p.m. on **Thursday, October 8, 2020**.

This new approach invites greater participation from Eligible Entities, since they function as fiscal agents to the Individual Applicants whose projects are selected for funding. Eligible

Entities include soil and water conservation districts (SWCDs); nations, tribes, and pueblos; and land grants and acequias.

We've made other changes worth noting, each based on feedback offered to NMDA during the Healthy Soil Program's pilot year. These include:

- A single fillable application to replace last year's process, which required the applicant to create and submit multiple documents.
- A requirement for the Individual Applicant (farmer, rancher, etc.) to submit proof of his/her relationship to the land on which the project is slated to occur.
- A requirement for the Individual Applicant to submit a conservation plan as part of the application, or to obtain a conservation plan during the term of the grant.
- Clarification on ineligible expenses.

Learn more on the official website for NMDA's Healthy Soil Program:

<https://www.nmda.nmsu.edu/nmda-homepage/divisions/apr/healthy-soil-program/>

In addition to the information here and on NMDA's website, please refer to the attached document entitled "HSP_guidance_to_EEs_FY20-21.pdf". That document offers guidance on how Eligible Entities, including SWCDs, can participate in NMDA's Healthy Soil Program. You should have received the same document in an email from NMDA on Friday, July 24.

7. NM Association of Conservation Districts Virtual Annual Meeting

The annual meeting will be done virtually this year, most likely sometime in November. Please stay tuned to www.nmacd.org for more information.

8. New USDA Survey to Measure Areas for Improvement

The U.S. Department of Agriculture (USDA) today announced a new annual survey of farmers, ranchers and private forestland owners. The survey will help USDA understand what it is doing well and where improvements are needed, specifically at the Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS) and Risk Management Agency (RMA).

A selection of 28,000 producers will receive the survey over the next few weeks, but all farmers are encouraged to take the survey at farmers.gov/survey.

This survey is part of the President's Management Agenda. It requires High Impact Service Provider agencies across the federal government, including FSA and NRCS, to conduct annual surveys to measure and respond to areas needing improvement.

“We will use this input to help improve the delivery of our conservation programs as our sister agencies will do for their programs.” Natural Resources Conservation Service Chief Matthew Lohr said.

The survey consists of 20 questions and takes approximately 10 minutes to complete. Responses are confidential, and individual responses will be aggregated. The survey will be open for at least six weeks and will be closed once USDA receives a 30% response rate.

9. USDA Announces New Farm Service Agency County Committees for Urban Agriculture, Requests Nominations

The U.S. Department of Agriculture (USDA) today announced new Farm Service Agency (FSA) county committees focused exclusively on urban agriculture. County committees have enabled farmer input on the delivery of FSA programs since the 1930s, and these new committees are part of USDA’s efforts to better support urban agriculture.

“County committees represent farmers and set priorities at the local level,” Under Secretary for Farm Production and Conservation Bill Northey said. “Urban and suburban farmers are uniquely qualified to identify the needs of growers and their communities, especially when it comes to making fresh, healthy food accessible.”

“I encourage urban growers to nominate candidates to lead, serve, and represent their community on their county committee,” said FSA Administrator Richard Fordyce. “Diverse representation can ensure that the needs of all farmers, including urban and suburban farmers, are included in local decisions for USDA programs.”

The Committees are organized through USDA’s Office of Urban Agriculture and Innovative Production, and the first five will be located in:

- Albuquerque, N.M.
- Cleveland, Ohio
- Philadelphia, Pa.
- Portland, Ore.
- Richmond, Va.

Five additional county committees will be announced in the fall.

The urban and suburban county committees will work to encourage and promote urban, indoor, and other emerging agricultural production practices. Additionally, the new county committees may address areas such as food access, community engagement, support of local activities to promote and encourage community compost, and food waste reduction. Committees will make important decisions about how federal farm programs are administered locally. Their input is vital to how FSA carries out disaster programs, as well as conservation, commodity and price support programs, county office employment, and other agricultural issues.

FSA will begin accepting nominations for urban suburban county committee members on Sept. 8. Urban farmers who participate or cooperate in an FSA program in the county selected may either be nominated or may nominate themselves or others as a candidate. Organizations, including those representing beginning, women, and minority producers, also may nominate candidates.

For more information, please visit: fsa.usda.gov/elections or farmers.gov/urban .

10. The New Hemp Homepage Has Arrived

The recent 2018 Farm Bill language ultimately requires states and Tribal entities that have legalized hemp production to adopt USDA's federal hemp regulations through a USDA approval process prior to November 1, 2020. Hemp growers, in states that have legalized hemp but have not adopted a USDA approved hemp regulatory plan by November 1, 2020, may request a hemp grower license directly from USDA.

New Mexico Department of Agriculture's (NMDA) current intention is to work with the hemp industry on a regulatory plan for approval by USDA. For the majority of 2020 growing season, NMDA will be accepting applications and issuing both Annual and Continuous Hemp Commercial Research Production Licenses under New Mexico's 2019 rule and policies. Additionally, we expect for the majority of 2020, harvest requirements and laboratory testing will be similar to the 2019 growing season. New Mexico hemp growers must be aware: all regulations for hemp production in the state, including licensing requirements, sampling, testing, and destruction of non-compliant crops/plants are subject to change during the latter part of the 2020 growing season. In anticipation of a transition to the new USDA standards, we encourage you to read over USDA's general comments regarding the regulations and the rule requirements.

We will provide more information on the subject during the next several weeks and months as we develop content for our web pages. For all information, please visit: www.nmda.nmsu.edu/hemp-program/

11. National Fish & Wildlife Foundation Grant Opportunity Pecos Watershed Conservation Initiative

In the fall (September/October) of 2020 the National Fish and Wildlife Foundation (NFWF) will be announcing a new round of annual funding opportunity as part of the Pecos Watershed Conservation Initiative <https://www.nfwf.org/programs/pecos-watershed-conservation-initiative> . NFWF will award grants to restore and sustain healthy rivers, streams and grassland systems that provide important wildlife habitat in the Pecos watershed and adjacent areas of New Mexico and Texas. Major funding is currently provided by the U.S. Department of Agriculture's Natural Resources Conservation Service in New Mexico and Texas and eight corporate energy partners.

NMACD is offering to show district how to apply and assist with questions. Please see attached announcement from NMACD.

12. Electronic Meeting Options for SWCDs

Due to various state directives related to the COVID-19 situation, SWCDs that need to address time sensitive or emergency issues must meet electronically (teleconference and/or video conference). Your NMDA Soil and Water Conservation Specialist can help you get these platforms up and running for your SWCD. Here are a few options that have been the most successful:

- **Zoom** – This is a computer-based platform that allows participants the option to either connect through the internet with video and voice, or call in like a conference call using only voice.
 - While there is a free version, it does have a time limit of 40 minutes. This has caused problems for some SWCDs because the SWCD meetings typically lasts longer than 40 minutes.
 - The Pro Package is \$14.99 per month, and includes unlimited time, and up to 100 participants per meeting. It also includes cloud storage, the option to record the meeting, screen sharing, and other features. This should be sufficient for most SWCDs.
 - This is the link to the Zoom website <https://nmsu.zoom.us/pricing>
- **Webex** - is a similar video/phone conferencing option to Zoom, offering both free and prepaid plans.
 - Webex's free plan, allows up to 100 participants in each meeting, there is not a time limit on meetings, and it also does not limit the number of meetings one can hold.
 - Webex allows both video conferencing and phone calls into the conference number. Which assists those who either do not have internet or internet that does not support video conferencing.
 - Currently Webex is offering a promotion that allows a free first month when you sign up for a paid monthly plan, and four months free when an annual plan is purchased. Use code **wecare2020** to access this offer.

Other options available with the paid Webex plans include cloud storage, the option to record the meeting, screen sharing, and other features. Paid plans start at \$13.50 per month. To view what each plan includes, prices and frequently asked questions, visit:

<https://www.webex.com/pricing/index.html>

13. Office of the Attorney General OMA Advice

The Office of the Attorney General advises all public entities subject to OMA to first and foremost follow the guidance of the Department of Health and other health officials to ensure the health and safety of both members of the entity and the public. Accordingly, the most prudent thing to do to ensure compliance with OMA would be to postpone any non-essential public meeting during the pendency of the state of emergency. If, however, a public entity has an emergency or time-sensitive matter to attend to, it may proceed with a virtual meeting under the following guidelines:

- Notice of the meeting must still comply with the mandates of OMA, and it should contain detailed information about how members of the public may attend and listen via telephone, live streaming, or other similar technologies---this should include such detail as relevant phone numbers, web addresses, etc.;
- While provided by alternative means, the public must have some form of access to the meeting to substitute for the access it would during any normally scheduled public meeting subject to OMA;
- Where possible, videoconference is the best alternative method of holding meetings;
- At the start of the meeting, the chairperson should announce the names of those members of the public entity participating remotely;
- All members of the public entity participating remotely must identify themselves whenever they speak and must be clearly audible to the other members of the public entity and to the public;
- The chairperson or person leading the meeting should suspend discussion if the audio or video is interrupted;
- All votes of the public entity should be by roll call vote;
- The public entity should produce and maintain a recording of the open session of the meeting.

Please also review the following link for additional guidance during this time:

<https://www.nmag.gov/uploads/Files/COVID-19/OpenGovernmentDivisionAdviceCOVID-19.pdf>

14. Additional Guidance from NMDA to SWCDs during COVID-19 Pandemic

The memo is informational and provides additional guidance to the New Mexico Soil and Water Conservation Commission (SWCC) and the New Mexico Soil and Water Conservation Districts (SWCDs) during the time of the response to the COVID-19 pandemic.

The most up to date orders issued by the Governor through the New Mexico Department of Health (NMDOH) can be found here:

<https://cv.nmhealth.org/public-health-orders-and-executive-orders/>

In addition to the information on the NMDOH website, the New Mexico Attorney General (NMAG) has also issued Open Meetings Act (OMA) guidance related to conduct of public meetings during the period of social distancing, which can be found at:

<https://www.nmag.gov/>

In part the NMAG states:

The Office of the Attorney General's Open Government Division (OGD) advises all public entities subject to OMA to first and foremost follow the guidelines of the Department of Health and other health officials to ensure the health and safety of both members of the entity and the public. Accordingly, the most prudent thing to do to ensure compliance with OMA would be to postpone /cancel a public meeting. If, however, a board or commission has a time-sensitive matter to attend to, it may proceed with a virtual meeting, provided it's notice

of meeting contains detailed information (password, phone number, etc.) about how members of the public may attend and listen via telephone, live streaming or other similar technologies.

More specifically, if a public body decides to proceed with a virtual meeting, it should:

- At the start of the meeting, the chair should announce the names of those members of the public body participating remotely.
- All members of the public body participating remotely must identify themselves whenever they speak and must be clearly audible to the other members of the public body and to the public.
- Members of the public should be afforded remote access, via live stream or other similar technology, if possible, or call-in number for listening by phone.
- Chair should suspend discussion if the audio or video is interrupted.
- All votes of the public body must be by roll call vote.

NMDA has provided all of the above information to SWCDs through its monthly report to SWCDs as well as through individual contact to each district. However, since this is a rapidly evolving situation, it bears repeating.

You are advised to conduct public meetings in a manner consistent with the public health orders and in compliance with the NMAG guidelines. This means that the meeting must be conducted in a manner that the public has access to participate through a conference call line allowing many interested publics to attend at once. All members of the public must be able to attend and must be allowed to participate in the meeting no matter which technology is chosen. It is advised that no one gather for the meeting in observance of the order to stay socially distant. If meetings are conducted via teleconference or web-based conference service, there would be no need to gather.

In addition to compliance with the social distancing order, it is also important to respect that individuals with underlying health conditions (potentially members of the SWCD board, employees, or the public) may not want to gather whether the gathering complies with the not more than five individuals in a room even with the appropriate six feet of distance.

Therefore, NMDA strongly urges you to conduct any meetings in strict accordance with the orders and guidelines issued by the State of New Mexico. The only current weapon the country has to curb the COVID-19 pandemic and assist the state with the response so that the medical community does not fall into a disaster is to observe the stay at home/social distancing order. Please consider this information and the guidelines as you decide to hold a public meeting. If you have questions, please contact NMDA staff at 575-646-2642 or call your specific SWCD specialist.

15. Rolling Quorums

NMDA would like to remind all SWCD and Watershed boards to be careful when emailing and conference calls during this time of limited interaction. A rolling quorum needs to be avoided. The definition and examples are stated below, directly from the Attorney General's Open Meetings Act Compliance Guide.

Rolling Quorums (Open Meetings Act Compliance Guide 2015 page 7):

The Act's requirement for open, public meetings applies to any discussion of public business among a quorum of a public body's members. Usually, a quorum of a public body's members meets together to discuss public business or take action. However, a quorum may exist for purposes of the Act even when the members are not physically present together at the same time and place. For example, if three members of a five-member board discuss public business in a series of telephone or email conversations, the discussion is a meeting of a quorum. This is sometimes referred to as a "rolling" or "walking" quorum. The use of a rolling quorum to discuss public business or take action violates the Act because it constitutes a meeting of a quorum of the public body's members outside of a properly noticed, public meeting.

16. NM Guidance and Practices Report

Governor Michelle Lujan Grisham has put out a report on guidance and practices that should be followed with reopening during the COVID-19 Pandemic. To view the report and to see what is now required of businesses, please review: <https://indd.adobe.com/view/f8c729a4-3094-4157-af47-b13eddea33f2>

17. Assistance Programs posted on NMDA's Website

NMDA has compiled a list of all state and federal assistance programs available during the COVID 19 Pandemic. Please look over these assistance programs and feel free to pass along any of this information that might be beneficial to individuals or groups within your SWCD.

Please visit: <http://www.nmda.nmsu.edu/assistance-programs/>

18. PPE for SWCDs

SWCD's can request personal protective equipment (PPE) from the state EOC warehouse through a county emergency manager. SWCDs would need to fill out a 213-resource request form, the local emergency managers should be able to help with that.

Alternatively, PPE can be purchased through various websites, see below websites. NMDA recommends checking some of these websites frequently as the PPE comes in and out of stock.

<https://health.suttersmill.com/>

https://www.northerntool.com/shop/tools/category_clothing-footwear+clothing-accessories+cloth-face-coverings-masks

<https://www.northernsafety.com/Product/333256W/NSI-3Ply-Face-Mask-50-Box>

<https://midsci.com/products/210/Apparel/>

19. Farmers & Ranchers Help Each Other Succeed by Participating in the Soil Health Champions Network

The [Soil Health Champions Network](#) is an emerging program of NACD. Champions are advocates for soil health, on the path of learning rather than mastering. Membership in the network is free and voluntary. The only duties are educating the public, sharing helpful information with other producers and occasionally reporting on activities. Soil and Water Conservation Districts (SWCDs) are notified when a new champion joins the Network and Champions and their SWCDs receive quarterly emails featuring national highlights.

In New Mexico the [NM Healthy Soil Working Group](#) is actively recruiting new champions who want to get involved and make a difference. SWCDs can help by getting out the word. The more Soil Health Champions there are in every district, the more we can achieve healthy soil stewardship on working lands. Champion activities can take many forms such as hosting meet ups, doing write ups in the local newspaper or volunteering in a school classroom. The goal is to share the importance of taking care of the soil.

For more information, to sign up yourself or to nominate someone you know to be a Soil Health Champion, please contact
Christina Allday-Bondy: (512-658-2051; christina.alldaybondy@gmail.com) or
Jeff Goebel (541-610-7084; goebel@aboutlistening.com)

20. Meeting and Comments on National Forests in NM

All five of the National Forests in New Mexico are in various stages of completing their Forest Plan Revisions. For updates, please visit the National Forests' websites below for meeting times and comment opportunities.

- Cibola NF: http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=FSBDEV3_065627
- Carson NF: <http://www.fs.usda.gov/detail/carson/landmanagement/planning/?cid=stelprdb5443166>
- Santa Fe NF: <http://www.fs.usda.gov/detail/santafe/landmanagement/planning/?cid=stelprd3791442>
- Gila NF: <http://www.fs.usda.gov/detail/gila/home/?cid=STELPRD3828671>
- Lincoln NF: <http://www.fs.usda.gov/detail/lincoln/home/?cid=stelprd3814307>

NMDA encourages all SWCDs to stay active in the Forest Plan Revision process for all five national forests. We also encourage SWCDs to provide information as requested to make sure that SWCD information is included in the process.