

## **Report to New Mexico Soil and Water Conservation Districts**

*New Mexico Department of Agriculture, Agricultural Programs and Resources  
Division*

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### **June 2021**

June 1	Pass annual mill levy rate resolution and <b>submit to the SWCC for approval by June 1<sup>st</sup>.</b>
June 1	Appointed Supervisor Positions <b>due to the SWCC by June 1<sup>st</sup> (cc: your NMDA specialist).</b>
May 15th or July 1st	Independent Public Accountant (IPA) Recommendation Form and the Agreed Upon Procedures (AUP) contract must be signed and submitted to the State Auditor. This applies to Tiers 3-7.
June	Finalize annual work plan for coming fiscal year and submit to the SWCC.
June 1	Budget and budget resolution for the coming fiscal year <b>due to DFA-LGD by June 1<sup>st</sup>, (cc: SWCC and SWCC Region Commissioner)</b> . Option: submit preliminary budget by June 1 <sup>st</sup> ; final budget with budget resolution by July 31 <sup>st</sup> .
July 15	Point System Worksheet due.
August 24	Declaration of Candidacy-to have candidates name on the ballot. The candidate must fill out the declaration of candidacy form at the county clerk's office in which they reside.

**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. NMDA launches new round for Healthy Soil Program grant applications; deadline to apply is July 2**

New Mexico's Eligible Entities, as well as farmers and ranchers in the state, are invited to apply to the New Mexico Department of Agriculture's (NMDA) Healthy Soil Program for a grant to improve soil health. The deadline to apply is July 2, 2021, at 5:00 p.m.

The New Mexico Healthy Soil Act defines Eligible Entities as “local governmental [entities] with proven land management capacity to support soil health”, including:

- Nations, tribes, and pueblos
- Land grants
- Acequias
- Soil and water conservation districts (SWCDs)
- NMSU’s Cooperative Extension Service

**All Eligible Entity types can apply for a grant** on land they own or manage, or on land on which they partner with or advise farmers, ranchers, and other land managers.

In order for Individual Applicants (farmers/ranchers) to apply for a grant, they must seek support from the qualified Eligible Entity that will serve as their fiscal agent during the grant term. This means that **Individual Applicants must seek support from an SWCD; members of tribal communities have the option of applying with support from an SWCD or from their nation, tribe, or pueblo.** (Land grants, acequias, and NMSU’s Cooperative Extension Service cannot serve as an Individual Applicant’s fiscal agent because they are bound by the Anti-Donation Clause of the New Mexico Constitution.)

NMDA hosted a webinar May 21 to show potential grant applicants how to apply. You can watch the recording and access the application on the Healthy Soil Program website: [www.nmda.nmsu.edu/healthy-soil-program](http://www.nmda.nmsu.edu/healthy-soil-program).

## **2. WQ&C Final Invoices**

Any districts who received WQ&C grant funding last year, must submit any final invoices by the 1<sup>st</sup> week in June.

If a district has any remaining funding they are not able to spend, please contact Patricia Depner ASAP, by phone (575) 646-2642 or by email [pdepner@nmda.nmsu.edu](mailto:pdepner@nmda.nmsu.edu).

## **3. Senate Bill 345 – SWCD Supervisor Stipends Reduced**

Attached is SB 345. It cuts the stipend that SWCD supervisors receive down from \$95 per meeting to \$45 per meeting. Here is the language (also highlighted in the attached document) :

- (1)forty-five dollars (\$45.00) if the officer physically attends the board or committee meeting for less than four hours or the officer attends a virtual meeting of any duration during a single calendar day; or
- (2)ninety-five dollars (\$95.00) if the officer physically attends the board or committee meeting for four hours or more during a single calendar day.

Since almost all of the SWCD meetings are less than 4 hours, supervisors can only get \$45 per meeting.

## **4. 2021 Elections**

The November 2<sup>nd</sup> Election Day is just around the corner, and deadlines are getting closer for SWCDs and Watersheds to meet. Please continue to check in with your county clerk(s) and make sure they have everything they need from the district. Communication is vital for this year's election.

The first deadline related to the Local Election Act is due June 5<sup>th</sup> to July 5<sup>th</sup> (see attached timeline). This deadline consists of a letter to the Secretary of State's Office, and to all county clerks who have land within the Soil and Water Conservation District. The letter should contain a list of which position numbers are up for election.

Declaration of Candidacy forms will be available at:

<https://www.sos.state.nm.us/candidate-and-campaigns/how-to-become-a-candidate/2021-local-election-candidate-guide/>. Declaration of Candidacy is on Tuesday, August 24, from 9am to 5pm, in accordance with state law (location to be determined at a later date). It is important that candidates file for candidacy in the county of the clerk's office they are registered in.

**Be sure and double check that all county clerks with land within your Soil and Water Conservation District has a copy of the district's boundary shape file.**

## **5. Update on SWCD Meetings**

All governmental entities are still required to meet virtually until the governor has lifted restrictions to allow for in-person meetings. If any SWCDS decide to meet in person, they must comply with all mandates. Wear masks and socially distance at least six feet apart. It is also mandatory that the meeting is accessible virtually and/or telephonically, for anyone who is unable to meet in person.

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.... Therefore, NMDA strongly urges you to conduct any meetings in strict accordance with the orders and guidelines issued by the State of New Mexico.

## **6. NMSU Extension Hosts NM Youth Ranch Management Camp**

The 2021 New Mexico Youth Ranch Camp will be held June 13-18. This year the camp will be held at the CS Ranch near Cimarron, NM.

The camp, designed for New Mexico youth ages 15-19, is an effort to reverse the aging trend in ranching. Nationally, the average age in the ranching community continues to

increase as more young people are opting to leave the ranch for careers outside of production agriculture. As a result, the fabric of rural economies, as well as ranching tradition and cultures, are in jeopardy. In a rural state like New Mexico, the situation has significant implications.

For more information or to apply visit: <http://nmyrm.nmsu.edu> . If application is accepted, there is a \$300 camp fee.

## **7. Oklahoma State University Extension Fire Planning Manual**

Oklahoma State University Extension compiled a fire plan manual that applies to farmers and ranchers. The manual provides suggestions on how to plan and prepare for a fire that may occur on your farm/ranch.

Attached to the monthly report is the manual, and you can also find more information at: <https://extension.okstate.edu/fact-sheets/wildfire-preparing-the-ranch-and-farm.html>.

## **8. SWCD Operations Training by NMACD & NMDA**

NMACD, with the help of the NMDA Conservation Specialists, has revised and condensed the District Supervisor Certification Training Program. It has been over a year since we last presented this training, and changes have been made. With the changes and new SWCD Board Supervisors, we want to see how many of you would be interested in taking the revised training. We would prefer to offer the training in a classroom setting, but due to the current COVID situation, we are offering it using ZOOM sessions. The training and review questions will also be available as soon as they are finalized on the NMACD website, [www.nmacd.org](http://www.nmacd.org), for those who prefer to take the training at their convenience.

A training session using ZOOM should last less than three hours, and those of you who have the capability of participating in ZOOM, could do it from your homes or offices. We are scheduling the first Zoom Training session for **Friday, June 11, 9:00 a.m.-12:00 noon**. If you are interested in attending this training, we ask that you contact Linda Hood, [Linda.Hood@q.com](mailto:Linda.Hood@q.com), 505-681-9675, to be put on the list. As soon as we know who is interested in attending, we will send you a Zoom invitation with a registration form.

Attached for your information is a copy of the training agenda.

## **9. USDA Announces Cooperative Agreements for Community Compost and Food Waste Reduction**

USDA announced \$2 million in cooperative agreements available for local governments to host Community Compost and Food Waste Reduction (CCFWR) pilot projects. The cooperative agreements support projects that develop and test strategies for planning and

implementing municipal compost plans and food waste reduction plans and they are part of USDA's broader efforts to support urban agriculture.

Cooperative agreements support projects led by local governments that:

- Generate compost
- Increase access to compost for agricultural producers
- Reduce reliance on and limit the use of fertilizer
- Improve soil quality
- Encourage waste management and permaculture business development
- Increase rainwater absorption
- Reduce municipal food waste
- Divert food waste from landfills

USDA's Natural Resources Conservation Service (NRCS) will provide assistance for conservation related activities.

Priority will be given to projects that anticipate or demonstrate economic benefits, incorporate plans to make compost easily accessible to farmers, including community gardeners, integrate other food waste strategies, including food recovery efforts and collaborate with multiple partners.

USDA's Office of Urban Agriculture and Innovative Production (Office) will accept applications on Grants.gov until 11:59 p.m. Eastern Time on July 16, 2021. Projects should span two years with a start date of September 25, 2021 and completion date of September 25, 2023.

For more information visit:

[https://content.govdelivery.com/attachments/USDANRCS/2021/05/18/file\\_attachments/1811200/2021%20Urban%20Cooperation%20Agreements%20News%20Release%20%28rev%29.pdf](https://content.govdelivery.com/attachments/USDANRCS/2021/05/18/file_attachments/1811200/2021%20Urban%20Cooperation%20Agreements%20News%20Release%20%28rev%29.pdf)

## **10. Notice of River Stewardship Program-Request for Proposals (RFP)**

The State Purchasing Division of the General Services Department and the New Mexico Environment Department have released a Request for Proposals (RFP) for the 2021 River Stewardship Program. The purpose of the procurement is to solicit proposals to establish contractual obligations through competitive negotiations for the procurement of services to plan, design, and construct projects that improve surface water quality or river habitat state-wide.

RFP Name/Number: **2021 River Stewardship Program/SPD #10-66700-21-27670**

RFP Release Date: **April 30, 2021**

Proposal Due Date: **June 29, 2021 at 3:00 p.m.**

The RFP can be accessed at the active procurements section of the State Purchasing Division website at: <https://www.genserv.state.nm.us/statepurchasing/active-procurements.aspx>

For additional information, please contact:

Kate Lacey  
River Stewardship Program Coordinator  
Surface Water Quality Bureau  
New Mexico Environment Department  
[kathryn.lacey@state.nm.us](mailto:kathryn.lacey@state.nm.us)  
(505) 946-8863

## **11. Sun Zia Southwest Transmission Project**

A 30-day public scoping period will begin in the near future. The purpose of scoping is to solicit input on the issues, impacts, and potential alternatives that will be addressed through the NEPA process. The scoping period for the new EIS will begin with the release of the Notice of Intent in the Federal Register. At that time, the BLM will mail a newsletter to those on the project mailing list and post a news release to the BLM website with scoping period and commenting method information. Please contact Adrian Garcia ([agarcia@blm.gov](mailto:agarcia@blm.gov) or 505-954-2199), BLM Project Manager, with any questions or to add your name to the mailing list.

A map of the statewide project is available at:

[https://sunzia.net/wp-content/uploads/2019/08/sunzia\\_project.pdf](https://sunzia.net/wp-content/uploads/2019/08/sunzia_project.pdf)

## **12. NACD Annual Meeting**

The 2022 Annual Meeting is scheduled to be held next Feb. 12-16, 2022 in Orlando, Florida. Please visit their website for the most up-to-date information.

<https://www.nacdnet.org/news-and-events/annual-meeting/>

## **13. Records Management and Recording of Meetings during the Pandemic**

Records Management Division provided some recommendations and guidance as to how long a recording of a district meeting needs to be held on file. The response by the Records Management Division was given:

Our recommendation for the recordings of the meetings, once the audio has been transcribed, the recording becomes non-records and can be destroyed at any time. The transcribed document shall become the official record and retained permanently.

For more information, or if you have questions, please contact Records Management Division at (505) 476-7921, or email Tanya Vigil at [Tanya.Vigil@state.nm.us](mailto:Tanya.Vigil@state.nm.us).

## **14. FY21 Point System Worksheet**

The worksheet is due by July 15. The Soil and Water Conservation Commission voted at their meeting in October to have the point system worksheet remain the same as it was in fiscal year (FY) 2020. This means that funds will be evenly distributed, so long as the point system worksheet is submitted and items 1-5 are completed as required by law. If there are activities that districts are able to complete during the course of this fiscal year, it is encouraged to fill out items 6-9 as applicable, but not required for FY21. The worksheet can be found at: <https://www.nmda.nmsu.edu/nmda-homepage/divisions/apr/references-and-resources-for-swcd-supervisors-staff/>. If there are questions about the worksheet, please contact your SWCD Specialist.

## **15. 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>

## **16. 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.

## **17. Rolling Quorums**

NMDA would like to remind all SWCD and Watershed District 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.

## **18. 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/>

## **19. 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/NTESearch?storeId=6970&ipp=48&Ntt=face+mask>

<https://www.northernsafety.com/Product/353566/NSI-3Ply-Disposable-Mask>

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

## **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](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.