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MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION
UNM-Valencia (Learning Resource Center - Room 101)
280 La Entrada
Los Lunas, NM 87031
Thursday, January 09, 2014
8:00 a.m. – 5:00 p.m.

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AGENDA ITEM NO. 1: Meeting Called to Order.

Meeting called to order at 8:27 a.m. by Chairman Scott Bidegain in the Learning Resource Center, Room 101, of the UNM-Valencia Campus, Los Lunas, NM.

AGENDA ITEM NO. 2: Roll Call.

Secretary Kirkpatrick called the roll:

Present: Commissioner Tom Arvas
Chairman Scott Bidegain
Commissioner Bill Montoya
Commissioner Paul Kienzle
Commissioner Robert Espinoza

Absent: Vice Chairman Thomas Salopek
Commissioner Ralph Ramos

Quorum: Yes

AGENDA ITEM NO. 3: Approval of Agenda.

Chairman Bidegain asked the Commission to approve the agenda.

MOTION: Commissioner Arvas so moved to approve the agenda.

SECOND: Commissioner Kienzle.

Vote: 4-0

Yes: Commissioner Arvas, Commissioner Montoya, Commissioner Kienzle, and
Commissioner Espinoza

No: None

Abstained: None

Absent: Vice Chairman Salopek
Commissioner Ramos

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 4: Introduction of Guests.

Chairman Bidegain welcomed attendees and the audience introduced themselves and some noted the organizations they represent. Guests included: Larry M. Johnson, Richard Winn, Bob Nordstrum, Garret Veneklasen, Kerrie Romero, Oscar Simpson, and Alonzo Baldonado.

AGENDA ITEM NO. 5: Approval of Minutes for November 14, 2013 Taos, NM.

MOTION: Commissioner Arvas so moved to approve minutes from the Taos meeting.

SECOND: Commissioner Montoya.

Vote: 4-0

Yes: Commissioner Arvas, Commissioner Montoya, Commissioner Kienzle, and
Commissioner Espinoza

No: None

Abstained: None

Absent: Vice Chairman Salopek
Commissioner Ramos

Result: Motion UNANIMOUS. PASSED.

NEW BUSINESS:

In the absence of Vice Chairman Salopek and Commissioner Ramos, Chairman Bidegain requested agenda item 6 be moved after agenda item 7. The Commission approved the Chairman's request.

AGENDA ITEM NO. 7: Annual Renewal of Open Meeting Procedures (OMA).

Presented by Mona Valicenti and Dan Brooks – State Game Commission Rule (19.30.3 NMAC) and the Open Meetings Act (10-15-1D NMSA 1978) require the Commission to take action at its first annual meeting to continue or amend its existing practice to determine reasonable notice of Commission meetings. Presently, and for the past eight years, Section 19.30.3.8 NMAC, has provided that regular meetings notice be ten (10) days, special meetings three (3) day, and emergency meetings not less than 24 hours. It requires the Department to post notices of the agenda at least 72 hours in advance of its meeting. The Commission has had an open meeting rule in place for several years and it is slightly out of sync with the current OMA. The Commission may either need to repeal the rule or the Department can come back with some recommendations at a future meeting. The rule as it stands now is out dated and is in conflict with the statute. Adopting a resolution and sending out notices is required by OMA. No one from the public commented on this item. The following is a summary of the Commission's discussion:

Commissioner Kienzle questioned the Open Meeting Act Procedure, Requirements of Legal Notice of Special and Emergency meetings and whether the Department was in fact posting a notice in a newspaper of regular circulation. **Mona Valicenti** provided clarification regarding the requirement to publish a public notice in a newspaper for regular meetings and not for special meetings which only requires notice by telephone.

Commissioner Kienzle clarified that he actually meant for purposes of regular meetings described in paragraph one.

Dan Brooks clarified that the Department does comply with this requirement and does send notices to various newspapers of general circulation.

Commissioner Kienzle wasn't aware the Department was doing this, but was satisfied that the Department does send out public notice in newspapers of general circulation.

Secretary Kirkpatrick restated the request for the Commission to adopt the Open Meeting Resolution.

Commissioner Espinoza asked for clarification regarding the request for a motion to adopt the current resolution.

Mona Valicenti provided clarification to Commissioner Espinoza's question. The resolution had been previously adopted by the Commission, but there is also the rule on the books that has not been amended to reflect the amendments to the OMA, which is where the problem lies. The rule is not required by statute; adopting the resolution of sending out notices is what is required under the OMA.

RJ Kirkpatrick requested the Commission to adopt the resolution, then the Department will bring a recommendation that would repeal the rule to the State Game Commission in March 2014 which would allow sufficient public notice of the rule change.

Commissioner Kienzle volunteered to review the open meeting rule and the Commission's policy that was passed in November 2013, and make them consistent.

Mona Valicenti restated that what is laid before the Commission is the request to adopt the open meeting resolution that sets forth the notice requirements that the Commission has followed in the past. There is no change here, it has just been amended to reflect the 72 hour agenda publication before a regular or a special meeting.

MOTION: Commissioner Arvas moved to adopt the open meeting resolution.

SECOND: Commissioner Montoya.

Vote: 4-0

Yes: Commissioner Arvas, Commissioner Montoya, Commissioner Kienzle, and Commissioner Espinoza.

No: None

Abstained: None

Absent: Vice Chairman Salopek and Commissioner Ramos.

Result: Motion UNANIMOUS. PASSED.

*Chairman Bidegain asked the Commission to proceed to agenda item 8. The Commission agreed with the wishes of the Chairman.

AGENDA ITEM NO. 8: Revocations.

Presented by Robert Griego and Steve Anderson – The Department presented a list of individuals that meet the established criteria for initiation of the suspension process for hunting, fishing, and trapping license privileges. There are currently 213 individuals certified by the Human Services Department as being out of compliance with the Parental responsibility Act [40-5A-1 NMSA 1978]. There are 137 violators who have failed pay their penalty assessment within 30 days of the violation. Under the Parental Responsibility Act (40-5A-1 NMSA 1978), the

Commission is required to suspend the license privileges of obligors not in compliance with a court order for child support. 17-2-10.3 NMSA 1978 authorizes the Commission to revoke the licenses of a person who fails to pay a penalty assessment. Commission Rule 19.31.2 NMAC describes the procedures to administer these suspensions. Since going to the online license system, the Department has reinstated 276 parental responsibility act obligors. Of these, 151 were revoked prior to 2010, but had not paid the reinstatement fee. Now that we have gone through the electronic system we have been able to track these obligors who are purchasing licenses over the counter. In 2013 the Commission approved sending 1,767 notice of Contemplated action for the Parental Responsibility Act. Of these 1,400 customers were actually suspended, approximately 18% came into compliance after sending them the notice. No one from the public commented on this item and there was no discussion by the Commission on this item.

MOTION: Commissioner Espinoza moved to authorize the Department to administer these suspensions on behalf of the Commission including the issuance and service of a Notice of Contemplated Action to each individual listed that is out of compliance with the Parental Responsibility Act, and to each individual listed that has failed to pay a penalty assessment in the 30 day time frame.

SECOND: Commissioner Montoya.

Vote: 4-0

Yes: Commissioner Arvas, Commissioner Montoya, Commissioner Kienzle, and Commissioner Espinoza.

No: None

Abstained: None

Absent: Vice Chairman Salopek and Commissioner Ramos.

Result: Motion UNANIMOUS. PASSED.

*Chairman Bidegain asked the Commission to proceed to agenda item 9.

AGENDA ITEM NO. 9: Final Proposed Amendments to portions of 19.31.3 NMAC for Donation of Licenses and Permits.

Presented by Robert Griego and Donald Jaramillo – The Department presented the final proposed change to the Hunting and Fishing License Application rule that provides the Director with the ability to transfer a donated hunting license to a person who has been qualified through a nonprofit organization that has been previously approved by the Commission. Consideration of this amendment is consistent with a strategy to implement methods by which hunting opportunities and participation might be increased (Conservation Services Program P717, objective 5, strategy 5.1). 17-3-7 G. (3) NMSA authorizes such transfers to nonprofit organizations approved by the Commission. Currently, 19.31.3.11 F. NMAC restricts such donations to persons qualified through "nonprofit wish granting" organizations. These current organizations are often unable to use the donated licenses and as a result these licenses go unused and deserving kids are unable to go hunting. This amendment would allow the Commission to approve a broader scope of cooperating nonprofit organizations. At the previous meeting some concern centered around defining the term "youth" which was changed in the final proposal to a youth 17 years of age or younger. No one from the public commented on this item. The following is a summary of the Commission's discussion:

Commissioner Espinoza asked if some of these organizations could be preapproved by the Commission to initiate the process.

Robert Griego believes that interested organizations will ask to participate in this program.

Commissioner Espinoza asked if the Department has a standard operating procedure in place to properly select an organization.

Colonel Griego assured the Commission that the Department did have procedures in place.

Commissioner Arvas asked the Department to notify the public of this amendment. This is a great way to let individual know they are eligible for this license and permit.

Colonel Griego intends to notify the public of this amendment.

Commissioner Espinoza would also like to notify sportsmen that would also be willing to donate a license.

Colonel Griego concurred that a general news release would be appropriate.

Commissioner Espinoza thanked the Department for doing this for the youth.

MOTION: Commissioner Espinoza moved to accept the Department's recommendation to amend 19.31.3 NMAC as presented.

SECOND: Commissioner Arvas.

Vote: 4-0

Yes: Commissioner Arvas, Commissioner Montoya, Commissioner Kienzle, and Commissioner Espinoza.
No: None
Abstained: None
Absent: Vice Chairman Salopek and Commissioner Ramos.
Result: Motion UNANIMOUS. PASSED.

*Chairman Bidegain asked Secretary Kirkpatrick to let the record reflect that Vice Chairman Salopek and Commissioner Ramos are in attendance. Chairman Bidegain asked the Commission to go back to agenda item 6.

AGENDA ITEM NO. 6: Election of Chair and Vice Chair of State Game Commission.

State Game Commission Members – The membership elected a Chair and Vice Chair to preside over the Commission.

MOTION: Commissioner Arvas moved to appoint Scott Bidegain as Chairman of the State Game Commission.

SECOND: Commissioner Montoya.

Vote: 6-0
Yes: Vice Chairman Salopek, Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle, Commissioner Montoya, and Commissioner Ramos.
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

2nd MOTION: Commissioner Arvas moved to appoint Dickie Salopek as Vice Chairman of the State Game Commission.

SECOND: Commissioner Montoya.

Vote: 6-0
Yes: Vice Chairman Salopek, Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle, Commissioner Montoya, and Commissioner Ramos.
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 10: Final Proposed Amendments to portions of 19.31.12 NMAC for Oryx Licenses Issued to Service Men and Women.

Presented by Cal Baca – The Department presented the final proposed amendments to Section 12 (G) of 19.31.12 NMAC, the Barbary sheep, oryx and Persian ibex rule to allow issuance of three oryx licenses to injured service men and women to hunt on White Sands missile range. The amendment includes the removal of all language referencing "Wounded warrior project," and also outline the selection process. The reason for the amendment is since this was implemented the Wounded Warrior Project did not bring forth any names of suitable candidates to participate in the oryx hunt on White Sands Missile Range; however, there are other organizations that would like to participate and can provide suitable candidates that will meet the requirements for participation in this program. The Department outlined working with the State Department of Veteran Affairs, Veteran Service Administration, and organizations such as Wounded Warrior Project or American Hero Adventures that work with injured service men and women to get them back into hunting after they return from service. These organizations will then submit candidates that meet the requirements for participation in their program to the Department for director approval and then the selection will be through a random drawing process of those candidates to be issued an authorization to purchase a license to hunt on White Sands Missile Range for oryx. Up to three individuals will be selected annually from qualified service personnel. The hunt dates and procedures for issuing these authorizations shall be determined by the director. No one from the public commented on this item. The following is a summary of the Commission's discussion:
Commissioner Arvas asked Cal Baca to define qualified service personnel.

Cal Baca considers qualified service personnel to include injured service men and women, including those that struggle with Post Traumatic Stress Disorder (PTSD) or depression from limb loss or serious medical injuries. Studies have shown that hunting activities provides an effective rehabilitation treatment for men and women suffering from PTSD. These organizations will verify if these candidates' injuries are truly service related and meet the requirements to participate in this type of opportunity. The Department would rely on these organizations to refer candidates for these hunts.

Commissioner Arvas thanked Cal Baca for his insight.

MOTION: Commissioner Arvas moved to adopt the final amendments to Section 12 (G) of 19.31.12 NMAC as presented by the Department.

SECOND: Vice Chairman Salopek.

Vote: 6-0

Yes: Vice Chairman Salopek, Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle, Commissioner Montoya, and Commissioner Ramos.

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 11: Final Proposed Amendments to portions of 19.35.7 and 19.35.9 NMAC for Chronic Wasting Disease Testing Requirements for Importation and Herd Certification Program.

Presented by Cal Baca and Kerry Mower – The Department presented final proposed changes to Chronic Wasting Disease testing criteria to comply with the required federal program standards in the Importation of Live Non Domestic Animals, Birds and Fish (19.35.9 NMAC) and the Class A Park and Lakes Rules (19.35.9 NMAC). These final amendments are to change the requirements to comply with the US Department of Agriculture Herd Certification Program for captive cervids in New Mexico. This allows the Department to retain its ability to certify and review these Class A parks specifically for captive cervids to ensure they are meeting the requirements under the USDA and allows the Department to ensure the ability to monitor the parks for reasons such as disease transmission or importation of cervids into the state of New Mexico. The parks will be required to meet the USDA standards if they intend to import or export cervids. The process meets the Department mission statement to ensure safe public food, and meets the Conservation Services Program, Objective 7 and 15, of the Department's Strategic Plan, FY 2013-2018. The final proposed rules were posted on the Department website December 9, 2013 and are consistent with the Commission's public notice requirements. Comments from the public and discussion by the Commission are as follows:

Commission Montoya asked about the number of Class A Parks in New Mexico.

Kerry Mower stated that there are approximately 25 Class A Parks in New Mexico.

Vice Chairman Salopek asked what it takes to acquire a permit for a game park.

Kerry Mower provided information to the Commission about the process of permitting a game park, specifically the need to be cautious of potential parks that would be in proximity to a herd that has Chronic Wasting Disease. Even if the park meets the USDA requirements, there could be contact between the animals and infect other animals. It is preferable to prevent an unnecessary litigation that might arise from this event.

Vice Chairman Salopek was satisfied with Kerry Mower's answer.

Commissioner Arvas asked how New Mexico ranks compared to neighboring states in regards to our CWD policies.

Kerry Mower said with the proposed changes we will have the minimum qualification for those that would like to be herd certified, and New Mexico will be consistent with all states in the nation. This is one of the requirements for the USDA Herd Certification standard. Now all states will have the same standard for Herd Certification. As far as some of the other rules, some states do not allow importation at all, and there are others that do not worry about importation and will allow for the importation of anything. New Mexico is more tolerant of game parks than both Arizona and Utah. In fact, Arizona, Utah, Montana and Wyoming do not allow game parks. Colorado does allow game parks and their rules are more lenient and relaxed than New Mexico. Oklahoma and Texas have games parks. Each state varies.

Commissioner Arvas asked if leniency adds to the possibility of CWD in game parks.

Kerry Mower believes the importation rules and the nationwide standard gives good protection from CWD imported into the state. Because game parks are allowed by statute, but the rules do not allow just anyone to have a game

park. The only area that the nationwide rule does not address is the importation and the moving within a game park where there is active CWD surrounding that game park. The state needs to further investigate and ensure that parks that have CWD do not move animals into the state.

Commissioner Arvas asked about the number of reported CWD incidents in New Mexico.

Kerry Mower believes there were two new cases in this year's hunting season which were identified to be part of the McGregor Range.

Commissioner Montoya asked about the testing requirements for CWD for elk and deer in Unit 36.

Kerry Mower clarified that the testing for CWD in unit 34 and 36 is voluntary. The reason is because there is currently not an effective way to block all of the access points to those units. There is mandatory collection for unit 19 and that is along the Oregon Mountains where CWD was initially found in New Mexico. There is also mandatory collection for unit 28, McGregor Range, because the hunt numbers are so low and the access points for the area are limited.

Commissioner Montoya asked if the areas receive an adequate number of tissue samples.

Kerry Mower reported that he has received 50-70 samples from units 34 and 36.

Commissioner Ramos asked about the success rate percentage of the harvest reports.

Kerry Mower estimated that of all the hunters that participate and turn in a sample, the success rate is between 10% -20%.

Garret Veneklasen of New Mexico Wildlife Federation asked if CWD testing is mandatory on an annual basis for all game parks.

Kerry Mower replied that testing is completely voluntary. The parks that are interested in breeding and moving animals out-of-state, have to be certified according to the Herd Certification standard. Those parks who are not doing breeding or moving (often called Shooter parks) are only voluntarily testing.

Garret Veneklasen requested the Commission to consider mandatory testing for CWD and other infectious diseases amongst game parks. This would be a preemptive measure to ensure the health of the elk populations. The tribes are not regulated and there is a possibility of a catastrophic incident occurring.

Commissioner Ramos asked how many game parks are around Unit 34.

Kerry Mower said New Mexico is the only state where CWD has been found outside and not in game parks. New Mexico does not have any game parks situated near an area where CWD has been found. The closest proximity of a game park to where CWD has been found is between 80-90 miles.

Commissioner Ramos asked if there is any correlation relating military bases and areas where CWD is found.

Kerry Mower said there is not any correlation.

Commissioner Montoya asked if the Block Ranch Class A park permit expired in unit 34.

Kerry Mower was not sure.

Mike Perry clarified Block Ranch is in Unit 37 on the north side of the Capitan Mountains and mentioned there are three game parks in the area.

MOTION: Commissioner Arvas moved to adopt the proposed changes to 19.35.7 and 19.35.9 NMAC as presented by the Department and allow the Department to make minor corrections to comply with filing this rule with State Records and Archives.

SECOND: Vice Chairman Salopek.

Vote: 6-0

Yes: Vice Chairman Salopek, Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle, Commissioner Montoya, and Commissioner Ramos.

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 12: Citizen Advisory Committee Appointments for Habitat Stamp Program.

Presented by Cal Baca, Donald Auer, and Dale Hall: The sub-committee appointed by Chairman Bidegain updated the Commission on the Citizen Advisory Committee application process for the Habitat Stamp Program and recommended appointments to these positions. The state is divided into five regions and each region has a Citizen Advisory Committee. Each committee is comprised of seven members for a total of 35 citizen advisors across the state. The citizen advisors review habitat restoration project proposals, recommend projects for funding, and they

represent the habitat stamp program and the Department's broader habitat restoration efforts back to their peers. Currently, all 35 positions are vacant. To fill these vacancies, the Department announced through its website, emailed interested parties, released in the media, and communicated by word of mouth, and as a result received 79 interested applicants. No one from the public commented on this item. The following is a summary of the Commission's discussion:

Commissioner Kienzle thanked the fellows on the subcommittee and provided input on recommendations for the central region, specifically Kirt Nolte and Dan Bastion who were good recommendations.

Commissioner Montoya commended the subcommittee efforts and noted that it was difficult to select the right individuals for these vacancies.

Commissioner Ramos commended Donald Auer and Dale Hall on their contributions to the selection process. He also questioned how the public would be able to contact the advisors for input.

Dale Hall mentioned that the Department does post the names of the folks on the website and they are published in a directory. As of yet, phone numbers or email addresses of advisors are not public information.

Cal Baca stated that projects are typically brought to the Department for review and then the Department gives that information to the Citizen Advisory Committee's.

Commissioner Arvas asked if there will be a schedule these subcommittees will meet and allow the public to provide input.

Dale Hall said he is in the process of scheduling interagency meetings and will invite the Citizen Advisors that are selected. Citizen's meetings are typically held in late April or early May and those meetings are typically noticed by a press release and news release, announcing to the public that those meetings have been scheduled.

Commissioner Ramos asked if there will be orientation for the new committee members to give them background and the mission or a goal of the Habitat Stamp Program.

Dale Hall said he typically does provide orientation.

Donald Auer noted that in each region there has been an advisor that has served before and these individuals can lend their expertise to newly appointed advisors.

Cal Baca also noted that for the upcoming meeting, the new advisors will be provided with some background of how the process works and the Department's expectation and vision for the Habitat Stamp Program.

Commissioner Ramos noted that the subcommittee wanted to give Dale Hall the ability to appoint alternates to the Citizen Advisory Committees.

Vice Chairman Salopek believes it would be less work if these committee were reviewed on an annual basis instead of every three years.

Donald Auer noted that in the past it had been staggered every two to three years.

Commissioner Espinoza also praised Donald Auer and Dale Hall's efforts on this selection process. He also encouraged the Department to thank the non-selected candidates to continue to participate.

Commissioner Arvas was glad to see former game wardens on the subcommittees as they will be able to lend their expertise to this program.

MOTION: Commissioner Espinoza moved to appoint the individuals recommended by the subcommittee to the Commission to serve as citizen advisors to the Habitat Stamp Program and to authorize the director to appoint alternates with the concurrence of the Chairman in the event that any selected citizen advisor is unable to serve.

SECOND: Commissioner Ramos.

Vote: 6-0

Yes: Vice Chairman Salopek, Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle, Commissioner Montoya, and Commissioner Ramos.

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 13: Initiation of Javelina Rule Development - 19.31.21 NMAC for the 2015-2019 Seasons.

Presented by Cal Baca and Stewart Liley – The Department initiated the process to replace the javelina rule (19.31.21 NMAC) for the 2015-2019 seasons. The current rule expires March 31, 2015, and the new rule must be implemented in 2014 to meet planning and preparation that is required prior to the 2015 season. The schedule for

rule development was provided to the Commission. The first rules scheduled for development are the javelina and Barbary sheep, oryx, and ibex rule. The Department plans to bring forth proposed amendments at the March 2014 State Game Commission meeting and have a final proposed rule for approval at the May 2014 State Game Commission meeting. With initiation of this process beginning today, the Department will begin to solicit public comment on these rules. The next schedule will be the turkey and migratory game bird rule, with the initiation of these rules in March, with proposed amendments in May, and final proposed rule in June. Scheduled next will be the initiation of the Bighorn sheep and pronghorn with the initiation in March, proposed amendments in May and a final rule in August. Finally, the last two big game rules (deer and elk) will be initiated in May, proposed amendments in August and the final proposed rule in October. The Department is not proposing any major rule changes to the javelina rule, but merely date shifts to reflect calendar year shifts. The Department will solicit public comments and will present the proposed draft rule to the Commission in March. Comments from the public and discussion by the Commission are as follows:

Vice Chairman Salopek would like to increase hunting opportunities and would like an earlier start date for javelina.

Cal Baca invites all public comments, opinions and ideas that will be incorporated into the hunting schedule.

Commissioner Ramos would like to increase hunting opportunity for hunters by offering a multi-opportunity hunting option. He also asked the Department to develop a more visual calendar in the proclamation that allows our customers to visually understand all the options available for specific dates.

Cal Baca agreed to work to develop a more visual calendar.

Commissioner Ramos reiterated that he wanted a visual calendar that would easily identify and ease the confusion of the schedule hunt dates and perhaps have more consistency of how the hunting seasons are structured.

Cal Baca said he will to incorporate Commissioner Ramos suggestions and provide an analysis of the recommended changes.

Vice Chairman Salopek would like to see hunting opportunities that will cater to the hunter especially in regards to bow hunting.

Commissioner Arvas would like the Commission and the public to better understand how the rules are developed and asked about field officer input.

Cal Baca noted that the wildlife biologist collaborates with the district officers as well as the public to develop rule criteria for a specific species.

Commissioner Arvas asked about harvest data.

Cal Baca informed the Commission that harvest numbers are reported by the hunters.

Commissioner Arvas asked if district officers input is taken into consideration for the development of the rules.

Stewart Liley expressed that the primary focus for any rule development is to ensure the biological sustainability.

The Department relies on the wildlife biologists to ensure the recommended harvest regime is indeed sustainable for the species. The comments provided by the district officers are considered, but the final recommendations for rule changes are vetted to ensure the biological standard is maintained.

Vice Chairman Salopek supports the biological and sustainable standard the Department adheres to.

Commissioner Ramos also supports the Departments efforts to make decisions based on biological and sustainable standards. He also would like the Department to consider the economic constraints of hunters and the opportunities that may be available to accommodate these constraints.

Vice Chairman Salopek said he receives numerous requests from hunters that would like the opportunity for multi-hunts.

Commissioner Ramos volunteered time to explain his ideas in regards to the calendar, etc.

Cal Baca explained that the Department is going to try to facilitate a better method to collect all the feedback the Commission is hearing from the public.

Commissioner Espinoza requested more information from the Department that would allow the Commission to be better informed to address issues from the public as well as in times that require action on certain items.

Chairman Bidegain encouraged the Department to bring more information/data for the meetings.

Cal Baca said he would work to provide more information at the initiation of each rule.

Commissioner Ramos would like to refer to the mission and make sure it is being met, as well as examining if it is the most effective way to meet our customers and Departmental needs.

Cal Baca stated that the staggered four-year rule allows the department to analyze the past data trends and use the data as a basis for future rule development.

Commissioner Ramos requested more data for the next meeting.

Stewart Liley explained that for the next meeting, the Department will provide a proposed rule as well as the justifications for those changes as well as public comments received.

Commissioner Montoya provided points to ponder before approaching the Commission with a recommendation. He understands this is controversial issue, but believes the Department is protecting a genetically inferior critter, ex: spike elk and spike deer. If the Department's goal is to produce trophy critters, then the approach is misdirected. He recommended reviewing strategies that would aim to produce trophy critters.

Cal Baca said the Department will look into the recommendation.

Vice Chairman Salopek mentioned receiving phone calls and positive feedback. He also mentioned being grateful to serve on the State Game Commission and is pleased with the work of the Department.

RJ Kirkpatrick encouraged the Commissioners as well as the public to be more involved with Game and Fish staff to partake in the rule making process, and extend an invitation to meet with anyone that wanted to discuss this process.

Commissioner Espinoza asked if the dates were parallel to the 2013 Commission schedule.

Cal Baca said yes, but mentioned that the dates are flexible.

Oscar Simpson, Back Country Hunters and Anglers NM Chapter, State Chair highly recommended putting detailed information on the Department website. He noted that more information is critical for all interested parties to better understand the biological sustainability and the habitat needs as well as to provide transparency for the public and federal agencies; furthermore, these efforts will increase support of the Department and their initiatives.

AGENDA ITEM NO. 14: Initiation of Barbary Sheep, Oryx and Persian Ibex Rule Development - 19.31.12 NMAC for the 2015-2019 Seasons.

Presented by Cal Baca and Stewart Liley – The Department initiated rule development for the Barbary sheep, oryx and Persian ibex rule (19.31.12 NMAC) which has a 4 year cycle and is expiring March 31, 2015. The potential changes for oryx, Barbary sheep and Persian ibex include the change in oryx license numbers on the once in a lifetime hunt. The Department is preparing to survey White Sands Missile Range before the next proposed amendments in March that will provide more biological data. The Department foresees a reduction in oryx numbers to increase once in a lifetime numbers in Rhodes Canyon and Stallion to provide a better quality once in a lifetime experience. In regards to ibex management, the Department has an agreement with Bureau of Land management to maintain the ibex population of approximately 350 animals. The Department plans to provide recommendations to maintain a balanced sex ratio of this population. No one from the public commented on this item. The following is a summary of the Commission's discussion:

Vice Chairman Salopek asked about the flexibility of working with White Sands Missile Range.

Stewart Liley informed the Commission that White Sands controls access to the range; however, the Department does work in partnership to determine numbers and White Sands would like to increase numbers on the range.

Commissioner Espinoza asked about numbers off of the missile range and mentioned that he receives numerous calls from unsuccessful hunters.

Stewart Liley stated that the success rate of hunters off range is approximately 20 percent. As the population increases on the missile range, the numbers off range should also increase due to animals leaving the core area.

Commissioner Espinoza asked if the recommendation to decrease licenses is in the current proposal.

Stewart Liley stated that it is part of the solicitation process for public comment and collaboration with the Bureau of Land Management to determine the desires of the public and the Commission.

AGENDA ITEM NO. 15: Director's Initiation of Biennial Review of State Listed and Threatened or Endangered Species (17-2-40 NMSA 1978)

Presented by Mike Sloane – The Director through appropriate staff has initiated the process of conducting a biennial review of threatened and endangered species as required by the Wildlife Conservation Act (17-2-37 NMSA 1978). The review is important as it will reassess each species on the current list and will not add new species during the review. No one from the public commented on this item and there was no discussion by the Commission on this item.

AGENDA ITEM NO. 16: New Mexico Crucial Habitat Assessment Tool.

Presented by Matt Wunder and Ken Cunningham – The Department updated the Commission on New Mexico's Crucial Habitat Assessment Tool that is being utilized by and through the Western Governors' Association. The CHAT provides habitat information that can be used in the earliest stages of the planning process, particularly for

energy corridors and transmission routes, while considering and comparing fish and wildlife habitat. No one from the public commented on this item. The following is a summary of the Commission's discussion:

Commissioner Arvas asked how quickly the Department could utilize the CHAT tool.

Matt Wunder noted the CHAT system is available for Department use.

RJ Kirkpatrick praised the work of Matt Wunder and Ken Cunningham on this tool, and noted that CHAT will provide developers the information to minimize and avoid long-term impacts. The CHAT tool is significant to the future populations of game and non-game species.

Matt Wunder noted that the state land office is excited about the potential of using CHAT to identify the importance of a specific property pieces and its value to the Department. The potential of the CHAT tool will have a widespread impact to the state.

AGENDA ITEM NO. 17: Closed Executive Session.

The State Game Commission voted to adjourn into Executive Session closed to the public, pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss the acquisition of real property, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission and/or Department is or may become a participant.

MOTION: Vice Chairman Salopek moved to adjourn into executive session, closed to the public, pursuant to Section 10-15-1(H)(s), to discuss limited personnel matters of key Department personnel, Section 10-15-1(H)(8) NMSA 1978, to discuss the acquisition of real property, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission and/or Department is or may become a participant.

SECOND: Commissioner Ramos.

Secretary Kirkpatrick called the roll call vote:

Present:

- Commissioner Tom Arvas
- Chairman Scott Bidegain
- Vice Chairman Thomas Salopek
- Commissioner Bill Montoya
- Commissioner Paul Kienzle
- Commissioner Robert Espinoza
- Commissioner Ralph Ramos

Absent: None

Quorum: Yes

The Commission returned to the open public session and noted for the record that no action was taken in the closed executive session. Chairman Bidegain stated the Commission will begin the search for a Department director and has chosen to advertise the position for 60 days.

AGENDA ITEM NO. 18: General Public Comments (Comments Limited to 3 Minutes).

Garret Veneklasen, NM Wildlife Federation, Chair, commended the Commission to begin the 60 day process to choose a new director and noted the Wildlife Federation looks forward to working with the Department. He also requested the Commission to provide more detail in the meeting minutes, specifically a synopsis of public comments.

Gregg Gonzales of Santa Fe, NM requested the Commission to change the name of the campground currently named "Mora Campground" to be renamed as "Ribera Family Campground." He noted that Cristino Ribera was the first settler of the Upper Pecos, he was a community leader in the Pecos and El Macho area. He noted the importance of having this campground named after a northern New Mexico settler..

Commissioner Espinoza asked if the Commission has the ability to change the name.

RJ Kirkpatrick confirmed that the Commission does have the ability to change the name and informed the Commission that the rule would require modification.

Chairman Bidegain noted the Commission would consider his request for the name change.

Oscar Simpson, Back Country Hunters and Anglers NM Chapter, State Chair spoke in regards to the current regulations regarding the use of drones for hunting and scouting. He requested the Department to formally take a stance in opposition to the use of drones for hunting and scouting and mentioned that Colorado would be voting on this January 10, 2014.

AGENDA ITEM NO. 19: Adjourn.

MOTION: Vice Chairman Salopek moved to adjourn at 11:42am.

SECOND: Commissioner Montoya.

Vote: 6-0

Yes: Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya,
Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

NOTE: The meeting will be adjourned upon completion of the agenda or up to those items that time allows. Any items not discussed will be on the following meeting's agenda. The Agenda is subject to change up to 72 hours prior to the scheduled meeting date and time as deemed necessary by the Chairman. To inquire about agenda changes, please contact the Office of the Director at (505) 476-8008. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Ms. Michelle Gonzales at (505) 476-8030 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Gonzales if a summary or other type of accessible form is needed.



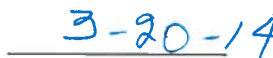
R.J. Kirkpatrick, Interim Director and Secretary



Date



Thomas "Dick" Salopek, Vice Chairman
New Mexico State Game Commission



Date

RJK/avg