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**MINUTES  
REGULAR MEETING**

NEW MEXICO STATE GAME COMMISSION  
Martinez Hall Theatre - New Mexico State University at Grants  
1500 3<sup>rd</sup> Street, Grants, NM 87202  
Thursday, August 22, 2013 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 8:02 a.m. by Chairman Scott Bidegain in the Martinez Hall Theatre at New Mexico State University in Grants, New Mexico.

**AGENDA ITEM NO. 2: Roll Call**

Roll Call identified all Commissioners: Tom Arvas, Robert Espinoza, Paul Kienzle, Bill Montoya, Ralph Ramos, Vice Chairman Dick Salopek and Chairman Scott Bidegain were present.

**AGENDA ITEM NO. 3: Approval of Agenda**

The agenda was approved, with a motion to move agenda items 20 and 21 to follow agenda item 8. This motion passed unanimously.

**AGENDA ITEM NO. 4: Introduction of Guests**

Chairman Bidegain welcomed attendees and gave a special welcome to newly hired Department Spokesperson Rachel Shockley and General Counsel Allison Marks.

**AGENDA ITEM NO. 5: Approval of Minutes (May 23, 2013)**

Minutes of the May 23, 2013 meeting of the Commission were approved and the motion carried unanimously.

**AGENDA ITEM NO. 6: Revocations**

**Presented by Robert Griego** - The Department presented a list of 376 individuals that meet the established criteria to initiate the suspension process for hunting, fishing and trapping license privileges. The list of individuals was certified by the Human Services Department as being out of compliance with the Parental Responsibility Act. A motion was requested to suspend the license privileges of obligors not in compliance with their court order to pay child support. No public comment was given. The motion 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 as presented by the Department was so moved by Commissioner Montoya and seconded by Commissioner Espinoza. This motion passed unanimously.

**AGENDA ITEM NO. 7: Revocation Timeframes for Violators**

**Presented by Robert Griego** - The Department presented a final proposal to amend the revocation timeframes that provide greater consistency with the Wildlife Violators Compact, the Parental Responsibility Act and consider increasing revocation periods for certain severe violations. A motion was requested to amend the Hunting and Fishing License Revocation rule (19.31.2 NMAC), to reflect the new statute of allowance from Senate Bill 73, authorizing the Department to revoke licenses for a definite period of time. No public comment was given. The motion to accept the Department's recommendation and amend the Hunting and Fishing License Revocation rule (19.31.2 NMAC) as presented by the Department was so moved by Vice Chairman Salopek and seconded by Commissioner Espinoza. This motion passed unanimously.

**AGENDA ITEM NO. 8: Valles Caldera National Preserve**

**Presented by RJ Kirkpatrick** - The Department gave a presentation on US Senate Bill 285 and the future disposition of the Valles Caldera National Preserve. At the May 23 meeting, *the* Department had advised the Commission of pending legislation to transfer the Valles Caldera National Preserve to the National Park Service. Public comment was heard and largely expressed opposition to a change in management. Discussion centered on the Commission's opposition of moving the Valles Caldera National Preserve to the National Park Service. The Commission took public comment on this bill and reconsidered its action taken on these issues at the Commission meeting on May 23, 2013. Public comment was heard with both support and opposition of Senate Bill 285 being conveyed by the public. Some discussion centered on the Commission's opposition of moving the Valles Caldera National Preserve to the National Park Service. A motion directing the Department to oppose Senate Bill 285 or any other legislation that transfers the Valles Caldera to the National Park Service as presented by the Department and directed the Director of the Department to contact Senators Heinrich and Udall regarding any potential alternatives to the transfer of the Valles Caldera National Preserve was so moved by Commissioner Arvas and seconded by Commissioner Espinoza. This motion passed unanimously.

**AGENDA ITEM NO. 9: Online License Sales Update**

**Presented by Alexa Sandoval** - The Department presented an update on implementation of the online license sales system. The Department provided vendors a test site for the online license sales system and has received positive feedback from the vendors and outfitters. The system will go live in October, with full implementation in April 2014. Director Lane commended the efforts of Alexa Sandoval, Russ Verbofsky, and their staff. No public comment was given. There was some discussion on the overall success of the online license sales system and the benefits to the vendors, sportsmen, and the Department's ability to utilize this for enforcement purposes. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 10: Fiscal Year 2015 Budget Request**

**Presented by Alexa Sandoval** - The Department presented the Fiscal Year 2015 Operating Budget Request and Infrastructure Capital Improvement Project (ICIP) request for Commission review and approval. The budget provides for the Department's annual

operational capabilities to provide biological, law enforcement and a myriad of other services that support a nearly \$1 billion annual economy in wildlife-associated recreation in New Mexico. Public comment was heard and focused on the benefits of the funds allocated to the OHV program. The Commission discussion centered on support of this proposal. The motion to approve the Departments Fiscal Year 2015 operating budget and capital improvement project request as presented and to allow the Department staff to make technical adjustments and changes necessary to incorporate assessment rate changes provided to the Department and other executive agencies after this meeting, and prior to statutory deadline as presented by the Department was so moved by Vice Chairman Salopek and seconded by Commissioner Espinoza. The motion passed unanimously.

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**AGENDA ITEM NO. 11: Proposed Amendments to Game and Fish**

**Licenses/Permits (19.30.9 NMAC) - Vendor Bond Requirement**

**Presented by Alexa Sandoval** - The Department proposed amendments to the Game and Fish Licenses/Permits rule (19.30.9 NMAC) as it relates to vendor bond requirements. This amendment was requested due to the transition to the web-based sales system by license vendors. No public comment was given. The motion to approve the Department's recommendation to the vendor bond requirements in (19.30.9 NMAC) as presented by the Department was so moved by Commissioner Ramos and seconded by Commissioner Montoya. The motion passed unanimously.

**AGENDA ITEM NO. 12: Reservation of Two Elk Licenses for Non-profit Wish-Granting Organizations**

**Presented by Robert Griego** - The Department requested the Commission to reserve two elk licenses for two qualifying youth plus an alternate for each individual following the criteria established in (17-3-13.5 NMSA 1978). No public comment was given and Commission discussion was brief and supportive. The motion to reserve two elk licenses for the two applicants to be sponsored by the non-profit wish-granting organizations, or the alternates, should the primary individuals not be able to participate in their elk hunt as presented by the Department was moved by Commissioner Espinoza and seconded by Vice Chairman Salopek. This motion passed unanimously.

**AGENDA ITEM NO. 13: Director's Authority to Accommodate Disability or Medical Impairment**

**Presented by Robert Griego** - The Department presented a final recommendation to allow the Director to modify the manner and method of take for a licensee who has a verifiable medical condition. No public comment was given. The motion to accept the Department's recommendation and amend the Hunting and Fishing—Manner and Method of Taking rule (19.31.10 NMAC) as presented by the Department was moved by Commissioner Arvas and seconded by Vice Chairman Salopek. The motion passed unanimously.

**AGENDA ITEM NO. 14: Proposed Amendment to the Scientific and Education Rules 19.35.6 and 19.36.2 NMAC**

**Presented by Robert Griego** - The Department presented proposed rule changes to the Educational Use of Wildlife (19.35.6 NMAC) and Taking and Possession of Protected Wildlife for Scientific and Educational Purposes (19.36.2 NMAC) rules. The proposed rule change includes merging the two rules into one, and requires a report and data collection that must be submitted to the Department. This rule will ensure a more efficient process for applying for a permit. The final proposal will be posted for public comment. No motion was required. No public comment was given. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 15: Wild Turkey Management Update and Objectives 19.31.10 NMAC**

**Presented by Cal Baca** - The Department presented a final proposal to address hybridization of wild turkey subspecies by restricting importation, propagation, and sale within the state. No public comment was given and the discussion focused on the sale of wild turkey subspecies at local feed stores and hatcheries. The motion to accept the Department's proposal for the new Hunting and Fishing – Manner and Method of Taking rule (19.31.10 NMAC) as presented by the Department was moved by Commissioner Montoya and seconded by Commissioner Ramos. This motion passed unanimously.

**AGENDA ITEM NO. 16: Recent Wildfire Impacts to Wildlife and Habitat**

**Presented by Cal Baca** - The Department presented a summary of the impacts of recent wildfires on New Mexico's wildlife and their habitat. No public comment was given and the Commission's discussion commended the Department's efforts during these fires. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 17: Fiscal Year 2013 Annual Depredation and Nuisance Abatement Report**

**Presented by Cal Baca** - The Department reported on the number of wildlife complaints filed and resolved in accordance with (19.30.2 NMAC) for fiscal year 2013. No public comment was given. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 18: 2012 – 2013 Bear and Cougar Harvest Update**

**Presented by Cal Baca** - The Department presented information on bear and cougar depredation and hunter harvest for 2012-2013 as required in the bear and cougar rule (19.31.11 NMAC). No public comment was given. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 19: Shooting Preserve – Chama, NM**

**Presented by Donald Jaramillo** - Jay Ellis owner of Canones Creek Ranch requested the Commission approve 520 acres as a regulated shooting preserve. No public comment was given. The motion to approve a shooting preserve on 518 acres of the Canones Creek Ranch in Rio Arriba County as presented by the Department was moved by Vice Chairman Salopek and seconded by Commissioner Arvas. The motion passed unanimously.

**AGENDA ITEM NO. 20: Pueblo of Santa Ana Pronghorn Antelope Management**

**Presented by Glenn Harper** - The Pueblo of Santa Ana discussed their pronghorn antelope management goals including the desire to transplant additional pronghorn on pueblo lands. Some discussion occurred focusing on logistics, mortality rates, and long term goals of Santa Ana Pronghorn Antelope Management. The Commission requested this item be readdressed on the September 26, 2013, the next regularly scheduled State Game Commission meeting. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 21: Habitat Stamp Sikes Act Citizen Advisory Committee**

**Presented by Cal Baca** - The Department summarized the current status of Citizen Advisory Committee member terms and the process for future nominations. Public comment was given and discussion centered on the need to increase citizen participation and drive new memberships. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 22: Proposed Amendments to (19.31.12 NMAC) Ibex and Barbary Sheep Management**

**Presented by Cal Baca** - The Department presented changes in the hunting and harvesting of Barbary sheep and ibex to assist in management strategies to include removing over-the-counter license sales for ibex on the Florida Mountains and implementing population management hunts. Some discussion occurred regarding population goals and future transplanting of bighorn sheep. The motion to accept the Department's proposal for recommendations for Barbary sheep in section 11 and for ibex in section 10 and 13 for the amendments to Barbary sheep, Oryx, and Persian Ibex rule 19.31.12 NMAC as presented by the Department was moved by Vice Chairman Salopek and seconded by Commissioner Ramos. The motion passed unanimously.

**AGENDA ITEM NO. 23: Migratory Game Birds (19.31.6 NMAC)**

**Presented by Cal Baca and Kristen Madden**- The Department proposed final amendments to the Migratory Game Bird Rule (19.31.6 NMAC) for the 2013-2014 hunting season including the federal migratory bird requirements and allowances for the Central and Pacific Flyways, and presented an alternative to the final proposal. The Department also requested the Commission approval of the application deadline of October 2, 2013, for these hunts. Public comment was heard and there was brief discussion regarding whether the Commission could act on the alternative proposal. Mona Valicenti, Assistant Attorney General assigned to the State Game Commission, acknowledged that the Commission could take action on this agenda item. The motion to accept the proposal for the migratory game bird rule 19.31.6 NMAC as presented in alternative number 1 was so moved by Vice Chairman Salopek and seconded by Commissioner Montoya. This motion passed with a majority vote of 5 in the affirmative and Commissioner Kienzle abstaining from the vote.

**AGENDA ITEM NO. 24: Closed Executive Session**

The State Game Commission voted unanimously to adjourn into Executive Session closed to the public, pursuant to Section 10-15-1(H)(7) NMSA 1978, to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission is or may become a participant. No action was taken during the closed executive session.

**AGENDA ITEM NO. 25: Proposed Amendments to the Fisheries Rule, 19.31.4 and Manner and Method Rule 19.31.10 NMAC**

**Presented by Mike Sloane** - The Department proposed changes to the fisheries rule and the manner and method rule. These changes included clarifying language for kokanee snagging, closing Iron Creek and McKenna Creek to fishing, reducing striped bass limit, reducing the limit to five for catfish waters, revising disability language, and removing age limits anglers at Young Pond. Some public comments were given. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 26: San Juan Fisheries Project Update**

**Presented by Mike Sloane** - The Department updated the Commission on the recent fisheries management project that has been implemented in the San Juan River. Public comment focused on the need for fishermen to remove fishing line that negatively impacts non-target species. The Department agreed to remind anglers to reduce the amount of line and hooks left behind while fishing. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 27: Hatchery Overview**

**Presented by Roddy Gallegos** - The Department provided an overview to the Commission on the state's hatchery facilities, personnel, and fish production. No public comment was given. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 28: New Mexico's State Wildlife Action Plan**

**Presented by Matt Wunder** - The Department provided the Commission with a timeline and summary of progress to implement New Mexico's State Wildlife Action Plan (previously named the Comprehensive Wildlife Conservation Strategy). Public comment requested the Commission to include land owners in this action plan. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 29: Vehicle-Wildlife Collisions**

**Presented by Mark Watson** - The Department provided the Commission an update on the work it has done in conjunction with the Department of Transportation, the Department of Public Safety and the University of New Mexico to assess, educate and identify wildlife safety zones to assist in reducing wildlife-vehicle collisions. Public comment centered on financial aspects of this work. This being a discussion item, no motion was heard.

**AGENDA ITEM NO.30: Department Personnel Overview**

**Presented by Sonya Quintana** - The Department provided the Commission a summary of hiring efforts relating to reorganization of the Department. No public comment was given and the Commission commended the Department on their accomplishments. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 31: Northwest Area Office Update**

**Presented by Chris Chadwick** - The Department provided the Commission with an update on the status of the Northwest Area Office lease and future needs, including relocation to accommodate Department personnel and services to the public. Public comment and discussion was positive. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 32: General Public Comments (Comments Limited to 3 Minutes)**

Public comments were primarily positive and members of the public recommended ways in which the Department could generate revenue. Other members of the public applauded the Department's efforts for contributing funds for water resources during the drought as well as the Department's efforts for the Outdoor Expo.

**AGENDA ITEM NO. 33: Adjourn.**

The Commission unanimously moved to adjourn at 4:29 p.m.

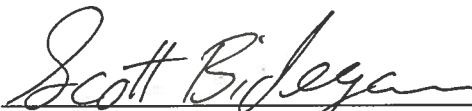
NOTE: The meeting will be adjourned upon completion of the agenda or up to those items that time allows. Any items not discussed will be on the following meeting's agenda. The Agenda is subject to change up to 24 hours prior to the scheduled meeting date and time as deemed necessary by the Chairman. 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. Sonya Quintana at (505) 476-8029 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. Quintana if a summary or other type of accessible form is needed.



James S. Lane, Jr., Secretary  
New Mexico State Game Commission



Date



Scott Bidegain, Chairman  
New Mexico State Game Commission



Date