

New Mexico State Game Commission New Mexico
Department of Game and Fish

Oct. 27, 2023

AGENDA ITEM NO. 1: Meeting Called to Order

08:59:34 a.m. (00:00:00)

Called to order by Vice-chairman Tirzio Lopez.

AGENDA ITEM NO. 2: Roll Call

09:00:33 a.m. (00:00:59)

Present in person: Vice-chairman Lopez and Commissioner Clemente.

Present virtually: Commissioner Salazar Hickey, Commissioner Garcia and Commissioner Fulfer.

AGENDA ITEM NO. 3: Introduction of Guests

09:01:02 a.m. (00:01:28)

AGENDA ITEM NO. 4: Approval of Agenda (Action Item)

09:04:45 a.m. (00:04:11)

Motion: Move to approve the agenda as written.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 5: Consent Agenda (Action Item)

09:05:39 a.m. (00:06:04)

Motion: To approve the consent agenda including:

- a.) minutes from the Aug. 25, 2023, meeting as submitted by the Department;
- b.) revocations or suspensions carried out pursuant to the Parental Responsibility Act, those who have failed to pay a penalty assessment citation within 30 days, those who failed to appear in court on a wildlife citation, individuals who have pending civil assessments and the Interstate Wildlife Violator Compact, individuals that meet established criteria for the revocation of their hunting, fishing, trapping, guiding and outfitting privileges or other privileges or authorities granted by an agreement, license or permit issued by the Department.
- c.) approval of the annual depredation report as submitted by the Department; and
- d.) approval to accept the drawing dates as proposed by the Department for bear and turkey (Feb. 14, 2024), big game (March 20, 2024), and crane and pheasant (Aug. 14, 2024).

The Department presented to the Commission a summary of the total number of depredation and wildlife nuisance complaints filed with and resolved by the Department during Fiscal Year 2023. The Department also presented an update on staffing and efforts undertaken by its Field Operations Division.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 6: General Public Comments

09:14:22 a.m. (00:14:48)

AGENDA ITEM NO. 7: Bear and Cougar Rule (19.31.11 NMAC) Hearing (Action Item)

09:43:50 a.m. (00:44:16)

The Department presented proposed changes to the Bear and Cougar Rule (19.31.11 NMAC) based on public comment, harvest data and biological data collected from research in New Mexico and recent literature. Proposed changes will include aligning harvest limits with recent biological data.

Motion: Move to adopt proposed changes to 19.31.11 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.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Garcia.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 8: Furbearers Rule (19.32.2 NMAC) Hearing (Action Item)

10:20:32 a.m. (01:20:58)

The Department presented proposed changes to the Trapping and Furbearer Rule (19.32.2 NMAC) based on public comment, harvest and biological data collected and information from recent literature. The initial proposed change is to make the Trapping and Furbearer Rule a permanently closed rule.

Motion: Move to adopt proposed changes to 19.32.2 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.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Fulfer.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 9: Subsequent Discussion of Hunter Education Rule 19.36.3 NMAC

10:32:11 a.m. (01:32:37)

The Department presented proposed changes to Sections 17-2-33 through 17-2-35 NMSA 1978, which create the Hunter Training Act and give the Commission the authority to promulgate rules to implement the provisions of the Act. The Hunter Education Rule 19.36.3 NMAC contains regulations designed to carry out the provisions of the Hunter Training Act. Rule clarification is needed to address recent advances in available technology that allow very young children (e.g. age 3) to take and pass an online Hunter Education course and apply for the big game draw in New Mexico.

AGENDA ITEM NO. 10: Shooting Preserve Application – Pheasant Phever (Action Item)

10:44:00 a.m. (01:44:26)

Under 17-3-36 NMSA 1978, the State Game Commission may issue licenses authorizing the establishment and operation of regulated, propagated game bird shooting preserves on private lands when in the judgment of the Commission such areas will not conflict with any reasonable prior interest. Caprock Roosters, LLC. has applied for such a shooting preserve.

Motion: To approve a shooting preserve on 157 acres of the Landon Berry property (Pheasant Phever) located in Colfax County, as presented by the Department.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 11: Executive Session (Closed to the Public)

10:51:40 a.m. (01:51:06)

Motion: Move to adjourn into executive session, closed to the public, pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss property purchase, acquisition or disposal; Section 10-15-1(H)(7) NMSA 1978, attorney-client privilege, litigation update (discussion).

Motion by: Commissioner Clemente.

Seconded by: Commissioner Fulfer.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

AGENDA ITEM NO. 12: Actions on Items from Executive Session (Action Item)

11:14:16 a.m. (01:52:38, 02:14:42)

No action taken.

AGENDA ITEM NO. 13: Initial Discussion of Change to Hunting and Fishing License Application 19.31.3 NMAC for Free Fishing License Pursuant to House Bill 35 – Free Cultural Services for Foster Families

11:14:38 a.m. (01:53:00, 02:15:04)

The Department presented proposed amendments to the Commission to establish eligibility documentation requirements for the new Foster Family fishing license established in 32A-3A-12 NMSA, as required by the law.

AGENDA ITEM NO. 18: Adjourn

11:20:42 a.m. (01:59:04, 02:21:08)

Motion: To adjourn.

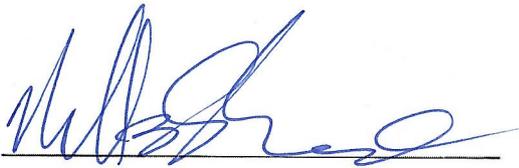
Motion by: Commissioner Clemente.

Seconded by: Commissioner Fulfer.

Approved: Unanimous - Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia and Commissioner Salazar Hickey.

**APPROVAL OF MINUTES
NEW MEXICO STATE GAME COMMISSION**

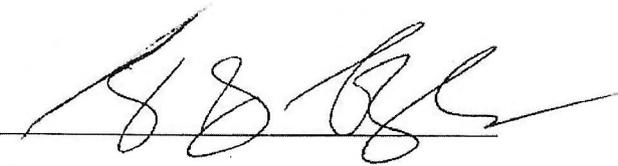
**October 27, 2023
Farmington Civic Center
200 W. Arrington Street
Farmington, New Mexico 87401**



Michael B. Sloane, Director

3/26/2024

Date



Tirzio Lopez, Vice Chair

New Mexico State Game Commission

3-26-24

Date