

# Agenda Item 10

## **Manner & Method 19.31.10 NMAC**

Subsequent Discussion



# Manner and Method 19.31.10 NMAC

- Removed Manner and Method (M&M) from species rules
- M&M will be in one Chapter and Part 31.10
- Six month process and review



# Public Discussion

- Public meetings were hosted by Dept.
  - Las Cruces, Thurs August 30
  - Albuquerque Tues September 4
  - Roswell Wed September 5
  - Raton Tues September 11
- Submit rule to Registrar on October 18 for publishing on October 30
- Final rule scheduled for November GCM in Roswell



# Definitions

Amended, or newly defined terms in M&M rule.

- “Any sporting arm”
- “Arrows” or “Bolt”
- “Bait”
- “Baiting”
- “Big game sporting arms”
- “Bow”
- “Cellular, cell or satellite camera”
- “Compressed air gun”
- “Locate”
- “Snagging”
- “Written permission”



# Possession or Sale of Protected Sp.

- **License or permit:** additional ways to possess protected sp. other than license or permit such as possession certificate and invoice from the department or department permitted facility.
- **Game taken by another:** changed donation certificate to a possession certificate to cover temporary legal possession by meat processors, taxidermist and individuals transporting legally harvested wildlife.
- **Sale of game animal parts:** added rendered bear fat, teeth, all furbearer parts to list of items that can be legally sold.
- **Possession of game animal parts found in the field:** allows the seizure of shed antlers collected in violation of closures, trespass and driving off road on public land.



# Importation or Possession of un-permitted wildlife

- Violation of permit or license provisions or importation/possession of un-permitted wildlife:
  - Currently all wildlife is required to have an importation permit and health certificate to come into NM.
  - This rule will require that any wildlife imported and sold must be accompanied by copy of original importation permit or it could be seized.
  - Individual who has wildlife seized will have 30 days to arrange for illegal wildlife to be transported out of NM.



# Use of Roads and Hunting

## Shooting from the road:

- Still unlawful to take or attempt to take a protected sp. from or across a road.
- Would allow an individual to shoot from the un-maintained surface if no right of way fence exists.
- Would allow an individual to rest a rifle at least half way across a right of way fence on a public road that has two or less lanes of travel.



# Use of Aircraft

## Using aircraft to locate wildlife:

- Makes it unlawful “for the purpose of hunting” to locate a protected species with the aid of an aircraft or drone during the period of August 1<sup>st</sup> to January 31<sup>st</sup> of each license year.
- Does not apply to commercial or direct flights or any other flight that is not for the purpose of hunting.





# Driving Off Road

## **Vehicle off of established road:**

- Currently unlawful to drive or ride in a motor vehicle off road.
- Would allow a private landowner to give written permission to drive off road on their private property.
- Cannot give written permission if private property is part of a unitization, ranch wide or unit wide agreement or property that the department is paying for public access.
- Unlawful to drive off road while shed hunting.
- Same applies for closed roads



# Mobility Impaired

## Mobility Impaired (MI) cards:

- Handicap licenses vs. Mobility Impaired card holders
- MI hunter can designate one person in writing to assist them.
- MI designee must follow sporting arm type



# Proof of sex or bag limit

- Gave the option of keeping the genitalia naturally attached or the scalp and both ears on female only hunts.
- Female Ibex with horns longer than 15 inches can leave genitalia naturally attached.
- Javelina hunters must keep the skull as proof of bag limit.



# Tagging

## **Electronic Tagging:**

- Licensed hunters upon harvest must immediately access electronic tagging app.
  - App will provide an e-tag number, CIN, and date of kill
  - Hunter will write info on durable material with permanent ink
  - Hunter will attach tag with info in proper locations

## **Department issued carcass tag:**

- Tagging process will remain same and consistent with e-tag option.



# Contiguous Deeded Property

- A Landowner can hunt on contiguous deeded property that extends into adjacent GMU's
- Permission will be granted annually at an area office at least one week prior to hunt
- LO must show proof of ownership
- Dates, bag limit and sporting arms determined by GMU with majority of property
- Can choose contiguous or individual GMU but not both
- Unit Wide or Ranch Wide properties are not eligible



# Misc. Manner and Method

## **Use of dogs:**

- Up to two dogs that are kept on a leash can be used to track wounded game.

## **Use of bait:**

- Bait must be completely removed to include feeders for at least 10 days.

## **Hunting captive big game species:**

- Unlawful to take Big Game (BG) within any game proof fence or enclosure.

## **Collars or tracking devices:**

- Unlawful to attach tracking device on any BG or Turkey

## **Use of cellular, cell or satellite cameras:**

- Unlawful to use cellular or satellite cameras for purpose of hunting any BG

## **Use of bait for Migratory or Upland Game:**

- Unlawful to use bait to take migratory or upland game



# Fishing

## **Trotlines:**

- Allow the use of CIN

## **Spearfishing and bow fishing:**

- Not allowed with fish that have length requirement
- Simplified the language in bait fish
- Simplified the language in use of boats and motors



# Penalty Assessments

- Clarified the language and specific violations for M&M Penalty Assessment Misdemeanors





# Public Participation

- Public discussion during public meetings
- Have had approximately 67 public comments via website
- 13 against / 3 in favor of aircraft rule
- 6 against electronic tagging
- 8 against draw lock rule
- 2 against shooting from road rule
- 1 against broadhead rule change
- 3 against weapon type / caliber restriction changes
- 1 against / 1 in favor of cell camera rule
- 1 against / 2 in favor of Javelina head tagging
- 24 against / 1 in favor of Two flies on SJ quality area
- 1 in favor of tracking dog use



