

**A G E N D A**  
**NEW MEXICO STATE GAME COMMISSION**  
**November 16, 2017**  
**Elephant Butte Inn**  
**401 NM 195**  
**Elephant Butte, NM 87935**  
**9:00 a.m. – 5:00 p.m.**

Public testimony and comment: All those interested in providing oral comments are encouraged to prepare a "Speaker's Card" for each item on which they will comment. These cards assist the Commission Chair to manage more effective public communication. Comments may be allowed on each item at the Commission Chair's discretion, regardless of card completion. Those who desire to address the Commission and who claim to represent an organization must provide the following information: the number of members in the organization, frequency of the organization's meeting and either a signed statement from that organization's president that states the organization has discussed the topic and approved the position that the representative is presenting, or proof that they are a registered lobbyist for the organization.

AT THEIR DISCRETION, THE COMMISSION MAY TAKE ACTION ON ANY AGENDA ITEM

**AGENDA ITEM NO. 1: Meeting Called to Order**

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

**AGENDA ITEM NO. 3: Pledge of Allegiance**

**AGENDA ITEM NO. 4: Approval of Agenda**

**AGENDA ITEM NO. 5: Introduction of Guests**

**AGENDA ITEM NO. 6: Approval of Minutes September 28, 2017, Red River, NM**

**NEW BUSINESS:**

**AGENDA ITEM NO. 7: Permit Renewal Request by Turner Endangered Species Foundation (TESF) on Black-footed Ferret.**

**Presented by Dustin Long** – Presentation and request by TESF, on the renewal of the scientific ed. permit for three (3) years for black-footed ferret program on the Vermejo Park Ranch.

**AGENDA ITEM NO. 8: Revocations**

**Presented by Robert Griego** – The Department will present a list of individuals that meet established criteria for initiation of the suspension process for license privileges per the Parental Responsibility Act, Wildlife Violators Compact, and failure to pay Penalty Assessment.

**AGENDA ITEM NO. 9: Update on the Construction of Albuquerque Office Complex**

**Presented by Jim Comins** – Presentation to the Commission on the update of the construction projects regarding the Albuquerque Office complex in Bernalillo County.

**AGENDA ITEM NO. 10: Special Hunt Draw Deadlines 2018-2019 License Year**

**Presented by Paul Varela** – The Department will make a recommendation to the Commission regarding the application deadline dates for the special hunt lottery draws for the 2018-2019 license year.

**AGENDA ITEM NO. 11: Request to Recognize New Mexico Wildlife Federation, Safari Club International Foundation, New Mexico Cattle Growers Association and Outdoor Experience 4 All, as Qualified Non-profit Organizations to receive donated licenses or permits**

**Presented by Paul Varela** – The Department will present to the Commission, New Mexico Wildlife Federation, Safari Club International Foundation, New Mexico Cattle Growers Association and Outdoor Experience 4 All, as non-profit organizations that can participate in receiving, identifying or submitting recipients for donated licenses as required by rule (19.31.3.11.F (MAC)).

**AGENDA ITEM NO. 12: Discussion Developing New Rulemaking Rules per the State Rules Act § 14-4-1 NMSA 1978.**  
**Presented by Donald Jaramillo** – The Department will discuss the potential development of a new section in rule on Commission rulemaking requirements per the State Rules Act § 14-4-1 NMSA 1978 Comp.

**RULE HEARINGS OPEN:**

**AGENDA ITEM NO. 13a (Informational): Rule Hearing on Proposed Amendments regarding Carcass Tagging on Manner and Method 19.31.10, 19.31.12, 19.31.13, 19.31.14, 19.31.15, 19.31.16, 19.31.17, 19.31.21, 19.30.9 NMAC and Associated Species Rules**

**Presented by Chris Chadwick** – The Department present and will provide final rule amendments regarding carcass tagging of big game and turkey with associated rules.

**ACTION ITEM NO. 13b (Action Item): The Commission will vote on the Proposed Amendments to 19.30.9, 19.31.10 NMAC and associated species rules after the close of this hearing record**

**AGENDA ITEM NO. 14a (Informational): Rule Hearing on Proposed Amendments to Guide and Outfitting Rule 19.30.8 NMAC.**

**Presented by Bobby Griego**– The Department will present and provide final rule amendments to Guide and Outfitting rule 19.30.8 NMAC.

**ACTION ITEM NO. 14b (Action Item): The Commission will vote on the Proposed Amendments to 19.30.8 NMAC after the close of this hearing record**

**AGENDA ITEM NO. 15a (Informational): Rule Hearing on Proposed Amendments to Hunting and Fishing Revocation Rule 19.31.2 NMAC**

**Presented by Bobby Griego**– The Department will present and provide final rule amendments to Hunting and Fishing Revocation rule 19.31.2 NMAC.

**ACTION ITEM NO. 15b (Action Item): The Commission will vote on the Proposed Amendments to 19.31.2 NMAC after the close of this hearing record**

**AGENDA ITEM NO. 16a (Postponed): Final Rule Amendments to Trespass Certification 19.31.10 NMAC**

**Postponed** – The Department decided to terminate the current rulemaking process of Trespass Certification in section 19.31.10 NMAC. The Department has made a formal request to the New Mexico State Records Center and Archives to add a new Part in rule under: Title 19 Natural Resources and Wildlife, Chapter 31 Hunting and Fishing, to continue at a later rulemaking hearing.

**ACTION ITEM NO. 16b (Postponed):**

**AGENDA ITEM NO. 17a (Informational): Final Rule Amendments to Fisheries – 19.31.4 and 19.31.10 NMAC for the 2018-2021 Seasons**

**Presented by Mike Sloane** – The Department will present and provide final rule amendments for the Fisheries Rule (19.31.4 and 19.31.10 NMAC) which has a 4 year cycle and is expiring March 31, 2018.

**ACTION ITEM NO. 17b (Action Item): The Commission will vote on the Proposed Amendments to 19.31.4 NMAC after the close of this hearing record**

**RECORD CLOSED ON ABOVE RULE HEARINGS.**

**AGENDA ITEM NO. 18: Discussion for proposed New Rule in Title 19, Chapter 31, Part 22 NMAC on Landowner Certification of Non-Navigable Water.**

**Presented by Chairman Kienzle** – Discussion to establish a certification process by which landowners can register their legally-posted property(s) with the department that will identify portions of non-navigable waters that run through privately owned property

**AGENDA ITEM NO. 19: Closed Executive Session**

The State Game Commission will vote as to whether it will adjourn into Executive Session closed to the public; pursuant to 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters relating to complaints and discipline; pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss the property acquisition; and pursuant to Section 10-15-1(H)(7); on matters subject to the attorney-client privilege relating to threatened or pending litigation.

**A. Personnel Matters**

**B. Property**

1. Discussion of Mesilla Valley Bosque State Park property in Dona Ana County.
2. Discussion of Property Acquisition located near Red Rock Wildlife Management Area in Grant County.
3. Discussion of Property Acquisition located near Department Headquarters in Santa Fe County.

**C. Attorney-Client Privilege/Litigation**

1. State of Arizona v. Sally Jewell, No. 4:15-CV-245-JGZ, U.S. District Court for the District of Arizona
2. State of Oklahoma et al v. U.S. Department of Interior, Docket No. 1:15-CV-00252-EGS.
3. New Mexico Department of Game and Fish v. United States Department of Interior et. Al., Case Number: CV-16-00462- WJ/KBM.
4. APNM v. N.M. Game Commission No. D-101-CV-2016-01227 (First Judicial Court).
5. APNM v. N.M. Game Commission No. 35441 (N.M. Court of Appeals).
6. A Dunn v New Mexico Department of Game and Fish No. D-722-CV-2017-00104.

**AGENDA ITEM NO. 20: General Public Comments (Comments Limited to 2 Minutes per speaker and overall General Public Comments limited to a total of 30 minutes. At the conclusion of 30 minutes, General Public Comment will end.)**

**AGENDA ITEM NO. 21: Adjourn.**

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) 476-8000. 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. Angelica Ruiz at (505) 476-8027 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. Ruiz if a summary or other type of accessible form is needed.

