

A G E N D A
NEW MEXICO STATE GAME COMMISSION
September 28, 2017
Lifts West Condominiums Meeting Room
201 W. Main Street
Red River, NM 87558
9:00 a.m. – 5:00 p.m.

(updated September 26, 2017 to identify Items 9-10 as a rulemaking hearing, previously noticed)

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 August 24, 2017 Albuquerque, NM

NEW BUSINESS:

AGENDA ITEM NO. 7: Presentation by Turner Endangered Species Foundation Ladder Ranch Permit Extension for Mexican Wolf Facility; and Request for Importation of Three (3) Mexican Wolves on the Ladder Ranch facility

Presented by Mike Phillips – Request to extend the current Mexican Wolf Facility permit which allows: 1) the TEF to continue to hold up to 25 wolves on the Ladder Ranch facility. Additionally TEF is also requesting the importation of three (3) wolves from an out of state facility and a blanket approval to import up to five (5) wolves from the wild when necessary to aid in resolution of conflicts of free roaming wolves in AZ. Public comment regarding this agenda item will be limited to a total of 30 minutes.

AGENDA ITEM NO. 8: Request from Moore Land and Cattle Company to Import and Possess Black Footed Ferrets.
Presented by Stewart Liley – The Department in coordination with a representative from Moore land and Cattle Company will present a request to import and possess black footed ferrets.

RULES HEARING:

Agenda Item No. 9a. Informational: Rule Hearing on Proposed Amendments to Rules on Manner and Method 19.31.10, 19.31.5, 19.31.6, 19.31.11, 19.31.12, 19.31.13, 19.31.14, 19.31.15, 19.31.16, 19.31.17, and 19.31.21 of NMAC and Associated Species Rules, for the Use of Illuminated Pins/Reticles and Magnification on Bows and Crossbows.

Presented by Ty Jackson – The Department will provide final rule amendments on the use of magnification or clarification devices on archery equipment as it pertains to existing rules when hunting protected species (19.31.10 NMAC and associated species rules).

ction Item No. 9b. Action item: Adoption of Proposed Amendments to 19.31.10 and its associated species rules will occur after close of hearing record.

RULES HEARING CONTINUED:

Agenda Item No. 10a. Informational: Rule Hearing on Proposed Amendments to Hunting and Fishing Licenses Rule (Donation of Permits or Licenses) 19.31.3.11(F) NMAC. Presented by Chad Nelson – The Department will provide final rule amendments to Hunting and Fishing License section 19.31.3.11(F) NMAC; which currently only allows donations of licenses to youth hunters through a non-profit organization. The proposed amendments would allow qualifying NM resident veterans and first responders to receive donated licenses.

Agenda Item No. 10b. Action Item: Adoption of Proposed Amendments to 19.31.3.11(F) will occur after close of hearing record.

RULES HEARING RECORD CLOSED: no additional public comments on proposed rules from Items 9, 10.

Action on Agenda Items 9 and 10: Board Discussion and Vote.

AGENDA ITEM NO. 11: Discussion for Potential Rule Changes on the Fisheries Rule – 19.31.4 NMAC for the 2018-2021 seasons.

Presented by Mike Sloane – The Department will have a discussion only on potential rule amendments for the Fisheries Rule (19.31.4 NMAC) which has a 4 year cycle and is expiring March 31, 2018.

AGENDA ITEM NO. 12: Discussion on Potential Rule Changes to Manner and Method Rule 19.31.10 NMAC on Certification of Properties regarding Trespass.

Presented by Chairman Kienzle - Rules and Regulations promulgated under NMSA 17-4-6, NMSA 30-14-1, and NMSA 30-14-6, (and related rules, regulations, and law) concerning trespass, no trespass signs, certification of property under NMSA 17-4-6, and signage issued under NMSA 17-4-6. This is a Commission agenda item and has not been proposed by the Department.

AGENDA ITEM NO. 13: Discussion for Potential Rule Changes to Manner and Method 19.31.10 NMAC on the Collection of Shed Antler(s).

Presented by Robert Griego – The Department will have a discussion only on potential rule changes to Manner and Method Rule 19.31.10 NMAC on the collection of shed antler(s) possession when taken in a closed area or by unlawful means.

AGENDA ITEM NO. 14: Discussion for Potential Rule Changes to Manner and Method Rule Amendments; 19.31.10 NMAC, to prohibit the Use of Aircraft for Locating Protected Wildlife for Hunting Purposes.

Presented by Robert Griego – The Department will have a discussion only on potential rule changes on the use of aircraft for locating wildlife for hunting purposes (19.31.10 NMAC).

AGENDA ITEM NO. 15: Discussion on Potential Rule Changes to Manner and Method 19.31.10 and associated rules regarding Carcass Tagging.

Presented by Alexandra Sandoval – The Department will have a discussion only on potential rule changes to provide information regarding amendments to Manner and Method rule 19.31.10 NMAC and associated rules.

AGENDA ITEM NO. 16: Forked Lightning Ranch Shooting Preserve Application.

Presented by Clint Henson – The Department will present a shooting preserve application to the Commission. Kenneth Young has submitted an application for a shooting preserve permit for the Forked Lightning Ranch located in San Miguel County in accordance to 17-3-35 through 17-3-42, NMSA, 1978 Compilation (Regulated Shooting Preserve Act) and 19.35.3 NMAC rule.

AGENDA ITEM NO. 17: Update on the Department's New Mobile App.

Presented by Lance Cherry – The department will present an update on the recently launched New Mexico Department of Game and Fish Pocket Ranger® App which offers complete mobile guides and information for hunters, anglers and outdoor enthusiasts.

AGENDA ITEM NO. 18: 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. Commission owned Laguna del Campo; disposal of property in Rio Arriba County.
2. Commissioned owned Pecos Canyon; disposal of properties in San Miguel County.
3. Discussion of Mesilla Valley Bosque State Park property in Dona Ana 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. 19: 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. 20: 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.

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