

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

March 8, 2024 – 9 a.m.

New Mexico Department of Game and Fish Northwest Area Office

7816 Alamo Rd. NW, Albuquerque, NM 87120

Video Link: <https://youtu.be/IXFucouhYDQ>

AGENDA ITEM NO. 1: Meeting Called to Order

09:01:33 a.m. (00:00:13 on video/00:00:00 since start of meeting)

Called to order by Vice-chairman Tirzio Lopez.

AGENDA ITEM NO. 3: Introduction of Guests

09:01:58 a.m. (00:00:38/00:00:25)

This agenda item took place prior to agenda item No. 2.

AGENDA ITEM NO. 2: Roll Call

09:10:25 a.m. (00:09:05/00:08:52)

Present in person: Vice-chairman Lopez, Commissioner Clemente, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

Present virtually: Commissioner Fulfer.

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

09:11:02 a.m. (00:09:42/00:09:29)

Motion: To revise the agenda to move Agenda Item No. 18 (Executive Session) to Agenda Item No. 6, postpone Agenda Item No. 5 (Election of Chair and Vice Chair) to a later date, and add the administration of oath to new commissioners to the existing agenda.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Fulfer.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 5: Election of Chair and Vice Chair (Action Item) (POSTPONED)

This agenda item was postponed until the Commission's May 17 meeting, per vote taken during Agenda Item No. 4.

AGENDA ITEM NO. 5A (as amended): Executive Session (Closed to the Public)

09:17:41 a.m. (00:15:34/00:15:21)

Motion: 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, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 5B (as amended): Action on Items from Executive Session (Action Item)

10:21:48 a.m. (00:16:30/01:20:15)

Motion: To authorize the Department to enter into discussion, and subsequently enter into a purchase agreement should the terms be agreeable, with the McCoy Trust for the purchase of a five-acre parcel of land located immediately north of the Department's Northwest Area office in Albuquerque.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Stump.

Approved: Vice-chairman Lopez, Commissioner Clemente, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

Opposed: Commissioner Fulfer.

Motion Passes.

Motion: For the Department to enter into an agreement with the New Mexico Department of Transportation for the exchange and sale of land in the Bert Clancy Wildlife Management Area for road and bridge improvements and enhanced recreational access.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 6 (as amended): Administration of Oath to New Commissioners

10:26:52 a.m. (00:21:34/01:25:19)

Bernalillo County Clerk Linda Stover administered the Oath of Office to new commissioners Dr. Sabrina L. Pack and Richard Stump. Oath of office administered 10:27:53 a.m. (0:22:35/01:26:20)

AGENDA ITEM NO. 8 (as amended): General Public Comment

10:30:43 a.m. (00:25:26/01:29:20)

This agenda item took place prior to agenda item No. 7 (as amended).

AGENDA ITEM NO. 7 (as amended): Consent Agenda (Action Item)

10:54:58 a.m. (00:49:40/01:53:25)

Motion: To approve the consent agenda, including:

- a.) the adoption of the Open Meetings Act Resolution for 2024;
- b.) the approval of minutes from the Oct. 27, 2023 meeting as submitted by the Department;
- c.) 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;
- d.) the request for disposal via auction of a mobile home that has reached the end of its useful life.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Fulfer.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 10 (as amended): Initial Discussion of the Migratory Game Bird Rule 19.31.6 NMAC for the 2024-2025 Hunting Season

10:59:27 a.m. (00:54:10/01:57:54)

This agenda item took place prior to agenda item no. 9 (as amended) due to technical difficulties.

The Department presented proposed changes to the Migratory Game Bird Rule (19.31.6 NMAC) based on public comment, the latest information from the United States Fish and Wildlife Service (USFWS), recent survey information, and management goals. Season selections and bag limits are determined in conjunction with the USFWS working through the Central and Pacific Flyway Councils. The Department is currently analyzing data and reaching out to migratory bird hunters to evaluate alternatives, and to help inform the rule development process.

AGENDA ITEM NO. 9 (as amended): Nature Niños

11:08:29 a.m. (01:03:12/02:07:56)

The Nature Niños program presented an overview of their educational activities in New Mexico with a focus on cooperation with Department staff.

AGENDA ITEM NO. 11 (as amended): Initial Discussion of the Biennial Review of State-Listed Threatened or Endangered Species (17-2-40 NMSA 1978) (Action Item)

11:24:06 a.m. (01:18:48/02:22:33)

The Department requested that the Commission approve initiation of the Biennial Review of state-listed threatened or endangered species pursuant to the Wildlife Conservation Act (17-2-40 NMSA 1978).

Motion: To approve the initiation of the 2024 Biennial Review process of state threatened or endangered species.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 12 (as amended): Appointment of Members to the Citizen Advisory Committee of the Habitat Stamp Program (Action Item)

11:30:02 a.m. (01:24:44/02:28:29)

The Department presented a list of individuals that have applied for appointment by the State Game Commission to the Citizen Advisory Committee of the Habitat Stamp Program, as authorized by 19.34.6 NMAC.

Motion: To appoint the individuals recommended by the Department to the Citizen Advisory Committee of the Habitat Stamp Program, pending the results of a criminal background check, for terms to begin April 1, 2024, and end on March 31, 2029.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer,

AGENDA ITEM NO. 13 (as amended): Rule Hearing on Hunter Education Rule 19.36.3 NMAC (Action Item)

11:38:06 a.m. (01:32:48/02:37:33)

Sections 17-2-33 through 17-2-35 NMSA 1978 create the Hunter Training Act and give the Department of Game and Fish 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 was needed to address recent advances in available technology that allow very young children (ex. age 3) to take and pass an online Hunter Education course and apply for the big game draw in New Mexico. Proposed changes addressed this rule clarification based on available data and public input.

Motion: To adopt the proposed changes to 19.36.3 NMAC as presented by the Department, with an effective date of April 1, 2024, with the amendment that section 19.36.3.8 will become effective April 1, 2025, and apply to all 2025-26 draw applications and hunts, 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 Salazar Hickey.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

The Commission called a break at 11:53:12 a.m. (01:47:54/02:51:39) and returned at 12:09:02 p.m. (01:47:58/03:07:29).

AGENDA ITEM NO. 14 (as amended): Rule Hearing on Hunting and Fishing Licenses and Application 19.31.3 NMAC (Action Item)

12:09:23 p.m. (01:48:19/03:07:50)

The Department presented proposed changes to the Hunting and Fishing License Application Rule 19.31.3 NMAC to establish eligibility documentation requirements for the new Foster Family fishing license established in 32A-3A-12 NMSA as required by the law.

Motion: To adopt the proposed changes to 19.31.3 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 Pack.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 15 (as amended): Presentation of the Department’s Fiscal Year 23 Audit (Action Item)

12:16:50 a.m. (01:55:46/03:15:17)

A financial audit of the Department for fiscal year 2023 was presented to the commission by Clifton Larson Allen LLP. The Department’s Financial Statement received the highest possible opinion of “unmodified.”

Motion: To approve the Department’s audit report for fiscal year 2023.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 15: Highlights of the Fisheries Management Division (POSTPONED)

This agenda item was postponed to a later date due to the presenter’s illness.

AGENDA ITEM NO. 16: Commission Discussion of Meeting Dates and Locations (Action Item)

12:32:43 a.m. (02:11:39/03:31:10)

The Commission determined preferred meeting dates and times for the upcoming year. The Department’s proposed dates and locations were:

- May 16 (Thursday) in Hobbs.
- August 15 (Thursday) in Red River.
- November 8 in Las Cruces.
- January 10, 2025 in Santa Fe.

Motion: To adopt the amended meeting schedule, with an additional meeting scheduled for April 19 in Silver City, and the date for the June 14 meeting in Hobbs changed to May 16.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Pack.

Approved: Unanimous – Vice-chairman Lopez, Commissioner Clemente, Commissioner Fulfer, Commissioner Garcia, Commissioner Pack, Commissioner Salazar Hickey, Commissioner Stump.

AGENDA ITEM NO. 17 (as amended): Adjourn

12:50:18 p.m. (02:29:14/03:48:45)

Motion: Adjourn.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

Approved: Unanimous by voice vote.

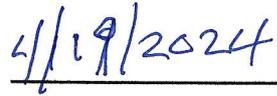
Meeting adjourned at 12:50:31 p.m. (02:29:27/03:48:58).

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

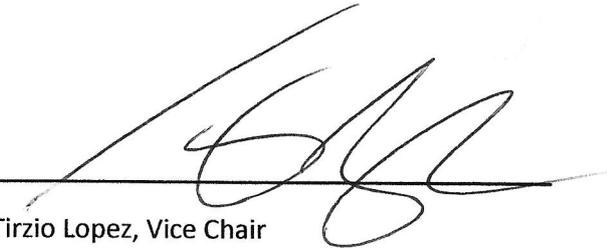
**March 8, 2024
NMDGF Albuquerque Office
7816 Alamo Rd. NW
Albuquerque, New Mexico 87120**



Michael B. Sloane, Director

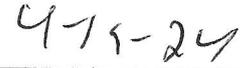


Date



Tirzio Lopez, Vice Chair

New Mexico State Game Commission



Date