

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

April 28, 2023

AGENDA ITEM NO. 1: Meeting Called to Order

09:04:15 a.m. (00:00:20)

Called to order by Vice-chairman Tirzio Lopez.

AGENDA ITEM NO. 2: Roll Call

09:04:24 a.m. (00:00:29)

Present: Vice-chairman Lopez, Commissioner Clemente, Commissioner Garcia and Commissioner Salazar Hickey.

Excused: Commissioner Fulfer.

AGENDA ITEM NO. 3: Introduction of Guests

09:04:42 a.m. (00:00:47)

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

09:09:04 a.m. (00:05:29)

Motion: Move to approve the agenda as written.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

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

AGENDA ITEM NO. 5 and AGENDA ITEM NO. 6 were inadvertently excluded from the written agenda due to a clerical error.

AGENDA ITEM NO. 7: Election of Chair and Vice Chair (Action Item)

09:09:24 a.m. (00:05:29)

Motion: Move to postpone the election of the chair and vice-chair until a special meeting can be held due to Commissioner absence.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

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

AGENDA ITEM NO. 8: Consent Agenda (Action Item)

09:12:39 a.m. (00:08:44)

The Department notified the Commission of the 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 have failed to appear in court on a wildlife citation, individuals who have

pending civil assessments, and the Interstate Wildlife Violator Compact. The Department also presented the 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.

Motion: Move to extend the revocation for Jason Adams from three yours to five years and Fernando Gomez from three years to six years.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

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

Motion: Move to approve the minutes from the Jan. 27, 2023, meeting.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

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

AGENDA ITEM NO. 9: General Public Comments

09:24:56 a.m. (00:21:01)

AGENDA ITEM NO. 10: Legislative Roundup (Discussion)

09:29:05 a.m. (00:05:11)

The Department provided a summary of the legislative outcomes for bills impacting the Department and/or Commission.

AGENDA ITEM NO. 11: Fisheries Management Division 2022 in Review (Discussion)

09:37:52 a.m. (00:33:57)

The Department presented a brief presentation on Fisheries Management Division activities in 2022.

AGENDA ITEM NO. 12: Initial Discussion of the Fisheries Rule 19.31.4.16 (Establishing Free Fishing Days) NMAC (Discussion)

09:57:29 a.m. (00:53:34)

The passage of “House Bill 197” during the 2023 legislative session expanded the number of days which the Director may designate, with Game Commission approval, free fishing in New Mexico. This agenda item initiated the amendment process to comply with this newly enacted law.

AGENDA ITEM NO. 13: Approval of the FY24 Infrastructure Capital Improvement Plan (Action Item)

10:07:31 a.m. (01:03:36)

The Department sought Commission guidance on priorities, areas of emphasis and desired changes in the “FY25-FY29 Capital Project Plan.” The Department will incorporate information garnered from this agenda item, and executive branch guidance received from the Governor’s Office, into the development of the fiscal year 2025-2029 capital and budget request.

Motion: Move to approve the “FY25-FY29 Capital Project Plan” as presented by the Department.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

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

AGENDA ITEM NO. 14: Reserve Two Elk Licenses for Wish Granting Organizations Pursuant to 17-3-13.5 NMSA 1978 (Action Item)

10:17:47 a.m. (01:13:52)

The Department recommended that the Commission reserve two elk licenses to be distributed through non-profit, wish-granting organizations for two individuals with life-threatening illnesses. Under 17-3-13.5 NMSA 1978, the State Game Commission is directed to reserve no more than two elk licenses a year for persons under the age of 21 who have been determined by a physician to have a life-threatening illness and who have been qualified through a nonprofit wish-granting organization. Proposed organizations include Catch-A Dream and the Outdoor Dream Foundation.

Motion: M. Move to accept the department’s recommendation and reserve two elk licenses for the two applicants to be sponsored by the non-profit, wish-granting organizations or the alternates should the primary individuals not be able to participate in their elk hunt

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

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

AGENDA ITEM NO. 15: Subsequent Discussion of Migratory Bird Rule 19.31.6 NMAC (Discussion)

10:24:19 a.m. (01:20:24)

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 proposed amendments focus on:

- Changes to regular waterfowl and webless game-bird-season dates, based on public comment and calendar dates.
- No changes to the number of sandhill crane draw permits. Changes to sandhill crane season dates, based on public comment and calendar dates.
- Bag limit for northern pintail to remain at one per USFWS regulatory framework.
- No changes for dove or band-tailed pigeon seasons.

AGENDA ITEM NO. 16: Initial Discussion of the Bear and Cougar Rule 19.31.11 NMAC (Discussion)

10:33:50 a.m. (01:29:55)

The Department presented initial perspectives on 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 included aligning harvest limits with recent biological data.

AGENDA ITEM NO. 17: General Public Comments

11:03:12 a.m. (01:59:17)

AGENDA ITEM NO. 18: Executive Session (Closed to the Public)

11:10:15 a.m. (02:06:20)

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); Section 10-15-1(H)(7) NMSA 1978, attorney-client privilege, litigation update (discussion) and Section 10-15 1(H)(2) NMSA 1978, personnel matters.

Motion by: Commissioner Clemente.

Seconded by: Commissioner Salazar Hickey.

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

Commissioner Garcia left the meeting and attended virtually after the Commission exited Executive Session.

AGENDA ITEM NO. 19: Actions on Items from Executive Session (Action Item(s))

01:20:32 p.m. (02:07:57)

Motion: Move to renew and extend the lease agreement between the Commission and New Mexico Energy, Minerals, and Natural Resources Department - Forestry Division by 2 years and delegate authority to the Director of the Department to sign on behalf of the Commission.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Vice-chairman Lopez, Commissioner Clemente, Commissioner Garcia (virtual vote) and Commissioner Salazar Hickey.

AGENDA ITEM NO. 20: Adjourn

01:22:17 p.m. (02:09:43)

Motion: Move to adjourn.

Motion by: Commissioner Salazar Hickey.

Seconded by: Commissioner Clemente.

Approved: Vice-chairman Lopez, Commissioner Clemente, Commissioner Garcia (virtual vote) and Commissioner Salazar Hickey.