



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

**MINUTES AND TRANSCRIPTS
NEW MEXICO STATE GAME COMMISSION**

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Thursday, May 28, 2026

New Mexico Institute of Mining and Technology
Fidel Student Union Building
[801 Leroy Place](#)
[Socorro, NM 87801](#)

9:00 a.m. – 5:00 p.m.

Video Link: <https://www.youtube.com/watch?v=Qb0YZAVmmiM>

AGENDA ITEM NO. 1: Meeting Called to Order

09:11:48 a.m. (00:00:00/00:00:16 on video)

Called to order by Chairman Richard Stump.

AGENDA ITEM NO. 2: Roll Call

09:12:01 a.m. (00:00:13/00:00:29)

Present in person: Chairman Stump, Vice-chairman Clemente, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

Present virtually: Commissioner Fulfer.

AGENDA ITEM NO. 3: Introduction of Guests

09:12:23 a.m. (00:00:35/00:00:51)

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

09:16:28 a.m. (00:04:40/00:04:56)

Motion: To approve the agenda for the May 28, 2026, meeting as amended, with Agenda Item No. 17 (Executive Session) moved to the lunch hour.

Motion by: Commissioner Harwood.

Seconded by: Vice-chair Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer,

AGENDA ITEM NO. 5: Approval of the Minutes from the March 20, 2026, Meeting in Albuquerque (Action Item)

09:17:28 a.m. (00:05:40/00:05:56)

Motion: To approve the minutes from the March 20, 2026, Commission meeting as presented by the Department.

Motion by: Commissioner Harwood.

Seconded by: Vice-chair Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 6: Approval of Hunting and Fishing Privileges Revocations (Action Item)

09:17:57 a.m. (00:06:09/00:06:25)

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, though who have entered into a civil agreement or have a civil judgment, and pursuant to the Interstate Wildlife Violator Compact.

- 136 individuals certified by the Human Services Department as being out of compliance with the Parental Responsibility Act (40-5A-1 NMSA 1978) were suspended until in compliance.
- 58 individuals who failed to pay a penalty assessment citation within 30 days of the violation were suspended until they are in compliance.
- Five individuals who have entered into a civil agreement or have a civil judgment.

The Department presented the 21 individuals who meet established criteria for the revocation or suspension 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.

- 20 individuals accrued 20 or more points in a three-year period. They were mailed a notice of contemplated action and did not request a hearing.
- One individual accrued 20 or more points in a three-year period. They were mailed a notice of contemplated action and a hearing was conducted.

Motion: To accept the revocation recommendations as submitted by the Department.

Motion by: Commissioner Harwood.

Seconded by: Vice-chair Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 7: General Public Comment

09:18:21 a.m. (00:06:33/00:06:49)

AGENDA ITEM NO. 8: Reserving Two Elk Licenses for Non-Profit Wish-Granting Organizations

09:19:10 a.m. (00:07:22/00:07:38)

The Department recommended that the Commission reserve two elk licenses to be distributed through non-profit wish-granting organizations for two individuals with a life-threatening illness. 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 non-profit wish-granting organization.

The reservation of two elk licenses will not negatively affect the distribution, abundance or other elk population parameters. It will contribute to local economies wherever the hunters may choose to stay or eat during the hunt selected.

Motion: 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 Harwood.

Seconded by: Vice-chairman Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 9: Rule Hearing: Amendments to the Hunting and Fishing Licenses and Applications Rule 19.31.3 NMAC (Action Item)

09:26:37 a.m. (00:14:49/00:15:05)

The Department presented proposed changes to the Commission to change the eligibility requirements for the Mobility Impaired Certification. The amendment would make the mobility impaired provision permanent for those who qualify.

Motion: To adopt the proposed changes to 19.31.3.11 NMAC, with an effective date of June 24, 2026, 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 Witt.

Seconded by: Commissioner Harwood.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 10: Overview of Youth Programs

09:34:56 a.m. (00:23:08/00:23:24)

The New Mexico Department of Wildlife provides a comprehensive suite of educational programs designed to move youth and adults from the classroom to the field. Through mandatory safety certifications, school-based sports like archery and immersive outdoor skills camps, the Department provides the tools necessary for young New Mexicans to become safe, ethical and responsible participants in our state's outdoor traditions.

AGENDA ITEM NO. 11: Rule Hearing: Turkey Rule 19.31.16 NMAC Action Item)

10:13:32 a.m. (01:01:44/01:02:00)

The Department presented proposed changes to the Turkey Rule (19.31.16 NMAC) based on recent survey information, management goals and public comment.

Proposed amendments focused on:

- Adjust hunt dates based on calendar dates
- Increase up-to permit number for Gould's once-in-a-lifetime hunt in GMUs 26 and 27 to 15
- In GMU 8, increase permits from 15 to 20
- Conducted analysis of fall hen harvest, and this indicated that there are no units for which low-level harvest will negatively impact the population
- Require the purchase of a license at least one day prior to hunting

Motion: To repeal and replace 19.31.16 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: Vice-chairman Clemente.

Seconded by: Commissioner Fulfer.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 12: Rule Hearing: Javelina Rule 19.31.21 NMAC (Action Item)

10:38:30 a.m. (01:26:42/01:26:58)

The Department presented biological data and proposed changes to the Javelina Rule (19.31.21 NMAC) based on biological information, public feedback and management goals.

The Department proposed the following changes:

- Increases in licenses for OTC area (from 1,200 to 1,300 any-legal-weapon licenses)
- Expand the validity of the GMU 19, 23, 24, 25, 26 and 27 (bootheel) javelina licenses to include OTC areas (excluding GMU 28), effectively making these “statewide” licenses
- Eliminate GMU 28 McGregor hunt of 10 licenses based on discussions with Fort Bliss staff (over time, an average of only three of the 10 hunters show up for the hunt and it is logistically burdensome to organize for the military)
- Require the purchase of a license at least one day prior to hunting

Motion: To repeal and replace 19.31.21 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 Witt.

Seconded by: Vice-chairman Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO. 13: Subsequent Discussion of the Pronghorn Rule 19.31.15 NMAC

10:49:14 p.m. (01:37:26/01:37:42)

The Department presented proposed changes to the Pronghorn Rule (19.31.15 NMAC) based on survey information, management goals and public comment. The Department held two hybrid in-person/virtual public meetings and has also received public comments on the rule.

The Department proposed the following changes to 19.31.15 NMAC:

- Require purchase of a license a day prior to the start of a hunt
- Implement a ranch registration process for purchase of private-land OTC pronghorn licenses, similar to the current registration process used for private-land elk hunting in Secondary Management Zones.
- Implement a cap on private-land OTC licenses.
- Shift GMU 4/50/52 rifle hunt to muzzleloader hunt
- Adjust season dates where necessary. For example, shifting start dates to maintain hunts beginning on Saturday or adjusting calendar day starts for consistency
- Adjust license numbers to meet management strategies and reflect changes in pronghorn herd dynamics.
- Shift season dates in southwest region later to address a later breeding and fawning period
- Include F-IM hunts that have “up-to” license numbers (it is possible that the Department may

- draw zero licenses for certain hunts)
- Decrease licenses on McGregor from seven licenses over two hunt periods to two licenses over two hunt periods.

AGENDA ITEM NO.14: Subsequent Discussion of the Bighorn Rule 19.31.17 NMAC

11:44:53 p.m. (02:33:05/02:33:21)

The Department presented proposed changes to the Bighorn Sheep Rule (19.31.17 NMAC) based on survey information, management goals and public comment. The Department held two hybrid in-person/virtual public meetings and has also received comments regarding the Bighorn Sheep Rule.

The Department proposed the following changes to 19.31.17 NMAC:

Rocky Mountain Bighorn:

- Opening the Manzanos (Game Management Units 14 and 18) for ram hunting under both public and private sections of the rule
- Establishing two hunt periods for the Manzanos — Oct. 1-15 and Oct. 16-30
- Increasing the bag limit for private Rocky Mountain bighorn ram licenses from six to 10 to accommodate a new herd being opened for hunting (Manzanos)

Desert Bighorn:

- Opening the Sacramentos (GMU 34) for ram hunting under Dec. 1-15 hunt period
- Shifting the hunt periods for both the Little Hatchets (GMU 26, west of NM 81) and Big Hatchets (GMU 26, east of NM 81) from Sept. 15-30 and Oct. 1-15 to Dec. 1-15 and Dec. 16-30

General

- Adjusting season dates where necessary. For example, shifting start dates to maintain hunts beginning on Saturday or adjusting to calendar day starts for consistency

AGENDA ITEM NO.15: General Public Comment

12:05:28 p.m. (02:53:40/02:53:56)

AGENDA ITEM NO.16: Commissioner Comments

This agenda item was skipped.

AGENDA ITEM NO.17: Executive Session

12:16:57 p.m. (03:05:09/03:05:25)

Motion: To adjourn into executive session, closed to the public, pursuant to section 10-15-1(H)(8) NMSA 1978, to discuss purchase, acquisition or disposal of property, and pursuant to section 10-15-1(H)(7) NMSA 1978, attorney-client privilege, litigation update.

Motion by: Commissioner Harwood,

Seconded by: Vice-chairman Clemente.

Approved: Unanimous - Chairman Stump, Vice-chairman Clemente, Commissioner Fulfer, Commissioner Harwood, Commissioner Lopez and Commissioner Witt.

AGENDA ITEM NO.18: Action(s) From Executive Session (Action Item(s))

12:57:12 p.m. (03:45:24/03:06:36)

No actions were taken.

AGENDA ITEM NO.19: Adjourn

12:57:49 p.m. (03:46:01/03:07:12)

Chair Richard Stump: This meeting is called to order. [silence] Good morning, everybody. Welcome to the State Game Commission, here at New Mexico Tech in Socorro. Thank you all for being here. We appreciate it. Director Sloane, please call the roll.

Director Michael Sloane: Commissioner Witt?

Commissioner Christopher Witt: Here.

Director Michael Sloane: Commissioner Lopez?

Commissioner Tirzio Lopez: Here.

Director Michael Sloane: Commissioner Harwood?

Commissioner Kyle Harwood: Present.

Director Michael Sloane: Commissioner Fulfer?

Commissioner Gregg Fulfer: Here.

Director Michael Sloane: Vice Chair Clemente?

Vice-chair Fernando Clemente: Here.

Director Michael Sloane: Chair Stump?

Chair Richard Stump: Here.

Director Michael Sloane: You have a quorum.

Chair Richard Stump: Agenda Item Number 3, it's introduction of guests. Let's go ahead and go around the room, and then we'll go online. Let's start with Commissioner Lopez.

Commissioner Tirzio Lopez: [inaudible 00:01:02] I currently reside in the beautiful county of Rio Arriba.

Vice-chair Fernando Clemente: Good morning. Fernando Clemente, Vice Chair of the Chair. I'm commissioner-at-large.

Chair Richard Stump: Good morning, everybody. Thanks for being here. Again, Richard Stump, Chair of the Commission.

Commissioner Kyle Harwood: Morning, everyone. Kyle Harwood. Welcome from beautiful Santa Fe up north. Glad to be in Socorro today.

Commissioner Christopher Witt: Good morning, everyone. Christopher Witt, representing District 5, Bernalillo County.

Director Michael Sloane: Morning, commissioners, audience. Mike Sloane, Director of the Department of Game and Fish.

[silence]

David Heft: David Heft, retired wildlife biologist, hunter, trapper, Mayhill.

Brandon Wynn: Pardon me. Brandon Wynn. Albuquerque, New Mexico.

Jesse Deubel: Good morning, commissioners, members of the public. Jesse Deubel, Executive Director of the New Mexico Wildlife Federation.

Chief Stewart Liley: Good morning, commissioners, members of the public. Stewart Liley, Chief of Wildlife.

Chief Paul Varela: Good morning, commissioners, members of the public. Paul Varela, Chief of Administrative Services for the Department.

Jeremy Martin: Good morning, commissioners, members of the public. My name is Jeremy Martin. I'm the Department's General Counsel.

Maj. Colin Duff: Good morning, everybody. Colin Duff, I'm our Major of Field Operations with the Department.

Col. Tim Cimbala: Good morning, commissioners, members of the public. Tim Cimbala, the Colonel of Field Operations with the Department.

Lt. Shawn Carrell: Good morning. Lieutenant Shawn Carrell over Revocations.

Rebecca Archuleta: Good morning. HR Director, Rebecca Archuleta, for the Department of Wildlife.

Chief Kirk Patten: Good morning, commissioners, members of the public. I'm Kirk Patten, Chief of Fisheries for the Department.

Jessica Carranza Pino: Good morning. My name's Jessica Carranza Pino. I'm the Editor of *El Defensor Chieftain* here in Socorro.

Steven Hebert: Good morning. Steven Hebert, Tijeras, New Mexico.

Bryan Bartlett: Morning, everyone. My name is Bryan Bartlett. I'm the President of the New Mexico Wild Sheep Foundation.

Logan McGarrah: Morning, members of the commission, public. Logan McGarrah, Board Member, and here representing the Southern New Mexico chapter of Safari Club International.

Charlie Trask: Good morning, everybody. My name is Charlie Trask. I'm from Los Alamos. I'm just a native-born guy that likes to hunt fish.

[silence]

Darren Vaughan: Good morning, everybody. I'm Darren Vaughan. I am the Communications Director for the Department of Game and Fish.

Chief Tristanna Carrell: Good morning. I'm Tristanna Carrell. I'm the Chief of the Information and Education Division.

Daniel Vidal: Good morning, everyone. I'm Daniel Vidal, IT Applications Developer and Webmaster.

Curt Coffman: Good morning, commissioners, and the public. I'm Curt Coffman. I'm the Assistant Chief of Education.

Isaac Romero: Good morning, everyone. I'm Isaac Romero, Sys Admin IT.

Natasha Montoya: Good morning, Commission and members of the public. My name is Natasha Montoya. I'm the Assistant Chief of Information.

Chair Richard Stump: Do we have anyone online?

Natasha Montoya: No one is online.

Chair Richard Stump: Thank you, everybody. Agenda item number 4 is approval of the agenda. Before I release it for discussion to the commissioners, I'd like to indicate an amendment. Commissioner Harwood has a conflict with the schedule this afternoon, and he needs to be in executive session. I'd like to move executive session from agenda item number 17 to the lunch hour, wherever lunch hour may end up.

Commissioner Kyle Harwood: Thank you, Mr. Chair. I'd like to propose a motion to approve the agenda with an amendment to moving executive session number 17 to the lunch hour, whenever we may break for lunch on the agenda.

Chair Richard Stump: [inaudible 00:05:35] Was that your motion? Is there a second?

Vice-chair Fernando Clemente: Second the motion. Thank you.

Chair Richard Stump: Discussion of the motion. All those in favor?

Commissioners: Aye.

Chair Richard Stump: No opposed, motion passes. Agenda item number 5 is approval of the minutes from the March 20, '26 meeting in Albuquerque. Any discussion on the minutes? Is there a motion?

Commissioner Kyle Harwood: Move to approve.

Chair Richard Stump: Second?

Vice-chair Fernando Clemente: Yes.

Chair Richard Stump: No discussion on the motion. All those in favor?

Commissioners: Aye.

Chair Richard Stump: No opposed, motion passes. Agenda item number 6, revocations. I don't believe there's any questions for Colonel Cimbal, is there? Is there a motion?

Commissioner Kyle Harwood: Move to approve.

Chair Richard Stump: Second?

Vice-chair Fernando Clemente: I second the motion.

Chair Richard Stump: No discussion on the motion. All those in favor?

Commissioners: Aye.

Chair Richard Stump: No opposed, motion passes. Agenda item number 7 is the first of the two public comment opportunities. That doesn't have anything on our agenda today. Do we have anybody? No?

[pause 00:07:01]

Chair Richard Stump: Oh, I think one would be appropriate. You want to wait? You want to do this one? Thank you. Is there anyone online that would like to comment? No? [silence] Agenda item number 8, reserving two elk licenses for nonprofit, wish-granting organizations, presented by Colonel Cimbal.

[pause 00:07:47]

Col. Tim Cimbal: Good morning, commissioners, Director. This is a presentation that we do once a year. It's a really neat, unique program that we have. I'll go through it. Agenda item number 8 is reserving two elk licenses for nonprofit, wish-granting organizations. The authority to do this comes under 17-3-13.5 NMSA, and it directs the State Game Commission 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.

We currently have six of these approved nonprofit organizations. Those six are United Special Sportsman Alliance, Safari Wish through the Safari Club International, Hunt of a Lifetime, Outdoor Dream Foundation, Catch a Dream, and Holy Pursuit's Dream Foundation. What these organizations are, they've been approved, like I said, for a nonprofit to bring the youth that have a life-threatening illness on wonderful once-in-a-lifetime hunting trips.

Each organization selects their own applicants, and the applicants must purchase their elk hunting license. The Department recommendation for this year would be to award the two elk authorizations to the two identified groups for this license year. What I do is, there's six of them, so I just rotate two at a time, and it just goes down the line. The two organizations this year are Catch a Dream and Outdoor Dream Foundation.

A little details on this hunt. You'll see how it's a remarkable opportunity. It's going to be, a license year runs from September 1, 2026, all the way through December 31st, 2026. They're any legal weapon type, and they're open and okay to use anywhere that's open to elk hunting. They are an either-sex bag limit tag.

[silence]

With that, if you have any questions. These are some photos from previous year hunts like this, and I usually try to get the local conservation officer out on the ground to meet the kids, and talk with them, and everything.

Chair Richard Stump: Do we know who is recipients this year?

Col. Tim Cimbal: They're not picked yet. I have both of those organizations on standby, because before I tell them, "You have the tag," I wait till tomorrow when you guys say, "We do." Not yet.

Chair Richard Stump: Commissioners, any questions, or comments?

Vice-chair Fernando Clemente: I just have a question. How many applicants do we get for these?

Col. Tim Cimbal: How many applicants for it? They don't apply through us. We'd have those six approved organizations, and once we say, "Okay, these two tags, you get one, you get one." They're the ones that seek out and find the individuals, so they don't apply at all. It's through these Make-A-Wish organizations, where they're identifying a youth that qualifies for it, and then they're setting up that process, so they're picking the individuals.

Vice-chair Fernando Clemente: My question was, how many-- What is the demand on this? I think this is very important to me. I don't know. I mean, providing this opportunity, especially for the Wish Foundation, I think is very important. I think it's something really good that the Department is doing. I was asking to see if, I don't know, in the future maybe increase those tags, give more opportunities. That was my question.

Col. Tim Cimbal: Each of those six organizations that we currently have, typically reach out annually, or every other year, asking if it's their turn. I would assume that there's a pretty good demand for these.

Chair Richard Stump: Thank you, Commissioner Clemente. Anybody else? Well, you don't have any idea how many applicants there are at all?

Col. Tim Cimbal: Are you-- The children? The youth?

Chair Richard Stump: Yes.

Col. Tim Cimbal: I don't. It never goes unfilled, I'll say that. Once I get back to these organizations and let them know that they're approved to receive it, I put them in touch with our Licensing folks, make sure that

they've gone through Hunter Education, make sure everything's squared away. Then, they come back, usually pretty quick, with an individual. They probably already have some in mind, I would imagine.

Chair Richard Stump: Thank you, Col. Cimbal. Doesn't look like we have anybody here that wants **[unintelligible 00:12:56]** do you want to comment this? You have a card? Go ahead and comment.

Brandon Wynn: No.

Chair Richard Stump: Okay.

Brandon Wynn: **[inaudible 00:13:08]**

[pause 00:13:10]

Brandon Wynn: **[laughs]** Oh, yes. I see those donated all the time for charitable causes. I don't think you need to carve out any more of the elk tags for any more charitable organizations. You've got plenty into the till for that. Thank you.

Chair Richard Stump: Anyone online, comment? No? Commissioners, anything else? Any more discussion? Is there a motion?

Col. Tim Cimbal: I could point out one thing to the comment that you had, Commissioner Clemente, is to put that into effect, and increase it for more than two. This is set in statute that we referenced earlier. It would take legislative action. We'd have to go through that to change that statute if you wanted to increase it.

Vice-chair Fernando Clemente: Thank you for that information. Appreciate it.

Chair Richard Stump: Yes.

Commissioner Kyle Harwood: Yes. Mr. Chair, if it's okay, I'd like to make a motion to accept the Department's recommendation, reserve two elk licenses for the two applicants to be sponsored by the nonprofit organizations identified by Col. Cimbal, or their alternatives, should the primary individuals not be able to participate in their elk hunt.

Chair Richard Stump: Is there a second?

Vice-chair Fernando Clemente: I second the motion as presented.

Chair Richard Stump: Thank you. No discussion? Discussion? All those in favor?

Commissioners: Aye.

Chair Richard Stump: The motion passes. Agenda item 9 is a rule hearing. Amendments to the Hunting and Fishing Licenses and Applications Rule 19.31.3 NMAC. This will be presented by Chief Varela.

[silence] This hearing will please, come to order. My name is Richard Stump, Chair of the Commission. I will be serving as a Hearing Officer, and be advised by the Commission's Council. The purpose of this hearing is for the Commission to receive public comment on amending the Hunting and Fishing Licenses and Applications Rule Title 19, Chapter 31 part three, New Mexico Administrative Code.

This hearing is being conducted in accordance with the provisions of the Game and Fish Act, and the State Rules Act. This hearing is being audiotaped and video recorded. Anyone interested in a copy of the audio tape, or video recording should contact Darren Vaughan with the Game and Fish Department. Public notice of this hearing was advertised in New Mexico Register, the New Mexico Sunshine Portal, and on the Department's website. Copies of the proposed rules have been available on the Department's website.

Those wishing to comment here today must have registered to submit public comments. The rule hearing will be conducted in the following manner. Staff will present pre-filed exhibits. Exhibits submitted into evidence are available for review by the public on the Department's website. After all exhibits are entered, we will proceed to the presentation of the proposed rule, after which testimony will be taken from the audience. Participants are asked to wait until they are called upon to speak.

In order to ensure that the hearing is accurately recorded, only one person at a time shall be allowed to speak. Any person recognized to speak is asked to identify yourself by name, who you're affiliated with, for the record each time you're recognized. Speak loud and clear to accurately record your comments. After a person is offered comment, they will stand for questions from the hearing officer.

The audience may also ask questions of anyone offering comments after being recognized by me. These hearings are not subject to judicial rules of evidence. However, in the interest of efficiency, I reserve the right to limit any testimony deemed irrelevant, redundant, or unduly repetitious. The Commission may discuss the proposed new rule after the public comment portion of the hearing.

Final Commission action, including adoption of the rule, will occur after the conclusion of the presentation of the public comment period of the hearing. In the preliminary matters of hearing item number 9, Hunting and Fishing Licenses and Applications Rule 19.31.3 NMAC, this hearing is now open. Paul, do you have any exhibits for Hunting and Licenses Applications Rule 19.31.3 NMAC?

Chief Paul Varela: Mr. Chair, yes. I have four exhibits. Exhibit number 1 is the official copy of the Rulemaking Notice. Exhibit number 2 a summary of the proposed rule. Exhibit 3 is a clean copy of the proposed and final rule. Exhibit 4 is a copy of today's presentation.

Chair Richard Stump: Exhibits 1 through 4 are admitted into record. [silence] Go ahead with your presentation, Paul.
[silence]

Chief Paul Varela: Mr. Chair, today's Agenda item 9 is a summary of proposed changes to 19.30.30.11, which is amending the eligibility verification requirements for the Mobility Impaired provision in Section H. Essentially, the Department would like to eliminate the last sentence of Section H, which requires an individual to apply for mobility imperative requirement, which is 48 months once they are accepted and eligible. The Department would like to make that provision permanent, and we would add the word "permanent" in the sentence above that.

The Department received one comment on the proposed rule. It was from the Mexico Farm and Livestock Bureau, which was in favor of the proposed rule. The only change that the Department would like to request, is a minor change to the date in which the rule becomes effective. The Department would request that the rule becomes effective June 24th of 2026. Currently, the rule will become effective April 1st of 2027.

The June 24, 2026 deadline is the date that it would be officially official in the State Registrar, so the department would like to add that into the rule, if the Commissioners so sees fit. With that, I stand for any questions.

Chair Richard Stump: Thank you, Paul. [clears throat] Excuse me. Would anyone like to comment? Yes, Charlie Trask.

[pause 00:19:49]

Charlie Trask: Thank you, Commissioners. I've stood before you a few times in the past, and advocated for this change as a citizen and a Mobility Card holder. It's important because the old system requires that every four years, I have to find a doctor, and the Department has to spend time processing the application again. My condition is not going to change, and you got to remember that the qualification to begin with is for a permanent disability. That doesn't mean that it's going to go away in four years, so I appreciate your consideration of the rule change.

That will relieve burden on the public. It will relieve a burden on the medical system, which right now is pretty well stressed, and it will relieve some burden on the Department, I believe, in the processing of those applications. Now, I've heard people say that it might entice cheating, but there's no cheating going on here, I don't believe, and if the eye-- It will relieve a burden on the mobility of hunters. I appreciate your efforts to set up the mobility hunts also. That's very important to us. Thank you.

Chair Richard Stump: Thank you, Mr. Trask. Is there anyone online who'd like to comment? All right. Those that registered, and participated in the hearing will be included on the attendance sheet. At this time, the attendance sheet shall be marked and admitted as exhibit number-- Mike, one?

Director Michael Sloane: Five.

Chair Richard Stump: Five. The comments submitted and testimony heard during this rule hearing will be reviewed by the Commission, and discussed during the open session of today's meeting. The Commission will vote on the proposed rule at that time. I'd like to thank everyone present for their participation today. Let the record show that this rulemaking hearing was adjourned at 9:34 AM. Commissioners, any comments, questions? Is there a motion?

Commissioner Christopher Witt: Yes, Mr. Chair, I have a motion. I move to adopt the proposed changes to 19.31.3.11 NMAC with an effective date of June 24th, 2026, as presented by the Department, and allow the Department to make minor corrections to comply with filing this rule with the state records and archives.

Chair Richard Stump: Thank you. Is there a second?

Commissioner Kyle Harwood: Second.

Chair Richard Stump: No discussion on the motion. All those in favor?

Speakers: Aye.

Chair Richard Stump: No opposed. Motion passes. Agenda item number 10, presented by Chief Bickford Carrell, is the overview of the youth programs.

[pause 00:23:12]

Chief Tristanna Carrell: All right, good morning, members of the Commission. I was going to talk today about some of the youth programs the Department offers. When we look at our program goals for our youth programs, and for all of our education programs, whether they're for adults, youth, families, in-school, out-of-school programs, we are looking at opportunities that we can provide multiple entry points into engaging with the Department. It's not just coming from somebody who buys licenses, but trying to reach people where they are, and get them engaged with the Department.

We're also looking at the ways that we can provide multiple interactions with the students, so that if they come in through one program, we're providing a bridge, so they can engage. There's several studies nationally that show people need more than one touch point to become involved, and to stay involved, and to really get that self-identification as somebody who becomes a hunter, angler, an outdoor recreationist, a wildlife enthusiast. That's one of our primary goals that we've had for our education section.

We're also really focused on making sure the public can gain an understanding of what the Department does, our biologists, our officers, our educators, our IT staff, and why we do some of the things that we do. Then, we really want to deliver on those opportunities to get people engaged, and get them out in the field. How we do that, in our education section, we have 13 full-time employees, and we work really closely with about 200 volunteers specific to education programs and six contractors.

The primary thing that makes the Department's education program successful is that it's support from across the agencies. Its officers in the local communities, biologists going to career days, and supporting our education staff to make these numbers possible, and to reach youth and adults across New Mexico. Annually, as an agency, we reach over 150,000 individuals, and that's with hands-on and virtual programming. That's through at least 800 programs that we do as a Department.

One of the most recognizable programs is the Hunter Education program and our hunting opportunities. I wanted to start there. Our Hunter Education program is focused on making safe, ethical, legal, responsible hunters. In New Mexico, statutorily, anyone under the age of 18 has to take Hunter Education to hunt. Then, we also have opportunities for adults that might need it for either hunting in another state, or for hunting at White Sands Missile Range, or another institution that's going to require hunter education.

In that, we have about 4,000 students that go through the program, and our program is part of the International Hunter Education Association, which all states, and several different countries are a part of. Students that take Hunter Education and get certification here in New Mexico, also have the ability to use that card to hunt anywhere else in the US, and several other countries. We have that reciprocity back, because we maintain that standard curriculum across the country as part of the IHEA Association.

We have three different delivery methods that we use here in New Mexico. The one that most of us probably went through is the traditional in-person class, and that is led by either Game and Fish staff, or one of our volunteers or one of our contractors. It's typically about 12 to 18 hours, depending on some of the hands-on interaction, the size of the classroom, and some of those other factors. Maybe some instructors might be a little bit more long-winded than others.

These classes are very focused on the hands-on component, and learning not only wildlife management laws and regulations, but also really focusing on some of those skills that we need when we're out there, such as different shooting positions, how to carry a firearm successfully or safely, wildlife identification, maintaining muzzle control. Those hands-on aspects are really great, especially for the younger participants in the program.

We do have a field day option, where people can do an online program and an in-person, but due to technology post-COVID, this has really become a very small use of our Hunter Education opportunities. The largest number of people that are taking Hunter Education in New Mexico and across the country are

part of the online program. We currently have five different delivery methods for online, and there's different price points that students can take.

The Hunter Education class, there's a free one that's a pretty basic course, up until one that's called I Learn to Hunt, and it's about \$40 per person, but the students actually create an avatar, and walk through the course, and it's a little bit more interactive and engaging. The lessons can be comprehended. One of the things that we're seeing, is with the influx of people doing the online, people and youth especially that are coming from families that don't already hunt fish, aren't getting that hands-on component, and so our staff, both our educators and our officers are working really hard to create these advanced skills, opportunities.

We target these camps to people who have taken the online courses, and specifically youth that have taken the online course, and we have a three-day camp and invite them out. Most of them bring tents or campers. Most of them are held at a state park. We just did one two weeks ago at Caballo State Park, and the students and their families come out. It's required parent participation, and they are really taught those hands-on skills that you don't get when you're actually holding a firearm, and just walking through it. One of the things that our staff has done really well to make these more engaging, is instead of just focusing on those skills in Hunter Education, they're using opportunities in that area. For example, at Caballo Lake State Park, it was a great opportunity to also teach fishing opportunities. We've had some courses from our biologists that come in and talk about electroshocking, and how they use the data from different projects that they've been on.

We'll talk about big game biology, and in some locations, we can even come in and do an OHV safety course, and have some of those bridge programs that we talked about earlier. Getting them more knowledge across the Department while they're involved in these camps.

We also, of course, have several opportunities to take youth hunting, and this is actually in the field. Most of these are one-on-one experiences with the exception of maybe a pheasant hunt where you would have several volunteers across a line of hunters pushing through a field. Most of them, especially on the big game side, are one-on-one with a mentor and typically an officer, or one of our certified staff walking right next to the students, and coaching them through the hunt. We really focus on aspects that are taught in Hunter Education, but also really getting into the ecology, ensuring the students can identify the species that we're hunting for, and talk a little bit about their characteristics, and what you're looking for.

On our big game hunts, we focus a lot on stalking, getting ethical shot placement, and really making sure that they're making the best effort, and learning those skills instead of just taking shots from farther away. Then, of course, with all of our hunts, we try really hard to have a field dressing. Hopefully, we have an animal down that we can talk about field dressing and meat care. We've had some that can even talk a little bit about butchering.

If somebody harvests earlier in the weekend, and we have a little bit of time that we can talk about the different cuts of meat, and how they can take that back home and cook them. Several of our camps also offer going from the field dressing. We will actually prepare some animals, some meat, so that the students can get a taste for the game that they've harvested while they're out there.

Shifting a little bit, so we talked about some of our hunting workshops. We have also shifted and have some angling workshops that are the same three-day concept, where students will come in. We have one that starts tomorrow actually at Navajo. It's a crappie fishing workshop, and we'll get contractors out with families. Our officers and our educators will be out there to actually get people out.

We teach them how to rig their pole, what bait they're going to use, behavior in the water when they get them out, and then, of course, field dressing. We cook those animals unless it's a catch-and-release opportunity. We have started looking for our camps and our workshops beyond just the hunting and angling. One of our newest endeavors, and this picture's from our first event, was a wildlife watching. This was a partnership that the Department had with the Montoya Foundation. We took several disabled youth and their family out to the caldera to view elk last September, so in the middle of the rut. Our staff had set it up, so that the participants were expecting to be in the Cabin District, and hopefully, a little bit closer to the elk, but due to the federal shutdown, we made it work from the road, [chuckles] which was a little bit challenging. It also turned into a great opportunity, not just for the participants that signed up for it, but anybody driving by were, "Wow, this is really cool." They stopped and interacted with staff, and

learned a little bit about elk, and what we were doing. It was a great opportunity, and we're looking to do more of those in the future.

We've also started doing workshops focused on photography. The Department has some really good photographers, and so talking about how to get good images, different speeds, how to get movement in the picture. Some of the-- Making sure you get light in the eye, and how people can really take engaging photos while they're out there and engaging. We've just started recently with leading some birding hikes, and having a conversation with the Southwest Audubon Center. Trying to map some birding trails around the Southwest, so that we can provide those opportunities, and let people know when the birds are going to be in the area. What they might find, and give them a safe place to go, so they can get started in that passion. Hopefully, it's a passion for them.

As a Department, we do several outdoor adventure days and celebrations. Of course, in the spring, we do our big outdoor adventure show that's in Albuquerque, and we have about 10,000 people, just under 10,000 people a year that come to that show, and interact with the Department. They interact with people talking about hunting, angling, outdoor recreation. Kayaking has been a big one. We have demonstrations there, and educational opportunities for people of all ages to engage, and to learn more.

Then, we have several celebrations. For instance, in two weeks on Free Fishing Weekend, we have in Albuquerque, at Liam Knight, Corporal Jerry Poole is pulling together the Liam Knight Adventure Day. It's intended to draw people out to not only go fishing, but then our educators, and our officers bring in a lot of other educational activities.

They're shooting at the pellet trailer. They have archery, wildlife identification using binoculars, and just filling that, so people are learning more than just one skill when they come to these opportunities. This picture here is from the recent GilaFest that celebrated the habitat work that we as a Department have recently done on Whitewater Creek. As well as the hatchery renovations, and the purchase of the Glenwood/Allred property. It was a great opportunity for these two kids, as well as about 300 other people that joined us for the day and got to interact with one of our native trout species.

As a Department, we do a lot of career days talking about how people come, hopefully, get a career, and come work with us at the Department. It's a great opportunity for people. Many don't realize that you don't have to just be an officer, or a biologist, but that you can be an educator, or you can be on our IT team. Our staff across the Department is constantly out in the field, and trying to encourage people to come work for us, and general outreach. Wildlife identification skills, safety while they're out there.

Of course, we always want to talk a little bit about that challenge. People love a good challenge, and so we have the Trout and the Bass Challenge that the Department has had for a little over five years.

Encouraging people to get out, not just catch a rainbow trout, but to also catch four other species of trout before they get a really cool trout challenge coin, and a little bit of an advanced, we are going to be getting a new coin this year in FY-'27, that'll be a really cool design. A new collector's item that we'll have out there.

The Masters Angler is for some larger catches, and all different species, they can-- Anglers can send in their catches, and then we have a really cool certificate and coin that they get. This year, one of the really cool opportunities that we've started is the Fish Art Contest. This was a great opportunity to get into some schools that we have not worked with before.

For our first year, we had 21 schools, 5 homeschool groups, and 99 entries. One of the really cool things about this program is that there was specific sections in the competition for people to learn about species of greatest conservation need, and our native trout species. To really engage not just in fish species that they may see every day, but to really engage in learning, and making sure that they had characteristics, and they had the fins correct, and coloring correct. Our judging panel was very particular on that when we selected winners and sent them on.

Of course, one of our biggest initiatives that's a new initiative, is the Big Year Birding Challenge, which has been great. Most states report that in their first year, they get about 100 to 300 people. We're at over 500 people that have registered for the first Big Year. While the majority of those are adults, I believe we have some that are up in their 80s that have signed up for this competition, but we also have the youth categories for people that are younger, and want to get out there.

I think, at least, at the end of the first quarter, when they did the reporting, several people had turned in over 200 species of birds in the first quarter.

It'll be interesting at the end of June to see where people are standing in those rankings. One of our largest initiatives that we are working on pushing forward is the shooting sports industry.

As everyone knows, we as an agency get a lot of money from Pittman-Robertson, but the money that comes in at Pittman-Robertson, about 70% of that comes from the target shooting industry, and so people that may not be buying hunting and fishing licenses. It's a great opportunity, and a conversation that we're having at the national level, as well as here in the state, is how do we get people that are engaged in target shooting activities, and get them interested in coming out into the field to go hunting? How do we build the foundation to support the shooting sports industry that's giving so much back to conservation? One of our largest programs is our archery education program, and this is primarily hosted in schools. We are part of the National Archery in Schools Program. It's a national program. All states participate, and it's designed for 4 through 12 grade students to participate in. Each classroom has to be involved for a minimum of two weeks. Then, a lot of schools see the benefit that they're providing. The schools are reporting zero, or very few-- Any kind of incidences.

If they are reporting something, it's typically a raspberry on the arm for getting their arm a little bit too close, versus basketball or something else that may be a little bit more high impact. They're getting much lower reporting on injuries from students that are participating in archery, and really engaging students of all physical background. Here in New Mexico, we took it from the target archery program, that it was originally designed to, and we have grown it to a 3D archery program.

Right now, coming out of COVID, this program nearly died in New Mexico, because people were not in the classroom and doing it. We're currently-- Just got the reporting back. Almost have all the reporting back, and we're sitting at upper nearly 350 schools with 13,000 students in New Mexico shooting in the archery program. We have also taken this from just having our one state bullseye tournament, but now we have two statewide tournaments, the bullseye, and a 3D tournament.

We also have 25 other smaller tournaments, such as this picture here. This is one of our 3D tournaments that's held at the Santa Fe office. It really engaged students throughout the year, and not just at the end result, or not just for those two weeks, so they're engaged in shooting a lot of arrows. We did quick math, and with over 5,000 entries in our state tournaments, that's 230,000 arrows that are shot just at the tournaments in New Mexico.

We are also looking at our shooting sports programs, our shotgun and our rifle programs. One of the most successful things that we've started in the last year, is this idea to come out and shoot. Instead of having, this program will start at 10:00 AM, everybody will go through the same curriculum. We've had staff and volunteers come to our ranges. We've done two. We've done one at the range in Clovis, and the range in Albuquerque, and just have it open that people can come in, and get a one-on-one experience with staff and volunteers, and learn these shooting activities.

At our two events, we had 38 new people that had never shot a shotgun, come to the event in Albuquerque, and 78, I believe, come to the event in Clovis. They've been really successful in just inviting people out to the range, giving them some hands-on experience. A try-before-you-buy environment, and then turning them over to the local club to help engage them and get memberships, and more activity in the program.

We've also been looking at our programs such as our 3D archery tournaments, and our camps, and how we can have some advanced shotgun shooting, or air rifle opportunities at them. If we have a facility such as the Santa Fe office, where we can have a 3D archery tournament in the pellet trailer. How we can then get them from the archery component into shooting air rifles at the same event.

Then, of course, our Youth Hunter Education Challenge is coming up in a couple of weeks at the Whittington Center, and that is graduates of the Hunter Education program that spend the year enhancing their skills in archery, muzzleloading, .22 rifle, wildlife identification, hunter skills, orienteering, and shotgun shooting. They come and have a statewide competition to qualify to go to the nationals, and it's a great opportunity for youths to grow their skills.

Our Conservation Education Program, we are focused on really engaging and spreading the knowledge. A lot of these are going to be our in-school programs, with a little bit focused on community programs, and

teaching lessons, and bringing wildlife into the classroom, and teaching our youth about ecology. We're teaching them about conservation, biology, what we do as a Department, some safety.

Wildlife identification is a huge one. Believe it or not, kids love to play with scat and tracks, and really get that hands-on experience, like cutting up an owl pellet. That one's been really great is our in-school. As a Department, we do over 100 of these presentations a year, and reach over 9,000 individuals in the school systems.

Then, our aquatic education programs, this one has been really neat. Instead of just focusing on fishing, going to the lake and just fishing, when somebody comes to our fishing programs, they are handed basically just the stick, and they have to completely rig the pole themselves, and tie the hook on, put their bait on, and then they get to go fishing. It's more than just an actual just casting and getting a line wet. We've also focused a lot on the ecology side, and this picture is a macroinvertebrate lesson that we have, and we have taken this activity, and talked about the macroinvertebrates that are in a water system, and how that can be used, one, to indicate a healthy water, but also to help people learn that these are things you can look for when you're baiting your own hook, and if you find this fly out there, this might be something that you're going to fish with.

We've used this at several STEM events across the state, and our staff have won several different awards as being the most engaging activity. When you see this picture, it's just a tub of bugs, and the kids absolutely love it. Then, we have a Trout in the Classroom program, and this is a partnership between both the information, our education team, the hatchery system, our fisheries biologists, and Trout Unlimited as the overarching entity that helps run this program.

In the classroom, kids and schools will get the eggs, and they'll actually grow the fish for several months, and then at the end, they work with the volunteers either through Trout Unlimited. We typically get them on a hatchery tour to go out and learn how we do it on a mass scale instead of their smaller aquariums. Then, they get a little bit of talk about some ecology in the stream, and then they release their fish. It's a great circular program, and a great partnership that the Department has.

Then, our last program is our Off-Highway Vehicle program, and this is a statutorily mandated program that we really focus on teaching kids' safety. What we also have really grown this program to, instead of just having classes that are for kids, we're trying to get entire family units to come out, and talk to parents about making sure that they're getting the right machine for the right student, and that you're not getting a very young person on a very large machine, or vice versa.

Ensuring they have proper helmets and goggles, and then how to handle different obstacles, whether it's tight corners, or if it's going over a log, up and down a hill, and give the whole family that education, so that the parents can help their kids stay safe as they're growing. As I said, we are really focused on bridging our programs, as we move forward, and taking-- This picture is from our state tournament.

We do two full days of flights of archers packed in there like that, shooting at bullseye, and a 3D target. We're looking at ways that we can bridge those, and so one of our next steps looking at our archery program, is we've taken them from target archery to 3D, and now we're looking at how to get them into bowhunter education workshops, or bowhunter education certification, so that they can hopefully get into the field.

We're also looking at expanding our educator training opportunities, so that our staff can help give educators the resources based on state curriculum, and the tools to teach conservation in their classroom. We're also working on developing partnerships, and supporting our partners who are out there doing this great work, and supporting initiatives like Trout in the Classroom, and other activities that our partners have out there.

Expanding our reach, I've mentioned several things the Department has done in the last couple of years, like our big year, our Fish Art Challenge, our Watchable Wildlife Program, and trying to find more of those entry points for people to start engaging more with the Department and our conservation. That is all I have if you have any questions.

Chair Richard Stump: That was a very impressive presentation, thank you. Commissioners, anybody have any comments, or questions? Mr. Harwood.

Commissioner Kyle Harwood: Thank you, Mr. Chair. As you know, Mr. Chair, I asked the Department to prepare this presentation for the Commission, because I feel like the hunter and youth education

programs are critical to the next generation of folks that are going to love New Mexico, and love what the Department does, so I really appreciate the presentation. When you have a teacher contact you about how to integrate something from their classroom with the Department resources, how do you interface with that request?

Chief Tristanna Carrell: Right now, we filter most of our teacher programs through our Conservation Education Program, and then our supervisors on the education side work really closely to help them meet those needs, and so if they call us, and they are looking for equipment, we can often get them equipment for the classroom, and we do try to set them up with one of our educators, either our volunteers, our contractors, or our staff, to go in and provide a lesson for them.

We will often provide a lot of flexibility in the content, so that we can try and get something that is matching curriculum they're already teaching in their classroom, and so that could vary greatly if it's an aquatic type program, or if it's more of a conservation, more of a terrestrial wildlife topic. We also have a several classrooms. I didn't mention it, but we do have a few classrooms that do Hunter Education programs, and we provide a grant to those schools, so that they can help compensate educators' time to help teach it.

Most of them are done in an after-school, or through the online program, and so we help provide that interface, either through providing free access to the higher price point on online programs, or for just providing the teachers' time just after school, and train the students.

Commissioner Kyle Harwood: Great. Thank you. One other question. You mentioned a couple of times the contractors that support your work. Could you just describe what they do, and who they are?

Chief Tristanna Carrell: Yes, so we currently have six contractors, and we have two that are focused on providing hunting workshops, and angling workshops, and those are Jason Amaro and the Safari Club International Foundation, and they are very targeted. We give them a curriculum that we expect them to uphold, and they bring in the volunteers, and then our staff helps support that minimally.

We have two contractors currently, Chris Jarvis and Maddie Gonzalez, who do fishing workshops, and they take schools, or community programs out to, usually, an urban lake that's somewhere close by. That's one of the things we really focus on is trying to find something that's close by, and that somebody can recreate that experience. Our fishing contractors will take them to Tingley Beach, or Young Pond, or something like that, and teach them to rig up their pole.

With those, we typically do a two-day classroom with those contractors, and have them talk a little bit about macroinvertebrates the first day, and then actually take students' fishing the second day. Then, our last two contractors are in the Hunter Education program. We have Ben Martin who is designed to take new Hunter Education instructors, and we have found that it's a little overwhelming to go from **[unintelligible 00:50:13]** certified to leading a class. Ben is on contract to go to some of the smaller, more rural communities and help provide that initial onboarding process for volunteers so that they can become comfortable. Then we have Mike Madsen, who is our sixth contractor who's currently on board, and he's focused on two different components. One, he helps us onboard new volunteers, and then, two, he runs all of our bowhunter education workshops, which is typically one day, and we talk about tree stand safety and smaller, more specific components to a bowhunting scenario.

Commissioner Kyle Harwood: Thank you very much. I don't want to take up any more time with my other 100 questions, so I'll visit with you and the director another time. Very exciting part of the department, and I hope you get all the support you need.

Chief Tristanna Carrell: Thank you.

Commissioner Kyle Harwood: Thank you.

Chair Richard Stump: Thank you, Commissioner Harwood. Anybody else? Commissioner Clemente.

Vice-chair Fernando Clemente: First, it's a great presentation. Thank you for this information. This is one of the topics that-- I've been a hunter education instructor since the early 2000s. I could see that maybe it's completely changed but the declining on volunteers always has been a concern, because education is one of the keys for success. It's amazing. This is great information, and I'd like to see where the department is going, where they're heading, and they want to get there.

With that being said, how can we get more of these programs to the southern end of the state? I'm talking about passing Las Cruces. That's one of the things, as a commissioner, that I put in my commitment it

was going and talking every year to schools. I go to several schools and try to speak about the importance of wildlife management and conservation. I noticed there is a lack of knowledge down there. I would like to see a lot of these programs, archery, hunting, going down to the south. I would love to see that.

As well, I have sent several people to try to get new hunter instructors. With that, I do have a question. One of the people that I sent to get certified as an instructor mentioned that we had the test in Spanish for hunting. I was one of the ones that actually worked on that. I was one of the translators that helped to register. I don't know if we have that or it has to be finished, but I would like to see that as well being finished if it hasn't been finished and provided in Spanish to the students.

Chief Tristanna Carrell: Mr. Chairman, Commissioner Clemente, that's definitely something we can look into where it is in the process. I don't know that one off the top of my head, but we will look into it and get it finished so that our instructors have that resource available.

Vice-chair Fernando Clemente: Perfect. Thank you. Thank you for the great work.

Chair Richard Stump: Thank you, Commissioner Clemente. Mr. Witt.

Commissioner Christopher Witt: Thank you for that presentation. The portfolio of educational activities that you presented is incredibly impressive. It's clearly expanding in all the right directions. I think it's really, really positive. I want to say that the person you contract with for fishing education, Chris Jarvis, is incredibly talented as an educator. That's awesome for the department. I want to pass on just a couple quick concerns that I've heard from hunter education instructors that are concerned about two things really. The movement overall towards online hunter education. It's great, it's convenient, but it's a huge concern. This is a hands-on activity.

Everybody recognizes the disconnect there. I see you've done things to address it, but people are worried about it. I would encourage you to address that further. I'd be curious about if you have any comments on that. The second concern that they have is that in the past, hunter education used to provide some printed reference manual for hunter education for gun safety. I understand we no longer do that. We no longer provide any printed manual or reference book that the students will leave the class with and have to refer to. Can you address that as well?

Chief Tristanna Carrell: Absolutely. Chairman Stump, Commissioner Witt, for our in-person classes, there is several handouts that the students leave with. We do have a manual that's about 130 pages, and that's one of the aspects that we work through. For our in-person program, our students actually have to pick that material up either ahead of time or print it off of the website and read through it. There's a homework section that they have to do when they check in the first day of class. They do have that.

Then we have several different handouts that we provide during class, such as we have models of a deer that on one side is what we would see, and the other side is the vital organs. We have people actually push a hole through where they would like their shot placement to go. When they turn it over, students can see where they hit in the vitals. We have a whole array of handouts. We do offer that in both English and Spanish, available to our students.

I'm not sure where that one came from, but we do have that available, and we would provide it as well for students that take the online program. I do think we can look at how we can make that more accessible. The department's working on an app that we'll hopefully launch soon. Maybe that's something we can add in there to have the four firearm safety rules and some of those key informations that's part of the app and that people can get when they're in the field and have it in the palm of their hand. Your first question was about the volunteer recruitment?

Commissioner Christopher Witt: It was just about the general disconnect between-

Chief Tristanna Carrell: Oh, thank you.

Commissioner Christopher Witt: -hunting and online education.

Chief Tristanna Carrell: It's definitely a concern, and we're seeing it across the nation. We have started these advanced hunter education camps. That's one of the ways that we're really trying to address that and provide the opportunity for students to learn. A lot of the students who do the online program do come from families with hunting or fishing background and are getting some of that hands-on component from parents or grandparents or an aunt or uncle or something along those lines. There is a disconnect, and

we are continuing to look for different ways that we can have engaging programs for students to get the hands-on component.

Chair Richard Stump: Thank you, Commissioner Witt. Anyone else? Anyone online want to comment? No? Tristanna, that was a fantastic presentation. You want to comment on this? Go ahead.

[pause 00:57:20]

Brandon Wynn: I have the same thoughts about the online hunter education as Commissioner Witt. I was just sitting here thinking I've been through seven hunter ed courses. Arizona and Colorado, and then five in New Mexico with my four children, and then a bowhunter. Those were all really valuable experiences. I have a ton of hunting experience, and I can say every single one of those courses I got something out of it because it was an in-person course. I made friendships. I have friends to this day, 30 years after I took Arizona Hunter Ed, or 25, whatever, and being around other hunters. I think that that's a really good point that Commissioner Witt made. We should go back to more in-person.

At least one of the days should be in-person. Then, also to Commissioner Harwood's comment about youth. As most people in this room know, I get up and pretty much bitch and moan about all the private tags here, and so one of the reasons I do it, and honest to God, probably the main driving force that motivates me to do this for the last 30 years, is that the private tag system we have is robbing from our youth, and we're racing. We're not able to pass on the culture. It's so hard to get a tag to begin with. You got the pronghorn rule today. You're going to make two-thirds of the pronghorn tags in the state private. One thing that's going to have to happen is because of the biology, they're going to have to eliminate the female immature hunts. Those are all youth hunts. That's one of the most beloved youth hunts in New Mexico, and one of the best hunting opportunities is the youth pronghorn, and that's gone because of biological things. Unfortunately, that's almost exclusively a public New Mexico resident opportunity, and it's gone.

Also, one of my sons drew a youth bighorn tag, and so today you're going to have the bighorn rule, and I assume you're going to lump all the bighorn tags hunt codes so you can shovel them over to the outfitter thing. Well, why don't you not do that, and why don't you create another youth bighorn tag? That bighorn hunt with my son, it was the most impactful hunting experience I think I've ever had in my life up in the Pecos Wilderness.

Instead of giving three, five, whatever tags to outfitters unnecessarily starting statute to do it and bending the rules and everything, why don't you just make a youth bighorn tag, another one? Make it in a different unit, make a youth desert tag or whatever. If you want youth opportunity, you've got 25,000 tags that you're making private this year with your rules, make 5,000 youth tags that are public. Thank you.

Chair Richard Stump: Thank you, Brandon.

Natasha Montoya: Mr. Chair, we have a comment from Lance Bernal.

Chair Richard Stump: Go ahead. Thank you.

Natasha Montoya: Hi, Lance. You're able to speak now.

Lance Bernal: Good morning, commissioners. I'd like to commend the department on their youth programs. I am up in the northeast New Mexico part of the state, and I'd like to highlight some of the partnerships that we have on private land for the last almost two decades. That includes hosting the Game and Fishes, the department's three-day outdoor camp, as well as providing youth hunt opportunities. Those hunt opportunities would not be available if the department did not have conservation programs for private landowners. Thank you.

Chair Richard Stump: Thank you, Lance. Anybody else? Brandon, if you would fill out a card before you speak. Just hand it over to **[unintelligible 01:01:37]**. In the future. Yes, thank you. I guess that's all the public comment. Tristanna, that was wonderful. Thank you very much for that. It was very skilled. This was an informational item, so no motion is necessary. Moving on to agenda item Number 11. This is a rule hearing. It's a Turkey Rule 19.31.16 NMAC, presented by Chief Liley.

[silence]

This hearing will come to order. My name is Richard Stump, Chair of the Commission. I will be serving as a hearing officer and be advised by the commission's council. Purpose of this hearing is for the commission to receive public comment on amending the Turkey Rule, Title 19, Chapter 31, Part 16, New Mexico Administrative Code. This hearing is being conducted in accordance with the provisions of the

Game and Fish Act and the State Rules Act. This hearing is being audiotaped and video recorded. Anyone interested in a copy of the audiotape or video recording should contact Darren Vaughan with the Game and Fish Department.

Public notice of this hearing was advertised in the *New Mexico Register*, and the New Mexico Sunshine Portal, and on the department's website. Copies of the proposed rules have been available on the department's website. Those wishing to comment here today must have registered to submit public comments. The rule hearing will be conducted in the following manner. Staff will present pre-filed exhibits. Exhibits submitted into evidence are available for review by the public on the department's website. [crosstalk] of the proposed rule, after which testimony will be taken from the audience. Participants are asked to wait until they are called upon to speak. In order to ensure the hearing is accurately recorded, only one person at a time shall be allowed to speak. Any person recognized to speak is asked to identify yourself by name and who you are affiliated with for the record each time you are recognized. Speak loud and clear to accurately record your comments. After a person has offered a comment, they will stand for questions from the hearing officer. The audience may also ask questions of anyone offering comments after being recognized by me.

These hearings are not subject to judicial rules of evidence. However, in the interest of efficiency, I reserve the right to limit any testimony to be irrelevant, redundant, and unduly repetitious. The commission may discuss the proposed new rule after the public comment portion of the hearing. Final commission action, including adoption of the rule, will occur after the conclusion of the presentation and public comment period of the hearing. In the preliminary matters of Hearing Item Number 11, Turkey Rule 19.31.16 NMAC, this hearing is now open. Stewart, are there any exhibits for Turkey Rule 19.31.16 NMAC?

Chief Stewart Liley: Mr. Chair, I wish to submit six exhibits. Exhibit Number 1, the notice of the rulemaking. Exhibit 2, the proposed rule. Exhibit 3, the presentation I'll be giving today. Exhibit 5, the summary of the proposed changes. Exhibit 5, the technical information we relied upon when developing the rule, and Exhibit 6, the 26 public comments received during the rulemaking period.

Chair Richard Stump: Excuse me. Exhibits 1 through 6 are admitted into record. Whenever you're ready, Stewart.

Chief Stewart Liley: Mr. Chair, members of the commission, as you just stated, this is the Turkey Rule hearing. This is the third time that you all have seen this, so I'm just going to do a real brief background on the three different subspecies that New Mexico has. Merriam's in that orangish-yellow color, Rio Grande's in that green color, and Gould's in the blue. Gould's down in the southwest portion of the state, and then you have some hybrids along the Pecos River of Merriam's and Rio Grande's. Real quick, just biology for the most part.

I'm not going into a lot of detail since we've done this a couple of different commission meetings before. Really, populations of turkeys vary mainly with environmental conditions, can respond really quick to great conditions for poult raising, and can also, like all bird populations, take an impact during drought years. That said, spring harvest is primarily males, and because one male can breed many hens, it's typically compensatory mortality. We don't see it as additive mortality or affecting populations. The key is, as we've discussed in previous meetings, keeping that harvest to the point where breeding can occur. That's why you see our season starting around April 15th, ending at May 15th.

We do have some, as we mentioned before, too, some GPS collars on turkeys throughout the state. Looking at when that incubation period is, we can detect that, so we know when the breeding period is too. I think our season structure is about right, so we have no changes with that. Fall hunting does have the potential, as we discussed, to be additive mortality and could affect populations. We did do that analysis, and we shared that with you at the last commission meeting on our fall harvest across the state, looking where we do see harvest and what it is. We looked at the 10-year and 5-year averages. After doing that evaluation, we really felt none of that harvest was significant enough to be additive on the population, so we didn't come with a recommendation to limit any of the fall hen harvest, given some of that. Again, if you're harvesting less than 10% of your hens in the fall, a population level of 10%, you should be fine from a population standpoint. None of those populations, really, we felt we were seeing that high hen harvest.

The other thing to mention on that hen harvest in the fall, most assumption is it's not a bearded turkey, so it's a hen, but there are poultts that are probably being harvested or late poultts that are being harvested in the fall that are also young males that haven't developed a beard yet because they were born that year, hatchlings that year. Some of that female reported harvest is actually probably young of the year males as well too. That said, our recommendations, as always, on all of our different rules, we have some hunts that always start on a Saturday, so we adjust our season date start space to keep that Saturday start. The bigger things that we are proposing is on our Gould's turkey, it is an up-to-license number. We determine on an annual basis. We're proposing increasing the up-to-license numbers up to 15 on those Gould's turkey permits. Not knowing that we'll get there during this four-year rule cycle. If we have some decent year, monsoon, et cetera, we might be able to get up to that 15 mark over this next 4-year period. That's the proposal there. The other thing is we have a draw hunt in GMU 8. That's the Sandias. We're proposing to increase that draw hunt from 15 to 20 birds, or 20 permits, excuse me, and then, like I just went through, the fall hen harvest, we did that evaluation, and we no longer are proposing any reductions in the hen harvest in the fall. Then, for all of our species, you'll see this in each one of these presentations through the year, is requiring the purchase of a license at least one day prior to the start of hunting, and then if the season date is less than five days, requiring the purchase before the start of the season, and not allowing it once the season starts. Real quick, here's our proposed calendar dates or the dates for the youth hunts.

Those do fluctuate on an annual basis because they are that Saturday start, or excuse me, Friday start, and then the general season would start on the 15th and run through April 15th through May 15th. Real quick, just some population status on Gould's. These are trends from GPS radio-marked birds. We have a pretty good sense on the population with some of our marking. You'll see there, we do see some pretty decent annual fluctuations in there, but we're still seeing some growth. I think the drought really impacted last year, but we can see bounce-backs really quick if we get the right moisture. We're still seeing some significant growth since the early 2000s.

I think really in 2011, what you're seeing there too, is an artifact of switching over to call accounts or surveying where we knew birds were to switching to GPS monitoring of our birds and getting a much more accurate count of what is a roost tree, where do they roost, where are those flocks, et cetera. Again, as I mentioned before, proposing increasing the GMU 8 draw tags. That's highlighted for you on the map to see where that is. We did host two hybrid meetings, March 11th and 12th. We had 11 attendees and 9 in person between those two. Then, did have some virtual meetings with National Wild Turkey Federation, nine people in attendance.

Then we did receive 26 written comments from either 23 individuals or organizations throughout the rule-making process. I went through and put those up there. I think some of the comments came in early when we were doing that in early analysis, for example, on the remove hen harvest, fall hen harvest, those were early on in the rule-making process before the final rule analysis was done. There's a whole suite of different comments in there. Some of these reduce bag limits, reduce non-resident hunting numbers. Again, I think from the analysis we did on the population status, we felt there was no need to, again, remove fall hen harvest in any units, or to reduce the bag limit. We went into some kind of details at the second meeting on this, of the percent of people that actually harvest a second turkey is very small for the most part. If people are harvesting a turkey in the spring, it's typically just one bird and not two. With that, I would stand for any questions.

Chair Richard Stump: Commissioners?

[pause 01:11:45]

Chair Richard Stump: I guess there's no questions. We do have some questions from the public, but I need you guys to sign in on the hearing sheet as well. You can do it right now. Where is-- Director Sloane, the sign-up sheet?

Director Michael Sloane: Mr. Chair, it should be right out at the front where the sign-up cards are. Thank you.

Chair Richard Stump: Okay, Brandon. Identify yourself for the record.

Brandon Wynn: My name is Brandon Wynn. I live in Albuquerque, New Mexico. I'm a New Mexico resident. My comment on the turkey rule is turkey hunting has become two sports. The first sport is the

actual hunting of turkeys, and the second sport is posting on Instagram that you have come to New Mexico or Arizona, usually, well, really New Mexico, because Arizona the tags are all limited, coming to New Mexico from Alabama, or Texas, or wherever, I run into people from all over the place, and bragging on Instagram that you completed your turkey slam. This has really become a thing lately.

I've been hunting turkeys in the same areas of the Gila for, I don't know, 25 or 30 years, since COVID really-- This has really exploded into a social media hunting thing. It's a thing to go to New Mexico. People come from all over to do this. 25 years ago, it was me and my buddies, we had the whole mountain to ourselves. Then over time, there was a lot more residents hunting, no big deal. The last five years, and accelerating each year, places where we'd hunted turkeys without any people climbing on top of us, and us not climbing on top of other people, there are so many people coming in from out of state to hunt here to get their turkey slam so they can post on Instagram.

It's obviously way too late in the game to have any changes done. What I'd ask the commission to do, and I don't know the numbers on this, maybe this is only happening on top of where I hunt, but I would ask the commission to ask the department to look into increases in non-resident tags, and see if maybe there should be a first come first served cap on the non-resident tags or something, if there's been the explosion that I'm seeing. Again, I'm looking through a straw at one place, so I might be completely wrong.

I would ask you to ask the department to study this and see if there's a trend there that you think that it would be a good thing to put some non-resident caps on this and preserve this opportunity. As we all know, it's really getting hard to get permits to hunt, and the spring turkey hunt is one of the remaining wide-open opportunity hunts for New Mexico residents, and it's great. People have gone through the winter, you're coming out of cabin fever, it's an unbelievable thing.

I'm not really an avid turkey hunter, but, man, I sure like getting out in the spring and seeing people stretch their legs a little bit, get ready for the fall hunt, start getting in shape, and all that stuff. It would be nice if we could corner this opportunity for New Mexico residents. Other states are doing this on these unlimited bird-type hunts. You're seeing states, they're clamping down on residents on ducks and waterfowl and other things. Montana is starting to do it, like shortening the non-resident season, so this is not a novel idea.

Other states are recognizing this issue, and they're responding out of trying to create more state opportunity for state residents for people that have cheap hunting opportunities. Not many New Mexicans have the money and the wherewithal, we're a poor state, to travel to Texas or Alabama to go hunting. I think that this is an opportunity you could really do a big favor without taking much out of the commercial hunting industry in New Mexico. It won't cost the commercial hunting industry much money, but you could do a big favor that I think is the appropriate thing to do for New Mexico residents. Thank you.

Chair Richard Stump: Thank you, Brandon. Could you please sign so you don't forget? Do you have any info on that?

Chief Stewart Liley: Mr. Chair, members of the commission, the first time when we opened this meeting, we did put a slide up [unintelligible 01:16:53] in this presentation on the license sales of resident versus non-resident. Let me just get to it in a second. Here's our resident versus non-resident license sales over the last 10 years roughly, both spring and fall. The lighter colored blue is our non-resident, darker-colored blue is our non-resident. There's really nothing on the trend that I would say that shows a huge increase in non-resident license purchases, as you can see there.

The average has been, over the last 4 years, 9,500 residents purchasing licenses versus 1,900 non-residents purchasing licenses in the spring. Fall, about 4,500 residents purchasing licenses versus 211 non-residents in the spring. Nothing in the trend where we're seeing a huge increase or bump up in the last 10 years of non-resident license sales.

[silence]

Chair Richard Stump: Unfortunately, Brandon probably didn't hear that because he's in there. Thank you, Chief Liley. David Heft. If you could please sign on the table for the hearing. Thank you.

[silence]

David Heft: Chair, commissioners, David Heft, retired wildlife biologist, Mayhill, New Mexico. This spring was my 47th year of turkey hunting, but I'm primarily here today as a small property owner. We refer to

the spring turkey season as hell month in our area. Unit 34 is the hardest hunted unit in the state for turkeys, both spring and fall. Four years ago, when we passed this rule, one out of every six turkey hunters in the state hunted Unit 34 in the spring. That has since dropped to about 1 out of every 800. It's primarily due to our biological situation now.

I want to bring you up to date on a little bit of biology. Every five years, the Wildlife Society publishes a review of turkey populations across the United States. This past November, that was published in the *Wildlife Society Bulletin*. Across the nation, there's been approximately a 40% decline in turkey populations from the 5-year period of 2019-2024. Three states were identified for the greatest decline in turkeys. South Carolina, Texas, and New Mexico. Right now, the department is proposing status quo for regulations.

Our neighbor to the west, Arizona, they're all draw, their hunts are much shorter than ours. Our neighbor to the east now requires 24-hour mandatory harvest reported for all turkeys. They've also closed about a third of the state completely to turkey hunting now. Other counties in the state of Texas are limited only to spring hunting and one bird, and starting next fall Texas is eliminating either sex fall harvest. Other states have taken some pretty dramatic actions in response to these declines. Our problem is that biological realities lead to social impacts. As a BLM manager here in Socorro once told me, just as BLM actions impact people's lives, the decisions that this agency and this commission make impact people's lives also. Every year, we have incidents with hunters. In the last 9 years, I've asked every turkey hunter within a half mile of our house we've run into if they were aware of state statute that prevents discharge of a firearm within 150 yards of a building or private property without permission. Not a single one of those hunters in nine years, resident or non-resident, claims to have been aware of that law. We have birds constantly shot, sometimes across the fence on our property. We only own 20 acres. We're a small property owner. Our surveys ourselves that we do every year have shown a 50% decline in the population in the last 5 years. We have a small flock. We're not talking hundreds of birds. 25 to 30 birds is all that hangs out around our property and our neighbors'. I asked two hunters who set up on our fence line with decoys, literally along the fence, shooting directly towards our home, and were only 125 yards from the neighbor's house, why they were there. Their response, and this pretty well sums it up, was, "Because this is where the birds are." Half a million acres of public land, and they can't find the resource they're after on the public land. That's why we're putting out these issues.

I've had elected members of the legislature in our area, and I've had members of the sheriff's department tell me I should carry. I'm not going to carry. Even though I'm dealing with armed strangers. Even as a US Army veteran and a lifelong member of the National Rifle Association, I'm not going to do that. That just escalates the situation.

Chair Richard Stump: Thank you, Mr. Heft. Your time's up. Of course, we're talking about ethics here. Unfortunately, that's a situation for all private landowners. I think that's it. Is there anyone online?

Natasha Montoya: Yes. Cody, you may speak now.

Cody Creager: Can you hear me?

Chair Richard Stump: Yes, we can.

Cody Creager: My name is Cody Creager, a lifelong New Mexico resident. I have missed very few turkey seasons, besides being deployed and whatnot. I just really wanted to take the time off work to come comment on this one. I think the turkey hunt quality has gone down significantly. I usually hit the Gila. I've tried the 34 a few times, but it's just so packed with non-resident traffic. I've been avoiding that one lately. I think the quality in general has gone down significantly.

I don't think we should be shooting hens at all in the fall. Capping non-resident tags, I think, would be a good idea especially just for the amount of traffic out there, with all these people trying to come get their Merriam's here. Even a one-bird limit, I think, would be a good idea. The numbers, if they're good, they're good, but I really think the quality has gone downhill, and I would really like my kids to have the same quality turkey hunting I had in the early 2000s. That's all I got. Thank you.

Chair Richard Stump: Thank you, Cody. Anyone else? Thank you, everyone. Those that registered and participated in the hearing will be included on the attendance sheet. At this time, the attendance sheet shall be marked and admitted as Exhibit number-

Director Michael Sloane: 7.

Chair Richard Stump: -7. The comments submitted and testimony heard during this hearing will be reviewed by the commission and discussed during the open session of today's meeting. The commission will vote on the proposed rule at that time. I would like to thank everyone present for their participation today. Let the records show that this rulemaking hearing was adjourned at 10:36 AM. Commissioners, any questions or comments?

Vice-Chair Fernando Clemente: I just have a comment regarding the non-resident. I did get emails, and calls, and actually people approaching me telling me about- give me some information regarding that other states are putting restrictions to non-residents. They believe that that's what is driving more non-residents to our state. With that, obviously, you presented that information on the purchase of residents' hunting licenses versus non-residents, which makes me feel very comfortable to support this. What I want to say is maybe something to keep an eye on it and see if other states changing regulations and putting restrictions to non-residents, how does that affects the state? I think that will be something good to be looking in the future.

Chair Richard Stump: Commissioner Clemente, thank you. Commissioners, anyone else? Chief Liley, thank you for that presentation. Is there a motion?

[pause 01:25:53]

Chief Stewart Liley: Mr. Chair, we have a recommended motion if you guys would like to go with the department's recommendation.

Vice-chair Fernando Clemente: I will move with the motion. Can you state it?

Chief Stewart Liley: It should be on the screen.

Vice-chair Fernando Clemente: Thank you. I will move to repeal and replace 19.31.16 NMAC, as presented by the department, and allow the department to make minor corrections to comply with filing this rule with the state records and archives.

Commissioner Fulfer: Second.

Chair Richard Stump: Any discussion on the motion? All those in favor.

Commissioners: Aye.

Chair Richard Stump: Aye. No opposed, motion passes. Agenda item number 12. That is another rule hearing. Javelina Rule 19.31.21 NMAC presented by Chief Liley. I got to read this again. This hearing will please come to order. My name is Richard Stump, chair of the commission. I will be serving as a hearing officer and be advised by the commission's counsel. The purpose of this hearing is for the commission to receive public comment on the amending the Javelina Rule, Title 19, Chapter 31, Part 21, New Mexico Administrative Code. This hearing is being conducted in accordance with the provisions of the Game and Fish Act and the State Rules Act. This hearing is being audio-taped and video-recorded.

Anyone interested in a copy of this audio tape or video recording should contact Darren Vaughan with the Game and Fish Department. Public announcement of this hearing is advertised in the *New Mexico Register* and New Mexico Sunshine Portal, and on the department's website. Copies of the proposed rules have been available on the department's website. Those wishing to comment here today must have registered to submit public comments. The rule hearing will be conducted in the following manner. A staff will present prefiled exhibits. Exhibits submitted into evidence are available for review by the public on the department's website.

After all exhibits are answered, we will proceed to the presentation of the proposed rule after which testimony will be taken from the audience. Participants are asked to wait until they are called upon to speak. In order to ensure that the hearing is accurately recorded, only one person at a time should be allowed to speak. Any person recognized to speak is asked to identify yourself by name and who you're affiliated with. For the record, each time you're recognized, speak loud and clear to accurately record your comments.

After a person's offered comment, they will stand for questions from the hearing officer. The audience may also ask questions of anyone offering **[unintelligible 01:28:37]**, after being recognized by me. These hearings are not subject to judicial rules of evidence. However, in the interest of efficiency, I reserve the right to limit any testimony deemed irrelevant, redundant, and duly repetitious. The commission may discuss the proposed new rule after the public comment portion of the hearing. Final commission action,

including adoption of the rule, will occur after the conclusion of the presentation and the public comment period of the hearing.

In the preliminary matters of the hearing, Item number 12 Javelina Rule 19.31.21 NMAC, this hearing is now open. Stewart, are there any exhibits for Javelina Rule 19.31.21 NMAC for the record?

Chief Stewart Liley: Mr. Chair, there are six exhibits that I wish to enter into the record. Exhibit 1, the notice of the rulemaking. Exhibit 2, the initial proposed rule posted on the website. Exhibit 3, the presentation that I'll be giving today. Exhibit 4, the summary of the proposed changes. Exhibit 5, the technical information that we relied upon to develop the rule, and Exhibit 6, the 17 public comments submitted during the rulemaking process.

Chair Richard Stump: Exhibits 1 through 6 are admitted into record. Whenever you're ready, Stewart.

Chief Stewart Liley: Mr. Chair, commissioners, as you stated, this is the Javelina Rule. This was heard at two other commission meetings as well. Just a quick background. The biggest management strategy in javelina is maintaining a huntable population in the southwest portion of the state. Javelina have expanded quite a bit through time both to the north and east. We have that draw area in the western portion of the state specifically for draw tags and what say more of the boot hill range hill a bit north into the 24, 23 hunt areas as well. Real quick since the last time that we met is prior to us finishing the 2025 harvest information. That was last year's season.

You'll see that we sold roughly 3,000 javelina licenses. Most of the people do go hunting that draw licence or purchasing over the counter. In terms of other species we definitely people that have licence that maybe don't go out as much and javelina than other species. Success rates were a little lower last year but still in the realm of what we see normally, about 27% both on the draw hunts that when we say successful-- Excuse me. That's our draw hunts. Then there's success statewide, that's our over-the-counter statewide tags at 27%. Satisfaction range staying at 3.3 out of 5.

The proposals from our recommendations is to increase the over-the-counter area. Like I mentioned, we're seeing some increase in javelina numbers outside of that. We're proposing increasing those by 8%. We're moving from 1,200 to 1,300, then allowing those that draw the boot hill draw hunt to be able to hunt also in over-the-counter area. They can hunt within the draw area but also in the over-the-counter. Currently youth we allow that but this is to allow the general draw hunts to be able to do that as well. GMU 28 is McGregor range specifically so it's in coordination with the military. There used to be 10 licences. We would get very few people showing up for that hunt and it's a logistical issue with McGregor on registration with the military to hunt. At their recommendation, they would like to drop that hunt. We only had 30% of the hunters even showing up to hunt, so the proposal is to drop that hunt on McGregor Range. We did hold two hybrid meetings, 40 people in attendance, one in Albuquerque and one in Las Cruces.

As I mentioned during the start of this, we had 17 written comments during the rulemaking process, some in support and opposition to allowing the draw license to hunt in the over-the-counter, support for increasing the over-the-counter licenses. We had some comments regarding population status of javelinas being density is too high. That typically was in areas outside of the draw area and around cities. Then 12, I say other comments. Some of those are comments that didn't necessarily pertain to the javelina rule or were comments that are statutory driven, such as making it mandatory to remove javelina meat from the field, which is a statutory issue, not something that could be done through rulemaking. With that, we also did a hunter survey. We had a decent response rate on that. We did that with a lot of our species. Really, what we found out in the javelina is people really like the unique experience of going and hunting javelina. It's more unique than some of our other species. Most of those people cited their reason why they enjoy javelina hunting again as the unique. 77% of those people then said they were really satisfied with that experience. We had a low unsatisfaction rating in that, but the people that did say they were dissatisfied was because of lower density of javelina is the reason for dissatisfaction. For the most part, again, people were satisfied with their javelina hunting experience. With that, I will take any questions.

Chair Richard Stump: Commissioners, any questions, comments? Go ahead. Commissioner Harwood.

Commissioner Kyle Harwood: Stewart, are you finding that there's any difficulty with running these hunts along the southern border, given all the activity on the border, federal government?

Chief Stewart Liley: Mr. Chair, Commissioner Harwood, we worked in close cooperation with the military when they did the military withdrawal area along the border to still gain access for our hunters in there. It is a registration process with Fort Huachuca. Fort Huachuca is the oversight on that military withdrawal area along the border. We did get a carve-out for hunters that still want to hunt along that withdrawal area to register with them that they could go in.

From last season, we didn't really have any reports of any issues with our hunters. We had some registration, but not many. The other aspect of it, I think, the border activity along there is probably precluding people from hunting in there because there's just so many people in there in general, whether it's personnel and/or machinery working on construction, that I think people are staying a little bit off the border, probably animals a little bit off the border too. There is an avenue for hunters that if they need to get into there on BLM withdrawal lands, they can go through and register with the military to get into them.

Commissioner Kyle Harwood: Thank you for that.

Chair Richard Stump: We don't have anybody registered in-house. Anyone online? Okay. Those that registered and participated in the hearing will be included on the attendance sheet. At this time, the attendance sheet shall be marked and admitted as exhibit number-?

Director Michael Sloane: 7.

Chair Richard Stump: Didn't we already do 7?

Director Michael Sloane: I think we did 7 in the last hearing.

Chair Richard Stump: Yes, you did 7 last hearing. Okay. You want to do 7 again?

Director Michael Sloane: I do.

Chair Richard Stump: Okay.

Director Michael Sloane: It's lucky I hear.

Chair Richard Stump: Exhibit number 7. The comments submitted and testimony heard during this rule hearing will be reviewed by the commission and discussed during the open session of today's meeting. Commission will vote on the proposed rule at that time. I'd like to thank everyone present for their participation today. Let the record show that this rulemaking hearing was adjourned at 10:48 AM. Commissioners, anything else? No? I'm going to ask for a motion. Patience. May I have a motion, please? [chuckles] Is there a motion? You recommend a motion?

Vice-chair Fernando Clemente: Please.

Commissioner Christopher Witt: I've got it here. I'd like to move to repeal and replace 19.31.21 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.

Vice-chair Fernando Clemente: Second the motion.

Chair Richard Stump: No more discussion. All those in favor?

Commissioner Christopher Witt: Aye.

Commissioner Gregg Fulfer: Aye.

Chair Richard Stump: Motion passes. Thank you, everyone. Agenda item number 13 is a subsequent discussion of the Pronghorn Rule 19.31.15 NMAC. I'd like to remind everybody, commissioners, the public, that this is the time to bring forward your thoughts and suggestions before we move to the final form and hold the hearing. Stewart, whenever you're ready.

[pause 01:38:06]

Chief Stewart Liley: Mr. Chair, members of the commission, as you pointed out, Chair, this is the second time that we are bringing this rule proposal in front of you. If there is any direction from the commission to change the department's proposals, now would be the time to do it before we go back, draft the rule, and come to a hearing in August. This is planned for a hearing in August. With that, I'll get into the information. For the most part, pronghorn growth is driven by female survival and fawn survival. Populations could be impacted by a lot of different factors, drought being a big one. Snow, sometimes too on pronghorn, could be a big factor, especially if they get high winter-range snow.

We haven't seen that in recent years, but definitely we've seen long-term drought probably having some impacts, not only just on female body condition, fawn survival, but also on sometimes drought conditions can increase your predation pressure on these populations as well. I think we're seeing that in some of our populations, especially in the northeast. We'll get into that a little bit more. As you all know, we've had

to reduce some licenses in the northeast because of that. Buck harvest, for the most part, is not limiting population growth. It's not driving population dynamics in terms of increasing overall population numbers or decreasing population numbers.

The only time we really see where buck harvest can really impact population growth is if we get buck-to-doe ratios below probably 15:100, where it can impact pregnancy rates in female. We have never gotten to that point in the state anywhere. You'll see the statewide averages. That's the last 4-year average, 29 bucks to 100 does to 29 fawns. That's heavily weighted towards the northeast because we've focused a lot of our survey efforts in the last few years in the northeast, where we've seen lower ratios. Again, we don't see anything from a buck ratio standpoint that would have suggested that we're impacting population growth from it, but we did go into that reduction of 20% over the last two years last year and this year in the northeast to ensure that we don't drop below that threshold.

From a biology standpoint, a pronghorn, they're very unique in that they're basically the fastest-growing ungulate in the world. They reach sexual maturity faster than almost any other ungulate. Males can achieve maximum horn growth size by three years old, sometimes as young as two year-old. Then other thing is females have high pregnancy rates even as yearlings or year-and-a-half-year-old animals. Really, if you take a pronghorn into captivity, you could actually breed it before it's even a yearling. They just have such a fast sexual maturity.

They typically fawn if you have good trends in the climatic conditions are susceptible enough that they will twin under favorable conditions, and that means that they could rebound really quick. They don't have as long a lifespan as some of our other ungulates, like deer and elk, along with pronghorn. Probably five, seven, eight years old versus older-aged cow elk in the 20-plus-year-old. You see turnover of the population pretty quick.

A paper that was published in the last couple of years showed that, basically, of all the different ungulates in North America, you could harvest pronghorn at much higher rates than any other species and still maintain trophy quality. Again, because they're reaching basically peak horn production potentially at two or three years old. That harvest doesn't impact populations unless buck-to-doe ratios are so low that it impacts female pregnancy rates.

Real briefly, through time, and really right now, we're using a double observer distance sampling method to try to get at our pronghorn population estimate. It makes some pretty large assumptions that you detect all animals along your survey route and that you're detecting the actual distances that the animals are off the survey route. I think that those assumptions are really hard to meet through time. One of the big things that we have done in the last year we just put a thermal imaging camera on our plane. The plane is back, and we're going to implement it this season. We should be able to increase our detections, which should increase our precision of our estimates as well.

It'll give us a much better idea of what our undetected animal was in our previous surveys, versus just using two observers in that aircraft, and assuming they have perfect detection. It will help us refine our methods in terms of survey protocols, not only for pronghorn, but a lot of other species through time. We do use fixed-wing aircraft for our pronghorn surveys, and have through time.

Real quick, just a snapshot of the harvest comparing 2024 and 2025. The reason again why we wanted to, instead of just showing you the 2025 harvest, is we did do the reduction to 20% of licenses in the northeast in 2025, and that's reflected. You could see in the license numbers and also in that harvest. You'll see that harvest went down by almost 800 bucks in 2025 from the 2024 season, and a reduction in 900 licenses. Satisfaction ratings remained about the same. Maybe a little bit of a dip in 2025, but probably not a statistically difference from the '24 season.

I think one thing to really point out here, too, is our female harvest across the state. That's a statewide harvest. We're looking at 60 females over the entirety of the state. Really, our female harvest is not driving population dynamics. The only harvest we have on females still in the state is in the southeast portion of the state, where we have some more depredation concerns around some center pivots. For the most part, we did eliminate a harvest of females in the northeast area, and we'll get to that in the proposal: a little bit of what our proposals are in the next four years on that female immature. Average number of days hunted, it remained the same at about 2.2.

In the northeast, as I mentioned, that pronghorn probably dropped in population. I think we had multiple things. We had the drought that probably had some issues with fawn survival. Whether that's drought not providing hiding cover for fawns at the time when they're dropping, predation rates increase. Also, probably having some issues where body condition was lactation demands at that time, not enough sufficiency in the female to where they could raise a fawn to recruitment at a year old. I think we did see, and we'll get to it in the next slide, we're seeing a little bit of a rebound even in 2025; our survey showed much better than '24 and '23.

Buck-to-doe numbers have remained above that 20 threshold we like to see. We cut those licenses by 20% in the 2025 season and this current '26 season, and then capped private land license sales to 80% of the average before, to reduce those license numbers. Just real quick, and I know it's hard to see for some of the members in the back and the public, but how we divide the state up into our different herd units, if you will, in areas. In general, like I said, population status in the northeast over the last few years have been decreasing but probably stabilizing. Maybe hopefully, we'll see some increase.

You'll look at the data from 2025, our primary zone. Our primary zone is the northeast portion of the state, but to the east of I-25. Then we've served 27 bucks to 100 does, 37 fawns, so much better than what we were seeing in the 20-- or lower range in the fawn-to-doe ratios. Then our secondary, that stuff west of I-25, we still saw high buck-to-doe ratios and high fawn numbers. It's really focused on that northeast-most quadrant, where we saw some of our larger declines.

Our recommendations for the northeast is to maintain that decreased licenses that we implemented in 2025, both on the public draw side and on the private land, capping those licenses. I'll get to the table in a second, but one of the other proposals is that GMU 48 currently does not have a public hunt in there. We're proposing there is some state land in there that has accessible pronghorn populations. We're proposing allowing those that draw a 47 license to be able to hunt 48 as well. Not increasing licenses, but opening up a new area.

Through the discussions at the first meeting and since we've posted this online, we looked at potentially capping private land pronghorn licenses across the state. Again, we implemented the cap in northeast area the last two years to deal with the declining population. We are still continuing with our proposal to cap those licenses across the state. What you'll see in these tables is going to be a little bit of what our proposed cap is going to be. I have approximate in there, and I'll get to that in a second, but another thing that we're looking to do is a proposed redistribution of the private land licenses through the different hunt periods.

The public, there's maybe the first pronghorn hunt at the last week and rifle. We also have archery and mobility-impaired youth, but the three primary rifle seasons, we have a rifle hunt at the end of August, one at the end of September, and then typically one around the first week of October. What we've seen in our private land license sales is heavily skewed towards that first hunt and not as much in the second or the third hunt. The other thing that we see is those success rates typically, not always, but typically start to drop as you get to the second and third rifle season, probably because the pronghorn get a little bit more wise as hunting pressure continues to go up.

Our proposal is a redistribution of licenses, too, to get more licenses into the second and third. This is for the private land. You'll see, for example, in the northeast, that's combining all the northeast GMUs. We had roughly 920 license sales in that first hunt period, 560 in the second, and 204 in the third. We're proposing moving some of those hunts to restructure that to get more equal, not quite parity, but more equal across the three hunt periods. So dropping that first rifle hunt in the northeast, moving those licenses from 920 to 804 approximately, 541, 340. You'll see that difference shows a reduction of 116 in the first hunt, to approximately 20 in the second, and an increase in the third by about 140.

Again, that's to just restructure that. That would fall more in line with how we hunt public in the distribution of hunters across there. We'll go through that for each region of the state. Why it's also approximate is we're also looking on some of the archery, mobility-impaired, and youth hunts on private land. Some of the license sales maybe were one, one year, two the next year, three. Instead of making the average at two licenses, we're going to round to the nearest five. If there was three license sales, for example, for youth in GMU 56 over the last three years, we'll bump that up to five youth license sales and take two away from maybe the first rifle hunt.

Overall, the number of licenses won't change on the private cap, but redistributing some of those to mobility-impaired only, youth only, et cetera. That's why that is at that approximate right now. Moving into the southeast area, that population has been pretty stable through the last four years. The southeast has had some actually timely rains that were very helpful, I think, in pronghorn. They had some early spring rains, and we're actually seeing some early spring rains again in the southeast this year as well. We've done a lot of fence modifications in the southeast and working in concert with the BLM grazing permittees that used to be historically sheep-woven wire fence that really precluded movement of pronghorn across the landscape. We've used some GPS collars to identify movement barriers there and guide those fence modifications as well.

In terms of recommendations, direct recommendations in the southeast, we are in consultation with McGregor and proposals from McGregor. They're proposing reducing the structure that right now there's two hunts of seven licenses each. They would like to see two hunts of two licenses each. I think the pronghorn could probably withstand the seven licenses each, but it was more on McGregor's wish on logistics and running those hunters at the same time.

Again, the cap on private land licenses and redistribution, you'll see here just like I described in the table in the northeast, this is the same in the southeast. Redistributing some of those hunts from the first and second hunt to the third hunt, so we have more equal distribution across the different hunt periods. Again, it's not going to be completely equal, but you'll see third hunt, typically on the private land, had a lot fewer hunters than the public land. Just a redistribution there.

Moving on to the southwest, definitely population is stable, low, probably non-contiguous, discrete little populations of pronghorn throughout there. Again, fairly stable. We have deployed GPS collars in the southwest portion of the state to look at barriers to pronghorn movement. Also, a secondary thing that came out of it, and we'll go into our proposal a little bit more, is we also see a much later breeding probably and fawning period in the southwest portion of the state compared to other populations in there. One of the things that came out of that is we were able to look at peak fawning periods from our GPS-collared animals. 2024 was July 16, 2025 was August 1st, much later than what we see in the northeast, for example, where it's in peak probably at late May, early June. Months later than what we see across different populations.

The other thing, like I mentioned, was looking at a barrier analysis in the southwest as well too. You'll see there, I'm going to see if the cursor will come up, maybe not on yours, but Lordsburg's in that central western portion of that map. All those lines north of there is just north of the town of Lordsburg. Then moving along I-10, I-10 obviously serves as a barrier, but not a complete barrier. There's probably arroyos that they're traveling underneath to get under I-10. Then you'll see individual fence barriers within there. You have all the way from low permeability to high permeability if you look on that map.

What we'll be able to do with that, I think it's really crucial in this population that I would say chases moisture, if you will. If you get spotty monsoon seasons, these animals will move to where green-up is, and they'll help us to identify are there fence barriers that are precluding some of that that we could work to try to alleviate some of that movement patterns.

From a recommendation standpoint, working with White Sands Missile Range, we currently have two hunts with five licenses. They're proposing changing their either the sex bag limit. They're proposing to move that to two hunts with three licenses to mature bag limit.

Then also, like I discussed just a minute ago, given the fawning dates we're seeing in the southwest, we're proposing moving those hunts later than the rest of the state hunt structure. What you'll see in that table is our current 2026 hunt dates versus our recommended 2027 hunt dates because of the later. It's a shift later by about a month to incorporate that later fawning period, so we're not hunting bucks. Even though we're not hunting the does in there, we just don't want to have disturbance on that landscape as much when we're at very young fawns still during the hiding phase is why some of that proposal is in there.

Similar to the southeast and northeast, looking at the caps on private land, a redistribution of licenses. I think it's important to note here, though, on the third rifle hunt, most of these populations in GMUs in the southwest, we only have two pronghorn hunts. We don't have necessarily the population sizes to sustain three hunts. There's only two GMUs where we actually hunt three different populations. That's why you

didn't see a shift, a lot of licenses to the third, because there is not a third hunt in most of those GMUs. There's typically two. It's more of an even distribution across the two, shifting a little bit of licenses across those two.

Northwest area is another area where we have a lower pronghorn population, in general. A low but stable population. One of the big things we did do in this last year is we did move pronghorn to the L-Bar Wildlife Management Area, and we've done a lot of fence modification in the northwest as well in relation to pronghorn populations. Then we split out separately Tres Piedras population from the rest of the northwest. It's that population that is there really around San Antonio Mountain, migrates east to west, up to higher elevation, all the way up into the Tierra Amarilla land grant, and then back east towards the Rio Grande River in the wintertime. That's from the radio collar data that will show that migration in there. Real quick on that population, it's been fairly stable. Migratory herd. One of the highest elevation pronghorn herds in the world, if not the highest. It goes up to almost 11,000 feet elevation in the summertime, 10-5 or so. We were able to use that GPS collar data to really look at barriers in there, and we've worked with the BLM and Forest Service, but mainly the BLM, to remove some of or change the fence structure in there to allow more permissibility across the landscape. The recommendation for that area is shift the rifle hunt in the Tres Piedras herd, that's GMU 4, 50, 51, 52, back from a rifle hunt to a muzzleloader hunt based on public feedback, cap the licenses again. The other proposal that we have is to create an up to youth draw on the L-Bar Wildlife Management Area of five licenses.

I don't know that the population will be able to withstand it right now, we're monitoring it, again it's a new translocated population, but there is the chance that they'll have the ability to hunt during this four-year rule cycle, so we would like to put it up to licenses number in there and make an annual determination based off of what we see in the youth draw. You'll see the redistribution of licenses here. There's not as many private land licenses in the northwest as there is the rest of the state, but with a little bit of redistribution from the first to the second and the third rifle hunt. Some of these don't have third rifle hunts in there as well.

The other general recommendations for pronghorn is like the other species, requiring the purchase of a license prior to the start of the hunt, and if the hunt's less than five days, not being able to purchase once the hunt starts. We're also proposing implementing a ranch registration process for hunting on private land for pronghorn. Similar to what we do in secondary management zone elk, we're proposing this for all of our big game species. We're on private land licenses requiring a ranch registration.

That process will be basically a landowner needs to prove that they have some property within that GMU. Bring in some kind of tax document or deed showing the acreage and the location of it that we have then register them. They get a ranch code that they then can give to their hunters or use themselves to be able to purchase a license, and then it would be transferable to other private land with written permission, but they need to register. In order for someone to purchase a license, they need to have that ranch code first. The other thing that we are proposing is in the female immature licenses in the northeast. That's where we had a lot of our youth female immature licenses. We did have to cut those during this most recent rule cycle because the population status. We're proposing putting those as up to in the rule for this year. If the population can withstand a female immature harvest in the next four years, we'd like to be able to offer that back up to youth hunting opportunities if the population can withstand. We would put that back into the northeast area is all up to licenses numbers for female immature and determine on an annual basis. In terms of the public meetings, we had two hybrid public meetings. 40 people in attendance, and we've had 35 comments submitted so far to the pronghorn rulemaking. You'll see a variety of comments there. Majority is in support of our capping over-the-counter licenses and the ranch registration process. We do have some opposition to the capping the private landowner licenses coming in from our comments. Not necessarily any opposition to the ranch registration process. We do have support on our license recommendations to meet our management strategies, support for the later southwest hunt dates, support for the GMU 450, 52, shifting that from a rifle to a muzzleloader hunt.

Then I think there's been just a general comments on frustration with the private land license system and the changes that have happened through there. I think that's again, we have many comments that are coming on multiple aspects of the rule, but I think the cap and the ranch registration process probably will

solve some of those issues, but not completely on the public outreach. With that, I would take questions. Commissioner Lopez.

Chair Richard Stump: Commissioner Lopez.

Commissioner Tirzio Lopez: [unintelligible 02:01:34] On page 96 of our RIB on unit 4, we have unlimited licenses for youth bow and muzzleloader on codes 300, 301, and 303. Are you guys going to look at limiting those?

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, all private land licenses would be capped. Yes.

Commissioner Tirzio Lopez: What are you going to cap those at? Because if we're going to move that to a muzzleloader from 4, 50, and 52, we have that set at 15 for public. What are the numbers we're looking at? I mean, I would like to see that data even in the next meeting. Going to cap those at.

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, are you saying for the private land or for the public land?

Commissioner Tirzio Lopez: The private land.

Chief Stewart Liley: Right now, we're looking at in 4, 50, 52, average license sales over the last 3 years has been 10 for the archery on private land. The muzzleloader hunt has been 15. We're looking at capping that at that. The rifle hunt has been 15, which was a cap. We're looking at potentially increasing that to 20 because we're proposing switching it from a rifle to a muzzleloader. Then the youth, it's been an average license sale of 1, we'll move that to 5 on the private land.

Commissioner Tirzio Lopez: That's on the hunt codes 300 to 303?

Chief Stewart Liley: Those would be on the private hunt codes; that is correct.

Commissioner Tirzio Lopez: Those are going to be the limited numbers.

Chief Stewart Liley: That's correct.

Commissioner Tirzio Lopez: Okay. The reason I ask that, because it's a very sensitive herd. Right? Then I look at your map and they're going to from winter range down to the bottom in unit 4. You really don't see too much-- Well, you know where I am from, and you really don't see pronghorn in unit 4. You see them in 50, 51, sometimes 52. I don't know why we can't even cut that even lower to match 15, from the 20, and keep the muzzleloader at 15.

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, I think from what, and this map shows it a little bit, I think you're correct. I don't think the herd that goes around from the Rio Grande River to 4, they go summer range in the top of the TA land grade. They don't fall over; they don't winter back over towards your location in Cebolla, that area. They go back to the east towards the sage flats in the wintertime. From a perspective of when we remove scopes off of muzzleloaders, our harvest rates decline too. That's where the caps and the public land licenses; I think that herd will be in terms of sustaining, from a buck-to-doe ratio; I think we look at the buck-to-doe ratio in there.

We're actually higher than the average in the state. That's including this buck-to-doe ratio is when we were having 0 that rifle hunt in there as well. I think our harvest with the caps is going to decrease some, even though we're looking at moving from 15 during that what was the rifle hunt to maybe 20 muzzleloader on private. I think we're going to see overall harvest decrease on that herd somewhat.

Commissioner Tirzio Lopez: Do you think we can maintain buck-to-doe ratios between 10 and 100?

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, yes, I think we're going to be in that 35 to 40 to 100 bucks-to-doe ratio for sure.

Commissioner Tirzio Lopez: Just for clarification, so for our next meeting so I can ask questions, on those three hunt codes, 300, 301, and 303, we're going to limit those to 5, 10, and 15 on the private land.

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, I apologize. I don't know which one, like 301-- I'll say this. Our archery hunt on private, we're looking at a cap of 10. Our first muzzleloader hunt, we're looking at 15. Second muzzleloader hunt, which would be what used to be the rifle, we're looking at 20. The youth hunt of 5.

Commissioner Tirzio Lopez: We're not going to have the unlimited tags there anymore.

Chief Stewart Liley: Across the state, we will not have unlimited tags in any unit. That is correct.

Commissioner Tirzio Lopez: I just want to ensure that's going to be the same for unit 4.

Chief Stewart Liley: Yes.

Commissioner Tirzio Lopez: Is there a way we can look at reducing the muzzleloader, the former rifle hunt, to the muzzleloader, keeping that at 15 instead of 20? Would that affect population later on?

Chief Stewart Liley: Mr. Chair, Commissioner Lopez, yes, if we move down to 15 from 20, I think you're looking at, given the success rates, probably one to two animals depending on the year. From a population standpoint, I think 20 would be fine. If you would like to see it lower at 15, I think that would very much-- Again, it's probably one to two difference in the harvest.

Commissioner Tirzio Lopez: Okay. That's all I have, Mr. Chair.

Chair Richard Stump: Thank you, Commissioner Lopez. Commissioners, anybody else? Commissioner Harwood.

Commissioner Kyle Harwood: When do we get a pronghorn license plate?

Chief Stewart Liley: Mr. Chair, Commissioner Harwood, I don't know with the MVD. [laughs] We just launched I think our newest Share with Wildlife plate. The picture, I think it was a Gila monster or roadrunner. I'm forgetting which one it was last. A lot of this Share with Wildlife, that goes into support the non-hunted species. That was some of the imaging most recently, but I will definitely bring that back to our Share with Wildlife coordinator to see when we're up for a potential new license plate. The MVD and legislature's not too keen on switching plate designs a lot, but we could definitely look into that.

Commissioner Kyle Harwood: I know it's not rule-related; thank you for entertaining my question.

Chief Stewart Liley: Yes.

Chair Richard Stump: Yes. Commissioner Witt.

Commissioner Christopher Witt: Thanks, Chief Liley. A lot of this goes by really fast. I want you to break it down a little bit more for me. Well, first off, there's a lot of support for the direction of the department's changes, and you're clearly moving in the right direction. There's broad agreement on that, but I want you to break down for me exactly how you implement the caps on the private land OTC licenses, because I don't really understand is it by region or GMU specifically, and how do you set those numbers? Then the second part of my question is can you expound on the implications of those caps for addressing the broader frustration that you mentioned?

Chief Stewart Liley: Mr. Chair, Commissioner Witt, you are correct, I gave the gross overview instead of going GMU by GMU. What we looked at was the average license. Maybe it'd be easier to exclude the northeast for just a second of this conversation, I'll bring that back in because over the last four years, that's the only place where we actually cap private land license sales. From a population standpoint in the rest of the state, we look pretty stable. From a license recommendation standpoint, we're saying stable population can withstand about the same hunting opportunities that we currently have.

We looked at the last three years of license sales on private land average, and then we took that per GMU per hunt and started working through, and that would set the bar for the cap. Let's say, for example, I'm going to make up a GMU; GMU 32, just a made-up number. If there was 100 licenses sold on private land on the first hunt, 50 on the second hunt, and 25 on average, we would then cap that at the 175 licenses.

One of the things, though, as I mentioned, we're looking at is a redistribution of some of those licenses from first, second, and third. Because it's overly weighted towards the first time, we would maybe move that 150 down to 100, shift that second hunt to 75, and the third hunt that was at 25 to 50. That's how we went through the state across each GMU and looked at that license sale average over the three years on private land for those GMUs per hunt period.

One of the things that we did notice, as I mentioned, we had very few license sales in some GMUs on youth only on private land, mobility impaired, and archery. We're going to increase that ability. We're going to round that to a five. Let's say if there was only one sold on average on youth, we're going to say the cap would be five youth only on private land in there. In order to get to that, we're saying that success rates would be a little bit high. We'd maybe reduce that first hunt private land by four. We maintain that overall number of licenses sold, but redistribution across the different hunt periods and restriction periods. Mobility impaired versus youth only. That's how we did it across the state for all the different hunt periods. We analyzed every single hunt last three years for them.

In the Northeast, we looked at not the average of the license sales because we reduced numbers to begin with in 2025. We looked at license sales in 2025, and that set the bar. Even though we cap licenses in

2025 in the Northeast, some of those license sales did not reach the cap. We're basically going to go to what those license sales numbers were, not to what the cap was, if that makes sense. If there was a hunt that was GMU total, let's say we capped it at 300, they sold 295, that's going to be the new set number in the Northeast portion where we set caps from the 2025 license sales.

In terms of to meet the discussion on this frustration a little bit, I think there was a few things going on general in the state. There's a couple of questions that are-- one is we get this discussion about my neighbor or this landowner's killing, you name it, 50 or hunting 50 licenses or 20 license or 10 licenses. We have no way to track how many licenses are going to a specific piece of land or per acreage. That's a big discussion point that we hear the frustrations of my neighbors this small or some public hunter saying this small piece of property is hunting X number of licenses. Right now we don't have that way.

The registration process and requiring your ranch number to before you buy a license, we'll tie that back in. We'll now know a property of 10,000 acres is hunting five pronghorn, or are they hunting two or one, or is there a property of 100 that's actually hunting 20. We'll have that ability to track how many licenses are associated with that property. The other aspect that the frustration that I think we've seen a little bit of and heard is that there is probably some, to what extent, illegal use of these licenses.

What I mean by that and there's two things that we're trying to deal to solve that problem. One is people are maybe hunting, going out, and maybe don't have a license in their hand, but hunting didn't draw a tag. Right now you can buy an online license and tag that animal immediately through e-tagging. There's probably some people that are hunting public land with a private land license, finding the animal, buying the license to tag it, and moving out of there. It's so hard to be able to track that and catch that person if someone doesn't see the actual shoot happen.

Now with ranch registration, you can't even buy that license without having some association to that private land. We think that will curb some of those issues as well. Also, the preventing, you can't buy that license the day of the hunt. You'd have to buy at least a day prior. I think that will solve some of those issues. I don't think it solves the general social policy issue of private versus public completely, licenses. It is trying to guide more of that, able to track, I think that's a big one, track where hunts are happening, how much is going on in some of the hearsay of what's going on out there, and also to curb some of the illegal activity that could happen on these private lands.

Commissioner Christopher Witt: Okay, thanks. Just to follow up, can you describe how are the caps implemented? Is it a first come, first serve? There is no cap plan for individual properties that are registered, right? You're just going to track the properties but not limit them?

Chief Stewart Liley: Mr. Chair, Commissioner Witt, that's correct. It's not limited per individual property. The cap, the way it'll be implemented, is a over-the-counter license sale. What we've done, and we did it last year, for example, they were all released on a week in July, first come, first serve. I think given that we're proposing a cap on a much larger landscape scale, more licenses, and we're also looking at capping deer licenses as well, private land deer, is that we might have to roll out like species on day X and area on day Y.

For example, we might say northeast pronghorn private land licenses are being released on Monday, on Tuesday, southeast pronghorn on Wednesdays, deer in the northeast. I think that people that are wanting to hunt those areas you don't have an overcrowding of trying to get those licenses at once. We were nervous about what that cap would have looked like in this last year when we kept the northeast. There's a lot of conversation. It's going to be just an overwhelming system where everyone's trying to get it, and we did not see that. That's where we're looking at right now on how we would release those licenses.

Commissioner Christopher Witt: You think the registration process is going to slow down? It's going to reduce demand? Do you think it'll have any effect on the public-private split overall?

Chief Stewart Liley: Mr. Chair, Commissioner Witt, I think there's going to be somewhat of that, for sure. Again, it's hard to say how many people were buying a license and then either seeking permission. You might have bought a license and then go out there and seek permission, then go hunting. That will no longer be an opportunity. You'd have to seek that permission first, get that branch number, then buy your license. It might reduce the actual number of licenses being sold. Then also back to that, if you had people actually buying private land licenses with no intent to ever hunt private land, that would definitely

curb some of those. Even though we're implementing the caps, we might see fewer licenses being sold than what we're capping at.

Commissioner Christopher Witt: Okay, thanks. I have one more question that's not related, but based on your presentations, you're proposing these reductions both on the McGregor Range and on White Sands. Why are we reducing the number of hunts down so much on these Department of Defense lands? Is that a concern? It certainly concerns me, as reducing opportunity to access the state's game on these lands. What's your view on the causes and implications of those reductions?

Chief Stewart Liley: Mr. Chair, Commissioner Witt, I think there is some concern. I think where we have the-- I'll give two things. McGregor's probably been more of the concern, and I think we'll continue to work through McGregor. They've had a shift in some staff. They've had a shift in their registration process, probably not as a long tenured period as maybe, say, White Sands Missile Range.

That said, even though you're seeing some reduction in these lower license numbers, that's where I think we really see it, is where it's these lower populations. I think it's more logistics for the military than it is population levels. Where we actually see the larger populations, for example, on McGregor, where we have a lot of Barbary sheep out on there, we've increased licenses on McGregor, or we're proposing during this rule cycle because now you're registering-- the amount to register 1 versus 50 is very different. I think McGregor staff turnover is part of that. I think we'll continue to work with McGregor to try to increase. White Sands, I think it's a function of-- it is a very small-- we're proposing maintaining licenses for oryx, for example; that's our largest hunted species on White Sands. It's really that pronghorn population is really isolated in there. I think what they were trying to do, it's not going to affect population by moving from five to three. I think it's trying to affect the quality of the hunt.

It's a one pronghorn population youth hunt, and they had a lot of overlapping competition for those animals because it's only three-day hunt. Those kids all there, sometimes they get reduced to it like a day and a half because of missions. I think it wasn't based off the population as much as they're all competing for the one or two herds that are right on stallion missile range.

Chair Richard Stump: Thank you, Commissioner Witt. Anybody else?

Vice-chair Fernando Clemente: I'm the last one?

Chair Richard Stump: Correct.

Vice-chair Fernando Clemente: The last for the best? The best for last? [chuckles] It's just a comment; I don't have any questions, but I do have a comment, and I think this has to be said. I did get calls from the public from the South, and they are very happy with the changes. Thank you for listening to the public, especially on those hand dates. Thank you for looking into the barriers of the migration of the antelope. I think that is very important.

I had mentioned before, one of the areas that you might want to look at that as well is in the Otero Mesa area, the border with Texas. I haven't even filmed. There is a lot of fencing there that used to be sheep fencing from private property to public lands. Migration, I have looked at antelope, that they wouldn't even cross a fence. I think that would be very important, and thank you for looking into that. Appreciate it.

Chair Richard Stump: Thank you, Commissioner Clemente. Let's go to public. Brandon.

[pause 02:21:16]

Brandon Wynn: Mr. Chair, Commission, thank you for the opportunity to speak again. Commissioner Witt, I would like to thank you for asking questions that I would ask as a long-time advocate for public hunting in New Mexico and resident hunting. I appreciate your questions. The frustration that we just haven't really talked about-- well, we did talk about it. It's kind of the whole discussion was, the frustration with the public is 65% of the pronghorn tags in New Mexico are private tags. It's impossible to overstate how unusual that number is and how high it is. It is 20 times higher than any other Western state.

With these new caps, what I've been concerned with, I love the theory of the new caps, I'm glad that we're getting caps, but I don't like the implementation. Chief Liley and I had a very lively conversation yesterday. I liked a lot of things they're doing, like what they're doing with the private tags, how they're spreading them through different hunts. Fantastic, that's good for the public. We disagree on the evenness of the caps.

I looked at 2024 versus 2025 in the seven GMUs, and before the caps were put in, the public only had 42% of the tags in those seven GMUs. After the caps were implemented, '24 to '25, the public only had

37%. The public had the minority of the tags, only had roughly-- it was 60-40, and then after the caps, we had less, and we absorbed 57% of the caps. We had 40% of the tags roughly, on the public side, and we absorbed 60% of the caps.

The math on that is, the department went back and looked at three-year average, which is a legitimate thing, but if the private tags were going up over that three years, you're going back and getting less private tags. That's what jiggered the numbers different than what Chief Liley had, than what I had. I'm not saying it was illegitimate what they did, but it covers up the punishment to the public on this.

In 2018, I was part of a group that were brought into the department. Before the rules rolled out, we were asked to support the new rule. We hated the new rule because it's unlimited, but we hated it less than A-PLUS, so we supported it. The department asked us to cooperate, and we really lobbied for this rule, and no one in this room knows this, but if you go online or you talk to any guides or anything, Brandon Wynn is personally responsible for killing all the antelope in New Mexico because I got rid of A-PLUS.

I still think the new rule is better because we went from 70% private to 65%. What I would ask the commission to do is just tell the department we want it to go 50-50 public-private, whatever number, but 65; just tell them to figure it out and they will. This has been so difficult for the department. They told us two months ago that they were going to put caps on here. This is so complicated because of the way we privatized the tags here, and they're unlimited. It's been such a disaster, I guess, that the department can't even give us today, two months later, after they said they were going to do these caps. No one knows what these caps really are.

I know they're struggling to do it, but that's how complicated this process is. Most of the conversation here, all the questions to the commissioners: how are we dealing with these private tags? How are we going to cap this? You make these rules so complicated, and Chief Liley is one of the best biologists in North America, and he's working on this crap instead of just managing wildlife. Just put the tags in the drawer and call it good and be like a normal state.

Chair Richard Stump: Thank you, Brandon. You're way over your time.

Brandon Wynn: I appreciate it. We got one commitment in 2018 from the department that if they had to come back, if this blew up and they had to come back and do caps, that they would not do this to the public. We got one commitment, and we really worked with that, and that was the truth. I've talked to as many people as I can find that were in that meeting to make sure I didn't misremember. We got a commitment from the department not to do the caps this way, they had to come in, and that was the one promise we got from the public, and it has not been kept.

Chair Richard Stump: Thank you, Brandon. Jesse.

Jesse Deubel: Thank you very much, Mr. Chair, commissioners. Jesse Deubel, executive director of the New Mexico Wildlife Federation, and we submitted extensive written comments, so you all should have received those already. I will say that generally we're supportive of the changes to the pronghorn rule. We think it's a step in the right direction.

Also, though, I want to just emphasize the fact that this commission claims to really prioritize science-based wildlife management, and when we had the old A-PLUS system, it had plenty of problems, and I spent plenty of years complaining about that system also, I can assure you. One thing that was different about that system compared to this system, even with the caps, is that back then, limits were placed on individual ranches in very specific geographic areas by wildlife biologists who worked for the state wildlife agency.

We had biologists doing population counts and determining exactly how many animals could be taken from a specific herd. With this system that we're going towards, we're still relying on landowners to make the decisions as to how many animals are going to be taken off of a specific property. That, to me, is not scientific-based wildlife management. That's setting a cap, which again is an improvement.

I see that as an improvement, and so we support that, but I really think, and I know it's a lot more work, but that's the job of the state wildlife agency is to manage wildlife populations to ensure sustainability. By essentially handing that responsibility over to individual landowners who may or may not be biologists or ecologists or in any way qualified to make those decisions, I think the department is shifting responsibility away from the agency and into other private individuals' hands who might not be properly prepared to make those decisions effectively.

Also, really quickly, I just wanted to say that this week I had the opportunity to revisit the L Bar Ranch, the L Bar Marquez Wildlife Management Area, and was able to see pronghorn on that property, thanks to the work of the department and the great biologists who did the translocation there. That property is looking fantastic. The grasslands are being restored. It's really, really fantastic, so thank you, Chief Liley, for the tour and to all of the members of the agency who have been working so hard on that property. Thank you all very much.

Chair Richard Stump: Thank you, Jesse. The next time we hear this item will be for the rulemaking hearing in August. Do we have anything else?

Natasha Montoya: Yes, we have someone online.

Chair Richard Stump: Thank you.

Natasha Montoya: Cody, you're allowed to speak.

Cody Creager: Hey, can you guys hear me?

Natasha Montoya: Yes.

Cody Creager: Hey, this is Cody Creager. I'm not associated with anybody. I'm just a working-class New Mexican advocating for opportunities for us. Most of us can't be here at these commission meetings during weekdays, but trying to make it a point and bring forth ideas from people like us that these rules affect the most.

I just want to make it known that causing ranches to register is definitely going to limit the average Joe's hunting opportunity. Of course, the A-PLUS didn't help us much, and then going into this OTC system, if we happen to run into a rancher or help them out with something and possibly get access to hunt a pronghorn on their property. A lot of these ranchers don't even hunt their own ranch. They're not going to go and register their ranches. It's going to be, essentially, just mega ranches registering their ranches, and then, once again, all the tags are going to be going out of state, to out-of-state hunters. Hunting for us, especially the working class, it's like our therapy, and then especially those of us in law enforcement, trying to get out and enjoy the outdoors, relieving some stress.

I think registering ranches or having them register is going to take away opportunity, certainly for me and people I know. The mega ranches are still going to be in the business of selling our wildlife, so I think it wouldn't be good. The only way that would be a good thing for public hunters like us would be to make a pool, 90% residents, 10% out-of-state buying the OTC tags with that cap, but I think the cap is definitely a good thing.

Then, as far as the Southwest moving the seasons later, I think that's a great idea. I've been out there in August doing the bow hunts and stuff. There's definitely young fawns getting pushed around too much, so I think that's a good idea. I'm just trying to advocate for those of us that can't buy our way to the wildlife. Thank you.

Chair Richard Stump: Thank you, Cody. Anybody else online?

Natasha Montoya: Yes. Kerrie, you may speak now.

Kerrie Romero: *Buenos días a todos desde Puerto Rico.* I'm sorry that I can't join you guys in person today, but I prefer to work from paradise rather than be there in person. This is Kerrie on behalf of the New Mexico Council of Outfitters and Guides. Just wanted to get on record saying—and you guys already know this because I sent you an email—that we are in favor of ranch registration. We're in favor of the caps. We were a little bit concerned about how the fire sale rollout's going to go across both deer and pronghorn, but we've been working with the department to make sure that that rollout goes smoothly. I think we've got some good ideas on how that will function. I think that the outfitting industry is committed to really pushing the landowners that we work with to register their ranches so that that won't be a problem.

Stewart, I think one thing that you did leave out of your presentation was just that hunters will be able to access other private land, but that the license will be tied back to a registered ranch, but that won't preclude them from hunting on other private land within the GMU. Just wanted to make that clear, and I'll see you guys in June. Thanks, bye.

Chair Richard Stump: Thank you, Kerrie. I think that's it for public comment, right? Okay. Moving on to agenda item number 14, subsequent discussion of the Bighorn Rule 19.31.17 NMAC. Again, as with

pronghorn, this is a time to provide comment in advance of moving to final rule in hearing, so whenever you're ready, Stewart.

Chief Stewart Liley: Mr. Chair, members of the commission, correct, this is the second one. After this meeting, we'll go draft the rule, and then the formality of the next meeting will be the hearing. Just real quick, going through kind of population status, blue line is our Rockies, and the yellowish line is our deserts. Around 1,500, 1,600 Rockies, a little less than 1,200 desert sheep across the state. Looking at distribution, the Rocky versus desert herds, it's a little bit hard to see the green versus the blue, I know, for some individuals in the back. You'll see most of our Rockies, as you could imagine, are focused more on the Sangre de Cristo.

We do have a population in the very northeast corner, and then one Rocky population in the southwestern portion on the San Francisco River and Turkey Creek.

Just real quick, last year from 2022 to 2025, we've captured in radio collar 305 bighorn. That's a function of a lot of different things, whether it's being monitoring just herd health status, size, or translocations, et cetera. With bighorn sheep just in general, we see more disease issues than others, pneumonia specifically, ovipneumoniae (Mycoplasma). Pneumonia is our biggest threat to bighorn sheep. We're probably experiencing a die-off right now up in the northeast portion of the state on one population. We see these populations sometimes have whole herd die-offs, and then you get to the point where you build back up, and some other issues there. Our pneumonia in our populations are typically in our Rockies. We see it more in our Rockies than our deserts. Luckily, we do have an ever-present Mycoplasma ovipneumoniae in some of our desert herd that actually probably originated from Kofa, the Kofa sheep herd in Arizona. We received some animals from Arizona at one point in time. Probably an animal from that translocation survived the pneumonia outbreak, but then translocated it here and put that pneumonia back into the San Andres Mountains. We've seen distribution of movement of the animals out of the San Andres to the Fra Cristóbal, to the Caballos, and so that herd all the way to Ladrones has Mycoplasma ovipneumoniae in it.

Our Bootheel populations, though, are clean currently, so that's the Peloncillos, Hatchets out in the Wacos don't have ovipneumoniae in there. You'll see our translocations that we've done since the last rule cycle, movement of animals out of Red Rock, our breeding facility, and then movements from the wild this year. We moved 37 bighorn from the Caballo Mountains to the Sacramento, and then another 32 bighorn from Red Rock to the Peloncillos.

Again, a lot of our projects are working on increasing data analysis in terms of just population size, movements, et cetera, looking at potential other survey methods. The other thing that we've done on bighorn and we're doing on deer as well, is we're testing some of these GPS solar ear tags versus radio collars. So far, they've been working out really well. We're getting a lot of information. It allows us to mark males, too, which have larger expanded necks during the rut, so we don't have to worry about collar expansion during the rut. We're getting just as good of data-- not as long of life probably as a collar, but we're getting really important information from males as well.

Looking at the hunts from bighorn sheep going back to 2008, what you'll see there is blue is our Rocky Ram hunts, green is our Desert Ram licenses, and the blue is our Rocky Ewe licenses. You'll see the most recent decline in overall license sales or hunting, that's really attributable to our Rocky ewes. That's a function of mortality events in the Rio Grande Gorge, mainly, where we had a fairly high proportion of hunting in there that we don't have now because of a die-off that occurred. From a Ram standpoint, we've been maintaining licenses fairly stable through time.

I should mention on the bighorn licenses, they're all up two license numbers. We don't have a fixed license number in there just because we see herd dynamics change drastically from one year to the next, mainly due to disease.

Then we do, as you all are aware, lump the different species and sex into different hunt codes. For example, Rocky Rams is one hunt code with different hunt areas. Rocky ewes: same, and desert rams. Proposals in terms of hunts for this next rule cycle, we've been working with Tierra Grande Lands outside of Belen in the Manzano Mountains. We have a population of bighorn there that's never been hunted. We're proposing opening this population to hunting during this rule cycle.

Those bighorn do spend about 90% of their time on private land. We worked with that land corporation there to get a hunt agreement that basically would say 50% of the licenses are public, 50% private on there, and that the public gets to hunt first.

For example, if we determine we could hunt one license next year, that would be a public hunter, followed by if it's one license the next year, it'd be private, but we would maintain that even 50-50 split. If we are to hunt one or two licenses next year, it would be public-private, but the public would have the first hunt period. You'll see the two different hunt periods were October 1 to 15, 16 to 30, so the public gets to go first, as well as what we would propose in there.

The other proposal is opening up the Sacramento mountain desert bighorn sheep population to harvest during this rule cycle. This population was re-established in 2018, been absent for almost 100 years. We're proposing opening that during this rule cycle, one hunt period from December 1 through 15. Again, we think that population could sustain a hunt as soon as next year, given that we still see stable or increasing populations in there.

One of the things, since the last time we talked was—based off public comment that we received during the this last time we gave the presentation and now—a desire from the public to move the hunt period from September and October to later in the year, when it's cooler in the desert mountains. We're proposing shifting those from the September/October period to a December 1 through 15 hunt and a December 16 through 30. Maintain the same number of days, just in a cooler period. We've had two public hybrid meetings, and so far we've received 19 comments.

We have comments basically supporting, like I said, that shift in hunts. We have comments supporting the ram hunting, and then a lot of other comments either in support or opposition to the lumping of the hunt codes for bighorn sheep. Real quick, just in summary, again, it's opening the Manzano Mountains, opening the Sacramentos, and shifting the hatchet hunt periods, both big and little hatchets. Then, just general date shifts for consistency across the state. With that, I'd take any questions.

Chair Richard Stump: Thank you, Stewart. Commissioners, any questions? No? Okay, let's move to the public. Jesse?

[silence]

Jesse Deubel: Thank you very much, Mr. Chair. Commissioners, again, Jesse Deubel, Executive Director of the New Mexico Wildlife Federation. I think all of you probably already know that just a couple of weeks ago, we had 18 state legislators inquire and request a legal opinion from our Attorney General about this process of lumping. Stewart said in his presentation that we have a hunt code that provides for multiple different hunts in different locations, and that's very contradictory because that is not the definition of a hunt code, which is defined in statute.

Again, these 18 legislators have asked for a legal opinion, which hopefully we'll get from the Attorney General sometime in the near future, and then we'll be able to see what his thoughts on the matter are. I would like to challenge all of you Commissioners to ask yourselves whether or not it's legal is actually the level of the bar. I mean, whether it's legal or not, it's not right. You're New Mexico State Wildlife Commissioners, and 100% of your constituents are the residents of New Mexico, and this process of lumping steals opportunity from New Mexico residents. That alone should be enough to prompt you to want to make a change. If it's not enough, hopefully the opinion will come back in a way that will help influence you to do the right thing. Thank you very much.

Chair Richard Stump: Thank you, Jesse. Bryan Bartlett.

[pause 02:43:22]

Bryan Bartlett: Good morning, Commissioners, and thanks for all of you coming here. My name is Bryan Bartlett. I'm the president of the New Mexico Wild Sheep Foundation, and I'm also the chairman of the Wild Sheep Foundation Board of Trustees. We manage the endowment, and we gift 4% of our endowment back to the different states for bighorn sheep projects in science. New Mexico Wild Sheep Foundation, basically, here, our mission is to ensure the propagation, conservation, protection, and welfare of wild sheep. That's one item. We work to promote the professional management of wild sheep, and we also support youth hunting programs and youth education programs in this state.

As far as this rule goes, we support this rule, especially the Manzano hunt. We have a lot of very old sheep there. If we don't hunt those sheep, they're going to die. By doing what we're doing, we're making

an opportunity for a public hunter and a private hunter. We also agree very much with starting a hunt in the Sacramentos. We've been involved off and on with that herd ever since 2018, when we first moved them in there.

As far as what Jesse said, I think it's important that we realize that we have a Bighorn Sheep Enhancement Program. If you look at the money that has come from the Bighorn Sheep Enhancement Program since 1992, over 96% of the money that's gone into that has come from non-resident hunters. That's a real number, and I can back that up with facts.

It's kind of a slap in the face if we say now we're going to create a situation where we possibly might not have non-resident tags because if we go to a 10% number, and if we somehow lose the outfitter pool, that means that we will have no non-resident bighorn sheep tag because we have-- The biggest number of tags we have right now are eight tags in the Caballo and eight tags in the Pecos. There would be no 10% at all. That's our biggest concern. Thank you very much for listening. If you need data to back all this up, I have it. Thank you.

Chair Richard Stump: Thank you, Bryan. David.

[silence]

David Heft: Chair, Commissioners, David Heft. I've been involved with bighorn sheep management in the state since the early '80s, both personally and professionally. Overall, I strongly support what the Department's proposal is in this rule. I had some concerns about the new herds and our initial harvest strategy. However, discussions with the sheep biologist yesterday gave me a very well-reasoned rationale for what the Department's proposing. On the allocation issue, I apply across 8 to 10 Western states every year. There's only a couple of states that actually have enough bighorn sheep to where they can apply their quotas, which in most states is a 90/10 split by hunt code. Majority of them do not apply by hunt code. They have various methods of distributing that split between residents and non-residents, so what the Department does, I don't think, is anything out of hand. I think it's just another method of that.

Our neighboring state of Arizona, in some hunt codes, the way they do it, some of them could potentially have half the tags to go to a non-resident. It's just that they maintain the overall 90/10. I think the Department right now, you remember, we have a statute that tells us how we have to allocate those tags. Four years ago, the Attorney General said this process of bighorn tag allocation was perfectly legal. Thank you.

Chair Richard Stump: Thank you, David. Brandon.

[silence]

Brandon Wynn: Mr. Chair, Commissioners. What the argument Mr. Bartlett is making, is that since the state gives the opportunity for super-rich people to bet against each other up to over \$1 million to buy a sheep tag, that the Commission should twist statute and lump all the hunt codes together so just merely very rich people have an opportunity instead of New Mexico residents. That's what he's saying.

Okay, we're making tags available for billionaires to buy for \$1 million a tag, and because of that, if you don't lump the tags and let just mere millionaires buy those outfitter tags or apply for the outfitter hunt, those billionaires, they're going to be so offended that they're going to stop buying those tags for \$1 million. Mr. Bartlett, please.

Also, Mr. Bartlett in particular, to people I know, have reported to me that he says that I'm trying to get rid of non-resident sheep tag hunting-- sheep hunting in New Mexico, which is completely false. What I have always said, the reason I want you to stop lumping is so the legislature will do what all state legislatures do, or Commissions who has authority, is write a special quota statute, a language, to ensure that non-residents get tags out of the pool of tags when they're very small. It's so simple to do it.

Now, this year, in 2022, we made this argument, and we had to have faith that the legislature would be incentivized, but the legislature this year has said, "We think that our statute is illegal." The outfitter set aside its gone. Do you think the legislature is going to say, "Yes, we think it's illegal. We're going to get rid of it," and then they think that they're going to tee themselves up politically, and then get to January in the next session and say, "We changed our mind." They're not dumb, they're not going to do that. They're not going to put that heat on themselves.

The outfitter set-aside is gone. If you don't stop lumping, and you have this thing set up, what's going to happen is, right in the middle of the draw application process, the outfitter set-aside is gone. You can take

that to the bank. It's gone, right? Right in the middle of all that, you're going to create this thing where the department's going to have to write letters to everybody that applied in the outfitter set-aside, and say, "Oh, you're going to have to--"

Vice-chair Fernando Clemente: I'm sorry. I'm sorry. I am going to interrupt, and Chair, I apologize for this, okay? I am going to interrupt, because I believe this commission is being very, very educated and polite, and the public is being very, very reasonable, and has been provided education and been very polite to everybody. I am going to ask you that when the time is up, you have to stop and give the opportunity to the other members of the public to speak up, whether there's other members of the public or not, because everybody's staying within their time. This bothers me, it really does, because of being polite to everybody. That's the reason why I interrupted this, because your time was up.

Brandon Wynn: Okay, I didn't hear that my time was up. I think the reason that you don't want me to talk more is because you don't want to hear what I'm saying.

Chair Richard Stump: Brandon, thank you. The next time we hear this item-- Actually, do we have anybody online?

Natasha Montoya: Yes, we have one online. Cody, you may speak now.

Cody Creager: Hey, can you guys hear me?

Chair Richard Stump: Yes.

Cody Creager: Hey, Cody Creager here. Thanks for letting me talk. I really appreciate it. Taking time off just to try to make it to these meetings. Representing the New Mexico resident public hunter here. I know a lot of them can't make it to these meetings, or they don't want to, because they don't feel heard anyway. I really do think the hunt code lumping is something that we could work with to give more of a benefit to the residents of the state. Those that live here, work here, and stay here their whole lives, I think, should definitely have more of an opportunity.

The lumping thing, not just me, I've talked to a lot of people that think it's wrong, but they're just not going to go and talk about it because they think that their opinion's not going to matter anyway, but I am willing to take some time off and come talk, and I thank you guys for having me.

An idea for funding, I think, if we do get away from the hunt code lumping and the unfair draw pools and stuff, would be similar to Nevada's Silver State tag, where when you're applying for your sheep tag or whatever in Nevada, you can opt to put in for their Silver State tag, \$20, \$30, whatever it is. We could do something similar to that for funding for sheep. Set one tag aside that can go to a non-resident or resident, whatever. Call it the Turquoise State tag or something for funding, while also trying to get the working-class public hunting New Mexico resident more of a fair shot. Thank you.

Chair Richard Stump: Thank you, Cody. Anybody else? Okay. The next time we hear, this item won't be for rulemaking hearing in August. Now we're at general public comment.

[silence]

Chair Richard Stump: Brandon.

[silence]

Brandon Wynn: Commissioners, I'm going to just read my comment on the pronghorn rule. If ever there was an exercise in futility, it would be to provide public comment on a New Mexico game commission rule if said public comment were to suggest that the commission modify the rule such that any of the 25% to 70% of big game tags that are subject to the rule that are private be made public. It is not that such comment would be a novel idea relative to over 100 years of Western state big game rulemaking. In fact, no state game commission in the West other than New Mexico has ever promulgated a big game rule over the last 100-plus years that has made more than about 3% of big game tags private instead of public.

Decades of commission rulemaking external to New Mexico have always made approximately 97% of tags public. One issue is that the New Mexico Department of Wildlife has proven over the last 50 years that they will not present a big game rule proposal to the commission that would make even a rounding error less big game tags private than are already private by prior rule. It does not matter if the 65% of pronghorn, 36% of elk, or 22% of deer tags and so on that are currently private by prior commission rule, the department will not propose that the commission move any tags to the public domain.

Nevertheless, in spite of these facts, there is some utility in the submission of a public comment that says less tags should be private. Someday, a court may ask if the public has exhausted all official rulemaking options prior to asking the court to reverse the half-century of New Mexico Wildlife Agency Wildlife Commission's wholesale tag privatization policy. In that light, my public comment on the pronghorn rule is not made with the expectation that the department will present, or the Commission would consider, a comment or any like it.

It is to add to the public record of thousands of public comments that have been made over the years that have pleaded for less private tags in New Mexico, but summarily dismissed by the department and the commission.

My comment on the pronghorn rule is to strike any language that refers to private land tag allocation, and simply set scientifically-based pronghorn tag quotas by weapon, bag limit, season, and GMU, and place the full quota in the public draw. Thank you.

Chair Richard Stump: Thank you, Brandon. Jesse.

[silence]

Jesse Deubel: Thank you very much, Mr. Chair, and members of the Commission. For this comment, I just want to make a suggestion, and that is that the agency figures out a way to get involved with the enforcement of stream access in the state of New Mexico. I get a lot of emails, I get a lot of pictures, I get a lot of text messages from members of the public who are contacting me, and they're taking pictures of fences over streams and hazards and No Trespassing signs that are mounted on barbed wire crossing waterways.

This is third-party, so no disrespect whatsoever to our law enforcement officers, but I'm being told by these people that they're contacting the agency and getting zero support. The Attorney General's office has been very generous and asked me to forward these things to the AG's office. I really feel like this enforcement shouldn't be handled by the Attorney General and his staff; I feel like we have a law enforcement division here that should be effectively trained in how to address these situations with landowners and members of the public.

I'm really talking about enforcing both, because we all recognize there are members of the public who trespass unnecessarily, who litter, who leave trash. That enforcement absolutely needs to happen, but if there's obstructions and signs that are clearly illegal, law enforcement should be provided with guidance as to how to address that so we can reduce conflict on our waterways. I'm really concerned that somebody's going to end up shot, and this is not being prioritized enough, and then we're going to have to be reactive once a tragedy happens on one of our waterways.

When the agency for 35 years published, inaccurately, in the Rules and Information fishing booklet that the streams were private and it was criminal trespass, they had no problem printing that. The agency even helped to produce signs, I think, for landowners after the unconstitutional rule was passed that allowed these landowners to get those certificates. Now, when I talk to some agency staff, they say, "Well, we need clarification on what 'reasonably/necessary' actually means."

I don't think we need that clarification. I think we all know that it's perfectly legal. It's been made very, very clear that it's legal to be in the water where it crosses private land. Even if your guidance is limited to just that, I really think it would help your law enforcement officers, and I think it would make for safer recreation for the public and for landowners who live along these waterways.

I would encourage this agency to just really take that seriously and protect our anglers because the number one source of revenue for this agency is the fishermen. Fishing licenses are what funds this agency. We have a responsibility to really provide good guidance to make sure our anglers can fish without being harassed. Thank you very much.

Chair Richard Stump: Thank you, Jesse. Anybody online? Yes? Oh, that's right. I'm sorry. I apologize.

Logan McGarrah: Thank you, Chairman Stump, and members of the Commission. Logan McGarrah with the Southern New Mexico chapter of Safari Club International. Thank you so much for all of your time and efforts during this current rulemaking cycle. We would like to thank the Department, in particular Chief Liley, for their open cooperation during this process. We're very pleased to see that a few of our petitions have been incorporated into some of the proposals. While there are always minor amendments that we would have preferred to see in the proposed changes, we feel that the majority of the proposals were

intently developed, and at this time, we urge the Commission to adopt the remainder of the Department's proposals in due process.

Beyond the current rulemaking process that we're undergoing, we would continue to urge the Commission and Director Sloane to direct every available resource to the recovery of the critically declining Persian ibex population in the Florida Mountains. We would like to remind the Commission that these animals were entrusted to the people of New Mexico, and this Commission and its Department were charged with their care.

We understand that the herd's current floundering has multiple causes, but we ask that the agency who orchestrated their near extirpation of the species from the Western Hemisphere seek redemption by being at the forefront of their recovery. Please let the ibex be a success story we celebrate instead of a tragedy that we mourn. Thank you.

Chair Richard Stump: Thank you, Logan. Steven over here.

[silence]

Steven Hebert: I can hear you, Chair and Commission. Thank you for the opportunity to speak here today. My name is Steven Hebert, and I'm here to respectfully propose a narrowly tailored exemption that would allow the use of drones equipped with thermal imaging strictly for the recovery of wounded game.

At its core, this proposal is about ethics, conservation, and accountability.

Every responsible hunter shares a fundamental obligation to pursue game in a manner that is humane, to minimize suffering, and to make every reasonable effort to recover the animal that has been wounded.

Despite best efforts, even skilled hunters can face difficult tracking conditions, like dense vegetation, rugged terrain, fading light, or weather that erodes blood trails. In those moments, a wounded animal may go unrecovered, resulting in unnecessary suffering and waste. This is where modern technology can help us uphold our oldest values.

Thermal-equipped drones offer a precise, efficient way to locate wounded animals that have already been shot and show clear evidence of a hit, such as a blood trail or physical confirmation. By detecting these hit signatures, these tools can significantly increase recovery success rates, especially in challenging conditions or after dark when traditional tracking methods become ineffective or unsafe.

Allowing this limited use would provide three key benefits. First, it will reduce waste. When animals are not recovered, valuable meat is lost. This undermines the principle of conservation and respect for wildlife that hunting is built upon. Improving recovery rates ensures that more harvested animals are fully utilized. Second, it would promote humane outcomes. A wounded animal that is quickly located can be dispatched as swiftly and ethically as possible. Reducing prolonged suffering is not only a moral responsibility, but also a standard we should continue to strive to meet.

Third, it would improve harvest accuracy. When animals go unrecovered, they are often under-reported or unreported, which can affect wildlife management data. Better recovery leads to more accurate reporting, which ultimately supports the Department's mission of sustainable wildlife stewardship.

I understand and respect the concerns surrounding this technology in hunting. Fair Chase is a cornerstone principle, and this proposal does not seek to diminish it. In fact, it reinforces it by applying technology only after the shot is taken, never during the pursuit. To be clear, this would not be a tool for scouting or locating game; it would only be permitted under these strict conditions. There must be clear evidence of a wounded animal, such as a blood trail. The drone operator would be restricted to recovery efforts only. No information about other animals observed during the flight would be communicated to the hunter or client. This use could be limited by permit, time window, or reporting requirements to ensure accountability. I would also like to provide context on who would be conducting this at a time.

Chair Richard Stump: Thank you, Steven. [silence] Sure. Steven, if you'd like to submit your comments.

Steven Hebert: --get to read it all.

Chair Richard Stump: If you didn't get to read it all, you could submit it to us. Is there anyone online? No? Okay. Let's move into executive session.

Can I have a motion to move to executive session, please? Is there a second?

Commissioner Christopher Witt: Second.

Chair Richard Stump: Director Sloane, please call the roll.

Director Michael Sloane: Mr. Chairman, I believe there's a more formal motion that needs to be made before we go into executive session.

Chair Richard Stump: Here, we'll read that.

Commissioner Kyle Harwood: We move to adjourn into executive session, close to the public pursuant to section 10-15-1 (H)(8), [unintelligible 03:05:52] property purchase, acquisition, and disposal.

Pursuant to 10-15-1(H)(7), discuss pending [unintelligible 03:06:03] matters, Mr. Chair.

Chair Richard Stump: Is there a second, please?

Vice-chair Fernando Clemente: I second the motion as stated.

Director Michael Sloane: Commissioner Witt?

Commissioner Christopher Witt: Yes.

Director Michael Sloane: Commissioner Lopez?

Commissioner Tirzio Lopez: Yes.

Director Michael Sloane: Commissioner Harwood?

Commissioner Kyle Harwood: Aye.

Director Michael Sloane: Commissioner Fulfer?

Commissioner Gregg Fulfer: Yes.

Director Michael Sloane: Vice Chair Clemente?

Vice-chair Fernando Clemente: Yes.

Director Michael Sloane: Chair Stump.

Chair Richard Stump: Yes.

Director Michael Sloane: Motion passes unanimously.

Chair Richard Stump: We're now adjourned in the executive session.

Chair Richard Stump: This commission has adjourned into executive session. Closed to the public. During the executive session, the commission discussed only those matters specified in its motion to adjourn. It took no action as to any matter. Are there any motions from executive session?

[pause 03:06:53]

Chair Richard Stump: There are no motions for executive session. Thank you to everyone who participated today. Our next meeting will be on June 28th at Eastern New Mexico in Portales.

Director Michael Sloane: Mr. Chair, I think I made a mistake there. I think that's June 25th.

Chair Richard Stump: June 25th? Possibly being changed to June 26th.

Director Michael Sloane: That would be Friday.

Chair Richard Stump: Yes.

Director Michael Sloane: We can't do that. We have 25 because of rulemaking and dates, et cetera.

Chair Richard Stump: We can't do one day?

Director Michael Sloane: We cannot.

Chair Richard Stump: We stand adjourned.

[03:07:52] [END OF AUDIO]