



New Mexico State Game Commission

New Mexico Department of Game and Fish

AGENDA

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<http://www.wildlife.state.nm.us/commission/meeting-agendas/>

Thursday, June 25, 2020

VIRTUAL MEETING LOCATION

<http://www.wildlife.state.nm.us/commission/webcast/>

TIME

9:00 AM to 5:00 PM

The following are approximate times. The meeting will be adjourned upon completion of the agenda. Any items not discussed at this meeting will be considered for the next meeting's agenda. The Agenda is subject to change up to 72 hours prior to the scheduled meeting date and time as deemed necessary by the New Mexico State Game Commission Chair (NMSGC Chair). To inquire about agenda changes, please contact the Office of the New Mexico Department of Game and Fish (DGF) at (505) 476-8000. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Tristanna Bickford at (505) 476-8027 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Bickford if a summary or other type of accessible form is needed.

Public testimony and comment: All those interested in participating and providing comments are encouraged to pre-register to attend the meeting on the Zoom Webinar platform. When you register, you will be asked if you wish to provide public comment. This will assist the NMSGC Chair to manage more effective public communication. Comments may be allowed on each item at the NMSGC Chair's discretion. Those who desire to address the Commission and who claim to represent an organization must provide the following information: the number of members in the organization, frequency of the organization's meeting and either a signed statement from that organization's president that states the organization has discussed the topic and approved the position that the representative is presenting, or proof that they are a registered lobbyist for the organization. No props or costumes will be permitted.

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

9:00 AM

Agenda No.	Presented by	Discussion
1.	Sharon Salazar Hickey, NMSGC Chair	Meeting Called to Order
2.	Michael Sloane, DGF Director	Roll Call

3. Sharon Salazar Hickey, NMSGC Chair **Approval of Agenda (Action Item)**
4. Sharon Salazar Hickey, NMSGC Chair **Consent Agenda (Action Items, A and B)**
 - A. **Approval of minutes of April 30, 2020, Virtual meeting**
 - B. **Approval of License Revocations**
 - C. **Game Commission Meeting Spreadsheet (Discussion)**
5. Commissioners **Commission Subcommittee reports (Discussion)**
 - A. **Finance**
 - B. **Customer/Stakeholder**
 - C. **Overarching/Organizational**
 - D. **Hunt Structure**
6. Michael Sloane DGF Director **Director's Report (Discussion)**
Overview of Department activities since the last meeting.
7. Stewart Liley, DGF **Initiation of Game Management Unit Boundary Rule (Discussion)**
Initial discussion on potential adjustments to the Game Management Unit Boundary Rule.
8. Lance Cherry, DGF **Initiation of Hunter Education Rule (Discussion)** – Initial discussion on potential changes to the Hunter Education Rule.
9. Kirk Patten, DGF **Update on Department's Native Fish program (Discussion)** – The department will provide an update on the Native Fish program.
10. Paul Varela, DGF **Financial Review (Discussion) and Fiscal Year 2022 Capital Request (Action Item)** – The Department will present an overview of the Department's finances and seek approval for the Fiscal Year 2022 Capital request.
11. Chad Nelson, DGF **Request to Recognize United Special Sportsman Alliance as a Qualified Non-profit Organization to receive donated licenses or permits and as a Qualified Non-profit Wish Granting organization to receive elk licenses pursuant to 17-3-13.5 NMSA 1978 (Action)** - The Department will present United Special Sportsman Alliance to the Commission as a non-profit organization that can participate in receiving, identifying or submitting recipients for donated licenses and as a non-profit wish granting organization to receive elk licenses pursuant to 17-3-13.5 NMSA 1978.
12. Sharon Salazar Hickey, NMSGC Chair **General Public Comments** – Comments are limited to 3 minutes per speaker, with total public comments not to exceed 30 minutes. At the conclusion of 30 minutes, General Public Comment will end. Individuals may only make comment to the Agenda items during the scheduled General Public Comment items.
Next meeting – August 13, 2020, Chama, NM or Virtual
13. Sharon Salazar Hickey, NMSGC Chair **Executive Session (Closed to the Public)** – Commissioners will vote on whether to adjourn into Executive Session.

Pursuant to Section 10-15-1(H)(7) NMSA 1978, Attorney-Client Privilege, Litigation Update (Discussion)

1. *Michael Sloane, Dept. of Game and Fish v. NM State Game Commission* (D-101-CV-2020-00621) First Judicial District Court
 - 2a) Brief of NM Wilderness Alliance, League of United Latin American Citizens, The Hispano Roundtable of New Mexico, Hispanics Enjoying Camping, Hunting and the Outdoors and the Nuestra Tierra Conservation Project as Amici Curiae in Support of Petitioner's Petition of Mandamus
 - 2b) Petitioners' Consolidated Reply Brief in Support of Petition for Writ of Mandamus
 - 2c) Stipulated Motion for an Order for Dismissal of Honorable Michelle Lujan Grisham, Governor
 - 2d) Senator Tom Udall and Senator Martin Heinrich's Notice of Conditionally Filed Proposed Memorandum Brief as Amici Curiae
3. *Rancho Del Oso Pardo, Inc., River Bend Ranch, LLC, and Chama III, LLC, dba Canones Creek Ranch v. New Mexico Department of Game and Fish; Director Michael Sloane, Director of the New Mexico Department of Game and Fish, in his individual and official capacity; and New Mexico Game Commission, et. al.* (D-101-CV-2020-00939)
 - 3a) Notice of Filing Notice of Removal (1:20-cv-00427-SCY-KK) U.S. District Court New Mexico
 - 3b) Notice of Removal by Michael Sloane, NM DGF from 1st Judicial District Court, case number D-101-CV-2020-00939.
 - 3c) Please Take Notice that this case has been randomly assigned to U.S. Magistrate Judge Steven C. Yarbrough to conduct dispositive proceedings in this matter, including motions and trial.
 - 3d) Notice of Appearance by Mark L. Ish on behalf of All Plaintiffs.
 - 3e) Appendix/Supplement re: Notice of Removal, *Civil Cover Sheet*

3f) Please Take Notice that this case has been reassigned to Magistrate Judge Kirtan Khalsa as the pretrial judge.

3g) Motion to Stay *All Proceedings* by the New Mexico Game Commission.

3h) Motion to Dismiss by New Mexico Department of Game and Fish.

3i) Motion to Dismiss *Supporting Memorandum* by New Mexico Department of Game and Fish.

3j) Motion to Stay by New Mexico Department of Game and Fish.

3k) Motion to Stay re: Motion to Stay *Supporting Memorandum* by New Mexico Department of Game and Fish.

3l) Notice of Consent Submission Deadline.

3m) Notice by New Mexico Department of Game and Fish *Filing of Record Before the First Judicial District Court*.

3n) Order Finding Good Cause to Delay Scheduling Order by Magistrate Judge Kirtan Khalsa.

3o) Consent to Proceed Before a U.S. Magistrate Judge.

3p) Order for Plaintiff to File Local Rule 7.4 Notice

3q) Notice of Extension to File Reply Brief by Plaintiffs

3r) Plaintiffs' Response to Motions to Stay

3s) Plaintiffs' Response to Defendants Motion to Dismiss

4. *Fenn Farm and Three Rivers Cattle, Ltd. Co v. New Mexico Department of Game and Fish; Director Michael Sloane, Director of the New Mexico Department of Game and Fish, in his individual and official capacity; and New Mexico Game Commission, et. al.* (D-504-cv-2020-00390)

4a) Verified Petition for Writ of Mandamus

4b) Notice of Filing Notice of Removal (1:20-cv-00468) U.S. District Court New Mexico

14. Sharon Salazar Hickey,
NMSGC Chair

Return from Executive Session. The Commission, at its discretion may take action on any of the items discussed during the Executive Session upon returning to the public session.

15. Sharon Salazar Hickey,
NMSGC Chair

Adjourn (Action Item)