

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

Aug. 19, 2022

**AGENDA ITEM NO. 1: Meeting Called to Order**

09:02:02 a.m. (00:00:02)

Called to order by Chairwoman Salazar Hickey

**AGENDA ITEM NO. 2: Roll Call**

09:02:25 a.m. (00:00:25)

**Present:** Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez and Commissioner Fulfer

**Present virtually:** Commissioner Salazar-Henry

**AGENDA ITEM NO. 3: Introduction of Guests**

09:07:07 a.m. (00:03:49)

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

09:12:17 a.m. (00:08:59)

**Motion:** To approve the agenda as written

**Motion by:** Commissioner Vice-chairwoman Archuleta

**Seconded by:** Commissioner Fulfer

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer

**AGENDA ITEM NO. 5: Executive Session**

09:15:32 a.m. (00:12:14)

Move to adjourn into executive session, closed to the public, pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss property purchase, acquisition or disposal; Section 10-15-1(H)(7) NMSA 1978, attorney-client privilege, litigation update (discussion); Section 10-15-1(H)(7) NMSA 1978, attorney-client privilege, litigation update (discussion) and Section 10-15 1(H)(2) NMSA 1978, personnel matters.

**Motion:** To adjourn into executive session

**Motion by:** Vice-chairwoman Archuleta

**Seconded by:** Commissioner Lopez

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Salazar-Henry, Commissioner Lopez and Commissioner Fulfer

**AGENDA ITEM NO. 6: Action on Items from Executive Session**

09:56:06 a.m. (00:13:41)

No actions were taken.

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

09:56:49 a.m. (00:14:25)

**Motion:** Move to approve the consent agenda, including: minutes from the June 17, 2022, meeting, revocations and the disposal list

**Motion by:** Vice Chairwoman Archuleta

**Seconded by:** Commissioner Lopez

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Salazar-Henry, Commissioner Lopez and Commissioner Fulfer

**AGENDA ITEM NO. 8: General Public Comments**

09:57:47 a.m. (00:15:23)

**AGENDA ITEM NO. 9: Update on 30x30 Initiative**

10:13:53 a.m. (00:31:28)

The Energy, Minerals and Natural Resources Department presented an update on the 30x30 initiative.

**AGENDA ITEM NO. 10: FY22 Budget Review and Fiscal Year (FY) 24 Budget Proposal (Action Item)**

10:37:22 a.m. (00:54:57)

The department presented financial and license-sales data for discussion purposes. The presentation included operating budget expenditures and revenue data related to license sales, federal revenue and other revenue generated by the department. In addition, the department presented and discussed the proposed FY 2024 operating budget request for commission review, approval and certification. The department also presented a proposal and a request for use of Recovering America's Wildlife Act (RAWA) funds pending the passage of the RAWA Act by congress.

**Motion:** Move to approve the department's FY 2024 operating budget, and allow department staff to make technical adjustments and changes necessary to incorporate assessment rate changes provided to the department and other executive agencies after this meeting and prior to the statutory deadline.

**Motion by:** Chairwoman Salazar-Hickey

**Seconded by:** Commissioner Archuleta

**Approved:** Approved by roll call vote - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Salazar-Henry and Commissioner Fulfer

**Absent:** Commissioner Lopez

**AGENDA ITEM NO. 11: Biennial Review (Action Item)**

11:24:30 a.m. (00:00:15)

The department requested that the commission open a 14-day public comment period for the draft 2022 Biennial Review of state-listed threatened or endangered species pursuant to the Wildlife Conservation Act (17-2-40 NMSA 1978).

**Motion:** Move to authorize the department to initiate the opening of a 14-day public comment period on the director's draft 2022 Biennial Review of state listed threatened or endangered species.

**Motion by:** Chairwoman Salazar Hickey

**Seconded by:** Vice Chairwoman Archuleta

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer

**AGENDA ITEM NO. 12: Sikes Act Projects**

11:28:11 a.m. (00:03:56)

The department presented an update on projects prioritized and funded under the Habitat Stamp Program (19.34.6 NMAC) since reauthorization of the program in Jan. 2021 by the commission. The department also presented a summary of new projects scheduled for FY 2023. This was a discussion item and no action was necessary.

**AGENDA ITEM NO. 13: Rule Hearing, Commission Deliberation and Decision: 19.31.22 Landowner Certification of Non-navigable Water (Action Item)**

12:04:59 p.m. (00:40:44)

Pursuant to a State Supreme Court ruling, the State Game Commission repealed the Landowner Certification of Non-navigable Water Rule 19.31.22 NMAC on an emergency basis in accordance with emergency rule provisions in 14-4-5.6 NMSA (1978). The 180-day limit on emergency rules was set to expire on Aug. 28, 2022. A rule making hearing was held to formally repeal the Landowner Certification of Non-navigable Water Rule to comply with the Supreme Court Order.

**Motion:** Move to repeal the Landowner Certification of Non-Navigable Water rule 19.31.22 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 Lopez

**Seconded by:** Commissioner Salazar-Henry

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer

**AGENDA ITEM NO. 14: Subsequent Discussion of the Deer Rule 19.31.13 NMAC (Action Item)**

01:27:39 p.m. (00:57:37)

The department presented proposed changes to the deer rule (19.31.13 NMAC) based on public comment, survey information and management goals. The department held four in-person/virtual public meetings and has also received public comments on the deer rule. This was a discussion item and no motion was necessary.

**Motion:** Move to approve rule and add five bowhunts in the first hunt of unit 51B and five rifle hunts in unit 51B.

**Motion by:** Commissioner Lopez

**Seconded by:** Vice Chairwoman Archuleta

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer

**AGENDA ITEM NO. 15: Subsequent Discussion of the Elk Rule 19.31.14 NMAC (Action Item)**

02:05:35 p.m. (01:35:33)

The department presented proposed changes to the elk rule (19.31.14 NMAC) based on survey information, management goals and public comment,. The department held four in-person/virtual public meetings and has also received public comments on the elk rule.

**Motion:** Motion to create 500 antlerless elk draw licenses from the existing elk draw allocations be dedicated to resident hunters 70 and over.

**Motion by:** Commissioner Salazar-Henry

**Seconded by:** Commissioner Lopez

**Approved:** Approved by roll call - Commissioner Salazar-Henry, Commissioner Lopez

**Disapproved:** Disapproved by roll call - Chairwoman Salazar-Hickey, Vice Chairwoman Archuleta, Commissioner Fulfer. **Motion fails.**

**AGENDA ITEM NO. 16: Rule Hearing, Commission Deliberation and Decision: 19.31.17 Bighorn Sheep (Action Item)**

03:41:24 p.m. (02:56:31)

The department presented biological data and proposed changes to the bighorn sheep rule (19.31.17 NMAC) based, biological information, management goals and public feedback. The department held two virtual meetings and has also received comments via email on the rule.

**Motion:** Move to adopt the proposed changes to 19.31.17 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; however, amending the proposed changes to 19.31.17.4 NMAC to read from April 1, 2023-March 31, 2027, as currently proposed, to read April 1, 2023-March 31, 2025, effectively reducing the proposed four-year cycle to a two-year cycle.

**Motion by:** Commissioner Lopez

**Seconded by:** Commissioner Archuleta

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer

**AGENDA ITEM NO. 17: Rule Hearing, Commission Deliberation and Decision: 19.34.5 Wildlife Management Areas (Action Item)**

04:14:48 PM (03:29:55)

The department presented to the commission amendments to the wildlife management areas rule, 19.34.5 NMAC, to include descriptions of properties acquired by the commission since the rule was last amended in 2013.

**Motion:** Move to adopt the proposed changes of 19.34.5 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 Chairwoman Archuleta

**Seconded by:** Commissioner Lopez

**Approved:** Unanimous by roll call - Chairwoman Salazar Hickey, Vice Chairwoman Archuleta, Commissioner Lopez, Commissioner Salazar-Henry and Commissioner Fulfer.

**AGENDA ITEM NO. 18: Directors Report**

04:21:42 (03:36:50)

- An employee compensation increase was approved and implemented effective July 1, 2022.
- The department worked with the US Forest Service to allow Pecos Wilderness access for bighorn sheep hunters this season. Discussions are continuing about access for future hunts.
- The department completed ptarmigan surveys and found that many of the 24 transplanted birds remained in the release area as desired.
- The Middle Ponil Creek project (Valle Vidal) is continuing and Rio Grande cutthroat rescued from the recent wildfires will be restocked in mid-September.
- The Willow Creek project (Pecos Canyon) is continuing and Rio Grande cutthroat rescued from the

recent wildfires will eventually be restocked.

- Capt. Mike Matthews of Las Cruces received the Shikar Officer of the Year award.
- This year's Governor's Auction was hosted by Ducks Unlimited and earned over \$171,000 for conservation across the state.
- Retirements in Sept.: Wildlife Disease Specialist Dr. Kerry Mower and Human Resources Chief Yvonne Torres.
- Monthly status reports to the commission were requested and discussed.
- A status update was provided on the redesign of the department's website.
- The finalization of the Glenwood Hatchery's improvements were discussed.

**AGENDA ITEM NO. 19: Executive Session (Postponed to August 20, 2022)**

**AGENDA ITEM NO. 20: Action on Items from Executive Session (Postponed to August 20, 2022)**

**AGENDA ITEM NO. 21: General Public Comments**

04:31:22 PM (03:46:30)

**AGENDA ITEM NO. 22: New Business**

04:31:41 PM (03:46:49)

**AGENDA ITEM NO. 23: Adjourn (Action Item)**

04:31:46 PM (03:46:54)


**APPROVAL OF MEETING MINUTES**

**NEW MEXICO STATE GAME COMMISSION**

**Friday August 19, 2022**

**UNM Gallup Campus, 705 Gurley Ave, Gallup, New Mexico 87301**

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



**Michael B. Sloane**

10/14/2022

**Date**



**Sharon Salazar Hickey, Chair  
New Mexico State Game Commission**

10/14/2022

**Date**

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