

New Mexico Register / Volume XXXI, Issue 13 / July 14, 2020

STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Game Commission (“Commission”) will be hosting a virtual meeting and rule hearing on Thursday August 13, 2020 beginning at 9:00 a.m. For instructions on how to virtually attend this meeting, visit the Department’s website at <http://www.wildlife.state.nm.us/commission/webcast/>. The purpose of this meeting is to hear and consider action as appropriate on the following: presentation of proposed changes to the Migratory Game Bird rule.

Synopsis:

The proposal is to amend the Migratory Game Bird rule, 19.31.6 NMAC, which will become effective September 1, 2020. The most recent Migratory Game Bird rule expired on March 31, 2020.

The proposed new rule will include changes to regular waterfowl season dates, changes to the sandhill crane allocation based on fall population data, and moving the youth crane hunt to November.

A full text of changes will be available on the Department’s website at: www.wildlife.state.nm.us.

Interested persons may submit comments on the proposed changes to the Migratory Game Bird rule at DGF-waterfowl@state.nm.us; or individuals may submit written comments to the physical address below. Comments are due by 8:00 a.m. on August 13, 2020. The final proposed rule will be voted on by the Commission during a virtual public meeting on August 13, 2020. Interested persons may also provide data, views or arguments, orally or in writing, at the virtual public rule hearing to be held on August 13, 2020.

Full copies of text of the proposed new rule, technical information related to proposed rule changes, and the agenda can be obtained from the Office of the Director, New Mexico Department of Game and Fish, 1 Wildlife Way, Santa Fe, New Mexico 87507, or from the Department’s website at www.wildlife.state.nm.us/commission/proposals-under-consideration/. This agenda is subject to change up to 72 hours prior to the meeting. Please contact the Director’s Office at (505) 476-8000, or the Department’s website at www.wildlife.state.nm.us for updated information.

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 the Department at (505) 476-8000 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Department at 505-476-8000 if a summary or other type of accessible format is needed.

Legal authority for this rulemaking can be found in the General Powers and Duties of the State Game Commission 17-1-14, et seq. NMSA 1978; Commission’s Power to establish rules and regulations 17-1-26, et seq. NMSA 1978.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 6 MIGRATORY GAME BIRD

19.31.6.1 ISSUING AGENCY: New Mexico department of game and fish.
[19.31.6.1 NMAC - Rp, 19.31.6.1 NMAC, 9/1/2019]

19.31.6.2 SCOPE: Sportspersons interested in migratory game bird management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978 and Title 19 NMAC.
[19.31.6.2 NMAC - Rp, 19.31.6.2 NMAC, 9/1/2019]

19.31.6.3 STATUTORY AUTHORITY: Section 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.
[19.31.6.3 NMAC - Rp, 19.31.6.3 NMAC, 9/1/2019]

19.31.6.4 DURATION: September 1, 2020 - March 31, 2021.
[19.31.6.4 NMAC - Rp, 19.31.6.4 NMAC, 9/1/2019]

19.31.6.5 EFFECTIVE DATE: September 1, 2020, unless a later date is cited at the end of a section.
[19.31.6.5 NMAC - Rp, 19.31.6.5 NMAC, 9/1/2019]

19.31.6.6 OBJECTIVE: Establishing open hunting seasons, regulations, rules and procedures governing the issuance of migratory game bird licenses and permits by the department.
[19.31.6.6 NMAC - Rp, 19.31.6.6 NMAC, 9/1/2019]

19.31.6.7 DEFINITIONS:

A. "Bernardo pond unit" shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and west of the unit 7 drain.

B. "Bernardo youth unit" shall mean that portion of Bernardo wildlife management area immediately south of the Quagmire and east of the unit 7 drain.

C. "Central flyway" shall mean that portion of New Mexico east of the continental divide.

D. "Dark goose" shall mean Canada goose or white-fronted goose.

E. "Department" shall mean the New Mexico department of game and fish.

F. "Director" shall mean the director of the New Mexico department of game and fish.

G. "Dove north zone" or "north zone" shall mean that portion of New Mexico north of Interstate 40 from the Arizona-New Mexico border to Tukumcari and U.S. 54 at its junction with Interstate 40 at Tukumcari to the New Mexico-Texas border.

H. "Dove south zone" or "south zone" shall mean that portion of New Mexico south of Interstate 40 from the Arizona-New Mexico border to Tukumcari and U.S. 54 at its junction with Interstate 40 at Tukumcari to the New Mexico-Texas border.

I. "Eastern New Mexico sandhill crane hunt area" or "eastern" shall mean that area in the following counties: Chaves, Curry, De Baca, Eddy, Lea, Quay and Roosevelt.

J. "Estancia valley sandhill crane hunt area" or "EV" shall mean that area beginning at Mountainair bounded on the west by N.M. highway 55 north to N.M. 337, north to N.M. 14, and north to Interstate 25; on the north by Interstate 25 east to U.S. 285; on the east by U.S. 285 south to U.S. 60; and on the south by U.S. 60 from U.S. 285 west to N.M. 55 in Mountainair.

K. "Falconry" shall mean hunting migratory game birds using raptors.

L. "Federal youth waterfowl hunting days" shall mean the special seasons where only those 17 years of age and younger may hunt ducks and geese. A supervising adult at least 18 years of age must accompany the youth hunter. The adult may not hunt ducks, but may participate in other seasons that are open on the special youth days.

M. "Light geese" shall mean snow geese, blue phase snow geese and Ross's geese.

N. "Light goose conservation order" shall mean those methods, bag and possession limits, and dates approved by the U.S. fish and wildlife service towards reducing over-abundant light goose populations.

O. "Middle Rio Grande valley (MRGV) dark goose hunt area" shall mean Sierra, Socorro and Valencia counties.

P. "Middle Rio Grande valley (MRGV) sandhill crane hunt area" shall mean Valencia and Socorro counties.

Q. "Migratory game bird" shall mean band-tailed pigeon, mourning dove, white-winged dove, sandhill crane, American coot, common moorhen/gallinule, snipe, ducks, geese, sora, purple gallinule and Virginia rail.

R. "North zone" shall mean that portion of the Pacific flyway north of Interstate 40, and that portion of the central flyway north of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

S. "Pacific flyway" shall mean that portion of New Mexico west of the continental divide.

T. "Possession limit" shall mean the number of birds in a person's possession regardless of the location stored.

U. "Quagmire" shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and east of the unit 7 drain.

V. "South zone" shall mean that portion of the Pacific flyway south of Interstate 40, and that portion of the central flyway south of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

W. "Southwest band-tailed pigeon hunting area" or "southwest BPHA" shall mean that portion of New Mexico both south of U.S. 60 and west of Interstate 25.

X. "Southwest New Mexico sandhill crane hunt area" or "SW" shall mean that area bounded on the south by the New Mexico-Mexico border; on the west by the New Mexico-Arizona border north to Interstate 10; on the north by Interstate 10 east to U.S. 180, north to N.M. 26, east to N.M. 27, north to N.M. 152, and east to Interstate 25; on the east by Interstate 25 south to Interstate 10, west to the Luna county line, and south to the New Mexico-Mexico border.

Y. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC, Wildlife Management Areas.

[19.31.6.7 NMAC - Rp, 19.31.6.7 NMAC, 9/1/2019]

19.31.6.8 ADJUSTMENT OF SANDHILL CRANE PERMITS: The director, with verbal concurrence of the chairperson or their designee, may adjust the number of permits to address significant changes in harvest levels. This adjustment may be applied to any or all of the entry hunt codes.

[19.31.6.8 NMAC - Rp, 19.31.6.8 NMAC, 9/1/2019]

19.31.6.9 LICENSE AND APPLICATION REQUIREMENTS:

A. License: A Harvest Information Program (HIP) number shall be required. Waterfowl hunters 16 years of age and older are required to have in their possession a federal migratory bird hunting and conservation stamp (duck stamp). It shall be unlawful to take or attempt to take migratory birds without a HIP number, or duck stamp if required.

(1) Any person taking or attempting to take sandhill cranes in the eastern hunt area must have a valid license and a free sandhill crane hunting permit obtained from department offices or website.

(2) For EV sandhill crane, MRGV sandhill crane, MRGV youth-only sandhill crane and SW sandhill crane: in addition to a valid license, a special permit obtained by drawing shall be required.

(3) For the light goose conservation order: in addition to a valid license, a free light goose conservation order permit obtained from department offices or website shall be required.

(4) For band-tailed pigeon hunting: in addition to a valid license, a free band-tailed pigeon permit obtained from department offices or website shall be required.

B. Valid dates of license or permit: All permits and licenses shall be valid only for the dates, legal sporting arms, bag limit and area printed on the permit or license.

C. Applications: Applications for EV sandhill crane, MRGV sandhill crane, SW sandhill crane and MRGV youth-only sandhill crane hunt permits shall be submitted via the department website.

(1) No more than four persons may apply per application. For the MRGV youth-only sandhill crane hunt, no more than two persons may apply per application.

(2) Applicants may apply for a first, second and third choice of seasons, if applicable. A maximum of one permit per species hunt code will be awarded to successful applicants unless otherwise specifically allowed by rule.

(3) The application deadline date for the EV, MRGV, MRGV youth-only and SW sandhill crane hunt permits shall be on date(s) set by the state game commission. If any permits are available after the drawing, those permits may be sold online via a secondary sale.

D. Youth hunts: Only applicants who have not reached their 18th birthday by the opening day of the hunt are eligible to apply for or participate in a youth-only hunt.
[19.31.6.9 NMAC - Rp, 19.31.6.9 NMAC, 9/1/2019]

19.31.6.10 MANNER AND METHODS FOR MIGRATORY GAME BIRDS:

A. Hours: Migratory game birds may be hunted or taken only during the period from one-half hour before sunrise to sunset, unless otherwise specifically allowed or restricted by rule.

(1) On the Bottomless lakes overflow, and Bernardo, Casa Colorada, Jackson lake, La Joya and W.S. Huey WMAs, hunting hours shall mean from one-half hour before sunrise to 1:00 p.m. unless otherwise stated in rule. For hunting September teal on Bernardo and La Joya WMAs, hunting hours are from one-half hour before sunrise to sunset.

(2) During the light goose conservation order hunt dates, hunting hours shall mean from one-half hour before sunrise to one-half hour after sunset, excluding the WMAs listed in Paragraph (1) above.

B. Seizure: Any officer authorized to enforce Chapter 17 NMSA 1978 and state game commission rules shall seize any migratory game birds or parts that are illegally obtained or possessed.

C. Lands and waters owned, administered, controlled, or managed by the state game commission:

(1) State wildlife management areas open, species that can be hunted, and days open for hunting (use of vehicles will be restricted to designated areas):

(a) Bernardo WMA:

(i) That portion of the Bernardo WMA south of U.S. 60 is open to teal hunting each day of the September teal season and the federal youth waterfowl days. That portion of the Bernardo WMA north of U.S. 60 is closed except during the light goose conservation order.

(ii) The Quagmire shall be open only on Tuesday, Thursday and Sunday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iii) The Bernardo pond unit shall be open for general waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iv) The Bernardo youth unit shall be open for youth waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(b) The Edward Sargent, W. A. Humphries, Rio Chama, Urraca, Colin Neblett, Water canyon, Marquez and Elliot S. Barker WMAs shall be open for hunting dove and band-tailed pigeon during established seasons.

(c) The portion of Jackson lake WMA west of N.M. 170 shall be open on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe. The portion of Jackson lake WMA east of N.M. 170 shall be open to falconry-only migratory game bird hunting during established seasons.

(d) The lesser prairie-chicken management areas shall be open to hunt dove during established seasons.

(e) La Joya WMA:

(i) the entire La Joya WMA shall be open to teal hunting each day of the September teal season and each day of the federal youth waterfowl days;

(ii) that portion of La Joya WMA north of the main east/west entrance road and west of the railroad tracks shall be open on Saturdays, Mondays and Wednesdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

(iii) that portion of La Joya WMA south of the main east/west entrance road and west of the railroad tracks shall be open on Sunday, Tuesday and Thursday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

(iv) that portion of La Joya WMA east of the railroad tracks shall be open to hunt dove, ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons.

(f) The Charette lake, McAllister lake, Wagon Mound, Tucumcari and Socorro-Escondida WMAs shall be open for all migratory game bird hunting during established seasons.

(g) The William S. Huey WMA shall be open for dove hunting on Monday, Wednesday and Saturday during established seasons.

(2) The Hammond tract and Retherford tract WMAs shall be open for waterfowl hunting during established seasons.

(3) All WMAs shall be open to falconry waterfowl hunting each day of the established falconry season, unless otherwise restricted by rule.

[19.31.6.10 NMAC - Rp, 19.31.6.10 NMAC, 9/1/2019]

19.31.6.11 SPECIES, OPEN AREAS, SEASON DATES AND DAILY BAG LIMITS: 2020-2021

season, all dates are 2020 unless otherwise specified. Possession limits are three times the daily bag limit unless otherwise specified.

species	open areas	season dates	daily bag limit
mourning and white-winged dove	north zone	Sept. 1 - Nov. 29	15 (singly or in aggregate)
	south zone	Sept. 1 - Oct. 28 and Dec. 1 - Jan. 1, 2021	
band-tailed pigeon	southwest BPHA	Oct. 1 - 14	2
	statewide except southwest BPHA	Sept. 1 - 14	
regular season sandhill crane (free permit required)	eastern	Oct. 24 - Jan. 24, 2021	3 (6 in possession)
CENTRAL FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.			
species	season dates		daily bag limit
September teal: blue-winged teal, green-winged teal, and cinnamon teal	Sept. 12 - 20		6 (singly or in the aggregate)
ducks	north zone:	Oct. 10 - Jan. 13, 2021	6 (singly or in the aggregate); that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican-like ducks are included towards the mallard bag limit), 3 wood duck, 3 scaup, 2 redhead, 2 hooded merganser, 1 pintail and 2 canvasback
	south zone:	Oct. 28 - Jan. 31, 2021	
youth waterfowl days	north zone:	Sept. 26 - 27	
	south zone:	Oct. 3 - 4	
American coot	north zone:	Oct. 10 - Jan. 13, 2021	15
	south zone:	Oct. 28 - Jan. 31, 2021	
common moorhen/gallinule and purple gallinule	Sept. 12 - Nov. 20		1
snipe	Oct. 10 - Jan. 24, 2021		8
Virginia rail & sora	Sept. 12 - Nov. 20		10 (singly or in the aggregate); 20 in possession
dark goose: Canada & white-fronted geese (regular season closed in Sierra, Socorro and Valencia counties)	Oct. 17 - Jan. 31, 2021		5
dark goose: special MRGV season	Dec. 19 - Jan. 31, 2021		2 (2 per season)
light goose: Ross's & snow geese	Oct. 17 - Jan. 31, 2021		50 (no possession limit)
light goose conservation order	Feb. 1 - Mar. 10, 2021		no bag or possession limit

PACIFIC FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
species	season dates	daily bag limit
youth waterfowl days	Oct. 3 - 4	7 (singly or in the aggregate); that consists of no more than 2 female mallard, 2 redhead, 1 pintail and 2 canvasback
ducks	Oct. 19 - Jan. 31, 2021	
scaup	Oct. 17 - Jan. 10, 2021	2 (as part of the aggregate duck bag)
American coot and common moorhen/gallinule	Oct. 19 - Jan. 31, 2021	25 daily (singly or in the aggregate)
snipe	Oct. 17 - Jan. 31, 2021	8
Virginia rail & sora	Sept. 12 - Nov. 20	25 daily (singly or in the aggregate)
goose	north zone: Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021	4 Canada geese, 10 white-fronted geese and 20 light geese
	south zone: Oct. 17 - Jan. 31, 2021	

[19.31.6.11 NMAC - Rp, 19.31.6.11 NMAC, 9/1/2019]

19.31.6.12 FALCONRY SEASONS: 2020-2021 season, all dates are 2020 unless otherwise specified. Bag limits are three singly or in the aggregate and nine in possession unless otherwise specified.

CENTRAL FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
sora and Virginia rail	all	Sept. 12 - Dec. 27
snipe	all	Oct. 10 - Jan. 24, 2021
common moorhen/gallinule and purple gallinule	all	Sept. 12 - Dec. 27
ducks	north	Sept. 12 - 20 and Oct. 10 - Jan 13, 2021
	south	Sept. 12 - 20 and Oct. 28 - Jan 31, 2021
goose (light and dark)	all	Oct. 17 - Jan. 31, 2021
goose (dark)	MRGV	Dec. 19 - Jan. 31, 2021
sandhill crane	regular (eastern)	Oct. 10 - Jan. 24, 2021; 3 (6 in possession)
	Estancia valley	Oct. 24 - Dec. 22; 3 (6 in possession)
PACIFIC FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
ducks	all	Oct. 19 - Jan. 31, 2021
scaup	all	Oct. 17 - Jan. 10, 2021
goose (all)	north	Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021
	south	Oct. 17 - Jan. 31, 2021
snipe	all	Oct. 17 - Jan. 31, 2021
coots and common moorhen/gallinule	all	Oct. 19 - Jan. 31, 2021
sora and Virginia rail	all	Sept. 12 - Nov. 20

[19.31.6.12 NMAC - Rp, 19.31.6.12 NMAC, 9/1/2019]

19.31.6.13 FEDERAL YOUTH WATERFOWL HUNTING DAYS: Requirements for youth hunters to participate in this hunt are as follows:

A. An adult, 18 years of age or older, must accompany the youth hunter in the field (the adult may not hunt ducks but may participate in other seasons that are open on the special youth days).

B. Only ducks, coots, and common moorhens/gallinules may be taken by the youth hunter (sandhill cranes, geese or any other migratory game bird species may not be taken unless the season is open).

[19.31.6.13 NMAC - Rp, 19.31.6.13 NMAC, 9/1/2019]

19.31.6.14 REQUIREMENTS FOR THE SPECIAL BERNARDO YOUTH WATERFOWL UNIT:

Blind selection will be available on a first-come, first-serve basis from one-half hour before sunrise to 1:00 p.m. Youth hunters must be accompanied by a supervising adult who may not hunt. A maximum of four people is allowed per blind, at least half of which must be youth hunters.

[19.31.6.14 NMAC - Rp, 19.31.6.14 NMAC, 9/1/2019]

19.31.6.15 SEASON DATES, OPEN AREAS, BAG LIMITS, HUNT CODES AND PERMIT NUMBERS FOR THE SPECIAL ESTANCIA VALLEY, MIDDLE RIO GRANDE VALLEY AND SOUTHWEST NEW MEXICO SANDHILL CRANE SEASONS:

A. The daily bag limit is 3. The possession limit is twice the daily bag limit, except for the MRGV youth-only hunt where the bag and possession limits are 3. The hunting seasons for 2020-2021 are:

hunt location	hunt dates	hunt code	permits
EV	Oct 24 - Oct 27 and Oct. 29 - Nov. 1	SCR-0-101	65
MRGV	Nov. 7 - 8	SCR-0-102	60
MRGV	Nov. 28 - Nov. 29	SCR-0-103	55
MRGV	Dec. 5 - 6	SCR-0-104	55
MRGV	Jan. 2 - 3, 2021	SCR-0-105	50
MRGV	Jan. 9 - 10, 2021	SCR-0-106	50
MRGV, youth-only	Nov. 21	SCR-0-107	24
SW	Oct. 24 - Nov. 1	SCR-0-108	70
SW	Jan. 2 - 3, 2021	SCR-0-109	60

B. Hunters who participate in the MRGV season shall be required to check-out at designated check stations when they harvest any sandhill cranes.

C. The department may cancel one or more EV, MRGV or SW sandhill crane hunts if harvest is expected to exceed our federal allocation of greater sandhill cranes.

[19.31.6.15 NMAC - Rp, 19.31.6.15 NMAC, 9/1/2019]

HISTORY OF 19.31.6 NMAC:

Pre-NMAC Filing History: The material in this part was derived from that previously filed with the State Records Center & Archives under: Regulation No. 486, Establishing 1967 Seasons On Quail, Pheasants, Prairie Chickens, and Lesser Sandhill (Little Brown) Crane And Additional Seasons On Migratory Waterfowl, filed 9/22/67; Regulation No. 494, Establishing 1968 Seasons On Migratory Waterfowl, Common Snipe, Lesser Sandhill Crane, Scaled, Gambel's, And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 10/2/68; Regulation No. 508, Establishing 1969 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Scaled, Gambel's And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 9/19/69; Regulation No. 527, Establishing 1971 Seasons On Migratory Waterfowl And Lesser Sandhill Cranes, filed 9/10/71; Regulation No. 540, Establishing 1972 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, And Wilson's Swipe, filed 9/26/72; Regulation No. 551, Establishing 1973 Seasons On Migratory Waterfowl And Lesser Sandhill Crane, filed 8/20/73; Regulation No. 560, Establishing

1974 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/21/74; Regulation No. 570, Establishing 1975 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/5/75; Regulation No. 578, Establishing 1976 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 8/31/1976; Regulation No. 588, Establishing 1977 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/6/1977; Regulation No. 594, Establishing 1978 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/11/1978; Regulation No. 601, Establishing 1979 Seasons on Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/30/1979; Regulation No. 606, Establishing 1980 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/3/80; Regulation No. 611, Establishing 1981 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/4/1981; Regulation No. 616, Establishing 1982 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/3/1982; Regulation No. 626, Establishing 1983 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/7/1983; Regulation No. 631, Establishing 1984 Seasons On Migratory Waterfowl, filed 8/31/1984; Regulation No. 638, Establishing 1985 Seasons On Migratory Waterfowl, filed 9/11/1985; Regulation No. 643, Establishing 1986-1987 Seasons On Migratory Birds, filed 8/24/1987; Regulation No. 660, Establishing 1988-1989 Seasons On Migratory Birds, filed 6/28/1988; Regulation No. 669, Establishing 1989-1990 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Sandhill Crane, Band-tailed Pigeon, Dove, And Setting Falconry Seasons, filed 10/5/1989; Regulation No. 680, Establishing 1990-1991 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 9/28/1990; Regulation No. 687, Establishing 1991-1992 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1991-92 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1992-1993 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry seasons, filed 9/15/1992; Regulation No. 704, Establishing 1993-1994 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 3/11/1993; Regulation No. 707, Establishing The 1994-1995, 1995-1996, 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 7/28/1994; Regulation No. 708, Establishing The 1994-1995, 1995-1996, And 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 9/7/1994.

NMAC History:

19 NMAC 31.6, Waterfowl, filed 8/31/1995
19.31.6 NMAC, Waterfowl, filed 8/15/2000
19.31.6 NMAC, Waterfowl, filed 8/26/2002
19.31.6 NMAC, Waterfowl, filed 8/12/2003
19.31.6 NMAC, Waterfowl, filed 8/2/2004
19.31.6 NMAC, Waterfowl, filed 8/8/2005
19.31.6 NMAC, Waterfowl, filed 8/1/2006
19.31.6 NMAC, Waterfowl, filed 8/16/2007
19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008
19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009
19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010
19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011
19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012
19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013

History of Repealed Material:

19.31.6 NMAC, Waterfowl, filed 8/15/2000 - duration expired 3/31/2002
19.31.6 NMAC, Waterfowl, filed 8/26/2002 - duration expired 3/31/2003
19.31.6 NMAC, Waterfowl, filed 8/12/2003 - duration expired 3/31/2004
19.31.6 NMAC, Waterfowl, filed 8/2/2004 - duration expired 3/31/2005
19.31.6 NMAC, Waterfowl, filed 8/8/2005 - duration expired 3/31/2006
19.31.6 NMAC, Waterfowl, filed 8/1/2006 - duration expired 3/31/2007
19.31.6 NMAC, Waterfowl, filed 8/16/2007 - duration expired 3/31/2008

19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008 - duration expired 3/31/2009
19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009 - duration expired 3/31/2010
19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010 - duration expired 3/31/2011
19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011 - duration expired 3/31/2012
19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012 - duration expired 3/31/2013
19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013 - duration expired 3/31/2014
19.31.6 NMAC, Migratory Game Bird, filed 8/31/2014 - duration expired 3/31/2015
19.31.6 NMAC, Migratory Game Bird, filed 9/1/2015 - duration expired 3/31/2016
19.31.6 NMAC, Migratory Game Bird, filed 6/30/2016 - duration expired 3/31/2017
19.31.6 NMAC, Migratory Game Bird, filed 7/27/2017 - duration expired 3/31/2018
19.31.6 NMAC, Migratory Game Bird, filed 7/2/2018 - duration expired 3/31/2019
19.31.6 NMAC, Migratory Game Bird, filed 8/28/2019 - duration expired 3/31/2020

Initial Proposed Rule

TITLE 19 NATURAL RESOURCES AND WILDLIFE **CHAPTER 31 HUNTING AND FISHING** **PART 6 MIGRATORY GAME BIRD**

19.31.6.1 ISSUING AGENCY: New Mexico department of game and fish.
[19.31.6.1 NMAC - Rp, 19.31.6.1 NMAC, 9-1-19]

19.31.6.2 SCOPE: Sportspersons interested in migratory game bird management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978 and Title 19 NMAC.
[19.31.6.2 NMAC - Rp, 19.31.6.2 NMAC, 9-1-19]

19.31.6.3 STATUTORY AUTHORITY: Section 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds, and fish.
[19.31.6.3 NMAC - Rp, 19.31.6.3 NMAC, 9-1-19]

19.31.6.4 DURATION: September 1, ~~2019~~2020 - March 31, ~~2020~~2021.
[19.31.6.4 NMAC - Rp, 19.31.6.4 NMAC, 9-1-19]

19.31.6.5 EFFECTIVE DATE: September 1, ~~2019~~2020, unless a later date is cited at the end of a section.
[19.31.6.5 NMAC - Rp, 19.31.6.5 NMAC, 9-1-19]

19.31.6.6 OBJECTIVE: Establishing open hunting seasons, regulations, rules, and procedures governing the issuance of migratory game bird licenses and permits by the department.
[19.31.6.6 NMAC - Rp, 19.31.6.6 NMAC, 9-1-19]

19.31.6.7 DEFINITIONS:

A. "Bernardo pond unit" shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and west of the unit 7 drain.

B. "Bernardo youth unit" shall mean that portion of Bernardo wildlife management area immediately south of the Quagmire and east of the unit 7 drain.

C. "Central flyway" shall mean that portion of New Mexico east of the continental divide.

D. "Dark goose" shall mean Canada goose or white-fronted goose.

E. "Department" shall mean the New Mexico department of game and fish.

F. "Director" shall mean the director of the New Mexico department of game and fish.

G. "Dove north zone" or "north zone" shall mean that portion of New Mexico north of Interstate 40 from the Arizona-New Mexico border to Tukumcari and U.S. 54 at its junction with Interstate 40 at Tukumcari to the New Mexico-Texas border.

H. "Dove south zone" or "south zone" shall mean that portion of New Mexico south of Interstate 40 from the Arizona-New Mexico border to Tukumcari and U.S. 54 at its junction with Interstate 40 at Tukumcari to the New Mexico-Texas border.

I. "Eastern New Mexico sandhill crane hunt area" or "eastern" shall mean that area in the following counties: Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt.

J. "Estancia valley sandhill crane hunt area" or "EV" shall mean that area beginning at Mountainair bounded on the west by N.M. highway 55 north to N.M. 337, north to N.M. 14, and north to Interstate 25; on the north by Interstate 25 east to U.S. 285; on the east by U.S. 285 south to U.S. 60; and on the south by U.S. 60 from U.S. 285 west to N.M. 55 in Mountainair.

K. "Falconry" shall mean hunting migratory game birds using raptors.

L. "Federal youth waterfowl hunting days" shall mean the special seasons where only those 17 years of age and younger may hunt ducks and geese. A supervising adult at least 18 years of age must accompany the youth hunter. The adult may not hunt ducks, but may participate in other seasons that are open on the special youth days.

M. "Light geese" shall mean snow geese, blue phase snow geese, and Ross's geese.

N. "Light goose conservation order" shall mean those methods, bag and possession limits, and dates approved by the U.S. fish and wildlife service towards reducing over-abundant light goose populations.

- O.** "Middle Rio Grande valley (MRGV) dark goose hunt area" shall mean Sierra, Socorro and Valencia counties.
- P.** "Middle Rio Grande valley (MRGV) sandhill crane hunt area" shall mean Valencia and Socorro counties.
- Q.** "Migratory game bird" shall mean band-tailed pigeon, mourning dove, white-winged dove, sandhill crane, American coot, common moorhen/gallinule, snipe, ducks, geese, sora, purple gallinule, and Virginia rail.
- R.** "North zone" shall mean that portion of the Pacific flyway north of Interstate 40, and that portion of the central flyway north of Interstate 40 from the continental divide to Tatum and U.S. 54 at its junction with Interstate 40 at Tatum to the New Mexico-Texas border.
- S.** "Pacific flyway" shall mean that portion of New Mexico west of the continental divide.
- T.** "Possession limit" shall mean the number of birds in a person's possession regardless of the location stored.
- U.** "Quagmire" shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and east of the unit 7 drain.
- V.** "South zone" shall mean that portion of the Pacific flyway south of Interstate 40, and that portion of the central flyway south of Interstate 40 from the continental divide to Tatum and U.S. 54 at its junction with Interstate 40 at Tatum to the New Mexico-Texas border.
- W.** "Southwest band-tailed pigeon hunting area" or "southwest BPHA" shall mean that portion of New Mexico both south of U.S. 60 and west of Interstate 25.
- X.** "Southwest New Mexico sandhill crane hunt area" or "SW" shall mean that area bounded on the south by the New Mexico-Mexico border; on the west by the New Mexico-Arizona border north to Interstate 10; on the north by Interstate 10 east to U.S. 180, north to N.M. 26, east to N.M. 27, north to N.M. 152, and east to Interstate 25; on the east by Interstate 25 south to Interstate 10, west to the Luna county line, and south to the New Mexico-Mexico border.
- Y.** "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC, Wildlife Management Areas.
[19.31.6.7 NMAC - Rp, 19.31.6.7 NMAC, 9-1-19]

19.31.6.8 ADJUSTMENT OF SANDHILL CRANE LICENSES AND PERMITS: The director, with verbal concurrence of the chairperson or their designee, may adjust the number of licenses and permits to address significant changes in harvest levels. This adjustment may be applied to any or all of the entry hunt codes.
[19.31.6.8 NMAC - Rp, 19.31.6.8 NMAC, 9-1-19]

19.31.6.9 LICENSE AND APPLICATION REQUIREMENTS:

- A. License:** A Harvest Information Program (HIP) number shall be required. Waterfowl hunters 16 years of age and older are required to have in their possession a federal migratory bird hunting and conservation stamp (duck stamp). It shall be unlawful to take or attempt to take migratory birds without a HIP number, or duck stamp if required.
- (1) Any person taking or attempting to take sandhill cranes in the eastern hunt area must have a valid license and a free sandhill crane hunting permit obtained from department offices or website.
 - (2) For EV sandhill crane, MRGV sandhill crane, MRGV youth-only sandhill crane, and SW sandhill crane: in addition to a valid license, a special permit obtained by drawing shall be required.
 - (3) For the light goose conservation order: in addition to a valid license, a free light goose conservation order permit obtained from department offices or website shall be required.
 - (4) For band-tailed pigeon hunting: in addition to a valid license, a free band-tailed pigeon permit obtained from department offices or website shall be required.
- B. Valid dates of license or permit:** All permits and licenses shall be valid only for the dates, legal sporting arms, bag limit and area printed on the permit or license.
- C. Applications:** Applications for EV sandhill crane, MRGV sandhill crane, SW sandhill crane, and MRGV youth-only sandhill crane hunt permits shall be submitted via the department website.
- (1) No more than four persons may apply per application. For the MRGV youth-only sandhill crane hunt, no more than two persons may apply per application.
 - (2) Applicants may apply for a first, second and third choice of seasons, if applicable. A maximum of one permit per species hunt code will be awarded to successful applicants unless otherwise specifically allowed by rule.

(3) The application deadline date for the EV, MRGV, MRGV youth-only, and SW sandhill crane hunt permits shall be on date(s) set by the state game commission. If any permits are available after the drawing, those permits may be sold online via a secondary sale.

D. Youth hunts: Only applicants who have not reached their 18th birthday by the opening day of the hunt are eligible to apply for or participate in a youth-only hunt.
[19.31.6.9 NMAC - Rp, 19.31.6.9 NMAC, 9-1-19]

19.31.6.10 MANNER AND METHODS FOR MIGRATORY GAME BIRDS:

A. Hours: Migratory game birds may be hunted or taken only during the period from one-half hour before sunrise to sunset, unless otherwise specifically allowed or restricted by rule.

(1) On the Bottomless lakes overflow, and Bernardo, Casa Colorada, Jackson lake, La Joya, and W.S. Huey WMAs, hunting hours shall mean from one-half hour before sunrise to 1:00 p.m. unless otherwise stated in rule. For hunting September teal on Bernardo and La Joya WMAs, hunting hours are from one-half hour before sunrise to sunset.

(2) During the light goose conservation order hunt dates, hunting hours shall mean from one-half hour before sunrise to one-half hour after sunset, excluding the WMAs listed in Paragraph (1) above.

B. Seizure: Any officer authorized to enforce Chapter 17 NMSA 1978 and state game commission rules shall seize any migratory game birds or parts that are illegally obtained or possessed.

C. Lands and waters owned, administered, controlled, or managed by the state game commission:

(1) State wildlife management areas open, species that can be hunted, and days open for hunting (use of vehicles will be restricted to designated areas):

(a) Bernardo WMA:

(i) That portion of the Bernardo WMA south of U.S. 60 is open to teal hunting each day of the September teal season and the federal youth waterfowl days. That portion of the Bernardo WMA north of U.S. 60 is closed except during the light goose conservation order.

(ii) The Quagmire shall be open only on Tuesday, Thursday, and Sunday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons, unless otherwise specifically allowed by rule.

(iii) The Bernardo pond unit shall be open for general waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons, unless otherwise specifically allowed by rule.

(iv) The Bernardo youth unit shall be open for youth waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons, unless otherwise specifically allowed by rule.

~~(b) The Charette lake WMA shall be open each day of the federal youth waterfowl days and on Monday, Wednesday, and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons. Charette lake WMA is closed during the September teal season.~~

(eb) The Edward Sargent, W. A. Humphries, Rio Chama, Urraca, Colin Neblett, Water canyon, Marquez, and Elliot S. Barker WMAs shall be open for hunting dove and band-tailed pigeon during established seasons.

(dc) The portion of Jackson lake WMA west of N.M. 170 shall be open on Mondays, Wednesdays, and Saturdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe. The portion of Jackson lake WMA east of N.M. 170 shall be open to falconry-only migratory game bird hunting during established seasons.

(ed) The lesser prairie-chicken management areas shall be open to hunt dove during established seasons.

(fc) La Joya WMA:

(i) the entire La Joya WMA shall be open to teal hunting each day of the September teal season and each day of the federal youth waterfowl days;

(ii) that portion of La Joya WMA north of the main east/west entrance road and west of the railroad tracks shall be open on Saturdays, Mondays, and Wednesdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons, unless otherwise specifically allowed by rule;

(iii) that portion of La Joya WMA south of the main east/west entrance road and west of the railroad tracks shall be open on Sunday, Tuesday and Thursday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons, unless otherwise specifically allowed by rule;

(iv) that portion of La Joya WMA east of the railroad tracks shall be open to hunt dove, ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot, and snipe during established seasons.

(gf) The Charette lake, McAllister lake, Wagon Mound, Tucumcari, and Socorro-Escondida WMAs shall be open for all migratory game bird hunting during established seasons.

(hg) The William S. Huey WMA shall be open for dove hunting on Monday, Wednesday, and Saturday during established seasons.

(2) The Hammond tract and Retherford tract WMAs shall be open for waterfowl hunting during established seasons.

(3) The Sandia ranger district of the Cibola national forest shall be open only to falconry, bow and crossbow migratory game bird hunting during established seasons.

(43) All WMAs shall be open to falconry waterfowl hunting each day of the established falconry season, unless otherwise restricted by rule.

[19.31.6.10 NMAC - Rp, 19.31.6.10 NMAC, 9-1-19]

19.31.6.11 SPECIES, OPEN AREAS, SEASON DATES, AND DAILY BAG LIMITS: 2019-20202020-2021 season, all dates are 20192020 unless otherwise specified. Possession limits are three times the daily bag limit unless otherwise specified.

Species	open areas	season dates	daily bag limit
mourning and white-winged dove	north zone	Sept. 1 – Nov. 29	15 (singly or in aggregate)
	south zone	Sept. 1 – Oct. 28 and Dec. 1 – Jan. 1, 2020	
band-tailed pigeon	southwest BPHA	Oct. 1 – 14	2
	statewide except southwest BPHA	Sept. 1 – 14	
regular season sandhill crane (free permit required)	eastern	Oct. 26 – Jan. 26, 2020	3 (6 in possession)

CENTRAL FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.

species	season dates	daily bag limit
September teal: blue-winged teal, green-winged teal, and cinnamon teal	Sept. 14 – 22	6 (singly or in the aggregate)
ducks	north zone: Oct. 12 – Jan. 15, 2020	6 (singly or in the aggregate); that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican-like ducks are included towards the mallard bag limit), 3 wood duck, 3 scaup, 2 redhead, 2 hooded merganser, 1 pintail, and 2 canvasback
	south zone: Oct. 28 – Jan. 31, 2020	
youth waterfowl days	north zone: Sept. 28 – 29	
	south zone: Oct. 5 – 6	
American coot	north zone: Oct. 12 – Jan. 15, 2020	15
	south zone: Oct. 28 – Jan. 31, 2020	
common moorhen/gallinule	Sept. 14 – Nov. 22	1
snipe	Oct. 12 – Jan. 26, 2020	8
Virginia rail & sora	Sept. 14 – Nov. 22	10 (singly or in the aggregate); 20 in possession
dark goose: Canada & white-fronted geese (regular season closed in Sierra, Socorro, and Valencia counties)	Oct. 17 – Jan. 31, 2020	5

dark goose: special MRGV season	Dec. 21 – Jan. 31, 2020	2 (2 per season)
light goose: Ross's & snow geese	Oct. 17 – Jan. 31, 2020	50 (no possession limit)
light goose conservation order	Feb. 1 – Mar. 10, 2020	no bag or possession limit
PACIFIC FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
species	season dates	daily bag limit
youth waterfowl days	Oct. 5 – 6	7 (singly or in the aggregate); that consists of no more than 2 female mallard, 2 redhead, 1 pintail, and 2 canvasback
ducks	Oct. 19 – Jan. 31, 2020	
seaup	Oct. 19 – Jan. 12, 2020	3 (as part of the aggregate duck bag)
American coot and common moorhen/gallinule	Oct. 19 – Jan. 31, 2020	25 daily (singly or in the aggregate)
snipe	Oct. 17 – Jan. 31, 2020	8
Virginia rail & sora	Sept. 14 – Nov. 22	25 daily (singly or in the aggregate)
goose	north zone: Sept. 21 – Oct. 6 and Nov. 2 – 31, 2020 south zone: Oct. 17 – Jan. 31, 2020	4 Canada geese, 10 white-fronted geese, and 20 light geese

species	open areas	season dates	daily bag limit
mourning and white-winged dove	north zone	Sept. 1 - Nov. 29	15 (singly or in aggregate)
	south zone	Sept. 1 - Oct. 28 and Dec. 1 - Jan. 1, 2021	
band-tailed pigeon	southwest BPHA	Oct. 1 - 14	2
	statewide except southwest BPHA	Sept. 1 - 14	
regular season sandhill crane (free permit required)	eastern	Oct. 24 - Jan. 24, 2021	3 (6 in possession)

CENTRAL FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
species	season dates	daily bag limit
September teal: blue-winged teal, green-winged teal, and cinnamon teal	Sept. 12 - 20	6 (singly or in the aggregate)
ducks	north zone: Oct. 10 - Jan. 13, 2021	6 (singly or in the aggregate); that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican-like ducks are included towards the mallard bag limit), 3 wood duck, 3 scaup, 2 redhead, 2 hooded merganser, 1 pintail and 2 canvasback
	south zone: Oct. 28 - Jan. 31, 2021	
youth waterfowl days	north zone: Sept. 26 - 27	
	south zone: Oct. 3 - 4	
American coot	north zone: Oct. 10 - Jan. 13, 2021	15
	south zone: Oct. 28 - Jan. 31, 2021	
common moorhen/gallinule and purple gallinule	Sept. 12 - Nov. 20	1
snipe	Oct. 10 - Jan. 24, 2021	8
Virginia rail & sora	Sept. 12 - Nov. 20	10 (singly or in the aggregate); 20 in possession
dark goose: Canada & white-fronted geese (regular season closed in Sierra, Socorro and Valencia counties)	Oct. 17 - Jan. 31, 2021	5
dark goose: special MRGV season	Dec. 19 - Jan. 31, 2021	2 (2 per season)
light goose: Ross's & snow geese	Oct. 17 - Jan. 31, 2021	50 (no possession limit)

light goose conservation order	Feb. 1 - Mar. 10, 2021	no bag or possession limit
PACIFIC FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
species	season dates	daily bag limit
youth waterfowl days	Oct. 3 - 4	7 (singly or in the aggregate); that consists of no more than 2 female mallard, 2 redhead, 1 pintail and 2 canvasback
ducks	Oct. 19 - Jan. 31, 2021	
scaup	Oct. 17 - Jan. 10, 2021	2 (as part of the aggregate duck bag)
American coot and common moorhen/gallinule	Oct. 19 - Jan. 31, 2021	25 daily (singly or in the aggregate)
snipe	Oct. 17 - Jan. 31, 2021	8
Virginia rail & sora	Sept. 12 - Nov. 20	25 daily (singly or in the aggregate)
goose	north zone: Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021 south zone: Oct. 17 - Jan. 31, 2021	4 Canada geese, 10 white-fronted geese and 20 light geese

[19.31.6.11 NMAC - Rp, 19.31.6.11 NMAC, 9-1-19]

19.31.6.12 FALCONRY SEASONS: ~~2019~~~~2020~~ ~~2020~~~~2021~~ season, all dates are ~~2019~~~~2020~~ unless otherwise specified. Bag limits are three singly or in the aggregate and nine in possession unless otherwise specified.

CENTRAL FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2020
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2020
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
sora and Virginia rail	all	Sept. 14 - Dec. 29
snipe	all	Oct. 12 - Jan. 26, 2020
common moorhen/gallinule	all	Sept. 14 - Dec. 29
ducks	north	Sept. 14 - 22 and Oct. 12 - Jan. 15, 2020
	south	Sept. 14 - 22 and Oct. 28 - Jan. 31, 2020
goose (light and dark)	all	Oct. 17 - Jan. 31, 2020
goose (dark)	MRGV	Dec. 21 - Jan. 31, 2020
sandhill crane	regular (eastern)	Oct. 12 - Jan. 26, 2020; 3 (6 in possession)
	Estancia valley	Oct. 26 - Dec. 24; 3 (6 in possession)

PACIFIC FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2020
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2020
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
duck	all	Oct. 19 - Jan. 31, 2020
seaup	all	Oct. 19 - Jan. 12, 2020
goose	north	Sept. 21 - Oct. 6 and Nov. 2 - Jan. 31, 2020
	south	Oct. 17 - Jan. 31, 2020
snipe	all	Oct. 17 - Jan. 31, 2020
coots and common moorhen/gallinule	all	Oct. 19 - Jan. 31, 2020
sora and Virginia rail	all	Sept. 14 - Nov. 22

CENTRAL FLYWAY		
species	open areas	season dates

mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
sora and Virginia rail	all	Sept. 12 - Dec. 27
snipe	all	Oct. 10 - Jan. 24, 2021
common moorhen/gallinule and purple gallinule	all	Sept. 12 - Dec. 27
ducks	north	Sept. 12 - 20 and Oct. 10 - Jan 13, 2021
	south	Sept. 12 - 20 and Oct. 28 - Jan 31, 2021
goose (light and dark)	all	Oct. 17 - Jan. 31, 2021
goose (dark)	MRGV	Dec. 19 - Jan. 31, 2021
sandhill crane	regular (eastern)	Oct. 10 - Jan. 24, 2021; 3 (6 in possession)
	Estancia valley	Oct. 24 - Dec. 22; 3 (6 in possession)

PACIFIC FLYWAY

species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
ducks	all	Oct. 19 - Jan. 31, 2021
scaup	all	Oct. 17 - Jan. 10, 2021
goose (all)	north	Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021
	south	Oct. 17 - Jan. 31, 2021
snipe	all	Oct. 17 - Jan. 31, 2021
coots and common moorhen/gallinule	all	Oct. 19 - Jan. 31, 2021
sora and Virginia rail	all	Sept. 12 - Nov. 20

[19.31.6.12 NMAC - Rp, 19.31.6.12 NMAC, 9-1-19]

19.31.6.13 FEDERAL YOUTH WATERFOWL HUNTING DAYS: Requirements for youth hunters to participate in this hunt are as follows:

A. An adult, 18 years of age or older, must accompany the youth hunter in the field (the adult may not hunt ducks but may participate in other seasons that are open on the special youth days).

B. Only ducks, coots, and common moorhens/gallinules may be taken by the youth hunter (sandhill cranes, geese or any other migratory game bird species may not be taken unless the season is open).

[19.31.6.13 NMAC - Rp, 19.31.6.13 NMAC, 9-1-19]

19.31.6.14 REQUIREMENTS FOR THE SPECIAL BERNARDO YOUTH WATERFOWL UNIT:

Blind selection will be available on a first-come, first-serve basis from one-half hour before sunrise to 1:00 p.m. Youth hunters must be accompanied by a supervising adult who may not hunt. A maximum of four people is allowed per blind, at least half of which must be youth hunters.

[19.31.6.14 NMAC - Rp, 19.31.6.14 NMAC, 9-1-19]

19.31.6.15 SEASON DATES, OPEN AREAS, BAG LIMITS, HUNT CODES AND PERMIT NUMBERS FOR THE SPECIAL ESTANCIA VALLEY, MIDDLE RIO GRANDE VALLEY, AND SOUTHWEST NEW MEXICO SANDHILL CRANE SEASONS:

A. The daily bag limit is 3. The possession limit is twice the daily bag limit, except for the MRGV youth-only hunt where the bag and possession limits are 3. The hunting seasons for ~~2019~~2020-2020~~2021~~ are:

hunt location	hunt dates	hunt code	permits
EV	Oct 26 – Oct 29 and Oct. 31 – Nov. 3	SCR-0-101	65

MRGV	Nov. 9 - 10	SCR-0-102	55
MRGV	Nov. 30 - Dec. 1	SCR-0-103	50
MRGV	Dec. 14 - 15	SCR-0-104	55
MRGV	Jan. 4 - 5, 2020	SCR-0-105	55
MRGV	Jan. 11 - 12, 2020	SCR-0-106	55
MRGV, youth-only	Dec. 7	SCR-0-107	24
SW	Oct. 26 - Nov. 3	SCR-0-108	70
SW	Jan. 4 - 5, 2020	SCR-0-109	60

hunt location	hunt dates	hunt code	permits
EV	Oct 24 - Oct 27 and Oct. 29 - Nov. 1	SCR-0-101	65
MRGV	Nov. 7 - 8	SCR-0-102	60
MRGV	Nov. 28 - Nov. 29	SCR-0-103	55
MRGV	Dec. 5 - 6	SCR-0-104	55
MRGV	Jan. 2 - 3, 2021	SCR-0-105	50
MRGV	Jan. 9 - 10, 2021	SCR-0-106	50
MRGV, youth-only	Nov. 21	SCR-0-107	24
SW	Oct. 24 - Nov. 1	SCR-0-108	70
SW	Jan. 2 - 3, 2021	SCR-0-109	60

B. Hunters who participate in the MRGV season shall be required to check-out at designated check stations when they harvest any sandhill cranes.

C. The department may cancel one or more EV, MRGV or SW sandhill crane hunts if harvest is expected to exceed our federal allocation of greater sandhill cranes.
[19.31.6.15 NMAC - Rp, 19.31.6.15 NMAC, 9-1-19]

HISTORY OF 19.31.6 NMAC:

Pre-NMAC Filing History: The material in this part was derived from that previously filed with the State Records Center & Archives under: Regulation No. 486, Establishing 1967 Seasons On Quail, Pheasants, Prairie Chickens, and Lesser Sandhill (Little Brown) Crane And Additional Seasons On Migratory Waterfowl, filed 9/22/67; Regulation No. 494, Establishing 1968 Seasons On Migratory Waterfowl, Common Snipe, Lesser Sandhill Crane, Scaled, Gambel's, And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 10/2/68; Regulation No. 508, Establishing 1969 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Scaled, Gambel's And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 9/19/69; Regulation No. 527, Establishing 1971 Seasons On Migratory Waterfowl And Lesser Sandhill Cranes, filed 9/10/71; Regulation No. 540, Establishing 1972 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, And Wilson's Swipe, filed 9/26/72; Regulation No. 551, Establishing 1973 Seasons On Migratory Waterfowl And Lesser Sandhill Crane, filed 8/20/73; Regulation No. 560, Establishing 1974 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/21/74; Regulation No. 570, Establishing 1975 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/5/75; Regulation No. 578, Establishing 1976 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 8/31/1976; Regulation No. 588, Establishing 1977 Seasons On Migratory Waterfowl, Lesser Sandhill Crane,

Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/6/1977; Regulation No. 594, Establishing 1978 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/11/1978; Regulation No. 601, Establishing 1979 Seasons on Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/30/1979; Regulation No. 606, Establishing 1980 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/3/80; Regulation No. 611, Establishing 1981 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/4/1981; Regulation No. 616, Establishing 1982 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/3/1982; Regulation No. 626, Establishing 1983 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/7/1983; Regulation No. 631, Establishing 1984 Seasons On Migratory Waterfowl, filed 8/31/1984; Regulation No. 638, Establishing 1985 Seasons On Migratory Waterfowl, filed 9/11/1985; Regulation No. 643, Establishing 1986-1987 Seasons On Migratory Birds, filed 8/24/1987; Regulation No. 660, Establishing 1988-1989 Seasons On Migratory Birds, filed 6/28/1988; Regulation No. 669, Establishing 1989-1990 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Sandhill Crane, Band-tailed Pigeon, Dove, And Setting Falconry Seasons, filed 10/5/1989; Regulation No. 680, Establishing 1990-1991 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 9/28/1990; Regulation No. 687, Establishing 1991-1992 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1991-92 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1992-1993 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry seasons, filed 9/15/1992; Regulation No. 704, Establishing 1993-1994 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 3/11/1993; Regulation No. 707, Establishing The 1994-1995, 1995-1996, 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 7/28/1994; Regulation No. 708, Establishing The 1994-1995, 1995-1996, And 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 9/7/1994.

NMAC History:

19 NMAC 31.6, Waterfowl, filed 8-31-1995
19.31.6 NMAC, Waterfowl, filed 8-15-2000
19.31.6 NMAC, Waterfowl, filed 8-26-2002
19.31.6 NMAC, Waterfowl, filed 8-12-2003
19.31.6 NMAC, Waterfowl, filed 8-2-2004
19.31.6 NMAC, Waterfowl, filed 8-8-2005
19.31.6 NMAC, Waterfowl, filed 8-1-2006
19.31.6 NMAC, Waterfowl, filed 8-16-2007
19.31.6 NMAC, Migratory Game Bird, filed 8-13-2008
19.31.6 NMAC, Migratory Game Bird, filed 8-17-2009
19.31.6 NMAC, Migratory Game Bird, filed 8-2-2010
19.31.6 NMAC, Migratory Game Bird, filed 8-1-2011
19.31.6 NMAC, Migratory Game Bird, filed 8-14-2012
19.31.6 NMAC, Migratory Game Bird, filed 8-29-2013

History of Repealed Material:

19.31.6 NMAC, Waterfowl, filed 8-15-2000 - duration expired 3-31-2002
19.31.6 NMAC, Waterfowl, filed 8-26-2002 - duration expired 3-31-2003
19.31.6 NMAC, Waterfowl, filed 8-12-2003 - duration expired 3-31-2004
19.31.6 NMAC, Waterfowl, filed 8-2-2004 - duration expired 3-31-2005
19.31.6 NMAC, Waterfowl, filed 8-8-2005 - duration expired 3-31-2006
19.31.6 NMAC, Waterfowl, filed 8-1-2006 - duration expired 3-31-2007
19.31.6 NMAC, Waterfowl, filed 8-16-2007 - duration expired 3-31-2008
19.31.6 NMAC, Migratory Game Bird, filed 8-13-2008 - duration expired 3-31-2009
19.31.6 NMAC, Migratory Game Bird, filed 8-17-2009 - duration expired 3-31-2010
19.31.6 NMAC, Migratory Game Bird, filed 8-2-2010 - duration expired 3-31-2011
19.31.6 NMAC, Migratory Game Bird, filed 8-1-2011 - duration expired 3-31-2012
19.31.6 NMAC, Migratory Game Bird, filed 8-14-2012 - duration expired 3-31-2013

19.31.6 NMAC, Migratory Game Bird, filed 8-29-2013 - duration expired 3-31-2014
19.31.6 NMAC, Migratory Game Bird, filed 8-31-2014 - duration expired 3-31-2015
19.31.6 NMAC, Migratory Game Bird, filed 9-1-2015 - duration expired 3-31-2016
19.31.6 NMAC, Migratory Game Bird, filed 6-30-2016 - duration expired 3-31-2017
19.31.6 NMAC, Migratory Game Bird, filed 7-27-2017 - duration expired 3-31-2018
19.31.6 NMAC, Migratory Game Bird, filed 7-2-2018 - duration expired 3-31-2019
19.31.6 NMAC, Migratory Game Bird, filed 8-28-2019 - duration expired 3-31-2020

Final Adopted Rule

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TITLE 19 **NATURAL RESOURCES AND WILDLIFE**
CHAPTER 31 **HUNTING AND FISHING**
PART 6 **MIGRATORY GAME BIRD**

19.31.6.1 **ISSUING AGENCY:** New Mexico department of game and fish.
[19.31.6.1 NMAC - Rp, 19.31.6.1 NMAC, 9/1/2020]

19.31.6.2 **SCOPE:** Sportspersons interested in migratory game bird management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978 and Title 19 NMAC.
[19.31.6.2 NMAC - Rp, 19.31.6.2 NMAC, 9/1/2020]

19.31.6.3 **STATUTORY AUTHORITY:** Section 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.
[19.31.6.3 NMAC - Rp, 19.31.6.3 NMAC, 9/1/2020]

19.31.6.4 **DURATION:** September 1, 2020 - March 31, 2021.
[19.31.6.4 NMAC - Rp, 19.31.6.4 NMAC, 9/1/2020]

19.31.6.5 **EFFECTIVE DATE:** September 1, 2020, unless a later date is cited at the end of a section.
[19.31.6.5 NMAC - Rp, 19.31.6.5 NMAC, 9/1/2020]

19.31.6.6 **OBJECTIVE:** Establishing open hunting seasons, regulations, rules and procedures governing the issuance of migratory game bird licenses and permits by the department.
[19.31.6.6 NMAC - Rp, 19.31.6.6 NMAC, 9/1/2020]

19.31.6.7 **DEFINITIONS:**

A. **"Bernardo pond unit"** shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and west of the unit 7 drain.

B. **"Bernardo youth unit"** shall mean that portion of Bernardo wildlife management area immediately south of the Quagmire and east of the unit 7 drain.

C. **"Central flyway"** shall mean that portion of New Mexico east of the continental divide.

D. **"Dark goose"** shall mean Canada goose or white-fronted goose.

E. **"Department"** shall mean the New Mexico department of game and fish.

F. **"Director"** shall mean the director of the New Mexico department of game and fish.

G. **"Dove north zone" or "north zone"** shall mean that portion of New Mexico north of Interstate 40 from the Arizona-New Mexico border to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

H. **"Dove south zone" or "south zone"** shall mean that portion of New Mexico south of Interstate 40 from the Arizona-New Mexico border to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

I. **"Eastern New Mexico sandhill crane hunt area" or "eastern"** shall mean that area in the following counties: Chaves, Curry, De Baca, Eddy, Lea, Quay and Roosevelt.

J. **"Estancia valley sandhill crane hunt area" or "EV"** shall mean that area beginning at Mountainair bounded on the west by N.M. highway 55 north to N.M. 337, north to N.M. 14, and north to Interstate 25; on the north by Interstate 25 east to U.S. 285; on the east by U.S. 285 south to U.S. 60; and on the south by U.S. 60 from U.S. 285 west to N.M. 55 in Mountainair.

K. **"Falconry"** shall mean hunting migratory game birds using raptors.

L. **"Federal youth waterfowl hunting days"** shall mean the special seasons where only those 17 years of age and younger may hunt ducks and geese. A supervising adult at least 18 years of age must accompany the youth hunter. The adult may not hunt ducks, but may participate in other seasons that are open on the special youth days.

M. **"Light geese"** shall mean snow geese, blue phase snow geese and Ross's geese.

N. **"Light goose conservation order"** shall mean those methods, bag and possession limits, and dates approved by the U.S. fish and wildlife service towards reducing over-abundant light goose populations.

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O. "Middle Rio Grande valley (MRGV) dark goose hunt area" shall mean Sierra, Socorro and Valencia counties.

P. "Middle Rio Grande valley (MRGV) sandhill crane hunt area" shall mean Valencia and Socorro counties.

Q. "Migratory game bird" shall mean band-tailed pigeon, mourning dove, white-winged dove, sandhill crane, American coot, common moorhen/gallinule, snipe, ducks, geese, sora, purple gallinule and Virginia rail.

R. "North zone" shall mean that portion of the Pacific flyway north of Interstate 40, and that portion of the central flyway north of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

S. "Pacific flyway" shall mean that portion of New Mexico west of the continental divide.

T. "Possession limit" shall mean the number of birds in a person's possession regardless of the location stored.

U. "Quagmire" shall mean that portion of Bernardo wildlife management area 600 feet south of U.S. 60 and east of the unit 7 drain.

V. "South zone" shall mean that portion of the Pacific flyway south of Interstate 40, and that portion of the central flyway south of Interstate 40 from the continental divide to Tucumcari and U.S. 54 at its junction with Interstate 40 at Tucumcari to the New Mexico-Texas border.

W. "Southwest band-tailed pigeon hunting area" or "southwest BPHA" shall mean that portion of New Mexico both south of U.S. 60 and west of Interstate 25.

X. "Southwest New Mexico sandhill crane hunt area" or "SW" shall mean that area bounded on the south by the New Mexico-Mexico border; on the west by the New Mexico-Arizona border north to Interstate 10; on the north by Interstate 10 east to U.S. 180, north to N.M. 26, east to N.M. 27, north to N.M. 152, and east to Interstate 25; on the east by Interstate 25 south to Interstate 10, west to the Luna county line, and south to the New Mexico-Mexico border.

Y. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC, Wildlife Management Areas.

[19.31.6.7 NMAC - Rp, 19.31.6.7 NMAC, 9/1/2020]

19.31.6.8 ADJUSTMENT OF SANDHILL CRANE PERMITS: The director, with verbal concurrence of the chairperson or their designee, may adjust the number of permits to address significant changes in harvest levels. This adjustment may be applied to any or all of the entry hunt codes.

[19.31.6.8 NMAC - Rp, 19.31.6.8 NMAC, 9/1/2020]

19.31.6.9 LICENSE AND APPLICATION REQUIREMENTS:

A. License: A Harvest Information Program (HIP) number shall be required. Waterfowl hunters 16 years of age and older are required to have in their possession a federal migratory bird hunting and conservation stamp (duck stamp). It shall be unlawful to take or attempt to take migratory birds without a HIP number, or duck stamp if required.

(1) Any person taking or attempting to take sandhill cranes in the eastern hunt area must have a valid license and a free sandhill crane hunting permit obtained from department offices or website.

(2) For EV sandhill crane, MRGV sandhill crane, MRGV youth-only sandhill crane and SW sandhill crane: in addition to a valid license, a special permit obtained by drawing shall be required.

(3) For the light goose conservation order: in addition to a valid license, a free light goose conservation order permit obtained from department offices or website shall be required.

(4) For band-tailed pigeon hunting: in addition to a valid license, a free band-tailed pigeon permit obtained from department offices or website shall be required.

B. Valid dates of license or permit: All permits and licenses shall be valid only for the dates, legal sporting arms, bag limit and area printed on the permit or license.

C. Applications: Applications for EV sandhill crane, MRGV sandhill crane, SW sandhill crane and MRGV youth-only sandhill crane hunt permits shall be submitted via the department website.

(1) No more than four persons may apply per application. For the MRGV youth-only sandhill crane hunt, no more than two persons may apply per application.

(2) Applicants may apply for a first, second and third choice of seasons, if applicable. A maximum of one permit per species hunt code will be awarded to successful applicants unless otherwise specifically allowed by rule.

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(3) The application deadline date for the EV, MRGV, MRGV youth-only and SW sandhill crane hunt permits shall be on date(s) set by the state game commission. If any permits are available after the drawing, those permits may be sold online via a secondary sale.

D. Youth hunts: Only applicants who have not reached their 18th birthday by the opening day of the hunt are eligible to apply for or participate in a youth-only hunt.
[19.31.6.9 NMAC - Rp, 19.31.6.9 NMAC, 9/1/2020]

19.31.6.10 MANNER AND METHODS FOR MIGRATORY GAME BIRDS:

A. Hours: Migratory game birds may be hunted or taken only during the period from one-half hour before sunrise to sunset, unless otherwise specifically allowed or restricted by rule.

(1) On the Bottomless lakes overflow, and Bernardo, Casa Colorada, Jackson lake, La Joya and W.S. Huey WMAs, hunting hours shall mean from one-half hour before sunrise to 1:00 p.m. unless otherwise stated in rule. For hunting September teal on Bernardo and La Joya WMAs, hunting hours are from one-half hour before sunrise to sunset.

(2) During the light goose conservation order hunt dates, hunting hours shall mean from one-half hour before sunrise to one-half hour after sunset, excluding the WMAs listed in Paragraph (1) above.

B. Seizure: Any officer authorized to enforce Chapter 17 NMSA 1978 and state game commission rules shall seize any migratory game birds or parts that are illegally obtained or possessed.

C. Lands and waters owned, administered, controlled, or managed by the state game commission:

(1) State wildlife management areas open, species that can be hunted, and days open for hunting (use of vehicles will be restricted to designated areas):

(a) Bernardo WMA:

(i) That portion of the Bernardo WMA south of U.S. 60 is open to teal hunting each day of the September teal season and the federal youth waterfowl days. That portion of the Bernardo WMA north of U.S. 60 is closed except during the light goose conservation order.

(ii) The Quagmire shall be open only on Tuesday, Thursday and Sunday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iii) The Bernardo pond unit shall be open for general waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(iv) The Bernardo youth unit shall be open for youth waterfowl hunting on Monday, Wednesday and Saturday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule.

(b) The Edward Sargent, W. A. Humphries, Rio Chama, Urraca, Colin Neblett, Water canyon, Marquez and Elliot S. Barker WMAs shall be open for hunting dove and band-tailed pigeon during established seasons.

(c) The portion of Jackson lake WMA west of N.M. 170 shall be open on Mondays, Wednesdays and Saturdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe. The portion of Jackson lake WMA east of N.M. 170 shall be open to falconry-only migratory game bird hunting during established seasons.

(d) The lesser prairie-chicken management areas shall be open to hunt dove during established seasons.

(e) La Joya WMA:

(i) the entire La Joya WMA shall be open to teal hunting each day of the September teal season and each day of the federal youth waterfowl days;

(ii) that portion of La Joya WMA north of the main east/west entrance road and west of the railroad tracks shall be open on Saturdays, Mondays and Wednesdays to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

(iii) that portion of La Joya WMA south of the main east/west entrance road and west of the railroad tracks shall be open on Sunday, Tuesday and Thursday to hunt ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons, unless otherwise specifically allowed by rule;

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(iv) that portion of La Joya WMA east of the railroad tracks shall be open to hunt dove, ducks, geese, Virginia rail, sora, common moorhen/gallinule, American coot and snipe during established seasons.

(f) The Charette lake, McAllister lake, Wagon Mound, Tukumcari and Socorro-Escondida WMAs shall be open for all migratory game bird hunting during established seasons.

(g) The William S. Huey WMA shall be open for dove hunting on Monday, Wednesday and Saturday during established seasons.

(2) The Hammond tract and Retherford tract WMAs shall be open for waterfowl hunting during established seasons.

(3) All WMAs shall be open to falconry waterfowl hunting each day of the established falconry season, unless otherwise restricted by rule.

[19.31.6.10 NMAC - Rp, 19.31.6.10 NMAC, 9/1/2020]

19.31.6.11 SPECIES, OPEN AREAS, SEASON DATES AND DAILY BAG LIMITS: 2020-2021 season, all dates are 2020 unless otherwise specified. Possession limits are three times the daily bag limit unless otherwise specified.

species	open areas	season dates	daily bag limit
mourning and white-winged dove	north zone	Sept. 1 - Nov. 29	15 (singly or in aggregate)
	south zone	Sept. 1 - Oct. 28 and Dec. 1 - Jan. 1, 2021	
band-tailed pigeon	southwest BPHA	Oct. 1 - 14	2
	statewide except southwest BPHA	Sept. 1 - 14	
regular season sandhill crane (free permit required)	eastern	Oct. 24 - Jan. 24, 2021	3 (6 in possession)

CENTRAL FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.

species	season dates	daily bag limit
September teal: blue-winged teal, green-winged teal, and cinnamon teal	Sept. 12 - 20	6 (singly or in the aggregate)
ducks	north zone: Oct. 10 - Jan. 13, 2021	6 (singly or in the aggregate); that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican-like ducks are included towards the mallard bag limit), 3 wood duck, 3 scaup, 2 redhead, 2 hooded merganser, 1 pintail and 2 canvasback
	south zone: Oct. 28 - Jan. 31, 2021	
youth waterfowl days	north zone: Sept. 26 - 27	6 (singly or in the aggregate); that consists of no more than 5 mallard of which only 2 may be female mallard, (Mexican-like ducks are included towards the mallard bag limit), 3 wood duck, 3 scaup, 2 redhead, 2 hooded merganser, 1 pintail and 2 canvasback
	south zone: Oct. 3 - 4	
American coot	north zone: Oct. 10 - Jan. 13, 2021	15
	south zone: Oct. 28 - Jan. 31, 2021	
common moorhen/gallinule and purple gallinule	Sept. 12 - Nov. 20	1
snipe	Oct. 10 - Jan. 24, 2021	8
Virginia rail & sora	Sept. 12 - Nov. 20	10 (singly or in the aggregate); 20 in possession
dark goose: Canada & white-fronted geese (regular season closed in Sierra, Socorro and Valencia counties)	Oct. 17 - Jan. 31, 2021	5
dark goose: special MRGV season	Dec. 19 - Jan. 31, 2021	2 (2 per season)
light goose: Ross's & snow geese	Oct. 17 - Jan. 31, 2021	50 (no possession limit)
light goose conservation order	Feb. 1 - Mar. 10, 2021	no bag or possession limit

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PACIFIC FLYWAY: possession limits are three times the daily bag limit unless otherwise specified.		
species	season dates	daily bag limit
youth waterfowl days	Oct. 3 - 4	7 (singly or in the aggregate); that consists of no more than 2 female mallard, 2 redhead, 1 pintail and 2 canvasback
ducks	Oct. 19 - Jan. 31, 2021	
scaup	Oct. 17 - Jan. 10, 2021	2 (as part of the aggregate duck bag)
American coot and common moorhen/gallinule	Oct. 19 - Jan. 31, 2021	25 daily (singly or in the aggregate)
snipe	Oct. 17 - Jan. 31, 2021	8
Virginia rail & sora	Sept. 12 - Nov. 20	25 daily (singly or in the aggregate)
goose	north zone: Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021	4 Canada geese, 10 white-fronted geese and 20 light geese
	south zone: Oct. 17 - Jan. 31, 2021	

[19.31.6.11 NMAC - Rp, 19.31.6.11 NMAC, 9/1/2020]

19.31.6.12 FALCONRY SEASONS: 2020-2021 season, all dates are 2020 unless otherwise specified. Bag limits are three singly or in the aggregate and nine in possession unless otherwise specified.

CENTRAL FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
sora and Virginia rail	all	Sept. 12 - Dec. 27
snipe	all	Oct. 10 - Jan. 24, 2021
common moorhen/gallinule and purple gallinule	all	Sept. 12 - Dec. 27
ducks	north	Sept. 12 - 20 and Oct. 10 - Jan 13, 2021
	south	Sept. 12 - 20 and Oct. 28 - Jan 31, 2021
goose (light and dark)	all	Oct. 17 - Jan. 31, 2021
goose (dark)	MRGV	Dec. 19 - Jan. 31, 2021
sandhill crane	regular (eastern)	Oct. 10 - Jan. 24, 2021; 3 (6 in possession)
	Estancia valley	Oct. 24 - Dec. 22; 3 (6 in possession)
PACIFIC FLYWAY		
species	open areas	season dates
mourning and white-winged dove	north	Sept. 1 - Dec. 4 and Dec. 21 - Jan. 1, 2021
	south	Sept. 1 - Nov. 5 and Nov. 22 - Jan. 1, 2021
band-tailed pigeon	southwest BPHA	Oct. 1 - 14
	statewide except southwest BPHA	Sept. 1 - 14
ducks	all	Oct. 19 - Jan. 31, 2021
scaup	all	Oct. 17 - Jan. 10, 2021
goose (all)	north	Sept. 26 - Oct. 11 and Nov. 2 - Jan. 31, 2021
	south	Oct. 17 - Jan. 31, 2021
snipe	all	Oct. 17 - Jan. 31, 2021
coots and common moorhen/gallinule	all	Oct. 19 - Jan. 31, 2021
sora and Virginia rail	all	Sept. 12 - Nov. 20

[19.31.6.12 NMAC - Rp, 19.31.6.12 NMAC, 9/1/2020]

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19.31.6.13 FEDERAL YOUTH WATERFOWL HUNTING DAYS: Requirements for youth hunters to participate in this hunt are as follows:

- A. An adult, 18 years of age or older, must accompany the youth hunter in the field (the adult may not hunt ducks but may participate in other seasons that are open on the special youth days).
 - B. Only ducks, coots, and common moorhens/gallinules may be taken by the youth hunter (sandhill cranes, geese or any other migratory game bird species may not be taken unless the season is open).
- [19.31.6.13 NMAC - Rp, 19.31.6.13 NMAC, 9/1/2020]

19.31.6.14 REQUIREMENTS FOR THE SPECIAL BERNARDO YOUTH WATERFOWL UNIT:

Blind selection will be available on a first-come, first-serve basis from one-half hour before sunrise to 1:00 p.m. Youth hunters must be accompanied by a supervising adult who may not hunt. A maximum of four people is allowed per blind, at least half of which must be youth hunters.

[19.31.6.14 NMAC - Rp, 19.31.6.14 NMAC, 9/1/2020]

19.31.6.15 SEASON DATES, OPEN AREAS, BAG LIMITS, HUNT CODES AND PERMIT NUMBERS FOR THE SPECIAL ESTANCIA VALLEY, MIDDLE RIO GRANDE VALLEY AND SOUTHWEST NEW MEXICO SANDHILL CRANE SEASONS:

A. The daily bag limit is 3. The possession limit is twice the daily bag limit, except for the MRGV youth-only hunt where the bag and possession limits are 3. The hunting seasons for 2020-2021 are:

hunt location	hunt dates	hunt code	permits
EV	Oct 24 - Oct 27 and Oct. 29 - Nov. 1	SCR-0-101	65
MRGV	Nov. 7 - 8	SCR-0-102	60
MRGV	Nov. 28 - Nov. 29	SCR-0-103	55
MRGV	Dec. 5 - 6	SCR-0-104	55
MRGV	Jan. 2 - 3, 2021	SCR-0-105	50
MRGV	Jan. 9 - 10, 2021	SCR-0-106	50
MRGV, youth-only	Nov. 21	SCR-0-107	24
SW	Oct. 24 - Nov. 1	SCR-0-108	70
SW	Jan. 2 - 3, 2021	SCR-0-109	60

B. Hunters who participate in the MRGV season shall be required to check-out at designated check stations when they harvest any sandhill cranes.

C. The department may cancel one or more EV, MRGV or SW sandhill crane hunts if harvest is expected to exceed our federal allocation of greater sandhill cranes.

[19.31.6.15 NMAC - Rp, 19.31.6.15 NMAC, 9/1/2020]

HISTORY OF 19.31.6 NMAC:

Pre-NMAC Filing History: The material in this part was derived from that previously filed with the State Records Center & Archives under: Regulation No. 486, Establishing 1967 Seasons On Quail, Pheasants, Prairie Chickens, and Lesser Sandhill (Little Brown) Crane And Additional Seasons On Migratory Waterfowl, filed 9/22/67; Regulation No. 494, Establishing 1968 Seasons On Migratory Waterfowl, Common Snipe, Lesser Sandhill Crane, Scaled, Gambel's, And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 10/2/68; Regulation No. 508, Establishing 1969 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Scaled, Gambel's And Bobwhite Quail, Pheasants, And Prairie Chickens, filed 9/19/69; Regulation No. 527, Establishing 1971 Seasons On Migratory Waterfowl And Lesser Sandhill Cranes, filed 9/10/71; Regulation No. 540, Establishing 1972 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, And Wilson's Swipe, filed 9/26/72; Regulation No. 551, Establishing 1973 Seasons On Migratory Waterfowl And Lesser Sandhill Crane, filed 8/20/73; Regulation No. 560, Establishing

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1974 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/21/74; Regulation No. 570, Establishing 1975 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/5/75; Regulation No. 578, Establishing 1976 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 8/31/1976; Regulation No. 588, Establishing 1977 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Common Snipe, Quail, Pheasants, And Prairie Chickens, filed 9/6/1977; Regulation No. 594, Establishing 1978 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/11/1978; Regulation No. 601, Establishing 1979 Seasons on Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 8/30/1979; Regulation No. 606, Establishing 1980 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/3/80; Regulation No. 611, Establishing 1981 Seasons On Migratory Waterfowl, Lesser Sandhill Crane, Quail, Pheasants, And Prairie Chickens, filed 9/4/1981; Regulation No. 616, Establishing 1982 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/3/1982; Regulation No. 626, Establishing 1983 Seasons On Migratory Waterfowl, Quail, Pheasants, And Prairie Chickens, filed 9/7/1983; Regulation No. 631, Establishing 1984 Seasons On Migratory Waterfowl, filed 8/31/1984; Regulation No. 638, Establishing 1985 Seasons On Migratory Waterfowl, filed 9/11/1985; Regulation No. 643, Establishing 1986-1987 Seasons On Migratory Birds, filed 8/24/1987; Regulation No. 660, Establishing 1988-1989 Seasons On Migratory Birds, filed 6/28/1988; Regulation No. 669, Establishing 1989-1990 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Sandhill Crane, Band-tailed Pigeon, Dove, And Setting Falconry Seasons, filed 10/5/1989; Regulation No. 680, Establishing 1990-1991 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 9/28/1990; Regulation No. 687, Establishing 1991-1992 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1991-92 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 8/6/1991; Regulation No. 698, Establishing 1992-1993 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry seasons, filed 9/15/1992; Regulation No. 704, Establishing 1993-1994 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe And Setting Falconry Seasons, filed 3/11/1993; Regulation No. 707, Establishing The 1994-1995, 1995-1996, 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 7/28/1994; Regulation No. 708, Establishing The 1994-1995, 1995-1996, And 1996-1997 Seasons On Ducks, Geese, Virginia Rail, Sora, Common Moorhen, American Coot, Common Snipe, And Setting Falconry Seasons, filed 9/7/1994.

NMAC History:

19 NMAC 31.6, Waterfowl, filed 8/31/1995
19.31.6 NMAC, Waterfowl, filed 8/15/2000
19.31.6 NMAC, Waterfowl, filed 8/26/2002
19.31.6 NMAC, Waterfowl, filed 8/12/2003
19.31.6 NMAC, Waterfowl, filed 8/2/2004
19.31.6 NMAC, Waterfowl, filed 8/8/2005
19.31.6 NMAC, Waterfowl, filed 8/1/2006
19.31.6 NMAC, Waterfowl, filed 8/16/2007
19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008
19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009
19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010
19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011
19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012
19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013

History of Repealed Material:

19.31.6 NMAC, Waterfowl, filed 8/15/2000 - duration expired 3/31/2002
19.31.6 NMAC, Waterfowl, filed 8/26/2002 - duration expired 3/31/2003
19.31.6 NMAC, Waterfowl, filed 8/12/2003 - duration expired 3/31/2004
19.31.6 NMAC, Waterfowl, filed 8/2/2004 - duration expired 3/31/2005
19.31.6 NMAC, Waterfowl, filed 8/8/2005 - duration expired 3/31/2006
19.31.6 NMAC, Waterfowl, filed 8/1/2006 - duration expired 3/31/2007
19.31.6 NMAC, Waterfowl, filed 8/16/2007 - duration expired 3/31/2008

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- 19.31.6 NMAC, Migratory Game Bird, filed 8/13/2008 - duration expired 3/31/2009
- 19.31.6 NMAC, Migratory Game Bird, filed 8/17/2009 - duration expired 3/31/2010
- 19.31.6 NMAC, Migratory Game Bird, filed 8/2/2010 - duration expired 3/31/2011
- 19.31.6 NMAC, Migratory Game Bird, filed 8/1/2011 - duration expired 3/31/2012
- 19.31.6 NMAC, Migratory Game Bird, filed 8/14/2012 - duration expired 3/31/2013
- 19.31.6 NMAC, Migratory Game Bird, filed 8/29/2013 - duration expired 3/31/2014
- 19.31.6 NMAC, Migratory Game Bird, filed 8/31/2014 - duration expired 3/31/2015
- 19.31.6 NMAC, Migratory Game Bird, filed 9/1/2015 - duration expired 3/31/2016
- 19.31.6 NMAC, Migratory Game Bird, filed 6/30/2016 - duration expired 3/31/2017
- 19.31.6 NMAC, Migratory Game Bird, filed 7/27/2017 - duration expired 3/31/2018
- 19.31.6 NMAC, Migratory Game Bird, filed 7/2/2018 - duration expired 3/31/2019
- 19.31.6 NMAC, Migratory Game Bird, filed 8/28/2019 - duration expired 3/31/2020

NMAC

Transmittal Form

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: (ALD Use Only)
New Amendment Repeal Emergency Renumber Most recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

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Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

The rulemaking was undertaken to adopt a new Migratory Game Bird rule, 19.31.6 NMAC, which will become effective September 1, 2020. The most recent Migratory Game Bird rule expired on March 31, 2020.

The new rule will include changes to regular waterfowl season dates, changes to the sandhill crane allocation based on fall population data, and moving the youth crane hunt to November. A full text of changes will be available on the Department's website at: www.wildlife.state.nm.us

There have been no changes between the published proposed rule and the final rule. There were no substantive arguments made through public comment that were not accepted. To view public comments, please visit www.wildlife.state.nm.us/commission/meeting-agendas/ and click on the Hearing Archive tab. The resulting rule was based on what was best for the resource and overall hunter satisfaction.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Michael B. Sloane

Check if authority has been delegated

Title:

Director, New Mexico Department of Game and Fish


Signature: (BLACK ink only)

Michael B. Sloane

Date signed:

August 13, 2020

Exhibit #3




Migratory Game Bird

19.31.6 NMAC

August 13, 2020


New Mexico State Game Commission Meeting

Virtual Meeting



Amend: Migratory Game Bird 19.31.6 NMAC

- Adjust season dates and bag limits according to calendar dates and US Fish and Wildlife Service (USFWS) frameworks
- Proposed season frameworks published in Federal Register in April 2020, final frameworks not yet published
- Details about proposed changes and supporting information posted on website

The logo of the New Mexico Game & Fish Department is a circular emblem. It features a central illustration of a bison's head facing forward. The words "NEW MEXICO" are written in a semi-circle above the bison, and "GAME & FISH" is written in a semi-circle below it. There are small decorative dots on either side of the bison's head.

Amend: Migratory Game Bird 19.31.6 NMAC

- **Changes to migratory game bird season dates**
- **Move Bernardo/Casa Colorada youth sandhill crane hunt to November**
- **Pintail bag limit to remain at one**
- **Redistribute sandhill crane permits among existing hunts, based on allocation**



Public Comment

- **6 comments received as of August 10, 2020**
- **Public meeting held via conference call on March 31st:**
 - **One member of the public attended**
- **Comments received:**
 - **Support for proposed changes**
 - **Sandhill crane suggestions**



Sandhill Crane Permits and Allocation

- **Rocky Mountain Population (RMP) sandhill crane harvest allocation is determined by established management plan**
- **NM's RMP sandhill crane allocation decreased from 564 (2019-20) to 535 (2020-21)**
- **Permit numbers remain the same, but shift dates**

Sandhill Crane Permits and Allocation

**Proposed changes to Middle Rio Grande Valley
sandhill crane hunts:**

	2019–2020		2020–2021	
Hunt	Dates	Permits	Dates	Permits
102	Nov 9–10	55	Nov 7–8	60
103	Nov 30–Dec 1	50	Nov 28–29	55
104	Dec 14–15	55	Dec 5–6	55
105	Jan 4–5	55	Jan 2–3	50
106	Jan 11–12	55	Jan 9–10	50
107	Dec 7	24	Nov 21	24



Amend: Migratory Game Bird 19.31.6 NMAC

Proposed 2020-21 Duck and Goose Seasons

Central Flyway

Includes
falconry,
youth
waterfowl
days, and a
9-day
September
teal season.

Species	Zone	Open	Close
Ducks and Mergansers:			
	North Zone	Oct. 10	Jan. 13
	South Zone	Oct. 28	Jan. 31
Geese:			
Dark Geese	MRGV	Dec. 19	Jan. 31
	Rest of State	Oct. 17	Jan. 31
Light Geese		Oct. 17	Jan. 31



Amend: Migratory Game Bird 19.31.6 NMAC

Proposed 2020-21 Duck and Goose Seasons

Pacific Flyway

Includes
falconry and
youth
waterfowl
days.

Species	Zone	Open	Close
Ducks and Mergansers:			
	North and South Zones	Oct. 19	Jan. 31
Scaup	North and South Zones	Oct. 17	Jan. 10
All Geese:			
	North 1	Sept. 26	Oct. 11
	North 2	Nov. 2	Jan. 31
	South	Oct. 17	Jan. 31

Questions?





“Move to repeal and replace 19.31.6 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.”

PROPOSED MIGRATORY GAME BIRD RULE SUMMARY, 2020-2021

Season selections and bag limits are determined in conjunction with the US Fish and Wildlife Service working through the Central and Pacific Flyway Councils. Please note that seasons are not considered final until they have been published in the Federal Register.

Proposed amendments for the 2020–21 season include:

- Changes to regular waterfowl season dates TBA, based on public comment and calendar dates
- Possible changes to sandhill crane allocation, based on fall population data
- Bag limit for northern pintail to remain at 1 per USFWS regulatory framework
- Move youth crane hunt to November

Proposed Central Flyway Seasons. Includes falconry, youth waterfowl days, and a 9-day September teal season.

Species	Zone	Open	Close
Ducks and Mergansers:	North Zone	Oct. 10	Jan. 13
	South Zone	Oct. 28	Jan. 31
Geese:			
Dark Geese	MRGV	Dec. 19	Jan. 31
	Rest of State	Oct. 17	Jan. 31
Light Geese	North and South Zones	Oct. 17	Jan. 31

Proposed Pacific Flyway Seasons. Includes falconry and youth waterfowl days.

Species	Zone	Open	Close
Ducks and Mergansers:	North and South Zones	Oct. 17	Jan. 31
Scaup	North and South Zones	Oct. 17	Jan. 2
All Geese:	North 1	Sept. 19	Oct. 4
	North 2	Nov. 2	Jan. 31
	South	Oct. 17	Jan. 31

If you would like to comment on the proposal, send email to: DGF-waterfowl@state.nm.us



Technical Information for Migratory Game Bird Rule Development



Survey and Harvest Data

Migratory game bird management in the United States, including New Mexico, is a cooperative effort between state and federal governments. Management decisions are based on information gathered from bird population surveys, monitoring of harvest, hunter surveys, public comment, biological information, and environmental surveys. Migratory game bird banding and recovery data, surveys of birds on their breeding areas, as well as wetland condition surveys in waterfowl breeding areas provide the necessary information used to set hunting and harvest regulations for migratory game birds. In New Mexico, the establishment of migratory game bird hunting rules and regulations remains a cooperative process performed annually within the Flyway system. Both the Central and Pacific Flyways are involved in setting hunting regulations for migratory game birds in New Mexico and seasons are selected from within the guidelines of the U.S. Fish and Wildlife Service’s federal season frameworks. Survey and harvest data used in setting hunting rules and regulations for New Mexico are included in Figures 1–4.

Mallard

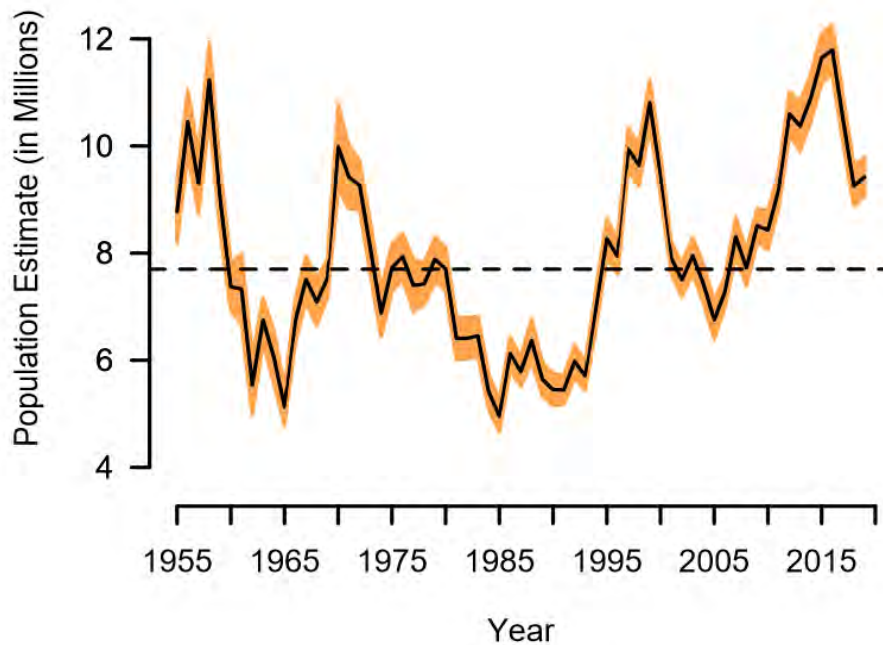


Figure 1. Breeding population estimate, 90% confidence interval, and North American Waterfowl Management Plan goal (dashed line) for mallards in the traditional survey area. Estimated mallard abundance for 2019 was 9.4 ± 0.3 million.

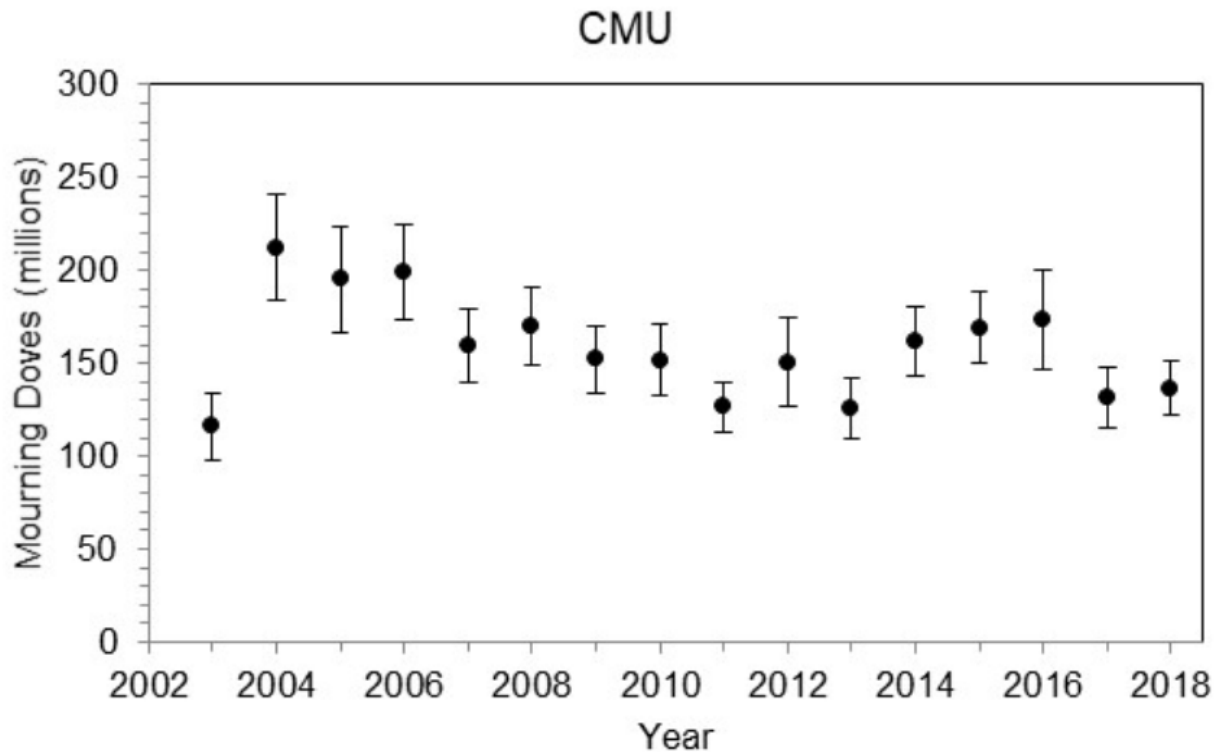


Figure 2. Estimates and 95% confidence intervals of mourning dove absolute abundance in the Central Management Unit (CMU; which includes New Mexico) by year, 2003–2018. Estimates are based on band recovery and harvest data.

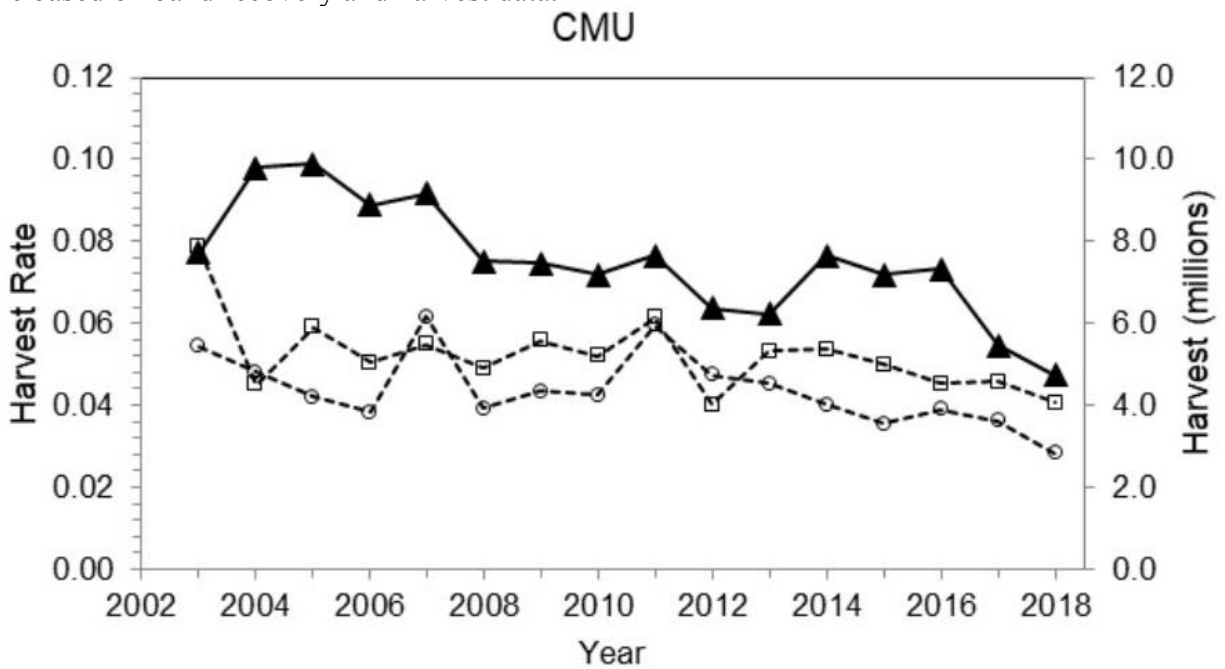


Figure 3. Estimated harvest (triangle) and harvest rates of mourning dove in the Central Management Unit (CMU; which includes New Mexico) by year, 2003–2018. Harvest rates are presented separately for hatch-year (square) and after-hatch-year (circle) doves.

YR	UT	CO	ID	WY	MT	TOTAL	3-YR AVG
1987	1,578	1,443	10,686	2,327	1,447	17,481	
1992	2,810	3,181	5,801	2,248	5,264	19,304	
1995	1,528	2,284	6,864	1,671	3,681	16,028	
1996	1,849	1,255	8,334	2,526	2,974	16,938	
1997 ^{1, 2}	2,450	1,604	8,132	2,255	3,595	18,036	17,001
1998	2,185	1,273	8,067	3,162	3,415	18,102	17,692
1999	2,292	1,102	8,761	4,205	3,141	19,501	18,546
2000	2,416	749	9,337	3,890	3,598	19,990	19,198
2001	1,522	666	7,160	2,626	4,585	16,559	18,683
2002	1,869	1,355	7,698	3,038	4,843	18,803	18,451
2003	2,546	745	7,822	3,446	4,964	19,523	18,295
2004	2,239	1,410	7,152	3,072	4,637	18,510	18,945
2005	2,646	1,052	7,668	3,911	5,588	20,865	19,633
2006 ³						NS	19,633
2007 ⁴	2,401	1,743	8,262	3,907	6,509	22,822	20,732
2008 ⁵	3,708	1,080	6,123	3,826	6,419	21,156	21,614
2009	2,283	1,162	6,934	3,613	6,329	20,321	21,433
2010	3,242	985	5,776	3,726	7,335	21,064	20,847
2011	1,498	1,347	5,029	2,978	6,642	17,494	19,626
2012	2,109	413	3,432	3,587	5,876	15,417	17,992
2013	2,732	1,594	5,228	3,588	7,218	20,360	17,757
2014	2,783	1,258	6,064	3,008	6,555	19,668	18,482
2015	3,698	1,089	6,454	3,596	9,493	24,330	21,453
2016 ⁶	3,298	1,135	5,445	4,879	7,507	22,264	22,087
2017	2,994	1,658	4,066	3,725	7,149	19,592	22,062
2018	2,770	1,908	4,469	5,101	7,553	21,801	21,219

¹ Incomplete survey efforts in years prior might have resulted in lower estimates; the official count begins 08/06/19

² In October 1997, a special survey was also conducted in the SLV, Colorado and other areas, which resulted in a total of 27,090 Rocky Mountain and Mid-Continent cranes being counted.

³ In 2006, the survey was not conducted due to mechanical issues with the survey plane. The 3-yr Avg for 2006 is calculated using 2003-05.

⁴ The 3-yr average for 2007 was calculated using 2004, 2005, and 2007 because there was no survey in 2006.

⁵ The 3-yr average for 2008 was calculated using 2005, 2007, and 2008 because there was no survey in 2006.

⁶ Beginning 1n 2016 Wyoming added six new survey areas as allowed in the management plan.

Figure 4. Fall pre-migration indices for Rocky Mountain sandhill cranes.

Exhibit #6

From: dsheft82@pvtm.net
To: [DGF-Waterfowl](#)
Subject: [EXT] migratory bird rule
Date: Thursday, July 23, 2020 4:46:42 PM

Department needs to institute a crow season within the federal framework at least in that portion of the state east of Interstate 25.

David Heft
P.O. Box 13
Mayhill, New Mexico 88339


From: [Mathew Miller](#)
To: [DGF-Waterfowl](#)
Subject: [EXT] sandhill crane
Date: Monday, April 20, 2020 7:26:32 AM

It has been brought to my attention that there may be changes to the Migratory Game Birds specifically the sandhill cranes.

The birds come in by the thousands and really tear up the farm land. I have pasture and if left alone the birds would leave the pasture bare, tear up the grass, and leave nothing for our yearling calves. I have also heard other farmers who plant and have the birds come in and eat what they had just planted so badly that they had to replant.

I would propose they be hunted north of Interstate 10 specifically in the Virden Valley. I would let hunters have access to the farm land to hunt them as I have with other game species.

Sincerely,

Mathew R. Miller 
Land Owner and Manager of the Rafter JL Ranch
PO Box 653
Lordsburg, NM 88045
602-510-3255

From: [Matthew Peacock](#)
To: [DGF-Waterfowl](#)
Subject: [EXT] Proposed changes-Migratory birds
Date: Tuesday, March 31, 2020 6:15:36 PM

I agree with the changes proposed in the Migratory Bird presentation.

Matt Peacock
Albuquerque NM

From: [Randy Peck](#)
To: [DGF-Waterfowl](#)
Subject: [EXT] Proposed Waterfowl Date Changes
Date: Thursday, March 26, 2020 12:44:20 PM

I approve of the proposed date changes for waterfowl.
Kind Regards

Randy Peck
repeck@live.com
505-801-5498

Exhibit #7

New Mexico State Game Commission Meeting - August 13, 2020 Registration/Sign-In Sheet

First	Last	Email	Address	City	State	Zip	Phone	Organization	Title	Wish to Speak	Questions & Comments
Craig	Sanchez	craig.sanchez@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 379-5340	New Mexico Department of Game and Fish	Assistant Chief of Education	No	
Jessica	Fisher	jessica.fisher@state.nm.us	1 Wildlife Way	Santa Fe	NM	87507	(505) 659-8320	New Mexico Department of Game and Fish	Shooting Program Coordinator	No	
Virginia	Davis	ginnydavis111@aaim.com			NM	87043				No	
Peter	Guhl	peterguhl@hotmail.com	3709 Woodlark Rd	Clovis	NM	88101				No	
Jennifer	Morgan	jennifer.morgan@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 263-8581	New Mexico Department of Game and Fish	Hunter Education Program Manager	No	
Roselyn	Washington	Roselyn.Washington@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120		New Mexico Department of Game and Fish	Hunter Education/OHV Financial Specialist	No	
Tristanna	Bickford	tristanna.bickford@state.nm.us	1 Wildlife Way	Santa Fe	NM	87507	(505) 476-8026	New Mexico Department of Game and Fish	Communications Director	No	
Dustin	Berg	Globalberg@aol.com						GO Unlimited		Yes	
Ruben	Ruybal	rruybal1@comcast.net	501 57th St SW	Albuquerque	NM	87121	(505) 314-4194			Yes	Now that we've received Federal Funding. Will we work on the worst roads in New Mexico.
Megan	Otero	megan.otero@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120		New Mexico Department of Game and Fish	Hunter Education Program Assistant Coordinator	No	
Kaitlyn	Nafziger	Kaitlyn.Nafziger@usda.gov	822 Walnut St.	Clayton	NM	88415		Bird Conservancy of the Rockies/NRCS	Private Lands Wildlife Biologist	No	
Ray	Trejo	Ray@nmwildlife.org								Maybe	
Mark	Mattaini	mamattaini@gmail.com	PO Box 1045 (24 Old Bridge Road)	Paguate	NM	87040	(312) 480-0252	Backcountry Hunters and Anglers	Life member, but not speaking for BHA	Yes	Implementation of Great American Outdoors Act
Kent	Elverum	knelverum@hotmail.com	32 Palomas Cir Rd	Williamsburg	NM	87942	575-644-4115		Retired	No	
Kerrie	Romero	kerriecoxromero@gmail.com	51 Bogan Rd	Stanley	NM	87056	(505) 440-5258	New Mexico Council of Outfitters and Guides	Executive Director	Maybe	
Jeff	Young	canyoung5@uno.com	25 Dalton Trail	Sandia Park	NM	87047	(505) 281-3495			Yes	
Ben	Neary	Ben@nmwildlife.org						New Mexico Wildlife Federation	Conservation Director	Yes	
John	Crenshaw	jndcrens@aol.com	1923 Hopi Road	Santa Fe	NM	87505	(505) 577-7510	New Mexico Wildlife Federation	NMWF Board of Directors	Yes	Specifically during the general public comments section.
James	Pitman	james.pitman@state.nm.us	1 Wildlife Way	Santa Fe	NM	87507	(505) 221-7791	New Mexico Department of Game and Fish	Assistant Chief of Information	No	
Brandon	Hunt	bhunt_85@yahoo.com								No	
Ross	Morgan	ross.morgan@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 379-5017	New Mexico Department of Game and Fish	Northwest Region Public Information Officer	No	
Samantha	Ferguson	samantha.ferguson@state.nm.us	1 Wildlife Way	Santa Fe	NM	87507	(505) 476-8172	New Mexico Department of Game and Fish	Environmental Compliance Specialist	No	
Joel	Gay	jgay598@gmail.com						Backcountry Hunters and Anglers		No	
Andre	Miller	andre.miller@westernresources.org								No	
Teresa	Seamster	ctc.seamster@gmail.com	104 Vaquero Rd.	Santa Fe	NM	87508	(505) 466-8964	Sierra Club	Conservation chair, Northern NM	No	Listening to WCA report
Steve	Chavez	chavez.steve@gmail.com								Maybe	If I have any I will let you know

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NEW MEXICO STATE GAME COMMISSION

DEPARTMENT OF GAME AND FISH

August 13, 2020

Held as a

ZOOM TELECONFERENCE

PRESENT:

- MICHAEL SLOANE, Director
- SHARON SALAZAR HICKEY, Chairwoman
- ROBERTA SALAZAR-HENRY, Vice-Chairwoman
- JIMMY BATES, Commissioner
- TIRZIO LOPEZ, Commissioner
- GAIL CRAMER, Commissioner
- DAVID SOULES, Commissioner
- JEREMY VESBACH, Commissioner

1 THE CHAIRPERSON: Wow, good morning, everyone. Today
2 is Thursday, August 13th, 2020, and I want to welcome all
3 of you to today's New Mexico State Game Commission meeting
4 with the New Mexico Department of Game and Fish.

5 It's just very wonderful to be in this Land of
6 Enchantment, in New Mexico. I think we would have been in
7 Chama, New Mexico. At our last session we would have been
8 in Santa Fe, New Mexico, and previous to that, we would
9 have been in Silver City. So many wonderful places, but we
10 all are very grateful for what we have in the ability to
11 Zoom with you today, to continue our obligation and our
12 responsibility to these meetings and to the public, to our
13 Commission, and to our Department. So welcome again,
14 everyone.

15 To get started, we have an agenda that was posted on
16 the New Mexico Department of Game and Fish website. We
17 have an agenda that has a start time of 8:30 to 3:30. Some
18 of us have had some technical difficulties this morning,
19 and so thank you for your patience. It's now 8:41.

20 So rather than go over the rules that are provided in
21 the written agenda that are on our website, let me say that
22 this meeting is called to order.

23 So with that said, Director Michael Sloane, can you
24 please take the roll call.

25 DIRECTOR SLOANE: Yes, ma'am.

1 Commissioner Vesbach?

2 COMMISSIONER VESBACH: I'm here.

3 DIRECTOR SLOANE: Commissioner Soules?

4 COMMISSIONER SOULES: Here.

5 DIRECTOR SLOANE: I think that was a here.

6 Commissioner Lopez? Commissioner Lopez?

7 MALE SPEAKER: He's on mute.

8 COMMISSIONER LOPEZ: Here. Sorry. I was on mute.

9 DIRECTOR SLOANE: All right. Commissioner Cramer?

10 COMMISSIONER CRAMER: Here.

11 DIRECTOR SLOANE: Commissioner Bates?

12 COMMISSIONER BATES: Here.

13 DIRECTOR SLOANE: Vice-chair Salazar-Henry?

14 THE VICE-CHAIRPERSON: Present.

15 DIRECTOR SLOANE: And Chair Salazar Hickey?

16 THE CHAIRPERSON: Here.

17 DIRECTOR SLOANE: We have a quorum.

18 THE CHAIRPERSON: Thank you, Director. That was very
19 good.

20 And again, let me remind everyone that because this is
21 a Zoom and we are on record, we do have some very important
22 agenda items. So that if we are unable to hear a word or a
23 gesture that is on -- being recorded on this Zoom -- thank
24 you, Mr. Lance Cherry, for the wonderful effort that you're
25 doing in providing this streaming -- I would like someone

1 like the Department of New Mexico Game and Fish to ensure
2 that the nods or motions are recorded and they are provided
3 in the transcript.

4 So let us move on to Agenda Item No. 3.

5 (End of first requested portion at 8:43:08 a.m.)

6 THE CHAIRPERSON: Okay. So moving right along, we are
7 at 9:24 and we are at Agenda Item No. 6. I would like to
8 open the hearing. This hearing will please come to order.

9 My name is Sharon Salazar Hickey, chair to the New
10 Mexico State Game Commission. I will be serving as the
11 hearing officer, and I will be advised by the Commission's
12 counsel from the office of attorney general, Valerie Joe.

13 The purpose of this hearing is for consideration of
14 final adoption of the following proposed rule by the
15 Commission: The hearing item is for the Commission to
16 receive public comment on the New Mexico or the new
17 Migratory Game Bird Rule, Title 19, Chapter 31, Part 6, of
18 the New Mexico Administrative Code. This rule will become
19 effective on September 1st, 2020.

20 These hearings are being conducted in accordance with
21 the provision -- provisions of the Game and Fish Act and
22 the State Rules Act.

23 These hearings are being audiotaped and video
24 recorded. Anyone interested in a copy of the audiotape or
25 video recording should contacts Tristanna Bickford, with

1 the New Mexico Department of Game and Fish. Public notice
2 of this hearing was advertised in the New Mexico Register,
3 the New Mexico Sunshine Portal, and, of course, our New
4 Mexico Department of Game and Fish website. Copies of the
5 proposed new rules have been available on the Department's
6 website.

7 Those wishing to comment here today must have
8 registered to submit public comments on the Zoom webinar
9 platform. So I'm going to look forward to hearing
10 hopefully from some of you.

11 An explanation to you, our audience, of these hearing
12 procedures. These rule hearings will be conducted in the
13 following manner: Staff will present pre-filed exhibits.
14 Exhibits admitted into evidence are available for review by
15 the public on the Department's website. After all exhibits
16 are entered, we will proceed to the presentation of the
17 proposed rule, after which testimony will be taken from the
18 public, the audience.

19 Participants are asked to raise their hand in the Zoom
20 webinar platform and wait until they are called upon to
21 speak. In order to ensure that the hearing is accurately
22 recorded, only one person at a time shall be allowed to
23 speak. Any person recognized to speak is asked to first
24 identify yourself by name and who you are affiliated with
25 for the record, each time you are recognized. And second,

1 speak loudly and clearly to accurately record your
2 comments. After a person has offered comments, they will
3 stand for questions from me, the hearing officer, or any of
4 the other commissioners. The audience may also ask
5 questions of anyone offering comments, after being
6 recognized by me.

7 These hearings are not -- these hearings are not
8 subject to judicial rules of evidence. However, in the
9 interest of efficiency, I reserve the right to limit any
10 testimony deemed irrelevant, redundant, or unduly
11 repetitious.

12 The Commission may discuss the proposed new rules
13 after the public comment portion of the hearing. Final
14 Commission action, including adoption of the rules, may
15 occur after the conclusion of the presentation and public
16 comment period of each hearing.

17 So with that said, we will begin the hearing.

18 In the preliminary matter of Hearing Item No. 7 -- or
19 excuse me, I think this is 6A, rulemaking of the new
20 Migratory Game Bird Rule, 19.31.6, this hearing is now
21 open.

22 Are there any exhibits for proposed new rule 19.31.6
23 for the record?

24 MR. LILEY: Madam Chair, this is Stewart. I wish to
25 enter six different exhibits into the record.

1 Exhibit Number 1 is the notice of the rule making.

2 Exhibit Number 2 is the initial proposed rule that was
3 posted on the Department's website.

4 Exhibit 3 is the copy of the presentation that I'll be
5 giving today.

6 Exhibit 4 is a summary of the proposed changes that
7 have also been posted on the website.

8 Exhibit 5 is the technical information the Department
9 relied upon to develop the rule.

10 And Exhibit 6 are the four public comments that we've
11 received to date on the proposed changes.

12 THE CHAIRPERSON: Stewart, thank you.

13 Those six exhibits are hereby admitted into the
14 record.

15 Stewart, can you please introduce the new proposed
16 rule for 19.31.6.

17 MR. LILEY: Madam Chair, I just want to make sure
18 everyone can see my screen and the title slide there.

19 THE CHAIRPERSON: Thank you. We can.

20 MR. LILEY: Great. So as you say, this is the
21 Migratory Game Bird Rule. This rule is amended every
22 single year to coincide with the federal frameworks in
23 cooperation with the U.S. Fish and Wildlife Service. We do
24 this on an annual basis to determine harvest limits across
25 the state and the flyways.

1 Again, as you'll see there, we adjust the season dates
2 and bag limits according to the frameworks that were
3 allowable by the U.S. Fish and Wildlife Service. The
4 proposed frameworks are supposed to be coming out. The
5 final frameworks are coming out next week into the federal
6 register. So we will be publishing what we're allowed to
7 do.

8 And then details about the proposed changes and all
9 the supporting information was posted on the Department's
10 website. We also held a virtual public meeting to discuss
11 the proposed changes.

12 What we are proposing is changes to the season dates,
13 as we always do. Given the Migratory Bird Treaty Act, we
14 have so many days that we can allow harvest to occur, so we
15 adjust those dates based on the calendar year.

16 Some of the bigger changes that we are planning on
17 doing is moving some of the Bernardo and Casa Colorada
18 youth sandhill cranes to an earlier hunt date in November
19 from December. That is a function of -- it allows us to
20 cut corn. If we -- we can't cut corn if there's going to
21 be a hunt going on, because it's considered baiting by the
22 Fish and Wildlife Service. So when the hunt is later, that
23 prevents us from cutting corn, including some of the snow
24 geese and sandhills coming into Department properties.
25 That's why we're moving that hunt earlier.

1 Pintail bag limit, and this is in accordance with the
2 federal regulations, will remain at one. That's typically
3 the one species where we see fluctuation in bag limit from
4 year to year.

5 The other thing that we are proposing doing, and we
6 discussed this at previous Commission meetings, is
7 redistribution of our sandhill crane permits, a more
8 allocated -- a specific amount on the Rocky Mountain
9 population, a greater sandhill crane population harvest in
10 the middle Rio Grande. Our allocation of the number of
11 birds went down, but what we did was redistribute the
12 time -- the amount of hunters at any given time, to prevent
13 overharvest of our allocation while maintaining the same
14 number of hunters in the field that we had last year. So
15 there's a way to maintain opportunity but to shuffle some
16 of those hunts around.

17 We've received six public comments as of August -- I
18 just looked this morning. We didn't receive any more
19 comments, so it's six total public comments. We held that
20 public meeting, like I stated, on Zoom on March 31st.

21 Really, the comments that we received were support for
22 the proposed changes, and then we did get comments on the
23 sandhill crane suggestion, some for, some against. Some of
24 those comments were -- more pertained to before we really
25 came up with the proposals. I think we worked to a decent

1 middle ground, to ensure that we maintain the opportunity
2 without reducing bag limits, et cetera, to ensure that we
3 stay with the allocation. And then we did receive some
4 comments that are outside the scope of what we're allowed
5 by the federal frameworks, so things we can't really do at
6 this time, given the limitations by the federal frameworks
7 of the Migratory Bird Treaty Act.

8 Again, I'll go real quick on this. You all have seen
9 this, so to catch up on some time, it's really talking
10 about the adjustment of this Rocky Mountain population of
11 the sandhill crane harvest. The biggest thing there is to
12 recognize we went from an allocation in 2019 of 564 birds
13 down to 535. And again, what we were doing is just
14 maintaining the same number of hunters in the field, just
15 shifting the hunters, how many are in the later periods.
16 Those cranes, sandhill cranes, coming more in
17 higher-density harvest is greater in the later time frame,
18 so that's what you'll see here in this chart. We put more
19 hunters in the early time frame, where there's more lessers
20 being harvested versus greater. So within this change, we
21 think we'll still maintain the harvest under our allowable
22 allocation.

23 Right real quick, just the dates on the different
24 flyway, Central flyway. You'll see here that these are
25 what we've proposed as dates for the ducks, ganders, and

1 geese, and then for the Pacific flyway are those dates.

2 So with that, I'll take any questions the Commission
3 may have.

4 Madam Chair, I believe -- yes?

5 THE CHAIRPERSON: Yes, thank you, Stewart.

6 Commissioners, any questions? Comments?

7 COMMISSIONER VESBACH: Madam Chair?

8 THE CHAIRPERSON: Yes, Commissioner Vesbach.

9 COMMISSIONER VESBACH: So we've covered this before,
10 so I don't have any further questions. I just wanted to
11 kind of commend the Department once again on the balance
12 that Chief Liley mentioned on the sandhill crane permits,
13 and finding this middle ground between not having to reduce
14 our number of hunters or -- and bag limits by adjusting the
15 season to harvest more of the lesser sandhills.

16 I just thought that they struck a good -- a good
17 balance there, to kind of keep opportunity going without
18 creating a confusing situation with differing bag limits
19 every year. So I appreciate that.

20 And then just also a quick reminder that I'm sure
21 you're thinking of, that if we have public comments, that
22 we'd certainly love to hear them as well.

23 THE CHAIRPERSON: Absolutely. Thank you,
24 Commissioner.

25 So with that said, would anyone like to comment on the

1 new rule, Title 19, Chapter 31, Part 6?

2 So I'm going to look to Mr. Cherry. I do not see any
3 hands raised at my end.

4 MR. CHERRY: There we have Joel Gay.

5 THE CHAIRPERSON: Thank you.

6 MR. GAY: Thanks for the opportunity to speak. Can
7 everybody hear me?

8 THE CHAIRPERSON: Yes. Thank you.

9 MR. GAY: Okay. On behalf of -- my name is Joel Gay,
10 I am the chairman of the New Mexico chapter of Backcountry
11 Hunters and Anglers, and our organization supports the rule
12 change as proposed by the Department.

13 And in particular, we appreciate the science-based
14 approach that Stewart and his group have taken toward
15 revising the hunts so that -- so that we're focusing on the
16 different species appropriately. So thanks for doing that.

17 There was one other additional comment I'd like to
18 make, and that is that you may have seen earlier this week
19 that a judge had struck down some changes in the Migratory
20 Bird Act on the federal level. And the New Mexico attorney
21 general's office had weighed in on this issue two years ago
22 and opposed these proposed changes, or actually the changes
23 that the Trump Administration had put forward in the
24 Migratory Bird Act, which is one of our first international
25 conservation efforts, and New Mexico's been, you know, a

1 member of this ever since the beginning. It's an important
2 act. The rule change reduced the protection for migratory
3 birds that go through New Mexico and on up through the rest
4 of North America.

5 All I wanted to say was that I was hoping the Game
6 Commission would reach out to the state attorney general's
7 office and thank them for being proactive on this issue and
8 helping us maintain the Migratory Bird Act the way it was
9 originally conceived.

10 And that's all I have. Thank you.

11 THE CHAIRPERSON: Thank you for your comments, sir.
12 That was very nice. Very good.

13 Do we have any other comments?

14 MR. CHERRY: Madam Chair, there are no raised hands at
15 this time.

16 THE CHAIRPERSON: Thank you, Lance Cherry.

17 Are there any exhibits from the public that need to be
18 entered into the record at this time?

19 Mr. Cherry?

20 MR. CHERRY: Madam Chair, we have none.

21 THE CHAIRPERSON: Thank you. So we will proceed with
22 closing this hearing.

23 Those that are registered and participated in the
24 hearing will be included in the attendant sheet.

25 Thank you, Joel.

1 At this time, the attendance sheet will be marked and
2 admitted as Exhibit --

3 DIRECTOR SLOANE: 7.

4 THE CHAIRPERSON: I'm sorry?

5 DIRECTOR SLOANE: 7.

6 THE CHAIRPERSON: 7. Thank you, sir.

7 The comments submitted and testimony heard during this
8 rule hearing will be reviewed by the Commission and
9 discussed during the open session of today's meeting. The
10 Commission will vote on the proposed rule at this time.

11 So again, I would like to thank everyone present for
12 their participation today.

13 Thank you, Stewart, Joel.

14 Let the record show that this rule hearing -- rule
15 making hearing was adjourned at 9:40 a.m., August 13th. It
16 is 9:40, and I think we are about ready to proceed to
17 Agenda Item Number 7. So we have to --

18 DIRECTOR SLOANE: Madam Chair?

19 THE CHAIRPERSON: Yes?

20 DIRECTOR SLOANE: I think that you -- if you would
21 like to take or have a motion to either pass or not the
22 rule?

23 THE CHAIRPERSON: Of course, because that's Agenda
24 Item number 6-C. Commissioners will vote on the new
25 Migratory Game Bird Rule, 19.31.6, NMAC, for the 2020/2021

1 hunting season. So I thank you, Director Sloane for
2 helping me with that.

3 So Director, could we please take a vote?

4 DIRECTOR SLOANE: Madam Chair, I think we need a
5 motion and a second from the commissioners.

6 COMMISSIONER LOPEZ: Motion.

7 THE CHAIRPERSON: Who was that that motioned?

8 DIRECTOR SLOANE: Sounded like Commissioner Lopez.

9 THE CHAIRPERSON: Oh, very good, Commissioner Lopez.
10 Who's the second?

11 DIRECTOR SLOANE: I assume for the purpose of clarity,
12 the motion is to adopt the rule as presented?

13 MR. LILEY: Yes, sir.

14 DIRECTOR SLOANE: Okay.

15 COMMISSIONER CRAMER: I'll second.

16 DIRECTOR SLOANE: Commissioner Cramer, second?

17 MR. LILEY: Madam Chair, may I interject real quick?
18 I apologize. But normally on that motion we allow for
19 records and archives to make minor adjustments if necessary
20 to the rule to comply with filing. And we normally include
21 that in the motion. I think it's important, in case they
22 have changes to the rule to comply with (indiscernible).

23 THE CHAIRPERSON: So are you saying, Stewart, that we
24 should include that in the motion?

25 MR. LILEY: Madam Chair, I would appreciate if you

1 would, so it allows archives to make minor changes if
2 necessary.

3 THE CHAIRPERSON: Okay. So to assist Commissioner
4 Lopez, Director Sloane, could you provide the motion for
5 us?

6 DIRECTOR SLOANE: Madam Chair, the motion I think is
7 to approve the Migratory Game Bird Rule 19.31.6, NMAC, as
8 presented, but allow for minor changes to be made as
9 required by records and archives.

10 THE CHAIRPERSON: That is the Commissioner Lopez's
11 motion.

12 Is that correct, Commissioner Lopez?

13 COMMISSIONER LOPEZ: That is correct, verbatim for the
14 record.

15 THE CHAIRPERSON: To be amended later on.

16 And do I have a second? Commissioner Cramer?

17 COMMISSIONER CRAMER: Yes, second.

18 THE CHAIRPERSON: Thank you. Now, Director, I believe
19 we are ready to proceed with the vote.

20 DIRECTOR SLOANE: Commissioner Vesbach?

21 COMMISSIONER VESBACH: Yes.

22 DIRECTOR SLOANE: Commission Soules?

23 COMMISSIONER SOULES: Yes.

24 DIRECTOR SLOANE: Commissioner Lopez?

25 COMMISSIONER LOPEZ: Yes.

1 DIRECTOR SLOANE: Commissioner Cramer?

2 COMMISSIONER CRAMER: Yes, sir.

3 DIRECTOR SLOANE: Commissioner Bates?

4 COMMISSIONER BATES: Yes.

5 DIRECTOR SLOANE: Vice-chair Salazar-Henry?

6 THE VICE-CHAIRPERSON: Yes.

7 DIRECTOR SLOANE: Chair Salazar Hickey?

8 THE CHAIRPERSON: Yes.

9 DIRECTOR SLOANE: Motion passes unanimously.

10 THE CHAIRPERSON: Thanks you, Director Sloane.

11 So moving right along, it's 9:45. We are 15 minutes
12 behind schedule. We are on Agenda Item Number 7, rule
13 making hearing on repealing and replacing the boundary
14 descriptions for Game Management Units Rule 19.30.4, NMAC.
15 This, too, is an action item.

16 So with that said, it is my responsibility to protect
17 the record in making sure that only one person speaks at a
18 time, and I'm going to remind everyone that, for the
19 record, if there are gestures made, it would be helpful to
20 have a "yes" for a nod or a statement of "no" if you shake
21 your head.

22 Please remember that we are on record.

23 I will ask that you identify yourself for the record
24 each time you speak and do -- I don't want to have any kind
25 of argument at the presentation.

C E R T I F I C A T I O N

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I, Amy Katz, certify that the foregoing transcript is a true and accurate record of the proceedings.



Amy Katz

eScribers

352 Seventh Avenue, Suite #604

New York, NY 10001

Date: August 20, 2020

New Mexico State Game Commission New Mexico
Department of Game and Fish
Virtual Meeting Notes
August 13, 2020

AGENDA ITEM NO. 1: Meeting Called to Order 08:39:52 AM (00:01:33)

Called to order by Chairwoman Salazar Hickey at 8:39 a.m.

AGENDA ITEM NO. 2: Roll Call 08:41:36 AM (00:03:17)

All present: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 3: Approval of Agenda 08:43:08 AM (00:04:49)

Motion by: Commissioner Vesbach moved to approve the agenda amending agenda item number eight to change the word general public comment to agenda items and to remove agenda item 14b.

Seconded by: Vice-chairwoman Salazar-Henry.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 4: Consent Agenda 08:43:32 AM (00:08:12)

A. Approval of Minutes of June 25, 2020, Virtual meeting

B. Approval of License Revocations

C. Approval of Global Opportunities Unlimited as a non-profit to receive donated licenses

D. Approval of Department's Asset Disposal Request

Motion by: Vice-chairwoman Salazar-Henry moved to approve consent items A, C and D as written and remove item B for further Commission discussion and action.

Seconded by: Commissioner Vesbach.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

Motion by: Vice-chairwoman Salazar-Henry moved to approve consent items 4B for all accept for five individuals for review at the next commission meeting.

Seconded by: Commissioner Vesbach.

Approved: Roll call vote – Approve: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach. Disapprove: Commissioner Cramer.

AGENDA ITEM NO. 5: Director's Report (Discussion) 09:24:30 AM (00:46:11)

Director Michael Sloane presented on the Department's accomplishments that included:

- The Department stocked 15,000 Gila Trout into Whitewater creek, the culmination of a considerable effort from the Department to restore over 20 miles of occupied habitat for the native Gila trout and an additional Gila Trout fishery.
- Several employees and commissioners attended the WAFWA 2020 meeting.
 - o Hosting the 2021 meetings in New Mexico.

- With the increasingly popular New Mexico Trout Challenge, the Department is prepared to launch the New Mexico Bass Challenge this fall.
- The Department and Commission extend our condolences to our colleagues in Texas who lost their lives conducting a bighorn sheep survey.

AGENDA ITEM NO. 6: Rule Making Hearing on the new Migratory Game Bird Rule for the 2020-2021 Hunting Season 09:24:30 AM (00:46:11)

Stewart Liley presented the Department's final proposed changes to the Migratory Game Bird Rule (19.31.6 NMAC) based on public comment, the latest information from the United States Fish and Wildlife Service (USFWS), recent survey information, and management goals. Season selections and bag limits are determined in conjunction with the USFWS working through the Central and Pacific Flyway Councils. The proposed amendments focus on:

- Duck Season in the north zone of the Central Flyway running from October 10, 2020 to January 13, 2021.
- Duck Season in the south zone of the Central Flyway running from October 28, 2020 to January 31, 2021.
- Duck Season in the Pacific Flyway running from October 19, 2020 to January 31, 2021.
- Northern pintail bag limit to remain at 1 per USFWS regulatory framework.
- Move youth crane hunt to November 21, 2020.
- The number of sandhill crane permits issued will remain the same. Based on allocation, permits will be redistributed between existing hunts.

Motion by: Commissioner Lopez moved to repeal and replace 19.31.6 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.

Seconded by: Commissioner Cramer.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 7: Rule Hearing on Repealing and replacing the Boundary Descriptions for Game Management Units Rule 09:44:24 AM (01:06:04)

Stewart Liley presented the Department's proposed changes to the Boundary Descriptions for Game Management Units Rule (19.30.4 NMAC). Proposed changes include:

- Areas that were inadvertently not included in any Game Management Unit (GMU),
- Assigning areas to only one GMU that were inadvertently assigned to two GMUs,
- Modifying GMU assignment of certain areas and/or boundary descriptions to align with implementation on the ground. Other proposed minor changes include modifying boundary descriptions so that they correspond to features on the ground, using correct feature names and including additional clarifying language.

Motion by: Commissioner Bates moved to repeal and replace 19.30.4 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.

Seconded by: Vice-chairwoman Salazar-Henry.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 8: General Public Comments 10:02:18 AM (01:23:51)

AGENDA ITEM NO. 9: Availability of Director's Draft of the Biennial Review of WCA Species (Discussion) 10:45:56 AM (01:57:31)

Matt Wunder requested that the Commission approve the Draft 2020 Biennial Review of state listed threatened or endangered species and open a 14-day public comment period pursuant to the Wildlife Conservation Act (17-2-40 NMSA 1978).

Motion by: Commissioner Cramer moved to authorize the Department to initiate the opening of a 28-day comment period on the Director's Draft 2020 Biennial Review of state listed threatened or endangered species to commence upon the publication of a legal notice of the comment period.

Seconded by: Commissioner Bates.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 10: Initiation of Public Land User Stamp Rule (Discussion) 11:25:32 AM (02:37:07)

Stewart Liley presented the Department's initial perspectives on changes to the Habitat Stamp Program rule (19.34.6 NMAC) based on public comment and coordination with the federal partners from the Bureau of Land Management (BLM) and United States Forest Service (USFS). Proposed changes will include reducing the number of appointed Citizen Advisory Committees (CAC) and removing redundancies in the planning process.

AGENDA ITEM NO. 11: Subsequent Presentation of the Hunter Education Rule (Discussion) 12:39:31 PM (02:37:07)

Lance Cherry presented the Department's proposed changes to the Hunter Education Rule 19.36.3 NMAC to allow first-time youth hunters, eight years of age and older, the ability to hunt small game, turkey, javelina, deer and pronghorn antelope for two license years in the Department's Mentored-Youth Hunting (MY) Program. The proposed age rollback would more effectively align with the minimum age requirement of 10 for online hunter education certification. It would also allow hunting opportunities for pronghorn antelope.

AGENDA ITEM NO. 12: Approval of Department's Fiscal Year 2022 Budget 01:44:05 PM (04:35:33)

Paul Varela presented the Departments proposed Fiscal Year (FY) 2022 Operating Budget Request for Commission review, approval and certification for submission by the statutory deadline of September 1, 2020.

Motion by: Vice-chairwoman Salazar-Henry moved to approve the Department's Fiscal Year 2022 Operating Budget as presented.

Seconded by: Commissioner Bates.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 13: Initiation of Importation of Live Non-Domestic Animals, Birds and Fish Rule (Discussion) 02:01:55 PM (04:53:23)

Kirk Patten presented an overview of proposed amendments to the Importation of Live Non-Domestic Animals, Birds and Fish Rule (19.35.7 NMAC). This presentation will serve to open the rule for Game Commission consideration of amendments. Proposals include:

- Removing the requirement for Game Commission review for any permit application for the importation of carnivores into New Mexico.
- Removing the requirement for fish hatchery renovation or depopulation upon a positive finding of Bacterial Kidney Disease.
- Clarifying language for whirling disease testing at different fish ages.

AGENDA ITEM NO. 13: Closed Executive Session 02:28:30 PM (05:19:58)

Motion by: Vice-chairwoman Salazar-Henry moved to adjourn into Executive Session closed to the public pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss property acquisition.

Seconded by: Commissioner Bates.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 14: Return from Executive Session 04:32:32 PM (05:26:43)

Motion by: Commissioner Lopez moved to adjourn.

Seconded by: Commissioner Bates.

Approved: Roll call vote – Unanimously: Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Bates, Commissioner Cramer, Commissioner Lopez, Commissioner Soules and Commissioner Vesbach.

AGENDA ITEM NO. 15: Adjourn at 4:36:14 PM (05:30:24)