



INTERIM DIRECTOR AND SECRETARY
TO THE COMMISSION
R.J. Kirkpatrick

DEPUTY DIRECTOR
Daniel E. Brooks

STATE OF NEW MEXICO DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507
Post Office Box 25112, Santa Fe, NM 87504
Tel: (505) 476-8000 | Fax: (505) 476-8123
For information call: (888) 248-6866

www.wildlife.state.nm.us

STATE GAME COMMISSION

PAUL M. KIENZLE III
Chairman
Albuquerque
BILL MONTOYA
Vice-Chairman
Alto
DR. TOM ARVAS
Albuquerque
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Farmington
RALPH RAMOS
Las Cruces
THOMAS "DICK" SALOPEK
Las Cruces

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

New Mexico Farm & Ranch Heritage Museum (Ventana Room 2)
4100 Dripping Springs Road
Las Cruces, NM 88011
Thursday, March 20, 2014
9:00 a.m. – 5:00 p.m.

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AGENDA ITEM NO. 1: Meeting Called to Order

Meeting called to order at 8:27 a.m. by Vice Chairman Thomas Salopek in Ventana Room 2, of the New Mexico Farm & Ranch Heritage Museum, Las Cruces, NM.

AGENDA ITEM NO. 2: Roll Call

In Secretary R.J. Kirkpatrick’s absence, Deputy Director Dan Brooks called the roll:

Present: Commissioner Tom Arvas
Vice Chairman Thomas Salopek
Commissioner Bill Montoya
Commissioner Paul Kienzle
Commissioner Robert Espinoza
Commissioner Ralph Ramos

Absent: None

Quorum: Yes

AGENDA ITEM NO. 3: Approval of Agenda

Vice Chairman Salopek asked the Commission to approve the agenda.

MOTION: Commissioner Arvas so moved to approve the agenda.

SECOND: Commissioner Ramos.

Vote: 5-0

Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle,
Commissioner Montoya, and Commissioner Ramos

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 4: Introduction of Guests

Vice Chairman welcomed attendees and the audience introduced themselves and some noted the organizations they represent. Vice Chairman Salopek requested the pledge of allegiance be recited following the introduction of the guests.

AGENDA ITEM NO. 5: Approval of Minutes (January 09, 2014, Los Lunas, NM)

MOTION: Commissioner Arvas so moved to approve the minutes from the Los Lunas meeting.

SECOND: Commissioner Montoya.

Vote: 5-0

Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle,
Commissioner Montoya, and Commissioner Ramos
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

NEW BUSINESS:

AGENDA ITEM NO. 6: Election of Chair and Vice Chair of State Game Commission

State Game Commission Members—The membership elected a Chair and Vice Chair to preside over the Commission.

Chairman Nomination: Commissioner Arvas nominated Paul Kienzle as Chairman of the State Game Commission. This required a roll call vote. Deputy Director Dan Brooks called roll:

Vote: 6-0
Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle,
Commissioner Montoya, Commissioner Ramos and Commissioner Salopek
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

Vice Chairman Nomination: Commissioner Ramos nominated Bill Montoya as Vice Chairman of the State Game Commission.

This required a roll call vote. Deputy Director Dan Brooks called roll:

Vote: 6-0
Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Kienzle,
Commissioner Montoya, Commissioner Ramos and Commissioner Salopek
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

* Deputy Director Dan Brooks informed the Commission of the 162,000 applications received for the 2014-2015 draw deadline and commended the Department staff for their hardwork and excellent customer service.

AGENDA ITEM NO. 7: Amendments to the Game and Fish Open Meetings Rule 19.30.3 NMAC

Presented by Mona Valicenti—The presentation recommended proposed amendments to the Game and Fish Open Meetings Rule, 19.30.3 NMAC for Commission action. On January 9, 2014, the Commission adopted an Open Meetings resolution 19.30.3 NMAC; however, the rule was not modified at that time. The department received a request from Wildlife Federation to modify the rule and provide consistency with the Open Meetings Act (10-15-1 to 10-15-4 NMAC). In addition, minor editing was also proposed to add clarity to the notice process. No one from the public commented on this item and there was no discussion by the Commission on this item.

MOTION: Commissioner Salopek so moved to adopt the proposed alternate amendments to 19.30.3 NMAC as presented to the Commission.

SECOND: Commissioner Ramos.

Vote: 5-0
Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 8: Revocations

Presented by Robert Griego –The Department presented a list of individuals that meet established criteria for initiation of the suspension process for hunting, fishing and trapping license privileges. There are currently 244 obligors that the Human Services Department reported as being out of compliance with a court order for child support for the months of December 2013, January 2014 and February 2014. The Commission is required to suspend all license privileges for non-compliant obligors until they return to compliance. No one from the public commented on this item. The following is a summary of the Commission discussion.

Commissioner Salopek: Questioned the process once an individual does comply with Human Services Department.

Robert Griego: Noted that once the department receives the letter of compliance from Human Services Department and the individual pays the reinstatement fee, he/she will regain hunting/fishing/trapping privileges.

MOTION: Commissioner Ramos moved to authorize the Department to administer these suspensions on behalf of the Commission including the issuance and service of a Notice of Contemplated Action to each individual listed that is out of compliance with the Parental Responsibility Act.

SECOND: Commissioner Espinoza.

Vote: 5-0
Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 9: Closed Executive Session

The State Game Commission voted to adjourn into Executive Session closed to the public, pursuant to Section 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters, 10-15-1(H)(8) NMSA 1978, to discuss the acquisition of real property, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission and/or Department is or may become a participant.

MOTION: Commissioner Salopek moved to adjourn into Executive Session closed to the public, pursuant to Section 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters, 10-15-1(H)(8) NMSA 1978, to discuss the acquisition of real property, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission and/or Department is or may become a participant.

SECOND: Commissioner Ramos.

This required a roll call vote. Deputy Director Dan Brooks called roll:

Present: Commissioner Tom Arvas
Commissioner Thomas Salopek
Vice Chairman Bill Montoya
Chairman Paul Kienzle
Commissioner Robert Espinoza

Absent: Commissioner Ralph Ramos
Result: None
Motion UNANIMOUS. PASSED.

The Commission returned to the open public session and noted for the record that no action was taken in closed executive session. Chairman Kienzle stated on April 3, 2014, the State Game Commission will have a special meeting in Albuquerque, NM, which will be conducted primarily in closed session to discuss the director search.

AGENDA ITEM NO. 10: Javelina Rule Development - 19.31.21 NMAC for the 2015-2019 Seasons

Presented by Cal Baca and Stewart Liley – The department presented an update on prospective changes to the javelina rule (19.31.21 NMAC) based on public comment and harvest data. Initial public meetings will be held mid-April in Las Cruces, Alamogordo, Raton and Farmington and mid-May in Silver City, Carlsbad, Santa Fe and Albuquerque. The department extended an invitation to the Commission without violating Open Meetings Act. 2013-2014 is the first year harvest reporting is required for all big game species. The department sold 2,518 javelina licenses and 38 percent of license buyers did not go hunting. There was a 27 percent success rate with an average satisfaction rating of 2.9 out of 5. The data reveal there was not a significant difference between rifles and bow hunting success rates. As of March 17, 2014, the department received 17 public comments, many in favor of extending archery seasons, while others believe there are too many licenses for the number of javelina. When the proposed rules were initiated, Wildlife Management Department worked with Information & Education to reach customers and generate public comment. Proposed amendments for javelina rule 19.31.21 NMAC would adjust seasons for calendar dates, add a hunt of five non-military hunters on McGregor Range, remove Game Management Unit (GMU) 28 from the list of statewide hunts, and extend bow hunts to the entire month of January. No one from the public commented on this item. The Commission discussion centered on the proposed rule changes and provided further points to consider. The following is a summary of the Commission's discussion. **Commissioner Ramos** inquired about the availability of this information for the public on the department website. The department confirmed the information would soon be available on the department website. **Commissioner Salopek** asked the department to consider increasing hunter opportunity by increasing the duration of the hunting season for individuals who successfully draw a javelina license and also to analyze offering over the counter licenses for javelina.

AGENDA ITEM NO. 11: Barbary Sheep, Oryx and Persian Ibex Rule Development - 19.31.12 NMAC for the 2015-2019 Seasons

Presented by Cal Baca and Stewart Liley –The Department presented an update on prospective changes to the Barbary sheep, oryx and Persian ibex rule (19.31.12NMAC) based on public comment, harvest data and survey information.

Barbary sheep harvest report rate was 72 percent as of March 17, 2014; however, the due date for Barbary sheep harvest report is April 7, 2014. There is a 48.8% success rates which does not include military personnel on McGregor range, yet the non-military personnel on McGregor range harvested 75 percent, on average there is a 50 percent success rate including private land on these two draw units. There have been ten public comments as of March 17, 2014, regarding Barbary sheep. The majority of public comments agree the removal of GMU 31 from the draw area, which typically does not contain many Barbary sheep. If removed, it would be added to the statewide over the counter hunt. Several public comments have questioned the killing of Barbary sheep for potential Bighorn sheep release in the Sacramento mountains. There seems to be confusion regarding this issue. During the August 2013 meeting Grants, NM, the Commission amended the Barbary sheep rule to allow over the counter hunts on the west side of GMU 34 and the potential to release desert bighorn sheep on the western escarpment of the Sacramento mountains. The department plans to better inform the public regarding this issue. Proposed amendments include: adjusting season dates for calendar date shifts, removing GMU 31 from draw hunts and adding it to the statewide over the counter hunts, increase McGregor range hunts for both military and non-military hunt opportunities from five to eight hunts (the resource is adequate to make this accommodation), and lastly, evaluate current draw license numbers. Currently, there are two draw hunts consisting of 600 licenses, in 2008 there were no license restrictions and 2009 was the first season using the draw system limited to 600 licenses. Based on public comments, there is

equal number of comments that prefer the unlimited system, as well as comments that would like to decrease the number of licenses. Based on data analysis, there are opportunities to increase harvesting of Barbary sheep. No one from the public commented on this item. The Commission discussion asked for clarity regarding the location of the Barbary sheep reduction and the date statewide over the counter licenses are available for purchase.

There were 1,128 off-range oryx licenses sold (both private and draw hunts), with a 48 percent success rate, and an estimated 504 oryx harvested. In 2010 the numbers of oryx licenses available were decreased in effort to stabilize the population. Moving back to the on-range survey data, the population does follow harvest trend. The goal is to stabilize the population on range with a slight increase in population. The department has received ten public comments as of March 17, 2014, with an emphasis on requests to decrease on and off range permits, increase the number of broken horn permits and implement a quota system for broken horn permits. Proposed amendments include: adjust seasons for calendar dates, and reduce hunts on White Sands Missile Range (WSMR). The reduction on WSMR is an effort to stabilize population and maintain the quality of the once in a lifetime hunt. The reductions will include: 23 percent reduction in once in a lifetime hunt license, 17 percent broken horn reduction, 17 percent reduction for veterans, no change for youth, and a 21 percent increase for badge holders. The increase for badge holders will be designated in areas that are only accessible to badge holders. The total reduction in licenses on WSMR is 11 percent. The following is a summary of the Commission's discussion and public comments:

Commissioner Arvas: Are we restricted to a certain number of oryx on the missile range?

Stewart Liley: We are not restricted; however, our objective is to maintain a sustainable population at a level that does not interrupt military operations.

Commissioner Arvas: If we decided to increase rather than decrease, would WSMR object?

Patrick Marrow (Wildlife Biologist at White Sands Missile Range) - The first priority of WSMR is military operations, thus maintaining low numbers or close to zero numbers near the monument and highway. WSMR does have a limit, but if it is reasonable WSMR will try to work with the department. WSMR prefers to keep hunting limited to the core areas. WSMR's would like to provide more opportunities for the once-in-a lifetime hunts.

Steven Henry (Sportsmen of Las Cruces): What is the hunter success for public and private lands in off-range units?

Stewart Liley: There were 747 licenses for public land hunts and 229 licenses for private land hunts. Success on both public and private lands is 47%.

There were 424 ibex licenses sold, 132 population management licenses and an estimated 152 ibex harvested. The success rate for rifle and muzzleloader is 78 percent and a 7.5 percent archery success rate. As of March 18, 2014, the department received nine public comments. Most comments favor the recent elimination of the over the counter female immature hunt, while supporting stand-alone female/immature hunt, and requesting to negotiate with the BLM to increase numbers of ibex on the Florida Mountains. Proposed amendments include adjusting seasons for calendar dates and allowing for a standalone F/IM (one nanny bag limit). The following is a summary of the Commission's discussion and public comments.

Commissioner Salopek: Asked when the department transitioned to the one nanny rule.

Stewart Liley: Stated the population hunts are used as a management tool. Since ibex twin frequently and can have triplets, the population can grow quickly and requires population management hunts to manage the species.

Cal Baca: Stated population management hunts can be implemented as necessary.

Commissioner Ramos: Asked who determines the population size and the biological impact.

Stewart Liley: BLM and the department determined 350-500 population on the Florida Mountains. BLM does not want to see an expansion of ibex off of the Florida Mountains. The goal is to keep ibex centered on the mountain.

Commissioner Salopek: Asked if an incentive hunt was available for ibex.

Cal Baca: Confirmed there is an incentive hunt.

AGENDA ITEM NO. 12: Initiation of Migratory Game Bird Rule Development - 19.31.6 NMAC for the 2014–2015 Seasons

Presented by Cal Baca and Kristen Madden –The department presented initial perspectives on changes to the Migratory Game Bird rule (19.31.6NMAC) based on information from the USFWS and recent survey information. Proposed changes include adjusting the season dates according to calendar dates and adjust bag/possession limits according to USFWS frameworks. Sandhill crane allocations would decrease total harvest from 248 last season to

217 for the upcoming season. Adjust dove season in the south zone to allow for hunting during the public school fall break. Adjust snipe season to allow for hunting after duck season ends. No one from the public commented on this item. The Commission discussion centered on the proposed rule changes and provided further points to consider. The following is a summary of the Commission's discussion.

Commissioner Salopek: Questioned the legality of pellet guns for dove hunting?

Kristen Madden and Robert Griego: Agreed to review federal regulations and provide a response to the Commission.

Chairman Kienzle: Requested this to be an agenda item during a future meeting.

Commissioner Ramos: Asked if the duck season could be extended in the south.

Kristen Madden: It is something to consider; however, migratory bird seasons have a set number of hunt days. If the duck season is extended, the start date would also have to be adjusted.

AGENDA ITEM NO. 13: Initiation of Turkey Rule Development - 19.31.16 NMAC for the 2015-2019 Seasons Presented by Cal Baca and Kristen Madden –The department presented initial perspectives on changes to the Turkey rule (19.31.16NMAC) for 2015-2019 hunting seasons.

There are three subspecies in New Mexico: Merriam's, Rio Grande and Gould's. In 2014 the department transplanted 20 Gould's wild turkey from Arizona to the Coronado National Forest in NM and 47 Merriam's wild turkey from Cimarron to the Guadalupe Mountains, Lincoln National Forest. 2013-2014 preliminary estimates for spring comprised 5485 licenses, 1051 harvested, and a 3.2 average rating. The fall season comprised 744 licenses, 222 harvested, and a 2.4 average rating. This is the first year mandatory harvest reporting was required for turkey. Proposed changes include: adjust seasons for calendar dates, and evaluation of restrictions on GMU 2B, which is currently closed. No one from the public commented on this item. The Commission discussion centered on the proposed rule changes and provided further points to consider. The following is a summary of the Commission's discussion.

Commissioner Espinoza: Asked for clarification regarding the restrictions in GMU 2B.

Cal Baca: There are draw hunts only and restrictions in certain regions. The reasons for the initial restrictions are unknown and thus need to be evaluated to analyze if the restrictions remain pertinent.

Commissioner Ramos: Voiced concern with the rules in the boothill area and questioned how many of the birds are located on private versus public land. He also asked if these were auctioned hunts.

Cal Baca: Clarified, through the enhancement program there are two Gould's turkey hunts available. One is a raffle conducted by the National Wild Turkey Federation; the other is sold to the highest bidder by the National Wild Turkey Federation annual auction of hunts. The goal of trap and translocation is to reestablish the population and remove this species from the NM endangered species list, the second goal is to maintain a population that would allow for a draw hunt.

Kristen Madden: Clarified that Arizona does owe the department 20 more turkey's over a three year period.

AGENDA ITEM NO. 14: Initiation of Pronghorn Antelope Rule Development - 19.31.15 NMAC for the 2015-2019 Seasons

Presented by Cal Baca and Stewart Liley – The department presented initial perspectives on changes to the Pronghorn Antelope Rule (19.31.15NMAC) based on public comment, harvest data, population status, and drought impacts. 4,219 pronghorn antelope licenses were sold, there was a 61 percent success rate, and a 3.8 satisfaction rating. Translocation efforts include the capture of 201 pronghorn from UU Bar Ranch near Cimarron, NM, and translocations of 43 pronghorn to Arizona, 69 to public land near Fort Stanton, NM, and 89 to public land near Roswell, NM. Eight losses were attributed to transport stress and three were lost post release. To date the department received 27 public comments with the following requests: reduce private land licenses and increase public draw licenses, reduce pronghorn licenses overall, put the mobility impaired rifle hunt after the archery hunt, start hunts in September instead of August due to hot temperatures, and add more archery hunts and reduce rifle hunts. The department proposed amendments to the pronghorn rule 19.31.15 NMAC including: adjusting the seasons for calendar dates and creating five youth licenses to hunt on WSMR. No one from the public commented on this item. The Commission discussion centered on the proposed rule changes and provided further points to consider. The following is a summary of the Commission's discussion.

Commissioner Arvas: Asked for clarification regarding the public comment to reduce private land hunts and increase public draw hunts and how it would be implemented.

Cal Baca: Stated the department must adhere to current rule which defines the allocation method for private and public land.

Commissioner Arvas: Asked the department to provide more information to the public regarding the ratio of public land versus private land and the license allocation methodology.

Commissioner Espinoza: Has the department performed the survey?

Stewart Liley: The department has done some priority area spring survey; however, the department is switching to more of a summer survey (July/August) when the department has a better understanding of the population.

Commissioner Espinoza: Questioned the overall state of the pronghorn herd.

Stewart Liley: There is a high annual survival rate with little impact from the drought.

AGENDA ITEM NO. 15: Initiation of Bighorn Sheep Rule Development - 19.31.17 NMAC for the 2015-2019 Seasons

Presented by Cal Baca – The department presented initial perspectives on changes to the Bighorn Sheep rule (19.31.17 NMAC) based on public comment, harvest data, population status, and management goals. The success rate for Rocky Mountain rams and desert rams is 100 percent, whereas Rocky Mountain ewes have a 45 percent success rate. To date the department received 24 public comments, 13 which support implementing a resident/non-resident quota, and one supports maintaining the current draw system. Three support increasing desert bighorn population and/or number of hunting licenses and two comments expressed concerns over public access in the Dry Cimarron. Proposed amendments include: adjusting seasons for calendar dates, new ram hunts in the Rio Grande gorge and Dry Cimarron, increasing ram and ewe licenses in the Latir's, evaluation of the Turkey creek-San Francisco bighorn sheep herd for hunting, and amend current season for Culebras hunt from 8/15/14 to 9/30/14 to 8/15/14 to 1/31/15. No one from the public commented on this item. The Commission discussion centered on the proposed rule changes and provided further points to consider. The following is a summary of the Commission's discussion.

Commissioner Ramos: Stated he likes the extension period and asked why the department doesn't do this for all hunts and provide more opportunities. The department completed a fly over during his hunt and the animals travelled to the Arizona border.

Stewart Liley: Wheeler Peak is a unique range, and there are avalanche dangers; however, this is something we can consider.

Commissioner Salopek: Asked about areas in the state which are not hunted because they are not considered trophy quality.

Cal Baca: Confirmed there are areas the department is evaluating which would allow for more hunting opportunities.

MOTION: Commissioner Salopek moved to recess.

SECOND: Vice Chairman Montoya.

Vote: 5-0

Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 16: Nuisance Bear Management & Diversionary Bear Feeding Policy

Presented by Cal Baca – The department discussed the management of nuisance or problems bears and bear density based on habitat modeling. The department instituted a three year study that will use a DNA sampling

technique to determine the bear population density. The department will implement snare sites in the Sandia Mountains, Sacramento Mountains and the Gila. This study will determine the bear populations in the various mountain ranges. Based on the drought, the bears are expanding their foraging range. The negative aspects of diversionary feeding includes: the prohibition of feeding wildlife on Forest Service land by the US Forest Service; based on recent bear incidents in neighboring states, NMDGF could incur liability for any incident in which our actions alter natural bear behavior; nuisance bears are already feeding in human dominated landscapes; it habituates bears to human provided food; there are no feeding locations that are away from the public; moreover, diversionary feeding alters the natural bear reproduction cycle. The following is a summary of the Commission's and public comments:

Chairman Kienzle: What is the department doing to educate and inform the public?

Cal Baca: There is currently a "bear aware" campaign in certain locations around the state. Department officers hold public meetings to bring awareness about bears coming out of hibernation.

Chairman Kienzle: Asked the department to step up efforts to inform more effectively?

He also recommends the Deputy Director and Director to make education and outreach regarding this issue a priority.

Deputy Dan Brooks: Agreed to prioritize education and outreach.

Chairman Kienzle: Noted this item will be revisited on future agenda.

Brenda McKenna: Delivered a speech on behalf of Jan Hayes from Bear Watch. She asked the Commission to vote yes to diversionary feeding for bears.

Chairman Kienzle: Asked for the bear population in the Sandia's.

Cal Baca: The department is implementing a study that will provide bear population numbers.

Commissioner Espinoza: Due to the nature of bears, will numbers provided by DNA testing be approximate?

Stewart Liley: The study will identify bears that are recaptured through time on the mountain range to identify resident bears.

AGENDA ITEM NO. 17: Renaming the Mora Campground

Presented by Cal Baca –The Department sought Commission guidance pursuant to the January 9, 2014, public request to change the name of the Mora Campground along the Pecos River. Mora campground is part of the Pecos Canyon unit in the wildlife management area, located at the confluence of the Rio Mora and the Pecos River. The request to the Commission was submitted on January 9, 2014. The department provided the Commission three potential naming options: Rivera, Cristino Rivera, or Mora Campground formerly the Cristino Rivera land tract. No one from the public commented on this item. The following is a summary of the Commission's discussion.

Commissioner Espinoza: Asked about the feasibility of posting a historic marker in recognition of Cristino Rivera.

Cal Baca: There are currently issues with an overabundance of signs in the area; however, this is an issue we can consider.

Commissioner Salopek and Commissioner Montoya: Both Commissioners preferred option three – Mora Campground with regards to Cristino Rivera.

Chairman Kienzle: Expressed appreciation for the family's request, but stated the importance of the family members' involvement in the meetings to assist their interest and drive the process.

AGENDA ITEM NO. 18: Vendor Fee Requirements and Restrictions

Presented by Alexa Sandoval – The department presented information on current vendor fee requirements and limitations relating to license sales. The vendor fee is the one dollar fee collected per license sold. The department received a specific request to change the vendor fee from one dollar per license to receiving a percentage of license fees; however, there are state and federal statutes that prohibit this request and also a state game commission rule 19 NMAC 30.9.8 (C). The two laws that define the licenses sold by the department and the fee for licenses are 17-3-2 and 17-3-13. The department must ensure that fees charged are reasonable and not above administrative cost to conduct business. This is essential when establishing a vendor fee; you cannot go above and beyond to create a

profit. The department is also required to follow the guidance as set forth in federal code of regulations: 50 CGF 80 (Part 80-Administrative Requirements, Pittman-Robertson Wildlife Restoration and Dingell Johnson Sport Fish Restoration Acts), diversion of license fee, which states revenues from license fees paid by hunters and fisherman shall not be diverted to other purposes except administration of the state fish and wildlife agency. Based on current statute, the request to change the one dollar fee to a percentage of the license fee cannot be granted. In 2011, when the department utilized a paper based system, the department attempted to change the license fee due to the increase in administrative costs of operating a paper based system; however, the bill did not pass. Beginning April 1, 2014, all license sales will occur via the department's web-based sales system. The department recommends assessing a full year of web based license sales to better understand the true administrative costs and reevaluate this request. No one from the public commented on this item. The following is a summary of the Commission's discussion.

Commissioner Ramos: Believes the vendors offer more of a service to customers. He also requested a status update regarding the ability of a hunter to submit a photo with a harvest report.

Alexa Sandoval: Stated, this is a priority and the department is working with IT division to implement this technology as well as the development of an application.

Commissioner Salopek: What is the status of the web based license sales?

Alexa Sandoval: There are 130 out of 200 vendors currently using the web-based license system.

Commissioner Ramos: Commended the user friendliness of the system.

AGENDA ITEM NO. 19: Department Equipment Disposal Request

Presented by Alexa Sandoval – The department requested permission to dispose of certain equipment and assets that are obsolete or beyond their useful life.

MOTION: Vice Chairman Montoya moved to approve the department's request to dispose of the list of capital assets that were presented to the Commission today by sale at public auction, or otherwise disposed of in accordance with state law at the department discretion.

SECOND: Commissioner Salopek.

Vote: 5-0

Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 20: Presentation of Fiscal Year 2013 Statement and Audit Report

Presented by Alexa Sandoval –The Department presented the Fiscal Year 2013 Statement and Audit Report.

MOTION: Commissioner Espinoza moved to approve the Department audit report for fiscal year 2013.

SECOND: Commissioner Ramos.

Vote: 5-0

Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek

No: None

Abstained: None

Absent: None

Result: Motion UNANIMOUS. PASSED.

AGENDA ITEM NO. 21: Availability of Director's Draft of the Biennial Review

Presented by Mike Sloane –The department presented a summary of the draft recommendation and announced the commencement of the 90 day comment period for the biennial review. The biennial review is available on the department website and notice was published in newspapers across the state. Biologists reviewed 118 species that are currently on the list and recommended no changes from the last biennial review. The comment period will end in June 2014. No one from the public commented on this item and there was no discussion by the Commission on this item.

AGENDA ITEM NO. 22: Legislative Update

Presented by Dan Brooks – The Department updated the Commission on legislative actions during the last session including operating budget, capital projects and amendments to the enhanced penalties bill. Senate Bill 313 included the Game and Fish budget and the state budget; it passed and was signed by the governor on March 11, 2014. The total approved state budget is 6.15 billion. The department operating budget was decreased by 1 percent to approximately \$38,630,800. The department received approval for \$860,000 in special appropriations for vehicles, \$250,000 for additional legal support, and \$150,000 in assistance for upgrades to federal aid. The state budget approval included a 3 percent raise for all classified state employees. The governor also approved capital outlay for \$5.1 million for nine different projects. The department expressed gratitude for Representative Alonzo Baldonado for his support in carrying these bills. He is a staunch advocate of the department. Deputy Dan Brooks also thanked all employees and supporters of the Department of Game and Fish. No one from the public commented on this item. The following is a summary of the Commission's discussion.

Commissioner Montoya: Expressed gratitude to the Wildlife Federation for their support during the legislative session.

Deputy Dan Brooks: Also expressed gratitude to the Wildlife Federation for their support.

Commissioner Salopek: Questioned if the trophy enhancement bill was tabled in the house or the senate.

Deputy Dan Brooks: Explained the house went smoothly, but the senate is where it was hung up, specifically senate judiciary. Typically, they have a stance which does not embrace more felonies.

AGENDA ITEM NO. 23: General Public Comments (Comments Limited to 3 Minutes)

Brenda McKenna (Nambe Pueblo Tribal Member): Questioned the department's response to prevent the behavior such as cougar hounding and killing demonstrated by former Commission Chair Bidegain, or an associate; the age and gender of the cougar and the disposition of the cougar carcass; the opinion of the Commission regarding animal killing contests; and if the department considered the feasibility of offering wildlife touring permits to give opportunities to shoot wildlife with a camera only.

Chairman Kienzle: Stated all matters regarding Scott Bidegain are under investigation and neither the SGC nor the department has the liberty to discuss these matters. In regards to the animal killing question, since the item is not on the agenda, this issue cannot be addressed. If this item were on the agenda then the Commission may be able to address your concerns. The third comment is also not an agenda item and cannot be addressed at this time. Chairman Kienzle asked Deputy Dan Brooks to take note of this and it is something that could be acted upon in the future.

Deputy Dan Brooks: Provided Brenda McKenna with information regarding inspecting public records and the official process to request public records.

John Cornell (NM Wildlife Federation): Congratulated the new chair and vice chair, also expressed support of the department's recommendation to not provide diversionary feeding program for bears due to scientific and biological reasons. He also complimented the Commission for adopting the amendment to the open meetings rule and also for agreeing to keep and publish more detailed meeting minutes.

Steven Henry (Las Cruces Sportsmen): Expressed appreciation for the Commission meeting in Las Cruces and encouraged annual meetings in Las Cruces. He also asked the department to consider the drone issue at the next

legislative session, airborne hunting act. He also commended the department on the implementation of the web based license system.

AGENDA ITEM NO. 24: Adjourn

MOTION: Commissioner Salopek moved to adjourn at 1:52pm.

SECOND: Commissioner Ramos.

Vote: 5-0
Yes: Commissioner Arvas, Commissioner Espinoza, Commissioner Montoya, Commissioner Ramos and Commissioner Salopek
No: None
Abstained: None
Absent: None
Result: Motion UNANIMOUS. PASSED.

NOTE: The meeting will be adjourned upon completion of the agenda or up to those items that time allows. Any items not discussed will be on the following meeting's agenda. The Agenda is subject to change up to 72 hours prior to the scheduled meeting date and time as deemed necessary by the Chairman. To inquire about agenda changes, please contact the Office of the Director at (505) 476-8008. 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 Ms. Michelle Gonzales at (505) 476-8030 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Gonzales if a summary or other type of accessible form is needed.



R.J. Kirkpatrick, Interim Director and Secretary



Date



Paul Kienzle, Chairman
New Mexico State Game Commission



Date

RJK/avg