

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

Wednesday, March 4, 2020 Albuquerque

AGENDA ITEM NO. 1: Meeting Called to Order

Called to order by Chairwoman Salazar Hickey at 8:20 a.m.

AGENDA ITEM NO. 2: Roll Call

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

AGENDA ITEM NO. 3: Approval of Agenda

Motion by: Vice-chairwoman Salazar-Henry moved to approve the agenda as written.

Seconded by: Commissioner Cramer

Approved: Unanimously

AGENDA ITEM NO. 4: Introduction of Guests

AGENDA ITEM NO. 5: Acknowledgements and Announcements

The Commission recognized the work that the agency put into the 2020 Outdoor Show and the National Archery in Schools State Tournament.

AGENDA ITEM NO. 6: Consent Agenda

Motion by: Vice-chairwoman Salazar-Henry to approve the minutes from the January 17, 2020 State Game Commission Meeting

Seconded by: Commissioner Soules

Approved: Unanimously

Motion by: Vice-chairwoman Salazar-Henry to approve the revocations except for Mr. Gilmore.

Seconded by: Commissioner Bates

Approved: Unanimously

Motion by: Vice-chairwoman Salazar-Henry to revoke Mr. Gilmore for 40 years and then amended the motion to revoke Mr. Gilmore for 30 years.

Seconded by: Commissioner Lopez

Approved: Unanimously

AGENDA ITEM NO. 7: Closed Executive Session

Motion: The State Game Commission voted to adjourn into Executive Session closed to the public; pursuant to 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters relating to complaints

and discipline; pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss property acquisition; and pursuant to Section 10-15-1(H)(7) NMSA 1978, to discuss matters subject to attorney-client privilege relating to threatened or pending litigation.

Moved by: Commissioner Cramer

Seconded by: Commissioner Lopez

Roll Call Vote – Approved: Unanimously; Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Cramer, Commissioner Lopez, Commissioner Soules, Commissioner Vesbach, Commissioner Bates.

Return from Executive Session: Upon return from closed executive session, Chairwoman Salazar Hickey announced that during the executive session the Commission discussed only those matters specified in its motion to adjourn and it took no action as to any other matter. In the last item on agenda, regarding matters subject to attorney-client privilege and litigation, the Commission was notified that the Department of Game and Fish filed a suit of declaratory judgement against it under the Declaratory Judgement Act related to 17-4-6 C NMSA 1978 commonly known as the non-navigable statute. The Commission will be represented by the office of the Attorney General and will have no further comment on the matter of non-navigable statute or any other issues related to non-navigable waters.

AGENDA ITEM NO. 8: General Public Comments

AGENDA ITEM NO. 9: Legislative Update

Director Mike Sloane presented the Department's update to the Commission on legislative actions during the last session including operating budget, capital projects and other pertinent legislation.

Moved by: Vice-chairwoman Salazar-Henry to write a letter to the governor's office to recommend a line item veto.

Seconded by: Commissioner Cramer

Roll Call Vote – Approved: Unanimously; Chairwoman Salazar Hickey, Vice-chairwoman Salazar-Henry, Commissioner Cramer, Commissioner Lopez, Commissioner Soules, Commissioner Vesbach, Commissioner Bates.

AGENDA ITEM NO. 10: Presentation of Proposed Easement Agreement for Access to State Lands

Wildlife Management Division Chief Stewart Liley presented the Department's proposed State Land Easement Agreement. The proposed agreement would allow access for licensed anglers, hunters and trappers to State Trust Lands for the 2020-2021 license year.

Motion by: Commissioner Lopez to approve the easement as presented.

Seconded by: Commissioner Bates

Approved: Unanimously

AGENDA ITEM NO. 11: Initiation of Migratory Bird Rule for 2020-2021 Hunting Season

Wildlife Management Division Chief Stewart Liley presented the Department's 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.

AGENDA ITEM NO. 12: Initiation of Biennial Review of State Listed and Threatened or Endangered Species

Chief of Ecological and Environmental Planning Division Matt Wunder initiated the 2020 Biennial Review of New Mexico state listed threatened and endangered species pursuant to the Wildlife Conservation Act (17-2-40 NMSA 1978).

Motion by: Commissioner Lopez to initiate the 2020 Biennial Review process of assessing state listed threatened and endangered species.

Seconded by: Commissioner Cramer

Approved: Unanimously

AGENDA ITEM NO. 13: Operation Game Thief Program

Field Operations Captain Ty Jackson presented an overview of the Department's Operation Game Thief program.

AGENDA ITEM NO. 14: Commission Review of Department Director's Determination of Smith Ranch

Wildlife Management Division Chief Stewart Liley presented the Director's determination for the Smith Ranch. In order to be enrolled as a property in the Elk Private Land Use System (EPLUS), rule (19.30.5 NMAC) requires properties meet a minimum habitat score based upon Commission approved participation guidelines. The Commission approved guidelines require properties must receive a score of at least seven (on a scale from 0-13) in order to qualify. The Los Piedras Ranch owned by Mr. Smith, received a score of five, falling short of the qualifying score. As allowable by rule (19.30.5.12 NMAC), Mr. Smith has requested a Commission Evaluation of the decision that his ranch does not qualify.

Motion by: Vice-chairwoman Salazar-Henry to uphold the Director's determination that the Los Piedras Ranch (Smith Ranch) does not qualify for the EPLUS Program according to the Commission approved guidelines.

Seconded by: Commissioner Vesbach

Approved: Unanimously

LUNCH BREAK

AGENDA ITEM NO. 15: Reserving Two Elk Licenses for Non-Profit Wish-Granting Organizations

Colonel Robert Griego presented the Department's recommendation that the Commission reserve two elk licenses to be distributed through non-profit wish-granting organizations for two individuals with life threatening illnesses.

Motion by: Commissioner Cramer to accept the Department's recommendation and reserve two elk licenses for the two applicants to be sponsored by the non-profit wish-granting organizations, or the alternates, should the primary individuals not be able to participate in their hunts.

Seconded by: Vice-chairwoman Salazar-Henry

Approved: Unanimously

AGENDA ITEM NO. 16: Nuestra Tierra Conservation Project

Assistant Chief of Licensing Chad Nelson presented the Department's request to recognize Nuestra Tierra Conservation Project as a qualified non-profit organization to receive donated hunting licenses.

Motion by: Commissioner Lopez to approve Nuestra Tierra Conservation Project as a qualified non-profit organization to receive donated hunting licenses or permits contingent upon registration with the New Mexico Attorney General's office.

Seconded by: Commissioner Soules

Approved: Unanimously

AGENDA ITEM NO. 17: Discussion on Amendments to the Hunting and Fishing Manner and Method Rule 19.31.10 NMAC

Wildlife Management Division Chief Stewart Liley presented the Department's proposal to delete Subsections DD and EE in the Hunting and Fishing Manner and Method Rule 19.31.10 NMAC to prohibit licensed trappers and cougar hunters from using traps and foot snares to harvest cougars. The purpose of this deletion is to align the rule with the previously passed rule.

AGENDA ITEM NO. 18: General Public Comments

AGENDA ITEM NO. 19: Adjourn at 1:57 PM

APPROVAL OF MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

**Wednesday, March 4, 2020
NMDGF Northwest Area Office
7816 Alamo Road, NW
Albuquerque, NM 87120**



Michael B. Sloane

4/27/2020

Date



Sharon Salazar Hickey, Chair

New Mexico State Game Commission

4/24/2020

Date

Final Copy