

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION
New Mexico Farm and Ranch
Heritage Museum
4110 Dripping Springs Rd.
Las Cruces, NM 88011

Thursday, April 14, 2016
9:00 a.m. – 5:00 p.m.

A P P E A R A N C E S

Game Commissioner Thomas Salopek

Chairman Paul Kienzle

Vice Chairman Bill Montoya

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

Game Commissioner Elizabeth Ryan

A B S E N T

None

CHAIRMAN KIENZLE: Call the Roll.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Director and Chairman, I'm here as well but I would like to just welcome everybody here to Las Cruces. It's really a pleasure and I want to thank you all for allowing us to have this meeting here in Las Cruces. People in Las Cruces, we appreciate you coming out. Thank you and again, welcome again to the Farm and Ranch Museum. A lot of history here and anyways, it just gives me great pleasure to welcome you to our home town here. Thank you.

DIRECTOR SANDOVAL: Thank you Commissioner. Commissioner Ryan?

COMMISSIONER RYAN: Here.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTROYA: Here.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Present.

DIRECTOR SANDOVAL: Chairman Kienzle, I believe we have a quorum.

CHAIRMAN KIENZLE: Thank you. Let's do the Pledge of Allegiance.

[Pledge of Allegiance ends.]

CHAIRMAN KIENZLE: At the approval of the Agenda, are there any changes that need to be made?

DIRECTOR SANDOVAL: Mr. Chairman, I would request that we table Agenda Item Number 20: The Property Acquisition. That will be for you, in front of you at a later date.

CHAIRMAN KIENZLE: The meeting just got shorter I think. Can I get a motion to that affect?

COMMISSIONER RICKLEFS: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. And then can I get the Agenda approved as amended?

COMMISSIONER SALOPEK: So moved.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. All right, we will strike Number 20. Introduction of guests, who wants to start, Lance? You're not a guest but...

LANCE CHERRY: (Indiscernible)

GUEST SPEAKER: (Indiscernible).

CHAIRMAN KIENZLE: You guys want to go next, there in the front row?

GUEST SPEAKER: Hello, my name is Stan (Indiscernible).

CHAIRMAN KIENZLE: Thank you.

GUEST SPEAKER: My name is Gary (Indiscernible). I represent (Indiscernible).

GUEST SPEAKER: Director and Commissioners, my name is Dave (indiscernible), Director of New Mexico Youth and Conservation (Indiscernible).

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: I'm Joel (Indiscernible), I'm on the Board of Directors of (Indiscernible) Shotgun Sports and New Mexico (Indiscernible).

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: Mr. Chairman, Members of the Commission, I'm Chris Chadwick, Assistant Director of (Indiscernible).

GUEST SPEAKER: Good morning. Mr. Chairman. (Indiscernible).

GUEST SPEAKER: (Indiscernible) Commissioners. (Indiscernible).

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: Ivan (Indiscernible). New Mexico (Indiscernible).

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: I'm Jeff Rankin from Roswell. I'm a member of the New Mexico Council of Outfitters and Guides. I'm a member of Southern New Mexico (indiscernible). I'm also a very advent hunter and I'm an advent fisherman as long as the fish survive.

[Multiple guest speakers indiscernible].

GUEST SPEAKER: Good morning everybody. Garrett VeneKlasen, New Mexico (Indiscernible).

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: Good morning, I'm Casey Coleman for New Mexico Game and Fish. (Indiscernible)

GUEST SPEAKER: (indiscernible).

GUEST SPEAKER: Good morning, Greg Thompson (Indiscernible).

GUEST SPEAKER: Good morning. I'm Bill (indiscernible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioner, (Indiscernible), New Mexico Wildlife.

GUEST SPEAKER: Good morning. I'm (indiscernible), the Executive Director of (Indiscernible).

GUEST SPEAKER: Good morning, Christine (Indiscernible), Director of (Indiscernible).

CHAIRMAN KIENZLE: Is that it? I think we've covered about everybody. Well thank you. Welcome and good morning. Agenda Item Number 6: Approval of Minutes from our January, 2016 meeting and also our February, 2016 Special Meeting.

COMMISSIONER SALOPEK: Move to adopt.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. Colonel Griego, Agenda Item Number 7: Revocations. Private Colonel, could you just run us through the process, whether there's public comment on this? How you intend to do each of these just so we know what the ground rules are?

COLONEL GRIEGO: Yes, sir, Mr. Chairman. Mr. Chairman, Commissioners.....

COMMISSIONER: Bobby, excuse me for interrupting but I can't hardly hear. Can we turn a speaker around or something? Now we can.

COLONEL GRIEGO: Yeah, Mr. Chairman, Commissioners, I just want to remind you that we do have Commission Rule that allows you to (Indiscernible) hear the hearing officer's recommendation and any written exceptions that were filed according to the Rule. They then file those exceptions within thirty days. They got to be part of to the event and by rule also, we

cannot allow, although we appreciate an individual's desire to want to defend themselves personally in front of you. We can notate those hearing officers' recommendations and exceptions. We cannot allow any old arguments or any evidence in regards to a revocation. That rule goes specifically, it's going to be 19.31 to 23(b).

CHAIRMAN KIENZLE: I'm ready when you are. I'm sorry, I think anticipation, I understand. No, I'm ready. You're welcome to proceed. So why don't you do each of these individually and we'll have a motion on each one individually.

COLONEL GRIEGO: Mr. Chairman, Commissioners, that is correct. We're going to have, it's going to be a variety of different revocations that come up in front of you and I'll stop at each one and see if you have any questions or if you all have a motion at that point. So, it's slightly different than we typically do it but to keep them in order. That way we don't get at the end and not remember what we discussed or what I discussed ten minutes prior.

COMMISSIONER RAMOS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes?

COMMISSIONER RAMOS: Mr. Griego, just for clarification, what are the steps involved here? They were cited, they went to court, they were found guilty and then they had an option to appeal to the hearing officer and then now it's at our table, correct?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos that is correct. The way it typically happens is, you have an initial violation, whether it's a criminal or a misconduct violation. If it's a criminal violation, those individuals would be cited with citation or given a (Indiscernible) compliant and have to appear in typically, a magistrate court. When they have that, then they

appear in magistrate court, they have the option of pleading guilty or not guilty and if they're not guilty, they afforded a hearing or a trial. If they are found guilty and you get that official document, that judgement and summons saying that this individual was found guilty of these above crimes and those crimes equate to twenty or more points within a three-year period, what we do is we notice that (indiscernible) which is a letter stating you've accumulated these points in a three-year time period and you are up for revocation, would you like to request a hearing or not? If they choose not to request a hearing, it automatically goes up for revocation which would be presented in front of you. If they request with you, they would have a hearing in front of a hearing officer where they discuss the case and that hearing officer, it's not about guilty or innocence at that point because we've got the judgement and summons stating that they had been guilty. It's about is there any negated circumstances? Is there any reason that it just, a hearing officer would not recommend a revocation or a reduced revocation? At the conclusion of that the hearing officer has by rule, thirty days to submit his warrant for it which you have in front of you with their recommendation for what they recommend on based on, on how much revocation time they would like. Also, part of that revocation, once that is done, the defendant has the ability to file a written exception basically stating again, what they feel may be a mitigated circumstance why they did what they did and by rule, you all will have those in front of you and by rule you can take into account the hearing officer's recommendation on his report and the written exceptions in front of you. So again by rule, we cannot allow any oral arguments or new evidence, that's what put in front of you.

CHAIRMAN KIENZLE: Colonel, are able to modify the hearing officers decision in any way? So if that's a three year revocation, can we shorten it to two years or one year?

COLONEL GRIEGO: Mr. Chairman, that is correct. You have the ability to take the hearing officers recommendation or modify it however you saw fit based on the information you have in front of you.

CHAIRMAN KIENZLE: Any other questions? Yes, sir?

COMMISSIONER RICKLEFS: Colonel, the hearing officer, what is his position in the (Indiscernible).

COLONEL GRIEGO: Mr. Chairman, Commissioner Ricklefs, they are contract hearing officers. They do not work for the department other than by contract and it can't be just anyone that's a hearing officer. They have to come with qualifications on knowledge and experience, on (Indiscernible), those types of hearings, not necessarily just criminal but administrative type processes and we've been using the same company for several years now. So they do come with pretty good qualifications. They are separate from the department other then they came in by contract.

COMMISSIONER RICKLEFS: And they have some sort of certification I would imagine?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ricklefs that is correct.

CHAIRMAN KIENZLE: I'm ready when you are if there's no other questions.

COMMISSIONER RYAN: I just have one more question. If we vote to revoke a license, is that from the date of the infraction or from Commission date?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan that would be from the point of when you initiate the revocation, not from the violation.

COMMISSIONER RYAN: Is that by statute or what if even if the infraction was a couple years ago, prior to the date of the Commission Meeting. Does time off from hunting or being able to obtain a license since the infraction count towards....

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan no it does not because until then they both get to continue to hunt, fish, trap, (indiscernible) outfit as if it never occurred. Until you get that revocation and have your due processed, by rule you are allowed to continue to go on with your normal activities as you saw fit.

COMMISSIONER RYAN: Okay, thank you so much.

COLONEL GRIEGO: So Mr. Chairman, Commissioners, I'm here to present Agenda Item Number 7: Revocations. We've got various types and as we discuss, we'll break them down. First Revocation we'll discuss what one registered outfitter who accumulated over twenty misconduct points within the three- year time period. That individual was served with a notice of contemplated action. We requested a hearing and the hearing officer's recommendation is attached. I believe that individual also filed an exception which you also have in front of you.

COMMISSIONER RYAN: Can you confirm the name of the individual that we're talking about first today?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan I believe that individual is going to be Shannon Owen.

CHAIRMAN KIENZLE: Mr. Owen, are you present here today?

(Indiscernible)

CHAIRMAN KIENZLE: Thank you.

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COMMISSIONER ESPINOZA: Mr. Chairman, if I may?

CHAIRMAN KIENZLE: Certainly.

COMMISSIONER ESPINOZA: Bobby, a quick question. Within statute, is there any provision to recommend, if there's a three year to revoke their license? Is there any provision to assign something else like community service or something like a judge might impose?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza no, not by statute but you could, it would just be that revocation and an x amount of time period. There is by statute according to the (Indiscernible) statute, anything prior to 2014, any violation with that three year max revocation that we can institute. Violations that occurred after that but when we went to the legislature and had revocations for a definite period of time, those violations have occurred after that time period. We can request higher than three years but really, nothing as far as giving community service or anything like that. That would have to be through the criminal court system.

COMMISSIONER ESPINOZA: Thank you.

COMMISSIONER RYAN: Can you advise me whether Mr. Owen pled guilty or no contest or whether he was convicted?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan let me look through some of my stuff. I don't know if I have that judgement and sentence in front of me.

CHAIRMAN KIENZLE: It appears from the comments they had a hearing so I don't think it was apart from the written submission.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan what I do know, regardless of having that information in front me, is that whether it's a not guilty plea or a guilty plea, they would have found guilty in magistrate court and they would have gave that information for another hearing officer. The document I have in front of me said that there was a plea of no contest. I'm not a hundred percent on that without that judgement and sentence and official document. It would just be going off of this document, other document in front of me, the hearing officer's report.

CHAIRMAN KIENZLE: Any other questions or comments? I will note for the record that Mr. Owen is here today which and to me indicates that he's concerned about the outcome of this matter. Can I get a motion on this please?

COMMISSIONER SALOPEK: I have a question.

CHAIRMAN KIENZLE: Yes?

COMMISSIONER SALOPEK: Yeah, I'm looking at Mr. Owen still here and it seems like he's going to do the right thing by going to the (Indiscernible). I think in today's technology, I don't know how it works for emergency outfitter but if they do everything online, could you have not done something online to get that license or does he have to speak to a game warden? Personally I think him trying to do the best thing, I would like to see it one of the suspensions instead of three. That's just the way I'm looking at it for his case.

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek that would be entirely up to you. As far as the emergency drive, we do need to have them talk to an individual, a live individual just because we need to ensure they fit into the category of emergency circumstances. But you

know, we do not have to wait for an area officer to contact any game warden that (Indiscernible) making through that emergency guide.

CHAIRMAN KIENZLE: Colonel and Director, when does the time period start to run in a sentence like this? Does it run from the date of the infraction or when does that time period start to run?

COLONEL GRIEGO: Mr. Chairman, that time frame of a revocation would be based on when the Commission decides to revoke that individual, from that day forward.

CHAIRMAN KIENZLE: So it runs from, it would run from today's meeting forward regardless of what the time period is?

COLONEL GRIEGO: Mr. Chairman, Commissioners, that is correct.

COMMISSIONER SALOPEK: So any (Indiscernible) anybody, whoever it is, I guess we have to go through the court system. Say somebody gets one, they can have for three years reign, they get convicted three years down the road so they have to sit out those three years because they were convicted. I know we can't persecute them because they hadn't been convicted, to me it's kind of weird that they can hunt for three years and then they're convicted and they're out three years after and I'm sure they've learned from their mistakes but nothing's been said with me, I'm guessing. I know its Federal Court Systems but it just doesn't sit well with me.

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, we want to always insure that each individual citizen has their due process because they may not be found guilty.

COMMISSIONER SALOPEK: Right and that's the other side, correct.

CHAIRMAN KIENZLE: I'm in agreement with Commissioner Salopek. I think something less than three years in this situation is appropriate.

COMMISSIONER: I believe I would agree with Commissioner Salopek.

CHAIRMAN KIENZLE: I'm in agreement with that as well so can we get a motion on this particular matter?

COMMISSIONER SALOPEK: Reduce it to one year or none?

COMMISSIONER RYAN: I'd like to make a motion for revocation of one year.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: Any discussion on that? Then the motion that's on the floor, one year instead of three. Hearing no discussion, all in favor?

MEMBERS: Aye.

CHAIRMAN KIENZLE: The ayes have it.

COMMISSIONER: Nay.

CHAIRMAN KIENZLE: One nay, I'm sorry, one nay out of seven. Six to one, Okay, next matter?

COLONEL GRIEGO: Mr. Chairman, Commissioners, we also have one registered outfitter and one registered guide who also accumulated twenty or more misconduct points within the three year time period. Each was served with a notice of contemplated action and both elected not to have a hearing and the department's recommendation for revocation is in front of you.

COMMISSIONER RYAN: Could you name that individual please? We have a lot of names here. I want to make sure we're all talking about the correct person.

CHAIRMAN KIENZLE: Lee Dale Davis and Curtis Davis.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, I do not believe those were the two because I know those individuals had requested hearings.

DIRECTOR SANDOVAL: So Mr. Chairman, (Indiscernible) Commissions request, revocation that's in front of you right now for discussion, individual who did not request a hearing and so we're taking this by category, by outfitters and guides and then we'll move down to the individuals. So these are what we would consider, what you have considered in the past without there being any request for appeal. So this is (Indiscernible) all of the outfitter and guides who did not request a hearing.

COMMISSIONER RYAN: Okay.

CHAIRMAN KIENZLE: I'm with you. I'm just trying to figure out which individual we're talking about so I know.

COLONEL GRIEGO: Mr. Chairman, Commissioners, it is going to be Lee Davis and Curtis Davis based on the outfitter and guide. I was mixing that up with another.

CHAIRMAN KIENZLE: I'm a lamer thinker sometimes.

COMMISSIONER RYAN: so the information is just on this table that we have here?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan that's correct.

COMMISSIONER RYAN: Okay.

COMMISSIONER RAMOS: Bobby, this is the briefings that we we're able to review prior to the Commission Meeting, right?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos that is correct.

COMMISSIONER RAMOS: Nothing's changed, amended or anything in there?

COLONEL GRIEGO: That is correct.

COMMISSIONER RAMOS: Thank you.

COLONEL GRIEGO: Will there be other questions on those two individuals? This will be in the second category, these individuals here, guiders and outfitters who chose not to have a hearing.

CHAIRMAN KIENZLE: This one I understand.

COLONEL GRIEGO: All right.

CHAIRMAN KIENZLE: Any questions or comments on Lee Dale Davis or Curtis Davis? They chose not to have a hearing, correct?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: I know, neither of the Davis's is here today. Do you have anything further to add other than hearing officer's recommendation?

COLONEL GRIEGO: Mr. Chairman, I do not. Not on this topic.

CHAIRMAN KIENZLE: And it's a three-year revocation of guiding, both of these are three-year revocations, correct?

COLONEL GRIEGO: Mr. Chairman, that is correct.

COMMISSIONER RAMOS: Mr. Chairman, I move that we accept the hearing officer's recommendation to removal for three years on Lee Dale Davis and Curtis Davis.

CHAIRMAN KIENZLE: Spread them into two. We'll take them separate.

COMMISSIONER RAMOS: Mr. Chairman, I move that we accept the Hearing Board recommendation on Lee Dale Davis, removal for three years.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: Any discussion? All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COMMISSIONER RAMOS: Mr. Chairman, I move that we suspend, that we take the Hearing Board Officers recommendation. We suspend for three years for Curtis Davis.

COMMISSIONER RYAN: Second.

CHAIRMAN KIENZLE: Any discussion? All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: So Mr. Chairman, Commissioners, I also present a list of individuals that have met the established criteria for revocation and their hunting, fishing and trapping license privileges. Each of these individuals was served with a notice of contemplated action. Each of

them requested a hearing. The hearing officer's recommendation and the report is in front of you. Also, these individuals also filed a written exception and of eight of those exceptions, also sitting in front of you. And with that I'll take any questions on this category based on those individuals who chose a hearing and also gave written exceptions.

DIRECTOR SANDOVAL: So Mr. Chairman, Colonel, if you could give me just a favor and articulate the name you want them to be considering and then we'll take it by each individual.

COLONEL GRIEGO: Okay. So Mr. Chairman, Commissioners, the first individual is going to be Richard Lata [Phonetic].

CHAIRMAN KIENZLE: Is Mr. Lata [Phonetic] here today? No? Any discussion, on this one, Mr. Lata? Any comments? Can I get a motion on this one please?

VICE CHAIRMAN MONTROYA: Mr. Chairman, I move that we accept the hearing officer's recommendation on Mr. Richard Lata.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: AYE.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, would it be beneficial along with the notice to give hearing officer's recommendation or you all good with just the note?

CHAIRMAN KIENZLE: The name of the recommendation helps though we have the information but we can always add to the record. That would be helpful.

COMMISSIONER RAMOS: Mr. Chairman, Colonel, are there any recommendations that are different than the outside of the three years?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, there isn't. All of them are recommended three years, all these individuals that we're going to be discussing. So, I don't know, do you want me to give the violation or just the note? What would you all like? I realize this one is different.

CHAIRMAN KIENZLE: You can read through it. We have the information in front of us but it is helpful to make a further record and I think we have sufficient information in front of us but for the benefit of it, you can read the person's name, the violation and the recommendation. I would note with Mr. Lar, never a good idea to shoot from or across a highway. That should just be common sense. Anyway...

COLONEL GRIEGO: Mr. Chairman, Commissioners, I was going to give that violation also just for further disclosure, that we didn't leave him out. His violation was shooting from a roadway and failure to keep proof of sex. The second individual we're discussing is Dominick Martinez. He was found guilty of illegal possession of elk in season and (Indiscernible) and that recommendation is three years. Mr. Chairman, Commissioners, are we going to break these down individually with a motion or all of them lumped together?

CHAIRMAN KIENZLE: We'll do them individually. Someone will complain if we do not. Refresh my memory, this one with Dominick Martinez, he actually went, this case went through magistrate court before it arrived here?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: So it appears to me one of his defenses if you will, is that three shooters, four elk on the ground, can't tell who did the shooting but that was tested in magistrate court?

COLONEL GRIEGO: Mr. Chairman, that is correct. We cannot bring criminal violation revocation points unless we have a conviction with the judgement and sentence in front of it that would notify us that they were convicted in a criminal court.

CHAIRMAN KIENZLE: And so when it goes from criminal court or magistrate court it goes to the hearing officer after that?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: So we're the third people to test these or to take a look at this case then?

COLONEL GRIEGO: That is correct.

CHAIRMAN KIENZLE: Any questions or comments on this one?

COMMISSIONER ESPINOZA: Mr. Chairman, that currently is for my clarification again, so would it go in front of a magistrate in front of a judge when all of this evidence is presented to the judge and he's made that decision based on the evidence presented to him. Is that correct?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza that is correct.

COMMISSIONER ESPINOZA: So, and he's seeing basically the same thing we're seeing plus probably some testimony from the defendant.

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza that is correct for the most part. The hearing officer's will not allow anything during the hearing that is not pertinent to the case. They can't bring outside evidence that is not pertinent to the case. Although some of the exceptions you will see in front of you are after the fact that maybe the hearing officer did not hear and that's why I did include some of that information that if they're not parties to it we have the option of not considering some of those exceptions. When you have an individual who was made part of the violation and not at the scene but now wants to come forward as a character witness. It's part of the exception. It's irrelevant.

CHAIRMAN KIENZLE: Can I get a motion on Dominick Martinez?

COMMISSIONER ESPINOZA: Mr. Chairman, I move to accept, to approve the hearing officer's revocation on Dominick Martinez for a three-year period.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual you'll have is David Mamoose [Phonetic]. He was convicted of (Indiscernible) on the Ladder Ranch and unlawful possession of an antelope and again, it's a three-year recommendation.

CHAIRMAN KIENZLE: Give me a moment. Any questions or comments on this one?

COMMISSIONER: I'll make a motion.

CHAIRMAN KIENZLE: A motion.

COMMISSIONER SALOPEK: I make a motion to accept the penalty on David Mamoose
[Phonetic].

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: Penalty of how many years?

COMMISSIONER SALOPEK: Three years.

CHAIRMAN KIENZLE: Three years. Second that Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Yes.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual I have on my list is
Mr. Shannon Owen who is convicted of (Indiscernible) accessory to hunting turkey out of season
and then that recommendation is three years.

CHAIRMAN KIENZLE: Is this, I know it's the same Shannon Owen. Is this part of the same?
This was all one incident? If you recall we had an earlier, earlier in the Agenda we addressed
Mr. Owen. It looks like this all part of the same incident or is this a different incident?

COLONEL GRIEGO: Mr. Chairman, I do believe it was the same time frame.

VICE CHAIRMAN MONTOYA: Bobby, this is one that we already acted on for one year. Is it not or is this another violation?

CHAIRMAN KIENZLE: It's another one.

VICE CHAIRMAN MONTOYA: We've acted on Mr. Owen already haven't we?

COLONEL GRIEGO: Mr. Chairman, Commissioner Montoya, the initial revocation was for their guiding or outfitting privileges. This is for their hunting, fishing or trapping privileges.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER RYAN: I have a question about how the points are added. His accessory to guiding without a registration, that was to his guide and outfitter license which was twenty points and accessory to hunting turkey out of season is fifteen points. So one had to do with the incident we've already discussed, right? Which was twenty and this one, accessory to hunting turkey out of season is fifteen points. But they have been accumulated together to come up with revocation of both his hunting and outfitting license and his hunting license?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, (Indiscernible) there's misconduct violations with those points. Guiding without a license is a criminal violation and that's why it's addressed here. I don't know what the misconduct violation is specifically or if it was using an unregistered guide.

COMMISSIONER RYAN: Right, which we've already voted on and talked about today.

COLONEL GRIEGO: Correct, for the outfitting privileges.

COMMISSIONER RYAN: For the outfitting privileges. So we're just looking at how that might apply to his hunting privileges now?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan that is correct because it is a criminal violation.

COMMISSIONER SALOPEK: Is this against him just individually, this ticket?

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, I don't know what the individual was cited on (Indiscernible). This in particular would be just for him, yes.

CHAIRMAN KIENZLE: Any questions or comments on this one?

COMMISSIONER SALOPEK: I'll throw out since I made that last motion to reduce it to one year. I think to be consistent, I would recommend one year also on this one.

CHAIRMAN KIENZLE: One year period of revocation?

COMMISSIONER SALOPEK: Right, for this one case.

CHAIRMAN KIENZLE: Is there any second on that?

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

MEMBERS: Aye.

COMMISSIONER RAMOS: Nay.

CHAIRMAN KIENZLE: Maybe just say for outfitters and guides, we have not handled since I've been on the commission four years, many of these kinds of hearings. But let this serve as

notice, get your act together. Outfitting and guiding is a privilege and please make every effort to follow the rules. I don't think anyone is intentionally breaking the rules, at least from what I've heard today and what's before me. But those rules are in place for a reason and I would encourage you to go visit with your other outfitters and guides and make an effort to follow them, because my expectation is if these kinds of violations come in front of us again, I personally would be less lenient. Mr. Rankin [Phonetic], whoever wants to go out and let your membership know, that would be appreciated.

COLONEL GRIEGO: Mr. Chairman, Commissioners, I'd also remind you that we have a situation that we call a "Stipulated Enrollment" that often times when the officers in the field with the charging officers feel that there is some litigated circumstance to why some accident unknown to the violator, those situations. We'll have Stipulated Enrollment that prior to (Indiscernible) instead of a holding officer we'll work out similar like a plead limit where we say we believe that this was an honest mistake and let's go into the hearing, we're just going to recommend a one year suspension. So the officers also who are seeing it first-hand have the evidence first -hand, witness the violation and do the investigation and have all that information freshly in hand, that we'll take that into account often times again, maybe for a year we'll have the (Indiscernible). So Mr. Chairman, Commissioners, the next individual I have in front of me is Kenneth Pinia [Phonetic]. He's charged convicted with hunting elk without a license. The recommendation is three years.

CHAIRMAN KIENZLE: Any questions or comments on this one? Just note this is bad behavior all the way around. Can I get a motion on this one please?

COMMISSIONER ESPINOZA: Mr. Chairman, I move to approve the hearing officer's recommendation to revoke for three years the hunting, fishing, trapping license privilege for Kenneth Pinia [Phonetic] who's accumulated twenty or more violation points for a three-year period as presented by the department.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: Any questions or comments? All in favor?

ALL MEMBERS: Aye.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual I have on my list is Richard Rivera [Phonetic]. He was convicted of illegal possession of elk in season and (Indiscernible). The recommendation is three years.

CHAIRMAN KIENZLE: Is Mr. Rivera part of the group with the other one we heard, Dominick Martinez?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: Can I get a motion on this one?

COMMISSIONER SALOPEK: I make a motion to accept the hearing officer's recommendation for three years.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the last individual I have on my list that filed an exception is Vernon Sanchez. He's convicted of unlawful possession of deer out of season and the recommendation is three years.

CHAIRMAN KIENZLE: Colonel, this one came with a little bit less explanation as to the violation based on the notice of resolved of the administrative revocation hearing. Can you tell me a little bit about that proceeding or the underlying facts?

COLONEL GRIEGO: Mr. Chairman, Commissioners, I'm not completely up to speed on what this case was. A lot of these cases I had no involvement with other than after the hearing officer. So I do not know. I haven't read up (Indiscernible) report on this individual.

COMMISSIONER SALOPEK: Mr. Chairman, on this one, this is a thing about one of best friends in Albuquerque. His son had the elk tag and I guess accidentally shot a deer in the waterhole. He (Indiscernible) and I guess decided the best thing to do would be instead of wasting ammo on this tag that, I don't know if they went, I think they went and tried to find a Game Warden. My answer would be he made a mistake. If you're going to the Game and Fish when you've made the mistake instead of making another one to cover it up, once you've made that second mistake it's out of our control. It's you end up with fakes and you know, being that I, I don't know this person personally, I can't recommend because he messed up. You have to, It happens in the field and we've been in the (Indiscernible) circumstances twenty years ago but we went to the Game Warden and people didn't leave and (Indiscernible) by the Game Wardens but we didn't tag to cover up. That would have been all bad so.....

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek hearing the story, I did know a little bit about this case after hearing but I do not believe there was an attempt to notify the Game Department or an officer of the mistake.

COMMISSIONER SALOPEK: They just indicate mistake. They would train them before it actually got started.

COLONEL GRIEGO: Correct. (Indiscernible) any mistakes that have been incurred after employed, that U. S. gives all these exceptions but for the most part our officers are, the vast majority of the time they are reasonable and understanding of mistakes and it is our direction where individuals have honest mistakes and turn themselves in. But it's often when they get in front of you in this situation, in those situations.

CHAIRMAN KIENZLE: Comments, questions? Can I get a motion on this one please?

COMMISSIONER RAMOS: Mr. Chairman, I move to approve the hearing officer's recommendation to revoke for three years the hunting, fishing and trapping license privileges of Vernon Sanchez who's accumulated twenty points or more violations in a three-year period as presented by the department.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, I also have a list of sixteen individuals who accumulated over twenty points in the year-year period. They did request a hearing but they did not file the written exceptions so we separated them out even one more time. So these individuals were convicted in magistrate court, did receive notice of contemplated action, did request a hearing and you have the hearing officer's report in front of you but they did not file the exception. So, Mr. Chairman, would you like to continue the similar fashion?

CHAIRMAN KIENZLE: I think we're going to have to.

COMMISSIONER RYAN: Yeah.

COMMISSIONER: We can't just (Indiscernible) the candidate?

COMMISSIONER RYAN: I don't think so. I think we need to.....

CHAIRMAN KIENZLE: It's probably not the best practice. But I would say that discussion, these appear to be a little more black and white, a lot of hunting in the wrong place or without permission. So it seems to me that there's lots of gray area than the other ones that we just dealt with. But I think that's practice, just to deal with these individually.

COLONEL GRIEGO: Okay. So Mr. Chairman, Commissioners, the first individual I have that requested a hearing is Jeremiah McPherson [Phonetic]. He's convicted of hunting deer in the (Indiscernible) area. He was hunting on public with a private land owner license. And the hearing officer's recommendation is no revocation on this one.

COMMISSIONER: So that one, that one's straight forward.

COMMISSIONER RYAN: So, why is that in front of us? How is that appear before us if the hearing officer said no revocation why are we having to (Indiscernible) that? Why would he appeal and no revocation?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, because there was a conviction in courts and they did accumulate those points. The hearing officer can just provide you a recommendation but it's the Commissions ability and authority to, you might change your mind and say no, I know about this case in particular and want to add a year. This individual, this case was the individuals didn't know that they were on public and it came out in that hearing and that hearing officer felt that was a pretty good litigated circumstance that those individuals had no intent, intention. The property that was public was not fenced. It was one of those and it was very difficult and even the officer came forward and said it was pretty difficult to decipher even knowing the area and that's when the hearing officer said that he recommended no.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Ryan, anytime the hearing officer takes an action or has been requested, the individual request a hearing, you all have to take action by ending the act. You all have to take any action on the action hearing officer takes. So anytime there's something in front of the hearing officer you are bound by rule to affirm that decision or change it, like we're doing here today.

COMMISSIONER RYAN: So I just want to note that the hearing officer's recommended no action be taken in this situation which is different than many of the others that are in this grouping and I would just like to move to affirm the hearing officers ruling of no action.

COMMISSIONER SALOPEK: Second. All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: (Indiscernible) of the rules, just give the person's name, just what's in our chart here. Just go right straight across the board and if there's any questions we can, I think go through these a little more quickly.

COLONEL GRIEGO: Including the violation? Just go straight across?

CHAIRMAN KIENZLE: Yeah, just go straight across, read it and then we'll go from there in the interest of trying to knock down time on this.

COLONEL GRIEGO: All right. Mr. Chairman, Commissioners, the next individual is Alfredo Aguilar [Phonetic]. He's convicted of hunting elk in the wrong area. Hunting elk in (Indiscernible) and the recommendation is three years.

COMMISSIONER SALOPEK: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: Any questions or comments? All in favor?

ALL MEMBERS: Aye.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Andrea Atkerson [Phonetic]. She's convicted of hunting elk in the wrong area and (Indiscernible) the recommendation is two years.

CHAIRMAN KIENZLE: Can I get a motion on this one?

COMMISSIONER SALOPEK: So moved.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual I have is Daniel Channes [Phonetic]. He's convicted of hunting deer without a valid license. The recommendation is three years.

COMMISSIONER ESPINOZA: So moved.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All on favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Timothy Cruz. He is convicted of hunting private land without permission, exceeding the bag limit of deer. The recommendation is three years.

COMMISSIONER SALOPEK: So moved.

COMMISSIONER: To accept?

CHAIRMAN KIENZLE: Can I get a second on this one?

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Alfredo (Indiscernible). He's convicted of unlawful carrying of deer out of season. The recommendation is three years.

VICE CHAIRMAN MONTTOYA: So moved Mr. Chairman.

COMMISSIONER RYAN: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Ronnie [Phonetic] Gomez. He's convicted of unlawful killing of the deer in season and hunting in a closed area. The recommendation is eighteen months.

COMMISSIONER RYAN: So moved.

VICE CHAIRMAN MONTTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Lloyd Griego [Phonetic]. He's convicted of hunting deer without a license. Hunting private property without permission and shooting from the road. The recommendation is three years.

COMMISSIONER RYAN: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is (Indiscernible) Martinez. He's convicted of unlawful killing of an antelope on the (Indiscernible) Ranch and unlawful possession of antelope. The recommendation is three years.

COMMISSIONER RYAN: So moved.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Edlan Muscedelius [Phonetic]. He's convicted of unlawful killing of antelope, hunting antelope on the (Indiscernible) Ranch and unlawful possession of antelope. The recommendation is three years.

COMMISSIONER ESPINOZA: So moved.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Denise McDowell. She's convicted of criminal trespass while hunting and fishing. The recommendation is one year.

COMMISSIONER RYAN: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual I have is Andrew Montoya. He is convicted of unlawful killing of deer without a license, unlawful possession of a deer in season. The recommendation is three years.

COMMISSIONER RYAN: So moved.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Jeffrey Ramora [Phonetic]. He's convicted of unlawful killing of a deer out of season and unlawful possession of that deer. The hearing officer's recommendation is three years.

COMMISSIONER: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Richard (Indiscernible). He's convicted of criminal trespass while hunting and fishing. The recommendation is three years.

COMMISSIONER RYAN: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Cedrick] Phonetic] Sanchez. He's convicted of unlawful killing of a deer out of season. The recommendation is three years.

COMMISSIONER RYAN: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

COLONEL GRIEGO: Mr. Chairman, Commissioners, the next individual is Lorenzo (Indiscernible). He's convicted of hunting elk in the (Indiscernible) Ranch. The recommendation is three years.

COMMISSIONER RAMOS: So moved.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. Thank you, Colonel and I know no one in the Commission takes any pleasure in any of these revocations. So, it's hard to educate the public with just one public meeting but some of these are very black and white and know where you're

hunting, know your target and basic things that you should know before you get in the field.

Commissioner Ramos?

COMMISSIONER RAMOS: Chairman and Director, Colonel, I know this is the first time that I've been through this process. I do want to thank you for bringing the briefing and both sides. I know that people that did appeal, they had their statements and so we we're able to read and define that. We also had the hearing officer with the findings and all that. I think that was well presented. I know the others, obviously they did appeal it so therefore, that's what we acted on. I do want to kind of challenge our department to see what we're doing with our website, our marketing towards Operation Game (Indiscernible) Program. I think that we really need to define poachers and what they do to our wildlife in New Mexico. I think we don't establish a lot of this kind of information and I don't know what the mindset is on that but I think that we need to really look at our marketing on what we're doing to advertise it out there. I know another thing that impacts outfitters right now is illegal usage of outfitter numbers and I think there ought to be a stiff penalty on that. If somebody tries to falsify that they had a contract with an outfitter and utilizing these outfitters who are out there working hard and misusing their number, you know and I know that you know, there's current investigations going on with that but you know, it seems like a simple fix even when they're applying for the hunt. You know you click on outfitter, outfitter numbers and you embed that in there but at that point there ought to be some kind of a restriction that if you falsify this information and not have it, you know there should be a consequence. You know with minimally not being involved in that drawing. You know there's too many honest people out here in New Mexico who are not get drawn for hunts and then there's people who are not doing it correctly and following the right process, you know, who don't. So, you know some of the things that we need to really look at but again, marketing

and advertising what poachers do to our wildlife, I think the majority of the people out here did see the email that came out recently. I think yesterday or the day before. Those were horrible findings and I don't think we see enough of what's going on behind the scenes and we assume that everything is hunky-dory. Then to me, it's kind of like a principle. You have five percent of your kids that are creating problems and you spend ninety percent of your time consuming you know, with these types of activities and poaching is a criminal offense you know and it impacts our wildlife.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos you have several good points. I will say that to combat some of that poaching activity we do and a lot of big thanks to you Commissioner Ramos, we do have our wildlife violator page up on the website. We do have those individuals who have those (Indiscernible) violations or repeat offenders that we will post there, their picture on the website with a brief summary and what they were convicted of. So we have started that. We are looking at revamping our poach coach, making it a little more, like you said, really defining poaching that from a distance you can tell that that wildlife was stolen from New Mexicans, that it's not just a wildlife display, really working with that. We are currently this year working with Director Sandoval and the rest of the administration on these applications that we're (Indiscernible) and their system is catching where they are using outfitter numbers that belong to others. Outfitter numbers that are no longer in service. Outfitter numbers from outfitters who have been deceased for two and three years. Just fictitious outfitter numbers that we're really working and catching those individuals. We're doing investigations on them and if we do find out that there's criminal activity associated with them, no contracts, that sort of stuff, we will be rejecting a lot of those applications if after that investigation we find out that that it's just more than a fat finger mistake, that there is some intent there. We are getting pretty firm

with following the letter of law with that sort of activity. As far as defining poaching, I completely agree that across New Mexico and to just the general public we need to differentiate between hunting and poaching. It's often, especially in the media thrown out there almost anonymously that hunting is poaching and we need to really define and put it out there that poaching is stealing and stealing from New Mexico. We are working with IME right now to early stages of development and gather a video that we'll in turn use for recruiting also on the field operation side but really reaching out to those individuals that maybe that non-consumpted user that doesn't know anything about hunting, fishing and trapping, that will they recognize a wildlife violation if it occurred in front of them first and then would they know who to contact if it did occur? We're working on that so that hopefully we become in the near future to get that word out.

COMMISSIONER RAMOS: I do want to thank you also for following up (indiscernible) probably six Game Commission Meetings I've asked about posting you know, these violators on there. I'd like to see it a little more user friendly. I did stumble upon it you know, two nights ago but I kind of want it more like people here in Las Cruces are very familiar with sound off in our newspaper. I'd like to see a sound off on our website where, boy, there it is, click and you can see what the violators and again, thieves of our wildlife.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, yeah, that is a valid point that our policy (Indiscernible) so start moving some of that stuff to our facebook page where it would be pretty easy to view because it would be a pop-up out there on the facebook page if you're a follower and friends of Game and Fish. So Mr. Chairman, Commissioners, moving back to more of revocation that I'm also presenting a list of 223 obligors that Human Services Department has reported as being out of compliance with their court order child support and by rule, you are

required to suspend all license privileges for those non-compliant individuals. So with that I will take any questions.

CHAIRMAN KIENZLE: Do we need to do a motion on those?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: Can I get a motion on the, it's parental responsibility and what's in them or just parental responsibility?

COMMISSIONER: Mr. Chairman, I move to authorize the department to administer these suspensions pursuant of the Parental Responsibility Act on behalf of the Commission including the issuance and the service of notice of contemplated action to each individual listed that is out of compliance with the Parental Responsibility Act.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Colonel, I do have one question. So on the four plus years I've been doing this, we haven't had revocation hearings like this that I can recall. So how do we end up with a raft of these today, just bad luck, good luck?

COLONEL GRIEGO: Mr. Chairman, we finally got the process in place where we've got our hearing officers this last year. Over the last, it was a combination of going to the online system and wanting everything to match up where we weren't missing a revocation or creating

something unnecessarily and then we had some contract issues. So we got everything lined out this year so from here on out, this will be the norm.

CHAIRMAN KIENZLE: Okay. Well I will endeavor to make these go more smoothly and we've talked publicly before about what is law enforcement doing, you know on these types of cases and I'm pleased to see that some of these cases are making it through that, what seems like a multi-step process that finally (Indiscernible) and seen today. Again, I take no pleasure in it because the violations are pretty grouse and most of them are black and white from what I can see. But I applaud you and your officers for getting that process on track and getting those in front of us.

COLONEL GRIEGO: Mr. Chairman, I also thank all of you, all on the Commission, it's just because our revocation is one of the best deterrents we have. Often times fines are minimal and even if they're great, if you can continue with when you start taking away that ability to legally hunt, that in conjunction with our wildlife violators (Indiscernible) is one of our greatest tools.

CHAIRMAN KIENZLE: So let me follow up on what Commissioner Ramos asked about or said earlier, if we do have this process and (Indiscernible) and it looks like we do, this is a great opportunity in our website to say hey, this is on track, this is what you're looking at, if you're at least accused. So I think that's something that we want to look at, Director. making sure that it's on the website and people know that this process is now more firmly in place then it was before.

COMMISSIONER RYAN: I'd also like to just say, in general, to hopefully just getting the word out and an alleged violator pleads no contest it's the same as, the effect is the same as pleading guilty in that you're not allowed to present evidence or cross-exam any witnesses at the magistrate level, at that court hearing and so that's your opportunity to produce some evidence if

you think there's any evidence in your favor and so it's not at the time when it gets to the Commission at this revocation stage where we're going to be reviewing the hearing officers recommendation, that we will not, we don't hear any evidence at this level. So, I noticed on several of the written exceptions there was pleads of no contest and oh, if I could have cross-examined the officer so and so. Well, you plead no contest so you, which is the effect of the guilty plea and that you don't get to cross-examine anyone or go in front of the judge or something and your simply sentenced and fined. So, I'm just putting out a clarification that that's the process. So that you're going through due process here and you're entitled to your due process but understand your rights when you proceed.

CHAIRMAN KIENZLE: What I would recommend Colonel is in conjunction with the Director and Mr. (Indiscernible), come up with a blurb you can put on the website and some of its similar to what's in the administrative, you know the notice of outcome of the hearing? These are kind of the steps that you go through because I don't think that process is, it's transparent but I don't think the public knows about it as much as they could. So, maybe the Director, the department's attorney and you can come up with a blurb we can put on the website, just as further notice of this is the way it's going to go down in the future.

COLONEL GRIEGO: Okay and Mr. Chairman and Commissioner Ryan also, it's been my experience in eighteen plus years, the vast majority of magistrates or judges in general are pretty good about explaining the consequences to that no contest plea. So I think that word is getting out there. There not just stumbling into pleading no contest but we will definitely get something up to let them know that revocations are (Indiscernible).

CHAIRMAN KIENZLE: Make sure you run it through the department's attorney because we don't want to make a misstep on that. Is that understood Director?

DIRECTOR SANDOVAL: Yes.

CHAIRMAN KIENZLE: Okay. I think you're free to go.

COLONEL GRIEGO: Thank you, sir.

CHAIRMAN KIENZLE: Thank you. That was a lot to do. Agenda Item Number 8: Gaining Access into Nature Proposed Rule Revision 19.34.3, Donald Auer. Good morning.

DONALD AUER: Good morning, again, Chairman and Commissioners.

CHAIRMAN KIENZLE: Two Donald's.

DONALD AUER: Donald Square.

CHAIRMAN KIENZLE: Donald Square, yep.

DONALD AUER: So this next Agenda Item, (Indiscernible) to proposed amendments to the use of State Commission Lands or GAIN Rule. In 2009 the current GAIN Rule was adopted and it was adopted in order to facilitate access to Game Commission owned Wildlife Management Areas or WMA's for non-consumptive users such as hikers, horseback riders, backpackers. In the fall of 2014 a department committee comprised of individuals from Wildlife, (Indiscernible) I & E Division. Sadly they were given the charge of reviewing the Game Program and proposing changes. The goal was really to adapt the Game Program to facilitate their use of our Wildlife Management Areas, WMA's, to get the public outdoors using our properties. Games said they were tasked with simplifying, standardizing access rules but making sure at the same time that

this access doesn't make it to the (Indiscernible) wildlife resources or violate the reason that our property reserves being purchased. Currently, the current Game Rule fishing access allowed on the properties where the fishing and hunting license occurred for that license year and or a Game Permit. Both, the license and the Game Permit offered also require a HMAV Stamp or a Habitat Management and Access Validation Stamp. The game permit allows non-consumption users to use properties for outdoor recreation. Currently, access is totally restricted and we've taken the approach that WMA's are closed unless otherwise open and there's not a lot of consistency between access between properties or between the activities that are allowed on each property. After impute from the committee, the department committee, the Game Commission, you all and through public comment, these are those changes that we've arrived at. The WMA's will be open unless otherwise closed. We're going to eliminate the Game Permit. Instead access will be allowed with a current hunting, fishing or trapping license and or a HMAV Stamp. So if a non-consumptive user wanted to use one of our properties that isn't otherwise closed they would need to purchase a five dollar HMAV Stamp. No license or stamp will be required for use under (Indiscernible) to access properties and I think very importantly there will be a group access rule where only one license or one HMAV Stamp will be required for a group of up to four adults and so for instance, if I wanted to take my wife and my parents under the WMA, go hiking and I had a fishing or hunting license or a HMAV Stamp they would be fine as a group.

CHAIRMAN KIENZLE: How much is that, the HMAV Stamp?

DONALD AUER: It's \$4.00 with a \$1.00 member license fee, so \$5.00. To continue, lands will be closed to general access during designated big game hunting seasons. Scouting would be allowed seven days prior to a hunt period and that's to make it consistent with say, state land officers. A hunter and up to three guests would be exempt from any closures during the hunt

period and also during the scouting period and we're allowed camping (Indiscernible) would be encouraged from nine days to fourteen days. In addition, we would adapt rules for specific properties. For examples, we include camping prohibitions on some properties and we do have some closer dates in existence that we would want to continue, for example, to protect deer wintering properties or properties (Indiscernible). So after, I think you all saw this last at the November Commission Meeting, since that Commission Meeting we gathered public comment. We've held four public meetings around the state and we posted a summary of the proposed changes on our website. Through email and through the public meetings we received thirty-five comments. About a third of those supported game changes. There were another eleven that were opposed to a ban on antler hunting. Just as a note, that is not currently proposed. There were about nine comments specifically related to the Rio Chama Wildlife Area. That is the only WMA that we received specific comments on through the public comment period. Six of those comments were with the winter closing dates that are existing on Rio Chama are too long and three of those comments wanted additional fishing access or fishing opportunity along the WMA and because Rio Chama, WMA was the only one that was brought up for public comment. I just wanted to quickly summarize our proposals for the property. All portions outside of designated areas would be closed from November 15th through May 10th. Again, this is to protect important deer wintering grounds which was one of the original reasons the property was purchased. Currently, it goes from November 15th through Memorial Day so we are looking at shortening that by two to three weeks, depending on when Memorial Day falls and the designated area outside or exempt from the closer would be Rio Chama, the river portion, the one hundred yard buffer and several of designated only river access points. We believe this proposal would

provide opportunity for fishing in the winter and early spring while protecting important deer wintering grounds. With that I'll take any questions.

CHAIRMAN KIENZLE: For the Director, we visited with the, what was the name of the committee?

DIRECTOR SANDOVAL: The Land Grant Committee.

CHAIRMAN KIENZLE: Land Grant Committee. How does the proposal or the presentation we've heard today dovetail with some of the comments and commitments we made?

DIRECTOR SANDOVAL: So Mr. Chairman, this actually went very well with the conversation we had with the Land Grant Committee and their request to be able to utilize some of those areas as public users. We've actually reached out to Representative (Indiscernible) Varnes, Representative Rubella, Representative Garcia and they're all very excited about the opportunity to work with the department.

CHAIRMAN KIENZLE: So as I recall, we had a discussion, a dialog about what was called traditional uses, (Indiscernible) things of that nature. Does the presentation proposal address the concerns the committee had about that?

DIRECTOR SANDOVAL: Mr. Chairman, it does. There's much more flexibility in being able to work with those groups either as a group or as individuals to allow those activities to happen.

CHAIRMAN KIENZLE: We need to see this on an Agenda again.

DONALD AUER: Mr. Chairman, I believe that the May Commission Meeting and so our plan is to have proposed rules on our website by next Wednesday, twenty-eight days before the next Commission Meeting.

CHAIRMAN KIENZLE: So, will you visit with some of those committee members again to say look, this is coming to a final vote and reach out to them again. I just don't want anyone in legislature to claim surprise and say, well you didn't tell us.

DIRECTOR SANDOVAL: Mr. Chairman, absolutely. We are, unfortunately their next meeting is when our next Commission Meeting is but we will visit with them individually and then we'll be in front them, they've asked for a presentation in June.

CHAIRMAN KIENZLE: Okay, you're just going to have to pick up the telephone and...

DIRECTOR SANDOVAL: Yes.

CHAIRMAN KIENZLE: Visit with them personally. So I'm asking you to fulfill one of my commitments to make sure that you do it please.

DIRECTOR SANDOVAL: Absolutely.

CHAIRMAN KIENZLE: Yes, sir?

COMMISSIONER RAMOS: Mr. Chairman, Director, Donald, I am always for public access, okay? I know that we received some documents of some of our properties that we have throughout the whole state. Where we at with that as far as looking at, and I know we have so many different properties throughout the state. As far as accessing each individual property and really, what is our goal objective, our purpose with that property and really considering, should we keep it? Should we sell it if it's not going to benefit us? Also, allowable for public access you know, whether it's you know, on foot access, vehicle access, varying the different types of properties that we have? Oh yeah, with that, I know that we admit to that at one time.

DONALD AUER: Mr. Chairman, Commissioner Ramos, the committee that was formed in the fall of 2014, they met six times and again, they were comprised of seven employees from the various divisions within the department and they did analyze every single property, look at why was the property originally purchased? Are there any deed restrictions? Was it purchased with federal aid and is that tied to a specific? You know, purpose for a property. They also looked at access. You know we were fulfilling like on Rio Chama (Indiscernible). We're fulfilling our needs to specifically protect winter (Indiscernible) providing access and all the tentative for recreation. And so, I believe it's part of this rule that the Director will discretion as it is now to go through each property, take impute from the committee and (Indiscernible) those out and because we received (Indiscernible) received public comment on Rio Chama that is why I pulled up the specific rules for Rio Chama but we're hoping to simplify it in that because properties are open unless otherwise closed. We can just (Indiscernible) the specific properties where there may be a camping prohibition because that might be actually a deed restriction and or areas that we want to close. We don't foresee closing or denying or prohibiting access on properties moving forward in terms of if a property is closed right now we're not looking in to expanding that or closing the property that was previously open.

COMMISSIONER RAMOS: I just strongly feel that, you know we need to be a leader in the forefront on that as far as public access. You know and I also challenge you know, other organizations. I've had conversations with RMEF as well, Rocky Mountain Elk Foundation and you know, they own these huge properties and a lot of them closed for pretty much a lot of times, celebrity running, exclusive people that hunt those, rather than opening it up for membership or you know, the public as well to utilize those type of properties. But I think there's a you know, big outreach right now to push for public access on properties and I just want to make sure that

you know where here to continue to work with that. I do understand we do have a full-time employee who is focused on this type of work as well within our agency.

DONALD AUER: Mr. Chairman, Commissioner Ramos, that was the intent of this rule change, was to open up properties and make them more accessible and as this rule is changed and it is adopted by you all, the plan would be to (Indiscernible) to that website and to work with an I & E Division to really get the word out about these rule changes and that our properties can be used for other recreational activities besides hunting and fishing.

CHAIRMAN KIENZLE: All right, thank you. I just want to say that (Indiscernible) was closed. I'm totally in favor of that. I think it's a good way to go and if the state is willing to be a land owner, in some respects people's property, not just the Commission or the department. So, open rather closed is the way to go. Yes, Commissioner Ricklefs?

COMMISSIONER RICKLEFS: I agree, I like that. One of the parts of this I really like, when the (Indiscernible) next week, do we have specific to which (Indiscernible) what your new rules will be?

DONALD AUER: Chairman, Commissioner Ricklefs, I do not believe that that would be part of the strike three rule, I think that what we're planning on giving is having it up to Director discretion. (Indiscernible) for each property and what that would allow is if we need to move a week in one direction or another for our closure based off of changing license rules, that we would not have to come back in front of the Commission but what we could do is take our proposals for those and place those on the website also as a separate document with the Director concurring that.

CHAIRMAN KIENZLE: My understanding is more generally, it's to do away with a lot of the pieces, parts, regulation. We've got right now it's open unless we say it's closed. So, when someone shows up. They don't have to be a philosopher, King or Queen to figure out whether the properties open. At least I hope that's the written rule and change will be structured.

COMMISSIONER RICKLEFS: I particularly like that and also having the hunting and fishing license (Indiscernible) to lose the property which means that this may not be part of (Indiscernible) state park. There used be some other reason (Indiscernible). Is that part of the new ruling or?

DONALD AUER: Chairman, Commissioner Ricklefs, properties manager and (Indiscernible) state parks will not be up for this rule.

COMMISSIONER RICKLEFS: The upper part of (Indiscernible) Canyon is you could hike and it was with a license.

DONALD AUER: Chairman, Commissioner Ricklefs, if it is a Game Commission owned wildlife management area that is correct.

CHAIRMAN KIENZLE: Any other questions or comments? Director, you understand the playing field go?

DIRECTOR SANDOVAL: No.

CHAIRMAN KIENZLE: Okay, thank you. After number nine we're going to take a break. I'm not a lawyer but I play one on TV.

DONALD JARAMILLO: Yeah, I kind of got cornered to do this one.

CHAIRMAN KIENZLE: My condolences to you. At least you still have your common sense.

DONALD JARAMILLO: My (Indiscernible) is living out of town so I'm going to try to run through this perfectly. Hopefully it's not going to be too long but if we do I'm going to (Indiscernible) the process. So, what we're doing is we're reviewing the Commission's Appeal Process. So, one of the objectives is that with many of her regulations we do not appeal the decisions that come before the Commission, that the Director had made a decision on. I think the process of what we're trying to do is make it consistent across the board. We're probably going to establish a new rule to address (Indiscernible). So, right now, just busy with (Indiscernible) we have been going through different rules under Title 19 and identifying which ones, (Indiscernible) and we hope to bring, one of them we did on a slide, we hope to bring in the future we're going to have a draft rule on opening meetings. The steps we're looking at, obviously, is to identify the (Indiscernible), identify those appealable rules. We want to provide a new rule with consistency of how an appeal will be brought before the Commission. Basically, outlining a lot of the processes, the administrative processes on the time frames. How they submit evidence and stuff like that. What is a (Indiscernible)? So, our next step is we're going to provide a draft rule. We probably hopefully will have that posted up next week to bring before the May Commission Meeting and what we'll do is we'll see this again on the Agenda then and possibly have further discussion and eventually get to a final place on some. That's my brief.

CHAIRMAN KIENZLE: That's about all we need to know. Commissioner Ryan have you anything to add on this particular Agenda Item?

COMMISSIONER RYAN: Well, I've been speaking with Matthias on some of the various, on this various issues and you know, as a general rule, the department has seen very broad productive ideas about how to make the procedure applicable across the board in situations where they are reviewing and issues on appeal, but the department as a general matter, doesn't seem to be seeking and I agree to improve situations to grant more. The situations where appeal is impossible, we're keeping those, we're not trying to expand those but as to those situations. We want to make them processed consistent throughout all of them. So that's the direction that the departments going and I think it's very productive and so far I haven't seen good feedback on that.

CHAIRMAN KIENZLE: Okay, progress. Any questions or comments on this one? We're going to see it again. Okay, can I get a motion to recess for about 15 minutes?

COMMISSIONER RAMOS: So moved to me.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: We're back to order. I think we're all here. Agenda Item Number 10: Pecos Wilderness Designation Expansion. Mr. Comins.

JAMES COMINS: Good morning, Mr. Chairman. Good morning, Members of the Commission. I'm here to talk about Agenda Item Number 10. (Indiscernible) on proposed (Indiscernible) for use of (Indiscernible) as a conservation opportunity. Can you guys hear okay?

COMMISSIONER: (Indiscernible) right here.

CHAIRMAN KIENZLE: I can hear. I can see.

JAMES COMINS: All right, perfect. So, there are several non-government organizations or NGO's either you include those organizations, New Mexico Wilderness Alliance, New Mexico Wildlife Federation, I believe (Indiscernible) is involved and others that are proposing conservation opportunities around the Pecos Wilderness Area. As part of this conservation opportunity or as part of this is the expansion of Pecos residents by about 78,000 acres, 32,000 acres of special management areas and another 10,000 acres of water shed protection, a water shed protection area. Just to give you a background on special management areas, they have specific management plans that are obviously specific to that area. Their essentially a buffer around, (Indiscernible) so allow for activates that would normally be prohibited within the wilderness area. Just to let you guys know, and this would be (Indiscernible) by the Forest Service that they're not involved with this proposal at all. So here's a map of some of these conversation opportunities that are being proposed. You can see everything in green is actually Pecos Wilderness. The area in brown is the area of expansion in the Pecos Wilderness and the areas in pink are the special management areas that are being proposed as well as the blue is the proposed water shed protection area. Any questions on that? Should I continue on?

COMMISSIONER RYAN: Yeah, in expanding these areas, what does that...number one, do we have any authority regarding this. I mean is this say, for a service issue? Number two, in expanding these areas, how does that affect people's hunting and fishing abilities in these areas?

JAMES COMINS: Okay, Forrest Service is not involved in this proposal at all like I stated earlier.

COMMISSIONER RYAN: No, they're not involved but I mean how do we have jurisdiction over this?

JAMES COMINS: As far as the expansion we didn't specific jurisdiction over the expansion. Now if we want to talk about...I'm sorry, go ahead.

COMMISSIONER RYAN: So why is it in front of us?

JANES COMINS: It was asked to be on the Agenda.

COMMISSIONER RYAN: But we don't have any control over whether we agree or disagree with the expansion, we have nothing to do with it right?

CHAIRMAN KIENZLE: Let me just say that having encountered a situation like this before and it was in May 2012 or 13, which one was that? It was with Jim Lang. It was Avia Da Val I think. It was canceled so, we we're caught a little flat footed on that one so I think we're being pro-active here in the event we want to stake out a position on this and give guidance to the department. We will have an action item on this we can effectively participate at the earliest possible moment rather than later when some of the decisions may have already been made.

COMMISSIONER RYAN: But who does have jurisdiction to make the ultimate decision on this?

CHAIRMAN KIENZLE: It's not us.

JAMES COMINS: It would be Congress.

COMMISSIONER RYAN: Okay. So we're just wanting to have, try to have a seat at the table. Got you. Thank you. I was confused on how we're to be involved.

CHAIRMAN KIENZLE: Yes. So it's basically, it's kind of like the Mexican Wolf Task Force and we want to make sure that we give some guidance to the department on, if they choose to, on what the Commission's position is.

COMMISSIONER RYAN: Gotcha.

COMMISSIONER RAMOS: Chairman, also, first of all, I guess our involvement is and my biggest question is, we will still be able to manage wildlife inside the wilderness? Right now in New Mexico we don't have any limitations on managing wildlife in, let's say the Gila Wilderness. The current Echoes [Phonetic] right now, we're still the ones in charge of big horn or elk or whatever that's on there, correct?

JAMES COMINS: Mr. Chairman, Commissioner Ramos, if you'd let me finish I'd talk about the impacts onto the management aspect or on management on wildlife species within those areas. As you can see on the board, any (Indiscernible) will limit the department's ability to manage a species. And when I say limit, it's a (Indiscernible) capture, move and transfer (Indiscernible) and we're talking obviously the Big Horn Sheep come in mind but we're also talking about Cutthroat Trout, Gila Trout, those species as well. It also adds a significant amount of time to the department's management actions or responding to threats on populations in a timely manner and just overall any human action taken on wildlife populations under the department's authority is strictly limited or inhibited in wilderness areas. So it creates, there's another level that I'm told by a biologist is there's another level, I can't talk, of bureaucracy that exist within those wilderness areas.

COMMISSIONER RAMOS: Sure and I understand that. I fought forest fires for three seasons and I know just to get permission to fly a helicopter into these areas when the fires even going

you need a certain process to follow and currently I know the big fire that took place in the Gila, that didn't stop us from going in there and managing the fish that were in there and all that, correct?

JAMES COMINS: Well I guess (Indiscernible) if I can answer that question but I believe Mike (Indiscernible) is in the room and he might be able to answer that question better than I can.

CHAIRMAN KIENZLE: You can just shout from there if you want.

MIKE: We've had some access issues in going through and putting out the forest fire and (Indiscernible) and that kind of stuff so there have been some restrictions in that area I guess.

COMMISSIONER RAMOS: So it makes it more difficult for us to seek, you know, I guess to achieve our objective or things like that Mike?

MIKE: So it is as Jim said, an additional level of minimum tools analysis that's required to get helicopter equipment in there or anything like that and the trail maintenance at this point with the fires having destroyed most of those trails we have to go through so it's a difficult process to get any work done there (Indiscernible) so the scrutiny (Indiscernible) and often times the regional office becomes involved instead of just the District Ranger.

CHAIRMAN KIENZLE: This property is currently or this piece is currently just regular forest service?

MIKE: Yes, sir. It's actually the (Indiscernible) by the Forest service as a wilderness area.

COMMISSIONER RAMOS: Have we engaged in any conversations with the people that are presenting this at all?

MIKE: I eventually thought to get VeneKlasen, I'm sure he would like to speak to you guys today. I had another conversation with a gentleman named Nathan, I can't remember Nathan's last name but he's with New Mexico (Indiscernible) and Outfitters. That was yesterday afternoon or yesterday evening.

COMMISSIONER RAMOS: So is Nathan the main director that's kind of putting this thing together or something?

MIKE: Well no, it's my understanding that it's these groups collectively that are putting this proposal together and bringing it forward.

CHAIRMAN MAXWELL: Okay.

COMMISSIONER RAMOS: So there's basically right now on the, where their seeking out public input. What is that basically where we're at, our involvement right now with this?

JAMES COMINS: Mr. Chairman, Commissioner Ramos that is correct. This is in the very early stages of the proposal process, at least that's what I'm being told. At this point or prior to this being on the Agenda, the department had not been engaged in this process at all.

CHAIRMAN KIENZLE: But this is an action Item where we're doing, if we chose to do so, asked to take action so we can support. We can oppose. We can reject. We can modify, I mean everything's open but this is an action Item.

COMMISSIONER RAMOS: Mr. Chairman, if I may. Jim, could you go back to the previous slide? If I'm reading that right and if I'm understanding what we're doing here today is kind of looking at, the Commission is being asked to, like the Chairman said, oppose, reject or bless the expansion. But everything I'm seeing there almost has a negative effect on our ability as a

department to end that proposed expansion. Is that a fair statement? Isn't wildlife in those areas?

JAMES COMINS: Mr. Chairman, Commissioner Ramos that would be correct.

CHAIRMAN KIENZLE: Let's hear from the public and then we can pick up with further Commission comments. Garret, can you go first? Well maybe you don't have a choice. I guess your (Indiscernible).

DIRECTOR SANDOVAL: Mr. Chairman, do you want to put time on this, on our comments or?

CHAIRMAN KIENZLE: It's going to be two minutes.

GARRET VENEKLASEN: Mr. Chairman, Members of the Committee, Commissioner Garret VeneKlasen from Wildlife Federation. I would love to give a speech for more than two minutes because I think there's a lot of elements to this proposal and I just can't cover them in two minutes so is there any way I can have a little more than two minutes?

CHAIRMAN KIENZLE: Maybe. Let's march through it and see where you're at.

GARRET VENEKLASEN: First of all I just want to say that this is an opportunity for all of us. This is a conversation here. When I go through legislation and introduce in two weeks, this is a very inclusive and intensive process, especially from the special management area perspective. There's lots of great restoration potential. Wildlife specific habitat is so specific, wildfire prevention specific. Traditional use is specific, from everything from grazing to (Indiscernible). Also, it's so exciting about the special management portion of this. Commissioner Espinoza there's lots of opportunity here if done correctly and we want it to be inclusive, especially with

your agency and especially with the species that are of highest concern here. Agency, I had a brief conversation with Director Sandoval about big horns and her concerns with big horns. There is a process category for exclusion processor; you can get permission to use helicopters. You guys have been managing big horns in the Pecos Wilderness for decades. Incredibly successfully I might add. The existing (Indiscernible) is big, it's almost 250,000 acres and you guys have been doing a great job managing big horns within the existing wilderness. Again, I would really like you all to consider this as an opportunity. The map that you see is a hypothetical map. If you give us GIF data that says, we need to (indiscernible) and make this a part of this special management and say, Taos County. We want to hear from you all and make an inclusive process. Come to all the meetings, I will give all of you information on all the meetings. But again, I would love for you all to see this as an opportunity. Really, it's not a bad thing and it's (Indiscernible) myself. This is where we come from. This is the first shot to run our boat. This is the wildest, most pristine and most primitive country that we hunt and fished in.

CHAIRMAN KIENZLE: In terms of the proposal, where is it at in written form today? Is it on a website? Is it all together?

GARRET VENEKLASEN: Yes. It's on a website and I (Indiscernible) to all of you and I haven't got our fact sheets. It is on a website, I think it's www.uprotectthepecos.org. I'd be happy to give fact sheets or some fact sheets to anybody in the room but most of that information is in those fact sheets. In terms of specific legislation, you all will have an opportunity as an agency to present to the delegation what would be most ideal in your mind when sometime in the future there is legislation proposed. You all will have an opportunity to approach the delegation and give them your two cents on how if for one, you wanted to see something like this done.

And I think as an agency with all of your wildlife expertise they're going to be listening to you about that. So again, I think there's a really good opportunity here and I hope you all engage and we again, this is an opening and methodical process. I'll be meeting with (Indiscernible) Varnes and (Indiscernible) community on the 27th to talk about their concerns. (Indiscernible) to see if there's places in there where they need to get to but (Indiscernible) restricting them. This is just a conversation right now and I think you guys can really add to it greatly.

CHAIRMAN KIENZLE: Thank you. Nathan Small.

NATHAN SMALL: Thank you Mr. Chairman and thank you, Commissioners. (Indiscernible) for the second time. I'll just make a few brief points. First, on your description of Rocky Mountain Big Horn Sheep on your website you absolutely know that (Indiscernible) has been mentioned that they were reintroduced into the wilderness areas in that northern part of New Mexico where their most prevalent right now, most hunting opportunities. I haven't gotten a tag but you mentioned wilderness quite a bit and you also note some of the limitations that could restrict future (Indiscernible) of the herd and those limitations. So, kind of development and encroachment and so I think really building on what Mr. VeneKlasen said, this is an opportunity to build upon a successful reintroduction effort. That I think we all have to ask ourselves a question, if these wilderness areas weren't there, would this effort be as successful as it and it seems that the evidence suggest in fact, no. So, if this is a proposal that has allowed opportunity to have a dialog to have these, the right mix of power of management options that improve wilderness and perhaps the expansion that it is since that's been the basis of successful Big Horn habitat then it might be worthwhile to take that opportunity to engage. I just also point out that successful reintroductions, (Indiscernible) trout do take place in wilderness areas. Down here where I live in Las Cruces we've been very proud to be involved in a Habitat Treatment

Program. That's a different habitat but in the west (Indiscernible) wilderness study area we worked very closely with a number of other partners from (Indiscernible) treatment inside of a wilderness study area. So there's a lot of options and I appreciate you all taking this under consideration. Thank you.

CHAIRMAN KIENZLE: Thank you. Kevin Bixby. Sit on the aisle next time. (Laughter)

KEVIN BIXBY: Mr. Chair, Commissioners. My name is Kevin Bixby. I am the Executive Director of the Southwest Environmental Center. We are a nonprofit organization based in Las Cruces which works to protect wildlife and habitats in the Southwest. I am going to be (Indiscernible) to this proposal. We have not been part of this campaign. But in general, we support wilderness as some of the best wildlife habitats that we have for many species that thrive in these less used, less disturbed areas. And so, I am not really sure why this item is on the agenda. It seems like it is a little premature for the Commission to be taking a position on this without giving more opportunity for proponents [Phonetic] to engage with the Department in exactly what is being proposed. So that's all I'd like to say, to urge you to not take a position against this until we get a chance to explain what they want to do. Thank you.

CHAIRMAN KIENZLE: Thank you. Alberta Salazar [Phonetic].

GUEST SPEAKER: Mr. Chairman, members of the Commission, first off I want to thank you for (Indiscernible). We really appreciate it. I retired after 25 years with the Game Department and I have been Assistant Director. I have seen proposals for species management in numerous areas, inside and out. I was a little surprised that this was even being discussed at this level, but I understand that the motivation might have been more organization than (Indiscernible) State Board Member. And this is one of our initiatives. We have begun this initiative up north because

it primarily affected the communities around that forest. This is not a static (Indiscernible), it is not going to be situated exactly like this. We are still in the process. I spent most of my career in the Game Department and working with game commissions. It always was a give-and-take with the public. You (Indiscernible) to ask members of the opposition to present the flip side of what was going on. So, (Indiscernible) of this is anything that (Indiscernible) who has taken note of this (Indiscernible) version on this proposal in the legislature that you did not ask us to come to you to explain the whole genesis of this proposal (Indiscernible) and that means taking into consideration after this management activity that you guys are concerned about. I don't want to re-iterate what everybody said. The Game and Fish Department is extremely pressured [Phonetic] to successfully managing wildlife in the wilderness. With the restoration of the Gila trout from an endangered species to a species now that can be fished. You've done (Indiscernible) the transfers out of the Pecos Rivers doesn't have the expertise to (Indiscernible). And others here that I just (Indiscernible) today is what species (Indiscernible) would be threatened with a loss if you cannot get to it [Phonetic] immediately. I don't think I have ever read anything [Phonetic] to date in my 25-year career at the Game Department that we have (Indiscernible) because we have not been (Indiscernible) drought, major forest fires, and (Indiscernible) get in there after a forest fire and move out those trout in the affected streams [Phonetic]. Please consider the public process. Please consider those that have started this initiative, to do the background and history on these and not take a position simply because. It's important.

CHAIRMAN KIENZLE: Thank you. Judy Calman. Did I say that right?

GUEST SPEAKER: Calman.

CHAIRMAN KIENZLE: Calman. Thank you.

GUEST SPEAKER: Everybody does that. That's fine. And I'm sure there's nobody else who's talked. I'm going to read a brief statement and I'll try not to reiterate what other people said. But my name is Judy Calman and I am the staff attorney for the New Mexico Wilderness Alliance and I would just like to note a procedural issue. I'd just like to say quickly that we weren't notified of the agenda item, and like other people said, we weren't offered an opportunity to present or submit any information. Once we realized it was on the agenda, I did call the Department to find out more information and I was told to submit a public records request even though we were named on the agenda. So I did submit one and I was provided with a document and 1 email but neither one of them explained why the Commission was discussing the issue at this time, so I just would like to reiterate what other people said, that it would be nice if we could come to you guys and talk a little bit if we are going to be named on the Commission's agenda. The proposal is complex and has evolved over several years with the input of several people and organizations. But without consulting with state or local groups, how can the Commission form any opinions about what the impacts of a proposal might be? The Department and staff who are presenting to the Commission today have not yet been part of these discussions but we would love it if they were. And second, the Commission's mission is to conserve, regulate, and propagate, and protect the wildlife and fish within the State of New Mexico. And causing a small expansion of one of New Mexico's wilderness areas would be contrary to both public opinion which is supportive of public land protection and the Game Commission's own duties. It's is unquestionable that game animals like bighorn sheep prefer large tracts of undeveloped quiet land, and that the best hunting opportunities occur in these areas. An expansion of the areas in which they can thrive free from noise, ATV's, and other distraction is will only improve the

health and well-being of the herds that the Game Commission must preserve. We ask that if the Commission wants to take a position on potential wilderness expansion in the Pecos that it at least takes the time to talk to all the relevant groups and learn the intricacies of Pecos and what its impacts might be. Thank you.

CHAIRMAN KIENZLE: Jerry [phonetic], I'm not sure how to say your last name.

MALE SPEAKER: (Indiscernible).

GUEST SPEAKER: My name is Jerry (Indiscernible). I am here representing the (Indiscernible) staff for natural resources management. And I would like to say that supporting the ordinance is supporting no management. We are giving up the management (Indiscernible) support wilderness because with restricted access and all the problems you have to go through. If you don't do day-to-day maintenance and management on your house, the house is going to fall down and (Indiscernible). If you look at the (Indiscernible) being managed as wilderness (Indiscernible) for a hundred years and all of the problems that (Indiscernible) because of no access, (Indiscernible) doing anything. The Forest Service and BLM were mandated to manage under one of the first environmental legislative acts with multiple use and sustained use (Indiscernible). The management was the key for these acts under multiple use. Preservation and protection were the key words (Indiscernible) restricted plan management designations. There are other ways to protect the land or if that is the goal that are less restrictive than designations such as wilderness. The Game Department has pointed out that they have difficulty managing wildlife in wilderness designations. One of the problems here in the Southwest is if you don't have access or easement access to manage wildlife waters or (Indiscernible) waters then you'll lose that ability and the wildlife will suffer. Across the southern (Indiscernible) here, from the

(Indiscernible) to the Arizona border, the USBS [phonetic] has registered 31 springs. However, 1800 windmills in that same area that provide water for livestock and so in restricting management and maintenance of (Indiscernible) waters and wildlife waters, certainly is going to be detrimental to the wildlife program. Arizona Game and Fish has been on record as opposing new management designations which restrict access in Arizona specifically national monuments. The (Indiscernible) policy centers are opposed to restrictive land management that would restrict management and maintenance of livestock water. Thank you.

CHAIRMAN KIENZLE: Thank you. Gerald Chacon.

GUEST SPEAKER: Nice to see you again.

CHAIRMAN KIENZLE: And I would remind you on the Gaining Access to Nature Program, please make your opinion known on that so we can, to the extent possible, take your concerns into account as we develop the final rule on that.

GUEST SPEAKER: Thank you, Mr. Chairman and members of the Committee. Gerald Chacon. The 250,000 acres sounds like an adequate amount of wilderness in the area. Adding 8,000 more seems like a bit of a problem in my mind. And the reason that I say that is I've got wilderness study areas up there where we actually have wilderness study areas as part of a ranch that we ranch on, and have a wilderness area that we ranch on in Colorado (Indiscernible) National Forest. And I've seen what's happened to communities whenever there is access restricted as a result of wilderness study areas and as a result of wilderness itself. It changes communities completely, traditional communities especially. And it's my opinion that the people who are affected most by wilderness are the ones who have the least voice. If this meeting were held right now in (Indiscernible) or any of the other communities in the northern part of the state

where these proposals are made, they would have a totally different opinion from these communities. The land grant communities, some of these lands are portions of land grants as well, I know that the Land Grant Council made a statement that they are not in favor of more wilderness in particular in former common land or land grants. I am a member of two different land grants currently and I do know that there are people who would be opposed to the (Indiscernible) as Dr. (Indiscernible) stated here just previously we can't manage in this wilderness. If conservation areas were that good, how come I have about a thousand head of elk on my ranch west of Sadora [phonetic], 5 miles south of the Chama Wilderness, the Chama area that you folks manage and they're all on us. We have hundreds of deer now out there also and all this because we can manage those areas, we can develop the water, we've cleared the brush, we've (Indiscernible) reseeded and we've done many other kinds of things that will help the wildlife. They're on us. They're not on those areas that are not managed or improved and taken care of. So, thank you for the opportunity (Indiscernible) appreciated. Thank you.

CHAIRMAN KIENZLE: Tom Lightfoot.

GUEST SPEAKER: I'm Tom Lightfoot from (Indiscernible) Las Cruces. I have been interested bighorn sheep throughout the U.S. and Canada. I was involved for 25 years in Colorado with what I think was the successful (Indiscernible) of bighorn sheep in Colorado from 77, twenty-five years on, still support that. My request to the Commission is that we get some information so that we can make a good decision on, you know, what it is that (Indiscernible) here and other places, why would it be affected, and so forth and so on. So those of us that don't have a dog in this fight might be able to make some intelligent decisions. Thanks for listening.

CHAIRMAN KIENZLE: Thank you. I think I agree with Mr. Bixby [phonetic] that this is not the only time or the last time that we are going to see this. And it sounds to me, and I agree with Garrett [Phonetic] that there is further dialogue on this to be had. As we know, this is ultimately going to get done by legislation and there's a lot of sausage to be made before any legislation is kicked out. So my thinking on this, we can have further discussion on it, but I would entertain a motion to give the Director and Department discretion to address the proposal consistent with the best interests of the Department and Commission with the understanding that, if and when legislation is proposed, this would get back in front of the Commission and we can have further discussion or action on it if necessary.

COMMISSIONER MONTOYA: I would second that.

CHAIRMAN KIENZLE: So, with that second in place, let's have some Commission comment and any questions they've got.

COMMISSIONER RYAN: I think, right that we don't have enough information to make an informed decision at this point so I just want to encourage the Department to engage and find out that information and find out what the issues are and we just need to get further along in the process and getting more information before we can take any position on this matter.

CHAIRMAN KIENZLE: Any other questions or comments?

MALE SPEAKER: Mr. Chairman, I would like to add to that, (Indiscernible) is what I'm hearing and both sides, I'm not really in favor of more wilderness. I think for a lot of reasons that some of the opponents stated—limited access, etc.—but I think, I would like to see it on a future agenda with more detailed aspects of the whole proposal. I don't want this Commission to be left

out of the loop, and to have a seat at the table as this process goes through, and at some point in time I think we do need to make an action item that would state this Commission's position, in favor or opposed.

CHAIRMAN KIENZLE: So, I said I would entertain a motion. Who actually made the motion, then? Because I can't make it.

MALE SPEAKER: (Indiscernible).

CHAIRMAN KIENZLE: So, can we get a second second? OK. So, I will reiterate the motion. It is a motion to give the Director and Department discretion to address the proposal consistent with the best interests of the Department and Commission. So, with that, any further questions or comments?

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Any opposed?

CHAIRMAN KIENZLE: The Aye's have it. All right. Director, do you understand your mission?

DIRECTOR SANDOVAL: Absolutely.

DIRECTOR SANDOVAL: OK.

CHAIRMAN KIENZLE: AGENDA ITEM NO. 11. **Update on Governor's Special Auction Banquet Results.** Lance.

LANCE CHERRY: Chairman, Commissioners, I come before you today to provide an update on this year's Governor's Special Hunt Auction and banquet and the concurrent New Mexico Outdoor Adventures Hunting and Fishing Show. First, I'll begin with the New Mexico Hunting and Fishing Show. I am pleased to report that it was a tremendous success for the Department. This year's show was a 3-day show that ran from February 19th to the 21st in the Manuel Lujan Building at Expo New Mexico on the State Fairgrounds in Albuquerque.

(Background speaker, indiscernible)

CHAIRMAN KIENZLE: Thank you.

LANCE CHERRY: Once again, admission to the show was free to all licensed anglers, hunters, and trappers. Those under the age of 18 got in free. And it was just \$3.00 for the regular public to come in. Attendees got to enjoy the latest equipment in hunting, fishing, and outdoor recreation, new models of off-highway vehicles, recreational vehicles, boats, kayaks, all on display. And, as always, we had outfitters, guides, and conservation organizations on hand to provide excellent, expert advice and services. On Friday, we had 733 attendees. On Saturday, we had 3,225 [phonetic] attendees, and Sunday 2,178. That was an all-time overall attendance record for us for a total of 6,138 for the weekend. Not to be overshadowed by that show, the Governor's Special Auction had its share of success as well. The second annual auction and banquet was held on Saturday, February 20, in the Creative Arts Building at Expo New Mexico on the State Fairgrounds, and we had more than 250 in attendance. Those attendees were treated to an amazing dinner that was catered by the (Indiscernible). They had the opportunity to try their hand at archery on a regulation grass range that was set up in the banquet hall. This year's Special Hunt Auction offered many attractive hunting and fishing packages and generated

significant funds for wildlife conservation. Again, (Indiscernible) an amazing \$155,860.00, and the (Indiscernible) that we also auctioned generated an additional \$7,665.00 for a grand total of \$162,525.00 for that event. I need to share with you on behalf of the Department that the Department accepted nominations and announced winners for the Excellence in Wildlife Conservation Awards. The awards were created and sculpted by and for the Department by renowned Santa Fe Artists Kristin [Phonetic] and Corinne [Phonetic]. In recognition of outstanding achievements and contributions to wildlife conservation in New Mexico, this year's winners were: Former Department Director Tod Stevenson who was awarded the Governor's Conservation Lifetime Achievement Award; sports fish program manager, Ed Frey, received the Director's Professional of the Year Award; and, Dona Ana County Associated Sportsmen received the Commissioners' Wildlife Conservation Partnership Award for the organizations work on behalf of the Department for many years. In addition to the conservation awards, Shikar Safari Club International named Corporal Curtis Coburn the 2015 New Mexico Wildlife Conservation Officer of the Year. In closing, I would like to take this opportunity to thank the countless Department staff who worked hard in this to make these concurrent events a success, from the dedicated folks around me to the support staff, the field offices, the (Indiscernible) and countless partners who have dedicated to wildlife conservation. We really couldn't have done this without them. I look forward to meeting (Indiscernible) and making next year's events even more of a success. And with that, I stand for questions.

CHAIRMAN KIENZLE: Any questions or comments?

COMMISSIONER RAMOS: Mr. Chairman, I do have some comments. First of all, I do want to thank you all for doing the great job that you did with this banquet, the sportsmen's show. Everything was a huge success. I think the Commission was also well represented there the

evening of the awards and what-not as well. I know that as we are going into this process, I know it takes a lot of pre-planning, a lot of logistical planning. I know (Indiscernible) probably, I think, was the one that kind of, you know, steered that ship. I would like to challenge the Department as well because I would like to see a committee formed with more input. I believe we can make this a whole lot bigger and better. Number 1 is that I think this committee could really dissect what legislation really offers us and lets us do what these Governor's tags. I think right now it's geared towards the rich hunter, the one that can afford to bid on these big hunts. I'm more of the blue collar type of hunter and allowing us some type of drawing or incentives to be able to . . . I think we could easily equal if not exceed the current money that's being made with the blue collar options. Again, I don't know what legislation allows us to do with that. But I think we really need to jump on that. The other thing that I really strongly support (and I know that night the Wild Turkey Federation was also involved making sure the auction went well and all that, and I know that DACAS was one of the key people that was recognized as far as the organization but . . .) I would like to see this also be down near Las Cruces, New Mexico. I think our people here are excited, are hungry for this type of thing. We have shows here that are successful using our New Mexico State Convention Center. So I think we could make it every bit as exciting if not bigger and better down here in Southern New Mexico and possibly again with this committee work and dissecting all different angles, I think there's a huge opinion that could be looked to do things differently.

(Indiscernible, background speakers)

MALE SPEAKER: Mr. Chairman, Commissioners, Commissioner Ramos, I would certainly be happy to take additional input through the process. This is just the second year putting on this

type of venue, and we are highly motivated and interested in pushing this thing forward to be bigger and better.

COMMISSIONER RAMOS: I know there was even some thought out there on how the actual people, the hunters that are putting in for these hunts, benefit from one of these tags, and you know, with a different drawing system whether a bonus tag or what-not, with the same rules that some of these high-stakes bidders are allowed to do, extension on days of hunting, and you know things like that. But (Indiscernible) a huge interest and I would love to participate on that committee.

MALE SPEAKER: Yes, Mr. Chairman, Commissioner Ramos. Just to get to the, to answer your question, we are limited by what's in statute and in rule. That is not to say, however, that we can't expand this and utilize the other partners out there as much as we did, to a greater extent than the first year. We need to come up with some options, other opportunities for the average guy to go out there (Indiscernible) or some other means. But with the current authorizations that we receive through directives of the Governor's Office, as per statute, how we go about using them as a fundraiser, of course, is limited by statute, just to clarify. However, I do want to be clear. There are a number of opportunities out there that we can utilize to partner with those organizations and individuals to go out there and to expand it, and to provide those opportunities that you are expressing here today.

COMMISSIONER ESPINOZA: Mr. Chairman, I am going to echo partly what Commissioner Ramos says, and then make a request. As you know, I'm a blue collar guy. I did a little bit of research. And the Governor's tag is a certain statute and a certain area but if we were able to offer (and there are a couple of states that do this), just offer another tag for different species that

I could apply for without generating any revenue, it would just be another hunt code [phonetic]. We can do that without going to legislature. We can do that via Commission. Is that correct, Chris?

MALE SPEAKER: Well, (Indiscernible) framework of the current statute to be used to be able to put on this event It does define how we go about acquiring those and putting them out there. Clearly we can work with you. There are going to be opportunities and we can certainly revisit, you know, how we are interpreting that and I think the opportunities exist without a doubt. (Indiscernible) Commissioner Espinoza.

FEMALE SPEAKER: Mr. Chairman, Commissioner Espinoza, that possibility does exist within the rule mentioned, options for the Commission. So it is something, if it is under consideration by the Commission, we can certainly have that conversation.

COMMISSIONER ESPINOZA: On the, thought about it on that Committee, again I would want to be involved as well. I've been involved in lots of functions such as this outside the Commission. And maybe with the Chairman's consent and permission, I would like to head that committee and maybe appoint, be able to be forward with the Department to explore those possibilities (Indiscernible) next Commission meeting when it goes in front of the Commission. Would that be possible?

CHAIRMAN KIENZLE: Works for me.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Espinoza, I would just be mindful of the timeframe between this Commission meeting and the next. It is about 28 days. And so, it would mean engaging in that conversation today?

(Laughter)

DIRECTOR SANDOVAL: I just don't quite know how to say it. It's a short turnaround for that discussion to be out there. I would prefer that that conversation be brought back in June, because of the time. But it is up to the Commission. I just defer to the Commission.

MALE SPEAKER: When is the June meeting if I might ask?

CHAIRMAN KIENZLE: Just drop everything and you all can go do it right now. (Laughter).

(Indiscernible, multiple speakers)

CHAIRMAN KIENZLE: I think in order to do it right, let's not put the hurry-up on it. So, 7 days is not enough time. Well, we know what was created in 7 days, but no I don't think we can get it done in 7 days. What I would recommend is let's get it on the June agenda.

MALE SPEAKER: In the meantime I will work with the Department to explore the possibilities and stuff.

MALE SPEAKER: The June meeting is in Santa Rosa.

MALE SPEAKER: So, was that consent and permission?

CHAIRMAN KIENZLE: Yes. So, who else wants to be on, other than the committee of one?

(Indiscernible)

CHAIRMAN KIENZLE: Ralph?

COMMISSIONER RAMOS: Sure.

CHAIRMAN KIENZLE: OK. One more player, just can't have 4. So if you need to, draft someone else.

COMMISSIONER RAMOS: Of course, we'll be working with (Indiscernible) to get the history and things like that, correct?

MALE SPEAKER: Mr. Chairman, Commissioner Ramos, yes. We will make staff available (Indiscernible) to make this a success. That's truly our desire.

COMMISSIONER RAMOS: And then, maybe having some pre-information on that legislative option, what we're allowed to do and what-not.

MALE SPEAKER: Yes, Mr. Chairman, Commissioner Ramos. We can certainly brief you on both statute and (Indiscernible).

CHAIRMAN KIENZLE: Thank you. Be sure to send a note to put this matter on the June agenda so it doesn't slip through the cracks?

MALE SPEAKER: I'll go ahead and do that.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER ESPINOZA: I have one more question. On the number of attendees, do you have an indication how many of our customers used the option to use their hunting or fishing license to get in free?

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza, I actually do have those numbers. I can provide them to you. I don't have them off the top of my head today, but I can give you that breakdown.

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COMMISSIONER ESPINOZA: If you wouldn't mind maybe copying all the Commission, I think that might be of interest.

MALE SPEAKER: Absolutely.

CHAIRMAN KIENZLE: Jason [phonetic], do you want to speak on this one?

GUEST SPEAKER: I promise I'll be brief. I want to say congratulations on an awesome event. I personally didn't attend the auction because I don't need another reminder as to how poor I am but (laughter). (Indiscernible) conversations about my beloved Gila trout. I've stocked maybe 2,000 Gila in about 6 months or so on recreation and recovery populations. So I would love to see Gila trout auction trip like we've had for the Rio Grande (Indiscernible) added to the possible agenda items. I'm looking for another reason to go fishing and share the Gila wilderness and shoot [Phonetic] a trout with people out there. If you guys could do it, it would be beautiful. I'd love to see trout auction trip. So thank you.

CHAIRMAN KIENZLE: Thank you. All right, I'll move on to number 12 unless there's anything else. OK. AGENDA ITEM NO. 12: **Grider Shooting Preserve Application**. Have we seen this one before? Grider rings a bell with me.

MALE SPEAKER: Name sounds familiar, too.

(Multiple speakers, background noise. Indiscernible.)

GUEST SPEAKER: Mr. Chairman, (Indiscernible) here today to present a shooting preserve application for the Diamond Tail shooting preserve that's located in southeast New Mexico. I

should say the owner of it is Paul Grider. I have not presented this before, so I'm not sure where the name is coming from.

(Multiple speakers. Indiscernible)

GUEST SPEAKER: He does propose to release pheasant, bobwhite, quail. (Indiscernible) naturally occur on the property are the mule deer, pronghorn (Indiscernible). That preserve is located in Roosevelt County west of Melrose. The owner of the property, based on one of our officers going out and looking at the property, has made numerous improvements on the property. He is trying to keep those birds on the property. As you can see by the map provided there, it is surrounded by State land, 322 acres and it is all contiguous land and it could increase opportunities for (Indiscernible) State land surrounding the property during those licensures [phonetic]. (Indiscernible) increase opportunities.

CHAIRMAN KIENZLE: Any questions or comments? Department's in favor of this?

MALE SPEAKER: Yes.

FEMALE SPEAKER: Yes.

MALE SPEAKER: Yeah, that was my question.

COMMISSIONER ESPINOZA: (Indiscernible). Jason, landowners have any comments, opposition, in favor?

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, our game officer did go out and look at that property, did talk to all the surrounding landowners, and nobody was opposed to it. So they were all in favor.

CHAIRMAN KIENZLE: Can I get a motion on this?

COMMISSIONER SALOPEK: I move to approve the shooting preserve on 322 acres of the Diamond Tail property (Indiscernible) as presented by the Department.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Thank you.

(Multiple speakers, background noise. Indiscernible)

CHAIRMAN KIENZLE: AGENDA ITEM NO. 13: **Proposed Migratory Bird Rule for 2016-2017 Hunting Season.**

(Multiple background speakers, background noise. Indiscernible)

FEMALE SPEAKER: Good morning, Casey. Would you like to introduce yourself, that would be great. Have you been in front of the Commission before? OK.

GUEST SPEAKER: Chairman, Commissioners. I would like to introduce Casey Cardinal. She is a turkey and upland game biologist. And I would like to thank her in front of the Commission, Director, and public. Since the departure of Kristin Madden who was our waterfowl/bird program manager several months ago, Casey has really stepped up and totally filled that position. Casey has really stepped up and done an admirable job stepping into that role. And so the Wildlife Division and for the Department we do owe her a debt of gratitude for her services.

CASEY CARDINAL: (Indiscernible) and Commissioners, thank you so much for your time. I'm here to present the Department's proposed 2016-2017 migratory game bird rules. This will improve seasons, (Indiscernible). So, in 2015, U.S. Fish and Wildlife Service made changes to the migratory bird regulatory schedule. They are now using population survey data from the previous year to make recommendations on new frameworks for the following year. So this is going to help states expedite the process of making their own regulations. In addition, the U.S. Fish and Wildlife Service is continuing to use the (Indiscernible) management, harvest management, strategy that they implemented several years ago to ensure that we are not over-taking [Phonetic] our migratory birds. So where we stand in the regulatory schedule is surveys were taken in 2015 on the migratory bird list [phonetic] and then in December, or in October actually, the Flyway Council to assess the status of the game birds and make management recommendations to U.S. Fish and Wildlife Service who took those recommendations in the proposed (Indiscernible) frameworks in December. In March, the Flyway had a (Indiscernible) to discuss the proposed framework and then the Fish and Wildlife Service made final recommendations for the framework at the end of March. As for the Department, we opened up the rule at the January meeting. At this one, we will have the proposed regulations schedule and to close with final action at the May meeting. So annually we will adjust the season dates according to the calendar rules as always [phonetic] and waterfowl season on the last Saturday in January, and then we will adjust bagging, possession limits according to population surveys and U.S. Fish and Wildlife Service frameworks. These frameworks were published this year on March 28, 2016. The major changes that we are looking at for migratory birds this year, we were able to add an additional 20 days for the regular gun season (Indiscernible) that we were able to put into the firearms. Sandhill crane counts, we are increasing our Sandhill crane allocation from

(Indiscernible) increased permits, and increased bag and possession limits. The Department is making changes to the regular (Indiscernible) U.S. Fish and Wildlife Service gave us, and there was some public comment. And also, the Department has decided to create a fantail [Phonetic] pigeon hunting permit that fantail [Phonetic] pigeon hunters will need. There were some questions with Fish and Wildlife Service (Indiscernible) information program data, all migratory bird (Indiscernible). They were concerned that we weren't actually getting an accurate count of how many folks are hunting the fantail [Phonetic] pigeons in the state. So to obtain public comment, we sent out emails to waterfowl and (Indiscernible) and then our partners were willing to put up posters and dates on their social media sites. We also held 3 public comment meetings: one in Farmington where 11 individuals attended, and one in (Indiscernible) where 14 individuals attended. No one actually showed up to the Santa Fe meeting. There were 94 total comments received as of April 1, through email, phone calls, and public meetings. Most of the comments received were in 3 categories for comments received: the mourning dove season dates particularly where to put the 20 days, the additional 20 days of the season; changes to the dove season dates (excuse me); then, (Indiscernible) request for Sandhill crane (Indiscernible). We also received some comments about starting the dove season earlier in the year. But due to a Fish and Wildlife Service regulation, we are not able to accommodate those requests. So I'll give you a second to look at the slide. This is a major species of concern that people are interested in in the central flyway. The dates, season limits will not change from last year. It is still 6 (Indiscernible) did not change so that was in place from last year. And then for our proposed Crane season in (Indiscernible) Valley because we have a (Indiscernible) population of cranes (Indiscernible) and so this year we were able to increase our permits and (Indiscernible) hunts by 10 to 15 permits and bag limit from 2 per day (Indiscernible) last year to 3 per bag limit

(Indiscernible) possession this year. (Indiscernible) this is a proposed (Indiscernible) for the pacific fly lane. Other lesser species such as rail and snipe, we also have those that will be submitting on the website. In the proposed rule change, it would have gotten slightly overwhelming to have everything posted. If you have any questions on that, please let me know.

CHAIRMAN KIENZLE: Questions or comments? This is a discussion item.

COMMISSIONER ESPINOZA: Mr. Chairman, I have a few. (Indiscernible) but I am from Farmington and I have gotten my ear bent a bunch on this. Namely, moving the season date back, both in ducks and geese, and the Pacific Flyway you have a January 29th. I had some of the guys, (Indiscernible), very vocal guy. But he, I see January 29th, but I've gotten an email from him and several members of D.U. [phonetic] up there along with probably a dozen other emails from different people and January 29th was the earliest date that they would want it to move back. They'd like, I've seen all the way from down to February, so is there any reason that we can't move it to the middle of February?

CASEY CARDINAL: Mr. Chairman, Commissioner Espinoza, unfortunately the U.S. Fish and Wildlife Service framework is on January 29th for the entire flyway.

COMMISSIONER ESPINOZA: OK, so . . .

CASEY CARDINAL: I talked to the guys at the Farmington meeting and I told them we would provide recommendation to the flyway council. But I know that in the past there was also (Indiscernible) season changes and the U.S. Fish and Wildlife Service has not entertained these (Indiscernible) flyway line.

COMMISSIONER ESPINOZA: So, my hands are basically tied. January 29th is the latest that we can move it forward?

CASEY CARDINAL: Mr. Chairman, Commissioner, yes, right now, this year it is. Last year we were able to go to February 1st because the 31st was a Sunday, which was the Sunday in January which is where they cut us off.

COMMISSIONER ESPINOZA: OK. What day does the 29th fall on, do you know?

CASEY CARDINAL: It's a Sunday.

COMMISSIONER ESPINOZA: Sunday? OK. So did you express that, relay that information to (Indiscernible) and his people up there?

CASEY CARDINAL: Mr. Chairman, Commissioner, yes. I talked to the guys and told them that I would talk to the flyway about it but I also expressed that there is nothing we can do right now, this year, because of the frameworks.

COMMISSIONER ESPINOZA: OK. Well, I'll re-iterate that.

CASEY CARDINAL: Thank you.

CHAIRMAN KIENZLE: Any other questions or comments? Again, this is a discussion item. We are going to see it again. Now, we are going to move on to Number 14.

FEMALE SPEAKER: Thank you, Casey.

CHAIRMAN KIENZLE: **Director's Initiation of Biennial Review of State Listed and Threatened or Endangered Species.**

CHAIRMAN KIENZLE: Oh, wait a minute. On 13, Mr. Stambaugh and Will Walker [phonetic]. I'm sorry I cut you off.

GUEST SPEAKER: Commissioners, David Stambaugh. Just wanted to make a couple of comments about (Indiscernible). Casey, we really, really appreciate you (Indiscernible) your job, not necessarily standing there, she definitely has her stuff. She has read every Federal Register (Indiscernible) which is not her job and we really appreciate her (Indiscernible) public meetings very well (Indiscernible) for the Santa Fe one and obviously very well put together. She listened. We met in person as well. As a hunter, I like these proposals. I think that they are (Indiscernible) put together. So, thank you. Thank you, Casey.

CHAIRMAN KIENZLE: Will Walker [phonetic].

GUEST SPEAKER: Will Walker [phonetic]. She covered that everything I was going to ask about. (Indiscernible) but I was just wondering if it was just possible for us to open it up on the first weekend of September (Indiscernible) and close it back down until the middle of September and get those extra days back towards the end of the season just because it's so hot down here. But apparently there's a limit on our ability to do that. So. (Indiscernible) sounds good.

CHAIRMAN KIENZLE: Thank you. Now you're free to go. Number 14, which I already introduced, perhaps early, but . . .

GUEST SPEAKER: Mr. Chairman, members of the Commission, we have the Director's initiation of the biennial review of state listed and threatened or endangered species. As you may remember from 2014, I think some of you were around, this a process that is required under the Wildlife Conservation Act every 2 years. The list is reviewed to determine if the status of

threatened or endangered is appropriate for each species. It is not a process to add or remove species (Indiscernible) if that's appropriate. So, the request today is to open a 90-day comment period to collect information from the public on the (Indiscernible/inaudible, interference in audio).

CHAIRMAN KIENZLE: Who does the review? Who on staff or outside of the Department does the review?

GUEST SPEAKER: (Indiscernible/Inaudible) interference in audio).

CHAIRMAN KIENZLE: So, at the end of this process, it comes in front of us again. Is that where things are added or removed from the list?

GUEST SPEAKER: Correct. (Indiscernible).

CHAIRMAN KIENZLE: OK. Questions, comments?

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: But did I understand that (Indiscernible) remove species in this process?

GUEST SPEAKER: Mr. Chairman, Commissioner, that is correct. Each individual species needs to come forward individually (Indiscernible) (Inaudible) endangered.

COMMISSIONER RICKLEFS: (Indiscernible) process is to decide if some species should be removed from the list?

GUEST SPEAKER: Mr. Chairman, Commissioner, (Indiscernible, interference in audio)

FEMALE SPEAKER: Mr. Chairman, Commissioner Ricklefs, yes. The Department has initiated a process as of about 2 months ago to review certain species that exist on the list. It is a very formal process that must take place in order to either downlist and/or remove them from the list themselves, and we have begun taking a look at those species and initiated that process. That is one of the things that we are starting to work towards.

CHAIRMAN KIENZLE: The action item today is just to initiate the review. Can I get a motion on this item?

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER MONTOYA: I move to authorize the Department to initiate a biennial due process as defined in the Wildlife Conservation Act including the opening of a 90-day comment period commencing upon the publication of legal notice of the comment period.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: Before we take a vote. Garrett, did you want to make a comment on this (if he's here).

FEMALE SPEAKER: I don't see him, Mr. Chairman.

CHAIRMAN KIENZLE: OK. Not seeing Garrett, all in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: None opposed. OK. AGENDA ITEM NO. 15: **Volunteer Rule Development.**

FEMALE SPEAKER: Mr. Chairman, if we may introduce Darcie. Is she here?

MALE SPEAKER: Yes.

FEMALE SPEAKER: Please introduce Darcie before we get started.

MALE SPEAKER: Mr. Chairman, members of the Commission, I'd like to introduce Ms. Darcie Schalip. She is our new Volunteer Program Coordinator for the agency. And she's going to be undertaking the volunteers throughout the agency. So I would just like to welcome her.

CHAIRMAN KIENZLE: Welcome.

MALE SPEAKER: Mr. Chairman, members of the Commission, I come before you today to initiate the process to develop a new rule for the Department's volunteer program that would increase the Department's use of volunteers. Section 17-1-14B NMSA 1978 gives (Indiscernible) the State Game Commission to allow the Department to develop conservation volunteers, to provide guidance, to recruit volunteers, to train volunteers, and to utilize volunteer services. To adopt a new rule for the Commission is consideration in following the standard process for rule development and approval. Volunteer program considerations within this rule would allow those volunteers to ride in and drive Department vehicles, allowed registered volunteers to utilize Department computers and equipment, allow registered volunteers to receive per diem, expense reimbursements, and would also establish criteria for background investigations. New Mexico Statute 17-1-14 outlines the types of activities the volunteers in this program should engage in

including education and outreach activities, hunter and angler services, and wildlife conservation activities. This is good news for the Department and for our many volunteers as the program's primary intent covers every aspect of the volunteer services the Department depends on. As I am sure you are all aware, volunteer efforts are used by the Department and a State match for Federal aid, and are representative of a significant financial contribution to the Department and the State of New Mexico. The Department will develop a policy and operational manual based off of State (Indiscernible) I'm sorry, State and (Indiscernible) rule development. The operation manual will outline requirements to become a registered volunteer with the Department. In closing, the Department currently has an army of dedicated volunteers in the programs such as the Responsible Hunter Shooting Program, Off-Highway Vehicle Program, for Hunter Education Instructors, archeologists, historians, supporting traditional hunting methods through our First Hunters Program, (Indiscernible), coaches, aquatic resource education, educators, and the most visible are hunter education instructors. This program will open up the doors to many more volunteer opportunities for the Department. We are enthusiastic about the potential growth, the opportunities for our sportsmen and women to get involved with the Department and conservation work. While I'm sure we will protect our resources for future generations. Public comment will be solicited on this new rule development. With that I stand for any questions.

CHAIRMAN KIENZLE: I have a couple of comments. To the extent that volunteers are using computers and our equipment, we need something like an information security component to this because somebody can take a thumb drive and, you know, wreck that computer, use executable code or something else, so be mindful of that. I won't approve any rule that doesn't give due regard for that. And with regard to reimbursing volunteers, (Indiscernible) there's no free lunch. But every one of those checks we write or reimbursements we make is an opportunity to foul up

on our audit. So I won't approve a rule that doesn't have very tight controls on that, information security and reimbursement of volunteers. Because the public's going to care about how their money is spent and I want to make sure there isn't fraud or abuse in there. So be mindful of that as you put together a rule.

GUEST SPEAKER: Mr. Chairman, you are spot-on in that aspect. That is a prime consideration for us with this program. Based on what other state parks have done with their volunteer program and giving them use of state-owned computers, they have to abide by the same policies and standards by which state employees have to abide by. These things will be spelled out in great detail within our policy book and it's a big component of conducting those background checks and maintaining our accountability as required for these types of programs.

CHAIRMAN KIENZLE: Certainly if someone intends to do us harm, then they may be able to do it. But we may be able to use technological fixes, software and other things, to prevent that. So just be mindful of it when you turn somebody loose on a computer, there's a lot of opportunity for mischief. Any other questions or comments at this point? OK. This is kind of a big job. We will see this again when?

FEMALE SPEAKER: Next month.

CHAIRMAN KIENZLE: OK. Very good. Thank you. Number 16: **Update on Development of Shooting Ranges in New Mexico.** Wait a minute. Mr. Stambaugh. I don't know what it is, Mr. Stambaugh. I just keep forgetting you. My apologies. And then Colleen Payne. I'm not doing it intentionally.

GUEST SPEAKER: Mr. Chairman, Commissioners, David Stambaugh, Director, New Mexico Youth Conservation Foundation. A volunteer program like this is a big deal for us. We do a lot of our projects and our events in conjunction with the Department of Game and Fish. We support them, they support us. So a couple of quick things. First of all, I appreciate the Department's foresight in going after a volunteer coordinator, realizing in advance the necessity for that, so we appreciate that. You know it benefits NGO's, non-profits. We were talking about background checks. One of the expenses we incur, if we were able to refer volunteers to the Department to do all that vetting and background checks, that would be a big deal for us. (Indiscernible) probably better volunteers would be accessible when we do events in conjunction with the Department and so there would be a large quantity of quality volunteers within that pool so we see that as a benefit. We will be able to provide these incentives to volunteers and say, hey you know if you are a volunteer with the Department, you know it's not just going out and doing these events, it's on your own. You have the support, you have possibly per diem and those types of things that would benefit the volunteers. So, also the benefits to the Department, NGO's, non-profits like us, like I said, we'd be able to encourage volunteers to become Department volunteers to bring up those roles and increase the number of volunteers within the Department, to help the removal of a lot of logistical barriers that we have when we do some of these events because of the fact that they could ride or drive or use equipment owned by the Department. And of course, another big part of it is the volunteer hours. For everyone to submit those volunteer hours that ultimately means more money coming back in Federal aid to help with more education and outreach. So thank you very much.

CHAIRMAN KIENZLE: Colleen Payne.

GUEST SPEAKER: Good afternoon, Chairman and Commissioners. I'd also like to echo your concerns with information security and auditing matters as well. But I would like to support the rule development for a volunteer program. The Mule Deer Foundation is a membership and volunteer based organization who works very closely with the Department for various projects and in habitat improvement projects for mule deer. We recently made efforts to also recruit some of our volunteers into programs for hunter safety instructors and so would like to be able to provide our volunteers into your pool as well and provide them some opportunities to get involved additionally in the Department outside of projects. This rule development will assist the Department in growing a valuable and reliable base of volunteer groups as well as providing opportunity for organizations just like MDF and other organizations to get volunteers to give experience and support to vital game and fish efforts. I can speak for all volunteers that staying on ground work is extremely important and extremely rewarding. So thank you for recognizing the value of the volunteers in the State of New Mexico. I would also like to encourage you to open conversation with sportsmen's organization to be a resource of information for you and a resource for volunteers. Thank you.

CHAIRMAN KIENZLE: Thank you. OK. Back to shooting ranges then. Thanks.

GUEST SPEAKER: Mr. Chairman, Commissioners. I am happy to come before you today to discuss, give you an update on the development of shooting ranges here in New Mexico and to discuss the progress we have made over the past few months. And before I begin I would like to first of all thank you very much for all your efforts in helping us obtaining capital outlay funds for 2017. As I am sure you can imagine, those are critical funds needed to continue the development of our ranges. Additionally, I'd like to let you know that we have posted master plans for projects that are currently in development on our website in an effort primarily to

provide the public an opportunity to comment on these projects. It goes well above what is required but we made it as a decision to provide quality service to our public. Just briefly, I'd like to update you on the status of the current range projects that we have going. The shooting ranges in Cibola [Phonetic] County, Clovis, Santa Fe, and Albuquerque all remain on track. In Cibola [Phonetic] we are currently working to complete the (Indiscernible) litigation and expect the final (Indiscernible) process as we move towards those types of things to be followed and completed concurrently. We are working to schedule our volunteer cleanup day to remove non-hazardous materials that are on that property in preparation for our land transfer. And once that land transfer is completed, the Department will have the contracts for the final construction plans, and have the ability to proceed with construction on that property. In Clovis, we are awaiting an opportunity to get that project before the Clovis County Commission for final approval and since the project does not yet include a land transfer and is, in fact, owned by Clovis, we will be able to move directly into that (Indiscernible) process that we've all become aware of. We've had positive support from the community and overall looking forward to the partnership we are developing with Clovis for the long-term sustainability of that range. As for development of the youth archery range in Albuquerque, the youth archery range that we're working on in Albuquerque, we are at the final step before construction right now. But they had a recent change in management at that shooting range and so we have slipped into one more opportunity for that new range manager to (Indiscernible) and as soon as he's done with that and capital outlay funds become available we will be in a position to begin work on that archery range. In addition, we also have the opportunity to expand their skeet ranges which are currently built but just lack the equipment and so we've been standing out there basically vacant for a number of years and so it is an opportunity to expand that project. (Indiscernible) a little more

excited. We've turned a lot of our attention to the immediate future. So of importance the last couple of weeks, exploring the potential for unmanned ranges development on Department owned property. In the earlier evaluation, we identified 4 locations that showed great promise and have already begun the state compliance processes. At the top of the list for development is the Highway 380 which offers convenience in location and accessibility. It's located just east of Roswell, next to a highway, and it's directly across from the DOT rest area. Comanche Hills is also off of Highway 380 and directly east of Roswell. It is also a property that is being considered. Next on the list would be our (Indiscernible) property. This property has often been used by the public for target practice. It would be an appropriate place to put a more structured shooting environment in place. And then finally (Indiscernible) Wildlife management area has a great deal of potential. It is about (Indiscernible) New Mexico including Taos, Red River, and Questa (Indiscernible). For each of those I've discussed, again state compliance work has already begun and provided that is the Commission's desire that we proceed in these projects, we could be looking at a high possibility of being able to begin construction on those projects as soon as our FY17 funds become available on July 1st of this year. In closing I'd like to state that the Department continues to actively and aggressively work on the development of shooting ranges across the state of New Mexico. My staff and I are doing everything within our power to expedite the process and I assure you that we will not allow a single challenge or obstacle to hinder our progress. We are fully committed to completing the projects that I have discussed today and with that, I stand for questions.

CHAIRMAN KIENZLE: Questions or comments?

COMMISSIONER ESPINOZA: One question. I'm encouraged about the use of our existing properties. Being from Farmington, have you looked at Jackson at all?

GUEST SPEAKER: Chairman, Commissioner Espinoza, we certainly are looking at all of our properties. Some of the obstacles that we have to overcome and that we are currently evaluating is that properties that have a Federal attachment, properties that were purchased with those Federal funds, will have to go through that regular Federal process that has been so (Indiscernible), very different from the State Compliance process. And so, often during the (Indiscernible) at this point we are certainly looking for any potential property opportunities that we could put ranges on.

COMMISSIONER ESPINOZA: But have you evaluated the Jackson WMA? At this point in time?

GUEST SPEAKER: Yes. As a matter of fact, we have evaluated Jackson. It is one that is in my list of possibilities but then again it is a property that has that Federal attachment to it, and it would definitely put it into that lengthy process.

FEMALE SPEAKER: So, Mr. Chairman (Indiscernible), just to clarify for the public, as soon as we have something that touches a Federal dollar, there is a whole list of compliances that is in addition to state compliance that we have to work through. So, with Jackson and a couple of other areas, we have section 7 and some other considerations that we have to look at. So the compliance part of that is a little bit longer.

CHAIRMAN KIENZLE: So, take the path of least resistance. So if we have Commission owned properties that don't have any of those strings attached, use those first. If it makes sense to go out and acquire something that's out in the middle of nowhere, then let's go do that. I'm interested in unmanned, primitive ranges. I think the other efforts you have made on the first slide are great. If we don't have rowing partners, whether it is the public or the different governments that we

work with, if they're not willing to work with us, this was never intended to force a round peg into a square hole or vice versa. I'd hoped for these to be within 50 or 100 miles of any population centers to give people the opportunity to drive to these and utilize them. If any of these ranges are not finding broad public support, again there's no sense pushing the rock up the hill when we've got other opportunities with property that we own that has fewer strings attached where we can largely do the project on our own. I would love to leverage our dollars and work with other governments whether it's Federal or local. But if, again, that's not going to be an easy process, or they want to slow walk it or we run into significant and public opposition, you know I'm interested in the Commission being a good neighbor as well. So, be mindful of that. The fewer strings attached, the more that we control the process from end to end. That's what I would recommend that you focus your time on. So, keep going with the other initiative you've got going but I'm certainly interested in the unmanned primitive ranges as a priority.

COMMISSIONER RAMOS: Mr. Chairman (Indiscernible), as I look out into our audience, I know I have a lot of people here with different organizations that support our Butterfield Range. We are recommending, and I know that the Game and Fish is supporting them with fundings and different projects and things like that, but recommendations to give them (Indiscernible) we're hearing it from the horse's mouth, that they have the duty to continue with (Indiscernible) process to, I know there's been some huge goals as far as how we want to make it bigger and better. You know, from electrical to RV parking to really expanding the horizons to a classroom out there, things like that.

GUEST SPEAKER: Mr. Chairman, Commissioner Ramos, there are a handful of things that our partners can do for us that help us along the way in the process. Some of those things include, just the consideration, if we are attempting to get some of that funding back for the Federal

funds, some of the things that need to be considered are programs that are primarily advanced hunter education driven. If they have the paperwork completed already, that basically puts you through that process. Again we are talking about (Indiscernible) assessments (Indiscernible) endangered, those types of things that are done, having that documentation in front of us so we can vet it, is really key to helping us move forward on some of those types of projects and range expansions. I think we are having pretty good success overall with some of these range expansions such as the ones there at Butterfield.

CHAIRMAN KIENZLE: Thank you, sir. So this will go on next month's agenda as well. Any other questions or comments at this point? Great. Thank you. Keep up the good work. I appreciate it. Mr. Brenna.

GUEST SPEAKER: Good afternoon, Mr. Commissioner, members of the Commission. Thank you for having us here. John Brenna from the Bureau of Land Management, (Indiscernible), Albuquerque. I just wanted to give you an update on where we are in the process. First of all, you have an outstanding staff. Our communication with them—meetings, phone calls, emails—has brought us to where we are with our successes that we are having. Our anticipated date on the range is somewhere around September 2016. So, for the Federal Government, we're really at rocket speed. We have the support of our State Director, Amy Leuders, and our Associate State Director (Indiscernible). So this is a great project for a community in (Indiscernible)—I'm sorry, hold on—and just move forward. Things are going really, really well. We're in the middle of our (Indiscernible) process as soon as some of the archeological stuff that needs done and some of the other things we're working on. We're working out of 2 offices at the same time which is helping us. That's what getting us to finish up the project. So our collaboration with your folks has been great and it continues as the best partnership that we have for getting (Indiscernible).

CHAIRMAN KIENZLE: Thank you. I appreciate your cooperation and, again, I hope this is a model for other governments to cooperate with us because it goes so much more smoothly when both sides are on the same page. So thank you. I appreciate it. (Indiscernible.)

FEMALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Number 17: **Presentation of the Department's Statewide Fisheries Management Plan.** And this is an action item.

MALE SPEAKER: Mr. Chairman, Commissioners. As you just said, we are here to seek your approval for the Statewide Fisheries Management Plan. It has been a long time in the process and we are pretty excited about it (Indiscernible, audio feedback).

GUEST SPEAKER: Thank you, Mike. Mr. Chairman, Commissioners. Like Mike said, I'm here to update you on some of the public involvement as well as some revision process that we have undergone over the past several months and we are also here to seek your approval on this draft plan. Just as a little background, we want to seize this [phonetic] as an opportunity to kind of state the vision of the Department and Commission regarding our future fisheries management throughout the state from the Department's perspective so we can communicate that with the public in ways. We also wanted to communicate our priorities from the Department's standpoint. There are many things we can do across the whole state. We want to be able to nail that and really communicate that with the public. (Indiscernible) essentials include both sports fish and native fish in this document. If you try and manage those two in a vacuum you end up being a little bit schizophrenic from my Department's standpoint. We were somewhat (Indiscernible) in the past, and we want to I guess avoid that in the future. So, this turned into a large scale mapping effort where all of our biologists took their collective knowledge that they have as well

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as decades of work throughout the state, with academics, with other agencies, and boiling that down into kind of a direction for (Indiscernible) waters which is just an example of one of the maps in the plan where we divvy up, for example, Navaho (Indiscernible) would continue to be a priority area for small mouth bass, Northern pike, (Indiscernible) world class trout water, continue to manage that as a trophy fishery. And then moving downstream would move more into the critical habitat areas for Colorado pike and razorback sucker. We did this throughout the state, that's in the second, the main part of the management plan. And so, we presented the draft plan to you back in August, and this is just a summary of the public involvement that we did. Shortly after talking with you guys, we sent out letters to county commissions, New Mexico Municipal League, New Mexico Association of Counties. I sent out a personalized email to academics, other partner agencies, contacts with (Indiscernible) organizations who are active throughout the years. We did a press release, had a public comment period initially from September 1 through October 31st. Based on the number of comments we received, we extended that to the end of the year. Finally, we posted that on the website, and also notified the public that we were going to hold public meetings in Albuquerque, (Indiscernible), Roswell, and Las Cruces. We also added an additional meeting in (Indiscernible) because some of the activities we were proposing in that area, we could get some more local input there. In total, we received over 130 written and verbal comments. Mostly those were written comments from the public. I received several comments at public meetings. Once we had delivered the revised plan to you a couple of weeks ago, they notified all of the people who commented on the draft plan that the revised plan is available on the website. So this is kind of a fun way, I thought, of summarizing all the different comments that we have, just use of a Word Cloud. And one of the primary things we heard through this whole process was right there in the middle; it says

“release” and the public was very outspoken about expanding our catch-and-release special trout water, quality trout water management. We also received a whole bunch of comments on habitat work, native trout restoration that we’ve been doing, and this I guess is a more formal way of summarizing these comments. Overall, we had significant support for the plan and the balanced approach that we have taken. Once again, we heard multiple times in public meetings, we need more special trout water areas and quality waters type management options. We have been spending a lot of money on habitat restoration in San Juan and the Red River and Pecos. The public was very supportive of that and want us to continue that in the future, expanding the lakes where possible. But most importantly, want us to do a better job of including volunteers in that process. We are working on expanding a warm water facility at Rock Lake and then the public said they wanted expanded opportunities for stocking the large mouth bass as well as channel catfish. And, they wanted us to continue with (Indiscernible) trout restoration including native species when we can in those efforts. So, based upon that we modified the priority section and it is now 31 to 34 of the actual plan. And this is some of the future direction to where we see we need to go. First off, we feel we need to modernize our trout management. Many of you know that we have started putting a small proportion of very large rainbows into some of the (Indiscernible) that go out to flat waters [phonetic] in the state. We are going to continue that, or expand that if possible. We are going to propose to revise some of our stocking (Indiscernible) wild fisheries where possible and also expand our special trout waters. We are thinking of completely overhauling that program there, expanding it. We will continue with the habitat enhancement projects, including volunteers in that, expanding our stocking capabilities for large mouth bass and catfish and finally, continue on with trout restoration. So, that’s where we are with seeking approval for that revised plan. Based on the significant comments we received

during this process, we've come up with several interim [phonetic] options we'd like to pursue that includes proposing—I think it will be next month when we come up with draft language for this—for these regulation changes, proposing a catch and release area on the Rio Chama [phonetic]. We would like to propose opening the upper (Indiscernible) to angling. We would keep the tributaries which are inhabited by Gila trout closed and there are a couple of streams over in the Gila that we would like to restore Gila trout into. And in order to do that, we would also like to keep it open to fishing there with a proposed 2 fish limit on those streams. That's Mineral Creek and White Water Creek. And then as part of the discussion with the U.S. Fish and Wildlife Service, they are requiring that we expand our Gila trout permit program, and have a (Indiscernible) Gila trout permit where if you want to fish for Gila trout in certain areas you have to get that permit, and that is a way of us tracking the effects of angling on these populations. We need to expand that for several streams where they will then agree to stock with Gila trout which gives us, opening up, opportunities in the Gila which was affected by the Whitewater-Baldy fire. And then, finally, just opening up the Pine River [phonetic] for (Indiscernible) season, and then adding a couple of winter trout waters and big cat waters. This plan is kind of a foundation for where we want to go in the future. So there will be interim things where we will be implementing some additional changes in the future.

CHAIRMAN KIENZLE: Let's hear from the public first, before Commissioner comments.

Garrett?

GARRETT VENEKLASEN: Mr. Chairman, Members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation. I just wanted to commend the Commission for the work on this. It is really exciting to see us progress, especially with the restoration project.

Congratulations, by the way, with the Red River. If you all have been up there to see that, it's

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pretty cool what has happened with working with trout. I think there are a lot of people that are really excited about what you guys did up there. And it's great. Hopefully, we'll see a lot more of that in the future. (Indiscernible) we are seeing that our fisheries are getting a lot more pressure, places like the Lower (Indiscernible) where trout populations are getting hit real hard. And there's a lot of pressure (Indiscernible) catch and release options and quality trout water, it's a good thing to do. Then again, native trout restorations obviously is really important (Indiscernible) proactive so I think (Indiscernible) great job (Indiscernible).

CHAIRMAN KIENZLE: Thank you. Jason Amaro.

JASON AMARO: (Indiscernible), on Gila trout I'm taking front and center. So thanks for that. And I want to commend the Department. You guys have done a really good job on this fisheries plan. I'm comfortable [phonetic] and enthusiastic and think it's going in the right direction. So again, thank you for everything that has occurred. You guys have been great. The last time I saw these guys they were in Las Cruces and (Indiscernible) to about 9 o'clock (Indiscernible) drive back. So they are absolutely committed, these guys, to 100 percent.

CHAIRMAN KIENZLE: Thank you. Mr. Mitchell.

TONER MITCHELL: Mr. Chairman, Commissioners, my name is Toner Mitchell. I'm the Water and Habitat Program Manager for Trout Unlimited. I also want to commend Mike and Kirk [Phonetic] for the excellent job they did in putting together this plan. The process was well balanced, transparent, interactive, and I especially like how they are promoting to release (Indiscernible). I would like to see a little more of that, particularly on the Red River. That's where I've been managing for two [Phonetic] the restoration program there. We are developing a (Indiscernible) development initiative around recreation. We have well balanced (Indiscernible)

fishing mixed in with some catch and release that should be a good economic development tool. Also I commend them on their attention to Rio Grande cutthroat and Gila trout restoration, and to enhancing wild trout opportunities as well, and put and take. They did an excellent job. I've been authorized by our State Council to commend them heartily. Thank you.

CHAIRMAN KIENZLE: Thank you. Kerrie Romero.

KERRIE ROMERO: Thank you, Mr. Chairman and Commissioners. Kerrie Romero with the New Mexico Council of Outfitters and guides. We also just wanted to commend the Department and particularly Mr. Sloan and Mr. (Indiscernible) for all their hard work putting together the Fisheries Management Plan. When the process began, there were a number of ideas put forth by the guided fishing industry and I want to thank the Department for listening to all the proposals that were drafted by our members and giving them serious consideration within the management plan. Overall the guided fishing industry feels good about and is happy about the document that ultimately came out of this process. Thank you.

CHAIRMAN KIENZLE: I have a question for you. Did any of your proposals make it into the final?

KERRIE ROMERO: Yes sir. The proposal on catch and release on the Rio Chama.

CHAIRMAN KIENZLE: That's great. Thank you. Commissioners, any questions or comments?

MALE SPEAKER: Just one comment, Chairman. I want to commend Mike and Kirk [Phonetic]. I read through that, it didn't make any sense to me necessarily but it was very comprehensive and I want to commend you as well as reaching out the Commissioners. (Indiscernible) said they

don't (Indiscernible) any questions, concerns, and that is really appreciated by myself. I'm sure the other Commissioners you talked to as well. Keep moving forward. Thank you.

CHAIRMAN KIENZLE: It's a big job. Tired? You broke a leg [phonetic] in the process. Yes, sir?

MALE SPEAKER: I want to commend you, too. It is very well organized, very concise, easy to find what you have to find in there. Good job, really good job.

CHAIRMAN KIENZLE: Thank you. Any other questions or comments? Good work. Can I get a motion on this, please?

COMMISSIONER SALOPEK: I move to adopt Statewide Fisheries Management, Statewide Fisheries Management Plan as presented.

COMMISSIONER MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Good work. Thank you.

FEMALE SPEAKER: Thank you Curt [phonetic]. Thank you, Mike. Great job.

CHAIRMAN KIENZLE: Number 18: **Update on the Revision of the Statewide Wildlife Action Plan.** You can go ahead.

(Background speakers. Indiscernible)

GUEST SPEAKER: Mr. Chairman, Commissioners, I am here to present Agenda Item Number 18, an update on the State Wildlife Action Plan. Since November 19, 2015, that was the date that the plan was not approved, I just want to give you an update on what has occurred since that time. First off, we communicated with the U.S. Fish and Wildlife Service regarding the status of the State Wildlife Action Plan since it wasn't approved by the Commission. We found out a couple of good things, actually. One thing they told us was we essentially had until July 2017 to get the State Wildlife Action Plan done, and we would be eligible for the funding. So we kind of tried to figure out what was the next step in the process. And what we decided to do was to identify the concerns of the stakeholders' internal discussions on how we could address that. And if you look at some of the concerns that were expressed, not only to us but to the Commission as well, they talked about the conservation needs list or (Indiscernible) list. They talked about there being too many species on the list. We talked about the 2 most specific species, and we talked about common and abundant species were actually on that list. Another concern that was addressed was the overall tone of the document. So we thought, all right let's go ahead and start addressing those but let's do it in a step-by-step process. So the first thing we did is we looked at the species based on conservation need. (Indiscernible) list. There's 138 insects on that list. We removed the harvested [Phonetic] species from that list. We also removed additional species based on the biologists' recommendations. They are the ones in the field that are working with these species so we asked them to determine what species could be removed. Also as part of that process, we examined the screening [Phonetic] criteria to determine the proper (Indiscernible) of each species. One of the concerns that was expressed was, there was no—what would you call it—other funding [phonetic] sources addressed to give you credit for in the scoring system. So we actually addressed that. And I talk about those other funding [phonetic] sources, we are

talking about CCAA and other fund sources and (Indiscernible) that sort of thing. So, about 2 weeks ago, I sent out that list to our State (Indiscernible) and asked them to review it and asked them to submit comments back to us by the 15th. Obviously, I haven't received all those comments yet because obviously they have until tomorrow to get them back to me. But I've also, as part of that engagement, we've met with certain groups, Sierra Club, Defenders of Wildlife, Southwestern Environmental Center, groups like that, like you had the meeting last night regarding that. So that's where we are as far as that list. I am hoping that we can finalize that list, incorporate it into the SWAP and then, as we move forward, address this (Indiscernible) language in the SWAP for the tone. Hopefully that will happen. But again I want to get that list finalized and incorporated and then send it back out to the stakeholders and ask them for their comments or their concerns regarding that tone. After we get these specific comments back, we would like to incorporate those into the SWAP and then there would be a 30-day comment period that we will put on web for anybody to comment on. And then they can incorporate those comments as best we can and hope to have a final draft for your review and approval in November of this year, 2016. And with that, I will stand for any questions.

CHAIRMAN KIENZLE: Questions? Comments?

COMMISSIONER ESPINOZA: Mr. Chairman, Jim, I'm curious about your comment as far as the step-by-step. Are we going to see this several times before November?

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, we can. You just have to let me know. I believe I have sent a copy of the list and the scoring system to all the Commissioners.

COMMISSIONER ESPINOZA: I don't remember the scoring system. But maybe, I ought to get that from you. But again, I am sharing the Chairman with the agendas and I would personally like to see an update every Commission meeting before November.

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, we can do that.

COMMISSIONER ESPINOZA: Most of the stakeholders engaging with you on a regular basis?

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, yes. To answer that question, I believe that we all received an email from (Indiscernible) today. I don't know if you guys checked your emails, but she's engaging us. (Indiscernible) is engaging us. Sierra Club is engaging us, Defenders are engaging us. We are actually having a pretty good response.

COMMISSIONER ESPINOZA: What about agriculture? Are they engaged? I know Cattle Growers is, but I'm talking agriculture, farming and ranch.

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, Cattle Growers is engaged. I have not sent it out to other entities except for (Indiscernible) today. I sent that out (Indiscernible) if I remember correctly on Monday or Tuesday of this week.

COMMISSIONER ESPINOZA: Well, I'm encouraged by the progress. Thank you.

CHAIRMAN KIENZLE: We have a long way to go, so we're just second or third step of many steps I think. Any other questions or comments from Commissioners? Commissioner Ricklefs, anything?

FEMALE SPEAKER: I'd like to hear public comment first.

COMMISSIONER RICKLEFS: I concur. I would like to see this again in a couple of months and where we stand. I do not believe that I received the (Indiscernible).

GUEST SPEAKER: Mr. Chairman, Mr. Ricklefs, I did send you a copy.

CHAIRMAN KIENZLE: We will take public comment, strictly limited to 2 minutes. Garrett.

GARRETT VENEKLASEN: Mr. Chairman, Commissioners, Garrett VeneKlasen, New Mexico Wildlife Federation. We are encouraged that the Department will continue to move forward with SWAP. It is a pretty common thing that other western states are doing. It's something that the Department itself has done for a very long time. We just want to make sure that the Department continues to pursue that, to be its mandate which is to steward native species in a responsible way. And I just hope that this moves forward and this \$10 million dollars in Federal money can be used for habitat restoration for these specific species and that put that burden on licensing (Indiscernible) hunting and fishing licenses. So, we support SWAP and we hope that you all move forward with this process.

CHAIRMAN KIENZLE: Thank you. Michael, who did not give a last name, at Defenders.org. Michael? Going once. Twice. Gone. Alright. Jason Amaro.

JASON AMARO: Good afternoon. So after Roswell, I thought nothing in the world would move us up to this point [Phonetic] Just a real quick note. (Indiscernible) supports SWAP. It's nice to see that (Indiscernible), go slow, start step-by-step-by-step, and giving a better effort of getting stakeholders involved. Hopefully we can step up and (Indiscernible). I think that's the big concern, is that when we were in Roswell there was this, well we've never seen this before, what the heck is going on. So I encourage others, other stakeholders, to be involved in the process.

Furthermore [phonetic] we encourage the SWAP, and I think the Department is doing a commendable job. So, thank you.

CHAIRMAN KIENZLE: Teresa Seamster.

TERESA SEAMSTER: Thank you to the Director as well as the Commissioners. (Indiscernible) This is a great opportunity. All of the states in the United States have applied for this funding. They have all received (Indiscernible) more and more and more (Indiscernible) to monitor and conserve species of greatest conservation need. This is funding that just doesn't exist anywhere else. To not take advantage of it just seems unbelievable. So (Indiscernible) support the whole process of the SWAP. We strongly supported the original document that was considered in 2005 (Indiscernible). It did an incredible advancements in terms of monitoring and gathering data and correcting the data base, and I assume many of these species that you really just don't know much about. And some of them, as we'll find out, can go from one level to the next and (Indiscernible). It is a very extensive (Indiscernible) process. (Indiscernible). So this is the safety net, this is the state's safety net for those species. We did take a vote [phonetic] (Indiscernible) to work with it. Jimmy Clemons [phonetic] provided. (Indiscernible) 155 species. (Indiscernible) that are funded out of the general protection fund which (Indiscernible). So we strongly support the SWAP (Indiscernible). Thank you.

CHAIRMAN KIENZLE: Kevin Bixby. I don't see him. He's gone. Toner Mitchell.

TONER MITCHELL: Mr. Chairman, Commissioners, I am personally aware of several planning efforts taking place throughout New Mexico. An incomplete list includes regional water plans, community wildfire [phonetic] protection plans, county land use (Indiscernible), water basin [phonetic] management plans, economic plans, State Fisheries management plan,

resource management plan, provisions for revised (Indiscernible), Rio Grande Del Norte Monument, forest plan revisions. Energy companies (Indiscernible) development opportunities to deal with other changing conditions. Ranchers engage in planning for the sake of their bottom lines. As with all good plans, the State Wildlife Action Plan stands on [phonetic] a foundation of well-researched science. And that's what all good plans seek, not to compel action but to guide it. (Indiscernible) describes the difference between looking into a dark room with a flashlight or without one. With a plan (Indiscernible), a person can see what is behind her, around her, and most importantly what lies ahead. So I encourage you all to support a very robust plan and specifically concerned about just dropping insects, for example, when pollination is such an urgent problem in the Western United States. I think (Indiscernible) instead of everything before we just drop chunks of species. Again, I appreciate the work that's going into this, but I encourage you to support a robust plan. Thank you.

CHAIRMAN KIENZLE: Thank you. Mitch, I am not sure how to say your last name.

MITCH KRAKAUSKAS: Mitch Krakauskas, President of Independent Petroleum Association of New Mexico. Mr. Chairman, members of the Commission, I would like to thank Mr. Comins for the work that he has done on this, and reaching out to industry. I did bring a letter that Coreen [phonetic] – did he mention that Coreen emailed to you guys this morning?

CHAIRMAN KIENZLE: If you want to grab that . . .

(Indiscernible/inaudible, audio feedback and multiple speakers)

MALE SPEAKER: . . . whole thing, that there's a lot of work to be done on this process. I don't think that April 15th is a realistic deadline for us to get comments here. I know that we are

talking about more than 400 pages of document here to go through and (Indiscernible). I think that it still (Indiscernible) energy and agriculture industry. I think the best approach would be to just sit down with Mr. Comins and industry and address the concerns that we have and go through page-by-page. I think comments back and forth are going to take a lot more time. I think there's a more concise way to do this. So, in closing I would just suggest that the Commission encourage Mr. Comins to set up a meeting with the industry. Thank you.

CHAIRMAN KIENZLE: John Cornell [phonetic]. Haven't seen you in a while.

JOHN CORNELL: I know. How are you doing, Mr. Chairman?

CHAIRMAN KIENZLE: Welcome back.

JOHN CORNELL: Mr. Chairman, Commissioners, Director. I am John Cornell, President of (Indiscernible) Cattle Association, sportsman [phonetic]. We strongly support this SWAP (Indiscernible) grant funds have been available for quite a few years. The (Indiscernible) yearly in fact our delegation to (Indiscernible) congressionally support SWAP funding for the State Wildlife Plans, funding for those plans, and I am it gets a broad base of support. (Indiscernible) supports funding that helps non-grain [phonetic] species and (Indiscernible) species. So we encourage the Commission to support the plan. I was at the (Indiscernible) meeting last night with Jim and Chuck [phonetic] and those guys did a great job. The presentation that you gave here today was the same as you gave last night, Jim?

MALE SPEAKER: Mr. Chairman (Indiscernible, multiple speakers)

MALE SPEAKER: I thought it was a little longer last night. But anyway, (Indiscernible) come up with a plan that pleases a majority of stakeholders and they are working very very hard.

DACAS (Indiscernible) supports that. Lastly, quickly, I want to thank the Commission for honoring DACAS as the inaugural partnership in the (Indiscernible) Governor's Banquet. We truly are honored with that. You know, it's the inaugural (Indiscernible, interference). (Audio ends)

(Audio resumes here)

CHAIRMAN KIENZLE: This Commission has adjourned into its Executive Session, closed to the public. During the executive session, the Commission discussed only those matters specified in its motion to adjourn and it took no action as to any matters. Number 20 has been taken off the agenda. The final item is general public comment. Garrett and Gerald Chacon.

GARRETT VENEKLASEN: Mr. Chairman, members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation. August, almost 2 years ago, we had invited many of you guys to participate (Indiscernible) and one of our priority items was to address (Indiscernible) tags in the (Indiscernible) had requested that, that the Commission consider this. (Indiscernible) rule. There's lots of reasons for this. Obviously the legislative session, you saw, folks from the agricultural community who also feel as though there are issues with the rule and (Indiscernible) problems. We saw approximately 8,200 (Indiscernible) private land were in use and it just makes for bad management. I'm sorry, I've seen lots of different stakeholders have issue with the way things are being managed and again we request that you consider to maybe even to start to form some sort of task force to bring the stakeholders together and start another conversation. We (Indiscernible). Thank you very much.

GERALD CHACON: Mr. Chairman, members of the Commission, thank you for allowing me the opportunity again. My name is Gerald Chacon. I am representing the (Indiscernible)

Livestock Association, the (Indiscernible) Association, and personal [phonetic] family as well. A couple of years ago, I came to the Socorro meeting (Indiscernible) to talk to you about the problem we were having with elk in (Indiscernible) the staff in order to see if we could find some kind of answer to the problem that we were having. We are having some efforts that have been made to have some depredation events [phonetic] for last year and this year as well. And I have a concern that we are not getting anywhere as far as the problem with the elk situation is concerned. This spring I went to the ranch that (Indiscernible) on May 1st, and they had a thousand head of elk and I got so upset I started calling the whole world and tried to get ahold of Director Sandoval and Mr. (Indiscernible) called me back and (Indiscernible) went down to the ranch with me and I took my camera that day and they witnessed a thousand head of elk. We counted them together as best we could. And that was just in one pasture of about a 160 acre ranch (Indiscernible) BLM sections and about a section of private land. I'm supposed to (Indiscernible) on May 1st with 220 other cows and I don't know that I'm going to be able to (Indiscernible) and this has been happening now for 25 or 30 years. It's gotten worse over the last several years here. And we are not getting anywhere. We are backed into a very bad corner where we are going to have to do something very desperate in order to maintain our livelihoods and keep our ranches. We have already heard the situation of our neighbors who liquidated one entire (Indiscernible) that was talked about in legislature last year. My neighbor sold (Indiscernible) about two-thirds of it and the whole community is upset. (Indiscernible) Forest Service here a couple of nights ago and the people that actually physically are wanting to get after the forest supervisors for the people are so upset with the wildlife situation and the forest situation there that I don't know what's going to happen but it's desperate. And you folks need to get up there and listen to the people. We're in bad shape. We need to get something done and if

we have to, we'll have to do something we don't want to, lawsuits, (Indiscernible), I don't want elk tags anymore; I want depredation tags. There are just so many things working against us. (Indiscernible) credibility with the committee up there is gone along with the Forest Service. The roads were closed to any depredation. I had people that I gave tags to and (Indiscernible) citations when they tried to travel on to the Forest road next to our ranch. It was given by one of your officers. And (Indiscernible) from Artesia, he was (Indiscernible) his daughter's first hunt, they couldn't even get in the forest, the park [phonetic] at Echo Amphitheater and tried to figure out where to hunt. He called me and asked if he could be on the private land and that's why I allowed him to come (Indiscernible) on the ranch because he was so upset and his daughter, they couldn't even find a place to get around to the forest, it seems there's no communication between the Forest and the Game Department about the population, about what's happening as far as the range resources are concerned, or about (Indiscernible) the concern for the people (Indiscernible). So, I wanted to bring this to your attention. I am sorry I am taking time more than the 2 minutes but this, I hope that you have a meeting up there for the community. There will be some key people because if you throw it open to the public I'm not sure what's going to happen. You should have seen that Forest Service meeting, 150 people talking about the wilderness issues and they got off on the other things, elk, closed roads, no allowed woodcutting, (Indiscernible) closed. Wildlife (Indiscernible) are very, very upset. They physically accosted, or attempted to, the Forest supervisor. It was ugly. We are just not being listened to any more. (Indiscernible). And this is something central to the community and the people up there. So hopefully something happens. We are trying to work together with you but it's not going anywhere. Thank you.

CHAIRMAN KIENZLE: Thank you. Mr. Klukkert.

JIM KLUKKERT: Hello, again. Mr. Chairman, Commissioners, and Director Sandoval. I spoke last at the Albuquerque meeting and I spoke at that point to say (Indiscernible) the spirit of compromise, reaching out with Ladder Ranch, transfer wolf project to move on. Came down here from North of Santa Fe today to just observe and what I'm seeing is that the Commission is taking its time, doing due diligence, looking into things, and really taking measured decisions and (Indiscernible) environmental committee very much appreciate that. We look forward to being able to input particularly on the SWAP, and we are heartened to see this. We want to put some positive energy in this. I know it's a very long day. I broke for lunch; you guys didn't. There's some good food in Las Cruces (Indiscernible). Thank you very much.

CHAIRMAN KIENZLE: Thank you. And that's my fault that we're still here. Michael Dax.

MICHAEL DAX: Hi, I'm Michael Dax. I represent Defenders of Wildlife. First I'd also like to apologize for our lunch break and I'd to submit a comment related to the SWAP that I didn't get to before. First I would to just express support for the SWAP and how necessary SWAP is for receiving money to serve non-game species. And I really appreciate you guys, (Indiscernible) Director to the Department, and being willing to work with the Department and I would just like to urge you also, make sure that everyone is aware of the timelines necessary to receive that money. It seems like maybe last year we ran out of time, and I just want to make sure that we do have time so that everyone's needs are met. And, I've spoken with Jim Comins and I just wanted to reiterate that we understand the need to pare down the species of greatest conservation need, but wanted to make an appeal for a couple of other species that weren't listed, one of which is beaver. I know the Department wants to have a focus on paring habitats and especially at higher elevations. Beavers are such a necessary ecosystem engineer for fish and other riparian species. I think that's a really good one to include. And I'd also, some other species that you may want to

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take a look at would be minks and wolverine whose presence is not necessarily known, (Indiscernible) in the northern part of the state. And there can be some opportunities there to do some monitoring and research that could contribute to restoration of those species throughout the Rocky Mountains.

CHAIRMAN KIENZLE: Thank you. Kevin Bixby.

KEVIN BIXBY: Mr. Chairman, Commissioners, Director Sandoval, my name is Kevin Bixby. I am director of the Southwest Environmental Center. And I apologize also for not being here when my name was called for the SWAP. We definitely underestimated the efficiency with which it would make it through the agenda.

CHAIRMAN KIENZLE: We're efficient.

KEVIN BIXBY: I do want to add my support for the SWAP. I think this is one of the most important things of many that the Department does and it is of interest to non-hunters and hunters alike. I want to thank the Department, the Director, Jim Comins and Chuck Hayes for responding to our invitation for the Department to give a presentation last night at the Southwest (Indiscernible) about the SWAP, background and where it's at. So, appreciate that. I understand that the list of species of greatest conservation need has been reduced from 450 or so down to 200-something, and I haven't taken a look at the revised list yet carefully but I do have a concern that the reduction may not be entirely based on biology but on the perceived need to make a shorter list. And I just want to remind the Commission and Department that New Mexico deserves a very long list of species of greatest conservation need. It is warranted because New Mexico has so many species compared to the other states. We are second in the number of bird species within our borders for all states. We are third in the number of reptiles, and third in

number of mammal species. So we are a very biodiverse state and it makes sense that we would have a long list. I also want to urge the Fish and Wildlife Department to try and get a completed plan done as soon as possible and we look forward to working with the Department on that.

Thanks.

CHAIRMAN KIENZLE: Thank you. Any comments or questions from the Commissioners on anything? Can I get a motion to adjourn?

COMMISSIONER MONTOYA: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

In Re:

Game Commission Hearing

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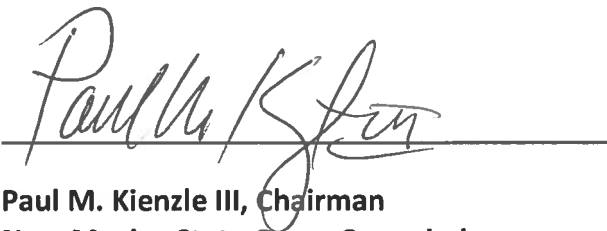
APPROVAL OF MEETING MINUTES
NEW MEXICO STATE GAME COMMISSION
NEW MEXICO STATE GAME COMMISSION
New Mexico Farm and Ranch
Heritage Museum
4110 Dripping Springs Rd.
Las Cruces, NM 88011
Thursday, April 14, 2016
9:00 a.m. – 5:00 p.m.



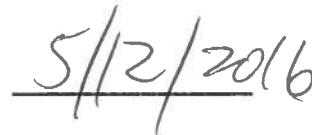
Alexandra Sandoval, Director and Secretary



Date



Paul M. Kienzle III, Chairman
New Mexico State Game Commission



Date

AS/scd