

**MEETING MINUTES**

**NEW MEXICO STATE GAME COMMISSION**

**August 24, 2017**

**Marriott Pyramid North, Taos Room**

**5151 San Francisco Road NE**

**Albuquerque, New Mexico**

Thursday,  
9:00 a.m. – 5:00 p.m.

MEMBERS PRESENT:      Chairman Paul Kienzle  
  
                                 Vice Chairman Bill Montoya  
  
                                 Game Commissioner Robert Espinoza  
  
                                 Game Commissioner Ralph Ramos  
  
                                 Game Commissioner Bob Ricklefs  
  
                                 Game Commissioner Elizabeth Ryan  
  
                                 Game Commissioner Thomas Salopek

MEMBERS ABSENT:      None

CHAIRMAN KIENZLE: Call us to order. Good morning. Roll call.

DIRECTOR SANDOVAL: Commissioner Espinoza.

COMMISSIONER ESPINOZA: Present.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Present.

DIRECTOR SANDOVAL: Commissioner Ryan?

COMMISSIONER RYAN: Here, present.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Present.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: Here.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Present.

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

CHAIRMAN KIENZLE: All right. Ralph, Pledge of Allegiance.

[Pledge of Allegiance is recited]

CHAIRMAN KIENZLE: Can I get a motion to approve the Agenda?

COMMISSIONER SALOPEK: So moved.

VICE CHAIRMAN MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. All right, introduction of guests. So we're going to go around the room and if you just tell us your name and whatever group you may be with, that would be great. Donald, you want to go first?

GUEST SPEAKER: Good morning Commissioners, Chairman, Director Sandoval, my name is Donald (Indiscernible). I'm the Deputy Director for the Department of (Indiscernible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners, members of the public. My name is Jim Cummins, (Indiscernible) Department of Game and Fish.

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners. I'm Lance Cherry. I'm the Chief of Information and Education for the New Mexico Department of Game and Fish.

GUEST SPEAKER: Mr. Chairman, Commissioners, members of the audience. I'm Chris Chadwick (Indiscernible).

GUEST SPEAKER: Good morning everybody. I'm Ollie [Phonetic] Reed, a reporter with the Albuquerque Journal.

GUEST SPEAKER: Good morning. I'm Robert Griego. I'm the Colonel of Field Operations.

GUEST SPEAKER: My name is Walt Burrow. I'm with the (Indiscernible) Association. I live in (Indiscernible) and I'm here to discuss aviation matters.

GUEST SPEAKER: Good morning. I'm (Indiscernible) Game and Fish.

GUEST SPEAKER: Good morning Chairman, Commissioners. My name is Paul Varela. I am the Chief of (Indiscernible).

GUEST SPEAKER: Good morning Chairman, Commissioners. My name's (Indiscernible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners, Director Sandoval, members of the public, (Indiscernible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners. I'm (Indiscernible).

GUEST SPEAKER: Good morning Chairman and Commissioners. My name is David Stenbahl [Phonetic]. I'm the Director of (Indiscernible) Field (Indiscernible).

GUEST SPEAKER: Good morning Chairman, Commissioners, members of the public. Stewart Lyle, Chief of Wildlife.

GUEST SPEAKER: (Indiscernible)

GUEST SPEAKER: Good morning Mr. Chairman, Commissioner, public. (Indiscernible).

GUEST SPEAKER: Good morning, I'm Mary Westerland [Phonetic]. I'm with Great Old Broads for Wilderness.

GUEST SPEAKER: (Indiscernible). I'm a member of the public.

GUEST SPEAKER: Good morning Chairmen, Members of the Commission. Nicole Quintana, Big Game Program Manager with the Department of Game and Fish.

GUEST SPEAKER: Good morning Commissioners, members of the public. Bryan (Indiscernible), A-PLUS Program Manager with the Department of Game and Fish.

GUEST SPEAKER: Good morning Chairman, Commissioners. Loren (Indiscernible) Biologist, United States Department of Game and Fish.

GUEST SPEAKER: Good morning Chairman, Commissioners, members of the public. I'm Bill (Indiscernible). I'm the Environmental Science Instructor at the Southwestern (Indiscernible).

GUEST SPEAKER: Good morning Chairman, Commissioners. I'm (Indiscernible) Williams. I'm an Instructor at the Southwestern Indian (Indiscernible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners. I'm Bob Osborn [Phonetic]. I'm the (Indiscernible).

GUEST SPEAKER: Chairman, Commissioners, I'm Michael Thomas. I'm the Deputy General Counsel of Game and Fish. I started in early July. Thanks for (Indiscernible-background noise).

GUEST SPEAKER: Good morning. I'm (Indiscernible), Department of Game and fish.

GUEST SPEAKER: Good morning everyone. I'm (Indiscernible). Just a concerned citizen.

GUEST SPEAKER: Leon Redman [Phonetic], Rocky Mountain Health Foundation.

GUEST SPEAKER: Good morning. I'm Steve (Indiscernible). I'm with the Operation Officers with Game and Fish.

GUEST SPEAKER: Good morning. Logan (Indiscernible) Vice President New Mexico Conservation Officers Association.

GUEST SPEAKER: Good morning, Shawn Carroll [Phonetic] President of the New Mexico Conservation Officers Association.

GUEST SPEAKER: Good morning Chairman, Commissioners. I'm Dave Khaki. Director of ranching in Philmont Cattle ranch (Indiscernible).

GUEST SPEAKER: Good morning. Susan Torres, New Mexico Wildlife federation.

GUEST SPEAKER: Good morning, (Indiscernible).

GUEST SPEAKER: (Indiscernible-background noise).

GUEST SPEAKER: Good morning Commissioners. (Indiscernible) of Wildlife.

GUEST SPEAKER: Good morning. I'm Judy Collin. I'm the (Indiscernible) Attorney with (Indiscernible).

GUEST SPEAKER: Good morning Commissioners. I'm Greg Sanchez. I'm Major the (Indiscernible) of Field Operations for the Department of Game and Fish.

GUEST SPEAKER: Good morning Commissioners. Jim Wells [Phonetic], interested party.

GUEST SPEAKER: Good morning Mr. Chairman, Members of the Commission and Alexa. I'm Karen (Indiscernible), the old broad that worked for the New Mexico (Indiscernible) and New Mexico Wolf Hoarders [Phonetic] in the New Mexico Federal Land.

GUEST SPEAKER: Good morning everyone. I'm Tom (Indiscernible), President elected for New Mexico Cattle Herders Association.

GUEST SPEAKER: Good morning, (Indiscernible), General Counsel for Catron County.

GUEST SPEAKER: Good morning Chairman (Indiscernible), Catron County Commissioner.

GUEST SPEAKER: Good morning Mr. Chairman, Members of the Commission. My name is Terry Anderson, (Indiscernible-audio break).

GUEST SPEAKER: Good morning Mr. Chairman, Commission. I'm Matthew Gonzales. I'm the Director of (Indiscernible) New Mexico Farm and Livestock Bureau.

GUEST SPEAKER: John (Indiscernible) from Albuquerque.

GUEST SPEAKER: (Indiscernible).

GUEST SPEAKER: Chairman, Commissioners, Ted Cook, U.S. Fish and Wildlife Service.

GUEST SPEAKER: Good morning Chairman, Commissioners. My name is (Indiscernible) with U.S. Fish and Wildlife Service.

GUEST SPEAKER: Good morning Chairman and Commissioners. My name is Sherri (Indiscernible) for New Mexico Recovery (Indiscernible) Endangered Fish and Wildlife Services.

GUEST SPEAKER: Hi Mr. Chairman and Commissioners. I'm David March [Phonetic] in Albuquerque and I'm a simple (Indiscernible).

[Laughter]

GUEST SPEAKER: Good morning Chairman and Commissioners. John Graham [Phonetic], (Indiscernible) and Anglers.

GUEST SPEAKER: Good morning Mr. Chairman and Commissioners and Director Sandoval. I'm Brandon (Indiscernible) and I'm on the Board as New Mexico Chapter (Indiscernible).

CHAIRMAN KIENZLE: Welcome back, Brandon. We haven't seen you in a while.

BRANDON: Yes, the rumors of my death....

[Laughter]

CHAIRMAN KIENZLE: I heard it only an abduction but welcome back. It's nice to see you again.

BRANDON: Thank you.

GUEST SPEAKER: Good morning everybody. I'm Colin Duff, Southern Major for the Department of Game and Fish.

GUEST SPEAKER: (Indiscernible), Fisheries for Game and Fish.

CHAIRMAN KIENZLE: And I think that's it. Are you it, Mike? Okay. Caren Cowen. You're with the Cattle Growers. Okay. I think with that, that's just about everybody. Thank you. I appreciate the introductions. Oh, I'm sorry. We've got a few more over here on my right wing.

GUEST SPEAKER: My name is (Indiscernible). I'm the Executive Assistant to the Director.

GUEST SPEAKER: (Inaudible).

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners and members of the public. I'm Martin (Indiscernible-background noise).

CHAIRMAN KIENZLE: Thank you. Agenda Item Number 6: Approval of the Minutes of our June 22, 2017 Meeting in Mescalero, New Mexico. Can I get a motion to approve the minutes?

COMMISSIONER RYAN: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?



COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: Aye's have it. Moving on to new business. Agenda Item Number 7: Update on the United States Fish and Wildlife Service Wolf Recovery Plan. Mr. Lyle, good morning.

STEWART LYLE: Good morning. Mr. Chairman, Members of the Commission, as stated I'm here to update you all on the Wolf Recovery Plan that was released at the end of June. A little bit of background first though, the current recovery plan that is written for New Mexican Wolf was written in 1982. In that plan there's really no D-listing criteria, no criteria that the service would deem the species once made in those criteria could be D-listed. It also didn't have a population goal in that plan which was a big issue with the 82 Plan. The thing with the 82 Plan was before wolves were actually on the ground, all wolves at the time in 1982 were in captivity so there was no, no real bigger future goal at that time. Basically, what the plan said of the 1982 Plan was to conserve and ensure their survival of (Indiscernible) or New Mexican Wolf by maintaining a captive breeding program and creating a self-sustained population of at least 100 wolves in the high and to middle elevations of Mexican Wolf Historic Habitat. There's been three previous and failed attempts to update the recovery plan since 1982. The first being in 1995. that plan was put on hold as the Fish and Wildlife Service developed the need to document so that UIS to put wolves on the ground in the United states, that that document basically established the Blue Range Wolf Recovery Area in New Mexico and Arizona. That's where the wolves were first introduced. So the plan was put on hold at the time that 2003 over re-initiation of putting the plan or updating the 82 Plan but that failed. The reason for that is, in 2003 the service was going to put a plan forth that called for a distinct population of the southwest segment of the Mexican Wolf. That was litigated in court and the service lost and basically at that time they stopped the

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planning revisions. In 2002 the service then attempted to revise the Mexican Wolf Plan again. They made it pretty far but then they stopped as they revised the 10J Rules or the rules that allowed for the current experimental population in the United States and then the most current attempt was initiated in December of 2015 through a series of workshops that was held between the fish and Wildlife Service and stakeholders, including state agencies, the Mexican Government and scientists that sat on the previous recovery planning process. There's a total of six workshops held over the course of almost two years starting like I said, in December of 15. There was litigation basically in the settlement but the fish and Wildlife Service had said the service must come with a final recovery plan by the end of November of this year. In June 29<sup>th</sup> the draft plan was released for public comment and what we'll have in front of you is basically the main tenants of that plan and what the plan does or does not say. One of the largest efforts and one of the largest things that was done was to analyze one (Indiscernible) historic range and reaffirm what a historic range is. The service reaffirmed that their position on the historic range basically is what Parson's 1996 described that is the Sky Islands or Southwest New Mexico, Southeast Arizona and there's two 100 miles off the Sky Islands that includes the Mogollon Mountains. So basically, it bound to the south by I-40. So all that area, I-410 south is what they're considering historic range for the Mexican Wolf. So the biggest thing was to then go forth and look at, is historic range where suitable habitats within the historic range of the Mexican Wolf and what you see in front of you is an analysis by Martinez (Indiscernible). They're out of the University of Mexico but the main university there, they analyzed what habitat was suitable within historic range of the Mexican Wolf and what you'll see there, the darker the area, the more suitable the habitat is fading out to that purple color which is a little bit less suitable. They took into a lot of considerations when doing this including current human

population, current roads and where the best habitat exists. What you'll see is there's one large section in the U. S. of potential habitat and this is where it is right there and the current Blue Range Wolf Recovery Area and then really two patches, maybe one contiguous patch in Mexico but two, one being in Senora Chihuahua and here where wolves are currently on the ground in Mexico and the second extending down into the state of Durango as the next potential historic range where suitable habitat within historic range. So the biggest thing out of this result is to show that there is still suitable habitat to recover the Mexican Wolf within the historic range of the subspecies. The next part of the planning information was really to look at a model that would say what's the probability of existence of the species on the landscape or what's the population size is that we need to ensure a low probability of extinction of the species and how many populations and where those should be. So what the biggest difference between the 2010 plan and this plan is, is they updated the science or the parameters that went into the modeling effort to get out what the number of wolves that needed to be on the current ground to recover them more, what the number of populations need to be recovered except unlike the biggest attempt in 2002, the majority of the data in the 2010, excuse me, 2010 attempt was surrogate data. It didn't come from the Mexican Wolf populations. It came from populations in the Northern Rockies or populations in the Northern Great Lakes. This modeling attempt that was just completed for this recovery plan used data from the Mexican Wolf population so it was more robust. It was more accurate to portray what's going to probably happen with the Mexican Wolf population rather than using surrogate data. Basically, what the extinction of those probabilities would be by different sizes of populations and to determine numbers that they thought would be appropriate for recovery. Another big endeavor that was done during this recovery planning process was looking at the inbreeding effects. So there's been a lot of discussion about the

genetic effects of the Mexican Wolf. It was started from seven (Indiscernible). There's a lot of discussion about what is or is not going on in the ground in terms of inbreeding (Indiscernible). There was an analysis done in 2007 that basically shows there was pretty strong inbreeding effects on litter size. So the number of puppies that were produced or counted on the ground in the population. What this analysis is, is basically an update of the exact same analysis that was done in 2007 that basically doubled the number of wolf packs or the number of litters born and also update the data another ten years and it showed there was no significant impacts of inbreeding depression on the litter sizes in the wild. So basically, there was no current impact of genetic depression on the wild population, no significant ones. We maybe found a little bit of inbreeding impact on the probably of producing litter but not strong enough to where they saw big demographic issue that was threatening the current population. Based off the data that was from the habitat analysis and from the update of the vortex analysis or the population modeling analysis, the service was able to come up with the recovery criteria that they felt would be necessary to recover the wolf and ultimately D-list the species from the Endangered Species List. There's really two main criteria. The first being a population and a genetic criteria. The population criteria states that that the United States has to maintain 320 wolves over eight consecutive years. Basically, I mean abundance above that for eight years. The eight years is two generation times. A wolf generation is approximately four years and its saying two generations. Also the genetic criteria, probably a precautionary criteria. Again, like we said, we didn't see a big demographic with that to genetics right now at the time but its a precautionary statement saying, look, we know that the highly related inbreeding of packs may affect them in the future so this is more of a precautionary, try to (Indiscernible) and we'll see 22 wolves within the United States in the population of the U.S. both between Arizona and New Mexico. 22 wolves

survived into age two. It doesn't specify the age of which wolves need to be released or if it's a pack or individuals but basically 22 wolves survived to age two and more have the wild population represent the genetic demographics of the captive population. In Mexico, the second population is in Mexico and in the Northern Sierra Modras. Basically saying it has to have a mean or an average population size of 170 wolves or greater over eight consecutive years and releases have to be 37 compared to 22 in the U.S. and that's partially because the Mexican population right now is very small. It's about 30 animals in the wild currently, maybe a little bit more with this years, the pup production, but that was the 37 to get that population in Mexico to represent the genetic capabilities of the captive population as well. On the second recovery criteria's is basically once we meet those population and genetic goals, the service would enter into a regulations in place by the state entity or tribal entities that say that we will have regulations that were basically put on place where we'll have that population, that viable population of approximately 320 wolves maintained post D-listing in the U.S. That's again, split between Arizona and New Mexico. So the biggest thing from this plan compared to the previous plan is it objective and measurable goals and so there's actual criteria in there when (Indiscernible) D-Listing of the Mexican Gray Wolf unlike the previous plan or the plan that we're currently under that did not have objective or measurable goals, that that would then set forth the path I guess for recovery. This last sets forth the path of recovery. the biggest tool is it basically has site specific and shows that there will be two populations, one in the United States , the other being in Mexico and that will constitute recovery of the species and it also will provide estimates of the time and cost. The service has a timeline of approximately 25 years if we can see current growth rates of the population like we're seeing right now in the Blue Range, I think that could be a much shorter time period than what the service estimates. I think what we're seeing at

ten or 10% or greater growth than the recent history. If that continues, again we have the potential to maybe reach recovery goals sooner than later under the current growth. Another big thing with this plan I would say is the cooperation and the involvement of the Mexican Government in this plan and Mexican scientists in this plan to help develop it. Both agencies are (Indiscernible) had the big influence and the big role to play in developing this plan including the scientists with on the ground knowledge in Mexico that knew the habitats, knew the prey base. New Mexican Wolves coherently function in Mexico were a part of this plan. We had two meetings in Mexico to describe the aspects of the plan so they were heavily involved in this. So I guess with that I would take any questions.

CHAIRMAN KIENZLE: Don't go anywhere. Why don't Commissioners ask some questions first and then we'll have comments from Commissioners that aren't necessarily questions and then we'll sort it out where to go from there. So who wants to go first?

VICE CHAIRMAN MONTOYA: I'll jump in.

CHAIRMAN KIENZLE: All right, Mr. Bill.

VICE CHAIRMAN MONTOYA: Stewart, the numbers that we've got is 320 U.S. and 170 Mexico and when we reach that, would you emphasize again what we're going to do at that point when those numbers are reached, if ever?

STEWART LYLE: Mr. Chairman, Commissioner Montoya so the recovery goal is 320 wolves in the U. S., an average of 320 over a course of eight years, two generations. So once that is reached and the genetic criteria is reached, we would petition into a D-listing. We would propose a D- listing situation is for the Mexican Wolf. The service then would analyze if the population

has met those recovery criteria. Has met that, we would ask for D-listing at that time and ask for basically return of the Mexican Wolf into state management control.

VICE CHAIRMAN MONTTOYA: And initially when we started this I was pretty strongly in favor of staying where we were some five years ago when we started this until we got a recovery plan that was current and until we had input on that plan and also some numbers in the plan that says what are we going to do when we reach those numbers if we do? And I think what you're giving us now, those three criteria that I had have pretty much been reached and I'm happy to see that. I have reservations on a lot of things but I think overall those questions that I had at that time and those reservations. In the plan that we had before us now, pretty close, we're there. Thank you, Mr. Chairman.

CHAIRMAN KIENZLE: It may not be your last question.

VICE CHAIRMAN MONTTOYA: No.

CHAIRMAN KIENZLE: But at least it's an opening one. Who wants to go next?

COMMISSIONER RYAN: Hey Stewart, good morning. I have quite a few. First, what is going to be, I understand the department is going to be making comment to the plan, to U.S. Fish and Wildlife. What is the department's comment going to include?

CHAIRMAN KIENZLE: And more broadly, where does this plan fit within our wildlife, the department's wildlife management strategies?

STEWART LYLE: Mr. Chairman, Commissioner Ryan I think the department's biggest comment is, is this plan was developed using probably the best available science, most current available science to get at numbers. To get at a look at where habitat is and where the historic

range of the Mexican Wolf is. I think that's number one is, is the service did look at historic range and reaffirm historic range is in basically the southwestern part of New Mexico, is in mainly Mexico and so that's one of our big comments is, is yes, we agree, concur that the historic range of New Mexican Wolf lies basically in the Sky Islands of New Mexico, the core of the range with it probably extends maybe up to 200 miles to account for some disperse of Mexican Wolves. So maybe no further than the (Indiscernible) Mountains or south of I-40. The second thing is, recovery in historic range. What we're going to say is, is appropriate and necessary and not to recover the subspecies outside of historic range and then following that and to the use of how their numbers in the U.S. fit into our management scenario. We've looked at the, well what could be a surrogate to what we can determine impacts or potential impacts to prey populations could be the wolf to elk ratio. Really, the number of wolves per 1,000 elk is a surrogate where we can look at are we going to see significant impacts to elk populations, prey populations and I keep referring back to elk because that's about 90% of the diet currently of the Mexican Wolf. Deer is a much smaller portion so I keep referring back to elk because that's probably what it's going to eat. This recovery goal of 320 animals across the landscape between Arizona and New Mexico mainly focused on the Gila area and extending a little bit northward toward the (Indiscernible) maybe. A little bit of San Mateo's [Phonetic] would put it the best elk ratio probably between three to four wolves per 1,000 elk. That, if you look at the data from the Northern Rocky Mountains, they start seeing impacts on elk from wolves at about five to six. Maybe even a little bit lower at four and some but so our best perspective from this is it's not going to have significant impacts to our elk populations or hunting and so from our management scheme from a hunting perspective, we do not see this as having significant impacts at the 320 is the biggest from that,. I guess if there's a further, does that kind of answer your—



CHAIRMAN KIENZLE: There will be. So just don't go anywhere.

COMMISSIONER RYAN: And so is there anything that the department is asking you as Fish and Wildlife to reconsider or change in the current plan?

STEWART LYLE: Mr. Chairman, Commissioner Ryan I think there's two, one minor thing. One thing in the second recovery criteria, it states must maintain a viable population post D-listing. We interpret viable population to be 320 wolves because that's a recovery criteria. I think we would like something that specifies it strictly that says this is what we consider a viable population, 320 wolves is a viable. It's not an open-ended what is a viable population? I think that's one of the things and then the second issue is, is because the species is being ruled by National Recovery, it's being in recovery both by the U.S. and by Mexico, is when the U.S. reach its recovery criteria and Mexico is maybe a little bit behind the U.S. We would like to see the U.S. population be able to be D-listed because the service will enter into an agreement with the states to ensure that we maintain a viable population. By (Indiscernible) to keep population listed in the United States, it will have nothing; it will have no (Indiscernible) conservation effect to the population. They'll still maintain the 320. The genetic criteria will be met. There will be no protections necessary for that population in the U.S. as Mexico is trying to reach their 170. So that's one of the biggest things I think we'll ask for from the services saying, as we meet that population goal, as you enter into an agreement with the United States that says you'll maintain that viable population and okay and they'll say viable is 320, we should be able to D-list the U.S. population at that time.

COMMISSIONER RYAN: So you're wanting more of the definition of viability inserted into the plan?

STEWART LYLE: Mr. Chairman, Commissioner Ryan that would be correct.

COMMISSIONER RYAN: Okay, so you brought up my next point which is my concern with regard to the fate of the U.S. recovery plan of the wolf tied to the fate of Mexico and you know, there are, I feel more comfortable in the fact that the wolves will at some point reach recovery in the United States. I am not as confident about recovery in Mexico. I mean, I think everybody hopes that Mexico is successful and reaches those numbers soon but I think the you know, we just have a lot of concern about the political climate and money that it's going to take for Mexico to get to 170. So let's, my first comment is, I'm concerned that as you stated, let's say we, the United States reaches the 320 number over the eight year period. It seeks to D-list the wolf but let's say Mexico isn't there. Can there be and I guess that's my comment that I'm considering it you know, is there a way that the U.S. can move forward if something falls apart in Mexico? That's one of, one of my concerns. So in that discussion of Mexico, let's talk money because it's going to take money to recover the wolf in the United States. It's going to take money to recover the wolf in Mexico. So you can, can you discuss what that's going to require and how much funding from the United States is actually be going straight to Mexico to recover this wolf?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, so I'll take that in a couple of parts. First, in terms of Mexico. So Mexico's in the current infancy stage of recovery. They just started a few years ago. I would like to point to you the analysis that was done by (Indiscernible) that showed suitable habitat and the actual acres of suitable habitat. The U.S. basically had 45,000 square kilometers of suitable habitat in the core, in that blue range. Mexico's suitable habitat predicted is 55,000 square kilometers. So Mexico might actually have more suitable habitat than the U.S. for Mexican Wolf even though that it's historical but it's still showing they probably have more suitable habitat than the U.S. so the potential exists that Mexico actually could reach

recovery faster because there's more suitable habitat within there. If that's the case or not, working with the Mexican Government and discussing within the main lead agency in charge of Mexico is coming up, the Commission in Protected Areas. They're plan is to release one more family group this fall and another family group next spring. So they're planning on doing a lot of releases to really ramp it up. Mexico's had live births of litters since basically the first ones were put on. We hope to see a continued growth. So Mexico's growth rates are at or better than the U.S. right now. So New Mexico might naturally have a lot of increase by its own. In terms of the money to recover Mexican Wolf. If you look in the table, so one of the requirements of the recovery plan is basically the time and the amount of money it will take to recover the species. In Mexico, the service is predicting about 10% of the money required to recover the Mexican Gray Wolf compared to the U.S. I think that's another comment that the department does have, is the service needs to look a little bit more on recovery in Mexico and helping out Mexico more to get the species recovered and including the financial contribution to the state or Country of Mexico to help speed recovery, especially in the infancy stage faster. What it's going to take on an individual level. Mexico runs the Mexican Wolf Recovery Plan off of about \$120,000 a year right now. I don't know what the service is but it's much larger. It's in the millions of dollars right now and so Mexico's been able to put 30 wolves on the ground at \$120,000 a year much faster that we are. So it may be cheaper I guess. That's my point, to recover Mexican Wolves in Mexico. There is efforts and discussions to assist in recovery down there because the faster they get to recovery, the faster we get to recovery, the faster it gets into state management control and so the goal would be to help support Mexico as much as possible, both financially and anyways others that we can help to assist in recovery and a quicker timeframe down in Mexico. My fear is

not there isn't room. There isn't suitable habitat. There is a little bit of a fear is how is the support from the U.S. going to come into Mexico to help recover the—

COMMISSIONER RYAN: Yeah, I mean, how does that work? I mean does someone carry a briefcase of cash or cross the border and hand it across to Mexican Agencies? I mean, first, can U.S. Fish and Wildlife give money to Mexico and can the state agencies give money to Mexico?

STEWART LYLE: Mr. Chairman, Commissioner Ryan yes. The state agencies can provide financial assistance if need be to Mexico to help recover or expertise. That's maybe one thing that's lacking a little bit to our staff and so can and the U.S. Fish and Wildlife Service has opportunities available and they provide some but not a lot of money in financial assistance to help recover in the Mexican Wolf. U.S. Fish and Wildlife Service historically has paid a lot for other species throughout the world, including elephants, including rhinos and so Mexican Wolf is no exception that money on recovery can be spent in Mexico and that's, will be a strong comment from the department that says the U.S. Fish and Wildlife Service should help support Mexican Wolf Recovery in Mexico.

COMMISSIONER RYAN: Okay. So what are the current numbers? Do we know what the numbers are in Mexico right now? Isch- approximately?

STEWART LYLE: Mr. Chairman, Commissioner Ryan before this year's breeding season before they welt their puppies, it was approximately 28 adults in the population. I, that's correct, 28. They did have at least one breeding pair and potentially two breeding pairs coming into this breeding season in Mexico. I don't know if both of them bred welt pups and sometimes their litters can be as large as six, seven wolves. So it can be pretty significant. I do know that they had a lot more pairings this year so coming into next breeding season, I think they're looking at

three to four, I think three for sure pairs of the animals. So Mexico has the potential to really start growing fast pretty soon. The U.S. (Indiscernible) population was I believe 114 this year.

COMMISSIONER RYAN: Okay. Let's talk genetics. So in prior jobs of the recovery plan, you know I felt like it you know, meeting the genetic criteria was a bit of a moving goal post and could you go into more detail? You discussed that, the current criteria is that there are 22 wolves, additional wolves released into the United States range and that they survived to breeding age which your saying is about two years old. So that seems like something that's pretty achievable pretty quickly. I mean is that the new criteria? Are we testing DNA for genetic diversity? I mean, how is this?

STEWART LYLE: So Mr. Chairman, Commissioner Ryan that is the criteria. The criteria is that 22 wolves survived to breeding age in the U.S., 22 wolves released from the captive population.

COMMISSIONER RYAN: Additional?

STEWART LYLE: Additional from the current state right now. An additional is a, let me back up. Its 22 wolves surviving the breeding age from January 1, 2016. So any releases that have already occurred since January 1, 2016 onward will count towards that that survived to age two. The reason for it is basically trying to get, the modeling effort showed that if we could get 22 wolves surviving to age two, the wild population will approximate the genetics of the captive populations. The reason why they're trying to approximate the genetics of the captive population is the captive is all the genetic diversity left in the world for Mexican Wolves and so it's the potential that exists in the wild. So if we can release two, get them survived to the age two, then yes, we have met the genetic recovery. It's not a goal post that will move under this plan. It is the

22 and you were correct, it can be reached fairly quickly I think with it released. That 22 is spread across both, excuse me, New Mexico and Arizona.

COMMISSIONER RYAN: Okay. Well I appreciate U.S. Fish and Wildlife's work to try to identify some kind of benchmark for genetic diversity in that regard because you know, that's been the issue with Mexican Wolves and the discussion on both sides of the aisle is we started with what, seven and I mean that's the problem. So the issue with trying to reach some kind of genetic diversity benchmark was a major concern of mine and I appreciate the work to put together some kind of identifiable benchmark in that regard. I want to talk about how long you think it will take, let's talk about how long will it take, estimates on reaching genetic diversity and then how long do you estimate it will take to reach the 320 in the United States?

STEWART LYLE: Mr. Chairman, Commissioner Ryan I think on the genetic diversity it could be, it really, my opinion is that the best way for the service to reach the genetic criteria, the 22 is through cross-fostering of puppies. You're not releasing (Indiscernible) wolves into the population, habituated wolves from captivity in the population. You have the potential of inserting a lot of puppies potentially at one time into, into let's say, females that we know are pretty good at raising puppies. Are good at taking care of puppies. You have a way to alter the genetics faster I think through that rather than relying on a naïve wolf being released. The other thing you could do is, is there genetics on the ground that are not beneficial currently for the wild population that you can basically replace puppies in the dens. Taking really genetically prime puppies from captivity and replace them with genetically redundant puppies in the wild and so we could get to criteria pretty quick. I think the service really should focus on cross-fostering, both in New Mexico, Arizona in the near term to try to reach that goal and I think the goal could be reached very shortly if they do that and really concentrate on the number of packs that are

breeding and concentrate on where the best thing for the buck is. What females typically have high survival rates of their puppies each year and I think we can meet that goal quicker through that. The 320 is kind of another, it definitely is a guess but at 10% per year, I think we can reach it in 10 to 15, the absolute number of 320. Now the 320 has to be maintained over an average of eight years. Its two generations. The reason why that's in there is there's a potential for what they would consider catastrophic event. A catastrophic event being let's say, parvo come through and have a canine parvo or canine distemper come through and you basically lose all recruitment of all your puppies for one year. If something like comes through, which is not uncommon for a (Indiscernible) population, you may be set back for a couple years. So I think it can be reached in much shorter than the 25 to 35 years that the service is predicting. Is it 10? Is it 15? Is it 20? Is it somewhere in there? I can't say for sure but I don't think it will take the full 35, 25 years that's being predicted. One other aspect that can be done and I think can be a tool that will help is again like I said, releasing a naive wolves is not, it's shown to be unproductive. Very low survival rate of release of wolves, adults out of captivity. Mexico in their infancy of release right now, the best thing they could have is maybe release of wild experienced wolves and so the U.S. can serve as a surrogate population for Mexico and we can take wolves out of the wild into New Mexico, put them in New Mexico to help support and have faster growth of that population too. So that would affect recovery times as well.

COMMISSIONER RYAN: Thank you. I think one aspect of the recovery plan that I do appreciate is regarding a state's authority with regard to identifying timing and location of releases of wolves and I appreciate that recognition within the recovery plan. Can you discuss that specific section of (Indiscernible) recovery plan and the department's analysis of it?

STEWART LYLE: Mr. Chairman, Commissioner Ryan yes. In the recovery plan itself it states that the service will or the states will determine the timing, location and circumstances of releases of wolves into the wild within the respective states from a captive population. I agree with you, the state has the most knowledge of prey populations. of what prey populations might be affected by release locations of also working in cooperation with other state agencies that we have throughout the New Mexico Department of Agriculture. Where the base impacts can be had on a release of wolves can occur. I think the state is most suited for that. That has the most data and surrounding the circumstances that wolves might affect when their released. So that's what it states. We're asking for a little bit clarity, exactly how the service sees that, that moving forward because it was described exactly like you read and like we saw, just that statement. We see that as basically having a little bit of the driving force behind, you will put wolves in this pack or that pack or having it in some of those, kind of set scenarios. Again, we also think right now that cross-fostering is the best opportunity right now and it's not release of naive adult wolves and so that where it comes in where it comes to when, how, where and what kind of a thing as we see cross-fostering is the biggest genetic thing for the population at this time, not release of adult naive wolves that have less than 215% survival right now. So we will ask for clarity in our comment letter to see how the service exactly sees that playing out and what our role will be in that.

COMMISSIONER RYAN: Thank you for identifying that because that was my scenario I wanted to hypothetically give you is let's say, U.S. Fish and Wildlife ask for a permit to release eight adult wolves that the department feels have been too habituated. Can the state, I mean I guess that's the scenario. Can we say no, we don't want eight adult wolves, we want this cross-fostering of puppies and then we would approve a permit in that scenario versus another scenario



and you know, I guess that is an additional comment that I have is, you know what would the department commission, I'm talking collectively and in Arizona have the ability to tailor a permit or say to you as Fish and Wildlife, we don't want to release habituated wolves. We want you to focus on cross-fostering and come back to us with an amended permit application that would be approved by the department. So I mean I guess there's some, I have a big question mark on how that would actually work and number two, let's say all there is some impact to the (Indiscernible) population. You were discussing elk in a certain area and we have concern regarding that in a particular area and that's where U.S. Fish and Wildlife wants to release, can we say, no not here but here and just how that process would work. I don't, you know the hope is that we don't end back up in litigation and I'm sure you know there will be new commissions and different department personnel in U.S. Fish and Wildlife and in the states in the years to come. You know, who knows what the climate will be in 20 years but obviously resolving issues in the court system is not always ideal and so I'm looking for opportunity for states to help identify where and when and how and I appreciate that the recovery plan includes that discussion that my comment is some more information on how that would actually work without us ending up in court. I'm almost done. Is there anything in the plan where, let's say there is a harassing wolf that is a concern. Maybe it's out of the, it's above I-40 and it's being identified as causing some issues with livestock or the public or there's some kind of concern. Are there still measures in place to address that situation?

STEWART LYLE: Mr. Chairman, Commissioner Ryan the plan itself basically says what needs to happen in order for this species to no longer need the protections of the Endangered Species Act. There's a separate rule or rules that govern [Phonetic] in how the actual species is managed on the ground. That's the one that everyone refers to as the 10j Rule. The 10j Rule, the plan shall

guide or dictate what happens in the 10j Rule. The 10j Rule will discuss nuisance animals. They'll discuss boundary violations as you would state and that the current 10j Rule does state that. It basically states in the services 10(a)(1)(a) permit that their permit allowed to handle the animal sites when a wolf goes north of I-40, outside of the experimental range, that they must go get it and return it back to the south of I-40. Because this plan identified historic range to curve south of that I-40, south of (Indiscernible) Mountains, we don't see that being a need to change in the 10j Rules. The harassment aspects and those kind of aspects are in the 10j Rule that says an animal in the act of killing a livestock or example on private lands can be shot and so those I don't see changes to the 10j Rules. It's a totally different governing. The plan dictates how we would get it recovered. The rules say how do we manage that population individually on the ground and it'll be the services determination to see if they need to revise their 10j Rules based off their next plan. My personal view is, given that the current 10j Rules and given this plan that there would not necessarily be a need to revise the current 10j Rules.

COMMISSIONER RYAN: So practically speaking, unless a wolf is born in the wild, so a wild wolf, all the release wolves are tagged and monitored and U. S. Fish and Wildlife knows where they are at all times, right?

STEWART LYLE: Mr. Chairman, Commissioner Ryan you know again, for our purposes of a release, we would recommend release as a puppies, less than 10 day old puppies, 14 day old litter less puppies. We would and the service does basically microchip those puppies and so the state would encourage the service once that puppy reaches about this time, August, September, able to carry a radio collar. We would basically ask the service to start radio collaring those animals. The service maintains tries to maintain two GPS collars of approximately per pack so you could get that information on movements and boundary violations. As the populations grows, most

likely, yes. We'll have more and more wolves wandering north of i-40 and it'll be more of a concern to bring wolves back south of into the experimental population range.

COMMISSIONER RYAN: Okay. So is it true that the department is going to be making comment on this plan and if the Commission wants to make a separate comment is that possible or do our comments work hand-in-hand? How does that work?

STEWART LYLE: Mr. Chairman, I would defer to you on that one, I'm sorry.

CHAIRMAN KIENZLE: Such as the system is, the department is separate entity from the Commission. So I suppose there, we have the means as a matter of policy to prohibit the department from submitting a comment. I see and have heard nothing today that would suggest that's what we need to do but the Commission can also submit a comment on this plan and what is the deadline, Stewart? Is it the 29<sup>th</sup>?

STEWART LYLE: That is correct.

CHAIRMAN KIENZLE: Okay.

COMMISSIONER RYAN: Of August?

CHAIRMAN KIENZLE: Yes.

COMMISSIONER RYAN: Okay.

CHAIRMAN KIENZLE: So I'm not sure what the answer to your question is except for that long winded explanation.

COMMISSIONER RYAN: I guess to say, can some of our comments and concerns be implemented and integrated into what the department is already commenting on or is that something that we need to do separately I guess is my question?

CHAIRMAN KIENZLE: So if we take action on this, what I would propose and I've made arrangements to do it if we do vote on this today, is to have a transcript made of this hearing. That transcript would get attached to our public comment and then get submitted in that fashion. So everything expressed by the department, expressed by the Commission would become part of a public record on this and so the comments, reservations, concerns, those things that we've got, that does get to the service through that public comment and so it would become part of the record.

COMMISSIONER RYAN: Okay. Thank you. That answers my question and I'll let other Commissioners chime in now.

COMMISSIONER SALOPEK: That was more longwinded than I am. Thank you, Stewart. There are a few of us who have been here a little bit longer. It's pretty interesting what you have. We've always (indiscernible) with recovery plan, we got it and everything. I'm going to talk more probably with Bill. I thank you Beth for your comments. We're talking to you and we talked with Sheri, Fish and Wildlife you know. I've always the number 250. 250 that's at least on our side. Call it the dark side and I feel 320 I think is livable. I guess my concern is, you know we've been talking about worrying about the elk. The animals that be for conservation all have to sustain the way I see it sitting on this board but what about the ranchers, land owners? Is there not compensation, a true compensation for a take by a wolf or is that down the road? Where does that come into play of or is it no play at all? We're just going to worry about that later?

STEWART LYLE: Mr. Chairman, Commissioner Salopek some of the recovery plan, it discusses some of the social impacts of it and part of it discusses in that range, a 300, 3220 to 380 wolves. The service realizes there's going to be a social intolerance at some point from too many wolves on the landscape. That's going to have impacts. It doesn't discuss per say, compensation exactly in the plan. There are compensation measures in place and I don't know them very well, I'll be honest about it. I think that's something that could be further developed and I think that's where maybe money and efforts of the service could be focused more as this population becomes, it's a wild born population now. It's a self-sustained population that's starting to kind of to work on and operate on its own. The populations in terms of a demographic, in terms of growth, would not need another re-release from the captive population. The only reason we're releasing is genetics and so maybe the service focuses away from on the ground management of individual wolves into more of a proactive approaches with land owners and operators on the landscape with the funding that they currently have. Again, this program is a costly program in the U.S. Can some of those efforts be further directed towards compensation? Can they be directed towards the land owners that are dealing with the Mexican Wolf on the ground? I think the service should really take a look into that because social tolerance is going to be necessary to recover this population no matter what and that's going to be maybe the biggest goal and hurdle the service will have.

COMMISSIONER SALOPEK: Well if you look at the, you know, (Indiscernible) with the wolves that we have today. You know, it doesn't take a rocket scientist to figure that out. (Indiscernible) and I can't see the true compensation of it because what I know has not been and when you have families out there that have been centuries whether they're ranching or you know it impacts them. I think a true compensation would help to get us closer to where we could all

live with it and a lot better than we did today because I know it's a big divide as far as what's happening on the ground. That's just my opinion.

CHAIRMAN KIENZLE: Director, have at it.

COMMISSIONER RAMOS: Chief Lyle, I'm just going to start with the end in mind and first of all, just looking at our overall elk population, looking at the Great or Gila only in New Mexico, we're looking at possibly 18,000 elk. Okay, at 320 wolves between Arizona and New Mexico, you multiply that times 2.3 elk per month, equals 736 times 12 months. That's the 8832 on an average and that's not including other wildlife that's impacted so that could be a little lower. It could be a little higher depending on the year and that is my concern. No, we're not at 320. I do appreciate and respect better measurable goals. I remember originally we started hearing 600 to 900 wolves only in New Mexico when Mexico wasn't even in the forefront of this plan. So this makes me feel a little bit better but I still have some concerns with even the expansion of the historic range even going east of Interstate 25 into the Lincoln. You know if we're using basically, the Greater Gila population of elk which is not even the historic prey to try to recover these wolves, you know, why are we expanding into the eastern part of the State? Why can't we just, you know, possibly make a recommendation? You know even going outside of the Gila, even close to south of 40 is I think too big. I know you mentioned 200 buffer zone but I think the east of I-25 is totally unrealistic. Especially when you're trying to work with a population in this area. So I'd definitely like to see a recommendation there and you know and starting with the end in mind again where the 320 which we're not there yet, you know but when we are, at 8800 elk per year with 18,000 elk, you know you're looking at our elk herd you know, three, four year, five year survival and we're done with that and to me, I know Commissioner Salopek brought up the compensation for cattle. My concern is where's the state compensation for the loss of wildlife

that we're, that's coming from these woods as well? We look at other states such as Idaho and what it's done and it's devastated their sportsmen hunting opportunity and you know, it's pretty much depleted those opportunities in Montana and Idaho and I don't want you know, that to happen here in New Mexico. So you know where is the compensation for the elk and other wildlife in New Mexico?

STEWART LILEY: Mr. Chairman, Commissioner Ramos, a couple of things. One thing to point out is the 320 is spread across New Mexico, Arizona. And so, it includes both White Mountain, Apache tribe. It includes, Arizona's elk population includes, so it's much larger than the 18 thousand elk that you mentioned there. That said, in the current 10(j) Rule, unlike in the Northern Rockies 10j Rule, there is a provision that states that states can petition the Service for unacceptable impacts to ungulates. That was a big thing that the state both of New Mexico and Arizona worked on during the revisions of the 10(j) rule that said that needs to be in the 10(j) rule. In the managing population, how you manage that population on the ground, if we see unacceptable impacts that are unsustainable to our population, we need to be able to do something. In that rule, it states the state can basically show an unacceptable impact, petition the Service to either remove those, put them in captivity, (indiscernible) or move them to Mexico. And so that provision's there regardless of what the population size is. The state will have to determine or demonstrate an unacceptable impact but we will and so one of the big things the States of New Mexico and Arizona are doing right now is looking at how do we devise a monitoring program, basically of our elk population, a large-scale monitoring program, not something that is area surveys but probably a pretty long-term, monitor this population through both survival. Both survival and commission is going to be key through both calves and adults. And so we are in the development of that because—you are right—if we see this big impact, we

don't want to get too far down the road to where we can't return. It's not going to be good for the wolf if they overeat their prey population. It's not going to be good for us by not having any prey left to basically support what we do as an agency. And so, yes, we will be monitoring that and we will, if we see an unacceptable impact, we will petition the Service for removal of wolves.

COMMISSIONER #1: Stewart, Chief Liley, one other question is, not only are we looking at wolves here—and I understand it's a crystal ball that we're hoping to get to a certain goal and all that—but currently in place here in New Mexico we really need to, and I hope that we continue to, really almost micromanage the predators (indiscernible) with bears, lions and coyotes.

Because you throw another predator in the mix—and I hope that's really being considered and I hope that when we have data brought to us when we get to those species, we really look at, target, those needs. Because, you know, at 8800 again, if we get to that 320, and I understand it's New Mexico, Arizona. But these are valuable resources that impact, and people come from all over the world to these, this part of the country just to experience the bugling and the hunting opportunities that we provide, world-class opportunities.

COMMISSIONER #2: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Stewart, I have a couple things here, and I think everybody's touched on most everything I had. But, and I like what you said as far as monitoring because that was one of my biggest concerns is how do we keep ahead of the game versus, like you said, get to a point that we can't catch up, we could never recover. You know, I don't want to sacrifice a resource for the recovery of another. And I think you've answered that. Question I have is, as far as that goes, is there a mechanism in place regarding that section 10(j) that reimburses the



Department for all the—cause you've got to have a considerable additional cost, I'm presuming, based on what you're saying, that you're going to put some serious effort into that monitoring program. So that'll have some additional cost to the Department regarding that. Is there a mechanism in place to reimburse the Department or?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, at this time there is not. It would come out of both the Department's operating and our Pittman-Robinson funding that we use to match our state funding. So, no there is not currently in the 10(j) rule or the recovery plan, any mechanism where we would be receiving money to monitor those populations, additional money.

COMMISSIONER ESPINOZA: Is that a possibility?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, the only possibility that could come in force [phonetic] is from Section 6 of the Endangered Species Act. Section 6 of the Endangered Species Act says the states—the Service must cooperate to the full extent with the states on recovery actions, recovery efforts. And so we can maybe look through that potential to say, look. This is a recovery action by the Service. Section 6 says states you need to cooperate to the maximum practicable, is that cooperation also includes some funding that helps us to monitor these populations in concert because it's not only important for the state management of wildlife of that elk resource but it's also important for the Service for recovery of that species that's dependent upon that prey resource, that we manage that prey resource for, for not only sportsmen but we manage that prey resource to where we have a surplus to where we can take from sportsmen but also for the wolves to be able to sustain in that population. So it's important for not only, not only us. It's important for the Service, too. So we can look into that avenue as well.

COMMISSIONER ESPINOZA: If you would, please. Because I wouldn't want to foresee in the future that because of budgetary concerns that we don't do everything that we can to fulfill that need for that monitoring and then it's not—we would just not perform the necessary services simply because the Department doesn't have the money budgeted it for it. I think it's as important as any other program that we would have on the ground. And so, we all know how tight our budget is. So I would definitely want to have you look at that and possibly report back to us in the near future on the efforts of that. A couple of other things. Now, the—if you would go back to your recovery plan map if you would. I want to hit a little bit on what Commissioner Ramos said. East of I-40, I'm seeing the Lincoln in there. Is there currently, has the Service indicated that, releases in the Lincoln at the time?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, no they have not indicated that at this time.

COMMISSIONER ESPINOZA: Now then, going North where we're at, there's a couple of reservations in that area. Have they provided any input, the Zuni or the Yakamas?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, the Service works directly with the tribal agencies on recovery of an endangered species. They've had a lot of tribal meetings, both with tribes in New Mexico and Arizona. I am not aware of any tribes specifically in New Mexico requesting wolves or not requesting wolves. So the tribal entities do have that option of an opt out, if you will. If they don't want to have wolves, they have that option as a sovereign nation, to work with the U.S. Fish and Wildlife Service to opt out. I don't know at this time what any of the tribal entities in New Mexico have made, or if they have made, a formal position on that.

COMMISSIONER ESPINOZA: Okay. And, the comments that I have and you've addressed them already in your, it's going to go into your comment, Department's comments, is the cross fostering. I feel real strong about that, not releasing any adult wolves. So I really liked what you were saying, that that's part of your comment. Because we've all heard about the habituating of adult wolves and the danger to the public, et cetera. So cross fostering is one thing that I really feel strongly about as well. Now, quick [phonetic], you said, maybe re-iterate again, what you were saying regarding the genetic diversity. That's been a really hot topic within this. So that cross fostering, you're saying—if I heard it correctly—that would reach that particular segment of the recovery plan a lot faster. And so we could reach that within a couple or few years. Am I hearing that correctly?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, yes. So if you look at, right now, pup survival. If they get to basically this time of year, September, 3 months old, they have a 50 percent chance of surviving to adulthood. Right now, the adult releases that they find from the captive population, they have less than 25 percent surviving that the Service releases, huge mortality rates, unsuccessful. If the Service can perfect cross fostering and get the puppies to survive to this time of year, I think they have a high likelihood of them surviving, getting to the genetic recovery of 22 wolves surviving to age 2 much faster than keep putting on naïve wolves onto the landscape. And so, I do feel the Service should really monitor that one. It hasn't been monitored as much. I think that's a big effort from the Service to really look at those cross fostering efforts to see where the successes can be made. But I do think we can get there in a short time frame through cross fostering.

COMMISSIONER ESPINOZA: Last question I have for you personally, Stewart. You've been involved in this over the last several months, made trips to Mexico, et cetera, worked with the Service hand-in-hand to go through the process. How do you feel?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, I would say from where we were 2 to 3 years ago compared to where we are now, I think that the Service and Mexico, I think the biggest thing I saw was the cooperative effort and having Mexico really having a say in this and having Mexico come in and help develop the recovery of the Mexican Wolf. So I think that was a huge asset. I think it was the most up-to-date and recent science got put into this plan. I think it was not a 'let's just take the 2010 plan off the shelf and call it good'. I think it was a lot of effort by the Service, by the states, by the scientists involved on the planning process and by the country of Mexico to put forth what is the best plan. And I do believe we've come to that situation. I think we've gotten there and I think there is a lot of effort involved by a lot of different people, that both (indiscernible) on both, on the situation that came up with fairly robust plan.

COMMISSIONER ESPINOZA: So, for New Mexico, you're good with this, with a few recommendations that you're putting forth?

STEWART LILEY: Yes. Mr. Chairman, Commissioner Espinoza, if you're completely satisfied with anything and think it's the right thing, I think there's always going to be defenses and opinions and everything else and where it is. So there are some things that I would say is not satisfactory but overall I would say yes, I think it's a satisfactory plan for the State of New Mexico.

COMMISSIONER ESPINOSZA: Thank you, Stewart, especially for all your work you put into this.

COMMISSIONER RICKLEFS: Mr. Chairman, just one question, and I do have several comments.

CHAIRMAN KIENZLE: (Indiscernible).

COMMISSIONER RICKLEFS: Stewart, on that clause on page 23 about the states, will you be going forward (indiscernible, sound garbled) every time there is a request for releases?

STEWART LILEY: Mr. Chairman, Commissioner Ricklefs, so what I think, how I envision it, again we're going to ask in our comments to the Service to specifically state what they mean by that. I know what it says, but I want, we would like to see an example of how they see that being played out. It's definitely a complex process all the way to figuring out which wolves should be bred in captivity for puppies. Again, I think we're of the opinion that puppies is the best way to go with this fostering of puppies. And so it starts at the stage of working with the breeding facilities to say this would be the most viable puppies to get out of there, make sure you breed at this time to ensure that we can be successful in cross fostering attempts, that puppies are close by that we can get them on the ground and put in there some logistics that say that. So yes, we will work with the Service to help figure out how that whole plan comes into force way ahead of time. It won't be at the last second. It won't be in March before the whelping, before they whelp at about April, May. We hopefully will be coming to you guys on an annual basis during this, in October, November, December to say here's what we see as the plan for next year's season. And it's not a rush. It's a forethought out plan. Plus, not only what do we see for next year, here's

what we saw last year. And so I think we will be coming to you guys on an annual basis from that perspective.

COMMISSIONER RICKLEFS: Is there not a regulation, though, that introduction of predators into New Mexico has to have the approval of the Commission?

STEWART LILEY: Mr. Chairman, Commissioner Ricklefs, that is correct. So it will be a request to the Commission for approval.

COMMISSIONER RICKLEFS: Thank you.

CHAIRMAN KIENZLE: Commissioners, you get another crack at this after public comment.

COMMISSIONER RICKLEFS: I have some comments.

CHAIRMAN KIENZLE: You want to go now, or go later? I thought we'd wrap.

COMMISSIONER RICKLEFS: We can wait.

CHAIRMAN KIENZLE: I think we can circle back to comments, if that's all right with you.

All right. Let's do some public comment and then we will get back to Commissioner comments and any further questions they might have. Tanner Anderson. Public comments are limited to 30 minutes, so whoever has a timer.

SPEAKER #1: 30 minutes?

SPEAKER #2: 3 minutes per.

CHAIRMAN KIENZLE: Total public comment is limited to 30 minutes. So, let me be more clear. So if you will hit the timer and start it now, I'd appreciate it.

COMMISSIONER: We'd need to make reservations for tomorrow.

CHAIRMAN KIENZLE: Yes, sir. Go ahead.

TANNER ANDERSON: Mr. Chairman, members of the Commission. First let me thank you for allowing me to speak today. My name is Tanner Anderson. I represent almost 19,000 member families of the New Mexico Farm and Livestock Bureau. And the New Mexico Farm and Livestock Bureau is opposed to the release of Mexican Gray Wolves in the State of New Mexico. There's no shortage of predation in the state from bears, coyotes, bob cats, mountain lions, you name it. And I think adding another predator to the mix would be a severe detriment to the livelihood—and not just the livelihood—but also to the safety of those living within the population area. And I would echo a lot of what you all had to say about the plan as well. For all those reasons, I thank you for your time.

CHAIRMAN KIENZLE: Thank you. Michael Dax.

MICHAEL DAX: Mr. Chairman, Commissioners, I'm Michael Dax from Defenders of Wildlife. I'll try to run through these points quickly because I have a number. But on the genetics, that is one spot where we think that the plan right doesn't really do enough to ensure that when we get to 320 that those wolves are going to be genetically robust. In the past, we've seen single wolves be prolific breeders so that they are way genetically over-represented in the population so that, you know, those 22 releases doesn't necessarily account for a wolf that has been a prolific breeder. So we think some stronger genetic metrics will ensure that when we get to 320, those wolves will actually be robust. So, in the Department's comments, we look to see your support on that issue. Let's see. As far as cross fosters go, we think cross fosters are a really important tool and we have seen success there and we think that's great. At the same time, when we think

about the genetic issue, it's typically only the alpha male and female that are breeding. So even if a pup is cross fostered into a pack, there's nothing that says that that pup will eventually breed and will have a chance to pass down its genetics. So we think cross fosters are a great tool and are really happy to see the success that the Service has had the past couple of years. But we also think that release of whole family packs will be necessary. I think we have had seen in the past issues with, when you release a single lone male or female that they're more likely to get into trouble. But when you release the full family groups, they are more likely to operate as a wolf pack and go after wild prey as opposed to domestic livestock. In the long term, we would like to see the Department rejoin the program. Since 2011, the Commission then at the time voted to leave the program and I know that there are some resource issues with that but long term we'd love to see the Department rejoin the program and have that full engagement. I know from people on our side of the issue, there's some nervousness with the state determining when and where releases will take place. And I think that the Department rejoining the program will go a long way to building up trust again between both the Department, the Commission and wolf advocates. And so if I could say just one last thing, both addressed to the Commission and other folks out there. We do have a number of co-existence programs that are both run both through the Federal Government and the Defenders of Wildlife. This summer we have 18 range riders between Arizona and New Mexico out there looking out for livestock. There's a Mexican Wolf coexistence council at [Coexistencecouncil.org](http://Coexistencecouncil.org), lots of good tools out there. And so we do recognize that there can be impacts on livestock but believe me there is still ranching up there in Montana and Idaho. They're doing well. They have really good grass fed beef coming out of there. So it is possible and we encourage all sides to roll up their sleeves and we could figure out how best to allow wolves and livestock to co-exist and we've been playing that role for over 30



years now and would be, would really like to continue w9ith support of folks out there. So thank you.

CHAIRMAN KIENZLE: I have one question for you. Did you have sufficient opportunity to visit with the Department before today's meeting?

MICHAEL DAX: We did. I met with Alexa and Stewart and a couple of other folks earlier this week and we had a really nice opportunity to sit down and discuss some of the nuts and bolts.

CHAIRMAN KIENZLE: Good. Thank you. Linda Starr.

LINDA STARR: Good morning, Commissioners. My name is Linda Starr and I represent the Ingram [phonetic] Valley Broadband of the Great Old Broads for Wilderness. And simply, I just want to say that the fear that this plan does not represent the best available science and that we think that the plan should look at best available science and not ignore that and not go towards special interests. Thank you. That's all I need to say.

CHAIRMAN KIENZLE: Thank you. Adrian Sikes [phonetic]. Did I get that right?

GUEST SPEAKER: No.

CHAIRMAN KIENZLE: Selts. That's an L. My apologies.

GUEST SPEAKER: Good morning, Mr. Chairman and Commissioners. Thank you for having us today. I just really wanted to kind of re-iterate what Michael said. I think it would be so fantastic to have the New Mexico Game Commission and organization rejoin this wolf program and be part of it. I think it's going to be real important. Fish and Wildlife has a schedule of what they need to do for their releases and I think that's one of the concern that the public has, is just seeing some of the, like your lawsuit against releases and things like that, that you might balk at

some of that and it won't succeed unless we all cooperate and do it together. The wolves are here. It's the law. We need to recover the wolves. And I think also what Michael was talking about, the co-existence plans that are in existence, and they do work, are really important. And I wanted to just say a couple of things relating to what some of you said as far as the reimbursements. They are already in place. If it's a proven wolf kill, people are reimbursed for that. There are also payments made to people just for the wolves being on the land. You know, just because there's also, I guess, other issues with stress and things like that to the animals and so there's already money just now people are receiving just because wolves are on the land. Hey, I got racoons and skunks that eat all my animals' food every night and nobody reimburses me. I have to learn to live with that. So in that regard, one of the ideas I always think about is reimbursements should really be contingent on people using coexistence methods. I think that they're here, they work. We need to get everybody working on board with everyone together. And as for the elk, from your own state numbers, numbers are up and the elk that are here weren't even here originally anyway. The wolf was. So you know there's just got to be room for everybody and everything. I love cows. I love elk. I love wolves. So I just really invite you guys to participate, get involved with this, really work with Fish and Wildlife and if we can all work together, we can make this successful for everybody. Thank you.

CHAIRMAN KIENZLE: Mary Katherine Ray. Jan, you're next.

MARY KATHERINE RAY: Good morning, Commissioners. I'm Mary Katherine Ray, Wildlife Chair for the Rio Grande Chapter of the Sierra Club. I'm going to do this maybe a little differently and maybe not appropriate. I'll let you guys decide. I attended the meeting in Truth or Consequences by the Fish and Wildlife Service that allowed us to actually ask questions of the Service and we actually got answers. And I thought it was incredibly helpful. You may or may

not want to entertain this question or answer it. But I hope you'll think about it either way. One of the things that Fish and Wildlife Service said, in order to achieve the 22 wolves released from captivity as cross fosters I assume up to the age of year 2, because mortality is very high for pups, it's going to take on the order of 70 or 80 pups into the wild and I'm a little concerned about the state having the power—I guess that means you—having the power to say “No” to those releases. In the past, when it comes to timing and circumstance and location, you guys have said no, never. And . . .

CHAIRMAN KIENZLE: That's not accurate. Huh-uh.

MARY KATHERINE RAY: It has seemed that way. We have, we have

CHAIRMAN KIENZLE: All right, I will allow you that. But it is not accurate [crosstalk].

MARY KATHERINE RAY: It has seemed like you do have some conflict of interest that you [crosstalk]

CHAIRMAN KIENZLE: I disagree that there's a conflict of interest. You can go back and check the record on why we denied, what we denied, under those two applications.

MARY KATHERINE RAY: Given that, could you assure the public that you would like to see successful wolf recovery? Would you like to see 320 wolves in the United States? Would you like to see that happen as quickly as possible?

CHAIRMAN KIENZLE: It's a good question, and it may be something that we take up with the Commission. But that's not typically what we do during public comment.

MARY KATHERINE RAY: I understand. And thank you for just letting me put it in your mind.

CHAIRMAN KIENZLE: Jan Ravenwolf.

JAN RAVENWOLF: Hi. Jan Ravenwolf. Good morning, Commissioners. Thank you for this opportunity. I pretty much totally agree with what my four predecessors (indiscernible) Department have said before, just kind of stole my thunder. But one thing that's been on my mind for a long time is that the wolves crossed back over the Bering Land Bridge back into North America 700,000 years ago. The first humans to appear in North America were about 20,000 years ago. It's—there's difference of opinion on that. Let's see, 1620 I think is when the European colonists hit Plymouth Rock. And it was in the 1800's that the Go West, Young Man destiny was being practiced across the United States and that's when the bison were replaced by cattle. And so the hundreds of years of tradition of the humans doesn't hold anywhere near as much magnitude to me as the 700,000 years that the wolves have been doing their best and they are one of the ecosystems best managers effectively when we leave ecosystems alone. So I really think the wolves have earned their right to continue to exist and I don't believe there is any right way to force extinction. So, thank you very much.

CHAIRMAN KIENZLE: Thank you. Anita Hand.

ANITA HAND: Anita Hand, Cantron County Commissioner. Mr. Chairman, members of the Commission, thank you for the opportunity to speak to you. I'm from Cantron County and we've been the center of this wolf program since the beginning. In February 10, 2014 the Cantron County Commission filed a complaint with the Inspector General. We got a report back that substantiated our claims that we made. Fish and Wildlife has never responded to these complaints or to the substantiated claims filed with Inspector General. The IG confirmed that the data had been manipulated and the County challenges the scientific data. Cantron County is not

being updated about translocations and releases and livestock producers are not being informed in a timely manner when the apex predators are in the area. The recovery goal was based on cooperation with a foreign [phonetic] power that we have no control over so there's no end date over a perpetual program. And finally, Cantron County cannot begin to calculate the economic impact that has happened to us so far and the economic impact that will happen with more wolves on the ground.

CHAIRMAN KIENZLE: Thank you. Caren Cowan.

CAREN COWAN: Mr. Chairman, members of the Committee, Caren Cowan speaking on behalf of the New Mexican Cattle Growers and Federal Lands Council. We have all agreed that there needs to be a recovery plan. I guess this is a case of 'be careful what you ask for'. We've heard a lot on the last few minutes about all working together, and you know we can solve this if we work together. That's precisely the problem with this recovery plan and everything U.S. Fish and Wildlife Service has done. We were not brought in to talk about—you know there was not a concerted effort with all the parties to develop this plan. And Commissioner Ryan, to your point, the short answer to your question is, can the U. S. delist the wolves before Mexico can? No. That plan is predicated on working with Mexico. It's predicated on having 263 million dollars to support this over the next 35 years. And so, there are so many outs and gotcha's in this that it's unbelievable. And to think that Mexico's going to be the place that recovers them simply because the habitat is there. We did a joint bi-national meeting the first of May in Mexico and one of the issues that New Mexico cattle growers took to that bi-national meeting was wolves. And the ranchers just looked at them and said, that's not an issue. We want to talk about real things. When we get a wolf on us, it goes away. So with that attitude in that country, how is that ever going to happen or change? And I appreciate Commissioner Salopek's comments. With all

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due respect, Stewart, I'm trying hard not to be insulted that with the ranching community and the people that live on the ground and provide the habitat for all of your wildlife are dismissed as a social consequence. That's precisely the problem that we've had. We've been ignored completely and don't have a piece in what goes on here. Thank you for your time.

CHAIRMAN KIENZLE: Matthew Gonzales [phonetic].

MATTHEW GONZALES: Mr. Chairman, Members of the Commission, thank you for the opportunity to speak today. The people that spoke before me, I felt encapsulated what I wanted to say so I'm going to take it from a different standpoint. I'm going to appear here as a private citizen and just say I live in an area northeast in New Mexico call Cimarron. And up in that area we co-exist with habitat. We co-exist with mountain lions. We co-exist with bears. But we just started the school year and I'm a school board member. And we've had a lot of bears there in the community. And those bears are coming to the community. They've been all over the place. So we've had parents taking their kids to school in the morning. And this is a predator that is out there and if it gets hungry enough it's going to go after their child. Now we're about to introduce that same issue to Southeast New Mexico. And it's already there. They're also experiencing that. And when we continue to raise these numbers up, we are going to increase the opportunities for children to be harmed. We're putting our people at risk here. The people who advocate for this stuff, they often live in places where this animal doesn't exist, where any of these predators exist. They're not willing to put one in their back yard where it will eat their chihuahua. But they want us to put one in our back yard where our kids live, where our livelihoods live, and it just doesn't make sense to me. So I ask that you guys consider that, that we try to co-exist. We don't out there, we don't decimate mountain lions, we don't decimate bears. We co-exist with them. We live in these areas and we create this balance. And that's what needs to happen down in

Southeast, I'm sorry, in Southwest New Mexico. But unfortunately, too often we get dismissed and we don't get a voice. And so I just ask that you think about that, that the people that live out there, they're not trying to radically change the environment. The people that want to see these things come in, they live in places where they have decimated the area, they've cleaned it out and put up buildings, they put in houses, and where wildlife used to live no longer exists. And they want us to go ahead and keep our areas that way but they've already destroyed their areas. So I would ask that you think about that when you consider what they're saying.

CHAIRMAN KIENZLE: Thank you. Let's take a short break and then we'll wrap up with Commissioner comments and sort it out from there. You're still on the mic, dude. Dude.

[Laughter]

CHAIRMAN KIENZLE: Commissioner Montoya, what are you doing back there? Alright here he comes. Commissioner Ramos, how are you sir? Nice to see you again.

COMMISSIONER RAMOS: I'm glad you remember me.

CHAIRMAN KIENZLE: You're unforgettable. Hey Jay you're out of uniform. Never seen you wear shorts before. Well it's nice to see you again. Commissioner Espinoza, Ramos. Hey Ralph can you turn this thing off? There he is. Alright you can start, sir.

COMMISSIONER: You're being hailed. You're busy in conversation there and—

CHAIRMAN KIENZLE: All right. So Commissioners, I am going to take the opportunity to have the last word. But why don't we just go down the line starting with Robert and then we'll – if you've done it, this may not be the last thing you get to say but if you've got some major comments to say let's just go right down the line.

COMMISSIONER ESPINOZA: A few comments that I have is one, you know we've asked for a Recovery Plan and there were some comments that we've denied permits and you know and again we denied permits because we were asking for a Recovery Plan and we've got one. Is it the best that we could ask for? I think Stewart said that, well you know nothing's going to be exactly that everybody wants but you know we do have a Recovery Plan. I think it's workable. I think the numbers are in line. I think the area is in line. I think the comments from my standpoint as a Commissioner that supporting the departments, the comments that the department's going to put into the service are in line with my goals. Again, I'm a little worried regarding the funding of that monitoring because I just don't want that to go away. I think that's vital. I don't want to get behind the curve on our ungulate populations. But all in all and I've said this in the past, you know, wolves are here to stay. My primary goal from day one was to manage them and this Recovery Plan gives us a mechanism to eventually manage the wolves at the state level. So again, I'm supportive of the plan as it sits right now with again a few things that Stewart has pointed out and I think we move forward. Thank you, Mr. Chairman.

CHAIRMAN KIENZLE: Commissioner Ramos?

COMMISSIONER RAMOS: Mr. Chairman I'll go ahead and pass.

CHAIRMAN KIENZLE: Okay. Are we going to look back to you?

COMMISSIONER RAMOS: No.

CHAIRMAN KIENZLE: No? You've –

COMMISSIONER RAMOS: I'll hold on to my comments for now.

CHAIRMAN KIENZLE: Said your piece. All right. Commissioner Ryan?



COMMISSIONER RYAN: I think I'm going to hold mine until a vote.

CHAIRMAN KIENZLE: Okay. Commissioner Montoya?

VICE CHAIRMAN MONTOYA: Mr. Chairman, early on I made my comments on what I've got, on what my feeling is. But one of the things that I would like to interject at this time is that the cooperation that we have and the monetary consideration that we get from Fish and Wildlife Service and all identities you might say and agencies that are involved in this thing, if we're going to sink a quarter of a billion dollars into this program over a ten year period and that's a lot of money to go into. I hope that any of the activities that we have along these lines that were considered in some of that need also and I personally will be watching what we've got going on very; very closely if this continues to make sure that we're basically going in the right direction, both to the benefit of the landowners and the people that are interested in the wolves. Obviously, I think the wolves have a place but I don't want it to get out of hand and lose maybe the respect we've got of all involved on trying to maintain what we want to as far as the biological aspect. And so that's where I sit with it, Mr. Chairman.

CHAIRMAN KIENZLE: Thank you. Commissioner Salopek?

COMMISSIONER SALOPEK: And this without repeating, I would have to be 100% with what Robert said and as Bill said.

CHAIRMAN KIENZLE: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Well for start I just want to thank Stewart and his colleagues for all the work that you have put into this. I know it's been a 15 month, 18 month, what would be an (Indiscernible). So in my opinion, if there's ever any reason to believe that the Endangered

Species Act needs to be repealed or replaced or to be reformed, this is Exhibit One.

\$260,000,000 may take 35 years and that's going forward. We've probably already spent that kind of money, \$500,000,000.00 of federal monies. Well the federal government has an unlimited printing press but we're in debt in this country and I worry if this program is turned over to the state, this department and the State of New Mexico won't be able to afford what this program will do to us. In the biological analysis they spent a lot of time and did a lot of good work there on the habitat. I've got a layer for vegetation and I've got a layer for prey species. They looked at all of these things, but they did not ever look at the people living there as part of the habitat and they are part of the habitat. That is just as integral as everything else and just as necessary for this to be successful and without just compensation and I agree with Commissioner Salopek that the compensation now is not just a market price for a cow is not what that cow is worth over a ten year life of that cow. The habitat needs to take into account the people there and without their buying into the program I don't see how it's ever going to be successful, ever successful. If I was stopping and starting a herd with seven animals and knew I could never bring any other animals into that herd, I would be guaranteed to know that I was going to fail. They knew that back in 1982. They knew that the genetics was going to be a difficult issue and it's still a difficult issue and I don't see by tweaking it here and tweaking it there that it's actually going to do any good and I really have a difficulty relying on Mexico. I do not feel that according to this Recovery Plan that we'll be able to recover in the United States without Mexico meeting its goals. I have no idea that they'll be able to especially with some of the comments from the ranchers there that they get rid of the wolves when they see them. And finally this,(Indiscernible), never use the word D-listing, which I hope is the goal. Maybe I do, but if it's D-listed then it's put on the shoulders of New Mexico to manage these animals. They always use

the word recovery and never D-listing and I find that interesting because the goal of the Endangered Species Act has always been to D-list those species. Thank you, Mr. Chairman.

CHAIRMAN KIENZLE: All right. Let me take my turn. I think as Commissioner Ricklefs points out, this problem started December 28, 1973 when Richard Nixon signed the Endangered Species Act. So you can blame him and the 93<sup>rd</sup> Congress for the Endangered Species Act and so you've got to dance with the date who brung ya and so you can fight the problem or you can solve it. I think this Recovery Plan is a solution. Is it the best solution? Perhaps not. Is it a solution? Yes it is. And I said at the public meeting here in Albuquerque, I think this is a great step forward. It is certainly not a step backward. I think this is a plan that perhaps no Commissioner up here embraces and says, I love this plan, but I think it perhaps it is something that we as a Commission can support and we also point out that there is an Arizona lawsuit that requires the service to come up with the Recovery Plan I believe, by sometime in November. So you're stuck with that. You are not going to beat a federal judge in his or her courtroom. So there will be a plan and so the question is, what does the plan look like and you've got it in front of you today. You may not like it and that's why there's a public comment period. So that public comment period ends August 29<sup>th</sup>. Now you can be cynical and say, the service is going to disregard what has got to be already a mountain of electronic paper that's already come in. I am perhaps a bit less cynical and I will take them at their word that they will vet these comments. Not just from the department or this Commission but from people from around the country who are interested in this issue. So there is the opportunity to change this plan. Now is it an opportunity to throw it out altogether? I doubt it. You can write a one-liner that says I hate this plan and throw it out. I don't think that's constructive. I don't think the service is going to do that and let me loop back to the Arizona lawsuit. That's not going to pass muster with a judge. So

there's a number of factors that brought us here where we are today and again, it was Patton that said, "You can't fight the problem you can only solve it. So give me solutions." So what can we do to solve this problem? I would propose and I'll talk in a moment about a motion that I would entertain in this regard but if we do not as a Commission comment on this plan, the way federal law is structured, we are essentially boxed out from effectively participating in litigation over this plan. So whether you're for it, against it, sideways, neutral, lateral, you do have to participate in the comment period to effectively participate in litigation. And further, depending upon how strict a court interprets that participation, you essentially have to get out, you can't reserve any ammo. You've got to fire everything that you've got and you have to tell during this comment period all things you like, all the things you hate, all the things you want to change. And so now is the time as a Commission to put on the record today, "Hey I want to change this." You don't necessarily need to say what you like but this is not where you, you know hang around and then show up in court and say, "Hey, I object." It doesn't work that way. You typically have to say what you don't like today. My preference is not to be linked to Mexico. I would like State of Arizona and the State of New Mexico to stand on its own two feet. I strongly recommend that the Fish and Wildlife Service find a way to de-link the two populations if you will. Make it perhaps less mandatory, more aspirational but I think that would go a long way to letting us determine our own destiny, rather than relying on an international partner who we simply cannot control and I cast no aspersions on Mexico, our willing participants in Mexico, but I don't have any control over them and it's not that I'm uncomfortable with their participation and what they're doing but I firmly believe we can get the job done here and we have control over what we do here. We cannot control another country and what they do and I respect that international boundary. So my preference is, let's find a way to de-link these two issues. Again what that de-

linking looks like and how it gets hammered out, I won't necessarily leave to the Service's discretion but I would encourage them to visit with people in the department and other folks in Arizona to perhaps fashion some language that would satisfy my preference. In this plan there is some deference given to, as some of you that attend these meetings know, what I care about, federalism. There is some measure of local control in this plan. Is it an absolute veto? Maybe. Is it a – can the state prohibit a release? Maybe. Certainly if as Ms. Ray is concerned about if we say no forever and all time you can't release anything, we're going to end up in court. Right? So this is not going to, I believe, effectively allow one state to forever say, no and prevent recovery D-listing in those kinds of things. Can we either or dictate or guide timing, release, circumstances of release locations, those kinds of things? I think so, yes under this plan and that's where this Commission would rely on the department to tell us, good idea, bad idea. maybe, not so good idea, you can do it but you do it at your own risk and this I think as Commissioner Ricklefs points out, this is in some respects what you would call an unfunded mandate because there's a whole lot of monitoring that will have to go on to satisfy the different constituencies that have an interest in this issue. So you've got farmers, ranchers, you've got people that want to see lots of wolves. You've got sportsmen. You've got nature lovers. You've got recreational people and so there's a lot of monitoring that's going to have to go on. A lot of moving parts to make this happen and so to the extent the department doesn't have one person dedicated to the wolf, it may be the case that we need more personnel dedicated to this issue, unfortunately, if we're going to have a maximum amount of oversight at the state level and so I'm not prepared to dictate how the department runs that but I don't think that the state portion of this can just run on auto-pilot. I think it's going to require more oversight than ever. We've had plenty of participation by Stewart and his team on the planning part of this but the operations

part of this ultimately is more important perhaps to the people in this room than just the planning part of this because its people and animals on the ground coexisting. So I am pleased by the federalism aspects of this plan and let me loop back to where I started. You've got the Endangered Species Act. There has never been a court case, there has never been an interpretation of the Act that allows a state to essentially dictate 100% whether a particular animal or species will be recovered. Federalism is really just a handshake among governments and the people that staff those governments operating in good faith and so we have to trust and there's perhaps precious little trust that those people operating in good faith will do the right thing with whatever plan ultimately comes into operation. So let me finish on the question of leadership. I think as a Commission, we've not quite endlessly talked about this but this is the third, fourth, fifth or sixth meeting that I can remember where we've had substantive debate over Mexican Wolf Recovery, what we'd like to see in a plan, what a plan should look like, having a plan at all and I think as Commissioner Espinoza said, "We asked for a plan." Arizona court said, "You'll come up with a plan." And now we've got a plan. It doesn't mean O have to again embrace it and say I'm in love with this thing and it's the greatest plan I've ever seen but we've got a plan. I think it's something that we can support. So let me tell you the kind of motion that I would entertain and what I am sensitive to is there are seven Commissioners up here and we all have a different point of view and so under the heading of – let's make sure we fire both barrels on this – I would propose to whatever we do here today that a transcript of this public meeting, the Commission comments and comments from the department but not public comments ultimately be submitted as part of our comment to the Fish and Wildlife Service so they get an absolute full picture of what the seven different members of this Commission think and then what the department through Mr. Liley has said as well. So let me tell you the motion that I

would entertain and then assuming someone makes that motion, we can talk about it of course and have further comment on it. But I would entertain a motion to submit comments supporting the current Mexican Wolf Recovery Plan with the comments, concerns and reservations expressed by the Commission and Department at today's meeting with said information to be attached to the comments submitted and further, said support to be reconsidered if the plan is materially changed or subject to litigation and the Director, the Secretary of the Commission shall submit that comment, approved by the Chairman, by the comment deadline of August 29, 2017. So that is the motion that I would propose. Essentially it is support for this plan subject to the reservations, comments and concerns that have been expressed on the record today.

COMMISSIONER RYAN: So Chairman Kienzle I so move the motion you just characterized.

CHAIRMAN KIENZLE: Can I get a second?

COMMISSIONER: Second.

CHAIRMAN KIENZLE: So now is the time to fire all the remainder of all of your barrels. So Commissioner Ramos do you have anything you want to add? No?

COMMISSIONER RAMOS: Since there's a motion on the floor, no discussion on my end.

CHAIRMAN KIENZLE: Okay. Commissioner Ryan?

COMMISSIONER RYAN: I do. I would just like to say you know, I've had a lot of sleepless nights thinking about this. Certainly last night was one of them. I think you heard today from both sides of the argument that no one was in support of the plan for various reasons. So what I'm looking for though is a way forward, is a way forward because we –

The reason I did not support previous releases by the department was because we had no plan. We had no benchmarks. We had no management plan in place or discussion. So without a plan it's not a good idea to do anything, much less recover wolves that have an impact on so many communities and the State of New Mexico in particular. So that is why I didn't support releases previously. That is why I am supporting the Recovery Plan today. I am willing to take the lumps from the farming and ranching community as well as wildlife groups on that because I think this is the best way, this is the best way forward. I don't think the courtroom is the place to get something that we could all work with and move forward on. I'm willing to take the lumps because I think that New Mexico should have a seat at the table and a seat at the table is more important than throwing out a plan that could, you know that could work. I appreciate U.S. Fish and Wildlife's work to try to come up with a plan that identifies some goals and benchmarks and I would like clarification from U.S. Fish and Wildlife so this is my comment on funding, the fate tied to Mexico, whether I would like to see that if recovery goals are met in the United States that if something were to fall apart in Mexico, that this would you know, in that scenario, that's worst case scenario and will never meet recovery. So I would like some kind of identification of how to address that issue. I'm also in support of this plan because it encourages and mandates the federal government working with the states and I am for local communities determining their own destinies. So that starts with city councils, county commissions making decisions that grows to state governments and ultimately the outer circle being the federal government and so that also pertains to the impacts of wolves and I believe the states know what's happening on the ground better than the federal government as a general rule. So I would appreciate some comment on how we can tailor comments to help meet and address state concerns such as timing, release and location. I personally would support approving permits that addresses concern over habituation



and that kind of thing. You've heard support of the cross-fostering and I think releases of adults in packs are possible if they are done in a way that addresses that those wolves are not habituated and it's done in a timely manner that reduce those risks. I think there is a way forward. I want to have a seat at the table and that's why I'm supporting the Recovery Plan today.

CHAIRMAN KIENZLE: Commissioner Espinoza anything further?

COMMISSIONER ESPINOZA: No, other than to again, just to reiterate a lot of the comments or just a few comments that Commissioner Ryan said. This is a path forward. Without a path and a plan, being a contractor would be like trying to build this building with a sketch on a napkin. We've got to have a plan and this identifies it. Again, I want to reiterate this plan does have some mechanisms for some state participation and eventual management of it. Obviously there is a financial concern. But again, we've asked for a plan. We have it. Again, it's not to everybody's liking. I don't think we'd ever have that. So I am in support of it, more again because we've got a plan and it's a workable plan that we can all get on with other things and recover the wolf, D-list it and still manage on to get heard.

CHAIRMAN KIENZLE: Commissioner Montoya?

COMMISSIONER MONTOYA: Yes, Mr. Chairman. My opening statement was kind of a blessing you might say and I would reiterate that because I think that the things we've asked for are in this Recovery Plan. However, it's going to I think require some close scrutiny so that this thing doesn't go awry. We have some built-in problems with it, IE with Mexico's compliance to what they are capable of doing. When we get to these numbers, how it goes from there and I think the scrutiny that we give it in later years, if we're even around, we'll have to come on a basis that's prudent and I think those things that I asked for early on, I think we've met. I'm okay

with it. I just want to make sure that when we have problems with it that we can tweak it and be able to push the button and say, we've got a problem" and handle it along those lines. But let's go on.

CHAIRMAN KIENZLE: Commissioner Salopek?

COMMISSIONER SALOPEK: You know we've been asking for however many years and now we have something in place, you know? It's pretty close to what I think we can live with. I agree with it.

CHAIRMAN KIENZLE: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Mr. Chairman your conditions almost made it palatable (Indiscernible) but for this, I feel there's too many flaws in this Recovery Plan and I cannot support it.

CHAIRMAN KIENZLE: Understood. Anything else from anyone else on the Commission before I call for a vote?

CHAIRMAN KIENZLE: All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: All opposed?

COMMISSIONER RICKLEFS: No.

CHAIRMAN KIENZLE: The "Aye's" have it. We're going to take a quick break and you guys will take care of the audio or the arranging for a transcript?

[Audio in progress-background talk]

CHAIRMAN KIENZLE: Colonel Griego, Revocations. Agenda Item Number 8.

COLONEL GRIEGO: You ready, sir?

CHAIRMAN KIENZLE: You're good.

COLONEL GRIEGO: Okay. Mr. Chairman, Commissioners, I have before you today two separate groups of individuals that are up for suspension. Group One is a list of 260 individuals who have been certified by the Human Services Department and has been out of compliance with Parental Responsibility Act. You all have that list in front of you. I don't know if you want to act on the individual groups or not.

CHAIRMAN KIENZLE: Just tell us both groups and then we'll circle back to one.

COLONEL GRIEGO: Group Two is a list of 247 individuals who have failed to pay a penalty assessment within the 0 days as required by law. With that, I will entertain any questions.

COMMISSIONER: We doing these separately?

CHAIRMAN KIENZLE: Yeah, Group One and then Group Two.

COMMISSIONER: Do we need the motion?

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER SALOPEK: I move to authorize the department to administer these 260 suspensions on behalf of the Commission including the issuance and service of a notice of

contemplated action to each individual listed that is out of compliance with the Parental Responsibility Act.

VICE CHAIRMAN MONTTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: The ayes have it. This to Group One. Group Two?

COMMISSIONER: Motion?

CHAIRMAN KIENZLE: Yes.

COMMISSIONER SALOPEK: Move to revoke the hunting, fishing and trapping license privileges of 247 individuals who have failed to pay the penalty assessment within 30 days of the violation as presented by the department.

VICE CHAIRMAN MONTTOYA: Second.

CHAIRMAN KIENZLE: Any discussion? All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: Ayes have it. Thank you, Colonel.

COLONEL GRIEGO: Yes, sir.

CHAIRMAN KIENZLE: Mr. Benjamin, dazzle and impress me.

RUSS BENJAMIN: Mr. Chairman and Commissioners, this is my pleasure to bring you an update on the Albuquerque Complex Project. The environmental assessment, commonly known as an EA was completed in July to meet the federal funding requirements. This included public scoring, notifications, comments and meetings, environmental analysis, the traffic, the cultural resources, endangered species, etc., and a 30-day comment period. The EA has rendered two public comments during those 310 days. The first comment would be to have a larger conference room building like the Arizona Game and Fish in Phoenix. I think we're achieving that with our Hunter Education Spaces. The second comment was requested that the traffic measure not be installed as part of this project. The department pulled that from the project after their first open house in the comments from the general public in the near area. Any in the United States Fish and Wildlife Service issued a finding of no significant impact, also known as a FONSI for the project. The project met 100% design in June. The Albuquerque Office Complex is currently out to bid and will close in mid-September. Our goal is to begin construction, will begin in October. Questions?

CHAIRMAN KIENZLE: When's the estimated completion date? Did you say, I recall 10 months or 12 months?

RUSS BENJAMIN: 10 months is what we're targeting Mr. Chairman.

CHAIRMAN KIENZLE: 2018, great.

COMMISSIONER RAMOS: Russ, I just want to thank you for the work you've put into this project along with all the eco-friendly systems that you've embedded with this. The solar panels and I guess the water catchers and all those type of things. What a beautiful location. It was nice

to see that yesterday evening and go over through the layout but what a well thought out plan for New Mexico.

RUSS BENJAMIN: Thank you.

CHAIRMAN KIENZLE: Commissioners did have the opportunity to view the property now a couple of times and is it generally open to the public? Do we have that gate or is the gate closed?

RUSS BENJAMIN: The gate is closed.

CHAIRMAN KIENZLE: When this thing finally comes online, I would strongly encourage everyone to go visit this site. It's pretty cool. It borders on the ditch and then what with the rivers beyond that and it's pretty cool. It's a great, it's a great location and I think it may become something of a destination spot to go hang out eventually. So I'm very pleased by the location and the design. Any other questions or comments?

VICE CHAIRMAN MONTOYA: Yeah, I've got one Mr. Chairman. Russ, would you, for the public's information, give us a statement of what we're using for water recovery, for solar panels, for the environmental friendly projects that you've put into it? I think that's important and I think it needs to be...

RUSS BENJAMIN: Mr. Chairman, Commissioner Montoya yes, sir. We are going to be certifying the building to Leed Gold Certification. This includes a heat pump system so the building will use less energy in maintaining temperature control. It includes a cistern system, complete LED lighting and a solar panel barrae that will support about one-third of the power usage of the building. Landscaping again is also included in this which will be zero scape, minimal water usage, although the water table is at seven foot below the ground at that location.

VICE CHAIRMAN MONTROYA: And the use of that recovery water for heating, will that (Indiscernible) a little bit of lap for everyone's benefit?

RUSS BENJAMIN: Well the heat pump system actually uses the temperature of the ground water and we flow air some sixty feet below the ground in about twelve different locations and using the temperature of that brings that back to the building which should maintain the building at about 72 degree temperature year-round.

VICE CHAIRMAN MONTROYA: Thank you.

COMMISSIONER RAMOS: Chairman, one other thing, Russ. If you would explain some of our global goals with this property, not only just to or just licenses that some people may be thinking right now but the education that's going to be involved and all the other aspects.

RUSS BENJAMIN: Mr. Chairman, Commissioner Ramos the office complex is highlighting the Hunter Education. There is a large conference room holding one area seventy-five people and 25 people in the other area that will be used for Hunter Education. There's also going to be a walkway and natural resources. Plants have been chose to be native plants for New Mexico and they will be identified. There will also be a blind, part of the party is going to be developed in agriculture to continue supporting the flyway of migrating birds and there will also be an access to the actual (Indiscernible) and the river behind the property.

COMMISSIONER RAMOS: Absolutely. Thank you, Russ. I just think it's so important to also you know, elaborate on the education as well as the non-hunting species and native plants and all the biological studies that can be conducted there and again, it will be so open to the public and school children can come in to also some history of a museum. Could you talk about that portion as well?

RUSS BENJAMIN: The department is evaluating the Darnell House to make that a Youth Hunter Education area where we would be capable of bringing in school children, having potential classes in there and further educate the youth on our hunting opportunities as well as a natural biology and the things that the department support.

COMMISSIONER RAMOS: Thank you, sir.

CHAIRMAN KIENZLE: So the buildings that are already on this site, we have a house, two houses?

RUSS BENJAMIN: Mr. Chairman, we have a resident on site who's living in what we call the ranch hand home at the back of the property and to the front of the property was the original Darnell home. We will remodel that home to support the Youth Hunter Education Center.

CHAIRMAN KIENZLE: And then the, I don't know, do we call it the back of the front of the property but we do have a resident. Is it a Warden or an LEO that's onsite?

RUSS BENJAMIN: Mr. Chairman, that is correct. We have a resident LE onsite.

CHAIRMAN KIENZLE: This ultimately will be something like a complex. I think it's pretty cool and again when it comes online, I really encourage everybody to visit it. I do think it's going to be a destination spot. Any other questions or comments? Anything else we need to know?

RUSS BENJAMIN: Mr. Chairman, not at this time.

CHAIRMAN KIENZLE: Okay.



DIRECTOR SANDOVAL: Mr. Chairman, I guess I would just like to make one comment. This building represents an initiative that you all approved when I first became Director, to change from an administrative site to a conservation-education site and that's been the focus of the agency and so we're very grateful to the Commission for their support. We have a lot of things going on within our agency, not just hunting and fishing and this is an incredible opportunity to get those people out to our facilities, rather than just signing paperwork. They'll be able to get out and actually experience the outdoors. So I appreciate very much the support of the Commission for this initiative.

CHAIRMAN KIENZLE: Right on. When will we hear from you again? After you've got it out for bids? So will this go on an Agenda when?

RUSS BENJAMIN: Mr. Chairman, we are hoping to break ground in October, so I would think the November timeframe with a progress report would be appropriate.

CHAIRMAN KIENZLE: Okay. Right on. Well we'll see you then. Thank you.

RUSS BENJAMIN: Thank you.

CHAIRMAN KIENZLE: Agenda Item Number 11, Request Approval, I'm sorry, Agenda Item Number 10, Fiscal year 2017 Depredation and Nuisance Abatement Report. You're back again? Okay.

STEWART LYLE: Mr. Chairman, Members of the Commission, so I'm here to update the Commission on our Depredation and Nuisance Report on our fiscal year. We look at our measures on a calendar rather, excuse me on our fiscal year rather than our calendar year. So for the fiscal year ending on June 30<sup>th</sup> of 2017, we had a total of 598 complaints this year. We were

able to resolve 591 of them. It's kind of a record for us and (Indiscernible-background noise) resolution rate. Now some of those complaints that weren't resolved would be maybe a complaint that was filed on June 29<sup>th</sup> and we couldn't resolve it by the 30<sup>th</sup>. For example, there was a bear, which a complaint came in basically on the last day. The bear was captured subsequent to that in July.

CHAIRMAN KIENZLE: So from which perspective is it resolved?

STEWART LYLE: So it's from our perspective and the landowner's perspective. There's still an open complaint where the landowner has not felt like we've adequately met their depredation concerns. The complaint remains open and we still continue working on—

CHAIRMAN KIENZLE: So does the landowner sign off on something? How do they bless that resolution?

STEWART LYLE: Mr. Chairman, Commissioners, on some of these issues, we'll get to it in a second. Most of these are raccoon. The majority of our depredation last year was raccoon and so a lot of it might be just capturing the raccoon out the chimney and translocating or euthanizing it or whatever need be or maybe going out there and it was a garden issue and we worked with the landowner to put up fence around the garden or something and the complaint is no longer needed. The depredation is not occurring anymore so that's a resolution in that. It might be if it was an elk complaint, we maybe went in and put scare tactics in and that worked to where the elk herd stayed off or it may be went all the way to we finally fenced out an agricultural field for an elk depredation so the complaint is resolved. The complainant is no longer there.

CHAIRMAN KIENZLE: I (Indiscernible) the department admitting to scare tactics which is, I'm choking. So how do we document at the end of the day resolution of these? I mean do you open a file on these? What's the –

STEWART LYLE: Mr. Chairman, Members of the Commission, every time a complaint is open, it's in a data base that we open so it's an open complaint. Either one of our department officers, one of the Game Wardens, will go out and work with the complaintive to figure it out. When they have adequately met with the complaintive and the department and they both feel it's resolved, they will put in the data base what the resolution, what the tactics were to resolve the complaint or if it's still an ongoing complaint there will be notes updating why it's still an ongoing complaint and what we're trying to do to work towards resolution.

CHAIRMAN KIENZLE: Okay, thank you.

STEWART LYLE: Real quick on the breakdown, top five species this last year. Again, raccoons were overwhelming our complaint. It's mainly raccoons in the Albuquerque general area is where we get the majority of the complaint. We actually work with a contractor to help us resolve some of those complaints because they account for almost 300 complaints a year followed by bear. Bear is actually down this year a little bit compared to previous years but bear is our second and then elk, cougar, bobcat. Elk was actually pretty low this year at the 6%. This is actual number of complaints by species and the actual resolutions. So you'll see we still have a couple of open complaints with elk and that's maybe because we're going through the first scare tactics, let's say or we're going through maybe some lethal removal of elk on some fields and then maybe it might come down to a final, we're going to go out and fence it but we haven't gotten the fencing material or the landowner hasn't signed off on the fencing contract yet, so. As

we go down our complaints get lower and lower by the species, very few antelope complaints in the last few years which is nice to see and then—

CHAIRMAN KIENZLE: Do you get complaints on the Mexican Gray Wolf or are they kept in a different spot?

STEWART LYLE: Mr. Chairman, we reach for that to the Fish and Wildlife Service as the lead agency on working on it. So no, we do not respond to depredation complaints on Mexican Wolf.

CHAIRMAN KIENZLE: I have a question about that. So if you refer it on to the service, the complainer for whatever reason, doesn't get resolution, do they ever circle back to the department and say you referred me to a dead-end or nothing's rendered, I still have a problem?

STEWART LYLE: Mr. Chairman, what we'll do is refer them to the service and also Aphis Wildlife Services. So the U.S. Fish and Wildlife Service works a lot of the resolution of wolf complaints and wolf confirmation of depredations through the U.S., excuse me, Aphis Wildlife Services is the lead kind of on some of that and the counties also have some role in there. I think the counties have and I can't speak for sure exactly on this, have worked on how best to put their complaint in with the service, how to put it in with Fish and Wildlife Service but no, we haven't had a lot of complaints coming back to us to sort of removal or something.

CHAIRMAN KIENZLE: So I mentioned earlier that going forward with the Mexican Gray Wolf that some of this is an operational issue and so it's not strictly related to this but the department may be asked to take on a more, if not active role, more monitoring than perhaps it's doing now on these complaints because I'm curious what is, what are private landowners, what does the public or what are they complaining about in relation to this species and so it's a dialog for another day but it keep it in the back of your mind.

STEWART LYLE: Sure, Mr. Chairman. One thing to note, our section, so in order for us to handle a wolf or do anything to haze or what they would call take, we would have to get a Section 10 Permit from the fish and Wildlife Service to basically be able to respond to some of those complaints but we definitely can look into –

CHAIRMAN KIENZLE: Yeah and we're not there yet. I'm more interested in information than I am in getting a permit like that and so sometimes the first step is getting information and then once that information is available policy decisions can be made from there but that's a discussion for another day, I'm just curious.

VICE CHAIRMAN MONTOYA: Stewart, is (Indiscernible) the coyotes [Phonetic] on a protected list? I know skunks are but—

STEWART LYLE: Mr. Chairman, Commissioner Montoya yes, they are a protected species under Chapter 17.

VICE CHAIRMAN MONTOYA: Okay.

STEWART LYLE: With that, I would take any questions.

CHAIRMAN KIENZLE: I interrupted you enough. I don't have any more questions.

VICE CHAIRMAN MONTOYA: I did too.

CHAIRMAN KIENZLE: Any questions from Commissioners? Thank you.

COMMISSIONER ESPINOZA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes?

COMMISSIONER ESPINOZA: The bighorn, just out of curiosity.

STEWART LYLE: Mr. Chairman, Commissioner Espinoza so when we issue a population management hunt which the Commission has authorized the department to work with, we use it through our complaint system. Basically, it's another one where we can track population management hunts. On the Chaco Canyon population this year, we authorized the population management hunt to remove two bighorn rams in there to prevent them from breeding their daughters. That population was a new start so that was a complaint originated with the department and closed through the department where we issued that hunt and then we harvested those two animals through the population management.

CHAIRMAN KIENZLE: Who handles those complaints? Do you have a dedicated team that that's all they do or is it just?

STEWART LYLE: Mr. Chairman, so an individual officer might get called on a complaint and they'll start the data base. If a complaint can be resolved with that individual then its closed through that individual. We have under Wildlife Management, a section that deals with depredation and nuisance abatement. We have four individuals across the state that are a private land specialist that deals specifically with some of these complaints that might rise to, it's not an easy fix where you go capture a raccoon or you go capture a bear and we're done. So there are four people dedicated across the state that work in each quadrant and then one supervisor for that position as well.

CHAIRMAN KIENZLE: And I ask because this is a very public facing aspect of what the department does and I know on everything we try to do a good job and I know this is probably something that's particularly important to the person it's affected that they get resolution on that

complaint. So keep dedicating, you know you and your team to resolve in those to the satisfaction of the complainant and just make sure that and you've told me that you keep pretty good track of how those things are resolved, so that's important in the end too. Any other questions or comments? Thank you. You thought that would be mundane and not interesting but I think it's an important issue. Agenda Item Number 11: Request approval to work with Mexico to exchange New Mexico Antelope for Gould's Turkey from Mexico. Anybody from Mexico here today?

STEWART LYLE: Mr. Chairman, unfortunately they were not able to make it today. They plan on if need be, coming back to the U. S. but they were unable to make it at this time. So as we've discussed a little bit in the past, as we're developing the recovery plan for the Gould's Turkey, we had a unique opportunity come to us through the country of Mexico at a potential exchange of pronghorn from New Mexico in exchange for 100 Gould's Turkey coming in to the state. Right now we're estimating the state population of pronghorn at about 45,000 to 55,000 across the state. That may change as we modify our survey analysis. It's probably going to be a little bit higher as we found but again, New Mexico has a robust population of pronghorn and has opportunities to offer for exchange potential with the country of Mexico. Real quick here, is just a graphic of pronghorn habitat in historic range of pronghorn across North America ranging from Canada down into Mexico. The particular location we're looking at in Mexico where Mexico's population are struggling a little bit and really it's been isolated population that's an extent population, just not a lot and where they think augmentation will help to recover their populations and then I should mention, in Mexico pronghorn are listed as endangered across the country and so it is one of the species they're working really hard on restoration but we're looking at in the State of Chihuahua, to the Northeast of Chihuahua City is where it is, where

they restored a bunch of grasslands in there, looped away from historic sheep grazing, got rid of sheep fence and have an extent population in augmentation is where they're looking at. The department itself has conducted five translocations in the state since 2010 to augment declined populations across our state particularly. We really focused on in the southeast area we refer to as the macho area if you will and that populations done really well. We've moved some a little bit to Central New Mexico, (Indiscernible) area and then we moved some to the Hora Nada and all those populations in translocations have done really well. We're seeing success and growth of those populations that are offering more opportunity—

CHAIRMAN KIENZLE: I got a question. Sorry to interrupt you.

STEWART LYLE: No problem.

CHAIRMAN KIENZLE: As I recall, we approved translocation with, was it Santa Ana was the last one?

STEWART LYLE: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: Did we fulfill our obligations to Santa Ana?

STEWART LYLE: Yes, those obligations were filled this January.

CHAIRMAN KIENZLE: Okay. As I was going to say, as a matter of courtesy to Santa Ana, we need to fulfill that obligation before we move onto another one. Thank you.

STEWART LYLE: Yes, sir. On the pronghorn captures, the mortality is really low. We're averaging less than 3% mortality in our captures. So we have a high success of capture. Like I said, long-term survival is very high and we've seen some survival rival that of the resident herds. We did do a transfer with Mexico back in 2009 and 2010 of 300 pronghorn to states of



Chihuahua, excuse me not Chihuahua but Coahuila and Nuevo Leon. That was an exchange for dessert bighorn sheep that we brought into our captive breeding facility for dessert sheep.

They've done really well. Their sheep have really used that as a seed stock for new genetics in our populations that we're actually putting back out on the ground. So that was a good exchange for us. As you guys kind of discussed and we discussed throughout last winter into early this winter, Gould's Turkey is one of the species we're focusing on recovery efforts and the state is listed as the state threatened species right now and really we have the habitat in the state to recover the species. It's a little bit questionable on, do we need more birds to augment current populations or start some new populations and so New Mexico is basically offering up and this is just a quick graphic of Gould's Turkey habitat in New Mexico. Part of our recovery plan that was approved by you earlier this year does talk about augmentation into those populations is probably going to be necessary for recovery of the species and so really what it is, is the country of Mexico through the State of Chihuahua is offering up 100 Gould's Turkey in exchange for 100 pronghorn from the State of New Mexico to be brought to Chihuahua. The agreement would be that we would work with them to get them pronghorn within five years. Our preference is and like you said, we fulfilled the Santa Ana agreement last year. We would trap this winter in January and fulfill New Mexico's obligation in one bunch, release the whole 100 at once. That would be our preference because we see the highest success as a big family group. Gould's Turkey would probably be a little bit more work that we need on our end. Again, their agreement would say within five years they have to fulfill our agreement of 100 Gould's Turkey coming into the state of New Mexico. We would be looking a little bit more now exactly which population we want to augment and do we want to put all 100 or do we want to kind of spread that out a little bit more. Most likely with Gould's Turkeys, were going to want to spread that out

so it will probably a capture process in Mexico that will last a couple of years rather than one big capture of 100 birds brought in.

CHAIRMAN KIENZLE: So we fulfilled Santa Ana. Do we have any other outstanding translocation obligations that we need to fulfill?

STEWART LYLE: Mr. Chairman, no. We have no more outstanding translocation obligations and with that, I'll take any questions.

COMMISSIONER RAMOS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: I do have some questions, Stewart. I mean I'm glad the communication is working with Mexico on the exchange, possibly. My questions are, I know where Gould's Turkey are doing very well in the current lace that their located, right and that's over in the Boot Hill and what percentage of private property are these birds on and does the sportsmen have access to that property?

STEWART LYLE: Mr. Chairman, Commissioner Ramos, this graphic here will help kind of explain it a little bit more. So this is the Boot Hill, the very southern part of New Mexico right here and this is the Peloncillo [Phonetic] Mountains extending northward. This is the (Indiscernible-coughing) extending northward. The majority of the Gould's Turkey extend, population of New Mexico sits about right here right now. The core is in that red. That starts the survey area. We count up to I think we were at 100 and some birds in there in the last. So yes, it's in the National Forest is the most with the next greatest population falling in the Animas Valley along the river there on the Diamond A Ranch and so the majority of the population is a

hunt able population in the Peloncillo [Phonetic] Mountains where they currently exist if we get it to recovery.

COMMISSIONER RAMOS: Right and I understand that and I know we have some great partnerships throughout the state with several landowners where we do around projects and all kinds of different things but particularly here with the Gould's, what are the conversations that are taking place with this (Indiscernible-coughing) because my concern is, I know currently we are providing one private tag and please correct me if I'm wrong, as well as one public tag and to me what I heard last time was the property owner did not want to open it up more for public hunting or –

STEWART LYLE: Mr. Chairman, Commissioner Ramos we only provide two tags. You are correct. One tag is sold at auction to the highest bidder at the national turkey federation Convention and one is raffled off by the National Turkey federation. So they are both, they're not necessarily a public or a private tag. It's anywhere where that hunter can get publicly assessable public land or anywhere where they can secure permission through a landowner and so if they wanted to negotiate with a private landowner to try to hunt on there, that would be fine but it's not a tag specific to the landowner.

COMMISSIONER RAMOS: Okay and thanks for clarifying that and that is my main concern because I know if we do bring in another 175 birds or whatever we're going to trade with Mexico, I'm not quite sure that this is the best location being that public access is very limited you know with those type of things. I know we're looking at a recovery program and to me it's my understanding having a populations and separate eco systems or different mountain ranges, is what's best due to virus or other natural occurrences that could deplete the herd or whatnot or the

flock in this case. So have we looked at any other areas in the State of New Mexico? I know we had this conversation last time when it was brought up.

STEWART LYLE: Mr. Chairman, Commissioner Ramos, so again, the core population sits about right here if you focus on the map. A couple locations that we looked at that are potential new start populations or release locations would be up in this kind of northern extent of the Peloncillo Mountains. That is in public land. It's on BLM State Land and then possibly along the spine of the Animus Mountains. The other place that we have looked and we haven't ruled it completely out yet is in the Hatchet Mountains on the backside of the Hatchets. It has some roost habitat. Not a lot of roost habitat but it is one we will analyze if it would work as a potential release site. So there are places on federal and state land in New Mexico that we would consider for releases of birds.

COMMISSIONER RAMOS: I would much rather favor those new areas to be targeted you know, if this exchange is to take place and this Commission approves that. Just again, I'm glad that the current status in this location, they're doing quite well but I think I definitely would like to see public land where we can manage them fully without any private agency partnerships having to take in place. Thank you. Thanks for your work and thanks for looking outside of that core area for other possibilities.

CHAIRMAN KIENZLE: Anything else from Commissioners? So this is an action item. I've reviewed the agreement between the us for the department and the country of Mexico and it looks pretty straight forward. So—

COMMISSIONER RAMOS: Mr. Chairman, I move to have the department work with the country of Mexico to exchange 100 pronghorn from New Mexico in return for 100 Gould's Turkey from the country of Mexico.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: Any further discussion? All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: Any opposed? None opposed. Thank you. Agenda Item Number 12, Initiation of Revision to the Department's, I'm sorry. I had one comment on 11. Jim Wells.

SPEAKER: (Indiscernible).

CHAIRMAN KIENZLE: My apologies. I hope you don't feel too angry with me. My apologies. Agenda Item Number 12, Initiation of revision to the departments Antelope Management Program. I will not forget the ones for 12.

STEWART LYLE: Mr. Chairman, Members of the Commission, as a lot of you well now, the department started kind of a public input process for revisions to the current A-PLUS System back in about late May, early June. What we have in front of you today is basically what we've been getting to some of these groups and entities throughout the public and kind of some of what we've heard from the public and then kind of asking for a little bit further direction but going back to the start, when we looked at potential revision to A-PLUS, we want to take a look first at what's the biology of the species tell us and are we meeting appropriate management objectives based on the biology of the species. So with pronghorn, really their driven by growth and fawn survival. Adult survival is kind of lower in pronghorn compared to our other species like deer,

elk, pronghorn don't live really past nine years old in the wild here but really what drives this fawn is survival. Pronghorn basically are 95% pregnancy rates is what we see in our captured animals, almost always and of that about 98% of those have twins. So their all basically pregnant and their all dropping twins and really what drives it is those fawns surviving. One of the other really unique things from a hunting aspect of pronghorn compared to our other species is the early age to sexual maturity or peak horn growth in pronghorn occur much earlier than some of other ungulates species. We're seeing peak horn growth at about two to four years old, some maybe reaching five. if you look at the Bulyon Crockett Record Books, you take the top 20 bucks in the book and you look at the mean age of those top 20 where they know it, it's three years old. So you have pronghorn reaching 90 inch antelope at age three. So they really, they mature quick but that offers a really unique hunting opportunity we could harvest at a higher rate than we say would elk where your trying to get a maturity at almost 10 years old. So you don't have to wait for an animal to survive an additional seven years just to reach that peak antler growth. And again, it gives a little bit more opportunity for harvest and because adult pronghorn have a much higher probability of dying anyway compared to deer or elk, your maybe harvesting before that winter kill or before something else would have taken them anyway. About four, three years ago, we switched our survey methods across the state to monitor our pronghorn populations. This is really getting us that again like I said, fawn survivals driving our population performance. We really wanted to get at that. We used to fly kind of winter surveys where we weren't able to really achieve our, what's our fawn to doe ratios. Where we now shifted our surveys into the August time for late July, August to early August timeframe to where we really ascertain what is the prong, the fawn to doe ratios. After that peak fawn mortality, that big (Indiscernible) right after they're born, we'll know what's going to happen in the future years. It

allows us to predict better into what our management scenarios would be. The other thing that we were able to find from our pronghorn surveys is where we really underestimated bucks in the plain. A yearly buck is pretty hard to tell from the plain at about 60 miles an hour, you're looking for not necessarily horns, it's a black cheek [Phonetic] patch that's pretty difficult to tell. When we go out there and let's say we fly a survey in the area and we detect 40 bucks per 100 does. When we've gone down on the ground and actually captured out of that population, we're almost seeing 15 bucks per 100 does more. So that would have actually been about 55 to 100. We've seen that. We've handled about 600 pronghorn over the last six years in populations. We've done a lot of surveys and then that's what we're seeing, is almost 15 bucks per 100 does higher. Kind of two options or really our preferred option that we kind of came up with in developing this is going to a system similar to what we have for deer in the state right now. Is basically distributing the public hunting opportunity through the draw and then having a private land over-the-counter hunt that coincides at the same time for the public hunt. Why and the other option we had in there, in some areas in the state where we offer kind of a limited private land and say such as 2-5a or 4 for deer where we have a draw for private land licenses on deeded land in there. We see those licenses. We put them through the draw but their undersubscribed. So even though we offer, the private land owners aren't using those as much as what we say is sustainable harvest and why that's why we went with option one. I have a couple slides here in a second that gives a bigger perspective of the data from the deer that we were able to analyze. So we think this will be in a similar fashion as what we would see for landowner utilization of the over-the-counter tags. One of the biggest issues that we see with the Curve Program is we can't meet our harvest objectives. Two of the main reasons why we're not meeting harvest objectives with pronghorn ia, and this is specific to the rifle tags, is the way A-PLUS is written right now, a landowner must

enroll their private deeded plus their lease land in order to participate in pronghorn in the A-PLUS Program. There are a significant number of landowners across the state that just aren't willing, they don't want to participate so they're not enrolling their private lands and their not enrolling their lease lands as well into the A-PLUS System and so we're not getting an opportunity to hunt on those pieces of property. So there's a lot of lost opportunity or a lot of areas where properties are not being hunted across the state because of landowners not wanting to enroll. We also see landowners that maybe aren't wanting to enroll because they want to be more conservative on their property than what we're saying is sustainable. maybe they want to have a higher buck to doe ratio than what we're trying to maintain and they maybe don't sign their agreements because that land all of a sudden becomes not eligible to be hunted for that season, including the lease land associated with it and one of the biggest issues that we see with the current system is an acreage driven system. So the system right now is basically, we are allocating licenses across the game management unit based upon the acreage on that property. Pronghorn, if they were evenly distributed across the landscape, the acreage driven system would be great but pronghorn are not. They're clumped. They're clumped across the landscape and so someone that has 20,000 acres might have 500 pronghorn but someone that has 700, 800 acres, might have 500 pronghorn. It doesn't recognize the nature of the species and so the system is really, is not recognizing where pronghorn occur across the landscape and we can't get hunting opportunity across that. Kind of a quick rundown of snapshots. Some of these lands in the northeast area, (Indiscernible). Each one of these are the minimum qualifying acreage that we are showing for a property to receive a pronghorn allocation and so if you look at GMU 42 for example, you have to have roughly almost 6,000 acres in order to receive one pronghorn authorization. You might be a land, piece of land in 42 for example that has 2,000 acres and a



sustainable pronghorn population that we could actually hunt or the landowner could hunt or something in there that is not hunted right now because of the minimum qualifying acreage. The most extreme example in the state is GMU 12 by for things like where you almost have to have, it's 19,800 and some acres to qualify for pronghorn tag. So again, it doesn't recognize the species in the distributions across the landscape. So we're losing a lot of hunting opportunity from that. This graphic and it's a little difficult for some to see, is what we did for every GMU in the state, we wanted to map out where we're hunting pronghorn. So if you look at this GMU, this is GMU 40. Those areas that are not hashed, that are white, is where we're currently hunting pronghorn with rifles in there. Those areas that are hashed black are lands that are not enrolled. So it might be a landowner that has decided never to enroll its property or its leased land into the system. So as you'll see, there's a substantial amount of property across that GMU where those landowners have just decided I'm not going to participate. I don't like the current system. I don't like how it is and I'm not going to participate in the program. Those lands that are in red hashed, are those private landowners that enrolled, wanted to participate but they don't meet the minimum qualifying acreage and so we have a lot of lands throughout the state, a lot of landowners throughout the state that want to participate, have pronghorn on their property, have somewhat of a stable harvest on their property but aren't able to participate because of our minimum acreage requirement in the rule right now. Right now, last season we had 265 ranches across the State of New Mexico that fell into that category, wanted to participate, have pronghorn on their property but didn't meet minimum qualifying acreages. I'll go over this really quick because we kind of discussed this. Again, some of the biggest concerns from the landowners with the current system is concerns about accommodating public hunters. The way the rule reads right now, you must enroll your public land or leased land and also all of your

deeded land. So someone might be a 90,000 acre ranch with 10,000 acres of public leased land. They might get 10 permits, nine of them are going to be they're deeded or nine of them, there's hunters they select. One is a hunter that they don't select. That we put through the draw and then we assign that hunter to the ranch. Some ranches are not going to enroll because it's not worth them to have to work through that in our system on how it works. It may be not conducive to their operations on the properties so they're electing not to enroll because they don't want to. Some of them have a fear about liability of allowing someone on their land that they don't know. Also one of the biggest issues from the current system right now is landowners are not receiving (Indiscernible) impaired archery or youth allocations. It's just a rifle allocation so we do not assign the archery mobility impaired or youth hunters right now that (Indiscernible-coughing) and then the next biggest thing we hear from the current system from the landowners is a desire to be more conservative than what we're putting out. You'll see as we give out authorizations there's a significant amount of private land authorizations right now that are going unconverted. One of the biggest complaints we have from public hunters is they get assigned to a ranch. their only able to hunt that one ranch and their not able to leave that ranch and so it's not conducive for them to be able to move around. One of the biggest things they would like to see is to be able to hunt anywhere where they have legal public access. So again, one of the biggest things with this is we're below sustainable harvest. We're having a lot of areas within the state where we're not currently hunting pronghorn and pronghorn hunting can be increased across the state, both from the biology of the species and from areas and we think we can do it and still maintain quality. Real quick on the deer. Our example is basically going to what we have for deer, over-the-counter, private lands, private deeded lands. A person could go buy a license and go hunt their private property. We've been doing that since about 2006 or 2006 in the State of New

Mexico and what this is and this chart basically shows license sells for last year. Last year we sold 36,619 deer license across the state. Of that, 81% of those were the two public hunters, were drawn through the departments draw or 29,661 were through the draw. 6,958 licenses of the total last year, roughly 19% were purchased unlimited over-the-counter for private lands across the state. If you look at land mass across the state in New Mexico, excluding areas where we're not allowed to hunt, 49% of it is public and 51% is private. So what I'm getting at here is landowners are conservative. They typically are more conservative than what we would recommend and that's fine and that's their harvest objectives on their property, is to be more conservative. What we see is, we're not expecting or we have not seen anything in terms of a population impact by an over-the-counter unlimited license on private land deer. In fact, we probably see, if we look at our northeast area where the concentration of private land is, we look at our deer, buck to doe ratios on private land tend to be a little bit higher because of the conservative nature. Above our objectives, let's say, we're not saying it's a bad thing but our objectives might be in opportunity management and we're going to manage from 30 bucks to 100 does in that unit. It might actually be 45 to 50 because of the conservative nature. We think landowners would follow that same kind of conservative nature that they have with deer followed through with pronghorn and that's why we kind of went with that recommendation. We're also kind of proposing going to a structured pronghorn hunt across the state. We took in a lot of comments from different organizations and groups in the last couple of months and came up with this is kind of something that looks a little bit better. Again, this under proposed and we're looking for guidance if we see something different here but really in archery season, running 10 days starting the second Saturday in August. Our first rifle hunt in the last Saturday in August, second rifle hunt the fourth Saturday in September, being the break of the archery

season for deer and elk and then the third rifle being the first Saturday in October and then the youth coming in maybe on the second Saturday in October. We're planning on our proposal at this time as maintain current public muzzle loader hunts. There's the potential in here to create some new muzzle loader hunts if need be and if so desired but the biggest thing that this proposal does is moving away from, right now if you put in for pronghorn rifle in the northeast, your putting in for about GMU's, 16 GMU's. What this would do is separate each GMU out individually. A hunter would be putting in for the GMU that they want to hunt and the hunt that they want to hunt. So multiple hunts across each GMU. Going from right now, we have about 60 public hunt codes for pronghorn to approximately 150. That is the biggest difference that we see in terms of the structure of the hunts, is how that would occur. Also each individual hunt, because we did that, it would create less hunters on the landscape at one given time during one hunt in one GMU. Right now the northeast is drawing for 500 public hunters that could go across. It might be in one GMU during one hunt. It's only 20 public hunters or 30 public hunters. We're not talking about hundreds of public hunters per GMU per hunt at this time. This is very small and I don't expect you to read it or really go through it in detail but basically what this shows is our license, what our proposed license increases would be for the draw across different regions of the state. This will change as we analyze this year's survey data. We really focused our survey efforts this year in the southeast portion of the state. Those license numbers will change as we finalize analyzing that but we still suspect an increase and it will be an increase in our proposal for license numbers in the southeast based upon our survey data. This is a quick snip at real quick of it and again as we formalize this proposal further, get better population information from our surveys, we will be sure to post this on our website as well as work with those individuals that have expressed interest in this. So as I stated from the beginning, we have

met with a lot of different groups. We wanted to take a different approach with our proposal at this time. Typically, when we do a big game proposal, our rule proposal, we initiate through the Commission and discuss with them first. We take it out to public meetings that we just have everyone attend, take that into a second meeting and comment back to the Commission and then we finalize it. What we did was kind of go out to the public first at this. We decided to go out and have kind of strategic meetings with those stakeholders that we felt would be very interested in this, that felt that they had a stake in it and wanted to have public comment and expressed in the past that they really wanted to have some input and intake on the development of this. We hosted I think, we hosted four different meetings across the state with landowners currently participating in A-PLUS. We've held meetings with different hunting organizations and also different livestock organizations across the state to kind of get out that. One of the biggest concerns that we heard from some of them was issues potentially over trespass. That's probably the number one raising issue. I don't think it was an issue regardless of the current system or not. The current system or the proposed system is basically concerns over trespass onto private lands. There's been some concerns. There was some concerns expressed over harvest and they came in in the form of unlimited over-the-counter licenses for private lands. There was concern that that would happen. As we stated or as kind of talked about a little bit about private land deer, we don't see or we don't think this is going to happen. We don't foresee a potential of that. We see a conservative, much conservative than we would expect in private land deer across the board, across every GMU's. So we're not expecting that. There was some ask or requests that the proposal actually have a cap on the over-the-counter licenses for the private land. Again, we were bringing these as comments and concerns from those organizations. The department's proposal still thinks biologically. We could sustain an over-the-counter unlimited license on

those lands. When we've capped private land over the licenses for deer, we actually see leftover licenses every year so the cap really does not, has been non-beneficial where it's not ever reached in those caps. In some of the public comments we heard too was decreasing the size of some of our GMU's. Specifically in the southeast area. For example, GMU 31 or GMU 30 where we have very large GMU's. There was a desire to maybe cut those in half or maybe even smaller to further spread hunters across the GMU. Right now I think we we're proposing maybe 35, 40 hunters per hunt in some of those GMU's. The desire would be to split at a level to where maybe it would be half that kind of density across those. That was one of them and then another big comment we have was we had a proposal of five day moving, moving to a five day rifle hunt. We have both comments in favor and against that. Right now we've left it in the proposal as up to five days. I guess we're kind of looking at some guidance on where we want to go with that. That was one of the bigger comments we heard was a desire for some to stay at three days and not move it to the five day hunt and then a complete opposite desire. So there were voices on both sides of that opinion. One of the bigger things that we heard from some landowners currently participating in there was in the plains of St. Augustine down in 15, 16 is trying to create maybe a special management property similar to what we do with the here [Phonetic] is the limit, that basically cap the private land licenses or the over-the-counter in that area because of worry about quality. It's a potential, again like we started with four and two is the deer, that we do have that cap. We're not even succeeding it but it was one, a concern that was expressed by a lot of landowners in there that I wanted to make sure we brought forward to the Commission so you guys heard that and with that, I would take questions.

VICE CHAIRMAN MONTROYA: Stewart, let me start with the public and standby. Kerrie Romero? Pass. Jim Wells?

JIM WELLS: Thank you, Mr. Vice Chairman, Commissioners. Director Sandoval. I'm hoping some of you all got my letter that I sent to you as a compromise with regard to Stewart's proposal. I've got concerns on both sides of the issue. Obviously, the acreage driven part is a large factor that seems that Stewart zero in on this a problem. I think one of the misconceptions that we have here is that there's lots of these animal opportunities that are being squandered by private landowners. I gave Stewart an example yesterday of one the ranchers we lease is 48,000 deeded. We get 26 buck tags, we use 4. The reason we use 4 is there's probably a total of 70 head on the ranch. There's no way it could sustain that. Our farm crops were terrible. Other ranches we lease in the area, we've got terrible farm crops right now. I don't know what's going on with mom does but you know, I know that the corridor that includes Fort Union, CS, Rahe Ho, all of that country seems those does seem to do very well as being good moms. Ours down there, I don't know if it's predation or what but they seem to be sluffing off their fawns. I look forward to seeing those little baby antelope cruising. Every May 15<sup>th</sup> through June 1, I'm down there looking. So I'm concerned about overharvest as well. I think there's a compromise and one of the things I was going to ask Stewart about too was on that one slide, you mentioned something about the (Indiscernible) and the archery and the landowners, that they cannot access those lands. I'm not sure what that point is referring to but I was hoping for a little bit of clarification on that because I see that as a private landowner, we get tags that are issued here, the authorization is issued to have hunt codes for the MI [Phonetic]. They also have the hunt codes for the bow and it is available. So I was just wondering where that's coming from, number one. Is my time up if I go? Okay, if there's any questions you all have, just let me know.

DIRECTOR SANDOVAL: Mr. Chair, if I just recommend. Mr. Wells, Stewart can visit with you after and—

JIM WELLS: Okay, that would be fine. Thank you.

VICE CHAIRMAN MONTROYA: Todd Leahy [Phonetic]. How close did I come?

TODD LEAHY: You got it.

VICE CHAIRMAN MONTROYA: Oka, good.

TODD LEAHY: Mr. Vice Chairman, thank you. Commissioners my name is Todd Leahy. I'm with the New Mexico Wildlife Federation. The federation supports the basic premise here as it regards public draw hunting. However, we do have concerns about the unlimited over-the-counter licenses that Mr. Lyle pointed out. The current system needlessly consumes agency resources, excludes some landowners, let's grazing permits veto hunting on public lands, excessively limits hunting and guarantees that the pronghorn resource is underutilized. We believe that their eliminating ranch assignments, increasing public license numbers and opening more public lands are good stats to addressing those issues. The proposal to issue unlimited over-the-counter licenses for private land however raises concerns about harvest enforcement and legality. First and for the record, we believe that the statutes authorizing landowner permits for elk, pronghorn, Oryx's and deer are legally suspect. Landowners now properly control access to their property but wrongly control access to the hunting license itself. That said, if the Commission and the department decide to allow the OCT Licenses, we ask for a third discussion, particularly regarding harvest and enforcement. On harvest, previous requires the Department of Game and Fish to prevent over harvest by OTC License orders. The plan should include harvest quotas, caps on over-the-counter licenses or caps on over-the-counter licenses for each hunt code. On enforcement, we want the agency to develop and publicize enforcement plans to prevent private land licensees from hunting on public land and vice-versa. These are the



concerns we heard most from our members. We'll detail our issues in a follow-up letter to you all. Thank you.

VICE CHAIRMAN MONTROYA: Thank you. Brandon Wynn?

BRANDON WYNN: Hi, I'm Brandon Wynn representing Backcountry Hunters and Anglers of New Mexico and thank you for the opportunity to speak and I'm going to read something of, if anyone's ever heard me speak, I used to kind of like to make it up as I go. So that's why my fellow board members brought a piece of paper for me to read in my hand. So the New Mexico Chapter Backcountry Hunters and Anglers after discussion by our board of directors tentatively supports option one of the departments alternative pronghorn hunt management proposal. Our final support of the proposal is conditioned on adding two elements to the proposal rule change that we believe are necessary to establish the full support in Mexico's public hunting community. First, New Mexico BHA request that option one be amended to include maximum quotas on the number of private land pronghorn permits issued for each game management unit in which pronghorn hunting is allowed. Secondly request, a new provision that any reduction in pronghorn hunting levels that maybe become necessary to meet management objectives in the future be shared equitably across public draw and private land permits. Our support of the proposal with the additional provisions listed by this based on BHA's stated mission to support increased public hunting opportunity on public lands. We acknowledge and appreciate the departments effort in option one to significantly increase public pronghorn hunting opportunity in New Mexico. (Indiscernible) significance to public land hunters are the provisions that all public land pronghorn hunting in New Mexico would be conducted through permits obtained through the public draw and their all (Indiscernible) accessible public land where pronghorn habitat will be open to hunting. New Mexico BHA appreciates the proposal was established using strong

science based approach to pronghorn management. The proposal both as written and with our proposed amendments would be a significant improvement over the current A-PLUS Program which is unsatisfactory to many public draw hunters, private landowners and outfitters.

However, we believe one of the best outcomes... Can I finish?

VICE CHAIRMAN MONTROYA: Yes, go ahead.

BRANDON WYNN: It's pretty close. However, we believe one of the best outcomes of eliminating the A-PLUS Program will be significantly reduced administrative burden on the department to free up resources that can be reallocated to more beneficial and productive uses. We suggest that some of the reallocated resources be deployed toward a program to seek open gate type access agreements with willing landowners to provide public access to or across private lands. New Mexico BHA strongly supports the concept that private landowners should be compensated for providing access to their land where then for providing access to hunting permits. Close enough, thank you.

VICE CHAIRMAN MONTROYA: Thank you. Joel Gay [Phonetic].

JOEL GAY: Thank you for the opportunity. It's always a pleasure to be back in front of the Game Commission. I've got a little, back with the comments from Brandon and from the Wildlife Federation about the importance of starting this whole process again. I mean, we went through this exercise about eight or nine years ago and almost change (Indiscernible) A-PLUS substantially then so I hope you will push through and get it this time because A-PLUS definitely needs to be changed. You all know that. Everybody in this room knows that it's got some serious problems. Like some of these other folks, I like the idea of option one but I think it doesn't quite go far enough. I think one of the most important things you could have added, that the

department could add is a requirement that all the seasons, private and public land are concurrent because that keeps animals from scooting under fences and that sort of thing and I think by having concurrent seasons, whether it's antelope or elk, you really are making it much more fairer for everybody. I like the idea of having a limit on the private land, tags available in each GMU. Simply because when the time comes to start cutting tags, we want to make sure that it's not just the draw that gets cut, it's the private lands hunt get cut as well but I think one of the other important fundamental issue to focus on here is the fact that these animal tags or elk tags or deer tags are owned by the people in New Mexico. This is a public resource and what we have been doing for years and years, decades, is giving this public resource to landowners with very little in return. Their selling access so I would ask to have maybe another option within here that says, that starts to put public draw hunters on private land and it's not a whole lot different than what's going on right now at A-PLUS, where you've got draw hunters being assigned to a specific ranch. Under this option one they could or the department could start with one tag, one draw tag allocated to every ranch that has, that sells private land hunts. They have to agree to take one draw hunter and that starts the communication going. Then you have landowners getting to know hunters. Hunters getting to know landowners and you start to breakdown some of these big barriers that are truly a problem in our state. Thank you.

VICE CHAIRMAN MONTOYA: Thank you. Dave Queick [Phonetic].

DAVE: (Indiscernible).

VICE CHAIRMAN MONTOYA: Well that's close.

DAVE KENNEKE: Thank you Vice Chairman Montoya and Commissioners. Dave Kenneke, I'm the Director of Ranching at Philmont Scout Ranch. (Indiscernible) guiding up in that part of

the country for 25, close to 320 years and I'll say that when I hunt it's on state land and guess what? This year I didn't draw in anything. You know what? But that's life and I'll put in next year. Okay? That's the way the system works and I'm fine with it. A few bullet points or things for you guys to consider, concerns about it. Ranchers that have this checkerboard status okay? We're already participating in the system but it's very tough to have control over state hunters in private land. Gates being open, you've heard all of those things. This would just exacerbate that problem. I would think that may be a concern for the officers too that work for Game and Fish. If the numbers that are being harvested are a concern, please look at that. Maybe getting some of the private landowners that have smaller acreages to fill those tags. A lot of those people aren't here today because they're working or preparing for antelope season which starts this weekend. I think changing from the three days to five days is a bit of overkill. If your assigned a hunting unit or ranch unit and you haven't found an antelope in three days, your spending those extra days just out there driving across private land and tearing up the state lease land, tearing up those two track roads, especially if it's wet. Just concern for the environment there. As far as the extended hunt period, it doesn't go through with private landowners that have fall works. The longer you have people on those properties, the tougher it makes gathering cattle and trying to get your work done. In addition, if you're an outfitter, by September you're usually rolling into bow hunts and deer hunts. Can I go just a few seconds longer?

VICE CHAIRMAN MONTROYA: Briefly, sure.

DAVE KENNEKE: The last thing, the reason we have these antelope like we're trading for Gould's Turkey, is because we've managed them and have pretty good numbers. So maybe consider, let's trade 200 antelope and get 200 Gould's Turkey and maybe keep the system the way it is operating now. Thank you.

VICE CHAIRMAN MONTTOYA: Thank you. Caren? Caren Cowan?

CAREN COWAN: Mr. Chairman, Members of the Commission, Caren Cowan speaking on behalf of New Mexico Cattlegrowers, Workers and Federal Lands Counsel. As I emailed you earlier in the week, the New Mexico (Indiscernible) Organizations have taken a position on this proposal. We do have a board meeting next Wednesday here in Albuquerque. We have invited the department to come and give a presentation to the board. So we may come out of there with some policy but we may wait until December. The feedback that I have had thus far on this plan has been negative. The primary going from three to five days is a killer. Antelope season is right during the season that we get a payday. You guys may get two checks a month. Ranchers get one check a year and they are getting those checks in the fall when they're gathering their calves and being able to take them to market. It never ceases to amaze me the disconnect between whose wildlife it is and who brings the groceries to the table. If landowners weren't out there maintaining waters, putting out supplement when it's necessary, wildlife wouldn't be thriving and you wouldn't have this problem. So you know, the five days, especially during fall works is, everybody really dislikes. The checkerboard ranches that have been participating with you would be totally hammered under this new plan. So you're penalizing the guys that have worked with you thus far. Trespass as we've talked about, continues to be a major issue and a change of this magnitude, with the trespass issues that we're facing, we feel like we need to have some sort of resolution on the trespass before we can leap in to something of this magnitude. You know, we want to work on solutions. I've had a couple of ideas while I was sitting here. I don't necessarily want to share them because I haven't talked to anybody else about them but I think that if we could all come to the table and work on this a little more, we might come up with something that we could live with. Thank you.

VICE CHAIRMAN MONTROYA: Thank you, Caren. Jess Rankin?

JESS RANKIN: Mr. Chairman, ladies and gentlemen of the Commission, thank you for having me here today. I'm just shocked by this. I've always thought that our Game Department really was and on the ball (Indiscernible), come up with good ideas to that department. I think Stewart's done a great job but this is about the worst idea I've ever seen this department come up with for several reasons. For one thing, if you make it over-the-counter on private land, I'll guarantee there's a bunch of landowners that are going to cash in on that and they're going to just sell hunts to Texans. All you got to do to sell 90% of the hunters in Texas, there's one phrase that will make them reach for their checkbook, private land. You tell them private land and they're going to, they can stack hunters in here three deep. I see it happening on some private ranches down there in Southeastern Mexico now for mule deer. Another thing, you're talking about, if I understood right, not a five day hunt but four of them and here's a problem. I'm primarily a public land outfitter. I make most of my living with lottery draw hunters. If you start, now if a hunter draws an antelope tag with me, he gets assigned to a ranch and he has got a good place to hunt. He doesn't have to worry about staying off the private area or anything like that or too many hunters because there's a limited number of hunters on that ranch. If you go to this program, there's going to be problems getting to some of the public land. there's going to be too many hunters in places but another problem, if you go to 150 hunt codes, there's going to be so few tags for any hunt code that the outfitters are going to lose their 10% because they're going to have to be 10 before there's even one and there's going to have to be 35 or 40 before a group of four hunters even has a mathematical chance of drawing. I like to apply my hunters in groups of four and when they get drawn, they get assigned to a quality ranch and have a quality hunting experience. As far as I'm concerned, the public hunters in the draw are going to lose bigtime on

this and the landowners are too. We've got a really good system now. I realize there's some problems with it but let's don't get away from it. You know I'm a big hunter myself and I've actually hunted antelope out-of-state four times. Twice in Arizona, once in Nevada, once in Oklahoma. New Mexico antelope hunting is the crown jewel of antelope hunting in the west. I've seen bigger antelope within a mile of my house in (Indiscernible) New Mexico than I saw in any of those four bigtime out-of-state hunts and the private land is not accessible when you draw. I just don't enjoy hunting antelope anywhere but in New Mexico. We've got a real good system. Let's tweak it but let's don't kill it. Thank you.

VICE CHAIRMAN MONTOYA: Thank you.

JESS RANKIN: One other thing I would like to say is, on the subject of antelope is, that muzzle load antelope hunt in 29 and the youth antelope hunt are too late. Last year I had 200 on that muzzle load hunt in 29, over half the antelope had lost, bucks had lost at least one horn by then and the one buck we killed when we went to Capitan [Phonetic], the horns came off which is not really a big deal but the point is, if they made it a week or ten days earlier, that probably wouldn't be a problem.

VICE CHAIRMAN MONTOYA: Thank you, Jess. Tom Sydell or Sydwell? That close enough, Tom?

TOM SYDWELL: Sydwell.

VICE CHAIRMAN MONTOYA: Okay, good.

TOM SYDWELL: Thank you, Mr. Chairman, Members of the Commission. I just want to address a comment about the private tags in that the ranchers have a considerable investment in

the land and that investment has improved the habitat considerably. And I take for example, the Quay Valley where I live there south of Tukentary [Phonetic]. There's not any permanent water in there at all and if it weren't for the ranchers who developed wells, developed pipelines, put in troughs and so and so forth, there wouldn't be any antelope. There wouldn't be any deer either so the tags that the ranchers receive is really a return on their investment and so I don't want to see the private landowners degraded as they have been and I don't have any other comments.

Basically, what Caren said I agree with also. So, thank you very much.

VICE CHAIRMAN MONTOYA: Thank you. Let's start with comments that are all the public comments. Let's start with comments from the Commission.

COMMISSIONER RYAN: Okay, I'll jump in first. I'm not afraid. Okay. Stewart, I appreciate all the effort and time that you and your team have been putting in on this. I know you've got a great team, antelope program guys behind you. So thank you for that. Thank you for looking at the biology of the animal and you know, the acreage based system is you know, what is not working because the antelope don't spread out evenly over the State of New Mexico. So it's not a program that works so thank you for putting the science to the paper and coming up with something. There's pros and cons to the proposal. At this point, rather than falling too hard line on any particular aspect of it, I'd like to bring forth some concerns and discussion items. Some of them have been brought up by the public comment that I have attended. Some public meetings down in Southeastern New Mexico and had a lot of public comment and contact in Southeastern new Mexico. I am an at large Commissioner but because I live in Roswell and I'm surrounded by the ranching and Ag communities, I've heard a lot of comments. So I'm bringing some of those concerns and a lot from sportsmen as well. So I'm hearing it from public hunters and landowners. At the public meeting, Nicole did a great job. Thank you, Nicole. I even polled the



room a couple times at the public meeting asking the landowners there how they felt about certain items. One, you know did they felt like they had enough tags to properly harvest the antelope on their ranch and some said they could have used more because they have so many and some said , well I got a lot and I used this many because I don't have a good population which was suggestive of me that the acreage system and being assigned to certain number of private landowner tags doesn't work and that the landowner has been brought up, are the guys that know what's happening on the ground on their ranch and they're the best indicator of what's actually on the ground and despite some concern of over harvesting, I don't see where a private landowner would cut his nose off to spite his face because if you over harvest one year and takes too many, he has nothing to profit from the next year and that is just a, these are common sense landowners that you know, money talks and economics are what they are and I don't see that over harvest is going to be as big an issue as some people are shouting. But we're trying to balance with this program and I appreciate the department trying to balance these issues. It's the public's hunter access to state trust and BL Lands to hunt versus private landowners being able to secure their border for using you know, Trump's lingo. We have private property rights versus the public hunter's rights, equal constitutional rights to access land, public lands to hunt. So those are the issues and overwhelmingly, the issue coming from landowners right now while the program really speaks to giving them the opportunity to make the best choice regarding harvest on their ranch. They're concern is regarding the public hunter on their ranch and evidently there are-- I'm a public hunter. I have been a private land hunter. I have hunted antelope on a private ranch on several occasions but I'm also a public hunter and it's appalling to hear those stories of public hunters shooting at the water tanks and trash everywhere and campfires and all kinds of you know and trespass onto the private property and not knowing where their boundaries are and

it's horrific but it's happening and so you know, I think, I appreciate the department engaging with these landowners. I know yourself, you have attended some of those meetings and I just encourage the department to continue to try to work with some solutions to, for on both sides of the aisle. So I want to kind of get into the nitty gritty of a couple of the aspects of the proposal which would, could help or hurt the trespass, public hunter access issue. So going from the hunt codes, going up from 60 to 150. Could you go into more detail Stewart about what 150 hunt codes means and how assigning you know, basically what it is. My understanding is that you spread out the hunters until you have not as large a density of hunters all at once. So you're spreading them out spaciouly but for a longer period of time. Is that accurate?

STEWART LYLE: Mr. Vice Chairman, Commissioner Ryan, so you are correct. So the biggest thing with the 150 hunt codes, right now you might have a hunt code of one. Let's say one for the northeast. 500 people could apply for that 500 people draw, that hunt code. What we're planning on or what the proposal basically suggests is you have multiple hunt periods within each individual GMU with your people. So it may be that the, an entire GMU, say GMU 30 for example or GMU 31 in the southeast, may not have more than 35 hunters on the ground at one given time and so the proposal basically has fewer hunters hunting at one individual time than it has historically and it wouldn't put as many people out across the landscape all at once. So (Indiscernible), they shouldn't be as much of an issue. There shouldn't be for an example as right now in archery. There's a lot of combined units. You draw an archery tag in the northeast unit, you get to hunt the whole northeast. All 100 hunters could show up at one piece of state land if they so choose to. Right now the way it works is we would split those GMU's separately and into that one hunt to where maybe it's 15 hunters in that GMU but they are bound to that GMU now, not to the region and so those 15 hunters could show up at one piece of state land in that

GMU but the likelihood is (Indiscernible) because it will be less per hunt spread out more across that GMU.

COMMISSIONER RYAN: And so therefore, probably a better success rate for those public hunters?

STEWART LYLE: Mr. Vice Chair, Commissioner Ryan, you know I don't know if successful increase significantly because our success rates are so high already for pronghorn. I think what will happen is we won't see much of a change in success rate. What will probably happen will maybe be less people running into each other during the pronghorn hunts. Less, you know when you have the 500 rifle hunters in the northeast area right now you have a three day hunt with all 500 in there. You have herds running across everywhere right now when the hunts go on. This point will allow probably more of a hunt where you may be not running into another hunter or you have less likelihood of running into a hunter. Also what this proposal would do is open up a lot of areas where pronghorn is not currently being hunted. So there's a lot of refuge across the state or areas where pronghorn haven't been hunted in years because landowners not wanting to enroll because they don't like the current system or not meeting minimum qualifying acreage, where now those places will be hunted and so there's new areas that have not been hunted in the last five, six, seven years that now will be open for hunting.

COMMISSIONER RYAN: So to the landowner, there's a lot of landowners in Southeastern New Mexico that are not enrolled in the A-PLUS System because they have issue with the public hunter being on their property or trespassing on their property or trying to deal with the inflood of public hunters while they're trying to, while calving is going on. While they're trying to get their cattle to market and all these issues because as Miss Cowan indicated, this is the time of

year that not only do we want to hunt but it's also the time of year where a rancher gets his product to market. So in balancing that, as indicated from hunters and the like, I don't think hunting antelope on the fifth day is really meaningful for a public hunter. I mean I support hunter opportunity to get out there and be able to have a good harvest but I'm not sure that five days for the species of antelope is really helpful. I think that the hunt codes you've been proposing and various access issues and stuff that we'll get into in a minute, contribute better to the public hunter than giving them five days. It's not meaningful when you're balancing that against hunters being on private property and these state trust lands and stuff for a longer period of time. Again, it's a balance and I'm not sure that the fourth and fifth day is really a good way. I think the compromise is to stick with a three day, the three day hunt. Regarding access, so would you explain under the current system what a public hunter can access in a ranch that is enrolled in the A-PLUS Program right now versus what the public hunter can access under the proposal?

STEWART LYLE: Mr. Vice Chairman, Commissioner Ryan, so under the current system, if you draw a rifle tag, you will be assigned to one specific ranch. You will get a letter in the mail from the department that says here is the boundaries of the ranch that are, that you are to hunt.

COMMISSIONER RYAN: It's just a ranch? It's not the entire game unit? It's just a ranch within the unit?

STEWART LYLE: Commissioner Ryan that is correct. It is one specific ranch. It might be one ranch that's 10,000 acres. It might be one ranch that's 5,000 acres. It might be one ranch that's 125,000 acres but you are restricted the boundaries of that ranch. That ranch will include the deeded land plus any leased land that's under there. So that hunter is restricted to that and that's probably the number one complaint we hear from, from public hunters is the restriction of that.

Under the proposed system, a hunter that draws an antelope tag now would have to be anywhere where public land is legally accessible within that GMU is where they could hunt or anywhere where they could secure written permission from a private landowner. So one would be that one ranch. It wouldn't be one specific area. It would be anywhere in the GMU with publicly accessible public land or anywhere where they get written permission from a private landowner. One of the other aspects of this (Indiscernible) program that we will work to achieve and accomplish and work on is open gate properties. And so as we have some landowners that have participated in deer with open gate, we would seek to do that the same with pronghorn where we have landowners that maybe don't want to deal with leasing their land to an outfitter or they don't want to deal with trying to find hunters to sell and access to. The department would work with them on paying for allowing public access to their private lands and any of those open gate properties enrolled in that GMU, a public hunter would have access to that as well.

COMMISSIONER RAMOS: Stewart, just real quick relating to that. So currently every rancher that participates in this system, do they receive a public land hunter as well?

STEWART LYLE: Mr. Chairman, Commissioner Ramos, if the private land is 100% deeded property, they do not receive a public hunter. If there is public lease associated with that, whether it be Forest service, BLM or State Land, they will receive public hunter in proportion to their private deeded property.

COMMISSIONER RYAN: So one thing I think would be helpful in moving forward with as your developing this program is the definition of legal access because it's plain to me that either you are using a public road to access a public lands or you have permission from the landowner or lease holder to access the public lands. That would make sense. In Southeastern New Mexico

it's unique because we have a lot of oil and gas development and we've had industry come in and build a ton of roads and so from appearance, it looks like oh, this is a good road. I'm going to use it versus is it a legal road to use? There's just confusion on it. I think possible considering the way that a legal access road is identified in the department's, help me here...

STEWART LYLE: Rules and information book.

COMMISSIONER RYAN: Yes, would be helpful in identifying what is legally accessible and what isn't. So one scenario I have a question about. So if private landowner has some hunters on his ranch and if there is land locked State Trust or BLM Land on his ranch and what I mean land locked, there's not a public road to it and he's not using the open gate policy or granting other access. Public hunters do not, still do not have access to those public lands. Is that accurate?

STEWART LYLE: Mr. Vice Chair, Commissioner Ryan that is correct. A public hunter would not have access to that land unless they had a legal means to get to the public lands. So they would be trespassing to get to it.

COMMISSIONER RYAN: Under the current A-PLUS Program, if that public hunter is assigned to that ranch that's enrolled in the A-PLUS Program, they automatically have access to those public lands.

STEWART LYLE: Mr. Vice Chair, Commissioner Ryan that's correct.

COMMISSIONER RYAN: Okay. Sorry, I just want to make sure. Okay, there was a comment. I wanted to hear your response on considering decreasing game management unit size. That comment came from Southeastern new Mexico and I wanted to know if maybe the department

doesn't have a position on that but whether you thought that was helpful or not helpful to law enforcement dealing with this trespass, this dichotomy during these hunts?

STEWART LYLE: Mr. Vice Chair, Commissioner Ryan, so the concern would be an overcrowding at a one particular hunt. The larger the GMU, the more opportunities we're going to issue to the GMU. The smaller the GMU, the fewer opportunities. So if we have a smaller GMU with fewer hunters in it, there may be a less likelihood for trespass. If there's an area that has high likelihood of trespassing has historically had high trespassing. It's not that it's going to stop but if put fewer hunters on that landscape at one given time, it may lessen it. And so if for example, if there was 100 people across all of GMU 31 and all 75 of those hunters went to one specific area and there's a potential for trespass in that area and a high likelihood. If we now split that into two GMU's or three GMU's and put 20 hunters per, it's less likely that they would have as many people as a potential trespasser.

COMMISSIONER RYAN: Okay, thank you and then my last question. Regarding when we have a lot of ranches that encompass a couple, two or maybe even three game management units, I'm not sure what the current process is but under a new proposal, could a landowner commit his property to be hunted one game management unit and that way there aren't multiple seasons and dates working here.

STEWART LYLE: Mr. Vice Chair, Commissioner Ryan, so I'm in that scenario where we do have deeded property or property that extends across multiple GMU's. Our recommendation on this proposal would be where the majority of the GMU falls or when the majority, excuse me, the deeded land falls in the GMU, that is the regulations in which the property is hunted. So we don't have maybe 100 acres one way, 200 on in another way. We have some land owners that are

clear a cross maybe six or excuse me, three GMU's and so they're under three potential season dates and hunts. What we would recommend under this proposal is it's wherever the majority of the deeded property falls in hunts within the regulations of that GMU.

COMMISSIONER RYAN: I think administratively for those landowners where that is the situation that is helpful to just have a consistency and dates and so forth. So that's my other comment. Okay, I'll pass the mic.

COMMISSIONER RAMOS: Mr. Vice Chair?

VICE CHAIRMAN MONTROYA: Go ahead.

COMMISSIONER RAMOS: Chief Lyle, back to the trespassing where Commissioner Ryan was going. Right now if you trespass, you're either given a verbal warning or a citation. Okay? And I see probably more verbal warnings with that and where's the responsibility of the rancher? Aren't they supposed to post their property throughout the whole property? So have we looked at that end of it as well and I know currently there's not a lot of ranchers that properly post their other than main gate entrances and things like that?

STEWART LYLE: Mr. Vice Chair, Commissioner Ramos yes, part of criminal trespassing is a legal posting requirement by the private landowner on their property. As Commissioner Ryan kind of alluded to on the clarity of what is trespass is probably maybe something we can discuss and work with and what is legal posting and kind of getting the word out more on what that is but from my understanding and again, I'm not a commissioned officer so if I'm mistaken I apologize but yes, it is a legal requirement to post the property for criminal trespassing.



COMMISSIONER RAMOS: I'm the one that receives a lot of phone calls you know about trespassing and the game Warden didn't cite them and things like that but on the other hand, my question to the rancher is, are you properly posted as well and the majority of them are not. So I think if they want to, it's kind of like ranching out your neighbor's cattle. You know you got that clause on that. But on another note, I know that if we were to look at and pass this new proposal, A-PLUS Proposal, I think monitoring the antelope is going to be extremely important. I think hunter survey changes in gathering that data. I know data is going to drive the need and need drives change on those numbers. That's going to be, really have to probably going to change our mindset with that as well. What are your thoughts on that?

STEWART LYLE: Mr. Vice Chair, Commissioner Ramos, so yeah, I agree with you and we'll want to closely monitor this population. The big thing is, is we are talking about counting strategy. Our buck population is the biggest thing we worry from a productivity perspective of a pronghorn herd is if it falls below 15 bucks per 100 does, then we might have something with a conception rate issue where a (Indiscernible) birthing issue. But we would want to really strictly monitor heavily what is our buck to doe ratios? It might be something that we're going to look at. What is the age class of animals what we're taking but I agree too. Hunter harvest is going to play a big role. What are we selling license ways? What are we harvesting in there and that will judge and adapt what we bring in front of the Commission for recommendations in the future, not unlike any other species. Is we would monitor the hunts, the previous hunts and monitor the previous data and make and adjust our recommendations on license numbers based off of what we've seen in the past and what we predict the population performance would be in the future.

COMMISSIONER RAMOS: Just last in closing on my end. I do want to thank you and Nicole for doing a great job that you've done as far as going out and seeking out input. That's what

we're here for and getting ideas. We haven't passed anything yet but I think there's some strong concerns and I appreciate you deciphering all that and I'm looking forward to seeing some things tweaked you know, as we come to the end.

COMMISSIONER ESPINOZA: Mr. Vice Chair? Stewart, I have several comments. One, is I guess on the five day you know, I'm not so sure I like that at all but what is, do you have any numbers for success rate on the overall antelope?

STEWART LYLE: Mr. Vice Chair, Commissioner Espinoza, yeah. Approximately 85% are successful on the rifle hunts and the (Indiscernible) it's about a 1.8 day is what the average days of hunting is on pronghorn right now on the three day season.

COMMISSIONER ESPINOZA: So the majority of those or the 85% is coming in at 1.8 days right. So give me some reasoning so I can combine Commissioner Ramos's has raised, wrap my arms around what's the reasoning for the five days?

STEWART LYLE: Mr. Vice Chair, Commissioner Espinoza, so as you'll see in the proposal, the original one said it was a hard five. What we did here was an up to five because of this discussion. We heard from concerns from some sportsmen that they would like more hunting opportunity. Not necessarily more opportunity to kill more antelope and that's not the proposal. We don't think success rates would change any by adding additional days. It may be more days to be able to go out and hunt. Whether it's necessary or not, I don't know. That's where that came from. Biologically speaking, we do not think there will be any difference from a three day hunt to a five day hunt. It would be no difference. It's more of a, is it opportunity that wants to be had or not.

COMMISSIONER RAMOS: If I could just interject on that, please. You know and I understand the five day and gosh, maybe if we even did a six day but maybe six day in that unit but two days here and two days in the middle of the week. You know people are going to look at those dates, if they're available. Spread the hunters out more. I think that was one of the concerns. That might be something to be looked at as well. You know, just to spread the number of people out in the field. You know, versus having them all opening day in the same area and that might alleviate some of those issues.

COMMISSIONER ESPINOZA: If I'm hearing what you're saying, Stewart. One of your goals for relooking at the A-PLUS is that your, there's areas in the state that are being underutilized or under-harvested. Is that correct?

STEWART LYLE: Mr. Vice Chair and Commissioner Espinoza that is correct.

COMMISSIONER ESPINOZA: Under the current A-PLUS, Caren you mentioned an open gate, etc., why haven't we—could not some of those areas still be looked at to open additional hunt codes, etc.?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza I think, so let me get to a graphic that best explains it. And so if you look at this graphic here and you look at the black hash, those are private lands that are not choosing to enroll in the current system. The current system says that we can only put hunters on those grounds where an agreement has been made and so a lot of landowners throughout the state as you look at this GMU, is basically saying, I don't want to participate in the program and so there's a lot—you can't force a landowner to enroll in the program and we would never recommend that and because the system says now that they have to enroll both their private land and their leased land, there's no way for us to access those pieces of

property under the current system. So even with through open gate or even through trying to and we've gone out there and tried to work with landowners to say would you like to enroll? Under the current system it's just-- we can't get that land in there. The other thing is minimum qualifying acreage. Again, and acreage shown in the system right now, there are a lot of lands that do want to participate but we just can't do it because they don't meet a minimum qualifying acreage.

COMMISSIONER ESPINOZA: So I guess for me to understand, on this last comment that you made. Would it be possible just to change the minimum acreage then? How would that work? How would that look?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza if we did away with minimum acreage, it's basically what we're recommending. Is we would draw the public hunters. Private landowners could hunt their properties as they see what they could sustain on the population on their deeded lands and so that's where we're getting away from a minimum acreage. As many examples were brought up in public comments, some property might have 60,000 acres and the population they think they can hunt four pronghorn on it. Some might be 10,000 acres in the northeast and have a population they can hunt 20 on it. By any other system, when the department limits the number that we will authorize or give out. We have to decide somehow what is going to qualify and how many do you qualify for. The last time when the A-PLUS Rule was discussed the kind of guiding panel if you will or the group that was discussing it felt minimum acreage or acreage was the best approach to distribute licenses. Our mentality is on private land again, similar to deer, that private landowners are very conservative in most part and know their property better than what we would know and would know how many licenses that they could sustainably harvest on there.

COMMISSIONER ESPINOZA: Going back to one of my original questions in as far as state lands and they're accessible, that aren't being utilized currently because a landowner hasn't, doesn't want to participate. We could still open those units, those acreages up could we not?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza only if it meets the minimum qualifying acreage and so that's another aspect of the A-PLUS. If it doesn't meet, if the acreage is less than the minimum qualifying acreage we cannot assign hunters to that state land. Because it's an assignment to a piece of specific piece of property right now. It's not anywhere where you can give public access under the current system. We are assigning people to specific properties. Not only that, state land might have multiple leases. Even though it looks contiguous in one piece of property or one place, it might have four or five different leases on there and so the way the rules are written, it is your deeded plus your lease land. So by putting public hunters on one piece of contiguous, it might be someone else's lease and it might be the neighbor's lease that's involved that likes to participate but it may be on the neighbor that doesn't want to participate the way it currently is.

COMMISSIONER ESPINOZA: I understand that but we could still open it up regardless. It's still state trust lands regardless of who leases it, right? We lease the hunting rights.

STEWART LYLE: Mr. Chairman, Commissioner Espinoza yes, we can lease the hunting rights. In the A-PLUS, the way the rule is written right now, we cannot put people on that state land unless it meets minimum qualifying acreage.

COMMISSIONER ESPINOZA: But I'm saying is, as far as a possible tweak, we could lower the minimum qualifying acreage rather than over-the-counter and assigned?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza yes, we could.

COMMISSIONER ESPINOZA: And then I heard some comments and been reading some comments as far as capping the number of licenses available to whoever is a landowner or a the public draw in GMU's. I would be more in favor of that. I'm not a fan of over-the-counter. I just think that there's always a group that's going to abuse that and so I see it in my unit with deer. I would be more in favor of having you look at capping and a certain amount. I know we did that with Barbour Sheep at one point in time. We had it where it was over-the-counter and then we limited the number of licenses that were available in that for Barbour Sheep. I would be more to look at that and I would ask you to look at that rather than just unlimited over-the-counter for everybody I think. I just don't want to have the opportunity for somebody to abuse the system. So I would ask that you would look at that when you bring it forward the next time. I look at Jess's thing one time you know, I'd only have problems with the A-PLUS, that's not a hidden item that or anything that anybody doesn't know. I'm not so sure I would like to see a complete revamping but more of a tweaking of the system and I think that would be more of, anytime you make a real sudden draw of line in the sand and our sportsmen are going to get confused. I think a subtle tweaking of the system is more plausible to sportsmen than it is just a sudden change. Again, a recommendation from me to maybe possibly look at that. But again, I want to thank you as well as like the other Commissioners have for all your work. It's a tough deal. I didn't look forward to opening up the (Indiscernible). I've probably gotten dozens and dozens of calls and I think we'd have sportsmen here except that everybody is getting ready to hit the ground this weekend. Again, thank you. Thank you, Mr. Vice Chair.

CHAIRMAN KIENZLE: Go ahead.

COMMISSIONER SALOPEK: Thank you, Stewart. I'd like to thank you. It's pretty interesting. I went to two of the meetings. In Las Cruces was the sportsmen's. You ran that and did a very

good job. I went to (Indiscernible). That was the landowners, ranchers and Nicole ran that and did a very good job. I was on the Commission when we (Indiscernible) that this change five to six years ago and let me throw some questions at you. Right now in today in the state, how many ranchers were (Indiscernible) hunt if there was no limit on the acreage across the state?

STEWART LYLE: Mr. Chairman, Commissioner Salopek at a very minimum, 265 because that's how many were saying can't qualify. There's a lot of ranchers that would come in that are not signing agreements period that, I'm not told a number, I don't know how many it would be.

COMMISSIONER SALOPEK: So that's 265 across the state now. Do you know how many ranchers that could sign up but don't across the state?

STEWART LYLE: Mr. Chairman, Commissioner Salopek it's probably in the thousands. I don't know the exact number because we don't know if each individual rancher out there that hasn't reached out to us.

COMMISSIONER SALOPEK: So (Indiscernible) if we go to a unit like tag instead of assigned ranchers, how much of the state do you think we have then we do now to date?

STEWART LYLE: Mr. Chairman, Commissioner Salopek it probably would increase in terms of pronghorn habitat over 50% per rifle and there's many GMU's where we're hunting less than 20% of the GMU of pronghorn habitat.

COMMISSIONER SALOPEK: That's fine. (Indiscernible) and we need to make acreage has to go away. So now if go to you know, we don't want to put ranches against public and public you know. The ranchers that have their private, their 100% of 75 to 50's, we're not saying you with permission can let a hunter on. You can charge an access fee. If you want to charge the fee

especially the (Indiscernible) or the 100% deeded, they can charge you as much or more, whatever they want to. They get over-the-counter. I've been, I've been going, I've been on the Commission I think eight years and we don't talk about the deer. I truly believe that over-the-counter you're going to see that, you saw the deer and figure 29,000 almost 30,000 public draw hunters put in and draw. The public, excuse me, the private could get up to that 30,000 id they wanted to or if we're going to be trying to hunt 35-40,000 deer, if more private put in we would probably have less public. I would assume is how that's going to work. The private is not going to abuse the system. As far as Robert goes, well maybe there's one or two landowners out there that will but guess what? There's maybe one or to hunters that are going to abuse it also. You got both sides of the fence. Ranchers are the best people in the world. Sportsmen for the most part, are the best people in the world. We are losing too much opportunity to hunting across the state because we have the minimum acreage involved. I'm against that. I'm voting against that. Now how do we get to it? Do we get to like they did with deer? Yes, there's going to be some confrontations but I think at the end of the day, once we get a year or two out of it, I think everybody's going to come in and say, "Wow, this is a very workable situation". That's how I see it. I'm not trying to cram it down the rancher's throat. I'm looking at opportunity that we are not hunting because they don't qualify or they don't want to and you can probably, the ones that don't want to draw a tag, all of us know somebody, "Hey, Bob can I go (Indiscernible) ranch"? "Sure, come on". Hunt my private for all I care. That's just the way I see it.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER RICKLEFS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes, sir.



COMMISSIONER RICKLEFS: When I first heard this proposal Stewart, I thought there was some merit to it for sure but my personal communications and the letters that have been sent to me is, a lot of difficulty with it. Most of those that wanted to just tweak the A-PLUS System. I'm with many Commissioners here with that problem with the minimum acreage. If a unit is not making its harvest goals, that minimum acreage would be lowered to where more ranches fit in the system.

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs a prime example if I made a quick, a quick example that I will show you that will, a minimum qualifying acreage in the GMU where it trumps, basically and we'll get all the tags. Let me pull to it.

COMMISSIONER RICKLEFS: Whatever you bring up Stewart and you're done with that one, bring up Unit 20.

STEWART LYLE: That's the one unit I was going to bring up.

COMMISSIONER RICKLEFS: That one will wake you up real quick.

STEWART LYLE: A prime example of where a minimum qualifying acreage occurs. GMU 20, as you'll look in there. There's one ranch that basically qualifies. That one ranch, no matter what that minimum qualifying acreage is unless it was one, one acreage, is which with this proposal we have, is basically not doing minimum acreage over-the-counter for private land. That (Indiscernible) ranch will receive all the private allocations no matter what because of how big it is. So tweaking minimum acreage will not affect any of those landowners within that GMU. Basically, everything they do, they will receive all the licenses for that GMU. Our proposal is again, like you said, to get rid of minimum qualifying acreage and let private land owners hunt over-the-counter on their private deeded. There are plenty of properties within that GMU and

there's many a small properties in this private deeded in here that do have pronghorn and sustainable pronghorn on them but if we had any system where we're going to limit the private land authorizations in there and then have to divvy them up, the largest person is almost always going to outcompete every little guy in there.

COMMISSIONER RICKLEFS: That's part of this that I was really for. They got rid of minimum acreage and they let the private landowner deal with it himself. Could you go back to the Unit 40 please? Refresh me, the hashed is not enrolled?

STEWART LYE: Mr. Chairman, Commissioner Ricklefs that is correct. The black hashed are properties that are not enrolling in A-PLUS. The red properties are those that are enrolling but not meeting the minimums.

COMMISSIONER RICKLEFS: And much of the unit is farmland on the east side (Indiscernible). So probably they're not going to do it anyway. You indicated to Commissioner Ryan that if its public land landlocked, that private land hunter who bought over-the-counter and with the Commission, I want to stress that. That over-the-counter license is not valid without permission of the landowner and that is some of the problems that happen with deer. They just go and buy a deer license and they think they can just go hunt. That's not true. They need to have permission of the landowner. Okay, so he has permission of the landowner and he can't hunt that landlocked state trust land. That's what you indicated?

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs that would not, the state trust, no. On the over-the-counter license they wouldn't be able to. If someone drew a license that they had in draw and got permission to hunt, then they could with the draw license. Similar to how it is with deer right now.

COMMISSIONER RICKLEFS: What's the other way? If they draw into a public hunt and they get permission from the private landowner then they can hunt that private land also.

STEWART LYLE: Mr. Chairman, commissioner Ricklefs that is correct. It would be similar to how the deer system is right now.

COMMISSIONER RICKLEFS: I see. Okay, then I misunderstood. I thought you said that he could hunt. So it makes it very difficult for that private landowner to delineate and that's been the problem with many of the people I've spoken with is the trespass issue, knowing where they're at. So that private landowner has to delineate so this section is trust land, you can't hunt there. Is that correct? He's got to mark it. He's got to know where that is or what?

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs it would be the hunter's responsibility to also know where he is hunting. So he would have to know that he is on legally accessible public land as well.

COMMISSIONER RICKLEFS: And you would have, your Department would have, a hard time controlling that or knowing that because they may not be on that private land patrolling. They wouldn't know if hunters are on State Trust Land or not. Is that correct?

STEWART LILEY: Mr. Chairman, Commissioner Ricklefs, no. I think so it's right now, across the state, it's all mapped with, and all our officers with their (indiscernible) systems would have some kind of information on what is the land status under that, under a geospatial [phonetic] so if a person's standing somewhere, they could say, yes this is State Trust Land or no this is private deeded property.

COMMISSIONER RICKLEFS: Either way, there's no road access or whatever to that State Trust Land.

STEWART LILEY: Mr. Chairman, Commissioner Ricklefs, they would have to access that piece of property through some kind of legally public access. So if they walked—let's say it was a contiguous piece of State Trust Land from a road, maybe not a road going across the State land, maybe a highway, maybe they went over on it and they walked two miles in and it's still contiguous State Trust Land, you know, then there wouldn't be a trespassing issue.

COMMISSIONER RICKLEFS: Just one more. I would be in favor of 3-day hunt instead of a 5-day hunt.

COMMISSIONER: I would, too, but [crosstalk]

COMMISSIONER RICKLEFS: . . . especially for a time frame (indiscernible) and two days to hunt I think is (indiscernible) for antelope. So, thank you.

COMMISSIONER: And for the record, that would be for the 3-day over the 5-day hunt, too.

CHAIRMAN KIENZLE: Any other questions or comments? So when will we see this again?

STEWART LILEY: Mr. Chairman, we would hope to put it up as a final in March of next year. We can, at the desire of the Commission, we can put it up at meetings before that.

CHAIRMAN KIENZLE: It's not imminent. I mean, we've got months.

STEWART LILEY: I know, Mr. Chairman, we have many months to develop this and hash out what the . . .

CHAIRMAN KIENZLE: So, what I will tell the public, stay engaged in this process. If you feel like you're not getting through to the Department as they develop this proposal, feel free to email me and I will make sure that you get connected with the right people at the Department to make sure that your concerns are heard. But if I don't hear from you, or another Commission member doesn't hear from you, it is difficult to get you connected with the Department so you can have meaningful input before we get a final proposal in front of us. So, like everything else, it comes in front of the Commission. Getting engaged early and staying engaged is important if you wish to help guide this process.

COMMISSIONER SALOPEK: One comment.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER SALOPEK: And one thing, too, Stewart, you were going from 4 or 5-unit bunches of (indiscernible) units like we do now to unit-by-unit, just like deer or sub units in the bigger units maybe.

STEWART LILEY: Mr. Chairman, Commissioner Salopek, that is correct.

COMMISSIONER SALOPEK: I just want it clarified because I just think the, looking at it, wow, we're going to have a hundred, hundreds, if there are only so many in that unit, it's just that unit. It's not five units that potentially could come in on one ranch. Just making a point.

CHAIRMAN KIENZLE: Anything else? We'll see you again on this particular item. So, we're at a good point to take a break. So we are actually going to break for lunch today for 45 minutes. I want to keep it short. Then we'll pick up with agenda item 13 at—it's 1:28, we'll be back here at 2:15. Thank you. [Break]

[Return from break]

CHAIRMAN KIENZLE: We're still on the first page here. [crosstalk] Agenda item 13, presentation of the final proposed fiscal year 2019 budget. Mr. Varela.

PAUL VARELA: Good afternoon, Mr. Chairman, Commissioners. Agenda item 13 is a presentation and final approval of fiscal year 2019 operating budget request. The FY19 overall budget request is 40.6 million which is about 500 thousand more than our current operating budget. The Department has four programs that guide daily operations which I will describe for the audience in the next two slides. These programs are defined by the Accountability in Government Act. The first program is our field operations program. The purpose of the field operations program is to promote and assist in the implementation of Department supported law enforcement, resource management, habitat and public outreach programs throughout the state. Our next program, which is our biggest program, is the conservation services program. The purpose of this program is to manage and conserve the state's public wildlife resources and associated habitats for the benefit of wildlife and for hunters, anglers and other wildlife users. Actions include the procurement and progressive management of wildlife habitat, providing technical assistance services, and consultation to both public and private landowners and other affected interests regarding wildlife management and working to educate all sectors of the public about our wildlife resources of the state. The divisions include Wildlife and Fisheries Management, Ecological and Environmental Planning, and Information and Education. Our smallest program is the Wildlife Depredation and Nuisance Abatement Program. The purpose of the Wildlife Depredation and Nuisance Abatement Program is to provide compliant and administrate—complaint administration and intervention processes to private landowners, lease holders, and other New Mexicans so they may be relieved (indiscernible) property damage,

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annoyances, or risk to public safety caused by protected wildlife. Our last program is Program Support. Program Support is an adequate and flexible system of direction, oversight, accountability, and customer support to all divisions so they may successfully attain planned outcomes for all Department programs. Divisions include administration and administrative services, human resources, and information services. The next slide shows the budget request broken up by program. The blue piece of the pie represents the Field of Operations program. The total budget for the program was 9.1 million. The red piece of the pie is the Conservation Services program which is our largest program at just over 23 million. The green slice of the pie is the Wildlife Depredation and Nuisance Abatement program at just over a million. And the purple piece of the pie represents Program Support which is about 7.2 million. In the next slide, it demonstrates our budget requests broken up by budget category and by program. As you can see, personnel [phonetic] services represents the majority of our budget request at 22.4 million. Below that is contractual services which is approximately 4.3 million. The next category is other costs which represents 13.1 million of our overall budget. And the last category other financing uses at just over 682 thousand, and this represents transfers to other agencies. Overall, (indiscernible) the field operations budget remains the same as the current operating budget is right now, FY18. In conservation services, we saw an increase in personnel services and employee benefits. The majority of the increase is to bring down our vacancy rate, which we are operating at an 8 percent, to approximately 4 percent. In nuisance abatement there was a slight increase. This is to support the 4 personnel that run that program so there's a slight increase to bring it back to previous fiscal year operating levels. And Program Support also has a slight increase in size and benefits and this is also to bring down our vacancy rate in Program Support from about 10 to 12 percent to about 4 percent. The next slide represents the budget request by

fund. And as you can see, our game protection fund was our largest fund by far at 37.8 million. The other slices of the pie present smaller funds with the trail safety fund being the largest at 795 thousand and the smallest fund was the (indiscernible) wildlife fund just over 165 thousand. And with that I will stand for any questions.

SPEAKER: Mr. Chairman, if I may, before questions start, for the edification of our folks out there sitting in the audience if I may, we visited with each one of the Commissioners individually. Our budget document is about a 3-inch thick document. So I don't think that you all want to spend the time. It used to take us two days to get through our budget presentation. I think there is probably a few people in our audience who remember those days. So we have gone through the budget with each one of the Commissioners individually and answered any questions that they may have, and this is the summary presentation. Our budget is not actually final until the State Legislature approves it and passes it through House Bill 2, and then of course, it's signed by the Governor. So we are just in the very early stages of budget development. Thank you.

CHAIRMAN KIENZLE: Questions?

COMMISSIONER ESPINOZA: Just one, Mr. Chairman, if I could.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER ESPINOZA: Paul, could you go back to the previous slide. I just had a question on the (indiscernible) is that, does that represent the dollars that have come in to the stamp [phonetic]? Or is that just outgoing dollars?



PAUL VARELA: Mr. Chairman, Commissioner Espinoza, no. This total amount just represents the budgeted amount, not the amount (indiscernible) they will bring in each year.

COMMISSIONER ESPINOZA: Okay. Thank you.

CHAIRMAN KIENZLE: This is not final, right? This is just a discussion item or action item?

DIRECTOR SANDOVAL: Mr. Chairman, this is an action item, and we do need to approve the budget so we can move it forward to both DFA and LFC for analysis.

COMMISSIONER RAMOS: Mr. Chairman, I move to approve the Department's Fiscal Year 2019 Operating Budget and allow Department staff to make technical adjustments and changes necessary to incorporate assessment rate changes provided to the Department and other executive agencies after this meeting and prior to the statutory deadline.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: Ayes have it. Agenda item 14, discussion for potential rule changes to hunting and fishing licenses rule, donation of permits for licenses, 19.31.3.11(F) NMAC.

PAUL VARELA: Mr. Chairman, Commissioners, sitting next to me is our Assistant Chief of Licensing, Chad Nelson.

CHAD NELSON: Good afternoon, Chairman, Commissioners. I'm here to present a proposed amendment to the license donation rule which is part of the hunting and fishing licenses and application rule. Under state law, the Director of the department is authorized to transfer a

hunting license to a nonprofit organization that is approved by the State Game Commission. These requests have to be in writing, received in writing. If any appropriate licensing fees have to be paid, they must be paid prior to the transfer if applicable. No refunds are offered for donated licenses. Under current rule, the only group that is eligible to receive a donated hunting license are youths age 17 or younger who are qualified through a Commission approved nonprofit organization. We currently have two approved nonprofit organizations. One is the Donald R. Kemp Camp Youth Hunting Club out of Las Cruces. The other is Sportsmen for Fish and Wildlife out of Farmington, New Mexico. As you can see in this slide, under current rule, we are only able to match approximately half of the donation requests that we receive with eligible recipients. You can see the numbers here. In 2015, we had 35 total requests. We matched 17 with youth hunters. In 2016, we had 46 requests. We matched 23. So far in 2017 license year, we have matched 37 and we have 21 requests that are still pending transfer that we have not found eligible recipients for. To address that situation, we propose expanding the definition of eligible recipients for donated hunting licenses through Commission approved nonprofit organizations to include resident veterans and first responders, and we would also amend the language describing the requirements for nonprofit organizations to be approved by the Commission to reflect that. Essentially, we would be removing the requirement that they promote youth hunting, fishing or trapping activities. With that, I will take any questions.

COMMISSIONER SALOPEK: Question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER SALOPEK: So, Chad, I guess looking at it, if we can't fill them up, I've always been confused on how we can donate a license. And I know we're after youth and

nonprofit. Why do we have to go through a nonprofit—what’s the word I’m looking for—organization? Is that what we came up with?

CHAD NELSON: Mr. Chairman . . .

CHAIRMAN KIENZLE: So why can’t it be, why can’t . . .

COMMISSIONER SALOPEK: Why can’t we do senior citizens. Why can’t we, that’s my question.

CHAD NELSON: Mr. Chairman, Commissioner Salopek, the reason that we have to go through an approved nonprofit organization is because that is what state law prescribes. The Director is authorized to transfer a license to a nonprofit organization that is approved by the Commission. And that is really the only avenue through which hunters can donate their licenses.

COMMISSIONER RYAN: And is that a statute or a regulatory . . .

CHAD NELSON: That is state law, statute, yes.

COMMISSIONER RYAN: So there’s no mechanism for donation to, like, your own children. Say I drew a deer permit and I would like my daughter to have it, to have the opportunity rather than me, and I accompany her on the hunt. There’s no way, there’s no avenue for that to happen. I mean, I know the answer to that would be no. But, I guess, let me, let me rephrase my question. I know the answer to that is no. Are you saying the only donate or transfer of a hunting permit currently is through this particular avenue through a nonprofit organization?

CHAD NELSON: Mr. Chairman, Commissioner Ryan, state law also prescribes that customers can get a refund or transfer the license to a person of their choosing but only in very limited circumstances which include death, serious injury or illness, or military deployment. Under those

circumstances, they could get a refund for the hunting license fee or they can transfer the license to a person of their choosing.

CHAIRMAN KIENZLE: The rationale probably for the nonprofit is it takes profit out of the equations. So you can't disguise a transfer for nothing and get paid a million dollars under the table. So I think they've sent it through a nonprofit to avoid that problem.

COMMISSIONER SALOPEK: But my question is, is there not a senior citizen nonprofit group out there? I mean, why—I read the youths, but I'm looking at the age of most of us in this room. You'd think we'd want more to go to senior citizens than to the youth. That's just the way I see it.

[Laughter]

CHAIRMAN KIENZLE: I think it's a factor of us approving recipient nonprofit organizations, right?

PAUL VARELA: Mr. Chairman, Commissioner Salopek, we could potentially expand the definition of eligible recipients that are approved through nonprofits but they would have to be, you know, they would still have to go through the nonprofit.

CHAIRMAN KIENZLE: But we only have two nonprofits on the list. So we would need to add to that list, right? And that's done through the Commission ultimately, correct?

CHAD NELSON: Yes, you would have to expand the definition of eligible recipients and by removing the youth requirement for the approved nonprofit you would essentially be able to add any nonprofit that can demonstrate their history and ability to promote hunting, fishing and trapping activities, could potentially qualify.

CHAIRMAN KIENZLE: So regardless of what the nonprofit does, assuming that it's somehow related to sports hunting, the Commission has to add that organization to the approved list? So we only have two on the approved list right now.

CHAD NELSON: Mr. Chairman, that's correct.

CHAIRMAN KIENZLE: Okay. So, refresh my memory, Director. How did we put the two current organizations on the list? I remember we voted on them at some point in the last . . .

DIRECTOR SANDOVAL: So, Mr. Chairman, what they do is they actually reach out to the Department and express their interest in being one of those recipient nonprofit organizations. They provide us a series of information that we then present to you at a Commission meeting for approval to be one of the approved on the list. Just to clarify, today is just to expand who the eligible recipients are for those donated licenses.

CHAIRMAN KIENZLE: (Indiscernible) interested in finding one?

COMMISSIONER RYAN: Can you go back to that slide where it showed—let's see, back one more. Okay, that one. Thank you.

COMMISSIONER SALOPEK: And that's what I was just asking Paul. To change that from two to whatever, (indiscernible) any nonprofit organization, do we have to bring that to an action item to remove the youth. Is that—you know, I'm not, I'm not against the youths, believe me.

CHAIRMAN KIENZLE: So it's 17 or younger, or 65 and older, or whatever upper limit you want. But regardless of what that top part of the rule says, you have to vet the organization through the Department first to even get it added to the list of approved organizations. So it's a two-part deal.

COMMISSIONER SALOPEK: So looking at that, Robert, your, you know, your part of the deal, could we expand that to include senior citizens?

[Laughter]

COMMISSIONER ESPINOZA: First I want to thank the Director and the Chairman and your work, Paul, to bringing this forward. I was one that was kind of pushing this along the way because obviously my son is (indiscernible). He's the Executive Director for Sportsmen for Fish and Wildlife and he's done a lot of these. And I think the Director clarified that. Today we're just looking at not vetting the organizations but expand it to military veterans or first responders. And one of the regions [phonetic] when doing the research on those, to answer your question, Beth, there was it to where we would just hand them out, I could hand it out to your daughter, was again for the profit. Somebody'd draw—I know here, he's gotten like four or five unit 15 archery tags which we all know are highly desirable. You know, can you just imagine somebody drawing that and then selling it for what it's worth? So that's why the organizations are vetted. So, and where the veterans and the first responders came from was the numerous questions that he's been asked, is how come veterans and first responders were not included in that list. Right now, he's got over a hundred kids and he's filling every license with virtually within a couple of days. But you know, at some point in time, they're going to run out of kids. I just see this program getting bigger and bigger. The Department sent out an email a few weeks back and within hours of that email hitting the street, there was another dozen licenses donated and then probably 40 or 50 kids came on board and submitted. Now all of those kids don't qualify because they've already drawn an elk license, say, or maybe drawn a deer license type thing. So, but my view again is this just expands the opportunity for licenses to get in people's hands that might not have the opportunity to begin with, our 17 and under kids and veterans and first responders.

COMMISSIONER RAMOS: Mr. Chairman, if I could go ahead and add to that. I know as far as the Donald R. Kemp Hunting Club, they do have strict agendas and qualifications to be part of that youth and it's basically serving urban kids from inner city as well as, you know, any kid that—a lot of these kids don't have any fathers or anybody, uncles, to take them out and experience these type of experiences but it's a great youth hunting club. I'll tell you what. These guys do a lot of things from fishing, hunting, experiencing archery, all different kinds of stuff, not just the hunting but it's really been instrumental to know that if somebody does not want to hunt for whatever reason and drew out a tag and they can't go for that hunt, they donate it to the Department and the Department distributes these out to these two organizations. So what we're doing today is trying to expand it to these other groups. And what is going to be the process for that, you know, and how are we going to monitor that process?

CHAD NELSON: Mr. Chairman, Commissioner Ramos, the current procedure, when we receive a request to donate a license, first of all we have to receive it in writing. We inform them no refund is offered. Generally we ask them if they have a preference which organization we solicit to find an eligible recipient. If they do not, we generally, we solicit the organization that's closest to the hunt location using I-40 as a general dividing line of the state. We really don't ever have a fee difference because they are donated licenses and the eligible youth hunters are actually, although they could be nonresidents, I don't believe that either of the organizations work with any nonresidents. So in practice there is no fee difference. We would have to amend our procedures in some fashion. We would have to obviously ask, would you prefer to donate your license to a youth organization or a veteran or first responder. Generally, though, once we have found a recipient we would notify the original licensee that the transfer is complete because otherwise they would have to complete a harvest report. So we notify them when their harvest

requirement no longer applies and transfer the license, notify the new licensee. So it would generally be the same procedure other than that we would have to add some protocols to accommodate the additional eligible recipients and/or if there were additional nonprofit organizations then we would have to ask for that.

COMMISSIONER ESPINOZA: Now you guys have identified and come up with a specific language to identify what a military veteran as well as a first responder is, is that correct?

CHAD NELSON: (Indiscernible).

COMMISSIONER ESPINOZA: Do you have that language with you?

CHAD NELSON: Mr. Chairman, Commissioner Espinoza, I do actually. We would use the same language for veterans that we use for the 50 percent discount, okay, which is that it has to be a New Mexico resident veteran with a minimum of 90 days active duty service in the U. S. military or 6 continuous years in the National Guard military reserve component, U.S. Public Health Service, or National Oceanic and Atmospheric Administration, and they must have been honorably discharged. And that language has been approved by the Department of Veteran Services. It is essentially their definition. First responders, as defined in state law, a public safety employee or volunteer whose duties include responding rapidly to an emergency including but not limited to a law enforcement officer, a firefighter or a certified volunteer firefighter and an emergency medical services provider.

COMMISSIONER ESPINOZA: So understanding those as we've got a rule or a statement regarding 17 and under. So a nonprofit that would, once a license is donated and somebody says I want it to go to a veteran or first responder, then the nonprofit would follow these guidelines to identify that individual. Is that correct?



CHAD NELSON: Mr. Chairman, Commissioner Espinoza, that is correct. And we would probably have to add some sort of protocol to that . . . [crosstalk]

COMMISSIONER ESPINOZA: . . . that's where I was going with that [crosstalk]. I think that's where Commissioner Ramos was going with that, is to—I would like that same protocol to, after the fact or prior to the transfer, is some kind of documentation from that recipient to—through the nonprofit again that would accompany the transfer.

CHAD NELSON: Mr. Chairman, Commissioner Espinoza, we have a process in place to verify eligibility for the 50 percent discount. We do ongoing audits of eligibility for that. So, it would be fairly simple to check whether their eligibility has already been verified. Otherwise, if it was not verified, we would likely require their DD 214 or other documentation that they are eligible for the veteran, as a veteran.

COMMISSIONER ESPINOZA: And I know this is a discussion item and we're moving forward with it. One other thing that I would think would be relevant to address the issue, because now we're talking adults, would be to—some language that would prohibit or however we, you, word that, of any monetary gain by the nonprofit for the transfer of this license, or the donor as well.

CHAIRMAN KIENZLE: Let me just jump in here real quick, as a reminder. This will come up for a final vote at some point. But remember, we've got House Bill 58 and so to the extent we have any floor amendments to anything, perhaps all but the most technical thing in the world that we have a semicolon instead of a comma, that has to get re-published. So if you're expectation, whoever you are, as a Commissioner is that we will get this done at whatever the next meeting is or a meeting, my point is just more broadly, remember that floor amendments, everything gets

re-published and we don't start all over again but you're not going to get it voted on at that particular meeting.

COMMISSIONER ESPINOZA: And that's what I was kind of trying to get accomplished, is as you're developing this for final vote, is to encompass all that stuff in so exactly we don't run into that type of thing.

CHAIRMAN KIENZLE: So, good luck. I think this is a much more cumbersome process so if something comes to us from the Department in a form that's not quite right, there won't be absolute final action on that until we go through. So if there's a floor amendment, we will re-publish and it gets kicked to the next meeting or meetings to get heard. And again, you can't fight the problem. You can only solve it. But it, it makes this Commission and the Department a whole lot less nimble dealing with some of these issues on the fly and so every time you want to amend something, you're pushing the final action on that to another meeting in the future. So to that end, I don't think it's enough to say, Department, go do this or here's my suggestions. I would recommend that if this issue or whatever the issue is, is important to a Commissioner you had better see the text of the final rule or regulation before it goes out for publication so there's, so some of these issues can be addressed before they ever get to the Commission. Because otherwise you could have a situation—and actually as I put on my evil genius hat—anyone could suggest an amendment and just keep pushing out forever taking final action on things. So anticipating that issue or that problem, I don't think it's enough to say, all right, get me some language and we'll look at it at the next meeting. I think you should probably actually look at the language before the next meeting and before it gets published to make sure that it's consistent with what you . . .

COMMISSIONER: Envisioned?

CHAIRMAN KIENZLE: . . . what you want. It doesn't mean the rest of the Commission will agree with it but at least it's in a form that you agree with. And so, we as a Commission and a Department are going to have to re-configure how we typically handled what may be minor amendments or minor issues. We're just going to have to look farther ahead. So anyway, enough of the lecture on procedure. But it will become important on other issues that require quick action. So this one doesn't necessarily require it. But as we move into hunting seasons and people want to donate, we could get in a position where time runs out on a season and, you know, it doesn't get done.

COMMISSIONER ESPINOZA: And I didn't see this happening for this cycle at all. So . . .

DIRECTOR SANDOVAL: Mr. Chair Commissioner Espinoza, just as an FYI, this is on the September agenda and so the rule will be published on our website on Monday. So we have a very tight turnaround if there is some discussion on language.

CHAIRMAN KIENZLE: So House Bill 58 is good and it's bad. I'm not sure from a policy-making perspective, the actual making of the policy, that it's good. It certainly gives advance notice to the public but making some of those changes on the fly is just not possible to do any more. So between now and whenever they publish on Monday, to the extent you care about this issue, you need to visit with them and check out the language.

SPEAKER: I got it.

CHAIRMAN KIENZLE: And make sure that at least you're satisfied with it and that gives something for the Commission to look at the next time around. But this is a whole new way of doing business on these things and we're just going to have to get accustomed to it.

SPEAKER: I got it.

COMMISSIONER ESPINOZA: In comment, if this is what we can look at publishing on Monday, I'm fine with that. Cause I'm just trying to get more, expand on how we can donate these tags so they don't go unused.

COMMISSIONER: And in a quicker fashion, that maybe opens up a whole bunch more people, that's perfect. I mean, if we service those people there, I'm ecstatic about that.

CHAIRMAN KIENZLE: Let me bring up one more issue on House Bill 58. In some cases it's unrealistic to give one business day and then two weekend days to come up with what may amount to good policy. So this Commission is going to have to consider, do we have a meeting every month or do we have a meeting every two months, or do we allow enough time for issues to be considered appropriately. So puzzle through that. We may have a meeting every month as we have in a long time except in the summer. But any particular issue gets carried over to the second meeting, not the meeting following, so we allow enough time to come up with the text of the rule and get it published without having to rush things. So this is going to require thinking through timing. So, anyway, enough of that issue.

COMMISSIONER RYAN: I'm in support of including veterans and first responders, and I'm in support of broadening the scope a little bit of who can qualify as a nonprofit as long as they're a sportsman's organization that maybe is not 100 percent youth but has a, you know, section that

can help veterans or youth. I think broadening that definition is good, too. So I'm in support of your proposal.

CHAIRMAN KIENZLE: Okay. Any other discussion? I know Brandon Wynn [phonetic] has a comment to make on this. He's officially representing himself.

BRANDON WYNN: Officially representing myself, yes. So I think it's a good idea to expand who can be donated to and also I would, so you can get to, there's like Wounded Warrior Outdoors. It would be nice to be able to pull them in. They do, they get a lot of tags in people's hands. In order for that to work, you'd have to drop the New Mexico resident portion for at least the veterans' portion. I would suggest that. I can see leaving the first responders to New Mexico residents, but I'd drop that. But also, you mentioned briefly the, if you have a medical issue you can turn your tag back in and you get to decide who gets that tag. No state does that and it's pretty obvious reasons, to me, why they don't do that. I know for a fact that people put in, they apply infirm people for permits to get those permits so they can assign them to whoever they want so they are just stacking permits. Also my understanding is that they can actually be paid to do that. So I would really like to see that, that's a loophole to me, that those permits that are turned in by somebody that has a medical issue, that they are rolled over to the next person in the draw if you can find somebody to accept it. Or, there's other systems where you can put it up as a left-over tag and it's first-come-first-serve. But I really would close that hole. That's been going on in New Mexico for a long time. There's a lot of fraud on that.

COMMISSIONER: Mr. Wynn, you want non-residents added to that as well?

BRANDON WYNN: For the veterans' portion because, the reason is, Wounded Warriors Outdoors—you're looking at me funny . . .

SPEAKER: I'm shocked.

[Laughter]

BRANDON WYNN: No, because Wounded Warriors Outdoors [crosstalk]

COMMISSIONER: I'm very familiar with that and I think it's a great cause, absolutely. It's just the nonresident part threw me a curve ball.

BRANDON WYNN: So, you're giving me a hard time? [Laughter]

COMMISSIONER: [Laughter]. Yeah.

BRANDON WYNN: I've been gone for a long time. I'm a new person.

[Laughter] [Crosstalk]

BRANDON WYNN: Much kinder and gentler and older and slower.

[Laughter]

COMMISSIONER: How long is that going to last? [Laughter]

CHAIRMAN KIENZLE: Any further questions or comments? So you will . . .

CHAD NELSON: We will follow up today.

CHAIRMAN KIENZLE: All right. It's just a real tight time frame. So make sure you get it done. Agenda item number 15, Discussion for potential rule changes to guide and outfitting rule 19.30.8 NMAC. Colonel Griego.

ROBERT GRIEGO: Mr. Chairman, Commissioners, agenda item number 15 is a discussion item only for the potential rule change to the guide and outfitter rule 30.8. The 30.8 NMAC establishes methods to register, regulate and set professional standards for guides and outfitters and their operations within New Mexico. Over the past year, year and a half, we've had multiple discussions with the Council of Outfitters and Guides to address and discuss some of their concerns. And one of the concerns was contracts and so we are proposing or bringing to you, really looking for some direction and guidance. But one of the discussions we have had with them is the opportunity to potentially provide contracts to the Department 48 hours prior to their hunt. They would do that electronically, or their other option would be to have it in the field available for inspection. So they'd have those two options as far as the contract is going. But really, just being a discussion item, looking for some guidance and direction as far as you want to go with this.

CHAIRMAN KIENZLE: Tell me more about your conception of having an electronic version and a paper hard copy version.

ROBERT GRIEGO: Mr. Chairman, what we're envisioning is at least 48 hours prior to the hunt they would submit an electronic copy of their contract which our guide and outfitter registrar would keep on file and would basically send out a document, an Excel spread sheet of some sort, showing which outfitter and which client we have received contracts from. That way, when the officer was in the field, if he did run into an outfitter and they said they'd submitted, either they'd have a receipt or we would find them on that spreadsheet and then that would satisfy that contract requirement and there would be no need to look at it at that point.

CHAIRMAN KIENZLE: And would they have to do that, no matter what? That's part of the process, or they can have a hard copy with them in the field?

ROBERT GRIEGO: Mr. Chairman, it would give them that option, that or having it with them in the field for inspection when an officer checked them.

COMMISSIONER RAMOS: Mr. Chairman, this agenda item came to the table because we had a lot of guides out there that had to have all the paperwork, and I'm talking the forest permits to the contract and in order from getting cited that's what the outfitters had presented. They had wanted some kind of a system. I know that, I met with Colonel Griego and Kerrie Romero.

CHAIRMAN KIENZLE: Who's Kerrie Romero? [Laughter] Oh, that Kerrie Romero.

COMMISSIONER RAMOS: And we tried to come up with something that makes it a little bit easier. I think it's probably going to be a little more difficult for the outfitter but I think by reporting it to the Department it's probably going to be more paperwork for the Department as well but I think the accountability to resolve the request of having guides carrying contracts on the field is going to be alleviated although, if they don't get it turned in, Bobby, by within the 48 hours then they can have the hard copy out in the field, and would we require the guide as well to carry that?

ROBERT GRIEGO: Mr. Chairman, Commissioner Ramos, that way I guess would still be up for discussion but yes, it would be those two options, either submitted electronically or have a copy in the field. Where the confusion is coming from is the rule states that they must have a contract available for inspection whether that's on their person, in the vehicle, in camp. Where the discussion get fuzzy is how far is reasonable. And they wanted a set standard of either we



have to have it or we can have another options. So those are the options we came up with just to eliminate any confusion.

CHAIRMAN KIENZLE: I think any time you can use technology to solve these problems, it's great. So if you give them sort of a dual option deal and they plan ahead they can go electronic. If they don't plan ahead or they're not able to, they've got another option. So sounds like a reasonable solution to the problem.

COMMISSIONER RAMOS: That was what we kind of came up with which would be the best resolution for that. It's not an easy one. But if we wanted to honor the outfitters and not knowing the contract prices or whatever is being exchanged with the client, keeping that from the guide, I mean, that's all confidential information there. I think the assurance of a contract being made even prior to putting in for the draw is a great system. But after the draw other contracts are made and what not. So, I think it's a good system. I know currently also if an outfitter is going to guide in a certain forests in New Mexico or BLM or state land, it's typical that we have to notify the forest within 48 hours for the outfitting plan as well. So it's a good checks and balance.

COMMISSIONER RYAN: Before I have a comment, could we hear from the public on this agenda item?

CHAIRMAN KIENZLE: Jim Wells [phonetic].

JIM WELLS: Pass, sir.

CHAIRMAN KIENZLE: All right. Dan Dory [phonetic]. It's not about airplanes, is it?

DAN DORY: Not this time. Good afternoon, Mr. Commissioner, Chairman, (indiscernible) commissions. Any time you get an opportunity to wicker [phonetic] with a statute, that's fun.

I've had several, and I did put them on a flash drive but I don't know who to give it to. But when I do, it's marked up. First of all, under definitions, the outfitter definition is a little too broad and could encompass people that are not outfitters. So I recommend rather than saying, 'shall mean any person who advertises or holds himself out', that should be 'the person who holds himself out'. Advertises or holds himself out, that's redundant. Then I added a sentence at the end of paragraph (j), 'this definition shall not include individuals who provide services at the request of the outfitter'. The way the definition is written right now, if you're an inn keeper and the outfitter sets out for you to provide lodging for the customers, by this definition the inn keeper is an outfitter and so this narrows it down some. Later, in under 8.9, General Outfitter Registration Requirements, paragraph 11 (c). In this one, the outfitter fails to comply with the noncompliance notice, the Department shall issue the outfitter a notice of contemplated Commission action. I don't believe it's in the Department's best interest. If the outfitter fails to comply with the noncompliance notice within 30 days of the notice, the Department should send a notice of suspension. There's several places throughout this code and the next one where some things are pretty serious, but we just send notices and contemplate action. I think a suspension much less rigorous than a revocation is our way of saying comply by the rules or don't plan. And that's a place where I'd say that. I am confused by B2 and B1, too. If new and renewed applications received after February 15th and before the close of business on March 15th will be eligible for the draws. So that's kind of a punishment if you have (indiscernible). Well, next paragraph says that you will be fined a hundred dollars for doing it. I think that's kind of a double hit if you're not going to give them a right to participate, why do you also fine them a hundred dollars? In that same paragraph, subparagraph (c) under B4, I've asked to strike, it says New Mexico operators shall ensure the hunter client is accompanied by the outfitter or registered guide at least two days

(indiscernible) and then the sentence says failure for an outfitter to specify the allotted time requirement on the contract with the hunter client shall be considered misconduct. These are contracts between two adults and they're licensed. Why the Department has to get into the nitty gritty of what's—I mean, they make recommendations of what should be in the contract. There is a requirement to have a contract. But why, when we—a breach of a contract is between the parties. It's a civil nature. I would like to see the Department extricate themselves from having to deal with that. Finally, under 8.11, regulating conduct for registered outfitters, under paragraph (c) it says: guide supervision, outfitters shall responsibly supervise each registered guide working under the outfitter's direction. I've (indiscernible) that. There's no requirement that the outfitter be present to supervise the guide. Outfitters are required to insure that all guides by them are informed of all pertinent geographic—and I took this from an earlier spot—statutes, regulations regarding it. And if the guide violates any provision of the Commission's rules and regulations, the outfitter shall not be held responsible. And this is one of those double hits again. An outfitter can make sure that he's got a guide that understands everything and then sends him out the next mountain over and the guide breaks a rule and the outfitter is also cited. And that's a little unfair. That's all I have.

CHAIRMAN KIENZLE: Your thumb drive, why don't you give that to that gentleman, to Donald [phonetic]. Will you make sure that, I want to get a look at that and see . . .

SPEAKER: [crosstalk] makes sense.

CHAIRMAN KIENZLE: So if you'll send that to the Director and to Commissioner Ramos, it may very well be that it, we factor that in to whatever the final rule is that comes out. Jess Rankin. Got something to say?

COMMISSIONER: He's got a smile. I don't know.

JESS RANKIN: Just a little bit. I don't know if everyone's aware of it, if you all are. But there has been a lot of abuse of our 10 percent outfitter quota. You know, as a rules are now, supposedly an outfitter has to, either himself spend a portion of two different days—calendar days—in the same game management unit as the hunter or have one of his registered guides do that. But that's so vague. There was an outfitter that drew a bunch of hunters in Unit 34 for elk. They had a meeting in June, a 2-day meeting in Cloudcroft. And that's those hunters' guided hunt. And you know, I asked Colonel Griego, I said if you even stop a hunter in the field and he's got an outfitter sponsored license that's got the outfitter's number on there, how do you if he even had someone spend two days in the field with him? You have no way of knowing it, cause they could say, we did it back in June or we're going to do it in January after Christmas or something. It should have to—the whole idea behind only two days is to pack hunters into the wilderness and pack them out after it's over on a drop camp which isn't really a guided hunt. But another thing is, they're letting—some outfitters will tell a group of 4 hunters, look if you all get drawn and if one of you go get a hundred-dollar guide license, I'll charge you a lot less money and you won't have to do anything. That one hunter has a guide license is the guide. And in no state where outfitters and guides are regulated can you guide yourself or guide while you're hunting for that species in that game management unit. That's just another way of opening the door for abuse. And you know, when our legislators set this deal up and gave outfitters a certain percentage of it, the idea behind it was for us to be able to get hunters drawn, provide jobs, hire guides, hire cooks, camp staff. Some of these rural areas have been rather devastated economically with the shutdown of law [phonetic] game and stuff like that. But that's not what's happening. Most of these permits are only padding some outfitter who's got a license, only

padding his pocket and they're not providing jobs for anybody. This is supposed—this 10 percent is supposed to be for guided hunters. And a 2-day meeting in June in Cloudfcroft is not a guided hunt. That's not what the legislature had in mind when they set this up. You know, I'm going to be the last one to say, here's how these other states do it so we ought to follow their lead. I don't believe that at all. But in Nevada, if a hunter has an outfitter-sponsored deer license and he gets checked by a game warden, the game warden's going to say, 'where's your guide?' Well, he better be there. Now maybe he could be coming down the canyon making a push towards you or something. He can't be back at camp. He sure as Hell can't be back in Albuquerque working his 9-to-5 job. That's not what a guided hunt is.

SPEAKER: Right.

JESS RANKIN: And it's every year the odds of drawing are worse and worse and worse in the outfitter pool. And it's not that there's more people out there wanting to go on guided hunts. It that there's more and more people that wouldn't ever pay for a guided hunt are getting to tap into our 10 percent pool and are abusing it. You know, one of the worst things that happened is last time the legislature addressed this issue, they made it eligible for resident hunters to apply in an outfitter pool. Now I have no problem with a resident hunter who wants to pay money for a guided hunt to apply in an outfitter pool. Last year out of like 13 hundred and some tags that went into the outfitter pool this year, over 400 of them went to resident hunters. If anybody thinks that the majority of those people are paying for a guided hunt, they're not living in the real world. A lot of these outfitters let all their friends, all their family, all their friend's family apply in an outfitters pool or number if it helps their drawing odds. That's not what this is for either. This 10 percent pool is to provide economic opportunities for guides and cooks and stuff like that.

CHAIRMAN KIENZLE: So what's your solution to that?

JESS RANKIN: Well, I think that if it, since I think we're stuck with this 2-day deal without going back to the legislature, it should have to be within a day or two on either side of the hunt, not in June, not in December. But like if you've got a 5-day elk hunt from October 18 to 22, whatever, that 2 days should have to be from like the 17th to the 23rd. That way, you can pack hunters into the wilderness and pack them out afterwards. I also think that somebody, either the hunter or the outfitter or somebody, should provide the Game Department with info on who their guide was, what that guide's guide number is, and on what days they were used. Because, you know now there's no way of enforcing it. And I kind of get the impression the way the Department feels about things is, as long as there's a contract between the hunter and the outfitter, that's their main concern. Well, like I say, I get called every year from hunters that say, hey, the best price I been able to find for a guided hunt and outfitter pool is 5 hundred dollars. What will you do it for? Will you beat that price? They're just using their outfitter number to help people get drawn and they're not providing any service and they're sure not providing any job opportunities for other people.

CHAIRMAN KIENZLE: So, Commissioner Ramos, is there anything in there that we . . .

COMMISSIONER RAMOS: I would like to add something to that. Absolutely. You know, Mr. Rankin, some of the problems we have is, you know, when you create more systems then you get the majority probably—and I'm just going to throw this out there—the majority of outfitters are probably going to balk because they don't like to change the system, okay? But I'll tell you what. You have one heck of a good idea and I love it because data drives need and need drives change. And some of the key points that you brought up there are very important so maybe if

you do go into a guided hunt in New Mexico we could imbed some type of a—just like a harvestry report for all the species we hunt—you know, what was your experience like, who was your guide, number, and that's good data to determine, you know, what's going on out there. But again, these are extra requirements and no different than if you forget to put in your harvest report on Barbary Sheep like I did, people. And I got rejected from the whole enchilada, you know. So that means if you don't do harvest or your guide report at the end of the year, maybe you don't renew your license the next year and you've got to go through the whole process again. So again, it's checks and balance but again it's another system that we'd have to monitor as well. But great ideas. I do enjoy and welcome your public input.

JESS RANKIN: You know, an example I can give you in Unit 33 for deer. That archery hunt in 33 is a real popular hunt. Last year there were 36 applicants for 10 tags in the outfitter pool. There's one group of four hunters that have got—I have a client who's friends with them. He told me that that outfitter let them sign a contract and no money would change hands. And that wasn't what happened but there's no way the Department can regulate that. But he didn't have to do anything because one of the guys had a guide license. And they just went and hunted the whole time. They took 40 percent out of our quota and didn't do anything but paid that outfitter some money under the table. The reason he wanted the contract for no money changing hands is so he wouldn't have to have a BLM trip plan. We don't have a BLM trip plan unless we're actually commercially working. If we're just having some people go hunting, and that's not what this is for. This is to provide a guided hunt.

COMMISSIONER RAMOS: One of the things I recommend is communicate with Kerrie as well and Kerrie we still need to be collaborating on this and move forward. I know Colonel

Griego has been very open, you know, and willing to look at this options and things. So now's the time to do it. And again, today's just a discussion item and I welcome that.

JESS RANKIN: I've kind of put together a little flyer that I took to our outfitters' meeting and I'd like to give you all one before you leave today. There's some other problems that are in the state, legislature would have to fix like, to me the solution for resident hunters applying in the outfitter pool, everybody should pay the same license fee in the outfitter pool. I'll guarantee you none of my friends want a \$775 elk license. But they'd love to draw an \$83 elk license in the outfitter pool if it helped their odds.

SPEAKER: Sure.

JESS RANKIN: And some of them have guide licenses. They think they can just go guide themselves. I mean, I don't let people do that. But it's going on.

COMMISSIONER RAMOS: Absolutely. Thank you, sir.

COMMISSIONER RYAN: Thank you.

CHAIRMAN KIENZLE: Kerrie Romero. You get the last public comment on this for the day.

KERRIE ROMERO: Okay. Thank you, Mr. Chairman, members of the Commission. Kerrie Romero with the New Mexico Council of Outfitters and Guides. I don't really know where to start. As you've heard, this is sort of been an ongoing issue. So we are supportive of the Department's decision to open both the outfitter and guide rule as well as the revocations rule which we haven't heard the presentation on. And I know Bobby's presentation kind of focused on the contracts side which that is something we have been working with the Department to find a solution. But there are a lot of other issues that I think, you know, we're really looking forward



to sitting down with the Department and working through and seeing if we can find some solutions to some of these issues that we have. Specifically on the contracts, the reason that we needed a solution to the Department requirement of an outfitter or their guides carrying a contract in the field is because there is so much sensitive information on the contract. There could be credit card numbers, social security numbers which are statutorily mandated to put the monetary compensation to the outfitter which a lot of the outfitters were uncomfortable with their guides knowing exactly what the agreement between the hunter and the outfitter was. So this electronic form of submitting the contract does mitigate that. And for the individuals who are uncomfortable with submitting a contract electronically, they can still carry their contracts in the field. So that does, you know, go a long way to solve this one issue. But like you heard, there's a number of things that we want to work on. Thank you.

CHAIRMAN KIENZLE: Question. So what about Mr. Rankin had to say?

KERRIE ROMERO: You know, I think Jess has a lot of great points and actually the document that he provided to us at our outfitter meeting, and he gave a little speech on, is good and you should read it. It has a lot of great points.

CHAIRMAN KIENZLE: All right. I'll let you off the hook on that one.

[Laughter]

CHAIRMAN KIENZLE: Commissioner Ramos, anything to wrap this up? Questions?

COMMISSIONER RAMOS: I just, I'll continue to communicate with Colonel Griego and Kerrie and see what we can come up with. I think at the end of the day I will probably not vote on this one but I definitely want to be involved with the process.

CHAIRMAN KIENZLE: So what's, when do we see this again? I always like to ask that question so I can square away in my mind what the future looks like for our agendas. But, when do you expect to have the spade work done on this?

ROBERT GRIEGO: Mr. Chairman, it was going to be on the November agenda.

CHAIRMAN KIENZLE: So, for action or further discussion?

ROBERT GRIEGO: For an action at that point.

CHAIRMAN KIENZLE: A couple of months, okay. Three months enough time to get it? All right.

ROBERT GRIEGO: We'll make it work.

CHAIRMAN KIENZLE: So, Mr. Rankin, stay involved. I know you'll stay involved and go from there. Agenda item number 16, discussion for potential rule changes to the hunting and fishing revocation rule 19.31.2 NMAC.

ROBERT GRIEGO: Mr. Chairman, Commissioners, again this is a discussion item for the potential rule changes to the hunting and fishing revocation rule. As you all know, 31.2 establishes criteria to revoke or suspend the hunting, fishing, trapping and guiding or outfitting privileges or licenses of those individuals who flagrantly or knowingly violate statutes or rules, violate the Parental Responsibility Act, violate the wildlife violators compact, or fail to pay their penalty assessments. Again, looking for some directions or guidance, your purview on this. Some potential changes towards the revocation rule, we're doing a lot of these meetings with Council of Outfitters and Guides. There was significant concern on the administrative points portion towards revocation. So we have gone through there and looked at a lot of those

administrative points and have worked on that document and have really more than 50 percent of those recommend reducing them from 10 to 5 points. One big one in particular is, we're statutorily obligated to have a rule that licensed outfitters or guides must comply with local state and federal laws and that was a 10-point administrative violation. In discussions with the Council as well as other outfitters and guides that I know, all are in agreement that failing to have a federal permit while you are outfitting is a significant issue compared to a violation of a federal permit like putting in the wrong trip plan or some minor infraction with your permit. So we are recommending or at least looking at separating those two or creating two separate violations where outfitting of federal or state land without a permit would be a 10-point administrative violation but a violation of a federal permit would be just a 5 point violation as well as not providing enough guides, failure to supervise guides, stuff like that, making them pretty minor violations as far as points go. Another thing we're looking at in discussions with various individuals is setting a defined time period to take action on revocations based on a conviction when that individual is assessed those points on conviction, that we would have a specific time frame to initiate the revocation process. And then another one that kind of stands out in my mind is currently if you fail to pay a penalty assessment you will be revoked or suspended until it's paid or up to three years and that's really based on our old system where we could not revoke your privileges for more than 3 years. Now that we have an indefinite period of time, to me it makes sense to, if you fail to pay a penalty assessment, you are suspended until you come into compliance and pay that penalty assessment. Whether that's two years, one year or six years, until you pay it, you would be suspended. We've looked at all of the point values on the criminal side and tried to make adjustments as we saw fit. There were many rules that I think could be

reduced and a few that we need to specify where they become more than a 5-point violation, but look at that document and with your guidance get it right. So with that I will take any questions.

COMMISSIONER RYAN: Colonel Griego, thank you for this initiative. I'm glad that we're opening up this rule. I like the re-looking at the value of each, you know, point assessed for a different violations to be re-looked at. I think that's a great focus of time and effort to re-look at some of that. So I'm really supportive and I'm supportive of putting a definite time period that works kind of like a statute of limitations on this stuff. It gives both the violator a definite time frame to work with but also the Department. It gives protection on both sides. So I'm supportive. Thank you.

ROBERT GRIEGO: Thank you.

CHAIRMAN KIENZLE: What's the time frame for coming up with a final?

ROBERT GRIEGO: Mr. Chairman, at this point, we're looking at a one year time frame from the point that individual is assessed . . .

CHAIRMAN KIENZLE: I'm sorry, I asked a bad question. For a final rule that comes in front of us, what's your time frame.

ROBERT GRIEGO: Mr. Chairman, this one will also be in November.

CHAIRMAN KIENZLE: The November one? Okay. Stacking up like cordwood.

DIRECTOR SANDOVAL: November's going to be a . . .

CHAIRMAN KIENZLE: A long one.

DIRECTOR SANDOVAL: A long meeting, yes. Seven rules.

CHAIRMAN KIENZLE: Okay.

COMMISSIONER #1: We're in luck, Ralph, it's in Elephant Butte.

COMMISSIONER #2: Let's start it at 7 a.m.

[Laughter]

CHAIRMAN KIENZLE: Don't discount that. We might. Any further questions or comments?

Mr. Dan Dory [PHONETIC]. You'll be limited to two minutes on this one.

DAN DORY: Thank you. I'm going to wander totally off the reservation. When we talk about the consequences for these, I'd like to separate points and fines. For points, I look at the DMV. When you're speeding and convicted for it, drunken driving, reckless driving, running the stop sign, each and every one of those acts could get somebody killed. Those should be the point values. For the administrative issues, not having the license, whatever, those should be hefty fines. And that way, we're not revoking a livelihood for somebody who can't read the book. And so in doing so, what I've done is changed objectives to add the word fine, revoke or suspend. And then of course, I butchered all over the points, removing all the items that could harm New Mexico wildlife or provide an unfair advantage. Those should be point values. Those should definitely threaten somebody's license with revocation. The administrative ones, violations or (indiscernible) misrepresentation, failure to provide sufficient guides, those are all fines anywhere from \$250 to \$500. Where it comes to time frame, and I think I might have heard it here, where it used to say that no revocation [phonetic] after three years, I would like to change that to a period of time to be determined by this Commission because you are the best ones suited to look at all the mitigating factors that might be a possibility. My next issue is when it comes to the contemplated action, and what we have is some pretty short time frames for any

type of defense to be mounted up, like 20 days' notice in the mail. Had a situation last year where the outfitter was in the field. The mail went to New York state and there was no way he could get that done. I'd like to see that extended to 60 days, and for a hearing request to be extended to 60 days because that gives the person better due process to be able to mount a suitable defense. Thank you very much.

CHAIRMAN KIENZLE: If you've got any of that information, if you want to send it to the Director or send it to the Department, that's useful.

DAN DORY: It's on the flash drive.

CHAIRMAN KIENZLE: Thank you. Any further discussion or comments on this?

COMMISSIONER RYAN: I guess my comment would be just to be follow up after the public comment is to consider those administrative violations when you're looking at the points system and so forth and each violation, that those administrative violations are giving less weight than more substantive violations when you're looking in revising. Thank you.

CHAIRMAN KIENZLE: All right. Agenda item number 17, prospective initiatives for the 2018 legislative session. Less is more.

SPEAKER: Yeah.

CHRIS CHADWICK: Okay, good afternoon. Today I'm going to talk to you, as you just mentioned, Mr. Chairman, about the 2018 legislative initiatives. Unfortunately, because it is a short session, this will be a brief presentation. Before I begin, I'd like to talk about some of the important dates that are coming up. As you know, the legislative session will begin on January 16th and will run through February 15th, so it's a 30-day session. If we want to (indiscernible)

legislation, if we could prefile it by December 15th all the way through January 12th, that'll be our strategy. And once the session is up, we have until, has until March 7th to take action. So this year's proposal, if the Commission is inclined, is to refer [phonetic] the license stamp fee consolidation package. This package may look familiar to you. Two years ago we came before this Commission with a similar type of request. In this request, what we'd like to do or what we're proposing, is to combine the Habitat Improvement Stamp and (indiscernible) Stamps to the point where when an individual purchases a license, it'll be added to it automatically. We believe that by doing this, we will reduce unintentional violations and by doing that we think that we'll increase our hunter and angler satisfaction. Having spent some years in the field doing enforcement, many things I've encountered are people who unintentionally commit these violations. They go out, they overlook that they're going to be hunting on the forest or if they buy their fishing license, you know, they anticipate going to a state park and then later on they find themselves on the forest and they unintentionally commit that violation. So the intent here is to set the final regulations, roll it into a single package and thus hopefully prevent these types of things from happening. Again, because it is a short session, as you know there's a lot of activity at the legislature the last few years, we thought this was the appropriate package to move forward with at this time. As we move forward to continue this process, obviously we'll need your approval and once we do that we'll begin drafting the legislation and we'll seek a bill sponsor and with that we'll try to prefile it pursuant to those dates that I gave you earlier. And with that, I will stand for any questions.

COMMISSIONER SALOPEK: I've got a question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER SALOPEK: Chris, just to help you out on that habitat stamp, (indiscernible) and Scott had met with the Governor in (indiscernible) and you'd talked about it, Alexa [phonetic]. And anyway, it included whatever she said, no new taxes and she kicked us out of there. If you want this to get by, make sure you can convey to her that it's not a new tax. This is what—anyway, just to help your cause. I'm sure you're on top of it but I just wanted to say that because I thought (indiscernible) and I'll be quiet.

CHRIS CHADWICK: Mr. Chairman, Commissioner Salopek, I appreciate the advice and we'll definitely take that into account. And I think in reality it's going to be very (indiscernible) because we do believe it will prevent those unintentional violations.

COMMISSIONER SALOPEK: Why write a petty [phonetic] ticket for somebody does not have a habitat stamp when they could've gotten it up front when they got their license. I mean, that's what I've always wondered right here what you're proposing. Thank you.

SPEAKER #1: Thanks.

SPEAKER #2: Yes, sir.

CHAIRMAN KIENZLE: Any other questions or comments?

COMMISSIONER ESPINOZA: One quick question. Chris, when you're saying that you would add it to the appropriate license, since everybody has to have a general hunting license, you would add it to that instead of say, an elk permit.

CHRIS CHADWICK: Mr. Chairman, Commissioner Espinoza, that is correct. It would typically appear, if you applied for a hunt, you would apply, you would have to get your game hunting license. When I say appropriate, a lot of that is going to be age dependent. So if you're a youth



under the age of 18, for example, you wouldn't have to have your (indiscernible) stamp. So that's what I mean. The system will be programmed on the back end in order to know when to apply it to the license and then it would be a one time a year purchase just the same way it is now.

COMMISSIONER ESPINOZA: It's more of a consolidation of . . .

SPEAKER: Yes.

CHRIS CHADWICK: Mr. Chairman . . .

[crosstalk]

COMMISSIONER ESPINOZA: . . . so it's, when you take it to the Governor again, use that phrase more than, maybe she'll understand that.

CHAIRMAN KIENZLE: Good luck.

CHRIS CHADWICK: Mr. Commissioner, Commissioner Espinoza, you're exactly correct.

CHAIRMAN KIENZLE: All right. This is an action item.

COMMISSIONER ESPINOZA: Mr. Chairman, I wish to direct the Department to seek Executive Branch approve to develop legislative initiative allowing for consolidation of license and stamp fees to be included in the cost of the license at the time of the purchase.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it.

COMMISSIONER RAMOS: Mr. Chairman, I move to adjourn into Executive Session closed to the public as listed in agenda item 18, subsequent to A, B and C.

VICE CHAIRMAN MONTOYA: Second.

DIRECTOR SANDOVAL: Commissioner Espinoza.

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos.

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: Commissioner Ryan.

COMMISSIONER RYAN: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs.

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek.

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: Vice Chairman Montoya.

VICE CHAIRMAN MONTOYA: Yes.

DIRECTOR SANDOVAL: Chairman Kienzle.

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: We will be adjourning. We will be, everybody can stay here. We're going across the hall. [Adjourn to closed session]

[Return from closed session]

CHAIRMAN KIENZLE: Okay, we got everybody? Who's missing?

DIRECTOR SANDOVAL: Just Ralph. We've got a quorum. Can we just go, I . . .

CHAIRMAN KIENZLE: I think we can go ahead . . .

DIRECTOR SANDOVAL: One of the Commissioners does

[crosstalk]

CHAIRMAN KIENZLE: This Commission had adjourned into Executive Session closed to the public. During the Executive Session, the discussed only those matters specified in its motion to adjourn and took no action into any matter.

COMMISSIONER RYAN: Chairman, I'd like to make a motion to allow the Department to work in appropriate land grant—with an appropriate land grant—to consider transferring the Laguna del Campo property to them.

VICE CHAIRMAN MONTROYA: Second.

COMMISSIONER: Thank you.

[Applause]

CHAIRMAN KIENZLE: Any discussion? All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it. We've got another?

COMMISSIONER RYAN: Yes. I also move the Commission to accept the property donation of approximately 160 acres outside Clayton, New Mexico from Mrs. Susy Bush [phonetic] for development of a shooting range. I further move to allow the Chairman and the Director to negotiate the transfer of the deed on behalf of the entire Commission.

VICE CHAIRMAN MONTOYA: Second.

CHAIRMAN KIENZLE: Any discussion?

SPEAKER: Could you repeat the number one that you gave there? I guess I didn't understand it.

COMMISSIONER RYAN: The motion that was seconded and then voted in favor was to allow the Department to work with an appropriate land grant to consider transferring the Laguna del Campo property to them. So that's enabling the Department to work with a land grant, to do a transfer.

SPEAKER: Does that include the (inaudible).

CHAIRMAN KIENZLE: I didn't hear you, sir.

SPEAKER: Does that include breaching the dam or no? Just leave it there as it is?

CHAIRMAN KIENZLE: You, if you're with a land grant, I mean it's basically transfer the whole shooting match.

COMMISSIONER: Leaving it as it is.

COMMISSIONER RYAN: Whole property.

CHAIRMAN KIENZLE: As it is.

COMMISSIONER RYAN: Yep, leaving it as is, yep, just a transfer.

CHAIRMAN KIENZLE: Okay, so I know you all have some public comment on that and we'll address that in just a moment. But let's finish up the motion that we're working on.

COMMISSIONER RYAN: So, the second motion, I'm not sure, has it been seconded?

[crosstalk]. It has been seconded.

COMMISSIONER: (Indiscernible).

COMMISSIONER RYAN: Seconded, for a vote.

CHAIRMAN KIENZLE: All in favor?

COMMISSIONERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it. Okay. I think that is all the agenda items. State Representative Garcia. Do you want to make any public comment?

STATE REPRESENTATIVE GARCIA: Chairman, I think we, there's some people that wanted to go first.

CHAIRMAN KIENZLE: You want them to go first? All right. As a show of respect to you I was going to let you go first, but I will defer to your judgement on that issue. If you all just want to come up to the microphone and hang out, it would be helpful to see people on this particular issue who are interested in it. So, if you all want to speak, go ahead. Now be mindful what we just voted on. So you don't have to sweat today whether the dam will be breached or decommissioned. I would encourage you to look forward and then, to the extent there's a

problem or a designation on this dam, direct your energy to visiting with state engineers to get that problem resolved and getting that designation to a point to where it's not a problem. And I believe State Representative Garcia and people that he knows are probably useful in that regard. And anyway.

GUEST SPEAKER: Mr. Chair, Commission . . .

CHAIRMAN KIENZLE: You can just pick it up like a rock star.

GUEST SPEAKER: I'll pick it up because everybody else is a little bit shorter, so. My name is Tomas Campos. I am the Rio Arriba County manager. I'm sure you guys received a resolution opposing the closing Laguna del Campo and I think the Director received a letter from the Chairman also opposing the Laguna del Campo. I appreciate your efforts. The land grant would be the Tierra Amarilla Land Grant to deal with and I think it is a victory in a way. I think we have to be careful what we wish for. I didn't want to share with you, I didn't want to come here as County Manager. I wanted to come here as a local individual. I was born and raised in Tierra Amarilla. Just a quick history. I'll just tell you guys that when you guys understand the local perspective of what's going on in northern [phonetic] Arriba. As a kid, my father was the boat [phonetic] officer at Heron and El Vado and later became superintendent. So the areas between El Vado and Heron which we used to call Conrad [phonetic] Flats, I don't know what the Commission calls it today, that was my stomping grounds. Then on the other side you have the Chama Wilderness basin which is my other stomping grounds. Over the years, gentlemen, so this was 1985, (indiscernible) ladies and gentlemen, just so you know, Conrad Flats, the roads were closed, the areas were closed. It became special trout waters which is terrific. But again, the area is closed and the locals have no place, different place you can go. Then Jeff Bingaman broke his

promise and gave us the Chama Basin which is also very restricted. We can't get in there. We can't go. The Commission gave us opposition to the, again, the catch and release below El Vado and we'd really have opposed other things but we, you know, the Commission was unaware back then. Just letting you know that you also have a, I think you're going to declare below Abiquiu even more special trout waters. In a way, what I'm letting you know is it hurts, it hurts our economy in Arriba because none of the outfitters that come and persuade you guys to make these changes are from Arriba. There's no fishing outfitter in Arriba. They bring everything from (indiscernible) Taos. They don't buy anything in Arriba. The shops in Arriba, they sell Zebco reels [phonetic], they sell (indiscernible), they sell salmon eggs. They don't sell flies, they don't sell \$500 Orvis rods. So catch and release is not a thing the locals do. That's a thing that the outfitters do and they when they guide it's 150 to 350 dollars a day, and they don't pay taxes in Arriba County. And unfortunately it was also my senator that passed a rule which I guess somebody wrote (indiscernible) that you can't walk up the river into [phonetic] private land. So if you're looking to the U.S. Constitution, (indiscernible) walking up a ditch, walking through a river is never (indiscernible). And I respect private citizens' rights but right now, lower [phonetic] New Mexico the fishing areas are limited and that's what we're known for, fishing and hunting. The hunting guides, and I think Mr. Reese [phonetic] was just here. They do everything local. They hire locals. They spend their money local. They do everything local. The fishing guides don't. And I'm telling you this because that's what I hear from the locals. As County Manager, I'm just telling you I am a privileged character. There's almost every ranch they'll let me in, anywhere down the river, that's kind of naturalist [phonetic], something I enjoy. But I'm giving the locals' perspective. None of them can afford 150 bucks a day and that's how we're being pushed into this by the special trout waters and other things. It's not opposing that. I

know that we need to preserve the special trout we have and things like that. It's just, you know, we out-voted. I think we outvoted them 20 to 12 at Heron [phonetic] and I don't know if that was related to you guys, and it still passed. And that was the special trout waters below Cooper's [phonetic]. So I'm just giving you that perspective. I'll let somebody else talk. Thank you.

CHAIRMAN KIENZLE: Thank you. What's your name, sir? What's your name again?

TOMAS CAMPOS: Tomas.

CHAIRMAN KIENZLE: Tomas, thank you.

CARLOS CHACON: Mr. Commissioner, members of the Commission, Representative Garcia. Thank you for the opportunity.

CHAIRMAN KIENZLE: What is your name, sir?

CARLOS CHACON: My name is Carlos Chacon. I'm on the Board of Directors of the Tierra Amarilla Land Grant. I serve . . .

CHAIRMAN KIENZLE: We've met.

CARLOS CHACON: We've met. And you've probably met my brother Gerald also.

CHAIRMAN KIENZLE: Gerald. That's perhaps who I met yesterday. Thank you.

CARLOS CHACON: Yeah. You rained, welcomed rain, rained on my parade. I was here to read the resolution in opposition to closing the Laguna del Campo. However, I'm very thankful and I want to thank you for the decision with that. The Tierra Amarilla Land Grant is seeking a collaborative relationship with the Commission. We'd like to work with you on the, on the other



issues, namely game and the management of our resources in the area. So again, thank you very much.

CHAIRMAN KIENZLE: Let's start with this one, this issue first. Then we'll work on the other ones later. Go ahead.

GUEST SPEAKER: I'm not a local from there. I'm from Albuquerque.

CHAIRMAN KIENZLE: What's your name, sir?

DON DAVIS [phonetic]: My name's Don Davis and I was born in Illinois but I fished the Chama River and I fished the lake for the last 55 years. My kids all fish there. I have parents that fished there. And I appreciate what you're trying to do. I'll end it at that. I had a lot more until you made the announcement. So, thank you.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER: Made it easier on ourselves.

DANNY GARCIA: Hello. My name's Danny Garcia. I've lived next to the lake. I'm the second house from the lake. So we get to see a lot of seniors going up and down, the kids fishing. And I'm the fourth generation that has fished that lake. And I would like to see it stay open and I want to thank you for listening to us. Thank you very much.

CHAIRMAN KIENZLE: All right. Thank you.

RIVERA CHULETA: Muchas gracias, todas los Comision here, Commissioners here, Commissioners here. Muchas gracias a toda por la oportunidad a hailer aqui. I thank all of you again in the Department and permission to let me talk over here. My name is Rivera Chuleta,

born and raised here in Los Ojos. I'm 71 years old. And we made history today. History is made today. So, I've been, since May I haven't slept. I had, they called me, we have a (indiscernible) and we have 200 acres that are close to the Laguna del Campo, game and fish. We have (indiscernible). Game and Fish have been involved since 1987. Game and Fish (indiscernible) bring something for up there. Commissioners, I have been attending most of the meetings of the commissioners there. Up there, with respect to Game and Fish, Alejandro [phonetic] here, Donald Jaremillo [phonetic] has worked with me. Game wardens up there have worked with me and Della luna de Compra [phonetic] has been there for kids, grandkids. It's a beautiful lake and one time we were going to fish, fill up the swimming pool and (indiscernible) Then 82 thousand gallons of water in the (indiscernible) 32 years. But we have kids, we have grandkids, we have handicapped, we have veterans that go there. I spend twice a week fishing (indiscernible) that I retired. Before that I'd been fishing there. And there's people from Las Cruces, from Clovis, from (indiscernible), even from Colorado come to fish and enjoy that lake. And that's safe for kids. Like I said, I have worked with game commission for many years and they know me and I know the good game wardens. And thank you for this day and for permitting me to talk over here. Muchas gracias, (indiscernible) con mucho.

SPEAKER: De le pues [phonetic].

REPRESENTATIVE MIGUEL GARCIA: Thank you, Mr. Chairman, members of the Commission. Miguel Garcia, State Representative from (indiscernible) Atrisco. My district is in the far Sun Valley, Bernalilo County. I represent both parts of Bernalilo and incorporated areas and pockets of the city of Albuquerque and some (indiscernible) areas. And I want to compliment the Commission for the decision that you made. My lead sentence was asking you to rescind your decision to basically close Laguna del Campo. And for whatever reason, I really

value that position because this, Laguna del Campo, is a pure [phonetic] institution in this community. A pure institution in that it fosters family values and it's a pivotal institution that still has, as a foundation, the rite of passage of our youth. The rite of passage of our youth in regards to a lake is real simple. That's where you learn how to put a hook, a worm on a hook. That's where you know a lot of casting. That's what our kids needs. They need these pure institutions that foster family values. Nowadays a lot of our children have different rites of passages. Learning now to shoot a gun at a person is a rite of passage of our youth. Learning how to stick a needle in your arm is a rite of passage of our youth. We don't want that rite of passage. We want what exists in Laguna del Campo. That type of rite of passage that teaches responsibility, accountability, respect within our youth. And that's what we have at that lake, not only for our youth but for the elderly. And we appreciate, I really value, you know, this Commission, the position that you took. Thank you and God bless you.

DIRECTOR SANDOVAL: Thank you so much.

CHAIRMAN KIENZLE: Thank you. Please stay engaged in this issue and help these good folks make their way through this.

REPRESENTATIVE MIGUEL GARCIA: Mr. Chairman, you know that I'm the Chairman of the Legislative Land Grant Interim Committee, and will definitely be on top of it, working hand in glove with Tierra Amarilla Land Grant and the Department.

CHAIRMAN KIENZLE: Okay. Perfect. Thank you.

ARTURO ARCHULETA: Mr. Chairman, members of the Commission, my name is Arturo Archuleta and I'm here today on behalf of the New Mexico Land Grant Council. I would just like to say that the Council will be encouraged by the decision that was made today, but would

also like to offer the Council's assistance. One of our primary objectives is to serve as a liaison between community land grants and other state agencies. So as you go through this process, we'd love to offer the assistance.

CHAIRMAN KIENZLE: Let me say that the motion we made today referenced the appropriate land grant. I've heard, at least anecdotally that more than one land grant may have an issue or an interest in this particular lake. So somebody's going to have to sort out who's the proper transferee if you will of this property and the absolute worst case scenario is land grants can't agree and I'm fearful that this will fall apart because eventually if this doesn't get transferred this will drop back into a decommissioning the dam type of situation. So I don't know what the phrase is, do the right thing, get the thing squared away, get it done, however you want to phrase it. But make sure that, you know, the second this is transferred it doesn't end up in a lawsuit with somebody saying well, my land grant is entitled to this, too or whatever. So, let's get this done. And to the extent you and Representative Garcia can make that happen, that'd be great. Thank you.

STEVE POLACO: Good afternoon, Mr. Chair, members of the Commission. My name is Steve Polaco, President of the Tierra Amarilla Land Grant which is known as the (indiscernible) de los Pueblos de Tierra Amarilla. We are legally registered with the State under Chapter 49 as the legal entity of the Tierra Amarilla Land Grant. There are no other grants within the Tierra Amarilla Grant. We are the only one. So we are the ones to deal with, with the issue. I just wanted to make a point that the analysis that we read of the area landscaping of the tributary that goes into Laguna de Campo comes off of the Rio de las Brazos [phonetic], not from the Chama. There is not a sufficient flow which will go into Laguna del Campo because there are aseca

[phonetic], the Los Ojos Aseca which is a ditch and Sonora Aseca and the (indiscernible). These ditches are monitored and regulated by our (indiscernible) which is . . .

CHAIRMAN KIENZLE: By who?

STEVE POLACO: (Indiscernible), the ditch bosses [phonetic]. These ditch bosses (indiscernible) since they became 32, are to regulate the flow of water into the ditches. Laguna del Campo is the tail end. So the analysis that the report showed came off of the west side of the Penasco Amarillo which is totally wrong. It comes off of the north side of the Tierra Amarilla and empties into the Rio Chama. So I don't think we're going to have any problems with the dam or the breach. I just spoke with Mr. Thompson [phonetic] and Mr. Heber [phonetic] out of the dams and lakes and ponds in Santa Fe and we're meeting with them. They are from Office of State Engineering. So they'r4e going to be working with us along with an interim committee, all the legislatures, all the senators, to make sure that we do it properly. And we want to work with you, the Commission, the Game and Fish Department, it's Director, to work together to make things happen the right way. We, we cherish this lake like was previously mentioned earlier. It's vital to our community. It's vital to all the children that come up and fish as was expressed here. I don't want to be repetitive. Thank for the decision you gave us. And I think, and I know for sure, with the direction of the state and committee and everybody involved, (indiscernible) what have you, we will be able to accomplish and take that first step to make it go on to last for years to come for our children and the future of our traditions and cultures are kept. So thank you very much. Muchas gracias. Tenga buen dia y que Dios bendiga.

REPRESENTATIVE GARCIA: Excuse me, sir. I forgot to mention that I am the Vice Chair of Tierra Amarilla Land Grant.

CHAIRMAN KIENZLE: Excellent. Okay. Anyone else on this particular issue? Mr. Murrow.

ROL MURROW: Good afternoon, Mr. Chairman and members of the Commission. My name is Rol Murrow. I am Director Emeritus of the Recreational Aviation Foundation and I am here to talk a little bit about aviation. My two colleagues who were here with me are the former State Director, Steve Summers and a member of the New Mexico Pilots Association unfortunately had scheduled appointments this afternoon so they had to leave so they've left this in my hands. And I'm available to answer any questions you may have about this matter. I have already distributed, and you will find in your packets, this letter which our organization put together to sort of provide details. It goes back to some discussions that followed, shall we call it, a little incident where a pilot cited for potentially flying in order to enhance a hunt and it turned out to be a mistake. We weren't a part of that but we were certainly aware of it and made us aware of the fact that the regulations which you enact may potentially affect the kind of people that we represent. Our organization champions back-country flying and the preservation of back-country air strips. We work with the BLM, the Forest Service and National Park Service. We work with the New Mexico Airstrip Network and Department of Aviation nationwide. We have MOU's nationally and MOU's with the major agencies and we have our volunteers help maintain airstrips because we know that the Forest Service and the BLM and other agencies are strapped for cash and manpower and are, in many cases, unable to maintain a lot of these facilities which are used by our members. So in one way we offer our hand to help in that respect. But I have some stories to tell you that sort of lead you to understand the way it is in which aviation utilizes aviation that benefits the people of New Mexico. I host an occasional Eagle's Day up in Lynden [phonetic] New Mexico. I live in Canjilon [phonetic] in Rio Arriba County just north of (indiscernible). And a Young Eagles Day is where volunteer pilots take young people up for

flights, flying them at relatively low altitudes over communities and giving them a taste of aviation and a way to see the world from a completely different perspective. And so far, nationally we've flown more than 2 million young folks in this program we call Young Eagles. Quite a number of young have gone on to become pilots but more importantly many of them have developed a greater respect for nature, for their communities, for the way in which the world functions, and maybe given them an insight that the world is a much bigger place than perhaps the two blocks of (indiscernible) that they've been confined to for most of their lives or whatever. Another story has to do with an organization which was founded right here in New Mexico called LightHawk. Some of you may be familiar with it.. Probably one of the most famous things they're famous for in New Mexico was the work they did on the Valle Vidal flying members of staffs, legislatures, over that area and various other people such as members of media, opinion leaders and such, to see the beauty and majesty of that area as it was being discussed for potential development. LightHawk is devoted to conservation causes. They're actually international. It was founded right here in New Mexico and it's volunteer pilots donating themselves and their planes to this activity. It involves a lot of very low level flying over terrain in order to provide the perspective from the air. These are just a few of the activities we're concerned about in addition to the activities of our members. We're the Recreational Aviation Foundation but that doesn't mean that what we're doing is flying around in circles, you know, recreating in the air. What it means is that we use aviation to gain access to recreational areas. And I know that is one of your mission objectives as an organization, is to provide for recreational opportunities for outdoors people. Our members are outdoors people. They just have a different way of getting to where they recreate, camp, fish, hike, so on and so forth. So we are out there. We are maneuvering at low altitude in and out of strips. I have a little air strip on my

place which is adjacent to the Santa Fe National Forest. The reason I scrounged up the cash to buy the place and put in the little air strip was so that people could come from all over New Mexico and other states, land on my place, camp, hike off into the forest. I don't charge anything. I have an annual fly-in and there are other people like me around the state that do the same thing. We have something called New Mexico Airstrip Network which is a partnership among the various agencies, various departments to promote this idea and, too, including economic development and tourism in order to bring more people into this state and help keep our tourism industry vital. The letter covers this in a little more detail. I'm absolutely happy to answer any questions. The main thing I wanted to exercise is we have the aviation experience. We know the people who do this kind of activity. If you have problems with people abusing aviation in order to break the rules, in order to harass animals, in order to illegally utilize aviation to get around hunting restrictions, we would like to know about it. We would like to work with you. We'd like to make sure that the aviation community is aware of what you need and what your problems are. We'd like to work with you to solve them. That's basically all I have to say. So if you have any questions, feel free.

CHAIRMAN KIENZLE: Stay engaged in this issue on, stay engaged in this issue of proposed rules and regulations. So I don't want anyone to be surprised, ultimately, if there is a final rule that comes in front of us. So stay engaged. Clearly you and the organization that you represent, you've got a good valid viewpoint. So again, stay engaged with the Department as this rule is being developed. It's very important.

ROL MURROW: We will do so. And thank you, and if your relation with the prior group here is any indication of the good faith in which you work with the communities, I'm confident you'll work with us as well and we'll be able to make good things happen for the future. Thank you.



CHAIRMAN KIENZLE: Thank you. Shawn Carrell.

SHAWN CARRELL: I'll try to make this really brief. Sorry, Shawn Carrell, President, New Mexico Conservation Officers Association. First of all, I would like to say we're grateful for all the advances the Director of Field Operations and Commission has given to our officers with our CAD, our radio, everything. We're very grateful for that. But there's always a thought to that. We would ask the Commission to support or start to initiate some discussion about some additional FTE's or additional officers for this state. As you guys know, we are asked to do many things. We don't just do law enforcement. We do Expo, we do OHB, we do a lot of different stuff and as we go through all our duties, we just don't have enough officers to do the job we need to do. We have about 70 district officers statewide. If you calculate that out, that's about one officer for every 1700 square miles in this state for 40 hours a week. I know it's hard. I know it's a legislative action that needs to happen to get that stuff. But we had asked you guys with your powers and the Director to go forth and try to get some additional FTE's so we can help alleviate some of these issues. It's come up many times today, the trespassing issues, different violations . . .

CHAIRMAN KIENZLE: Let me interrupt you one second, not to be rude. But in order to get that done, Director, to get more FTE's and (indiscernible) on the ground, what do we need to do to make that happen?

DIRECTOR SANDOVAL: It is part of the budget recommendation to add in additional FTE's. It goes through the legislative process with the Governor's approval. Because we are an executive agency, we have to work through the Governor's office to add more FTE's. So we

have entered into those discussions and we can certainly, at the direction of the Commission, move that forward.

COMMISSIONER RYAN: But are those positions going to be conservation officers or other employees of the Department? What's the plan on that?

DIRECTOR SANDOVAL: Mr. Chair, Commissioner Ryan, what I'm hearing from them is that they would like to have more officers in the field.

CHAIRMAN KIENZLE: I think Commissioner Ryan's question is, our request for more FTE's, is it in the law enforcement side of things or is it across the board. How have we . . .

DIRECTOR SANDOVAL: Mr. Chair, Commissioner Ryan, we do not have an increase this year. We received an increase last year, and are working to get those positions filled. We typically have to demonstrate those positions being filled before we can ask for additional FTE's.

CHAIRMAN KIENZLE: So those positions to be filled, are they in law enforcement or somewhere else?

DIRECTOR SANDOVAL: Mr. Chair, we received 8 FTE's. Two of them were IT and 6 of them were law enforcement.

CHAIRMAN KIENZLE: And have we filled the six spots yet?

DIRECTOR SANDOVAL: Mr. Chairman, I believe we are going out for recruitment for 10 recruit officers. So we are working to get to 100 percent. We have to demonstrate that 100 percent before we can do ask for additional FTE's.

CHAIRMAN KIENZLE: So let me ask one of these 64 thousand dollar questions. In terms of how many additional FTE's you would want, without saying unlimited, I mean what is a reasonable figure to help solve or alleviate some of the problems you described.

SHAWN CARRELL: I would probably refer to your Colonel Griego, but my opinion is at least one officer per supervisory district. I believe we are at 13 supervisory districts. That would alleviate a lot of the issues as being (indiscernible) trying to work with the schedules. I'm down one officer and in the recent weeks, guys taking time off and everything, it's hard to maintain that coverage.

CHAIRMAN KIENZLE: So it's roughly 13 more is what you're talking about.

SHAWN CARRELL: Yes. I mean, it would be nice to have several (indiscernible) up in the 300 officer range for statewide. I don't think, we don't have the number of calls they do, but that's what they are taking to get 24 hour service, 7 days a week. So we're just asking if we can get the discussion rolling on trying. I know there is a lot of stipulations on what we need to do. But we're asking if we can get more help. You can have all the technology in the world but if we don't have guys to run it . . .

CHAIRMAN KIENZLE: I understand what you're saying. I don't put it 1 to 1700 square miles. I just say we're the fifth largest state in the country by land mass and just the distances you have to drive to get any particular complaint responded to let alone the other things you're asked to do is—it could take a whole day to get to some of these spots. So, I appreciate what you're saying. I don't know that you get a commitment from the Commission but I think we recognize the issue and more people on the ground is better than fewer to give what I would call better customer service or better public facing responses. So I understand your concern. How we make that

happen, I mean that's more challenging to get it done. But I totally understand what you're saying.

COMMISSIONER #1: And if it was our choice, or Alex's, it'd be done.

COMMISSIONER #2: But you know, when you have to deal with the government.

SHAWN CARRELL: It might be a good opportunity while we're discussing the budget, I know that came up today, I don't know what you guys can do that, but we highly encourage it and we appreciate you guys' consideration. Thank you.

CHAIRMAN KIENZLE: Thank you. Logan Wolverine. It's a comic book joke.

LOGAN VANLANDINGHAM [phonetic]: Logan Vanlandingham, I'm the vice president for the Conservation Officers Association. I'd like to say hello to the Chairman, Commissioner and Director Sandoval. The first thing I'd like to do is thank you and kind of echo what Shawn said. I really appreciate the technology and support we've gotten. I think we have turned into a truly professional law enforcement agency in the last 3 or 4 years. And it makes a difference with the morale of the officers. And just the other thing I wanted to bring up is, make sure you don't forget about a durable carcass tagging system. As an association, we still think that is important and we know other things are going on but we want to keep it fresh in your minds and make sure it doesn't get slipped off the table. Thank you.

CHAIRMAN KIENZLE: Understood. Thank you. Last, least, maybe not the least. Todd Leahy. All right.

COMMISSIONER RYAN: Hung in there all day.

TODD LEAHY: You guys are fantastic. This is a great meeting. Mr. Chairman, Commissioners, I'm Todd Leahy, Deputy Director of the New Mexico Wildlife Federation (indiscernible). Although not on today's agenda, I wanted to share some information with the Commission regarding stream access. The results of a recent poll of likely New Mexico voters showed that voters want public stream access. The issue attracts broad and intense support from across the state. Two-thirds of likely voters showed that stream access for the public should be ensured even on private land. Further, it is not a partisan issue. Democrats, Republicans and Independents all have supported open access. In fact, as New Mexicans learn more about this issue they become more supportive. This holds true among non-recreationists and suburban voters, those who regularly (indiscernible) outdoors overwhelmingly support the issue. As New Mexicans, the New Mexico Wildlife Federation recognizes and respects private property rights but the state constitution assures that New Mexico's water, fish and wildlife belong to all of us and cannot be privately owned. Prohibiting access on public rivers and streams owned by taxpayers for the benefit of a few violates the rights guaranteed by us, to us, by the state constitution. I thank you all for your time today.

CHAIRMAN KIENZLE: Thank you. Hearing and seeing no more comment cards or members of the public, I will entertain a motion to adjourn.

COMMISSIONER #1: So moved.

COMMISSIONER #2: Second.

CHAIRMAN KIENZLE: All in favor?

SPEAKER: He gets a round of applause for today.

[Laughter and applause]

[crosstalk]

[Meeting adjourns]

In Re:

**NEW MEXICO STATE GAME COMMISSION**  
**August 24, 2017**  
**Marriott Pyramid North, Taos Room**  
**5151 San Francisco Road NE**  
**Albuquerque, New Mexico**  
**9:00 a.m. – 5:00 p.m.**

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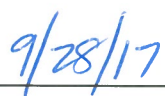
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**APPROVAL OF MEETING MINUTES  
NEW MEXICO STATE GAME COMMISSION**


**August 24, 2017  
Marriott Pyramid North, Taos Room  
5151 San Francisco Road NE  
Albuquerque, New Mexico**



**Alexandra Sandoval, Director and Secretary**

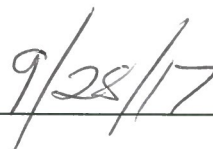


**Date**



**Paul M. Kienzle III, Chairman**

**New Mexico State Game Commission**



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