

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

New Mexico State Capitol, Room 307
491 Old Santa Fe Trail
Santa Fe, NM 87503

Thursday, August 28, 2014

9:00 a.m. – 5:00 p.m.

A P P E A R A N C E S

Game Commissioner Thomas Salopek

Vice Chairman Bill Montoya

Chairman Paul Kienzle

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

A B S E N T

Game Commissioner Tom Arvas

(Pledge of Allegiance Ends)

DIRECTOR SANDOVAL: Good morning everyone. Chairman Kienzle?

CHAIRMAN KIENZLE: Present. Here.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: Here.

DIRECTOR SANDOVAL: Commissioner Arvas? (no response).

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Here.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

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

CHAIRMAN KIENZLE: All right. Can I get motion to approve the Agenda?

COMMISSIONER SALOPEK: So moved, so moved.

COMMISSIONER RAMOS: Second that.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: All right. Let's go around the room and everybody if they would introduce themselves and say who they're here on behalf of, please. Who wants to start? RJ, you want to start in back there?

GUEST SPEAKER: Good morning. Good morning. R.J. Kirkpatrick. I'm Assistant Director with the New Mexico Department of Field Operations.

GUEST SPEAKER: Mike DeMias, District State Management Office.

GUEST SPEAKER: Paul Relesh (inaudible-static)

GUEST SPEAKER: Good morning everybody, my name is Starmen Bowles, I'm the Marketing Manager for the Nebraska Department of Game and Fish.

GUEST SPEAKER: I'm Charlotte Levinson, I am a citizen of New Mexico, I am here to stand up for the wolf.

GUEST SPEAKER: Good morning Commissioners, I'm Robert Griego, I'm a current colonel of field operations.

GUEST SPEAKER: I'm Kathy Anderson. I'm the Executive Director of (indiscernible).

GUEST SPEAKER: Mike Sloane, Chief of Fisheries, Game and Fish.

GUEST SPEAKER: Bob (indiscernible), Field Operations, major in markets.

GUEST SPEAKER: David Black, a citizen interested in hearing why we're talking about this issue and how it got from here to here, who presented this.

GUEST SPEAKER: Bob (indiscernible), Albuquerque.

...: Gentlemen, is it okay if he sits in?

GUEST SPEAKER: Kent Salazar, National Wildlife Federation from Albuquerque.

GUEST SPEAKER: Joel Dade, New Mexico Wildlife Federation, Albuquerque.

GUEST SPEAKER: Good morning. Rhonda Holderman, New Mexico Game and Fish.

GUEST SPEAKER: Good morning. Karen Allison, New Mexico Game and Fish.

CHAIRMAN KIENZLE: Welcome back. Hello Karen.

GUEST SPEAKER: Good Morning. Nicole Quintana, Elk Biologist with New Mexico Department of Game and Fish.

GUEST SPEAKER: Good morning. Ryan Darr, Deer and Pronghorn Biologist, New Mexico Game and Fish.

GUEST SPEAKER: Travis Congorder, Environmental Science major in the field of wolves.

GUEST SPEAKER: Loretty Martinel, citizen from Albuquerque, interested in the wolf protection.

GUEST SPEAKER: Good morning Ladies and Gentlemen, I'm Nancy Savage, I've lived in New Mexico since 1958 and I'm here to talk to you about the Endangered Species Act and how this needs to be protected, and our wolves have a right to exist.

GUEST SPEAKER: Mike Destin, New Mexico Department of Game and Fish.

GUEST SPEAKER: Good morning. Kristin Adenberg, Program Manager of New Mexico Department of Game and Fish..

GUEST SPEAKER: Good morning. I'm Louegie Gentry and I'm a citizen from Santa Fe.

GUEST SPEAKER: Good morning. Clarie Clay from Santa Fe on (indiscernible) wolves.

GUEST SPEAKER: Nancy Johnson from Santa Fe and I'm a retired Vice-President of the Smithsonian's National Group which participated in the first re-introduction of wolves to New Mexico.

GUEST SPEAKER: Good Morning. Citizen (indecipherable) from Albuquerque.

GUEST SPEAKER: Good Morning. Garret VeneKlasen from New Mexico Wildlife Federation.

GUEST SPEAKER: Good morning. John Crenshaw, New Mexico Wildlife Federation.

GUEST SPEAKER: Charles Fotz, Santa Fe citizen.

GUEST SPEAKER: Bill Carpenter, Wildlife Campaign Manager Animal Protection of New Mexico and Animal Protection Voters.

GUEST SPEAKER: Good morning, Commissioners. Stuart Lyle, Figuring Program Supervisor of New Mexico Game and Fish.

GUEST SPEAKER: Good morning, Commissioners. Cal Baca, I'm the Chief Wildlife Manager of New Mexico (indiscernible) and Fish.

GUEST SPEAKER: Good morning, Commissioners. Jarrod (indiscernible) of New Mexico Park and Fish.

GUEST SPEAKER: Good morning, Aaron Rodriguez, Deputy General Council from Game and Fish.

GUEST SPEAKER: Good morning, Commissioners. Nice being here, (indecipherable) Deputy Director.

GUEST SPEAKER: Roberta Bellot, citizen of Santa Fe. youth of the wolves.

GUEST SPEAKER: Eddie Huvits citizen, Santa Fe resident for the wolves.

CHAIRMAN KIENZLE: All right, I think we've got most everybody.

DIRECTOR SANDOVAL: If I may, Chairman, introduce Sandra DuCharme. She's my new Executive Assistant for the agency and Assistant to the Commission as well.

MARTIN PEREA: I'm Martin Perea, Videographer in the New Mexico Department of Game and Fish.

LANCE CHERRY: I'm Lance Cherry, the Assistant Chief of Information for the Department of Game and Fish.

DAN WILLIAMS: Good morning. I'm Dan Williams. I'm Editor of New Mexico Wild Life for the Department of Game and Fish.

CHAIRMAN KIENZLE: All right. That's good enough. Good morning everybody. Thank you for coming. Can I get a motion to approve the minutes from our June 26, 2014 meeting, Ruidoso?

VICE CHAIRMAN BILL MONTOYA: So moved Mr. Chairman.

COMMISSIONER TOM SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion Unanimous passed)

CHAIRMAN KIENZLE: Agenda Item No. 7: Revocations

ROBERT GRIEGO: Good morning to you Commissioners, Mr. Chairmen. The department presented a list of individuals that need to establish criteria for the initiation of the suspension process for hunting, fishing and trapping licenses. As of last month we had 242 obliges that Human Services Department reported as being out of compliance in May, June and July. Since then, twenty-eight are back in compliance. So we would like to go forward with that process since they are out of compliance with the Parental Responsibility Act.

CHAIRMAN KIENZLE: Questions? Can I get a motion on this, please?

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Commissioner Espinoza?

COMMISSIONER ESPINOZA: I move to authorize the Department to administer these suspensions on behalf of the Commission, including the insurance and service of the notices convey the actions to each individual listed that is out of compliance with the Parental Responsibility Act.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion unanimously passed)

CHAIRMAN KIENZLE: Agenda Item No. 8. Prospective Modifications to Importations and Authorized Uses of Live Wildlife Permitting.

ROBERT GRIEGO: Mr. Chairman, Commissioners, this is the perspective modifications to the Importation and Authorized Uses of Live Wildlife Permitting under Rule 35.7 and 35.6. As you know what statute 17 and 332 provides is that a permit must be obtained from the department before any live animal can be imported into New Mexico. By rule, it prescribes the process for applying for an issue on these permits. Statute 17.242 and 329 authorize the direct issue permits for taking or possessing protected wildlife for scientific or propagating purpose and 35.6 Rule prescribes that the process for applying and issuing these permits. We propose the amendments to these rules that would require the Commission to approve any application for the importation or use of predatory animals for the purpose of recovery, re-introduction, conditioning, establishment or re-establishment in New Mexico prior to Director issuing such permits. We believe that this would give another layer in the vetting process and allow the public and the sportsman the ability to have a comment period so they would have a say prior to the issuance of those permits. So, another layer in that vetting process. The proposal in the certified setting is under the importation. We added that the State Game Commission must approve on the application for the importation of any predatory animal for the purpose of recovery, re-introduction, condition, establishment and re-establishment in New Mexico prior to the Director

approving such permits. The other language would stay consistent as it is currently. Under 357.19 the Release from Captivity, we added that same language to that Rule. Again, stating that the Game Commissioner must approve any release permit for any of those prior to. In addition, under 35.6, the Permit Issuance, again, that same language that the Commission would approve any application for the possession or use of any predatory animals for those purposes before the Director could approve such permits. Again, we'll leave in the add-in to that vetting process. This proposal being posted on the permits website and to date no comments have been received on the topic. And at that point, we'll take any questions.

CHAIRMAN KIENZLE: I think we'll do public comment first and then if there's any questions we'll pick up again. Evelyn Fenny. Evelyn? Did I get that wrong? I probably did and my apologies. What's our time limit?

DIRECTOR SANDOVAL: Three minutes per comment.

CHAIRMAN KIENZLE: We're going to hold strictly to that today, thank you.

EVELYN FENNY: I'm concerned about the adding of another layer to the process of the wolf re-introduction because we've been, it seems like the wolf re-introduction program has really been hampered by an awful lot of management, mismanagement. It's just, you know, these animals have had a very, not a real shot at getting re-established. So personally, I'm for not adding additional involvements. Thank you.

CHAIRMAN KIENZLE: Thank you. Jim Ross.

JIM ROSS: Yes, my name is Jim Ross. I'm a resident here in Santa Fe. I've prepared some comments. It seems that these changes in regulations I guess you need some justification. I

don't understand what the problem is. I don't understand why we need more regulations, why we need more layered bureaucracy. I can't see how, are these new permits that were asking for or is this just a change in the approval process for existing permits? I mean if we already have permits in this area, I'd like to know how many types of these permits do we have and what's the problem then with them? Why are we making a distinction for recovery process? I guess if the Director can approve something for a circus or experiment or something, then we have to have another signature before we can recover these animals? And that just doesn't make any sense. I also think that we're very much in danger of politicizing the permit process, moving away from a scientific approach to a bureaucratic and protocol approach. I also think we have to clarify how these proposed permits would relate to these works of recovery permits issued under the government law. Such as, that for wolf recovery here in New Mexico. Is it our intention to require government employees, or their agents and staff, to get these permits of a recovery program? In that case I think we're just asking for inevitable conflict, litigation. I don't know, it just doesn't make any sense. You know it's the same in New Mexico unless we create a conflict with the federal government. I think that ought to be done by legislature rather than the Commission action. And there are those who basically, like insurance. I think it's why we having recovery conflicts treated differently than other things. The law does the rest of these permits seem to be for the death of the wild creatures. They say there have to be facilities available for them, that they have to be safe for the animals. While they move regulations (indiscernible) seem to be to potentially deny somebody the recovery process for the wild animals. So I think that the new regulations are actually inconsistent with the rest of the existing regulations. So that's my thoughts and I'm going to move my comments here.

CHAIRMAN KIENZLE: Thank you. Nancy Savage.

NANCY SAVAGE: Good morning again. As I said when I introduced myself, I've lived here since 1958 so I feel like I have a say in what goes on in New Mexico. I grew up in Las Cruises and I am very much opposed to proposed amendment No. 8. The state of New Mexico in general has been consistently absent in helping to conserve and recover the Mexican Gray Wolf. It's an endangered species. Extinction is forever. We pledged allegiance to the flag in (indiscernible) states and basically the proposal just adds another layer of unnecessary, an unnecessary layer, to what is already the Endangered Species Act which clearly the federal law takes precedence over. I question this additional layer of vetting. I think it's unnecessary and I also think that the reason it's being done is to slow down the re-introduction of the Mexican Gray Wolf. The majority, first of all we are a nation of rule of law and the majority rules. Those are the basic tenets of our democracy. And the New Mexico Game Commission has an obligation to support federal law, not hamper it. And we have an obligation to do the will of the majority of New Mexicans and the majority of New Mexicans want the re-introduction of the Mexican Wolf. And we don't need another layer which, as the gentleman that spoke just before me said, is going to just muddy the waters so to speak. So, I urge the whole State of New Mexico, including the New Mexico Game and Fish Commission, to get with the program and really help assist the federal government in re-introducing the Mexican Wolves, expanding and facilitating this because it's the federal law and because the majority of New Mexicans want this. We are the nation where we believe in the majority rules. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Morrane Marnell.

MORRANE MARNELL: Good morning. I think that the re-introduction of the wolf into New Mexico is important. We need the top predator to restore the eco-system to where it was before we humans, well and (indiscernible) here. That this vetting process, adding another layer is just a

way to slow down the re-introduction and I think that that's an unwise move by the Commission. Thanks.

CHAIRMAN KIENZLE: Thank you. Nancy Johnson.

NANCY JOHNSON: Hi, I'm Nancy Johnson and as I said in the introduction, I sort of come from the side of those who prepare animals for the re-introduction. I was on the finance side and now I'm on the animal management side. But there's a lot of time and effort that goes into specially training animals for re-introduction. The National Zoo stepped up, and it was in 96 or 97, with the first set of rules that came to New Mexico along with several other zoos. And the numbers are now good, they're repopulating themselves and we don't need, from that standpoint, from a small population help there, but taking the animals to other parts of the state, basically the southern part, I know that what they call the cultural caring capacity for wolves is pretty close to zero with the ranchers. While those of us in the North have a much higher tolerance for having wolves, although none of us in the near future are going to see wolves coming through our yards. We have coyotes, that's enough. I understand the need and from a zoo perspective of spending time and money for people to get the animals prepared for re-introduction. I ask that there be the long-range plan for how were going to handle this and it involves education and money. I know, I worked on the black bear re-introduction in Maryland. When I was there, the black bears decided to re-introduce themselves to New Mexico and they crossed the Mason-Dixon Line without the proper paperwork and just settled in. But from those four bears that came in 1996, they now have such a viable population that the black bears on the cover, because I just saw it, of the Maryland Hunting and Trapping Magazine for the year. So it is possible to have a viable population and have the human population the exception of their presence too with the right education and I know you have a fund already set up for any, how should I call it,

attacks on herds where people lose populations of their sheep, cows, whatever. Maryland had to set that up but yours is already established but people might not be aware of it. So we're already on the way and I'd just like to see it continue down the proper path. Thank you.

CHAIRMAN KIENZLE: Thank you. I'm not going to get this name right so my apologies in advance. Isa Lapalayman? Was I even close?

ISA LAPALAYMAN: Yes, actually got the first name, was perfect. Mr. Chairman, Commissioners, my name is Isa Laplyman and I am a citizen, I live in Albuquerque but I spent as much time as I possibly can in Gila and Apache National Forests camping, wildlife tracking and observing in this country. I have been in front of the Commission when you were still supporting the wolf re-introduction and recovery and also in Las Cruces when you decided to withdraw from the program and now I'm here checking into this proposed amendment about you becoming, it seems like, a Clearinghouse to deny or clear, clarify, clear the wolf re-introduction in New Mexico. And I find this proposal rather disturbing because first of all, it is certainly concerning that this would go against the endangered species, federally mandated wolf recovery, and Mexican Gray Wolf recovery as well as that could lead to legal ramifications for not following this, and also seems that this kind of a role as a Clearinghouse would also increase your expenditures as well as demand expertise that I wonder if you have for this kind of designation, whether the wolves can be re-introduced or not as individuals. And so, I wish to see the Commission, rather than building a roadblock for this re-introduction, that you would be supporting the recovery of this really important ecologically, really important predator as well as a national icon. Thank you.

CHAIRMAN KIENZLE: Thank you. Appropriately named, Charles Fox.

CHARLES FOX: Mr. Chairman, Commissioners, good morning. As a citizen of New Mexico, I support wolf recovery but I am concerned about the slow pace of re-introduction. A solid majority voters in both New Mexico and Arizona support wolf recovery and it shouldn't be costing New Mexico State Agencies a (indiscernible) to fully cooperate and facilitate that process. You go to Yellowstone eco-system, it is making a remarkable recovery since wolves were introduced there. Eco-systems require a large predators, including wolves, to be healthy. Yellowstone's gained a lot from wolf recovery and New Mexico stands to gain a lot, too. I think that wolf recovery is too important to be delayed. The Commission and the Department, I would request that you look to build a more constructive relationship with the Federal Wildlife Agencies toward this essential and worthwhile goal. I would ask the Commission and the Department to support the process of wolf recovery, not here, I see a list for these perspective modifications, however, to collide with federal law and further bog down the Department and the Commission in litigation which I think would be, I think it's avoidable and I think it would be regrettable. Thank you.

CHAIRMAN KIENZLE: Thank you. Rita Gentry.

RITA GENTRY: Good morning Commissioners. My name is Rita Gentry and I live in Santa Fe. I have worked in our New Mexico wild areas and I want to tell you more of why we need the wolves in New Mexico to help rejuvenate and rebalance our very special eco-systems. It's becoming generally known that wolves as apex predators help establish the trophic cascade effect that helps restore eco-systems and balances other wildlife populations and un-muddles (indiscernible). I know in New Mexico, ranching life and farm life is a hard life. It's also a great life, as I'm sure we all would agree. And New Mexicans do know how to protect their animals from predators. We also know how to adapt to change and we see unnecessary change here. We

need the wolf and I hope that you, as the Commission, would wholeheartedly join wolf rules, fish and wildlife service in promoting the re-introduction of the wolf. We New Mexicans need you at the table. Thank you very much.

CHAIRMAN KIENZLE: Thank you. John Crenshaw.

JOHN CRENSHAW: Good morning. John Crenshaw, President of the New Mexico Wildlife Federation. Wildlife Federation's own position is that predators, including endangered species, should be managed by the best science available. According to the North American Model of Wildlife Conservation, the Mexican Wolf Recovery Program in particular re-joined with the Arizona Wildlife Federation and took a resolution to the National (indiscernible) and you've got to be specifically about some of the issues. One is we (indiscernible) the Mexican Gray Wolf so it would be kept as an endangered species managed under the current protocols of experimental (indiscernible). We found that it would be premature to expand the recovery at this time because (indiscernible). Recover those that are retrieved and then now at that point, consider it. We also urge (indiscernible) on this service to put together a much more comprehensive plan before we start moving you might say. Number two, this one belonging to (indiscernible), I didn't write this one. But the concluding part was that although not final but the National Wildlife Federation would also support a future de-listing of the Mexican Gray Wolf sub species and transfer management authority to the state wildlife agencies based under New Mexico when all of the specific goals and population objectives of a new USS WS Mexican Gray Wolf recovery plan been obtained and then comprehensive Mexican Wolf Management Plans has also been developed and now in place by the State Wildlife Agencies of Arizona and New Mexico, do a similar scientific and public review process, and that all state wolf management plans be guided by the (indecipherable) Wildlife Conservation and the protocols consistent with management of

(indiscernible) carnivores including (indiscernible) hunting and trapping as legitimate management tools. I think, as we have heard from others, it's pretty easy to read this as being confrontational and it makes us uneasy because currently the USS and Wildlife Services as I understand it does apply for permits, their grounded for instance regarding the wolf, well get a little nervous, if push comes to shove, and there is litigation then it is going to be expensive (indiscernible) and license fees and prospects of winning are not good. We would really like to see a different approach, if there is some way to let the person on that service like to be tabled themselves and if you look closely you perhaps come up with a number of (indiscernible) when this process first started.

CHAIRMAN KIENDLE: Thank you Mr. Crenshaw. Phil Carter.

PHIL CARTER: Mr. Chairman, members of the Game Commission and Director Sandoval, thank you for allowing me to speak here today. My name is Phil Carter, I'm the Wildlife Campaign Manager for Animal Protection of New Mexico. We at APNM believes that this proposed amendment is an attempt by the New Mexico Game Fish Department to implement stalls and other hindrances to Mexican Wolf Recovery in our state, particularly expansion as the designated Mexican wolf habitat (indiscernible) by the federal government in a set of new proposals. I would argue that if you're worried about public comment on any sort of permitting of relocation of animals that you need not worry. New Mexicans do support Wolf Recovery. A 2008 poll shows that 69% of respondents support Mexican Wolf Recovery in our state. Similarly, I was at the August 13th U.S. Fish And Wildlife Service hearing on the new proposals for Mexican Wolf Management in Truth or Consequences, what people spoke on behalf of the expanded boundaries of the Mexican Wolf Habitat at a rate of two to one against anyone opposed. That included spokesman on behalf of Back Country Hunters and Anglers and

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Southwest Consolidated Sportsman. Most sportsmen agree that we have to maintain a better prey balance in our eco-system to maintain eco-system health. As a last point, I would like to call attention to a letter that, if you haven't already received, you should be receiving very shortly from my colleague Dave Parsons, former Mexican Wolf Recovery Coordinator for the Fish and Wildlife Service. He describes about the existing relationships as prescribed in the Endangered Species Act between state agencies and the federal government. In section 6, it outlines the standards that state agencies have to maintain to receive federal funding by Section 6 of the ESO, one of which is to assist in development of programs for the conservation of endangered and threatened species. As the Game Commission, you are bound to follow the New Mexico Wildlife Conservation Act which prescribes the adequate and active program for the conservation of endangered and threatened species. It's our belief that the action you're proposing with this amendment could disqualify the Game and Fish Department from receiving those funds coming through Section 6 through a variety of species conservation programs. So, on behalf of my own organization, the 69% of New Mexicans who support Mexican Wolf Recovery and the people who have their livelihood based on federal funds for conservation programs in our state, I ask that you withdraw this amendment. Thank you.

CHAIRMAN KIENZLE: Thank you. Judy Calmen.

MARK ALLISON: Judy Calman. Mr. Chairman, Judy Calmen is down training for the Mexico Women Site and she's been delayed. With your permission I'd like to read some comments on her behalf.

CHAIRMAN KIENZLE: Yes Sir. Thank you.

MARK ALLISON: Good morning Mr. Chairman and Commissioners. My name is Mark Allison. I'm the Executive Director of the (indiscernible). We're a state-wide grassroots organization dedicated to the protection of wolves in New Mexico. We have thousands of members throughout the state. We have offices in Santa Fe, Albuquerque, Las Cruces and Silver City. I have a prepared statement I would like to read for the record. We'll be hearing discussion today on a proposal that would allow the Commission to deny or (indiscernible) the infiltration, possession, release or use of any predatory animal for the purpose of recovery, re-introduction, conditionings establishment or re-establishment it in New Mexico. This tradition seems to be an attempt to obstruct future recovery, omit some goals in New Mexico. A project is mandated by the Endangered Species Act. Not only will this amendment attempt to hamper a valid federal program, something which could have both legal and economic implications for the State of New Mexico. It is our opinion also that is outside the scope that both the letter and spirit of New Mexico's own law by which the Commissioner is bound in the New Mexico Wildlife Conservation Act. New Mexico Wildlife Conservation Act which is incidentally also a mechanism which allows Mexico Game and Fish to receive federal funding. It states that endangered species should be managed to retain as much as possible to enhance their numbers. It also advantages this state that we cover listed species that would benefit to all of society. The Mexican Gray Wolf is listed as endangered in the Mexico Act. The decision to list that species was made both for the scientific evidence of the decline and other (indiscernible) to a functioning ecosystem. Attempting to make it more difficult to recover Mexican Wolves in the state is not in accordance with the department's obligations to conserve Mexico's wildlife for future generations. The Commission should be looking for ways to help Mexican Wolves make a full

recovery and be removed from the list of endangered species, not putting up roadblocks that may jeopardize their future survival. Please reject this proposal. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Jan Ravenhort. Have I got that right?

JAN RAVENHORT: Thank you for this opportunity to speak. I'm Jan Ravenhort, I've lived in Sandia Park for 35 years so I'm like the adopted New Mexican. And I don't support, surprise, surprise, the Commissions attempt to vetoing Mexican Wolf Recovery in New Mexico. In my view you gave up the influence you had over the Mexican Wolf Recovery when you banned the New Mexican Wolf Recovery Program. Now you want to trim federal mandated management can play games with the very survival of these precariously rare crucially well equipped, Game Managers when their given half a chance for a wilderness eco-systems. Wolves didn't choose this war. I believe in the same way you don't cut them some slack. After all they're actually doing you a favor. They're out there taking out the weaker predator individuals (indiscernible) less fit. So they actually consume the stronger and magnificently dramatically superior specimens for hunters to take out and even hang on their walls. Wolves are in general responsible for less than 1% of the cattle deaths. (indiscernible) Mexican Wolf progress report except for two areas specified in the report where this incidence was higher In other areas where the wolf's presence was felt to be threatened, proactive management activities by U.S. Fish and Wildlife Service were found that were effective in controlling, reducing and eliminating these problems, including depravations. In one item, you talk about wolves as if their commodities, there are just things. They're not it. This is where my personal experience comes in. The 350 or so captive wolves and wolf dogs that I worked with and gotten to know in the last 35 years have shown me that they have very strong personalities, impressive problem-solving skills, their sensitive, their shy, creative, they have a sense of humor, they also have an immense violence for

stealing things. They're compassionate and they have a capacity for deeper relationships than I ever thought was possible. They deserve our respect as fellow earthlings. The majority of New Mexicans want the wolves in these areas to be complete and functional. That as many of them grew up and component's still there as we started out with. They don't want state law (indiscernible). Wolves belong or they never would've been created. So please withdraw this amendment. Thank you.

CHAIRMAN KIENZLE: Thank you. Adrienne Sultz.

ADRIENNE SULTZ: Good morning. I'm Adrienne Sultz. I also live in Sandia Park, New Mexico and I'm here today to ask you to withdraw the amendment. I know a lot of things that I was going to say have already been said so I'm not going to take up a lot of time. We'll keep it kind of short and sweet. This amendment ignores science. It ignores the best science that can fur mate pets, predators and their contribution to eco-systems and to the prey species as well. It also is ignoring input by the spokesman's groups that Phil Carter mentioned earlier about country hunters and anglers in the Southwest consolidated sportsmen they support Wolf Recovery and as other people have mentioned the majority of the people in New Mexico support Wolf Recovery. A lot of the , I was at the hearing also down in Truth or Consequences and a lot of the opposition to the wolf sadly, is based on a lot of fear mongering. There's coexistence methods that are available, that have been proven to work. Some of our ranchers here in New Mexico are working with those things, some are not. We heard wolves at the hearing called, " sexual predators". We heard all kinds of really crazy things that just aren't reality. It was pretty scary. So basically, I agree with what Jim was saying, you guys of being the Fish Commission stepped off the table with this. You backed out, ceased participating in this whole program and I think that you are threatening some of your funding alternatives under (indiscernible) of Section 6 of

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the ESA. Basically, this proposed amendment exceeds your authority and it contributes federal law. Thank you.

CHAIRMAN KIENZLE: Thank you. Brian Byrd.

BRIAN BYRD: Good morning Mr. Chairman, Commissioners, Director Sandoval. I'm Brian Byrd. I'm here today to represent Wild Earth Guardians. We're celebrating our 25th year here in New Mexico. We represent thousands of individual citizens across the state. Most of all I'm just going to say quickly how it has actually been said today. So I just want to make three quick points. That this rule of regulation appears to violate the U.S. Constitution. This rule violate constitutes the primacy clause. Under state regulation that's in direct conflict with federal law and regulations by impeding an attempt to supersede the reintroduction of the EESA will be a violation of The U.S. Constitution and I know you all appreciate The Constitution. Number two, it appears to jeopardize federal funding for state wildlife conservation programs under the ESA, Section 6. If you pass this regulation and that it might just disqualify the state under the federal laws standards. To me, in order to receive the funds for the endangered and threatened species conservation programs and finally, I just want to say it also appears to undermine the New Mexico Wildlife Conservation Act. Mexican wolves are a species that are covered by that act. So, Wildlife Guardians in this membership respectfully ask you to not approve this regulation. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Teresa Seamster.

TERESA SEAMSTER: Good morning Mr. Chairman, Commissioners and Miss Sandoval. My name is Teresa Seamster. I'm here representing the (indiscernible) Club. I think we would just urge the Commission to please allow the agencies that are currently in charge of recovery of all

predators, not just wolves. There are falcons, there are many types of predators that would fall under this kind of permitting that would be heavily impacted if you would take upon yourselves the responsibility for basically reviewing every comment, rechecking all the science and essentially doing the job of the people who currently do it. We have a lot of respect for the field biologist, for the field staff, for the program (indiscernible), for the GIS marketing people who currently work at Game and Fish and have been doing this job for a while. They would not apply for a permit if it were not a good idea. I would extend that to Fish and Wildlife. They have very trained people who oversee every aspect of corrupting, people in captivity and breeding programs and release programs. That is an expertise that comes from hundreds and hundreds of endangered lists and they coordinate with other states. Now, I know this shift is very diverse. We have a lot of people who used to work at the state level, who currently work at the state level, who have worked in federal and local governments, who have worked for these agencies and they (indiscernible) all the hundreds of species in New Mexico. They don't want to see more species suddenly imperiled, because funding has been taken away for most conservation programs which I think this would do. So, our wild game chapter in the New Mexico group strongly urge you drop the proposal and let the agencies that currently do this job be allowed to do it. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Public comments closed. Any questions or comments from Commissioners?

LATE GUEST SPEAKER: I didn't mean to walk in.

CHAIRMAN KIENZLE: I'm sorry Ma'am, it's closed. Do you have anything different than what anyone else has said?

LATE GUEST SPEAKER: Pardon?

CHAIRMAN KIENZLE: Do you have else to say other than what we've already heard from other folks?

LATE GUEST SPEAKER: I just (indiscernible) please.

CHAIRMAN KIENZLE: Okay. Thank you. Any questions or comments from Commissioners? This is a discussion item so we'll pick it up again on another agenda that's no good today. Thank you.

CHAIRMAN KIENZLE: Next, ITEM No. 9: Final Proposals to the Upland Game Rule and the Migratory Game Bird Rule. You ready?

ROBERT GRIEGO: Yes Sir.

CHAIRMAN KIENZLE: All right. Have at it.

ROBERT GRIEGO: Mr. Chairman, Commissioners, this Agenda Item No. 9 is a draft Momenue to Upland Game Rule and the Migratory Game Bird Rule to allow the use of pellet guns for the take of grouse, squirrels and Eurasian Collard Doves. The department has received several written request to amend commission rule to allow for the use of modern pellet guns for the taking of certain small range species. With the rising cost and more so the limited availability of 22 caliber when filing the motion allowing use of pellet guns would provide more hunting opportunities for grouse and squirrels. The Eurasian Collared Dove which is an exotic species is increasing in many areas of New Mexico and is competing with native species such as the Manakin and White Wing Doves. The department proposes amending two commission rules to address these concerns. First of which is 31.6 to Migratory Game Birds, the Eurasian Collard

Dove would be removed from the Migratory Game Bird Rule and then 31.5, the Upland Game Rule that Eurasian Collard Doves would be added to Upland Game and the season would be open year-round with no bag our possession limits, which it currently is no possession limits. Eggs and identifiable wing would remain on the bird for management and law enforcement purposes. Under definitions under the Upland Game Board, pellet guns shall mean a hand gun or rifle that propels a single .177 caliber or larger pellet by means of compressed air or other gas. The manner of method we would add Eurasian Collard Dove under the legal sporting arm for, the following legal sporting arms for Grouse, Collard Doves, Squirrels and that shotguns firing shot would imply muzzle loading firearms, bows and arrows and then the addition of pellet guns. These proposals have been posted on the department's website. This item was discussed in July at the commission meeting. To date, twenty-three department comments have been received, twenty-two of those supporting the pellet guns being allowed and maximizing the opportunity to take the Eurasian Collared Doves. One comment was opposed to the idea, citing concerns about (indiscernible) loss. As the research we've done, the vast majority of just basic .177 caliber pellet guns are shooting pretty darn close to a thousand feet per second so I don't think that's going to be an issue. So with that, I'll take any questions.

COMMISSIONER SALOPEK: Bobby, on the reading the bling on the brass, is that for the freezer too or is that just getting home?

ROBERT GRIEGO: Just to get home. He has said Mr. Chairman, Commissioner Salopek that would be just to get home. And that aides us in being able to identify them from the other species where there is a bagged limit of the white wings in the mornings.

COMMISSIONER SALOPEK: Because if not, I was going to ask you how do you cut that wing with the feathers on it?

ROBERT GRIEGO: It's pretty tasty.

CHAIRMAN KIENZLE: Any public comments on this? Commissioners, any questions?

VICE CHAIRMAN MONTOYA: Bobby, in the INE Section, I think to avoid any problems that might come up and somebody shooting the wrong critter, maybe we ought to put something like that on the webpage that shows what one is. We in this room probably know exactly what they are because a lot of people that don't (indiscernible).

ROBERT GRIEGO: Mr. Chairman, Commissioner Montoya, that's a good idea. I know that were planning on putting out a news release if this does pass and I think that would be a time to, we might be able to point people in the direction for some identification issues.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Montoya, I appreciate that very much. We actually have a few pictures and everything ready to go once today we finalize what happens today and absolutely, we will get those pictures up for everybody.

CHAIRMAN KIENZLE: Great. Any questions? Anything else? All right, can I get a motion on this?

COMMISSIONER RAMOS: Mr. Chairman, I move to accept the departments' recommendations and amendment. Amend Commission Rules 19.31 .5 and it may see as presented.

COMMISSIONER SALOPEK: I second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye

(Motion Unanimous Passed)

CHAIRMAN KIENZLE: Agenda Item No. 10, a discussion item, Conservation and Enforcement Efforts of Bluewater Lake.

ROBERT GRIEGO: Mr. Chairman, Commissioners. Bluewater has kind of been on the forefront here as of late and being in this team is just an educational importance. Just to give you an idea of what the management is and our enforcement goals. We want to make these irrigation lines located Northwest of Grants. The dam was built by local area farmers', the property is mostly state parks with some deal land and state land. In 1948 in agreement ensured that the conservation pool was basically 7,000 feet elevation be maintained. As a fishery historically the water was managed as a quick grow tank for rainbow trout and channel catfish water. In 2001 and 2002 the public started voicing concerns about the numbers of suckers and gold fish in the lake between there and Komodo Lake similarly. A management plan was drafted and Tiger muskies were selected as a tool to release nongame fish and increase warm water angling opportunity. So in 2003 to 2012, approximately 350,000 Tiger Muskies finger links have been stocked to control the suckers and the goldfish. Tiger Muskies do grow rapidly, allowing for limited angling opportunity. We do allow the take and possession of one musky over forty inches. The Tiger Muskie fishery has become extremely popular resulting in increased visitations to Bluewater Lake State Park. There is some concern by anglers that Tiger Muskies are eating all the Rainbow Trout in the lake but conversely the other half are extremely happy with the fantastic Tiger Muskie fishing. So in 2013 and 2014 surveys indicated that Tiger

muskies are exceeding the care and capacity. There were no rainbow trout captured during the surveys. Tiger Musky stocking has been suspended and catch the rainbow trout stocks are stocked instead of the smaller ones to avoid quite the feeding frenzy as the stocking truck poured them into the lake. There are some angler surveys that pre-service show that most anglers, over 65% are targeting the Tiger Muskies. Most Tiger Muskie anglers report high satisfaction, want over the rainbow trout, anglers reported very low satisfaction but we would expect that just because the rainbows are not staying in there very long.

CHAIRMAN KIENZLE: They wouldn't stay in their anyway round year.

ROBERT GRIEGO: No, were putting them in there to catch. They could stay year after year but 42 inch Muskie is pretty devastating on them.

CHAIRMAN KIENZLE: I agree. I understand.

ROBERT GRIEGO: As far as enforcement efforts go on Bluewater, Bluewater is a high priority location during the summer. Patrols have been reduced somewhat for the past two years due to high numbers of various incidents and vacant positions in that supervisory district. Although, the violation rates have remained constantly at approximately about four percent, most citations were for fishing without a license followed by bag or size limit violations, but this is consistent with our waters across the state. We're not seen anything extraordinary about the violations on Bluewater. Just some numbers you know and I would reach out, I would pat Sargent Craig Sanchez who is not here, pat him on the back. What he is doing a lot with very little. In 2012, as far as enforcement went they used 265 man-hours and checked a little over 900 anglers with 42 citations. During that time period, all districts were full. To include two (indiscernible), the Mortuary District, the land, Grants, Gallop, a Sergeant, and then they had two recruits, so they

had seven officers that were able to consistently work that lake. In 2013 they only put 92 man-hours into it, checked almost 600 anglers with five citations. During that year the Grants and Gallo Districts were vacant. The (indiscernible) District became District about late in the year and that was the year that we had an all-time high in a bear incident. So really it was a shift in, they were getting pulled in many directions with very little manpower at the time. This year, although there has not been an improvement in serving the districts as of yet we've got some guys coming through the pipe that we will be putting out there but we have increased the patrols using some of our commission specialist and officers throughout the state and bringing them to Bluewater for special patrols to aid Officer Sanchez and getting some enforcement done. This year even though the man-hours are down, 155 man-hours, they checked almost 800 anglers, had 20 citations. Again, during this period Grants, Gallop and (indiscernible) have been vacant. The entire supervisory district is covered by one Sergeant in Grants and the District Officer in Mirority so there's a pretty big hole there. We have new licensed special patrols to get over there and make a presence and do some enforcement. Low water levels have concentrated the fish on the anglers. They have seen reports of anglers taking undersized Tiger Muskie and finding the dead Muskie along the shore. That can be attributed to various reasons but often the assumption is by many of the people who are big on the Tiger Muskies is that because of improper catch and release, but hard to say. We do have a advice protection release that we put in our fishing rules and information book and we pass it on at both lakes just knowing that because we have that 40 inch requirement that they're going to be catching a lot of those fish that are undersized and we do pass it on to those anglers as much as we can on ideas to avoid loss and triple through what's listed in the proclamation, fishing proclamation, you know just telling them to land the fish as quickly as they can. Don't play it to a big exhaustion, use a net. Keep the fish in the water. Do

not squeeze our grab the fish. Gently, remove the hook and more importantly is if they swallowed it, were advising them to just cut the line and they'll digest that hook in a matter of days. That that's one of the biggest help to getting those fish back in the water. We are educating the public on those catch and release tips. With that, I will take any questions in regards to Bluewater.

COMMISSIONER SALOPEK: Bobby, so what are we, I'm trying to think and talk at the same time. Are the locals more after the (indiscernible) is it kind of like (indiscernible) and I've talked to Mike, (indiscernible) is it outside people coming in to fish these muskies and the local people that want trout aren't catching trout because the muskies have eaten the trout. Are we making that change in the size then or is it too many muskies or what's the problem that we hear Robert?

ROBERT GREIGO: Mr. Chairman, Commissioner Salopek. The vast majority of the use on the anglers is at Albuquerque and it has become whether it started as they preferred the trout, the vast majority of the anglers now are preferring the Tiger Muskie. Without a doubt there are still some of those hard-core trout fisherman that would like to see that trout fishery come back. I think we're definitely at that fork in the road where we need to decide on management practice. By continuing to keep the Muskie levels at the level they're currently at, it's an expensive way to feed them by putting trout in there. So that, probably the **fisheries** division could insert a little better than I could. As far as future management, I think we are at that fork in the road where they're saying current levels are, were probably not going to be able to keep them at the current level even if we decide to keep it a Muskie fishery just because there's too much, I mean we all know that it's fantastic fishing. Eventually, they're going to eat themselves out of the living.

COMMISSIONER SALOPEK: Well I was visiting some good friends from Gallop and they can't, their shocking, they said they go into Panama and they go to Moscow and they said the best fishing is right here at Bluewater. Now that being said, what about Komodo, is that the same fish that's in the Komodo?

ROBERT GREIGO: Mr. Chairman, Commissioner Salopek. Yes it is the same fish. It is not done quite as well. That lake has been one more, we're able to keep both fisheries in 231 satisfied for the most part. We've got some good Muskie fish and then some really good trout fishery but it's not as good as Bluewater. The anglers are appreciative of it like you said, we're getting people from all over the United States and various countries that come in specifically to Grants to fish. Which you know, is pretty spectacular that we have something like that. We'll have to make some decisions pretty quick.

CHAIRMAN ESPINOZA: Bobby, I see your numbers on low enforcement and I need to give Craig a pat on the back, he's done a fantastic job with only pretty much him. I'd been out there, I've been in discussions with some of those laws, Muskie Association and some would just say the anglers are disappointed because there's no trout in the lake anymore but they're still catching these cats at that, there's still a fantastic catfish fishery as well. I guess muskies don't eat the cat's, is that right? I've seen those catfishes. I'd seen one guy had one that, it was twenty pounds or so. But you're right we've got people coming from all over, literally all over the world. People that in the upper Midwest, that Muskie fisherman, come clear down here to New Mexico to catch a Muskie because they can. But, , just because with the loss that we're having through whatever, improper catching, release or whatever it happens to be, the Tiger Muskie population is decreasing somewhat now even just without any efforts is that kind of a fair statement?

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinosa, I'm not certain to what state it's de-creasing. I don't think it's decreasing at any significant rate at this point right now as I understand it. Again, I think that that fork in the road where our management technique, we're going to have to decide which way we want to go because the last thing we want to create is a bunch of fish washing up on shore because of starvation. We want to make sure were getting utility out of them. That deciding which way to go as far as eating the trout or the catfish, I think there may have been different layers of the lake that I mean, would you rather eat a spiny backed goldfish or spiny catfish or eat the soft trout?

COMMISSIONER ESPINOZA: I'd ask the department to bring this as a commission kind of counter-proposals. One, you know that the law enforcement, I don't see with what you've got you're doing what you can and I don't see very many citations. So, I don't know if law enforcement needs to be stepped up more than what we do. I think you guys are doing a good job there but as far as the fishery itself, I'd like to see you know, give us some options for what that really is. I don't want to see that fishery roll away because I think we have a huge resource. I put those muskies on the level of (indiscernible) and the unique treasure of what New Mexico has. You need a manager. I think that's the key word. Bring us some management plan that's going to do the best possible for opportunity at that Lake. That's what I would like to see.

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza, I'm sure Chief Sloan and his crew can give you some good options. As far as the law enforcement goes, we'll continue going down our road, the great thing about the organization is even when we have holes like that, we can transfer guys temporarily and make that their priority regardless of it being their district or even their area and that's what we've done is concentrated guys as we needed to. We've got some

officers coming up in we'll have a lot of those districts failed before too long anyway. So, what we saw doesn't have complete coverage but I will pass all of that on.

CHAIRMAN KIENZLE: Thank you. Anybody else? All right, this is a discussion I am hoping to (indiscernible-static)

DIRECTOR KIENZLE: Agenda Item No. 11: Final Special Drawing Protocol for License Allocation.

MALE SPEAKER: Mr. Chairman, Commissioners, I'd just like to point out that Rhonda's work pretty hard on this site and I know this is near and dear to our sportsmen and women's hearts and so we think were coming forward with a pretty good mix and how to follow the statute. We created 40y percent and I appreciate Rhonda's hard work on this.

RHONDA HOLDERMAN: Chairman Kienzle and Commissioners, this is to review the final persons for the Special Drawing Protocol for the License Allocation. As you know, New Mexico has a quota-based system where 84 percent of residents are required to draw ten percent of hunters of applicants who are using a New Mexico outfitter and six percent non-residence. The mere algorithm will ensure that a minimum of 84 percent draw. We will all need drawn to 84 percent. The remaining part of the algorithm will address the rounding that happened in the ten percent and six percent pool. The statute requires if there is a five-tenths or greater, that it is rounded up. If it is less than five-tenths, it is rounded down. This sometimes requires that we adjust the maximum licenses available because it will, if you round up you sometimes end up with an extra license. This is to address the fractional remainder. We propose that we look at adjusting 19.31.3 of the Rule so that the Director may adjust by no more than one license per hunt code. To me, that part is a statutory obligation. This will be Directors Authority to adjust

licenses and permits, the Director may adjust licenses or permit numbers for special drawings by no more than one per hunt code to comply with Chapter 17 and its corresponding rules. Can I get any questions?

COMMISSIONER SALOPEK: Rhonda, have you done an analysis on it? Do you have a best suggest as far as how many licenses we can be talking about?

RHONDA HOLDERMAN: Yes.

COMMISSIONER SALOPEK: That would be perfect.. I knew you had.

RHONDA HOLDERMAN: In the rule there would also be the kind of approvals I think we can limit this Act with (indiscernible) it's the license numbers and maybe come up with some smarter allocations of licenses to address it from the beginning.

COMMISSIONER SALOPEK: So, that's your analysis as how many...

RHONDA HOLDERMAN: I didn't add them all up. I just had the spreadsheet which I would be happy to get you.

COMMISSIONER SALOPEK: Okay, round numbers?

RHONDA HOLDERMAN: (indiscernible) we have license numbers change every year and they'd also be in impacted. I can get you those.

COMMISSIONER SALOPEK: If you would.

CHAIRMAN KIENZLE: Garret and John, did your organization take a look at these?

MALE SPEAKER: We haven't looked at those.

CHAIRMAN KIENZLE: I mean we have the spreadsheet but this proposed Rule, any thoughts on?

MALE SPEAKER: Yes, we support the departments (indiscernible)

CHAIRMAN KIENZLE: Any public comment on this? Any further Commissioner questions or comments? This is an action item so try and give them a break on this.

COMMISSIONER RAMOS: Mr. Chairman, I move to approve the Departments recommendation for the Special Drawing Allocation, Protocol and Amend The Hunting and Fishing License Application Rule 19.31.3 NMAC as presented.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: The money man Mr. Varela. Good morning. Agenda Item No. 12: Fiscal Year 2016 Operating Budget. It looks like I have fifty-two public comments. Just kidding.

PAUL VARELA: Mr. Chairman, Commissioners. Good morning. My name is Paul Varela. I'm here is to present the (indiscernible) the budget request. The goal of the 2016 budget request will be to provide services in the most efficient way as possible. Requested budget increase is for 16, we move the needs of the department proposal to provide new enhanced papers for certain department employees. This includes law enforcement officers, biologists, farm and

hatchery workers and some I.T. pre-issues that we had trouble recruiting and maintaining. Overall, the 5.16 budget request was at 48.5 million. This is about 2.5 million greater than FY-15 and as I mentioned earlier most of that is due to enhanced paperwork proposal for those positions. The department as you know has four programs that guide(indiscernible) operations. These programs are defining the budget law as required by the Accountability in Government Act. The governments office directed agencies to maintain that budgets for FY-16. So they would be similar in former increase (indiscernible-coughing) budget request which will have to support for our proposals. I'd like to go over the programs we feel are more for the audience. Our field operations program (indiscernible) this is the operations program list. It contains all the law enforcement positions. The goal of the program is to promote and assist implementation that departments supporting law enforcement and resources, habitat in public outreach throughout the state. The second program is the Conservation Services Program and this is by far our largest program. The requested budget is about 23 million. The purpose of this program is to manage and conserve the states' public wildlife resources and associated habitat for the benefit of the wildlife and for hunters, anglers and other wildlife users. Actions include the propriety in progressive management and wildlife habitat, providing technical assistance services and consultation to both public and private landowners and how their affected interest regarding wildlife management directed to educate all Sectors of the public about wildlife resources throughout the state. This program includes our largest divisions which is the wildlife management division, fisheries, ecological and environmental planning as well as the information in education ability. Our third program is our smallest program that request the budget is about (indiscernible) for FY-16. The purpose of wildlife definition increases the (indiscernible) program is to provide complaint administration in the (indiscernible) processes to

private landowners. These holders and other New Mexicans so that they may be relieved, relieved of and precluded from property damage, annoyances and listed public safety caused by protective wildlife. The last program is the programs support program. The purpose of program support is to provide an adequate, flexible system of direction, oversight, accountability and customer support to all divisions so that they will successfully obtain planned outcomes for all department programs. This includes administration, administrative services and information services. This next slide is a pie chart that shows the funding for FY 16 based on programs. The purple slice of the pie is that you'll see is the Program Support Division. The increased budget is about 7.9 million. The blue pie is the Field Operations Program. The requested budget input 6 million. This increased about 500,000 from FY-15 based on the pre-adjustment proposal two for law enforcement officers. The smallest portion as a mentioned earlier is the (indiscernible) program. We've still got a little over one-million. The largest slice of the pie is The Conservation Services Program, were at 22.7 million. The next slide is just a breakdown of the firm resources that I described earlier. This chart breaks down the firm resources by personnel, contracts, other costs. The largest portion of our budget is expanding personnel at 22.(indiscernible) million and as you can see at the far right, bottom right that the total budget is 48.5 million that we are requesting. The next slide shows the amount finding being requested by find. The largest find is the Game Protection Fund at about 37.2 million. The other smaller funds are considerably smaller but very important to some of the things that we do in each department. And with that I stand for any questions.

COMMISSIONER SALOPEK: Paul, you know I'm just glad to see that where they can try to pay for another (indiscernible) that applies to whatever might works for the (indiscernible). You know I'm excited, I think we met some other buddy the other day and were getting to where we

need to be. But I think in your favor I saw in the paper the other day I think the states going to have a surplus of 286 million from gas and oil. (indiscernible) if they can make some money at home it will make our jobs easier to get where we need to be. But I just want to thank you all, I like that. That's where we need to grow and it needs to be more but at least that's a good start.

CHAIRMAN KIENZLE: Mr. Cremshaw.

JOHN CREMSHAW: Mr. Chairman, Members, John Crenshaw, President of New Mexico Wildlife Federation. You've got to go by what Commissioner Salopek just said. We have committed to Director Sandoval that the federations will help chapter this budget through and give it our best too. Together through the legislature intact, we would be very pleased to (indiscernible) tell us a while back that our Game Wardens , entry level and I think you might get those substantial raises and increases in salaries, which I hope would help with retention and improvement where we don't have it. That was a big concern. Vacancies we've been facing, that's very good news for all of us and I'm sure especially for the (indiscernible) that they're more competitive now. We're really glad to see that there are some help for some growth in the budget and the animal protection fund as we all know has been setting, drawings basically with, (indiscernible-background speaker) your amazing actually it was kind of out of speech there I think for the general fund that if nobody looks to grow, nobody gets to grow including Game and Fish. I do remember that in the past when the Game Department was having financial troubles that the rest of the state didn't cut their budgets or go fight but now it's in sympathy with us. Anyway, this is really good news and I believe the department can help make this happen. Thank you.

CHAIRMAN KIENZLE: Thank you. Any further public comment? Questions? Comments?
Can I get a motion on this one, it is an action Item.

VICE CHAIRMAN BILL MONTOYA: I moved to approve The Department's Fiscal Year 2016 Operating Budget and allow the department staff to make technical adjustments and changes as necessary to incorporate assessment rate changes provided to exactly eight agencies after the meeting and prior to the statutory deadline.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERSL: Aye.

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

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: Agenda Item No. 13: Prospective Initiatives for the 2015 Legislative Session.

DAN BROOKS: Thank you Commissioners, Mr. Chairman. I brought these forward last time so I'm just going to separate them out. Actually, there's a couple others on here but we were working behind the scenes last time when I gave the presentation. There are actually two other bullets. Those bullets have went away simply because, one was the budget and you just heard that and you just voted on that. And then the other one was dealing with the pay compensation and raises. Even so, were getting some movement on that and wrapped up in that budget was that. But you'll find this and I'll just summarize here that penalties for Hunting and Fishing, were looking at these enhanced penalties that's a two-prong approach. The one is trying to address all
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these heads that are being cut off of deer, elk and antelope and so there's that movement to try to make that a (indiscernible) Act and then there's also this ability striking a balance, also making more of the minor infractions of penalty assessment. So if you're fishing in the quality waters you don't have a habitat stamp, consider a mandatory appearance in court right now, that would allow us to offer a penalty assessment much like a traffic citation. When you're out on the highway we think that's the right mix to go forward with that. This would be our third year for that. The second bullet, that's about consolidating these Veterans licenses by fifty percent, so giving them a break, recognizing their services and that's on all licenses across the board. We think that will help us and also recognize that service that the Veterans provide. One of the things right now is the department has a whole variety of different licenses out there and it's really tough for us to figure out which that is. The bookkeeping on that, the accounting is pretty tough so this would be a lot simpler now. We're still asking to keep the two free license for veterans and the first one is one-hundred percent disabled veteran. We don't see that going away. We want to keep that and then the other one is Rehabilitation Program for those that have served and are now in a rehab program. They can actually go out and fish for free. We think those are two worthwhile programs we want to keep while the others would be that a fifty percent discount. The third bullet, that's about developing a volunteer program. As we do more things, more public events, the Outdoor Expo which we just had, that takes a lot of volunteers. Also doing some other things as we move forward. I know it would be nice to use volunteers, allow them to operate the departments' equipment and you also have then some protection, liability protection as well. State parks already do this, it's a great idea, and so we think it would really help further us. And then the last one, near and dear to my heart is this gift seeking that commissions authority over tilapia. And so, I'll just talk just a little bit as I move forward in the

program here, one of the things that you just heard Paul talk about, as we pursue wages for employees I just want to touch base on that. Although, I'm not asking for a vote on that because The Commission, you just voted on that. And so what we have to do though is we have to go forward wrapped up into that budget, there's going to seek us two point two million dollar increase so that we can pay for those wages. And so just real quickly, there was some discussion about that but I do want to outline this kind of four- prong approach going on here. So the first prong that we have going with that is about getting the officers raises and that's really a big recruitment and retention issue for us. We've already visited this (indiscernible) the Director has visited with the intern drill to install, he's already approved the basic moving forward on recruits and those that are on for a year, they just have to work out a few details, but it's a pretty good raise. It's a two dollar raise or so for those officers in we were trying to implement the other portion act which goes back then from Corporals all the way to Captains, and so there's a little work to do one that but we've got support on that so were going to move forward. The next prong to that is the biologist. We want to make sure that were compensating biologist properly as well. There's been a discussion with the state personnel office, I may have said stated so I want to correct myself. I hate to use the acronyms, spell as the state personnel office. And so were working behind the scenes to try to implement that. It's going to take a little more work. The next group is the Hatchery and Farm Workers. We'd like to(indiscernible) wildlife technicians or some sort of idea like that so they're in a biological series and so that'll be (indiscernible) biological information as well. Then lastly, which actually goes back to Commissioner Salopek's comment about he'd like to see everybody get a raise and so there's this group of employees out there who may think that they're inappropriately placed. Now (indiscernible) has some requirements for us to place and we think we have the mechanisms to

do it. So, when we total all of that, that's about two point two million dollars and so I'll be seeking that legislative support as well for that. So those are things that are happening behind the scenes. Just back to the pay raise, I just wanted to touch base on that. So I summarized each one of the other four initiatives and so what we're looking for here today from the Commission is to take bites out of each one and you all to see where your support lies for each one of them. So the first one in front of you is if you support the enforcement effort, were looking for a motion on that. Secondly, if you support the consolidating the veterans license, we're looking for a motion on that and then likewise, the volunteer program. We'd like to see you all put in a motion on that. Lastly, the Commission, if they're going to seek that authority on tilapia, motion on that. I would just say I have a couple things on the tilapia, it was a verbally discussion point last time at the last meeting (indiscernible-coughing) to talk to the Agricultural Department, they're not opposed to this. If anything, they believe we should be pursuing more opportunities for fish farming is what they call that in this actually would because that's one of the things that's brought the request forward because we have had a lot of people who want to raise, I call it, "bathtub tilapia". They want to start raising them, not so much in a big lake or pond but they want to try it out. Do they want to raise them in captivity, see if they can do any good with it. Having broader Commission authority would allow us to control it a little more so I would summarize with the interest of the commission. You know as we do a little homework behind the scenes and to this point I've not heard anything that doesn't support the Commission receiving authority on tilapia.

CHAIRMAN KIENZLE: Mr. Crenshaw or Garrett?

GARRET VENEKLASEN: Mr. Chairman, Members of The Commission, my name is Garret Veneklasen. I just want to reiterate that the Federation very much supports all these legislative

initiatives and that we will be at the committee hearings to make sure that all this hopefully, will happen. Thank you very much.

CHAIRMAN KIENZLE: Thank you. I also commend the department for keeping the legislative agenda short. Targeted proof of what's important. Any questions or comments?

COMMISSIONER ESPINOZA: Dan, back on your volunteer thing if you would, I was explain this a little bit. Can you further explain this? This is where were going to allow like you said volunteers solved the equipment and stuff but I was also led to believe that we within this, pay them a per diem if they volunteered, say overnight. If that was the case, where's the money coming from?

DAN BROOKS: Yes. Mr. Chairman, Commissioner Espinoza, that is correct. Actually, there are several prompts to the volunteer program. Right now, just as a reminder, there is a prohibition under a Rule, Transportation Services Division, it only lets state employees operate equipment and drive vehicles. And so right now state parks have implemented this. It allows them to utilize volunteers on the park. They can operate utility vehicles, four wheelers, even drive department vehicles. The other prong to this is it allows them to be covered for liability and then lastly, if they're serving at one of our functions on our behalf they actually can receive a per diem as well. And so we think that's valuable because that then, you know they don't have out-of-pocket expenses. Lastly, and I forgot to mention this, it also allows us then to use that as an in-kind match. Big because we work with the federal government so then we can actually receive money back on services as volunteers. So we think it's a very good situation and it's going to be more applicable as we go forward with more events.

COMMISSIONER ESPINOZA: I'm understanding that we actually would be on the plus side of preparing per diem but we have to counter hours so we get the federal max so were actually getting to end up on the plus side of dollars because of that (indiscernible), is that correct?

DAN BROOKS: Yes Mr. Chairman, Commissioner Espinoza, that is correct. So it's a real benefit to the department.

CHAIRMAN KIENZLE: Assuming we get that legislative approval. Whatever the program ultimately becomes that's going to come from us for some sort of approval. You get the legislative approval but that the broad grant right? I mean that's not specific. I mean once you set up a volunteer program something like that comes in front of us again I think once you get legislative approval.

DAN BROOKS: Mr. Chairman, it will be a broad application of the law and very certainly can come back in front of the Commission and structure it at your own desire.

CHAIRMAN KIENZLE: That's what I'd recommend.

COMMISSIONER MONTOYA: Dan, this would include State Parks or State Forestry that's helping us in some particular areas that would apply to them as part of being able to provide them in kind salary, transfers, etc., etc. or has that complicated things too much?

DAN BROOKS: No, Mr. Chairman, Commissioner Montoya, this will just apply to the Department of Game and Fish. State Parks already has an allowance by law. We are looking to apply that to us, The Department of Game and Fish. So, I'm not quite clear on your question on how it would apply back to them.

VICE CHAIRMAN MONTOYA: If they're in fact doing some tasks that we've asked them to help us in, picking up trash or whatever it might be, we can use this to provide the vehicle to give them some funds.

DAN BROOKS: Yes, Okay. I understand. Mr. Chairman, Commissioner Montoya, actually we have J PAs and were right now discussing for example, with State Parks on actually paying them to pick up trash, like for anglers. So that's a mechanism on its own, it wasn't dependent on this at all.

COMMISSIONER MONTOYA: This is separate, okay just report clarification on it. Thank you.

CHAIRMAN KIENZLE: Any other questions or comments? We're going to break these out into separate motions. So I'm doing one, two three, four. Can I get a motion on this Item?

COMMISSIONER SALOPEK: Move to direct the department to develop and set them, submit for executive branch with the legislative commission of penalties for hunting, fishing and trapping infractions including penalty assessments for minor violations and increase penalties on (indiscernible) violations.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

(Motion Unanimously Passed)

COMMISSIONER SALOPEK: Move to direct the Department to develop and supplement submit for executive branch review the legislative and this should be about consolidating Veteran license discounts for hunting, fishing and trapping licenses.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

(Motion Unanimously Passed)

COMMISSIONER SALOPEK: Move to direct the department to (indiscernible) submit for executive branch review the legislative initiative for pursuing a broad based volunteer program.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: All Aye's have it.

(Motion Unanimously Passed)

COMMISSIONER SALOPEK: Move to direct the Department involved and set met for Executive Branch review and legislative initiative for establishing Commission Authority On Tilapia.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Ayes have it.

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: All right, the Cal Baca Show.

CAL BACA: Luckily you don't have to listen to me the whole time. I brought my crew to actually do most of the bulk of the presenting.

CHAIRMAN KIENZLE: That's a help.

CAL BACA: That's a good thing.

CAL BACA: The first Agenda we brought for you today is Agenda Item No. 14 and this is the Final Proposal Amendments to Allow Turkey 19.31.16 NMAC. I will pass it over to Kristen MADDEN, she will be my third co-manager to present.

KRISTEN MADDEN: Mr. Chairman, Commissioners, Good morning. I'm here to present the final proposals for 19.31.16 Wild Turkey. To date we have had 32 public comments. 19 were going to address (indiscernible) or Admin Hunts. We have considered all of them and you'll see some additional Hunts based on some of those suggestions. One suggestion to address the Spring bag limit to one gobbler, three regarding various management and methods, three regarding law enforcement issues in for suggestions to adjust permit and license numbers which you will also see read around this presentation. The first proposal limits we have, just to keep this really consistent with the other rules that have an enhancement type, we'd like to appeal the

Birds, Turkey Enhancement Premotor Rule 19.31.20 and combine that text into the Rule of the Ruled Turkey Enhancement Permits Rule into the Wild Turkey Rule 19.31.16. In addition, we've had complaints over the years about the hunt tables being confusing. Difficult to read, difficult figure out exactly where you're able to hunt, so we've gone through and simplified all of those to make it clearer and readjust the dates to fit the current calendar year. We had to recommend hunt closures. Chivalry State Park faltered amongst this originated as a recommendation from the State Park itself. What's encouraged from our Turkey Biologist in our regional conservation area officers in that area they feel it is a good idea. The population has not really recovered from the track fire in 2012. We are also recommending a closure of the Fall Draw Hunt on the WSE. That population has not really recovered from transplants out of the hues several years ago in the drought down there, if you go down there, I don't know how to tell you, it's just terrible. There's no way for those turkeys to come back at this point, however they may work around that. So those are our two recommended Hunt Closures. We also have several recommended additions In Hunts and Permits. The rattlesnake killing closure area in(indiscernible) 2A which is up in a Farmington area. We'd like to add five Youth Only Draw Hunt Permits with a bag limit of one bearded Turkey and we'd also like to make those permits valid during the GMEQ Draw Hunt. Fifteen permits added to that GME Draw Hunt to the Spring Hunt and in the east of Albuquerque area in GME8, we'd like to add an Archery Only Spring Draw Hunt of ten permits with a bag limit of one Bearded Turkey. At the current time, we allow youth to hunt for the weekend prior to the Spring Turkey Season. We just like to extend that Youth Hunt for one day, that Friday prior to the Spring Season. In GME5B, we'd also like to open that during the Fall Season. It's up in the northern part of the state. We'd like to remove the Hunt Fees (indiscernible) there are not enough management areas from the closure

exception. This just keeps a consistent with all the other Rules in the rest of the Rule. This isn't actually a change. (indiscernible) Wild Turkey is a state threatened species as you know, we spoke last year about transplants from Arizona. We agreed to trade them forty (indiscernible) for sixty (indiscernible) Wild Turkey. Last year we brought in twenty (indiscernible) Wild Turkey and transplanted them into the Peloncillo Mountains. The surveys last year observed twenty-one Turkeys and they (indiscernible). This year, this Spring we observed 57 (indiscernible) Wild Turkeys in the area and there are Turkeys in some new areas that we have not seen before. So the plan is to bring in an additional at least twenty turkeys from Arizona this year. We'd like to transplant them again into the Peloncillo Mountains. We have two sites, Blackwood Draw and Skeleton King and we chose close to the area where we transplanted last year. We'd like to put them in their (indiscernible) assessing the habitat and it looks good for a transplant. And with that I'll just answer questions.

COMMISSIONER SALOPEK: Kristen, putting the Golds with the Turkey, are we close to hopefully going to public draw for (indiscernible) for the Golds, are we close to achieving that goal?

KRISTEN MANNS: Mr. Chairman, Commissioner Salopek, we're working toward it. A lot would depend on how these transplants go, how the habitat is, the effects of the drought. So I can't really give you a timeframe but I can say that we are definitely working towards that.

CAL BACA: Chairman, Commissioner Salopek, part of that process because it is listed as a threatened species under our Wildlife Conservation Act, we will have to initiate an investigation to remove it from that list so that will also be part of the process when Kristen and Star

(indiscernible) have determined that they've met that recovery goal to allow for us to conduct investigation through and remove it from the Wildlife Conservation Act.

COMMISSIONER SALOPEK: Then also, I mean that Friday For Youth, I get very excited when we do, when we're helping the youth and that just ends up enough it makes it perfect for a full weekend. Thank you.

VICE CHAIRMAN MONTOYA: Mr. Chairman. Yes, Sir. Kristen Nelson, schools of carps we are putting in at Skelton Canyon country. It's so close to Arizona, that part of Arizona that's in the Skeleton Canyon and the west end of that into the ...They've got a viable population in there, or are we just helping them?

KRISTEN MADDEN: Mr. Chairman, Commissioner Montoya, the Arizona population is there. They have lived there a while, yes. They've done an amazing job of restoring that species in there by the ocean. So they are probably viable. We don't expect these birds to move very far, especially, at least, at this point. You know the numbers that we are putting in. I don't think we are contributing to them all that much, but yes, they definitely have a viable population in their area.

VICE CHAIRMAN MONTOYA: Other than transplanting them and giving them to us antelope, can we pull some of those turkeys in by helping our side of the habitat?

KRISTEN MADDEN: Mr. Chairman, Commissioner Montoya, absolutely we can, and that our ...turkeyat the current time are both working with the National Wild Turkey Federation to improve habitat in that area to either maintain our populations, grow our populations, and maybe encourage a few to cross the border.

COMMISONER MONTROYA: Yes, because they don't know the difference between the line and another line, but anyway, okay.

COMMISSIONER ESPINOZA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir.

COMMISSIONER ESPINOZA: Kristen, what is the goal? What initiated this initiation? What's the number?

KRISTEN MADDEN: Mr. Chairman, Commissioner Espinoza, I don't believe there is an actual trigger, population number. Setting out in anything that we have, we haven't really determined that. Since this project is going and Arizona has expressed some interest, that perhaps during more trades in the future if we really want to, I think we'll be tasked with assessing just what our population is. I guess to be honest were not entirely sure exactly the numbers that we have currently. And what we need, to have a completely viable sustainable population for hunting so that's a process that were going to start with on it now. But at this point I don't believe that we have a true number.

COMMISSIONER ESPINOZA: Yea, I'd like to know that when you come up with that assessment. But I want to also commend you, from my part of the world I've heard that Rattlesnake Canyon for years and from the youth I've seen to only on that spot on so thank you for that.

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes Sir.

COMMISSIONER RAMOS: How close are these two areas, you know introducing them and bringing them or whatever to private properties. Whenever we do get to that point where we do start hunting them are we going to have access issues there?

KRISTEN MADDEN: Mr. Chairman, Commissioner Ramos, that's an excellent question. Their relatively close to private property and when I was down there this winter I did speak with some of the private landowners who seemed pretty supportive of it. The area that we're putting them in, we don't have access problems. I mean they may wander onto a private property but I don't foresee it being a problem with access for hunting.

COMMISSIONER RAMOS: Thank you.

CHAIRMAN KIENZLE: Any other questions or comments? This is an action Item.

COMMISSIONER RICKLEFS: Mr. Chairman, I move to adopt the proposed changes to 19.23.1.16 NMAC as presented by the Department and allow the department to render minor corrections to comply with filing this Rule with state records and archives. I would also move to repeal 19.31 .20 NMAC as it is no longer needed.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye

CHAIRMAN KIENZLE: The Ayes have it. Next Agenda Item.

(Motion Unanimously Passed)

CAL BACA: The next Agenda Item No. We have is Item No. 15 which is the Final Proposal to the Migratory Game Bird Rule 19.31.6 NMAC.

FEMALE SPEAKER: Mr. Chairman, Commissioners, I'm here to present the Final proposals for Migratory Game Birds. We had quite a few public meetings. We participated in the general public meetings in Las Cruces, (indiscernible) Farmington, Silver city, Calsvet, Santa Fe and Albuquerque and then we have an additional two Migratory Game Birds specific public rulings and Albuquerque and Farmington earlier this month. We've had 49 public comments to date, seven regarding the Grinado Pond Unit and we will discuss that, seven regarding lack of access to hunting areas. I'm taking a look at that and I'm seeing what I can do to help with some of that. Five suggestions for new hunts, three suggestions service changes and we did address a couple of those in this proposal and we did receive quite a few additional comments regarding support for the Eurasian Collared Dove changes that were presented earlier. On ethical behavior complaints of the water issues which I fortunately have no control over. We'd like to adjust according to the current calendar as we did with the Turkey Rule and we listed some wildlife service frameworks. As you know, those frameworks have not yet been published in the recovery register or...

CAL BACA: Actually, the Federal Frameworks for the early seasons were published this morning.

KRISTEN MADDEN: I can tell you the eighth season will not be published until after the season starts because the common period is open until September 2nd however, the service regulations committee has met and they have approved all of the frameworks. We'd also like to add adjustment of licenses, permits, authorizations of harvesting (indiscernible) consistent with other rules that allow the director (indiscernible) to adjust the number of licenses, permits,

authorizations or harvest limits up or down by no more than twenty percent. Santa Crane is the first proposed change that we would like to discuss. I just wanted kind of clarify exactly what we're talking about here. We do have two populations of Santa Crane's that winter in New Mexico. The Rocky Mountain population of greater Santa Crane is primarily one who have been doing certain rules winter had hundred percent of the population of Rocky Mountain population with Santa Crane's in the River bend Valley. We also have the new continent population, Western Canadian Santa Crane's, they kind of filter throughout the state that they're predominately on the eastern sides. So we have a completely separate season on the eastern side of the state for them. So a viable harvest is determined by a cooperative master plan to a central and pacific forming's. It involves a three year average of (indiscernible) recruitment and ... So for the last six years, four out of those years conservative counts have been down, sometimes really significantly. In 2013, fall recruitment was 20% below the long term average. That really let us down a lot last year. Our allocation increase wasn't as great this year. Last year it was over 40%, yet this year it's just a little bit over 12%, 240 last year, to 217 for this upcoming season. Because of that last year we cut the bag limit to two per season. This year, I'm not looking for those guys to go out just for one bird. So we'll propose a reduction in permits for three of those hunts. Two of those hunts are during the main season when we've got this Rocky Mountain population in the Valley. These are the two hunts we see almost a hundred percent Grouse or Santa Cranes. The Southwest site where (indiscernible)-105, for the last two years that hunt has been undersold. Last year it was under by ten permits so we would just like to keep that at the sixty percent level that it was sold at last year. We would also like to add an authorization for the Director to be able to cancel the (indiscernible) Hunts if the harvest is expected to exceed our feather allocation of Grouse or Santa Cranes. For any reason we get more down or more being

taken we just want to allow the Director to be able to make the call to prevent us from getting trouble with our Federal friends. We had a request for the Las Cruces area to just set Dove in the South Zone to allow for hunting on the Fall public school break. I believe its Columbus Day Break. The expected dates, we would just like to shift September 1st to October 9th as opposed to September 1st to October 13th and then we'll just push the late season back a few days, December 1st to the 31st and we propose December 5th to a 31st. Puerto Diego, we already discussed this but I just wanted to mention that this is also part of this Rule the Eurasian Collard Dove from Migratory Game Birds. We also had a request to allow an adjustment for snipe season users (indiscernible) if anybody comes walking by them, head for cover, it's really difficult to hunt them when there are duck hunters out there. Our expected dates for this year were October 12th to the 26th. We propose just backing that off a little to October 25th to February 8th to allow sniper hunters to hunt without the duck hunters around. September Q 8.5 Rule be counted in the moving population surveys this Spring. So we got an increase in the season by one week. It will now be September 13th to the 28th and unfortunately the breeding population of Camus Back was just under the trigger point for a two bird bag limit so it's been reduced to one bird in a bag for the season. The (indiscernible) and White Fronted Goose, they also had pretty good numbers this year. It increased the value and it's specifically for White Fronted Goose from six to ten and they are also maintained to one bird bag limit for Camus Back because it is split in population surveys. Buernado Youth Hunts, two of those hunts, Christmas Eve and the day after Christmas were severely undersold. I think we had one person sign up for each of these hunts. So we would like to do this year is just eliminate those two hunts and rule it pond hunting for general hunting on those dates. This is the Buernado Wildlife management area and we have an impossible rule use hunt area in an area that has not yet been developed. We're in discussions

right now , I just wanted to give you an idea of what it is and what we're thinking of. It's just at the Southern end of the area here where the big green arrow is and that is very, very primitive area. We just started working on that. And with that, I'll stand for questions.

COMMISSIONER SALOPEK: Kristen, on the Bill, is it federally mandated so we only get to have so many days? Is that why where it's five early and take five away?

KRISTEN MADDEN: Yes Mr. Chairman, Commissioner Salopek, we have a limited number of dates that we can hunt within a season framework.

CHAIRMAN KIENZLE: Any other questions or comments? This is an Action Item. Can I get a motion for it?

COMMISSIONER SALOPEK: I move to accept the Departments Proposal for the New Migratory Game Bird Rule 19.31.6 NMAC as presented an allow for minor late season changes based on the selections we mentioned by the U.S. Fish and Wildlife on and before September 13th.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it.

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: Number 16: Pronghorn Antelope Rule.

CAL BACA: Agenda Item No.16, these are the Final Proposed Amendments to our Pronghorn Rule 19.31.15 NMAC. Stuart L. will assist me in presenting this Agenda Item.

STUART L.: Good morning Commissioners. As Cal said, this is the final recommendations and amendments to the Pronghorn Antelope Rule. I want to touch on that. Kristen did some of the public comment meetings we hosted for the development process. As you can guess, (indiscernible) were in this Rule development cycle in this three meeting approach. The first meeting where we initiated the rule. A second meeting where we kind of formulated more formal ideas and a third meeting, this meeting here today for Pronghorn where we actually adopt a rule. In between those times we've set forth to try to do a more public comments on these rules and amendments and consideration. You'll see here the meetings that we held throughout the state and also attendance numbers of each one of these meetings. This is not including Albuquerque Commission Meeting that we held in May. Public comments on the Pronghorn Rule, we had 66 public comments and you'll see specific Pronghorn, what you'll see there is a ranking of most common comments to the least common comments. Again, this has been a common thing throughout the whole Pronghorn Rules reducing private land licenses and increasing public drawl. That started to shift towards the end when people got a better understanding of how IA plus works, how we kind of described it at the meetings and again see as many comments as (indiscernible) of the first probably two weeks of initiation of (indiscernible) and lake. After we got more versed in what they request rules, how we distribute Pronghorn licenses. We saw a big increase in public comments on it and support of the current landowner. We have comments on both sides of that. By constant support of our proposals to combine some of these units with the same bag limit, comments concerning start baits, reducing overall Pronghorn licenses and some minor comments on, or not minor but some smaller comments on the increasing archery. Like all the big game

rules that have Artie been adopted and up for adoption were adjusting the calendar, or seasons for the calendar day shifts. One of the bigger things for the Pronghorn Rule is that creating a new Pronghorn hunt on White Sands (indiscernible) Range, this would be a youth only hunt and be in concert with one of the Oryx on some manpower, we would not have to be as much to have that hunt conducted. Again, like I said a little bit ago, combining (indiscernible) that have the same hunt date, weapon types and bag limits. What we do in the Northeast, we have this for let's say on the (indiscernible) hunt and individual draws are tree time, they have the liberty to go and find the publicly accessible land to cross basically in (indiscernible) because the hunts within the same weapon type or bag limit, hunt dates. So we allow a bigger area to be hunted. In the Northeast area, in particular we have some female and mature hunts, it's all in the place where we're hunting female and matures, that were hunting at the same time as matured bucks. What we'd like to do, our proposal here is to remove that outside that buck window and have those hunts separately from the mature buck. Also those comments to move the selected hunts within the Northeast to later in the period, we had some hunt starting as early as July, early August. Concerns over heat, etc. There were also comments that they didn't want those hunts pushed all the way into September, they would like to maintain late August because of elk and deer. Archery season starts September 1st. What we did was move those hunts to the end of August. The Southwest area is the main area where we combine (indiscernible) bag limits and hunt dates. One other (indiscernible) was a stand- alone Rule. We combined that in the north, with some northeast to make it more accessible for hunters to find public land across Longhorn habitat. The Southeast area, we used to have many toward youth hunting, a specific hunt code for that so the many toward youth only hunting program, it's become obsolete so it's been wrapped into that. What we did was we took the main licenses from that hunt and just put it into a youth only hunt.

So the license numbers didn't decrease we just kept it as a youth only hunting opportunity. We also made the muzzleloader and the rifle hunts concurrent with Southeast to make them start at the same time. The muzzleloader hunting started a little bit later in the year as well.

CAL BACA: Nelson, the reason for that is because we were not hunting rifle hunts and muzzleloader hunts in the same key management units so there was no conflict, we weren't putting more hunters on top of each other we just wanted them to be hunts for GNAMs to beat concur dates.

STUART L.: Also proposing to increase the GME 32 Youth Only Hunt from three to five. And that is it for Longhorn.

CHAIRMAN KIENZLE: Questions, comments? Any public comments? This is an Action Item. Can I get a motion for this?

COMMISSIONER MONTROYA: Mr. Chairman. I move to Adopt the proposed changes in 19.31.15 NMAC as presented by the Department and allow the Department to make minor corrections to comply with following this Rule with State Records and Archives.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it.

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: AGENDA ITEM NO. 17: Proposed changes, final proposed changes to 19.31.17, our Bighorn Sheep hunting rule and Stuart and I will take portions of this Rule and will tag-team this presentation.

MALE SPEAKER: As Cal said, this is the final amendments for Bighorn Sheep Rule 19.31.17. If we could get started on that actual amendments, I would to bring to attention the lot of hard work that was done by Department employees who cooperated with the Forest Service, etc. They did a translocation of our Rocky Mountain Sheep population from Wheeler Peak to Cochiti Canyon. This happened about two weeks ago. It was our largest translocation ever of Rockies. The previous, before that, was about 30 or so in one dose. We got 45. All sheep are still alive. In fact, we flew a telemetry flight yesterday. Every one is still (indiscernible) and most are staying within the region site in Chochiti Canyon. We do have some wanderers but that is common with it. Again, not only was it the largest ever but it was a high proportion of adult and we really think this has the potential to be a good transplant with a high success and hoping for high survival of those adults. Back to the amendments to this rule, this is the same side we presented during the Pronghorn rule, (indiscernible) it is, when we discussed all these rules during the public meetings that we held, hosted, and comments to all of those. From the comments, we received quite a few comments on Bighorns. Most of the comments, in fact over 80% of the comments, are surrounding, resonating on the draw opportunities for sheep. I will say, too, that the majority of those comments, or 80% of the comments, say that non-resident opportunity needs to be included for sheep hunting. A lot of the comments in support of the translocation efforts for increasing Desert or Rocky populations, to increase populations, to ultimately increase license numbers, comments concerning the resale of auction or raffle authorizations from our Enhancement Program supporting that we propose one year hunt seasons for Rockies. There have been comments in support of that, also comments in support of opening up any new hunt areas once they become available. As you'll see here, we have two hunt areas we are proposing to open up. There has been concern or comments over how

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public access will occur in the Dry Cimarron region as we propose to open that area to hunting. There has been concern about Rio Grande Gorge as it relates to the national monument status. We have discussed with the BLM. We have sat down and had meetings with them concerning Bighorn Sheep hunting in the monument. There are no issues there, as the BLM is concerned, with the national monument. Increased youth opportunities are available and concerns about allocation of monies for water came up in one public meeting in general on Desert Sheep in the Bootheel Region basically, and the Hatchets and Peloncillos some concerns that there wasn't funding to get water. I would say that, just the opposite, we do have. We collaborated with the BLM in those regions to put water sources out when deemed necessary and there is no issue with monies for that.

One of the biggest shifts that were seen here for Bighorn is kind of a little bit of a change in the draw structure. What we are proposing here is to go to four different hunt codes for Bighorn Sheep, one of those being a hunt code specifically for Rocky rams, hunt code for desert rams, hunt code for any sporting weapon for Rockies, and then a hunt code for archery only for ewes. In all these mentioned hunt codes use only, opportunities would be held into that hunt code but those applying would have to meet the requirements of these only eligibilities. I have an example so you could see what we envision to have occasion to look like, pretend that this is myself applying as (indiscernible) on a Bighorn Sheep application. My first choice would be Bighorn Sheep 1201, which is Rocky rams. My selection codes for what I would like in preference would be Wheeler Peak as my first choice, next would be Pecos ewes only but say I am a ewe eligibility requirements for ewes, or the Latirs, the first hunt that we open up in the Latirs would be my third. Moving on to my second choice, I move on to Desert Bighorn Sheep as the rams 1204. For my first selection I'd like to make is the Caballo's first hunt, the second would be the Caballo's second, and third and lastly would be the Hatchets third hunt. My third choice would be Bighorn Sheep 1202 which would be our Rocky ewe tag, any sporting weapons.

So what we see here is what we could get, and retain, in all of our Rocky populations, and the majority of our Rocky populations do have is three choices with three sections under each choice with the potential of nine is what we are looking at there.

License numbers, lot numbers with sheep rams, we are looking at up to 24 licenses in that hunt code.

What we see here is a breakdown by population which we estimate to be the number of licenses we will offer by each population. When we do issue, before the (indiscernible) goes out, we will determine what we can hunt in each one of those populations sustainably to (indiscernible) rams, spring rams, and (indiscernible) and enjoy a quality hunt. As of this year, and what we're looking at right now, we are looking at approximately four licenses in Wheeler. We expect that in about, during this next rule cycle, that's about all we can attain if we are still going to maintain trap and translocation operations out of that. We really don't see going much higher than four and still obtain the quality that we have in there.

In Pacos, we are looking at four licenses with one of those being a youth-only ram opportunity. In the Pacos, we have a population dip about three to four years ago. We are still in the rebound period in that population. We hope, during this Rule cycle, that we can maybe put one more in there but we do not know yet at this time. We are looking at more like four licenses in the Latirs.

We recently increased Latirs from last year to this year from two to four licenses. That hunt was just held three weeks ago, 100 percent success on that, high success. We still think that we will maintain through this next Rule cycle approximately four licenses in that population annually.

San Francisco River and Turkey Creek, that population has been closed for the previous two seasons due to concerns over population declines from predation and a disease outbreak about ten years ago. We have seen a population uptake recently and we think that we have enough early mature rams that we can harvest, or at least harvest at least one ram.

In Rio Grande Gorge, we propose opening up for the next season. That season is still on an exponential growth curve right now. It is growing really fast. We proposed initially opening up one license in there until the rams are either translocated or the lambs that were born with the new translocation get the age class by the end of this Rule cycle and there may be as many as 6 licenses in that population. But right now we are looking at an opening of one.

In Dry Cimarron, we are in collaboration working right now with the private land owners within that. There are three landowners we are working towards to obtain access to private property as well as state use lands. What we are looking for is the first year, a two-license structure, one going to the public through the draw and then one going to the private. Again, we are in the set up operation and we will get to that in a future slide in a minute on the agreements for the Dry Cimarron hunt and how it will occur.

And then, also, the last Rocky population we have that we can hunt would be the (indiscernible) with one license (inaudible noise interference). This hunt has been, or we have had hunts there for years and in previous years part of that is for management (indiscernible). The only population we are currently hunting ewes out of is the Latir Mountains. The 28 licenses, approximately 22 licenses in the Wheeler Peak and Pecos is therefore if for some reason we can't get a trap in there because of, let's say, a minimum tour requirement from the Forest Service being denied or if something happened, a helicopter issue, where we couldn't get a trap in there. In order to keep those populations under carrying capacity we would probably have to authorize some new hunting in there so we don't have these big robust populations. Again, those licenses have always been in there but never utilized because we have been able to successfully get trap operations in there. The Latir is a difficult population to trap out of anyway, really not a good net site and that is why we have been hunting the Latirs the last four years with 12 licenses. We propose to continue to do 12 licenses within the (indiscernible) and in the Latir's as well

with one. But one thing we'd like to do, because we would not obtain the harvest, we would like to seed the Latirs to keep that population from growing as creating a new archery-only ewe hunt in the Latir's of 12 licenses on code 2203. One of those licenses would be reserved for ewes only.

Desert lambs, (indiscernible) 1204 up to 27 licenses. Before I start, I'd like to say, in 2011, we were hunting one desert sheep a year. We're proposing 27 now since delisting this population has gone extremely well. We added over 1,000 (indiscernible) sheep, desert sheep this year. So with lambs being born this next winter, we are going to be over 1,000 desert sheep. What we are proposing here, currently we are hunting the Caballos at 2 licenses. We feel during this Rule cycle we can maybe offer a third opportunity, we don't know. But right now, next year we are looking at two. The Fra Cristobal is where we are going to see the biggest currently. I'm six licenses in that population. That is the largest population in the state. The minimum estimate from just observed numbers was 354 sheep on the mountain this spring. So it is very high with over pairing on the ram-to-ewe ratios, a lot of old mature males. So we are looking at 12 licenses, six of those going to private and six going through the public draw. Of those, there will be one private use only and one public use only. In Ladrone's, a smaller population, we have been hunting one ram in there annually. We continue to do that, and propose to continue to do so. The Hatchet Mountains, we are looking at potentially getting to six licenses in the Hatchet's. The population is doing well, and we hope to get that population up somewhere to the Fra Cristobel's. We are hoping to get a little bit of a boost, a bump in that ewe population and I think before long we can make it get there. Peloncillos, two licenses is historically what we have been hunting and that is the same proposal here. And the San Andres, we will be looking at the 3U. S. Fish and Wildlife Service, through the refuge system, went through and completed and completed an EA to allow hunting on the National Wildlife Refuge San Andres Refuge. We are working in concert with San Andres, White Sands Missile Range, to arrange to get that. Right now we are hunting on two licenses in the San Andres only on the White Sands Missile Range portion. We are hoping to get San Andres Refuge on board to

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offer then another license to hunt the refuge as well. As we know, the Big Game Species Rules are adjusting seasons for the calendar date shift, extending the length of fall, the Rocky hunts. This is a Rocky ram and ewe hunt. What we are doing here is, we are looking at extending it so that at least every one of these hunts has two weekends, so two weekend periods, or some of these will have three weekends. The first hunt would always have, we are looking at, a ten day period so it has two weekends and the next hunt would be 14 days. We have two Rocky hunts in the Pecos, two Rocky hunts in the Latirs. We also make both the ewe hunts 14 days; that is for both the bow and the rifle. So again, extending the Latir hunts again this year. It is the first year hunted four hunters at one point on the Latir Mountains. We think there was a little bit of an overcrowding this year during the hunt. All four guys were trying to get into the same band of rams and the same ones and so we are getting ready to split that into two different hunt periods and then trade that new Madera ewe hunt. I see then opening up the Rio Grande Gorge to hunting of Rockies. What we are going to do here is have a very long season date because we haven't honored it yet. We don't want to have complications of rams being over on the Taos Pueblo side where we are not accessed for harvest during certain portions of the year and then on the BLM site at other portions, so our proposal is to have hunt dates run from August 15th to January 15th just so we can accommodate movement of those animals back and forth across the river. A new ram hunt in the Dry Cimarron, and then we will get to this and the other slides and talk about how the agreement's going and the process of working with those private landowners to get access onto that private property to hunt there. And then, like I say, re-opening the Turkey Creek, San Francisco River.

So, as we look at this map, this represents the sheep habitat located in the Dry Cimarron area where we have relocated and the most sheep are growing. As you can see on the north side of that map, at the top of that map, that is the Colorado border and we have had some immigration from rams coming in from Colorado for quite a few years so we do have the opportunity to harvest those as well. But if you look at this, the different colors and the different land ownership in the associated sheep habitat. The

biggest ranch is the Black Mesa Ranch which is the dark purplish-brownish color. The other ranches are represented. The next largest ranch is the Pacheco Ranch in purple. And then, the Wedding Cake Ranch in the light pink. The blue represents the State Trust Lands that are in sheep habitat in the Dry Cimarron area. Currently we are in negotiation with those three majority landowners to determine how we are going to provide hunting access and also how the (indiscernible) opportunities are going to be allocated to the private land interests in that area. Currently right now, we do have verbal agreement from all three of the majority landowners that a 50-50 split is an appropriate split for the number of hunting opportunities even though the sheep habitat represented in there is majority privately owned at over 75 percent. They have made comments to us that because sportsmen in New Mexico funded the bill to get the sheep up there, that they felt that it was important that they had an equal or even better opportunity than a private landowner if that's how the agreement worked out. So, it is pretty positive. They are all very supportive of owners and public owners be not allowed to have access into their private lands across that sheep habitat. Those State Trust Lands that are currently part of our State Land Easement for hunting access will be accessible to those hunters as well. The only issue that we are running up against right now is a portion of the State Trust Land, and that has been brought to your attention, is under a 50-year business or commercial use that prohibits hunting access so we are still working through that question as this negotiation progresses. We have not finalized an agreement with these all three landowners to determine what this is going to look like. We are scheduling face-to-face meetings with them here and in the near future so that we can continue to bring forward a final agreement with all three majority landowners that will benefit hunting in that area hopefully for the season to allow for those two rams to be harvested and with the growth of that herd potentially more as a steward presented to this Rule cycle potentially up to four rams being harvested in that area. So, at this date, we don't have a finalized agreement but we will, once we finalize and have concurrence from

the landowners, bring forth an agreement for you all to review and we move forward and put some hunting opportunities available in Dry Cimarron.

Lastly, changes to the Bighorn Sheep Rule. Historically, Bighorn sheep have been listed as populations or mountain ranges. We have had questions, concerns. For example, it was not (indiscernible). It was the Hatchet Mountains. That is where the hunt occurred. While rams from the Hatchets have been known to go to Alamo (indiscernible) or the Cowboy Rim which is still within the GMU where the population exists but the question arose, could they go hunting, because it is the Hatchet Mountains. What you see in front of you for adoption today is specific to GMU boundaries and not populations. We will probably continue to refer to them when we talk about populations. But by Rule, it will be by the GMU delineation.

MEMBER: That's a lot of information.

MEMBER: That's good information.

CHAIRMAN KIENZLE: Do you all know of any questions or comments? Yes, Jim?

JIM ROSS: On the Dry Cimarron area, even though you've got potential habitat there, are the sheep scattered into the potential or just where are they?

MALE SPEAKER: Potential and occupied, so the majority of the sheep were in this general area. We do have bands of rams

MALE SPEAKER: This is isn't working very well.

MALE SPEAKER: We do have bands of rams down in the purple area on the Pacheco range and also some new populations that have established there since the translocations. The majority are in the pink, but we have a large population that also occurs in the northeast. So we do have animals that are

year-round residents in the northeast portion of that on the Black Mesa Ranch. We decided about 3 weeks ago there was a band of 20 rams photographed on the Black Mesa Ranch, probably a combination of Colorado and New Mexico sheep coming through there. The Purgatory herd in Colorado is just to the north of there. We do have radio collars on those animals and we have seen movement throughout.

MALE SPEAKER: First of all, great job on the translocation. I think that is outstanding. Getting to, I think, the majority of the input that I received through the email was concerning the allocation and how you redid the new system with the three options and all that. And, I'll tell you what, when I first heard about it I was kind of confused but now that you've explained it, you know I'm really, I like that. I think there is a lot of thought and we are still meeting the 16 percent non-resident versus the resident, right? What is it, 51 animals and eight allocated to non-residents, something like that?

MALE SPEAKER: Mr. Chairman, Commissioner Ramos. Yes, there are 51 rams between Rockies and Deserts. That is up two numbers. What we are looking at, at 24 Rocky rams, given the presentation you heard from Rhonda this morning on the process on the distribution of licenses it would be 21 of 24 Rocky rams going to residents, one going to non-residents, and two going to the outfitter guide pool. On the Deserts, it would be up to 27. What we have there is 23 going to residents, two going, and this is where the last point that Rhonda made of the Director's concurrence to one license potentially if it is available. The parts and pieces left out there would be five so make it 28 if we went that. Of the five, two would be non-residents and three to the outfitters pool. If we did find that there was allowable for 1 more license, let's say for example, the previous year an individual did not harvest in a population and we would feel that there was a ram or rams there to be taken in harvest, maybe we could up that license by one, etc., so what is seeming like a final breakdown of actually 86% going to residents because of that, at least 84%.

MALE SPEAKER: Chairman, Commissioners, that is up two numbers, that is if we drew all 24 of the ram hunts. As you heard in the presentation, there are potentials that we won't be up to 24. We will be lower than that based on what we feel is appropriate harvest of those herds based on surveys and previous years' hunts.

MALE SPEAKER: So sounds pretty fair, I mean, for non-resident as well as resident, but they are still going to have their crack at drawing out some tags as well, then. All right. Thank you.

COMMISSIONER RICKLEFS: (Inaudible) Rio Grande Gorge, perceive problems with that in the future or now. We're hunting that herd in the gorge because of the monument.

MALE SPEAKER: Commissioner Ricklefs, as it turns out, we have had discussions with the BLM regarding the National Monument status. They don't foresee any problems with hunting access. It is written into the language that was the Executive Order was based around to allow for hunting to occur so they feel that, based on continued coordination with the Department of Game and Fish, we can offer the appropriate amount of hunting opportunities as those sheep hers present as access allows.

COMMISSIONER RICKLEFS: Thank you.

MALE SPEAKER: That was my next question.

MALE SPEAKER: Sir, I'll address Cimarron.

MALE SPEAKER: What's your population estimate right now?

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. What we're looking like on the Dry Cimarron, we are getting ready to do our next fall survey. Our surveys are done in the fall, right before the rut starts. This is data from 2013 fall. I am trying to get to the exact spot, but it is approximately 150 animals, a little bit more, between the Black Mesa and the three ranges and the state land. The big

issue we have is timing of season when we do our surveys. For example, animals from the Black Mesa are in Colorado or not, or if animals have moved from lower, out of the southwest portion to the northeast. But we are looking at approximately 150 - 175, in that population.

MALE SPEAKER: Stuart, in the San Cristobals, we go from six to 12. That's the Armendaris Ranch. Are they going to allow us to translocate all that, too?

MALE SPEAKER: Chairman Kienzle, Commissioner Salopek. Yes, we are currently in the negotiation with Turner Ranch Properties on a 10-year Memorandum of Understanding to allow for joint management of that herd to include potential trap and translocation of Desert Bighorn Sheep off that mountain to help in restoring to other native ranges in New Mexico. They are very receptive to working with us on a lot of issues regarding that sheep herd. One, to increase hunting opportunity which is a benefit to hunters in New Mexico. The other is researching different ways of (inaudible, cough) management to be able to apply those effectively to other mountain ranges in New Mexico as well as, you know, the use of that as a source population as we originally agreed to back in 1994 when we planted those sheep there in the first place. And so, yes, we are in negotiation. We have sent our draft back to Terra Ranch Properties, Incorporated for their review, and hopefully we will see that soon and be able to bring forward information on what that MLU is going to look like for future management of that.

MALE SPEAKER: That's exciting because when we went up on that hill (indiscernible) we saw a bunch of those rams and boy, their altitude. That was very exciting. So, thank you.

MALE SPEAKER: How many did you get?

MALE SPEAKER: (indiscernible)

MALE SPEAKER: Third question, Cal. Do you hopefully see that translocation happening even this year?

MALE SPEAKER: Stuart could probably answer that better.

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MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. Yes, we are in negotiations right now with them to hopefully get a translocation out of there this November. Again, like Cal said, it is contingent upon the MLU. All indications are that everything is going well. Our initial thoughts are to move those ewes that we have taken off of there into the Hatchets to bolster that population up to get it to what we think is a critical threshold where you see a lot of growth like we saw in the Fra Cristobals. When they reached about 100 ewes on that mountain, we saw extreme fast growth and we are trying to get to that stage in the Hatchets. Translocation out of there could really get us to that stage we think.

(Inaudible, microphone noise/interference)

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. This initial transplant would probably be somewhere in the range of 40. We are looking at 20 ewes and then 20 immature rams.

MALE SPEAKER: Great job. Go ahead, Bill.

VICE CHAIRMAN MONTOYA: Mr. Chairman, I would like to state that we've got the potential for moving lots of sheep here in the next few years and I certainly would like to encourage us put those sheep as many times as we could on public land so we don't run amok with this business of having permits going everywhere. We have lots of places to put Bighorns and Desert sheep that are totally public and I'd sure like to get those at least mentioned that those should be looked at as priorities even though, you know, habitat historic range and everything is there so let's really look at that if we can.

MALE SPEAKER: Chairman Kienzle, Commissioner Montoya. You're exactly right. Most of my areas I leave designated as our top priority release areas are primarily, or majority, public land areas.

MALE SPEAKER: I've got three or four for you that we can look at, you know that. We have had that conversation.

CHAIRMAN KIENZLE: I thought Bill was going to ask whether we (indiscernible) that area with the (indiscernible) Where are we at with that?

MALE SPEAKER: Chairman Kienzle, Commissioner Salopek. We are still in the evaluation stage of that mountain range. Issues have come up that we needed to address, concerns over what that future management of that portion of the mountain would be. There were lots of misperceptions and misconceptions regarding the fact that, if we put sheep in there, we would make it a wilderness area and prohibit any other types of hunting until that sheep herd occurred. So we have had to have some conversations. We are talking to the Forest Service and the allotment owners or permittees in that area to educate them on what it means to have Bighorn Sheep in the same areas where they may raise cattle and the realities of the competition being none. We have not evaluated the predator mode in that mountain range and that is a big concern from us too. We don't want to feed lions. We have hired our Department Predator Program biologist who is going to be tasked with evaluating that mountain range as part of his future goals to determine the number of lions in there, what predator control efforts will have to be prior to release. So we are still working towards that. Is it going to be within the next year? Probably not. As mentioned, we want to bolster some of our existing populations first, get them to a point to where we are not having to worry about them as much so that we can focus on establishment of new herds and then be able to increase across the range rather than just putting a few here and then having to go back to another place and be fixing that one. So we want to get our existing herds healthy and producing to a point where we don't have to worry about them as much so that we can focus on the new desert ranges. Thank you.

CHAIRMAN KIENZLE: Public comment, Bob Nordstrom.

GUEST SPEAKER. I'm Bob Nordstrom. My concern when I came to the meeting today was the access issue on Dry Cimarron. Sounds like you're working on that. I just want to be very careful, kind of what

Bill Montoya said about where we put sheep or have issues. I've been around a long time. The sheep you're putting on (indiscernible) moved those in '93 out of Pecos to Wheeler Peak, actually Frazier Peak (indiscernible). You have been very, very successful. I am sitting down here thinking, am I going to see in my lifetime, a depredation issue with sheep like we had on (indiscernible/inaudible) and that is really taking off. I've seen it but it's pretty neat when you're pulling sheep out of a place like Armendaris Ranch. Desert Bighorn sheep, a few years ago, I can remember when we thought we were going to have a Desert Bighorn Sheep (indiscernible) New Mexico. Congratulations, staff. You've done a great job.

CHAIRMAN KIENZLE: Thank you. Garrett.

GUEST SPEAKER: Mr. Chairman, members of the Commission. Garrett VaneKlasen, New Mexico Wildlife Federation. First of all, (indiscernible) for this transplant. I am really excited about (inaudible, noise on recording) all these initiatives and again and again to mirror what Mr. Montoya said, we'd like to see this happening in more places as much as possible. We would urge the Commission to postpone a vote on the Bighorn Rule, and just for the record, I mean this is a follow up to some emails and some letters that we have sent to commissioners lately. The proposal to ewe and ram hunts into two hunt codes, which bends the legal definition of hunt codes. According to state law, a hunt code is the species weapon type and time frame for a specific hunt. The proposed Rocky Mountain ram hunt code includes seven different herds spanning 400 miles and these seven different time frames. Ram hunt code contains nearly a dozen different time frames. This proposal is a gross distortion of state law if not an outright violation of the law. We have been told that the antelope in (indiscernible) are managed in this way but they are not. Those hunt codes can cover several or all GMUs in New Mexico but each hunt code has a single time frame. The justification for this change is to give outfitters and non-residents an opportunity to hunt Bighorn rams and it is admirable. The flip side is that the proposal also reduces resident hunting opportunity for up to seven licenses under this system. The Game and Fish is adhering to the letter of

the state quota law, residents are guaranteed every tag in a hunt code that has four licenses or fewer. That is currently the case with all of the ram hunts. Once a herd is big enough to justify five or more tags the quota law requires that one go to an outfitter which could either go to resident or a non-resident depending on the luck of the draw. I would like to see this system remain in place. We understand the dilemma on the under this proposal. Outfitters and non-residents get a small number of ram licenses. Under the status quo, they do not. New Mexico hunters receive those tags. Our resident quota law is a fact of rights. Outfitters and non-residents will just have to accept that for now, until our sheep herds continue to grow which they have been. New Mexico residents have to accept the turf injunction and the fact that we drew far fewer Bighorn tags than we should have otherwise and residents suffered under that system for many, many years. So to give residents an opportunity to have herds catch up is a wise choice for the commission. And also, I just wanted to talk about this Dry Cimarron issue. We believe that any private land owner should be mandated by the Department to open all their leased land to hunting, and that should be a prerequisite for any land owner to receive a tag. That is very, very important. So, thank you for your consideration.

CHAIRMAN KIENZLE: Thank you. Kent Salazar.

GUEST SPEAKER: Mr. Chairman, Commissioners, Director. I am just here to speak as a hunter today. I am Chairman of the board of (indiscernible) called Dead Eye and I am also the Western Vice-Chair for the National Wildlife Federation. My concern here is with the Dry Cimarron and private land there. A former commissioner (inaudible) willing to accept sheep up there and work on that and get it up there. But just like Commissioner Montoya talked about, we are having an issue with access to that. Part of his presentation to us then was that he was going to have this Youth Opportunity Plan, and that is why they closed off the public land to hunting and he had a feeding station which I didn't think was a good idea, so they could view the ranch. They could take disabled youth and staff and take them out and view the

rams. So if something like this occurs, if we are going to open it up to hunting, I think we need to look at his lease. That would probably be a state land issue, and also not to allow the feeding. I think it presents disease issues and also stops movement of the wildlife in the area. So I think that is a concern in this area. And again, Commissioner Montoya, when we put these public resources we should look at getting public lands if we can. Kudos to the Department for all the restoration of the Bighorn Sheep. You have done a wonderful job and I really appreciate everything the Department has done. That's all I have. Thank you.

CHAIRMAN KIENZLE: Mike DeMias.

GUEST SPEAKER: Mr. Chairman, Commissioners. I am Mike DeMias of the State Land Office. I am wondering if we could go back a few pictures. Show me the map up there. First of all, I want to thank the Commission, Alexis, and the Game and Fish Department for helping State Land Office open up about 100,000 acres for hunters and fishermen. It has been great, and we continue to work on that and do more. We have a little, I don't. What I'd like to do, where the pink is, these are the state lands that were closed. That is right around where all the (inaudible).

MALE SPEAKER: Just don't put it in my eye.

GUEST SPEAKER MIKE DEMIAS: This piece here, this piece, this one, and this one. These are all about 1,000 acres that were put into a no hunting business lease in the prior administration. We don't agree with that. So we are looking forward to sitting down with Cal and regroup to come up with some kind of idea because we would like to open that up. If you're going to open that up for hunting, we'd like to open that back up so that our public hunters can get back into that. Other than that, I will keep it short. But again, thank you for allowing your Department to work closely with our Department and BLM and the grazing mesas to open up about 100,000 acres of land for sportsmen. Thank you.

MALE SPEAKER: Mike, (inaudible) I want to thank your office for facilitating that as well because it takes two to make an agreement so we thank you for making it happen.

GUEST SPEAKER: I'll take that. Thank you, Commissioner (indiscernible).

CHAIRMAN KIENZLE: Thank you. Any other follow up comment? Mr. Salopek

COMMISSIONER SALOPEK: I'd like to move to adopt the proposed changes to 19.31.17 NMAC as presented by the Department and to allow the Department to make minor corrections to comply with filing this rule with state records and archives.

COMMISSIONER ROBERT ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: NO. 18: Final Proposals for Ibex License Applicant Numbers for Special Drawings.

MALE SPEAKER: It could stay up here and bring it right back.

CAL BACA: Agenda item 18, we are proposing to modify or amend the hunting and fishing application Rule 19.31.3 for ibex specifically. Currently right now, the way the rule reads is that it is one application per applicant which includes Bighorn Sheep, bear, and ibex, and some private guide deer hunts. What we are proposing is to strike that from that section and add it to the section that talks to two applicants per application where it would be no more than two persons may apply under the same application number for ibex and turkey and Oryx. And those are the proposed modifications that we have to this rule, and I might be able to answer any questions.

MALE SPEAKER: I just want to thank you all because we have been looking at it and in that moment, we sat down and it's like, why can't we have two on ibex but we can't have two on Oryx and I just want to thank Cal for this. I think it creates more opportunity for friends, family, to be together when they are hunting.

MALE SPEAKER: I want to add to that, thank you, Counselor, for taking that initiative.

MALE SPEAKER: (inaudible, rattling of papers). I don't think we have any public comment on it. Are we ready?

MALE SPEAKER: Yes.

COMMISSIONER SALOPEK: I move to accept the Department's recommendation to rule 19.31.3 NMAC as presented.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Inaudible. Background noise).

CHAIRMAN KIENZLE: NO. 19, Deer Rule Development.

CAL BACA: The next item we have up for consideration is not an action item. It is the second in this third (indiscernible) process of rural development that we listened to this year, and it is to give you more details and to our initial evaluation and analysis and recommendations that we would propose as a final or potential final amendments to the Deer Rule 19.31.13. I did want, we do have, he did introduce himself earlier but we want to introduce him again, Ryan Darr, who is our deer problem biologist. We're

excited to have stolen him from Texas. I continually hear at my western meetings that they really miss him in Texas and they still are going to try to get him back but we are trying to keep him, so give him that pay raise at year end and everything else to keep him for a while so he's doing a very good job for us.

FEMALE SPEAKER: No pressure.

MALE SPEAKER: Yes, Commissioners, as Cal says, this is an update on more formalized development process for the deer so it is a little bit longer than the last Commission. It is more fleshed out with more of our final ideas here. I hope we are looking for our final ideas. I just want to go back to some data. Last year we sold 38,000 for deer licenses with a 25% success rate on all those hunts. Satisfaction range was three overall. It is kind of some of the lowest satisfaction ratings that we have for big game species in New Mexico. Some of our others—Oryx, elk are kind of bigger and pronghorn are in the 3.5 to 3.8 range, so definitely it is lower. What we are looking for, as Cal stated, were are very appreciative to have Ron on board. He has done a lot of analysis in the last year. He came on in November. We gave him a pile of data and said, "Have at it" basically. He has done well. He has come through. We have come to you today with kind of more of our composed rule recommendations for licenses in the upcoming cycle. As you are aware, or as you know probably, the last 2 rules cycles we have reduced deer licenses from what was printed in the rule, using the 20% director and verbal concurrence of the chairman to reduce those licenses. We felt we were already at a stage where we needed to reduce licenses before the initiation of a new rule. Given that and the new analysis (indiscernible) deer licenses across the state and many selected areas still need to be reduced to increase quality and quantity of hunting opportunity. We don't necessarily think that these deer license reductions are going to have big population level effects. That is, we don't think we are going to have more fawns on the ground, more does on the ground. Probably more of a quality hunting experience, increased success rate, hopefully

bringing up satisfaction rates, etc. Of the rules, deer and elk are the most commented on. Again, we are not even yet to finalization but we received 281 comments so far. The majority, the vast majority of those, is to reduce deer harvest and/or licenses. Implementing predator control measures is one of the biggest ones, including more hunter harvest for predators such as mountain lions. We've had quite a few comments both for or against antler point restrictions, kind of split both ways so not one consistent comment there. We have also had some comments on the increasing doe harvest because there are too few bucks that they see while they are hunting. We are now proposing an increase in doe harvest. We want to maintain populations that we currently have and try to rebuild the populations, provide more mobility and opportunities for this, and looking for some archery season hunt as it pertains back to the rule proposed, and I'm going to get into this right now. We initially proposed that the first initiation of this rule, looking at splitting out the September or January hunts. Right now, a lot of those hunts in September and/or January, the hunter has the choice to either go in September or go in January or hunt both those seasons. After further analysis and further public comments, we are proposing to keep that structure the same, not to split it out into a September or a January but keep that September or January as those hunts currently occur. Too, there is a little bit of an analysis on success rates for this. Those hunts that are strictly just January hunts, we are looking at about a 19% success. Same with those hunts that allow September or January, no difference in success on those. When we kick it up to January only, we do see a bump in success, we will see a bump in harvest which may have an undesirable impact if we went into a September or January. One of the bigger changes that we have looked at in terms of season structure, currently there are a lot of youth hunts throughout the state that just have a four day season and we want to bump that up to five days allowing these hunters the opportunity to hunt the day before Thanksgiving. In some schools, some kids are able to get off the day before Thanksgiving so going to offer that opportunity for those hunters. There were also some adult hunts that were that same period and hoping that adults that have vacation time, too. We are going to bump all those from

four to five as proposed. We are going to see, in the next few slides, I am going to kind of split it up by region. What we have here, and what we're looking at with license reductions, if you are familiar with the last presentation of the last Commission, we had many concerning deer. We went through and gave each hunt our initial crack. These are the units we'd be most likely to propose a reduction. These are the units still under consideration and the units that are not under consideration. What we have for you today is those units that we are proposing reductions including those proposed reductions that we are. So the only unit in the northwest area that we are proposing reduction right now is Community 2A with an 18% reduction. What we have here in the next slide, you will see here in the (indiscernible) region is the reductions by license type. Again the total reduction, the archery reduction with the present six percent, muzzle loader 14, and rifle 25 percent. We will go through these slides a little bit faster by region. We can come back if any of the Commissioners have questions about specifics on any specific one, we'll do it at the end of this. Also in the northwest area, currently we have a bow hunt in the Sandia Mountains. We do not have an avenue for those private land members that do have land in the Sandia's to obtain a private land only and on their own and deeded private land to hunt in there. We would like to add GMU 8 into that so that they can do that. More concerning are the reductions in the (indiscernible). There are quite a few GMU's in those reductions. Some of those units are specific to white tail. On the eastern portions, a lot of that is. But you will see a majority of those units are proposing reductions. The GMU 57, that is just Sugarite State Park, as Kristin stated, there was that large tract fire in Sugarite. We are not seeing wildlife respond as well as we would have hoped from Sugarite and we are hoping to get something back and that is why we see the big reduction there. That was in concert with the State Park. I will go quite fast through this but if you have questions at the end we can come back. These are the reductions by weapon types. Northeast area, in an attempt to increase hunter success and hunting quality and satisfaction, we are proposing, and we are going to try to do this everywhere in the state, removing when deer and elk hunts occur at the same time so we

don't have as many hunters in the field at the same time with overlapping hunts. We are hoping to improve the quality and the success of some of those deer hunts. Some of the specifics you will see there, like 43, is moving the muzzle loader hunt later into October because I am going to overlap with a muzzle loader bull elk hunt. Same with GMU 45, moving that hunt so they don't overlap with elk. Fifty-one is just a combination, again as an overlap. We are proposing we do some licenses in 51A so what we will do is just remove one of those hunts and put it in with the second same kind of hunter densities, but not an overlap. One of the other ones is, one of the public comments you'll see is increasing muzzle loader opportunity in some of the GMU's and GMU 48, and saw the opportunity to take some rifle licenses and convert to muzzle loader only hunt. GMU 54 and 55, we currently do not have similar or same in GMU 8 where we have a public hunt but we do not have a private hunt code for those hunters to hunt their private deeded land. We would like to offer up that opportunity during the youth holiday, during the Thanksgiving, private landowners in there to be able to hunt their private deeded property in those two GMU's. Southeastern license reductions, and I know some of these GMU's overlap with what we consider the northeast/southeast regions but we are putting them on one side just so 43 is in here. We typically consider it northeast but for ease of not splitting it between two slides we will put it on this. Southeast is where we are going to see some of our bigger reductions. That is where we think we are having some of our bigger impacts on our deer population and that is where lower success rates in the stage for hunting are and some of the lower satisfaction rates and that is why you are seeing the bigger cuts in the southeast portion of the state. One thing I would like to note, in some GMU's like 30 for example, we are already implementing a 20 percent reduction from what was currently the rule. This is a 21 percent on top of the 20 percent already. So it is a substantial reduction from the Rule that was previous but it is a 21% reduction from what is being offered this current hunting season coming up in another couple of weeks. Again, it is specific to hunt codes. Southeast area specifics: We would like to add specific wording to the deer rule that states that deer hunting is allowed on prairie chicken

conservation areas. It is not currently strictly written in the rule and we would like to put that in there.

Having the start dates of January 29 and 28, adjoining units, one is McGregor Range January 28th.

(indiscernible) will have the same start date. The other big one is the bag limit on (indiscernible)

It is currently an antlerless hunt. We would like to offer that as an either sex hunt. We have an opportunity for both bucks and harvest in that area. This is only really one of two only areas where we harvest antlerless deer in this state. Southwest area reductions again, like the southeast, probably is where we are seeing some of our bigger reductions in the deer populations and henceforth are bigger reductions in license numbers. Overall what you see will be proposed as a reduction in deer licenses by 11.5 percent across the entire state. Again that doesn't take into account the reductions we already took in securing the upcoming season. Again, we don't think this is necessarily going to increase deer numbers. We are looking into that with other management strategies, perhaps translocation, looking at starting studies on what is the impact of predators, particularly mountain lions, on deer populations to ascertain better what is happening with our deer herds, how can we improve it, to improve numbers. Hopefully, this is going to increase hunter satisfaction and maybe hopefully maintain or increase hunter success, but overall not increase kill of deer (inaudible).

MALE SPEAKER: That's a lot of information. (inaudible)

COMMISSIONER SALOPEK: In unit 34, Stuart, I've got a couple of good friends who are truly mobility impaired and they have been asking for, since I got on the Commission, why is mobility impaired deer hunting being put on top of the regular first rifle hunt in 34. Have they changed that? Is that still in effect? I know it used to be 1200 dollars, and I want to say it was reduced to 8 hundred. I think it is 50 mobility impaired on top of those and it's like, we don't even have a chance.

MALE SPEAKER: Mr. Chairman, Commissioner Salopek, I will definitely look into that and will take that into consideration. Where those opportunities do exist we will get mobility or ease only hunts occurring

at the same time as adult. We do look at trying to separate those out as much as possible. Sometimes what we run into is roadblocks with other elk hunts or something like that occurring but we will look into that. I'll have Ryan look into it and we will try to make sure we get as much separation from that as possible.

COMMISSIONER SALOPEK: I appreciate that, because (indiscernible) but thank you, Stuart.

MALE SPEAKER: Mr. Chairman, how are we doing with the alignment of dates throughout the whole state with consistency? You know, let's say we do this mobility change that Commissioner Salopek mentioned. You know, are we going to do that throughout the whole state to try to accommodate their consistency.

MALE SPEAKER: Mr. Chairman, Commissioner Ramos. We have a lot of different hunting strategies throughout the state. Some are going to be quality hunting strategies or optimal opportunity. Some, we are looking trying to reduce, let's say, elk populations or maintain which requires more hunts to be put on there. So in terms of standardization of licenses if a mobility hunt is occurring in 34, it is happening in 52, right now we are not quite at that stage. We are hoping to get there. We are hoping maybe through this next rule cycle, this rule to do that, can we go to more of a season structure, a couple hunts per unit type of a thing. Right now, as we currently have it, we are looking at that and we will see on the next presentation on the elk pool. We are going to more of a strict structure for archery hunts. We are proposing that, using that as a test to kind of go back and can we do that with our rifle, muzzle load, mobility, impaired, youth only, etc.

MALE SPEAKER: Chairman Kienzle, Commissioner Ramos. The reason why we are asking for this rule cycle to be better to analyze that is that we have hired Ryan. He has been tasked with that, so this gives him the time to be able to go through a longer period of time to analyze impacts to overlapping hunts, looking at the overlapping hunts we have separated out, and see what those success rates are, and then

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also try to figure out, by working with the other species biologists, not putting hunters on top of other species hunters and not operating in a vacuum. So that is why we are asking to be able to do some tests to this new rule so we can analyze that and be able to come forth with more standardization of hunts across the state.

MALE SPEAKER: And I know this kind of contradicts where I was asking, but on the other hand I know we had previously spoken about having multi-species opportunities and gosh, that kind of goes over that overlapping hunting. But anyway, I am looking forward to hearing what is research as well as analyzing as we progress into this to possibly do some rapid resets. As always, you know the Commission is open to those types of things.

MALE SPEAKER: Stuart, you said that approximately 4100 licenses that you are proposing now, but it (inaudible, static) reduced licenses. Is that correct?

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. That is correct.

MALE SPEAKER: Can you give me an idea of what that other number was? (inaudible, static) and I kind of applaud you moving that forward and these reductions (inaudible, static).

MALE SPEAKER: While Stuart is looking that up, (inaudible, background noise) Espinoza. Some of the units that are being proposed for reductions in this current rule were not part of our requests, so there's no need. It's not standard. The same ones that we worked at expanding that opportunity. There are a few areas where we reduced opportunities during this current hunting season. The current proposal expands that reduction over multiple more units across the state. So it's kind of like an apple and orange comparison. So we are actually looking at reducing more in this rule cycle than what we have reduced in this cycle.

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. What we did do is close 2,475 for the current year. So what you are seeing is 4,000 on top of that. So, roughly, some of the rule that was put into place for the start of the 2011 season, I think that would be just over 7,000 licenses.

MALE SPEAKER: Most of the hunters, (indiscernible), are they more wanting a (indiscernible 02.58.35) hunt with the deer?

MALE SPEAKER: Mr. Chairman, Commissioner Salopek. Some of it is quality but the other part is the opportunity to harvest. So what you'll see is a much lower success rate on deer than on a lot of the other species. We are running in the 20's, where the other species were up to 40 to 50 percent. So the biggest push is the opportunity to harvest. Some, again, is going to be quality.

MALE SPEAKER: Thank you.

MALE SPEAKER: Chairman Kienzle, Commissioner Salopek. Quality is also, we are working to find quality. It is not just trophy quality that we are after. It is also the hunting experience as a quality experience which is also lower hunter densities in the field. The less hunters in the field, the less people being run into while they are trying to hunt. And that is what we have heard a lot of comments as well, was that they don't mind the cuts if it will mean that, when they go out and hunt, they won't be running into ten other guys on the same ridge line. And so that is part of also why we are looking at this as it improves that overall satisfaction rating of also being able to have a good hunt with less people in the field.

MALE SPEAKER: It is like, related to the ibex, when (indiscernible), when I draw a deer tag, I put down five. To have an average of three is kind of rather shocking to me. But I understand where you are coming from because you just don't see as many deer. I believe there is more (indiscernible) than 15

years ago. That's what we have. But that being said, there are less deer than 20 years ago and we have to make changes to accommodate. Thank you.

MALE SPEAKER: One other thing about the archery hunts. I know we had talked about possibly splitting up the mule deer and the Coues deer over in the (indiscernible) mountains, the Gila area. Are we still going to be looking into that? Were you going to get more detailed with specifics?

MALE SPEAKER: Mr. Chairman, Commissioner Ramos. One of the things that I think is a biological data need for us is a better understanding of the Coues deer. We don't currently separate our harvest information let alone our population information on those hunts. So right now we are looking at the structure being the same, the proposed hunt dates. We are going to tweak our survey methodology and also our data collection methodology for those units where we have Coues and mule deer coming at the same time. Ask a question what species the take was. We really don't have much of an idea of harvest, etc., or what someone's satisfaction rate towards a Coues deer hunt versus a mule deer hunt so we are really going to try to ascertain that in the next four years.

MALE SPEAKER: We're not going to be separating them like your Coues deer hunters, like the 15th through the end of the month, and then mule deer the 1st to the 15th?

MALE SPEAKER: Mr. Chairman, Commissioner Ramos. That proposal is not currently proposed. That is not currently proposed, no.

MALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Any other questions or comments?

MALE SPEAKER: Discussion item.

CHAIRMAN KIENZLE: It is noon, rather than do iron man, we will break for lunch. Can I get a motion to recess for lunch?

MOTION: So moved.

SECOND: Seconded.

CHAIRMAN KIENZLE: All in favor?

MEMBERS: Aye.

CHAIRMAN KIENZLE: Come back about 1:15.

MALE SPEAKER: Is this room secure?

CHAIRMAN KIENZLE: That's a good question. (Inaudible, multiple voices, background noise)

CHAIRMAN KIENZLE: Proposal on the second process of the 3-tiered process on Elk Rule Development 19.31.14 NMAC.

MALE SPEAKER: Mr. Chairman, like Cal said, this is the elk portion, hopefully entertaining enough to keep you awake after lunch. We'll look back on some biological data for 2013. You will see we sold roughly 36,000 elk licenses across the state last year. We had a high recording rate of almost 82% of those hunters reporting their hunting results with a 40% success rate. Harvest was still about, a little bit high on the bulls, almost 8,000 bulls and 6,000 cows. Satisfaction rating was 3.6, so a high satisfaction rate and we see overall (indiscernible). Public comments to date, this is the rule that has received the most public comments of any of our big game rules at 328 out of 818. One of the biggest comments is decreasing GMU 9 licenses. You will see that is part of our proposal. Increase non-resident opportunities, there has been quite a bit on increasing the (indiscernible) list. That is driven by statute, not by rule as you are aware. The structure of overlapping hunts for deer and elk is mentioned in deer

rule portion of this presentation. We are moving towards moving those hunts apart. Also some discussion around point/draw systems, both in favor and not in favor. There is no one consistent move in one direction, opposition and for in both directions. And then there have been a few, there was a flurry of early-on comments on some cross bow hunting opportunities for seniors. Before I move on, I failed to introduce Nicole Quintana as our new elk biologist. She has done a lot of work on helping to put together this presentation and also the potential changes to rule, so I would like to thank her for all her hard work on this. Other comments we have been hearing is decrease in the female harvest in the (indiscernible). I see that as being one of our recommendations. Restructuring archery hunts, we've had quite a bit of comments since we first initially proposed looking at restructure of archery hunts back at the initiation of this rule in May. We came for with a little more firm ideas on that and we will present those here. There are comments both in favor and against, that's nearly solid one way or the other. Some comments on adding some archery hunts in unit 56. A lot of people want to hunt in the rut. We don't currently hunt in the peak of the rut. That's partially, a couple of different reasons. Biologically, that's the best time for us to fly our surveys counting out classified elk to understand what the populations are. The other thing is, we don't hunt in the rut because our success rates are going to go up a lot and we would have to cut licenses back in order to harvest the same amount. In elk, we are now leaning off from less licenses. The concerns we hear about drawing tags in general, people want more tags not less tags. Again, some point restrictions, for/against, then some discussions on license reduction or proposed license interest in GMU 34, 36 and some opposition for it. We will get to that when we get to that section of it. As we presented at the main meeting, we continue to present and have and will re-divide elk more into herd regions than we do into specific GMU's. They are more wide ranging than a lot of other species that are easier to manage and will be considered more of a stock herd unit or (indiscernible) rather than managing the individual GMU. We use GMU's to distribute hunters rather than to manage the populations per se. Some of the bigger, just overarching proposals, we've

got again on a big game rules, adjusted seasons for the calendar date shifts, addressing the overlapping deer and elk hunts. One of the bigger ones is the standardization of archery hunts across the state. We are looking at standardizing them to a two hunt period, September 1 through 15, and then a 16 through 24. Right now, the proposal excludes GMU's that currently have one hunt which would be September 1 through 24. But we can discuss that in more detail. Then, as you can see, there are some public comments for and against. It is basically split halfway through. Most of the comments against come specific to the Gilas. One of the things we have in elk rule is that private and anyplace outside the core, these are outside the core units. We have transferability of those licenses from one ranch to another with written permission. There have been concerns from some individuals that the portions of the state land and there is a segment that would like to make those non-transferrable. Specifically GMU's 54, 55 A, 57, and 58, with a lot of landowners expressing that they would like to see that no longer be transferrable, only restricted to the deeded property where those were issued. We will be able to meet with those landowners before the final adoption, before we propose the final adoption of this rule. And we will come back to you after we meet with them to get kind of a more of a general consensus of what we are hearing. On the ones that they do like to include, it is 55 B. What that is, it is coming off the east slope of the Sangre de Cristo. If those elk do get into a big winter that we really haven't had the last 4 years, we have some little properties throughout there where elk move back and forth. It is more of a management on a winterage population than, say, the entire elk population. That is why we are including GMU 55 transferability, smaller properties, and more of a management on winterage. One thing we do have at all elk development stages, what we do is, we assess wild core boundaries to try to better reflect elk use, et cetera. (indiscernible) elk, the core occupied elk range is or not, some of the GMU's are looking into that might having some core adjustment are 45, 49, 50 53, and 34 to better to recognize where elk are. What that ultimately does is changes, or could potentially change, the public/private split in that unit. For example, if we had 1,000 tags for that unit, core is 90 percent public,

10 percent private, 900 tags can go through the public draw, 10 to the (indiscernible) system. If we decide core occupied acreage is not reflective of elk use, actually 95 percent public, 5 percent private, we now shift to 950 going through the draw and 50. So we will come back at the final meeting if we have adjustments then we will show you those maps if we do go forth and decide it better reflects elk distribution. Into more of our specific herd unit changes and proposed changes, the Mount Taylor herd unit which really mainly comes through GMU 9, this population has seen declining calf-to-cow ratios for the recent past, so much so that it is really a low seed for us. We are below, in single digits, calf-to-cow ratios in the fall. We are proposing a 60 percent reduction in (indiscernible) licenses and, in addition, making those all muzzle loader hunts again (indiscernible). We think this will help kind of stave off some of the decline and maybe stabilize it. We are also trying to investigate a little bit more into what is causing these declines. North central herd unit encompasses GMU's 5 B, 50, 51, and 52. One of the big things is (indiscernible) antlerless hunts on the mature bull hunts. They are combined right now. The hunts occur at the same time, the mature bull and the antlerless. We'll just separate those out. The biggest one in this (indiscernible) the elk licenses to account for elk distribution. What we have is a situation where in GMU 51 we have more wintering or springtime cows or in the fall, cows moving into winter in that GMU rather than in 51 or 50 or 5B. So what our recommendation is, increasing GMU 51 antlerless licenses by 15% and decreasing, taking those licenses out of the 5B hunt and the GMU 52 hunt, and we will whether the percentage decreases and increases through there. Over the more central herd, though, it's a no change in antlerless license. In addition, the north central herd unit, to better account for elk distribution during different times in the season, we are proposing to add more mature bull hunts in GMU 5B. Currently there are just 2. We are proposing four, two in in October, one in November, and one in December and, in addition, adding new antlerless hunts in GMU 5B for a total of three, two in October and one in November. No change in licenses except for, again, the redistribution of antlerless licenses in 5B to 51. But mature bulls would stay the same. (indiscernible)

San Cristobal herd unit, that is mainly GMU 53 at the northern end of the Sangre de Cristo's going up to the Colorado border. What we are doing here, we have a unique situation of probably elk summering, leaving in the fall in the high elevations of the Sangre de Cristo's not only in New Mexico but in Colorado and we have a big winter movement into around (indiscernible) Mountain. What we are trying to do is take advantage of that and create a portion of antlerless hunt in the northern half around (indiscernible) to take advantage of that winter melt herd that's in there, allow us to get harvest in there on that high elevation of 12-13,000 feet which is very difficult in the fall. (indiscernible) season, 16 days to encompass three weekends starting about the first week of January. Ruidoso-Sacramento herd, we cull them separately but really it is one herd. One thing that we have discussed before is the Mescalero Apache Indian Reservation is part of that herd. Their management and actions affects how the distribution of that herd happens. We separated it out for discussion just because we don't have full data on how it works, and the processes it works, the proposals from Mescalero on how the new hunt, but we do separate it out a little bit for the purposes of rural development. What we will look at first is the Sacramento portion of the herd, the southern GMU 34. We have been proposing an increase in antlerless licenses by 17%. What we have here is, from our last redevelopment, we figured our calf-to-cow ratios would be somewhere in the 40 to 100. They have been higher than that. The four year average is 47 to 100, increasing population size because of that increase of calf-to-cow ratio. Not only that, Mescalero has been very conservative on harvest and we think we have influx from there, more opportunity for antlerless licenses. GMU 36, our proposals to increase the Sierra-Ruidoso portion of this, increased licenses, archery either-sex licenses by 15% and mature bulls by 9%. Again, higher calf-to-cow ratios in this unit than what we were predicting in the last four year rule cycle, and much higher bull-to-cow ratios that we predicted. You will see the bull-to-cow ratio is 60:100, higher than what we would have expected, higher than what we tend to manage for, and the highest in the state.

Yellowstone National Park averages about 65:100, so we are basically at a state where harvest is not

limiting the ratio basically. The other thing you'll notice, the percentage of the mature bulls, or what we classify as mature bulls in our aerial surveys as about a 5-1/2 year old bull or older, has increased from 43% up to 57% during this rule cycle. In addition, our bull mortality rate which or what we say is how many percent of sites to other bulls that are in the population. If you are killing half your bulls every year, half your bulls should be spiked, half should be something else. What we see here is a mortality rate less than 31%, one of the lowest in the state, indicative of a growing older age class coming into that population. The Jemez herd region which encompasses the Valles Caldera as well, I do want to say we work well with the Trust. They are there to help promulgate the rules and develop the rules there. They control access and have their own methodology to gain access to hunting on there but we do, the Commission does go forward, create the rules for licenses on the Valles Caldera. A couple of things being proposed for the Valles Caldera is an increase in those either-sex archery hunts from five to seven giving more opportunities to those archery hunters, and increasing the antlerless hunts from three to four days. One of the other things is the two person hunt. In the rule right now there is a hunt where two people must apply and two people must be drawn out. It has not been as successful as they thought. They would like to go back to a one person hunt just as an antlerless license. In addition they would like to change one of their antlerless hunts to completely to youth only and then remove their overlapping mature bull and antlerless hunt that was their second antlerless hunt and just redistribute those licenses. Once these proposals from the Caldera come together, it is to show a no-change in the archery licenses, an 11% increase in bull licenses on the Caldera, and 3% increase in antlerless licenses on the Caldera. In addition to the Valles Caldera, the Jemez herd unit also encompasses GMU 6A, 7, and 6C. In GMU 6C, we are trying to recover that herd for the last three rule cycles. We ran into heavy harvest management in early 2000's purposely to reduce that herd. We were very successful in it. We have not been able to see the rebounds that we would have liked. We are seeing a little bit more of a rebound, satisfaction and success rates are increasing slightly in the last four years during the last rule

cycle but not what we hoped. So, given that, what we are proposing is to reduce antlerless licenses by 15%, not a reduction in bull but just a reduction in antlerless to try to help rebound that herd a little bit more. The hope is, if we could get this herd back to the status it was in the early 2000's, pre-heavy harvest, is to combine them back into one GMU and allow that. We are not quite there yet. The southwest herd, the southwest encompasses really three different herd units. We have the Gila herd which is the majority of the Gila Wilderness, 16A, B, C, D, 15, et cetera. The periphery of that would be like 23, 21A, and 21B. Many of the San Mateo Magdalena herd and 17 in the (indiscernible) herd are in GMU 13. Our only proposal for the (indiscernible), creating a new hunt of antlerless hunt in GMU 21A of 30 licenses. Currently, we are not hunting any antlerless elk in 21A. We have seen some expansion down into Kingston, et cetera but more into the desert type habitat and we are offering up some harvest there. (inaudible) GMU 23, of 20 licenses in GMU 23, we are not harvesting any antlerless elk in there. We have seen expansion on the San Francisco River all the way into Arizona of that elk herd and we think there is opportunity there for some harvest. In addition, in (indiscernible) just south of the wilderness area, we have seen an expansion of the elk herd in there. We would like to offer that up as a youth only hunting opportunity on Fort Bent for antlers. And in addition, all youth hunters in GMU 24, we want to allow them, when they do have their hunts for elk, we do have some youth only, 24 hunts is allowed, open up Fort Bent as a place to be able to hunt. Moving to the northeast now, these units are outside the course, so we don't have named herd units for them. But in the northeast area, a couple of State Game Commission owned properties, the Urraca GMU 55 is where that lives. What we'd like to do is move that third mature bull rifle hunting to a new archery hunt. Currently there is no archery hunt in Urraca so this would be a creation of an archery hunt into the Urraca wildlife management area. GMU 56, again no archery hunt in that unit. We would like to add, there is no archery hunt in that unit at all, truly a new hunt of ten licenses. (Indiscernible) we came to the last meeting and gave you an update on the status of that (indiscernible) populations. Since we implemented the increased bear harvest on

them, we saw a response in the elk calf production there. Therefore, we are proposing an increase in licenses. Our actual proposed increases, a 10% increase on mature bull licenses and a 25% increase on archery licenses in that unit. In addition, we are going to move 20 of the youth hunt and Indian sportsmen hunt that occurs at the same time as one of the antlerless hunts. What we are proposing to do is move 20 of those youth only hunts outside of the youth only so it is less crowding during the youth only. Hopefully it will be a better quality hunt for these hunters. GMU 43 is a GMU where we never really promoted elk increase. That is just south of us, Oro Mesa down to Cline's Corner, along that area. We have right now an either-sex rifle hunt that's been occurring in the rut purposely to try to reduce that herd. We've done well. We've kept the herd under, but we've run into a little bit of overcrowding issues. We're proposing just to reduce the tags by 50%. We still think we will be managing the herd and keep decreasing the population but again there are just too many hunters for the few elk in there, we think 30 will be still enough to re-image that herd. GMU 12, one of the things we have discussed in GMU 12 is making sure the public and the private hunt dates start at the same time. Currently, they are starting on October 1st. We are looking at if October 1st is the correct start date or make it more of a start date of around the first hunting in GMU 15, et cetera. But either way, we are looking creating the public hunt and the private hunt starting on the same day. In addition, GMU 12, the population has grown through time. We feel there is more opportunity on the public land as well so adding, increasing, the mature bull licenses by 30 and increasing the antlerless licenses by 30. Southwest area, GMU 30, another region where we are not necessarily promoting elk, more of a deer unit. But we do have an elk population there as well as Texas does, on Guadalupe National Park, Carlsbad, etc. So we have some source populations now. We have 30 either-sex rifle licenses in that unit during that last previous rule cycle. Most of that either-sex has been, I would say, over 90 percent of the harvest has been mature bulls, very little antlerless. What our proposal here to do is to split the high end to an archery hunt and

then also continue to keep either-sex rifle at 20 and 20, so an increase of 20 tags overall but now creating an archery and rifle one. And that is it.

MALE SPEAKER: That's a lot of information, too.

CHAIRMAN KIENZLE: Questions? Comments? Bill, go ahead.

MALE SPEAKER: Look at the antler point restrictions slide if you would, back about 15 of them.

MALE SPEAKER: On the public comments?

MALE SPEAKER: Yea.

MALE SPEAKER: We actually have more data if you want to talk about more data.

MALE SPEAKER: OK. I won't talk about what we are going to do today, but I will ask that you look at the point restrictions. We've tried, and used, with Vermejo for instance, there's some real information there that I don't think is being looked at.

MALE SPEAKER: Chairman, Commissioner Montoya. We definitely have, from your previous request for us to analyze that data. So we do, if you like, we can provide you with the information we have researched regarding antelope point restrictions across the west and the pros and cons to those.

MALE SPEAKER: OK. I'd appreciate that. It just rubs me wrong that we are doing that because I don't think it's right, but let me look at what you've got.

MALE SPEAKER: Sure. (inaudible). Answering Bill's question, is it showing point restrictions don't work.

MALE SPEAKER: Mr. Chairman, Commissioner Salopek, if I may I'll just take a couple of minutes. We did build some slides to address this. I didn't know if you guys would be asleep after lunch or if (inaudible, multiple speakers). We'll go real quick. I'll be really fast. Basically what you'll see here are some

perceived benefits and also some what we think could happen. And, the point restrictions might work when you have bull to cow ratios below ten. If you have no older age class bulls in your population, if you have mainly just spiked two year olds, maybe rack horns, you put on an antler point restriction to allow them to get to 3-1/3 to 4-1/2 years old, maybe get ratios above 10-to-100. Productivity may increase. Again, it really happens at very low ratios. In reality, what you are doing when you put an antler point restriction on is, you are focusing all your harvest on the older age class males. Basically a 5-1/2 year old bull or larger, bulls go from about 5-1/2 to about 10-1/2 when they their peak and they come down on a decline. So you are specifically targeting only those older class males and you are reducing that older age class portion in your population. So again, it protects your smaller antlered bulls including those animals that may have deformities or may have a genetic inferiority that maybe they would never reach your "antler class". Almost all western states have discontinued the use of APR's or antler point restrictions. As we saw in New Mexico when we did have antler point restrictions, was 11 percent more harvest in general but again the harvest was all focused on just a smaller segment of the bull structure so it wasn't focused across the whole. Bull-to-cow ratios have not differed before or after the antler point restrictions.

MALE SPEAKER: It shows that we don't know (indiscernible).

MALE SPEAKER: As it worked before, Guys, but I'm not going to fight any at the present.

MALE SPEAKER: I've got a question.

MALE SPEAKER: Sure.

MALE SPEAKER: Stuart, I've been talking to Cal and now I need to start talking to Nicole because she's a lot prettier than you guys. (laughter + inaudible) job, Nicole. I'll get your card and I'll be calling you. (indiscernible).Then they went to two hunts and I thought, well that's perfect. Then we went to 3, and

like 6 days for a hunt. That's not right, I didn't think. (inaudible) talking. The feedback I'm getting is most, you still have some that went to three because we were out there by ourselves. But the majority would like to go to two hunts. My question to Cal is, why is it 15 and 9? If we went to a 14 and 2 and even 13 and 1 days, would that, you know, it seems like it's set up to help the outfitters. And I'm not against outfitters in this state. But three hunts, if you went to a 14 and 10, that would help them to book hunts and I mean, 14 days, the National Forest, you can only set a countdown. They started enforcing that last year at 14 days anyway. And you can and then you can move your camper, I think, 100 yards and still keep camping in the (indiscernible). So, I'm just going to let you that instead of 15, 9, 14 and 10, roughly now, could we do that. Now the other thing, the feedback I got was if we are going to two hunts, I feel and the majority feel, (indiscernible) in northern New Mexico they have the one member hunt. They get (indiscernible) so in theory they could put in 69,16B top priority hunts and then put in (indiscernible) 55 and they know it (indiscernible) and so they use that two choices and that it would create more opportunity if we had we had two hunt codes across the state, every unit, if we are going to do archery. I would like to see (indiscernible) instead of 15 and 9, but if that's 15-9, I can live with that. I just wanted to throw that out.

MALE SPEAKER: Mr. Chairman, Commissioner Salopek. I can definitely look into this two hunts across the state.

MALE SPEAKER: Stuart, I'm not an archer but I do like consistency and I think our session would be better served if you would structure, the number of days is kind of irrelevant to me, but we do have Commissioner Salopek's recommendations, that would be a choice. But I'd like to see the consistency, if we go to two hunts, to be in every portion of the state. But give me an explanation why there are some units that only have one season, to give me an understanding of it.

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza, (indiscernible) one hunt structure is either low density of units such as unit 37 or one of those where we just don't have a lot of elk in the area or it is a hard to access unit like the Pecos Wilderness Unit 45. Part of the longer hunt period is to give people more opportunity to try to harvest or try to get back into harder to reach places. That's what the justification has been for this.

MALE SPEAKER: Back to our two hunt, two season structure in those units, we will still have the same opportunity, just less days out in the field.

MALE SPEAKER: Mr. Chairman, Commissioner Espinosa (inaudible).

MALE SPEAKER: Again it would be my request that you let (indiscernible) and be (indiscernible).

MALE SPEAKER: My question is, OK, the same unit that is 1 unit now gets 100 tags for instance. If we went to two hunts in that one unit could you go to 75 and 75 and increase to 150 opportunities so it's 50 more chances for a hunter to put in for. I mean could we increase our chances of (indiscernible), low elk number units.

MALE SPEAKER: Mr. Chairman, (indiscernible) GMU 45 and GMU 50. And 37 and 50 are definitely lower density units. Probably have to analyze the data to see if (indiscernible) more harvest opportunities in those units by increasing tags. A lot of times when we break hunts out of the rut, success rates might indeed decline so we can look into that, maybe putting more hunts in the front end and fewer on the back end to maybe look at, will success stay the same, or the number of dead harvested elk be the same with more hunters. But yes, we can look into that.

MALE SPEAKER: (inaudible) for 25 years. It started out (indiscernible) the same amount of hunters went to the (indiscernible) same amount, like wow, that's neat. Then it went to three and that was really neat except for it was ten, eight, and six days. The ten was fine, the eight was ok, the six was, that is one

more day than (indiscernible) and I just didn't think that was fair. But you have (indiscernible) that six day hunt, you might not be able to hunt at all and that's the issue I have. If it's (indiscernible) I can live with that, you know.

MALE SPEAKER: I tell you what, I pretty much had that same discussion with Stuart over lunch, had the same concerns. But again it is opportunity. I would like to also see those single units break up into two. That's two more options for people to put in for. And I know there is probably a low percentage of hunter that goes out there for the duration of the long extended hunt, you know. So anyway, I think it is pretty fair.

CHAIRMAN KIENZLE: Any other comments? (indiscernible)

MALE SPEAKER: Let me look at my notes here. You're not off the hook yet. (indiscernible)

CHAIRMAN KIENZLE: That was just a discussion item. We'll move on to something near and dear to my heart. Process for Decommissioning Dams.

MALE SPEAKER: Mr. Commissioner, Mike Dustin and I are (indiscernible). To go through the process of (indiscernible) and also the process for decommissioning the State Game and Commission on Dams. The State Game Commission currently owns 11 dams around the State of New Mexico. Each dam has a different classification, either a low hazard or a high hazard dam. We will get into the definition of both of those in just a second. They range in size from the largest which Eagle Nest Lake dam which is pictured there to smaller lakes like (indiscernible). This map depicts the location of the dams that you own and where they are located by name so kind of when we talk about Lake Roberts or Eagle Nest or (indiscernible) Lake or (indiscernible) we can kind of see where they are located in New Mexico. Dam classifications. I mentioned to you that there are two major classifications of dams. High hazard dams classification, if a failure in that dam happens it has a high probability of loss of human life and property.

These dams require an emergency action plan, which all of those are updated regularly, annually?

Correct me?

MALE SPEAKER: Annually.

MALE SPEAKER: Annually, and I store those in my office and we go over them on a regular basis so that I know when, for instance as last year, Lake (indiscernible) works with a (indiscernible) monsoon moisture we got, we reached the point where we had to evaluate what the impacts were going to be if it spilled over that dam. So we were in Phase 1 of evaluating the emergency action plan which was kind of a good education for myself because I really didn't know why in the Hell I had 11 binders in my office that had dam names on them. The dams that are part of this high hazard classification include Eagle Nest, Lake Roberts which we are currently working on, Bear Canyon which is next on our priority list, (indiscernible), Jackson Lake, Laguna, (indiscernible), and that is in the analysis process right now. The low hazard dams, these are mostly our earthen dams that, if they failed, probably wouldn't impact much. There is a very low probability of loss of human life and damage to property, and any environmental damage that may occur if that dam were to fail. These do not require an emergency action plan but they do have a highly recommended operation and maintenance manual which we are currently working on and have almost all completed for those dams. Those include Clayton Lake, Camaro Lake, and Snow Lake. To decommission a dam, which you asked us to look into to see what the processes were. There are some state and federal requirements. The state requirements us to work with the Office of the State Engineer and the Dam Safety Bureau, to submit a plan under their rule 19.25.12. We must hire a professional, licensed engineer to prepare each plan, and must evaluate the potential effects of the beach on (indiscernible) and environment downstream. Next, the Environment Department will require us to comply with the state and federal clean water act process. These dams may also have a federal requirement to evaluate whether we can decommission them or not. This one

is a lot more detailed and probably a lot more time consuming as well as expensive. We have to comply with the National Environmental Policy Act which we would need to complete an Environmental Impact Statement which is a pretty big undertaking as well as a biological opinion from the US Fish and Wildlife Service as to the impact of breaching that dam. We would also have to consult with the National Historic Properties Act based on the age of the dam and any other cultural or archeological activities it may impact. We also have to comply with 401 and 404 permitting of the Clean Water Act. And then, also, we would have to work with our Federal Aid partner in working through (indiscernible) to determine what effects and grant effects the termination through the Wildlife and Sports for Fishermen Restoration Act. And with that, we are here for any questions.

MALE SPEAKER: I have a bunch.

MALE SPEAKER: Sure.

MALE SPEAKER: Every year, budget time comes around. There's a 2 million line item on there for dam maintenance, restoration, whatever you want to call it. Where does that money go? I know that the broad (indiscernible) but specifically do we have people on staff that go do this? Do we contract out work? Tell me what my 2 million dollars is going to do.

MALE SPEAKER: Two million dollars is what we asked for in capital improvements every year so we can provide operation maintenance type upgrades to our dams. For example, the one we are currently in right now for capital improvement projects is Lake Roberts. We do the slough way and associated parts of that and so as we evaluate and analyze the dam and its structure we put together a priority list of what activities need to be made. It gives us more flexibility to do it through a capital request than through an annual budget process because it gives us that 5-year time frame because once we start digging into a dam, we don't know what we are going to the slough way and associated parts of that and so as we evaluate and analyze the dam and its structure we put together a priority list of what activities

need to be made. It gives us more flexibility to do it through a capital request than through an annual budget process because it gives us that 5-year time frame because once we start digging into a dam, we don't know what we are going to find. Lake Roberts was a prime example. We thought it was a slam dunk, no-brainer, and we'd be done in six months. We started digging and found some archeological remains that stalled work for quite a few months to get that taken care of, put to the proper tribes, get all that analyzed. Then, when we started getting ready to pour the concrete, our contracting engineer said "You know, when they originally built these in the 60's, they said this was bedrock. There is no bedrock here". So we had to go in and change that. So by putting it into a capital outlay request it gives us that flexibility to not be tied to a fiscal year time frame which we could very well not meet. This gives us the ability to be flexible across longer time frame to be able to achieve those benchmarks as they change. So the way that you get (indiscernible) and the maintenance with general maintenance on our some of our earthen dams (indiscernible) and prairie dogs and pulling weeds and cutting trees, that is part of our construction crew and budget activities. We are currently looking into, because of our staff load, being able to look into a contractor, a former state office employee, to contract that person who now has a private business to inspect our dams and make recommendations on what maintenance and upkeep needs to be done and work to help us hire the subcontractors under their contract to do the work for us so it pulls our guys off to go do the stuff we need them to do in the wildlife management areas. So we are looking at those options as well through this to be able to better, efficient, in maintaining these dams and ensuring that we are meeting our obligations to the state engineer's office.

MALE SPEAKER: It's just 2 million dollars forever?

MALE SPEAKER: Well, it's like buying a house. Unfortunately, you own the house and now we have to maintain it.

MALE SPEAKER: So are any of these particular dams, is the utility of any of them zero, I mean people are not, we are not using them for fishing?

MALE SPEAKER: We are.

MALE SPEAKER: All of them?

MALE SPEAKER: This gives you an example of the lakes and the angler days per year for those lakes and what we stocked in them. We just did some examples of those (indiscernible) to show what the economic value of those lakes are to New Mexico and to our department and what their use is regarding angler (indiscernible). So fishermen are using them. Some of the lakes, Eagle's Nest Lake for example, is a highly used lake, as you can imagine, but even our smaller lakes like Hopewell, Jackson, they're being used, for where they are located, pretty often. So there is some value. The other part of it is, we are apparently right now in the bulk of our maintenance and operations phases of these dams. As we tick them off the list and get them to compliance and get them to a point where now it is just maintaining what we've built, that over time we won't be asking for so much money all the time.

CHAIRMAN KIENZLE: Questions?

MALE SPEAKER: Is there any way we can get some federal aid money to work on these things?

MALE SPEAKER: We do. They are all federally, (indiscernible) all that money. That 2 million dollars is mixed with federal money, yes.

MALE SPEAKER: Because we didn't show that before. I thought it was out of the Game Protection Fund totally.

MALE SPEAKER: No, we do get federal aid money to do the work

MALE SPEAKER: Well it doesn't hurt us bad.

MALE SPEAKER: No it doesn't hurt us bad, because your 2 million dollars is being leveraged.

(indiscernible)

MALE SPEAKER: Who's smart enough to tell me the present value of 2 million dollars forever?

MALE SPEAKER: Probably the director. She's . . .

MALE SPEAKER: It's a fantastic amount of money.

FEMALE SPEAKER: Mr. Chairman and Commissioner Montoya. Just to clarify, provide a little more information on federal aid, depending on which dam it is and what activities are allowed on that dam, we go after federal aid or not, either it is boating access money which is a different type of federal money versus our Pittman-Robertson money. So it all just depends on the, what activities are allowed actually on that lake.

MALE SPEAKER: Yes, because the last information we saw, we were pumping 2 million dollars into it but there wasn't any federal aid money. So, how much federal aid money can we get, or do we get?

(indiscernible) it doesn't matter.

FEMALE SPEAKER: Again, Mr. Chairman, Commissioner Montoya, it really depends on the activity. If it doesn't allow for boating access but can and been doing (indiscernible) with Pittman-Robertson 75%. So federal aid is 75% but it just depends on which dam we are working on at the time. Lake Roberts has been a federal aid project which is a good thing because, as they pointed out, we have spent quite a bit of money.

MALE SPEAKER: (indiscernible) Lake is actually dry.

MALE SPEAKER: Correct. So if you chose to go through the decommissioning process, that would probably be the top of our priority list.

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MALE SPEAKER: Where are we supposed to start? Is that one of the earthen ones?

MALE SPEAKER: Yes. That's a low hazard.

(inaudible)

MALE SPEAKER: Sorry. We've got these high hazard but there's no water so the process might not be as difficult to do.

CHAIRMAN KIENZLE: Any other questions? Yes, sir?

MALE SPEAKER: Do you use federal funds for the EAP and the operations manual on each of these.

MALE SPEAKER: Yes.

MALE SPEAKER: As a (indiscernible) you didn't do it in-house did you?

MALE SPEAKER: No, we did not do it in-house, no. We contracted out.

MALE SPEAKER: Now we are about 65 to 70 percent compliant on all our dams so that money request will hopefully go down over time as we take off these bigger dam projects like (indiscernible) and Eagle Nest and those bigger dams (indiscernible).

MALE SPEAKER: Are there major problems with Eagle Nest?

MALE SPEAKER: It is difficult to tell with these dams. What is going on now with these dams are the hydrology models. (indiscernible) are too small, and for as old as that dam is, it is actually still in pretty good shape. Some of our dams are in decent and good shape. It's just the models are showing that if you do what they call a probable maximum precipitation event that it could overtop the dam and the engineers (indiscernible) when you overtop a dirt dam. And so (indiscernible) do you need to pass that type of a flood. Do we have that analyzed in the past, I don't know if it was just from a state engineer's

office. It has been pointed out that it is a potential risk, too small. So at some point we are going to need to get into (indiscernible) hydraulic logic study type thing.

MALE SPEAKER: And that will really (indiscernible). But dam itself is still in good shape.

MALE SPEAKER: How long has (indiscernible) Lake been dry?

MALE SPEAKER: Anybody know?

Inaudible

MALE SPEAKER: We are going to refer to Colonel (indiscernible), the expert.

MALE SPEAKER: Chairman Kienzle, I used to work that area back in 2012 and due to the drought the last four or five years, (indiscernible) has been pretty low if not dry in the last recent years, so (indiscernible) as well.

MALE SPEAKER: OK. Thank you.

CHAIRMAN KIENZLE: Any other questions?

MALE SPEAKER: I have one question. If we were to (indiscernible) that would be one that we could decommission. (indiscernible)

MALE SPEAKER: Mr. Chairman, (indiscernible) we don't have any plans to decommission any dams at this point. (indiscernible)

MALE SPEAKER: Mr. Chairman, Commissioner Espinoza. We have been focusing on the analysis and the operations plans and also evaluating resource needs, being able to inspect the dams that we have. Once we have that under control to where we understand who's doing the inspections, when they're being

inspected, what maintenance needs those inspections generate, then we will start the evaluation of are there any dams that we could recommend that we really don't need or aren't necessary any more.

MALE SPEAKER: I guess my thought is if we decommission it and it is already on top of the list and it's dry and it's not doing anybody any good, then that's one less that might come back and harm us someday. I'd like to see at some point in time in the near future, and I understand your workload.

MALE SPEAKER: So, we own the dam. What else do we own around these? What do we own?

MALE SPEAKER: well, it depends on the location. Lake (indiscernible) is like two sections of land plus steward rights from the state engineer's office. (indiscernible) about the same. Bear Canyon has 278 acre (indiscernible) from the (indiscernible) Association, (indiscernible) but we own the land and the dam. You get into like Snow Lake, there is a special use permit from the forest service so the Commission owns the dam, but not the land around it. And there is a storage right permit issued to the commission (indiscernible) the water rights.

MALE SPEAKER: And then, (indiscernible) is still stuck on a special use permit. We own Clayton Lake and the land around it. (Indiscernible) Lake is a special use permit with the foresters along with (indiscernible) Lake. The rest of them the Commission owns.

MALE SPEAKER: (indiscernible) is going to make it onto another agenda.

(inaudible)

MALE SPEAKER: Chairman, Commissioners. We will bring forward some proposals to decommission (indiscernible) lake to include any federal need for requirements so we know what we are biting into.

MALE SPEAKER: And you know what you're taking on.

MALE SPEAKER: And all the different organizations that are going to put the word out. I mean if somebody feels real strongly about (indiscernible) Lake, we want to hear about it. So, I don't want to ruin somebody's favorite fishing hole. Put the word out.

MALE SPEAKER: If (indiscernible) Lake were full, is the water valuable? Is that Game and Fish water? (Indiscernible).

MALE SPEAKER: That's a storage permit.

(indiscernible)

CHAIRMAN KIENZLE: Any more questions?

MALE SPEAKER: This is helpful. It's a start. And this slide is particularly helpful. It (inaudible).

MALE SPEAKER: Thank you, Game and Fishery Division for helping us put that . . .

MALE SPEAKER: I would like to make a request. Could you email me that slide.

MALE SPEAKER: Sure. It will also be available on the website after the Commission meeting. So if anybody else wants to look at it, we do post our presentations to the website.

CHAIRMAN KIENZLE: Thank you. That was all.

MALE SPEAKER: Hey, I'm done. Woo-hoo.

CHAIRMAN KIENZLE: OK. That was a discussion item.

CHAIRMAN KIENZLE: AGENDA ITEM 22: Final biennial review of State Listed Threatened and Endangered Species.

MALE SPEAKER: I'm going to start by asking a question. We'd be getting the economic survey one of these days.

FEMALE SPEAKER: Mr. Chairman, Commissioner Montoya. Thank you very much for the question. We had some final edits that were required before we released that out. There were typos and some information that just was not correct in there so we have asked the contractor to go back and make those revisions and then we will do one final check of that and then we will be releasing it to the public.

MALE SPEAKER: Thanks.

MALE SPEAKER: Mr. Chairman, Commissioners. I am here for the third, and I hope for the final, to present the Biennial Review. As you know we've had a 90 day comment period during which we received no comments. We subsequently had a 14 day comment period in which we received no comments. The final recommendation is to not change anything (indiscernible) for any of the species on the state list of threatened and endangered species. So today I am going to refer you the final recommendation which is no change, for your consideration and adoption. Any questions?

CHAIRMAN KIENZLE: I do not have any questions. Commissioners, any questions?

MALE SPEAKER: We got some public comment on this (inaudible).

CHAIRMAN KIENZLE: Any other call or comment? All right. This is an action item. Can I get a motion please?

MOTION: Game Commissioner Ralph Ramos moved to adopt the Director's final recommendation of no change for the 2014 Biennial Review of State Listed Threatened and Endangered Species.

SECOND: Commissioner Bill Montoya.

CHAIRMAN KIENZLE: All in favor.

Final Copy

ALL MEMBERS: Aye

VOTE: 6-0

(inaudible)

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

SECOND: Commissioner Bill Montoya.

CHAIRMAN KIENZLE: This requires a roll call vote:

FEMALE SPEAKER: Chairman Kienzle, yes. Vice-Chairman Montoya, yes. Commissioner Arvas (absent). Commissioner Espinoza, yes. Commissioner Ramos, yes. Commissioner Ricklefs, yes. Commissioner Salopek, yes.

FEMALE SPEAKER: We are going to be adjourning to Room 324, so everybody can stay here.

(Inaudible)

CHAIRMAN KIENZLE: This commission is adjourned into executive session closed to the public. During the executive session the commission discussed only those matters specified and it's motion to adjourn and it took no action as to any matter.

CHAIRMAN KIENZLE: Agenda Item No. 24: Defenders of Wildlife et. al. V. US Fish and Wildlife Service. Peter.

PETER: Good afternoon Mr. Chairman, Commissioners. Peter Robertson, General Counsel for the New Mexico Department of Game and Fish. I'm here to present you the last Agenda Item, it's a discussion item. Now I would say as the Wildlife et al V Salid Jewell, (indiscernible) Court 1:14 CV-225 in which the plaintiff (indiscernible) Wildlife Guardians are challenging the (indiscernible) chicken as the dreaded species in issuance of a special 4D Rule. (indiscernible) U.S. Fish and Wildlife (indiscernible) on June 17 of this year, the plaintiffs filed the suit challenging the services listed (indiscernible) and also challenging the services issuance of the special (indiscernible) chicken should be listed as endangered. They also (indiscernible) ignored the Endangered Species Act. (Indiscernible) the administer of the procedures act in the national environmental policy act in making this list and decision. (Indiscernible) special 4D rule and the service issued does not accurately protect the species. (Indiscernible) the plaintiffs argue that the service violated (indiscernible) from special 4D rule issued in concert with the threatened listing of the species. (Indiscernible) service cannot measure (indiscernible) Range wide plan is voluntary nature. (Indiscernible) the special 4D rule is voted (indiscernible) consultation provisions apply (indiscernible) or the CC AA for oil and gas would like to be invalidated. (Indiscernible) to develop plans for other species (indiscernible) agriculture or the states to develop (inaudible) 4 D rules is nullified in the Volunteer Range wide Plan is nullified. This department recommends the following course of action. (Indiscernible) the commission take action today and improve one – the department support (indiscernible) provide financial and any kind of support to (indiscernible) in this case. Are there any questions?

CHAIRMAN KIENZLE: Any questions? Okay, this is I believe an action Item. Can I get A motion please?

VICE CHAIRMAN MONTOYA: Motion to approve the department financial (indiscernible) to Western Association Fish and wildlife Agencies intervention and join the suit of defenders of wildlife et al V Sally Jewell et al Department USDC 1:14 CV-1025.

CHAIRMAN KIENZLE: All in favor.

ALL MEMBERS: Aye.

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: Garret I think your my only comment.

GARRET: Garrett VeneKlasen from New Mexico wildlife Federation. There is one lawsuit in this would be a second lawsuit that we're going to be in, not as an individual state serve, a member of (indiscernible).

VICE CHAIRMAN MONTOYA: Just a general idea, I don't know what this is going to (indiscernible) understand costs.

CHAIRMAN KIENZLE: Henry Wilkins.

HENRY WILKINS: Henry Wilkins, landowner (indiscernible) state my disappointment in the rejection of our landlord tags without warning this year. I've been involved in the program for a number of years, we have three times as many elk as we've ever had and now our tags have been cut. People that didn't renew those, should. So were several days before the hunt starts and have not received their tags. Me, I'm a small rancher. My land has been fenced to keep the range

cattle out. The water in the grass is for elk and the wildlife. I'm in it for the long haul. But there's a lot of really upset landlords (indiscernible) this year and they are reconsidering been in the program at all. So I would just like to let you know that with no warning, our tags and active working program with the game and Fish Department our tags were cut in half for no reason. I would respect you guys to look into this so we can work this thing out. Like I said, I'm in it for the long-haul.

CHAIRMAN KIENZLE: (indiscernible) what can we do to look into this?

DIRECTOR SANDOVAL: Mr. Chairman I did believe that we have reviewed the Unit 12 allocations and we're certainly willing to sit down with you to discuss that further if you're (indiscernible) to that. I do believe that's part of the core program and so there's a little bit difference in how that works versus E plus with inside the core. We can have that discussion, it's purely a minute part of how that program gets managed.

CHAIRMAN KIENZLE: Did you get your question answered today?

HENRY WILKINS: I did.

CHAIRMAN KIENZLE: Can I get a motion to adjourn?

COMMISSIONER: Yes.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

In Re:

Game Commission Hearing

C E R T I F I C A T E

I, Rose Leonard/Cheryl Melgarejo, transcriptionist, DO HEREBY CERTIFY that the above captioned transcription was prepared by me; that the RECORDING was reduced to typewritten transcript by me; that I listened to the entire RECORDING; that the foregoing transcript is a complete record of all material included thereon, and that the foregoing pages are a true and correct transcription of the recorded proceedings, to the best of my knowledge and hearing ability. The recording was of Poor quality.

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Las Cruces
BOB RICKLEFS
Cimarron
THOMAS "DICK" SALOPEK
Las Cruces

**APPROVAL OF MEETING MINUTES
NEW MEXICO STATE GAME COMMISSION
New Mexico State Capitol, Room 321
491 Old Santa Fe Trail
Santa Fe, NM 87503
Thursday, August 28, 2014
9:00 a.m. – 5:00 p.m.**



Alexandra Sandoval, Director and Secretary



Date



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



Date

AS/scd