

**MEETING MINUTES**

**NEW MEXICO STATE GAME COMMISSION**

**Northern New Mexico College**

Nick Salazar Center for the Performing Arts

912 Paseo de Onate

Espanola, NM 87532

Thursday, November 13, 2014

9:00 a.m. – 5:00 p.m.

**A P P E A R A N C E S**

Game Commissioner Thomas Arvas

Vice Chairman Bill Montoya

Chairman Paul Kienzle

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

Game Commissioner Dick Salopek

**A B S E N T**

None

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Here.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Here.

DIRECTOR SANDOVAL: Commissioner Montoya?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

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: Thank you. Good morning everyone. The Pledge of Allegiance.

(Pledge of Allegiance ends)

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

COMMISSIONER ESPINOZA: So moved.

COMMISSIONER RAMOS: Second that.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion Unanimously Passed 7-0)

CHAIRMAN KIENZLE: Aye's have it. Let's go around the room and everybody introduce themselves please.

GUEST SPEAKER: Mr. Chairman, Commissioners, everybody in Cala Blanca, Steve Walek, manager of New Mexico farming Union.

GUEST SPEAKER: Good morning Commissioners, Dan Brooks, New Mexico Game and Fish, Deputy Director.

GUEST SPEAKER: Good morning, Mike Sloane Chief of Fishes.

GUEST SPEAKER: Good morning Commissioners, Chris Chadwick, Assistant Director, Department of Game and Fish.

DIRECTOR SANDOVAL: If I might Chairman, Chris has been in that position now for about two weeks. We welcome him aboard. He comes out of the Albuquerque office, Northwest Area

Field Operations and brings about 21 years of experience to the department. I'm super excited to have him on board as our new Assistant Director of Support Services.

CHAIRMAN KIENZLE: Congratulations.

GUEST SPEAKER: Good morning Commissioners, Dave Rohrbach, Chief of Administrative Services.

DIRECTOR SANDOVAL: Again Mr. Chairman if I may, Dave Rohrbach recently got promoted into the ASD Chief position, very excited, he has a lot of private sector and state government experience and he's been on the job even less than Chris. So I think this is his fourth day so welcome aboard Dave.

CHAIRMAN KIENZLE: Congratulations.

GUEST SPEAKER: Hi, I'm Nancy Savage. I'm a citizen of New Mexico since 1958 and I'm very interested in what the Commissioners (indiscernible) more into the land and the antelopes. Thank you.

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Gordy Gulf for (indiscernible)

GUEST SPEAKER: Good morning Commissioners, Joe Gaurio the current managing officer of State Forestry of (indiscernible).

GUEST SPEAKER: Good morning Commissioners, my name is Dave, Deputy Director of (indiscernible)

GUEST SPEAKER: Good morning Commissioners, (indiscernible) of the New Mexico Wildlife Federation.

GUEST SPEAKER: Joel Gay, New Mexico Wildlife Federation.

GUEST SPEAKER: Good morning Commissioners, (indiscernible) New Mexico Wildlife Federation.

GUEST SPEAKER: Good morning Commissioners, Maria (indiscernible) Director of New Mexico Wildlife Center, formerly (indiscernible).

GUEST SPEAKER: Mark Jones, a New Mexico citizen, hunter, fisher and other life and business.

GUEST SPEAKER: Good morning, I'm Tom Gorman, I'm representing the Rio Grande chat rooms here.

GUEST SPEAKER: Good morning Commissioners, I'm representing (indiscernible)

GUEST SPEAKER: Good morning Chairman, Commissioners, my name is Donald (indiscernible).

GUEST SPEAKER: Good morning Chairman, Commissioners, I'm Rhonda Holderman (indiscernible)

GUEST SPEAKER: Good morning Chairman and Commissioners, my name is (indiscernible) I'm the Hunter Education Program for the Department of Game and Fish.

GUEST SPEAKER: Good morning,, I would like to welcome Michael (indiscernible) Landowner Unit 51, (indiscernible), Thank you for being here.

GUEST SPEAKER: Good Morning, Rodrigues, Deputy General of Council of (indiscernible) Game and Fish.

GUEST SPEAKER: Good Morning Chairman, Commissioners, Peter Robinson of General Councilman of New Mexico Department of Fish and Game.

GUEST SPEAKER: Good morning Chairman, Commissioners. Stewart Liley, Big Game Program Supervisor of New Mexico Game and Fish.

GUEST SPEAKER: Good morning everybody, my name is Star Gonzales, and I'm the Marketing Manager of the New Mexico department of Game and Fish.

GUEST SPEAKER: Good morning Mister Chairman, (indiscernible)

GUEST SPEAKER: Good morning, (indiscernible)

GUEST SPEAKER: Leon Redman, Pueblo, Santa Ana.

GUEST SPEAKER: Good morning, Chairman, Commissioners. Ron (indiscernible) Pueblo, Santa Ana.

CHAIRMAN KIENZLE: And Mona.

GUEST SPEAKER: Yes, good morning.

CHAIRMAN KIENZLE: I think that's everyone. Nope, we've got a few down there on the end. In the wings.

GUEST SPEAKER: Everyone. I'm Lance Cherry. I'm the Assistant Chief of Information and Education for the Department of Game and Fish.

GUEST SPEAKER: I'm Sandra DuCharme, I'm the Executive Assistant to the Director and Game Commission.

CHAIRMAN KIENZLE: Like the Wizard of Oz there behind the curtain. Okay, that's just about everybody. Nope, we've got one more person. Can you introduce yourself please?

GUEST SPEAKER: Sure, I'm Judy Hallman, I'm the faculty using methods of wilderness alliance.

CHAIRMAN KIENZLE: Okay, We need to get approval for the minutes for our October meeting. Can I get a motion on that please?

COMMISSIONER TOM ARVAS: So moved Mr. Chairman.

VICE CHAIRMAN BILL MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

All Members: Aye.

CHAIRMAN KIENZLE: Aye's have it. Agenda Item No. 7: Recognition of Participants doe Hammond Project on San Juan River.

MIKE SLOANE: Mr. Chairman, Commissioners, we're here today to talk a little bit about the Hammond Project. Many of you are aware of it. It's an example of the power of partnership. The Hammond tract is an approximately 80 acre parcel along the lower portion of the trout water in the San Juan. I was giving to the Department of The Commission by the BOR after the construction of the damn. Our agreement was we would manage it for wild life. The property was overrun with salt cedars as you can see on the far bank, the closer bank has been treated and

all those salt cedars removed. So we went to work through partnership with Sportsmen Fish and Wildlife, and got some engineering designs. Partnerships with Soil and Water Conservation District, New Mexico State Forestry Division, WPX Energy, Conoco, and removed all the preadifieds, dug a three-quarter acre pond, planted over 10,000 riparian plants, put in a new boat ramp and bathroom facility. Also did about a mile worth of stream work creating a much more attractive user friendly and wildlife friendly environment. So, really it doesn't happen without partners and we'd like to thank all the partners that are shown here and I think Mr. Brooks has a presentation he would like to make.

MR. BROOKS: Yes, if I might Mr. Chairman, we'd like to thank a lot of the participants but we still have the New Mexico State Forestry Division we'd like to thank as well and present them with a plaque so if you would indulge me I'd like to do that. If I could, Commissioner Espinoza?

DIRECTOR SANDOVAL: Come on up guys.

MR. BROOKS: Here beside me is the forestry division, Eddie Tutor and Joe Kario who's the Timber Management Officer out of San Juan and so they were instrumental in making this happen. So we're excited to have partners like this because this is what helps us get our work done on the ground. Without that expertise, we'll flounder because although we do have biologists, we also need the expertise of State Forestry and we really appreciate it. So if I might just read this plaque real quick, so what it says here is; "New Mexico State Forestry Division in appreciation for your contribution in conserving New Mexico's Wildlife for future generations".

Hammond Tract Wildlife Management Area -2014. If I could present that to you and offer my congratulations if I might, I thank you and what I would like to do if I might put you on the spot just for a minute Commissioner, you might want to say a few words as well.



COMMISSIONER ESPINOZA: I just want to reiterate what Dan said and what Mike said. It doesn't happen without partners. When we get more partners, good things happen. This is probably one of the small examples of what we can do on a larger scale. So we thank you for being part of it and hope we can continue the relationship for the betterment of New Mexico all over the state. So thank you.

MIKE SLOANE: Thank you. Would you like to say a few words?

UNIDENTIFIED SPEAKER: Thank you Mr. Chairman and Commissioners, if you'll indulge me for just a minute, thank you for this award, the Division really appreciates it. Joe and the folks in the district did a lot of hard work on this. You know talking about partnerships, we really appreciate the partnership that we have with New Mexico State Game and Fish. As you know, we really appreciate the opportunity of having our Returning Hero's Program there at the warehouse in Santa Fe. Just to give you a very brief update on that, buildings we'll be moved in there within the next month and we've got personnel that we're in the process of hiring to get that program up and going. The Division and the Department, (indiscernible) Natural Resource Department really appreciates the partnership that we have and we look forward to doing more projects in the future. So thank you very much.

CHAIRMAN KIENZLE: Thank you.

DIRECTOR SANDOVAL: Thank you.

CHAIRMAN KIENZLE: Robert, do you want to say anything else on that project or have you said enough?

ROBERT: I'm sorry?

CHAIRMAN KIENZLE: Do you want to say anything else on the project? I know you were instrumental in getting it off the ground as well.

COMMISSIONER ESPINOZA: Again, you know that if anyone hasn't had the opportunity to go up there, it's just a special place now. If you knew what it was before, I don't know if you can go back to that original picture, that one there, you couldn't even walk down to that place, if you remember that Mike, you couldn't get through it. It's just amazing, the transformation. Every time I've gone down there and I probably visited the place a dozen times since we dedicated it and there is always ten - twenty people there because it's easy to fish, it's easy to access and by the way, the water fowl hunters love that place now Mike. The only problem that I have with that is it's literally too crowded for water fowl hunters because everybody loves it. So I hope we can continue to do that more in the future. Again, it's a great testament of how partners who come together with agencies, private dollars and leverage those dollars into what this project ended up with is \$550,000 if memory serves me correctly Mike?

MIKE SLOANE: I believe that's correct.

COMMISSIONER ESPINOZA: So I want to thank the Department for letting me be a part of that, that's a special place for me. Thank you.

CHAIRMAN KIENZLE: I had occasion to visit with the Governor after the dedication ceremony just here in the last couple of weeks and she was very impressed with all the stakeholders and all the hard work that went into that and she particularly liked seeing the fish being released. So anytime you do a fish release anywhere really you could probably call her and she might show up. She was very impressed and I'm pleased she was able to make it out

there too to see that. Anyway, thanks to everyone. Anything else on No. 7? Okay, No. 8:  
Director Update on Department.

DIRECTOR SANDOVAL: Good morning Commissioners. Thank you for this opportunity. As you all are well aware I've been on board as the Director of the Department now for the last six months and it's been truly an adventure and a humbling experience to work with both you and the staff here at the department. We do amazing things every single day. So today what I would like to do is tell you a little bit about what our priorities are for the agency and then go in and highlight some of the accomplishments the agency has been able to complete over this last year. Some of those are long time coming accomplishments and some of them have been a little bit shorter term but all of the work of our staff is what makes that happen. So first of all, the first priority for the department is partnerships. We just spoke about it and saw a perfect example of why partnerships are so important to getting wildlife conservation done out on the ground. This is Kristen and her crew working on releasing turkeys obviously, and that's done through partnerships with NGO's and other both, federal and state agencies. Every time we reach out and create a partnership, we're doing great things for wildlife. Those partnerships also extend internally. The department recently went through a re-org. and we're still kind of gaining our legs underneath that re-org. and so we're establishing some new partnerships internally as well. So partnerships and taking advantage of partnerships without that sounding too selfish is where my brain is. Education, now I know when people see education they think about Hunter Ed. And our Conservation Education, but I want to take advantage of really telling the people what it is that we do on a daily basis to help conserve wildlife. We haven't done that as much as I think we possible can in the department. The reason why you have that picture there of a bear is those are wonderful opportunities and our officers that handle those bear calls and biologists do take

the time to educate the folks who gather around because inevitably, when you have a bear in a tree folks are watching. I think that's a perfect example of what we need to do as an agency is be able to reach out and educate people about what it is that we do each and every day for the wildlife of the state. Modernization, that's really key for me and it's not just about paperless applications and moving things forward with computers, but it's really about enabling our staff to become more efficient and better at what we're doing in a safer manner. So it's not just like I said about computers, but it's getting the equipment, necessary equipment in the hands of our officers to go out and do the patrols that they need, it's about getting the necessary tools for our fishery folks to be able to out and help manage the fisheries. This happens to be Desi Ortiz, it's a side by side we use for going out and patrolling and doing certain operations out there and also we have motor cross bikes that you'll see there. Those are just some of the examples that I'm asking my staff as they sit and work through a programs, what is it that they can get or put in place that will help them become more efficient and better at what they're doing. If you get better and more efficient at what you're doing, than you spend more time out in the field doing the things that you're most passionate about. Again, that's being moving towards wildlife conservation. Another priority for the agency now is Habitat Restoration. Again, going back, the Hammond Project is a perfect example of a great partnership and the importance of Habitat Restoration. We're uniquely poised right now in the agency where we have an abundance of Pitman-Robinson money that we currently can't match. The best thing for that I believe is to go out and do some large scale Habitat Restorations that I think the Hammond Project, The Luera Peak, all of those projects that are currently happening on the ground are perfect examples and great sparks to demean much larger Habitat Restoration across the state. We've engaged in conversations with the forest service, (indiscernible) and the state land office and other state

agencies and NGO's. We've just partnered with The Association of Conservation Districts and committed a little over 3.7 million dollars to going out and doing large scale Habitat Restorations and that's all due to our Pitman-Robinson money that's come in. So, we're really going to take a look at Habitat Restoration on a much larger scale than what we ever have before. I want to say larger scale, I'm talking 500,000 to 800,000 acre projects that may take 10 to 15 years to go complete but their necessary for us to move forward for wildlife management in the state. And lastly, I know this picture is a little bit busy but my focus is really on the employees for the department. We do, as I said earlier today, a tremendous amount of work every single day whether it's law enforcement or our biologists or the folks in our IT Division that help support the computer systems. The focus here is really insuring that the employees have the support that they need. We've been working on doing some compensation and pay equity, of reviews within the department, and then also focusing on providing some training and continuing education to them so that they can grow and get better. That of course only helps to meet our mission of wildlife conservation. So those are the top priorities for the department and if I may I'm just going to run through some of the accomplishments. This by no means is a comprehensive or exhausted list of what we have done over the last year but it certainly is some of the highlights. Again, our guys are out there on the ground every single day doing great things. As you all know, the Rio Grande Cutthroat Trout, the works that's been done over the last 15-20 years resulted in the fact that it was determined not to be necessary to list the trout. That's an amazing testament to the amount of work that's been done both by the department and our partners. Again, going back to partnerships. The Cronsheep, that is another amazing wildlife conservation story that New Mexico should be extraordinary proud of. Next week we will be going in and transporting sheep off the armand de deus and putting those over into Hatchet Mountains to help

booster that population out there. So we have populations of Big Horn Sheep across the State of New Mexico and that transplant next week is just a perfect example of the hard work that our folks have done, dedicated for years and years. The department, over the last few years has really taken the approach of doing science based work and as you all know, we just concluded a bear study and we're getting ready to do a cougar study so we can understand what's going on with the populations and that's a really big move for our department. We typically have not been able to do that in the past but under the leadership of Cal and Stuart in the Wildlife Management Division, they've taken on those new studies and I think that will provide invaluable information for the department and for you all, making decisions. I spoke already about Habitat Restoration Projects. We've got projects all over the State of New Mexico that are Habitat, folks are going out and putting in place. We've been specifically focusing on our wildlife management areas, which you are the title holders too. They've prioritized and we want to make our wildlife management areas those "Jewels", where we can tell people, "Hey, come and take a look at our property, this is how you need to be doing business." So we've kicked off that program. Our Conservation Education Program, there's actually two facets to that. We, Coleen and Kevin and our Information and Education Division have been working to develop a curriculum that's STEM approved. So that science, technology, electronics and ...

CHAIRMAN KIENZLE: Engineering.

DIRECTOR SANDOVAL: Engineering, I'm sorry. Excuse me. I apologize for not getting that correct. They've been working with the school districts locally to be able to get Conservation Education as a part of that STEM Program and they've been successful in that. Now we just need to move that into the schools. But also, as you all aware, we just purchased a ranch down South, the River Ranch, and we're getting ready to purchase the Double E Ranch and those will

all be used for Conservation Education as well. We're hoping that that can be the location in the State of New Mexico that we can bring the youth and any other interested groups to come learn about what it is that we do as a department, what other NGO's do, but really that is the kick off point for doing Conservation Education on the ground. It's one thing to talk about it in a classroom which I think is extraordinarily important but I think also enabling that opportunity to happen out on the ground is going to be hugely important and will gain so much for the department and for the folks that get out and get involved. And then lastly on the slide, we have initiated some project reviews, program reviews, excuse me, for Hunter Education, Share with Wildlife and the Game Program. You all talked about it at a couple of commission meetings recently, about Hunter Education. Jennifer, I met with her recently and we're really taking a look at how we do Hunter Education, what's working, what's not working. Jennifer is full of wonderful ideas and it's really neat to sit down and talk with her. She's got a tremendous amount of energy and I'm looking forward to working with her to renovate and improve our Hunter Education Program. Our Share with Wildlife Program, for all of you out there in the audience who may not know, the department actually accepts tax right-offs and donations to our Share with Wildlife Program and that's a program that supports our non-game research. So we're taking a look at how we manage that program so that we can be a little bit more concise and be able to accomplish a consolidated set of information versus what I call kind of a shotgun powder and where we do pick-up programs here and there. There will be more and we're going to focus on riparian areas because that's really a concern here for the State of New Mexico and how we can marry that up with the State Wildlife Grant Program. That will be something that we will be looking at as well. And then lastly, The GAIN Program. You all approved at the last commission meeting, the ability for the department to really go and take a look at that GAIN

Program and I think that's hugely important. It's something that we still have dialogue about with our public and our customers. So to be able to go out and do that, I thank you very much for that ability on that game and we will be able to make a program, hopefully create a program that will really entice people to go out into the outdoors. Other accomplishments within the department, you all may have driven up and down I-40 and I-25 and if you've see now we have a current program campaign called, "Make the Call". It's geared towards those folks who are during hunting season, if they see poaching activities that will lead them to our ODT line. You may have seen our aquatic invasive species banners that have been up on 550, "Don't Let the Aliens Invade". So we've really kicked up our marketing efforts within the department and our campaigns and that's due to the fact that (indiscernible) also is on board with the department. We've recognized that we need to really kick up and advertise who we are and what we do and that again, it's a partnership with everybody. We recently just kicked off and working with the BLM, Department of Land Management and the mobile app. That's the wave of the future, as much as I hate to see my kids plugged into Smart Phone, that's the reality of the world we live in. So we worked with Bureau of Land Management and uploaded, they basically did the construction of the app. Or whatever that correct IT term is, and we gave them all the data and worked with them. So now there's an app for folks that can go out and basically, they'll have their, the BLM Land status and the department (indiscernible) and they'll be able to know where they are when they're out there on the ground which is a huge I think for all hunters, it's something they've been asking for years. So that was a great partnership and we'll continue to improve that app. as we go along. As you all know, we've kicked off that Responsible Hunter Program. That's a program through our I & E Department where we're out hoping to fund those programs across the State of New Mexico who are teaching our youth's about shooting and



wildlife conservation. We fund that program through various organizations throughout the state, but it's something that's really been really wonderful to see because the youth are getting more and more involved and were helping to support both, the shooting and the wildlife conservation-education side of it. And then of course, our web-based sales system, we are fully online and so that's been, I think Rhonda can attest to it, I think maybe seven years in the making. The web that allows us to do the flexibility with that system is tremendously important. I think there are ways that we can always continue to improve The Online Sales Program and we will be coming to you next summer with some proposals on how we can make things better for the web-based sales system. It's such a huge step forward for the state of New Mexico to have such a mobile and flexible system. And then accomplishments focused primarily on our employees, we do have a decreasing vacancy rate. You know having a high vacancy rate causes just so many issues within the department, there's tons of pressure, people are doing two or three jobs, they're getting burnout, and we are slowly working to decrease that vacancy rate. For number of years it was over 20% and we're starting to see the decline in our vacancies. You know 17% is not great but it's better than where we were and we are continuing to work to advertise and hire folks. We've hired a few key positions, I've introduced those individuals to you, Dave Rohrbach, our ASD Chief, Chris Chadwick, in our Assistant Director position and we've got Andy Grey just went down into the Southeast Area Captain position, so we've been able and fortunate to hire some of those key positions with the agency. That's not to say that every position isn't key, but it's helpful when you have those folks in those positions that can help really make these programs move forward. We're in, knock on wood hopefully, in the stages of getting our compensation policy approved for the state personnel board. That's a huge step for the Department of Game and Fish. We've never had a compensation policy before and so as we try

to move forward in doing any type of pay equity or compensation plan, we are a little bit hamstrung because we didn't have a policy and it's been something that several of us within the department have been working on with the state personnel office. I was really hoping to tell you that it got approved this morning but I haven't heard back from them yet so I will continue to ask them for their approval. Also, in conjunction with that compensation policy, as you all approved with our budget, we have a pay package in front of both, the legislature and the governor for approval of approximately 2.2 million dollars. What that pay package includes is covering salary increase for our officers, a whole series of our wildlife biologist series within the department. Our IT series, we're actually working with the Department of Information and Technology and funded that study so that we could get that off the ground and have some pay equity for our IT staff. Then for all of those folks who are not paid equitably through, there's some technical terms here, the pay band in which they live and making sure that their being fairly compensated amongst their peers as well. So that pay package in combination with the compensation policy is really a great thing as we move forward. So I'm hoping to be able to tell you next couple of weeks that both of those are good to go. Recently, about two months ago, the department worked with the state personnel office to the asserting rate of officers. Now this is not for our recruits, but all officers were moved up to \$19.51 an hour. That's in parity with state police now and the issue there is that they were actively being recruited by Sheriff's Department, by state police and by city offices. So it's really great that we've been able to now become very competitive and that will fall in line with our compensation policy and pay package. I appreciate the work of the Officers Association, they really helped in getting that plan put together so that we could put it forth (indiscernible). Lastly, we are in the process of requesting a classification study. What that will do for us is enable our staff from the wildlife biology side we will be

asking for (indiscernible) to come in really take a look at all the work that our staff does, from the farmworker designation and hatchery workers all the way up to our assistant chiefs within our resource divisions. So quite a bit there on employees, that's been my focus here in the first six months in my ten year. But again, this lays out so many things. I had a much longer presentation but I could be here for hours and brag on my staff. They are a great crew of people that are absolutely dedicated to the resource and it's just really humbling to be able to work with them every day. So with that, I will stand with any questions or comments you might have.

CHAIRMAN KIENZLE: Any questions? Comments?

COMMISSIONER RAMOS: I might have one comment. I was so glad to see the BLM Mobile app and what you're doing with that. I would like to see if possible we can embed and I know it's more work, but if we could embed the ranch only versus unit wide. You know, maybe color code them in there as well. I know it changes every year as it goes but gosh if that could be in there I think the sportsmen will really appreciate that.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Ramos, absolutely, that's something we can take a look at. The flexibility of technology is quite amazing and so we need to take advantage of that. So, absolutely.

CHAIRMAN KIENZLE: Thank you. Well so far a job well done.

DIRECTOR SANDOVAL: Thank you.

CHAIRMAN KIENZLE: Any other comments? Questions? Okay. Agenda Item No. 9: Economic Impact of Fishing, Hunting and Trapping in New Mexico. Hey Dan, how often do we do a study like this?

DAN BROOKS: Mr. Chairman, Commissioners, in my experience, I don't know that we've ever done one since I've been employed with the agency. Did we do one when you were at Game and Fish?

COMMISSIONER: We did one about 1968.

CHAIRMAN KIENZLE: I think I was one. You're good to go. I interrupted you before you even started. I was curious.

DAN BROOKS: So obviously it's been quite a while. So I'm here today just to talk about the study that we did actually participate in. Now this information is based on 2013 data. So what we did was we contracted with an agency by the name of South Wick and I believe you have the economic reports there in front of you. We have not released that yet to the public but they will be obviously once the commission accepts the presentation. So during this economic study, we had a couple of goals in mind. We wanted to estimate not just the state-wide activity, but also at the county level because we believe that's important as we deal with county officials and we talk about both, the pros and cons of wildlife because they actually are a benefit to the counties. One of the other things we wanted to do is determine the contributions economically throughout the state for each activity in broad categories, hunting, fishing and trapping. Then we also wanted to break that down just a little bit by the selected species for big game anyways. We'll try to break that down so we can look at them individually as well. So that's the economic study, those were the parameters. Now the study itself is about 80 pages so there's a lot of information in there. So I am really just going to be hitting high points in this. I think some of the important things as we look at this, we have over 200,000 participants. They're spending over three million field days out there in New Mexico and they're spending over six hundred and thirteen million dollars

in pursuit of angling, hunting and trapping. So when you think about it, that's a pretty big economic slice that's coming here into New Mexico and by the way these findings are New Mexico related only. So they're not related to other states, their related in state only, these particular findings. Then some of the other stuff they looked out is the number of jobs. So the number of jobs is over seventy-nine hundred. Now these jobs include both full-time and part-time jobs and the waverer come generated is over two hundred and sixty seven million and then you have this gross domestic product that's being produced here which is over four hundred and fifty million. Then we also have tax revenues that are being generated, both at the federal level and at the state level as well because obviously people are getting paid and they have to pay taxes as well and so that's an important contribution as well. Now I'll just back-up a step, the methodology is basically the south wick surveyed over sixty-six thousand license buyers, remember this is for the 2013 license year and they got about 23% of the responses so they got over fifteen thousand responses back. The survey, which is the actual questions that were used in the survey and on the back of the actual study, there around page 70, 75 through 80, I'm guessing here a little bit. I don't want to have it in front of me, so the back of that if you want to know what the questions were being asked and how those responses took place, that's on the back in the appendix. So this was broken down, there's actually three categories economic analysts look at and it's direct contributions, indirect contributions and then induced contributions. So a lot of these, the direct contributions are those initial expense, the indirect is as money is being spent, then people are ordering, more auditing. So for example, if you went to your local sporting goods store and you bought some salmon eggs or you bought some hooks or bullets or whatever you buy, then as those come off the shelf then they have to add more inventory, so that's the indirect contribution. And then the induced contribution, that's the salary

and wages as I mentioned earlier about the seventy-nine hundred jobs. That's how the survey data is being used. Now I want to just go briefly and just hit a couple of the high points. As you look at anglers, what their average spending is around sixteen hundred dollars a year and that's per person as you look at that. And then of course, one of the things that the study did is it looked at the participation at the county level and then it also looked at spending at the county level as well. So let me just explain this slide just real quickly. So when you look at participation and you think of this state for example, we all think of one of those county's that has a lot of water, it's a mountainous county, there's a lot of streams and tributaries in the Rio Grande as well. Same with the San Juan, although not the Rio Grande, but you do have a lot of waterways there from the Navajo Dam but you also have the Animas, you have the San Juan and so when you look at that, that makes sense that you would have a lot of participation there from anglers. Now when you look at the spending though, the spending changes slightly and although people are spending a lot of money there in Rio Rave and San Juan, there actually preparing as they go so it makes sense that we would be in Bernalillo County that is, preparing to go and so they're going to be buying their fish, bait, hooks and various other things to go participate in that activity. Now, what became important to me as I reviewed this study was you could also see the lowest participation and the lowest spending locations. To me, as a manager with the Department of Game and Fish, those are something we should probably pay attention to because as you look at Hidalgo County and Luna County, there isn't hardly any angling opportunities there. So what that tells me is we can probably give partnering in those counties if we wanted to pick up that spending. We could probably also improve the fisheries resources there and there would be some economic benefit, but there would also be some wildlife benefit as well. The same with the spending, there's not much spending going on in Harding or Hidalgo

County compared to some of the other counties and so that just kind of jumps out at me and of course in between are all of the other 33 counties that are in between where the spending lies. In some there's a lot and some there's not as much. I didn't want to go through that individually, I know you've got a lot on the agenda. Just to look at the average spending for hunter, you've got about thirty-nine hundred dollars per year. I would note in the study you will find that nonresidents do pay more if I recall that's in the a little over five thousand mark and that makes sense as well because their licenses cost a little more. They often times have guides and outfitters and so they are going to spend a little more. Just real quickly, breaking down the county participation, Rio Arriba and Catron County are where some of the highest participation in hunting occurs. That totally makes sense to me, both are very rich in wildlife, especially game resources. And then of course, the highest spending locations are Bernalillo and Dona Ana, once again that's being prepared and getting ready to go. You're buying everything from your ice, your gas, and your bullets and getting all ready to go, so that totally makes sense to me. Once again, I put in the lowest county participation and the lowest spending; you see Harding and De Baca over there with the participation. Once again, that tells me that's a good opportunity. The department has a lot of programs already but we may want to utilize those programs and start picking up our effort in those counties. Open Gate comes to mind for example, we could probably utilize Open Gate a little more, start putting a little more effort over here and try to get a little more participation in some of those counties. So to me, this is an extremely valuable tool for us to look at where we may want to increase our efforts and we may also as well want to increase our game species, even small game species as well where we may want to start doing some activities and maybe establish maybe more quail hunting, more pheasant hunting or things like that. I'm just real quickly moving over to the trapper's average expenditures there, their

spending about two thousand dollars per year. Rio Arriba and San Juan seems to be the highest counties where they participate. Once again, there's a lot of fir bowls, a lot of mountainous country, and so that's going to be rich in those resources as well. And then some of the lowest county participation and I put four counties in this one simply because they all rated the same. I was trying to pick the top two and the low two but in this instance all four counties were rated the same when it came to trapper participation. Then of course you can see the spending there is low in Guadalupe and Mora County. So going back kind of to the overall economic study just real quickly, trapping contributes to over three million dollars, fishing is two hundred and sixty-seven million, and then I wanted to break this down because it was broken down in the study and although I haven't talked about it much, the small game hunting contributes over one million dollars while big game contributes over two hundred and forty-one million dollars to the state's economy. Just real quickly, the top two are deer and elk, obviously elk contributions bring in the most amount of money to the state. That totally makes sense to me, at least my experience on the ground, elk are highly sought after. People will pay more for them, especially with guides and outfitters and getting drawn for elk is a big deal here in New Mexico and people want to go and their willing to spend a little money. Obviously the contributions are over six hundred and thirteen million dollars. Now the one thing I would add, I didn't put this on here but there is a multiplying factor as well. When I talked to South Wicks, you have the multiplying factors, people go out there and spend money and you actually generate more money being spent as well. That wasn't part of the study but even more money. It's more like over eight hundred million when you multiply all the factors in total that's being spent here in New Mexico that's being generated. Just real quickly, just touching base on the jobs again, remember this is over seventy-nine hundred jobs, these include both full and part-time jobs and the trapping generates about



forty-five jobs, fishing over three thousand and then hunting over forty-seven hundred and then that's actually broken down further in the study. About thirteen hundred are related to small game and then about thirty-three hundred are related to big game. So that's really eighty-nine pages summarized over a couple of slides. And so I just wanted to give you all a brief summary so you would have it and with that I stand for any questions.

CHAIRMAN KIENZLE: I would just like to say I would like to see this go to our legislatures, so I'll visit with you on how to make that.

DIRECTOR SANDOVAL: Absolutely.

CHAIRMAN KIENZLE: But it needs to go to other folks too because it's fascinating information, it's great. Anyway, any questions?

VICE CHAIRMAN MONTOYA: Yea Dan, that study that was done back in the mid-sixties or so, one of the important things that it stated was that hunting and fishing and trapping in New Mexico was second only to agriculture and economic benefits. I was wondering, is that still the case? Do we have numbers on that still? That was a big selling point back then.

DAN BROOKS: Mr. Chairman, Mr. Vice Chairman, I did not actually compare that but we would be glad to do that and look at how we rate with agriculture activities, we absolutely could.

VICE CHAIRMAN MONTOYA: Okay, I think that would be good to know. This is amazing; it really brings out a point of just how important our resource of managing this is beneficial to the state and foundry of it. This is a long time coming and I'm glad to see it.

CHAIRMAN KIENZLE: My guess is some of this was possible because we do have email addresses now for most of our hunters, fishers.

DIRECTOR SANDOVAL: Mr. Chairman that is correct, that is how that survey got sent out is through the email.

CHAIRMAN KIENZLE: Excellent.

VICE CHAIRMAN MONTTOYA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

VICE CHAIRMAN MONTTOYA: I'd like to just make a comment and actually ask another question because I think this is a great study. I think it's a great indicator to get a lot of good information. What other studies and I think we did to take advantage of this type of survey, what other surveys do you have in mind for down the road?

DIRECTOR SANDOVAL: Mr. Chairman, I'll take that because I've been thinking a lot about that. We actually have the opportunity to take advantage of the (indiscernible) as the Chairman indicated, but looking at reaching out to all of our customers, what their expectations are of the department, where would they like to see us head, there's just a whole lot of different types of surveys that we can conduct as an agency. Particularly as issues arise, we can reach out and have the targeted email opportunity through survey, whether you do a very simple (indiscernible) poll or you actually have a formulated one like South Wick did for the department. The possibilities are endless but as a department, for us to be able to reach and ask very specific questions about management or even into our employees and doing what they call a 360° Survey. Yes, this is just the starting point of doing this type of survey work.

CHAIRMAN KIENZLE: Thank you Director Sandoval. Any other questions or comments?

This is great information. Make sure you disseminate it widely. Okay.

DIRECTOR SANDOVAL: I think we have one public comment.

CHAIRMAN KIENZLE: Oh, I'm sorry, Garrett? You're hidden behind my monitor so I can't quite see you and I'm also blinded by the lights.

GARRET: Good morning Mr. Chairman, Commissioners, Garret VeneKlaussen with the New Mexico Wildlife Federation. I just want to give you guys' kudos for doing this study. This is some of what we've been saying all along, especially in the legislative arena which is a really good point you made Chairman. This will be a very, very useful tool for us as we talk to legislators in this upcoming session. So thank you guys for doing this and I think it's going to be a really, really useful tool. Thank you.

CHAIRMAN KIENZLE: When will this go up on the website?

DIRECTOR SANDOVAL: Today.

CHAIRMAN KIENZLE: Today, alright. Great. Thank you. I think that's the only comment I've got. Agenda Item No. 10: Proposal to Amend The Commissions Open Meeting Procedures. Dan Brooks.

DAN BROOKS: Yes, thank you Mr. Chairman, Commissioners; you get me one more time. I'm just going to go to the open meeting draft real quick and just hit some of the highlights if I might. So with this draft, this is looking at our new proposal for the open meetings rule. The commission has a rule as you all are well aware of. It was adopted this year with some amendments. Now we've looked at that to improve that with the idea that every year at your first meeting, you will have to reaffirm or adopt a policy on open meetings. So this is a discussion item preparing for January. Although we're not asking for any action, what it will do

is it will kind of summarize what we think is the new minutes that need to be changed and I would also point out that the Assistant Attorney General, Mona Valicente has helped me with this so we've collaborated on this and we have her input as well. And so with that I felt there was a need to clarify a couple of definitions, department and department's public website because these are going to be used in the new, amended rule. One of the things that we looked at was how we advertise it. It appears to us that the majority of the information, people are getting their information about the commission meetings used from our website. They're looking for those announcements and so we felt it was prudent to one, follow the statute but to recognize that we're posting things on our public website and also on our Facebook and Twitter and so that's why we're referencing our public website and then our social media sites. As the statute requires, any newspapers, radio stations, wire services or television stations that have provided a written request, we will also provide them our notice as well. So that's probably the major and then that that we're looking at and of course then some of this is just editing the ten day notice and it has been ten days' notice at least ten days, but we just clarified that in the heading as well. Then we also have a three day notice that we've used before but however we want to clarify again that we're going to be using our public meeting websites and there's also a twenty-four hour notice for emergency meetings and so some of that's just actually cleaning up some of that language. Then moving down, once again, we're just clarifying where the agenda will be available because we post it on our website but they're not concluded from calling a director's office as well. Then the last of this is just some housekeeping things that the notices have changed about the agenda being provided and then the change notice in seventy-two hours. For some reason, we missed that on our last one and so we wanted to clean that up. That really is the nuts and bolts of what we're looking for in recommending that the commission consider and then

of course we value your input and want to make sure that we adhere to any of those changes you all might want. So this is just for discussion item and we'd obviously come back in January with any changes you all might have. So with that, I stand for any questions or comments that you might have.

CHAIRMAN KIENZLE: I don't have any today. Anybody have any questions or comments? When will we see this again?

DAN BROOKS: This will come back in January because we all are actually under the open meetings and have to make a decision on what your, either reaffirm or whatever you want to change on then for public notices for that 2015 cycle.

CHAIRMAN KIENZLE: Okay, thank you. Yes Sir?

COMMISSIONER SALOPEK: So this is changing it from the mandatory going out to all the newspapers having it posted to our website, which makes common sense.

DAN BROOKS: Yes, Mr. Chairman, Commissioner Salopek, that's right. Before it said we would be sending it out to major newspapers but now we're saying we're posting it on our website and we'll send it out to them if they request it, which is actually consistent with the open meetings act.

COMMISSIONER ARVAS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER ARVAS: Dan, how many request do we get on an average, for an average meeting from TV Stations and that type of thing?

DAN BROOKS: I don't know Mr. Chairman, Commissioner Arvas, I would look at Sandra DuCharme over there but I'm not sure we've gotten any requests in recent history.

DAN BROOKS: Mr. Chairman, members of the Commission, just for the record, there are a few typos on the rule that I missed so these will be corrected and taken care of before it's finalized for adoption.

CHAIRMAN KIENZLE: Okay. Joel?

JOEL: Thank you Mr. Chairman, Commissioners and Director Sandoval. It will obviously times change and people don't read newspapers like they used to, so this makes perfect sense to a web based and social media notification process but that still requires sportsmen to go to the site and I think that's, what Alexa talked about, the ability to reach out to every single customer you have with an email with the flick of a button. Then I would say, I would ask you include email notification to your entire customer base as part of this, the meeting notification process. So give them ten days' notice as well. It doesn't cost you anything and it doesn't require then to keep up with the Facebook page or the website or any of that stuff. I hear this all the time from people who call our office. These are just kind of run of the mill hunters and anglers and a lot of them don't even have email, certainly they don't have computers and their not checking the webpage but you will reach a lot more people in trying to get participation in these meetings if you email them. Thank you.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER ARVAS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER ARVAS: The Director just informed me that we're already doing that.

DIRECTOR SANDOVAL: Mr. Chairman and Commissioner Arvas, that is correct. When we have those opportunities we will send those out via our gov't delivery system. We have that ability and so, yes, absolutely.

CHAIRMAN KIENZLE: Any other questions or comments on this? This is just a discussion item, is Colonel Griego here?

DAN BROOKS: No, he's not here.

CHAIRMAN KIENZLE: Agenda Item No. 11: Revocations.

DAN BROOKS: Am I done?

CHAIRMAN KIENZLE: Yeah, I think you're done unless you want to hang around.

PROXY FOR ROBERT GRIEGO: Good morning Chairman, Commissioners, Director Sandoval. Colonel Griego is not able to be here today and also on your brief, Captain (inaudible) was also unable to be here. This morning the Agenda Item under License Revocation you have presented in your briefing a list of individuals who are up for revocation or suspension of their hunting, fishing and trapping license privileges. That list is a little bit longer than what the slides says here. The list originally had about one hundred and forty people on it; we're down to one hundred and twenty-three at this point because several of them have come back into compliance. This month the list only contains folks that are under the Parental Responsibility Act. So as of yesterday, there are one hundred and twenty-three people that are still on that list from Human Services and up for this month's vote by you folks. As you all are aware, commission is required to suspend their privileges for non-compliant obligors. It's under the Parental Responsibility

Act. The way that that works is that Human Services sends out a list every month for all state agencies and every agency border commission that issues any kind of a license is required to suspend those licenses until those people return to compliance. There were some questions raised by the commission at the last meeting concerning the numbers that we are actually doing and since I've just had to submit our annual report to Human Services, in summary, over the last twelve months we've average just over a hundred matches, that is our customers that are on that list from Human Services that end up being suspended each month. If you look at this month's numbers, they're not unusual at all. The numbers that you folks see at each meeting very a bit because sometimes there's one month between meetings and sometimes there's three months between meetings and those list come in every month from Human Services. So in addition to the fact that were averaging about a hundred people each month that were required to suspend because they're out of compliance. Last year in just twelve months we have reinstated a little more than five hundred people who returned to compliance and then sought to get there hunting, fishing license reinstated. That number is a little bit higher this year because with our web based license system, if they wanted to purchase or apply for any kind of a license, they were stopped at the beginning. In the past, if they were suspended or revoked and they purchased a license we would have to go out and find them afterwards and prosecute them. With our new land-based system they cannot purchase a license or apply for anything at the beginning and so what they receive is a notification on their account. If it is a revocation because of something that they can't do anything about or that they're not eligible for reinstatement, then they're simply blocked until the suspension or revocation expires or they return to compliance. If in the case of an obligor who is back in compliance but has not yet applied for reinstatement, and the fee that is a fee that they can take care of. They can pay it over the phone, they can pay it online or they can



pay it in person or by mail. As soon as they pay the fee, since they are back in compliance they get reinstated and they then are eligible to purchase or apply for license. Those numbers are like I said, a little bit higher this year, probably then we can expect in the future, because with our new system were actually picking up a lot of folks that have been back in compliance for several years but have never actually been legally reinstated. This is an Action Item, there is a motion vote required by the commission but until you're ready for that I will stand for any questions.

CHAIRMAN KIENZLE: Any questions, comments? Can I get a motion on this please?

COMMISSIONER SALOPEK: I move to accept the department recommendation in the Commission Rules 19.35.7 and 19.35.6 NMEC as presented.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion Unanimously Passed 7-0)

CHAIRMAN KIENZLE: Aye's have it.

DIRECTOR SANDOVAL: That's not the right Motion. It's the following Agenda Item.

CHAIRMAN KIENZLE: Let's back that one out and we'll start over again.

COMMISSIONER SALOPEK: Here to authorize that the department administer the suspensions on behalf of the Commission including the issuance and servants of a notice contemplated action to each individual listed that is out of compliance with the Parental Responsibility Act.

VICE CHAIRMAN MONTTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion Unanimously Passed 7-0)

CHAIRMAN KIENZLE: This time the Aye's have it. We're going to take a short break here and we're going to try and get the light adjusted and then we'll move on to the remainder of the Agenda Items.

CHAIRMAN KIENZLE: Santa Ana Pueblo. Commissioner Ramos is going to make a motion to move that Agenda Item up.

COMMISSIONER RAMOS: Mr. Chairman, I move to amend our Agenda by moving Item No. 16: Update on Pronghorn Antelope Reintroduction on the Santa Ana Pueblo to our next Item between 11 and 12.

CHAIRMAN KIENZLE: Can I get a second?

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

(Motion Unanimously Passed 7-0)

CHAIRMAN KIENZLE: The Aye's have it. Santa Ana Pueblo.

GLENN HARPER: Mr. Chairman, Commissioners, my name is Glenn Harper. I'm the Range and Wildlife Division Manager at the Pueblo Santa Ana Department of Natural resources. On behalf of the Pueblo Santa Ana Governor's Office I'd like to thank you for allowing the Pueblo to be here to give you an update on the Pueblo's progress with its restoration efforts with Pronghorn. As you know, or may know, the Pronghorn Antelope has significant traditional value to the Pueblo Community. It's been extirpated until recently from Pueblo lands for over forty years until recently. As a result of that animal being gone from Pueblo Lands and other animals, the Pueblo Tribal Council in its efforts to reinstate and repopulate their lands with traditional important wildlife species. The Tribal Council resolved unanimously to restore Pronghorn Antelope to their land and set up these restoration goals. The restorations goals are to restore and manage of antelope population, approximately 100 Pronghorn Antelope on the Pueblo. Also wanted to sustain important wildlife species for current and future Pueblo generations and probably the most important thing is to insure the future practice of an important traditional ceremonies on the Pueblo. So a little bit of background on this project, in 2007 after the Tribal Council resolved to reestablish a population, the Department of Natural Resources received a Grant through the United States Fish and Wildlife Service, another Tribal Wildlife Grants Program, to restore antelope. At that time, the Pueblo began initiating habitat improvements to kind of lay the table for these antelope to come home. In November of 2007, the Pueblo receiving unanimous support from New Mexico Game Commission to transfer sixty Pronghorn Antelope from the State of New Mexico to the Pueblo and by October of 2008, the transfer agreement had been completed for this to happen. In February of 2009, the Pueblo assisted the department in the trapping effort in Eastern New Mexico; twenty-seven antelope were captured and released on Santa Ana. In the following year in March, the Pueblo assisted

the department again in another trapping effort and twenty-three antelope were released, so a total of sixty Pronghorn Antelope were released over this time and there are approximately forty-five to fifty Pronghorn on Santa Ana today. Because we have three different groups of antelope, one is as small as five antelope but there using the habitat and it's in good shape. And what we're trying to do is create three different populations. At first we thought we were going to do two populations, but this third population emerged and the idea is to have three populations that number a hundred animals. So in August, 2013, we went to the commission meeting in Grants, New Mexico to request an additional forty antelope to bolster these populations and to bring in some new genetics. In August, the commission asked the Pueblo to come back the next month at the next commission meeting because at that time they weren't prepared to decide on if the transfer would occur. So in September, 2013, in Santa Fe the Pueblo presented the request to the commission and the request was approved but then eventually retracted because there were some concerns with the commission about human caused mortality on neighboring Pueblos and that was pretty much the main concern at that point. So the commission requested that Santa Ana showed demonstrated progress with adjacent Pueblos to protect released Pronghorn. Their protected on Santa Ana obviously under a wildlife code and through resolution, but there wasn't that same sort of protection afforded on the outside so the commission requested that Pueblo work with adjacent Pueblos. And then, the commission requested the Pueblo to come back after and give them an update before further consideration of transferring the antelope over to Santa Ana. So, to give you an update, that's part of our outreach effort, we sent five letters to neighboring Pueblos or letters to five neighboring Pueblos, Pueblos the Cochiti, San Felipe, Santa De Mingo and Sandia and we received responses from four of the Pueblos in support of the Pronghorn restoration effort. You should have a packet in front of you. The highlighted

sections are pretty much the pertinent sections. The Pronghorn would be protected by these Pueblos through their codes, resolutions or through traditional ways through the War Chief Offices. So four of the five Pueblos responded, the other Pueblo didn't and we haven't heard anything else but that. As far as litigation actions that we've taken in addition to the outreach effort with the neighboring communities to protect the released antelope, we know where they have gotten through in the past so the Pueblo will start about ten miles of woven wire fencing to control the dispersal to keep them from getting in trouble if they go elsewhere. We've also brushed up about a mile of fence in an area where we know they crossed, you know brushing it up basically, we took a lot of slash and piled it up along the fence to keep them from moving into areas where they might get in trouble. Pueblos also hired a conservation enforcement division manager to develop the enforcement division on the Pueblo and that division recently received a cops grant which requires the division to engage in community policing with other Pueblos so this is kind of this momentum thing if our enforcement division can engage other enforcement divisions on neighboring Pueblos to do wildlife conservation, this has a big impact that could potentially effect over five hundred thousand acres on the Southern Hamas Mountain mass. So, at this point I think that the Pueblo has demonstrated an effort to meet the commission's request and I hope you agree. Right now we are seeking approval from the New Mexico State Game Commission to enter an agreement with the Pueblo for the transfer of forty Pronghorn from the State of New Mexico to the Pueblo, Santa Ana. Were also seeking approval from the Game Commission to allow the New Mexico Department of Game and Fish to assist with planning and capture Pronghorn antelope in January, 2015, for the transfer to the Pueblo Santa Ana. We're not just asking for something with nothing in return, Pueblo will be able to provide funds for trapping supplies. We'll be able to provide funds for helicopter support for the trapping effort,

veterinary support costs and we will have staff out there too like we have in the past to help with this trapping effort. The state requires a lot of personnel to get this going and we would be able to transport the antelope from the trap site to the Pueblo. And then we're also sharing Pronghorn monitoring results with the department. To kind of give you an idea of how successful these translocations can be. Just to give you an idea of the financial contribution in the past of the last two trapping events, in 2009, close to seventeen thousand dollars was contributed through veterinary support, personnel and trapping supplies. And in 2010, that number was about eight thousand, for a total of about twenty-five thousand of the two trapping events. We envision being able to support some of the cost but now we have a grant with the Fish and Wildlife Service that's due to expire next September and that's why we're really focused on trying to get these antelope this year so we can use some of the funds and that grant to pay for some of the costs. I would really like the commission to consider the department and the State of New Mexico and their efforts to reintroduce Elk and Gould's Turkey and Desert Bighorn Sheep and how they've depended on other states or countries and the Pueblo Santa Ana really depending on the State of New Mexico to help make this project a success. I hope you will consider that in your decision. And with that, thanks for your support. If you have any questions I can address those.

CHAIRMAN KIENZLE: Any questions or comments Commissioner?

COMMISSIONER RAMOS: Mr. Harper, my question is, what are your goals and vision you know with this antelope and are you eventually going to be hunting them or whatnot? The reason why I am also asking that is New Mexico sportsmen want hunting opportunities and here we're going to be taking out of you know, our sportsmen and I know exchanges that have been taking place such as Arizona. You know we had a good exchange, we received some animals

from them, what is the New Mexico sportsman going to be getting from this and how are we going to be impacted? And again, what are the goals and vision that you have there?

GLENN HARPER: Well the goals and vision, ideally the populations would get to a point where the Pueblo could initiate draw hunts on the Pueblo. At this point there's enough demand within the Pueblo for Pronghorn hunting brand reports for traditional regalia. It doesn't mean that the Tribal Council couldn't decide to offer public hunts but at this point I know that it's going to be within the Pueblo. There's a financial, the sportsmen of New Mexico receive a financial offset when the trapping costs for those funds could be used to do other good work on public lands. There's also in addition to the sportsman we get many, not many curtails but basically off of Highway 550, where these antelope reside during the winter, particular we had a lot of people driving by them on 550 and stopping to take pictures of the antelope. My guess is it's probably the largest antelope group closest to Albuquerque to a large metropolitan area, so as far as wildlife view and opportunities, New Mexico citizens get that. Does that answer your question?

COMMISSIONER RAMOS: So basically, possibly, some public hunts for outside tribal members but not a guarantee?

GLENN HARPER: Yeah, it's not all in place right now. There actually isn't any hunting but if it ever gets to that point I think there would probably be enough demand within the Pueblo to meet their traditional needs.

CHAIRMAN KIENZLE: Currently, are there any other general public hunts on your ...

GLENN HARPER: There's no public hunts on Santa Ana.

CHAIRMAN KIENZLE: Okay, thank you.

COMMISSIONER: Glenn, and maybe the department can help me answer this because I know we've had some issues on private land and especially with sheep. Is there any kind of MOU in place to outline what Commissioner Ramos said, you know, the visions and the goals and where were going to end up as a department in partnership with the Pueblo? I personally would like to see that we all have something in black and white, where we all know where we stand. Where all know what you're going to participate in. What the department is going to do, not just tomorrow or in January or next year but five years, ten years out. Before I could consciously approve something, I would want that in place to where we knew what we were doing and where we were going to get to. I don't think it would be hard to create that, it's just a matter of everybody knowing what they expect and what the department and our sportsmen and this commission would expect in the future. I don't think it would be hard for, am I looking at you Cal and your shaking your head yes? That that's very beautiful, is that correct? Would that be something that you would object to Glenn?

GLENN HARPER: We don't have an MOU established with the department at this point. We did send a letter to the department recently requesting a meeting to talk about establishing a MOU or some sort of partnership. The department has assisted the Pueblo previously during turkey transplants and also obviously the precedent has been set for in 2009 and 2010 for antelope being moved over. Those occurred under the transfer agreement where in the transfer agreement it stated the department responsibilities and the Pueblo's responsibilities so it wasn't a kind of show and grab some antelope and leave. There was a document that was in place before the transfer took place. There's already a copy of that which I would imagine would be similar to rolling views for this transfer, it's just a manner of changing the dates and the money amount.



COMMISSIONER: But you would be opposed to creating the MOU between the Pueblo and the department for the long term? What's going to happen if, like you said, currently there are no plans or anything? The Council hasn't approved any hunting but they said that could be a possibility. Well I would like that outline in a MOU to say you know, we reach this goal then this would happen type thing.

GLENN HARPER: Commissioner, I think that I could take that back to the Governor's office and Tribal Council, I think they would be very willing to enter a MOU not just for antelope but for all wildlife and for all habitat. There are some other issues that I think we can address in the MOU as far as wildlife corridors and connectivity between the Hamas and the Sandia Mountains. So I don't think the Pueblo would be opposed to that at all.

COMMISSIONER: I guess my view again would be to encourage you to work with department staff, with Cal Baca or the Director and get that in place sooner than later and then bring it back to me. That would be my view; I'm not sure what the other Commissioners are looking at.

GLENN HARPER: Commissioner, you may hear me say that before any transplants would occur, that we need to have....

COMMISSIONER: I would like to have that in place again to where we all know where we're at.

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER MONTROYA: It pleases me a lot that we've come this far on that particular item. I was quite concerned when that came up the last time on what was happening to the antelope and I think you've come a long way and it's gratifying to hear that. I think you've

come a long way in putting Mr. Ridman on staff because he knows what both sides of the story are and I think we'll get a long ways but certainly the concerns to the two commissioners are mine also and I would appreciate that you look into that and I would be really in favor of going ahead with it if we can meet at least some of those goals.

COMMISSIONER MONTOYA: You know Glenn I was on that commission I believe if I remember right we just happened to have some extra antelope that year plus working with you. My understanding, I would hate to give you guys' false hope, it might never happen, I don't know. But my understanding, the way I'm looking at it, we have places, other places to go with these antelope. I would just hate to lead you on a trail that yeah, you get a MOU and they'll commit me, well you still can't get antelope right? I don't believe our state is in a position to give, to move antelope onto our New Mexico lands, we still are short. And you're seeing a big increase the Desert Bighorn, you're seeing sportsmen wildlife viewers, not even hunters that are appreciating where these animals are going and I don't think we have the antelope to do it right now anyway. That's just my personal opinion.

CHAIRMAN KIENZLE: I want to echo what Commissioner Montoya said, you've made a lot of progress since we last visited on this subject. I appreciate you reaching out to your neighbors and it looks like most of them are on board which is great. On the, is it San Felipe that was incommunicado or just ignore you?

GLENN HARPER: Yes, that's correct.

CHAIRMAN KIENZLE: Well, four out of five is not so bad. I think and our attorney pointed out, that in terms of a MOU, we can't really give you direction today, you know go out and start to craft a MOU without having a formal vote on that and I don't think this is up for a vote today,

it's a discussion item. So I guess we can encourage you to continue to visit with the Director and the department but as far as directing you to do that, that's just not something that's before us today. Sounds like the Commissioners are interested in that though so continue dialog on that time because it's a good idea I think. Director, when is this scheduled to come before us again? Do you know?

DIRECTOR SANDOVAL: Mr. Chairman, we do not have it in front of us for the January meeting but it is something that we could potentially get out there.

CHAIRMAN KIENZLE: So you did mention that you've got some funds that expire in September.

GLENN HARPER: Yes, Mr. Chairman, Commissioners, we just to give you a little bit more background, we we're hoping to be on board on the trap last year. After meeting with the department, the department had priorities where they wanted to move some antelope to augment a group that they were doing research on. Basically we said we won't try to push to go on next year's trap, we'll try to push to go on this year's trap. And because our Grant was running out last year in September and then we got it amended to September of 2015 and that's when it ends. That is the reason why it's critical that we get these antelope now because we have the funding to be able to help with the trapping costs. I understand the Commission's concerns about developing a MOU, I guess I'm just a little confused about why the Commission approved this last year and retracted it only based on the fact that there was human caused mortality on the other side of the fence and now where going through a different step. I think it's a little unfair to the Pueblo after they've taken the steps that the Commission requested, to come back and sit in front of the Commission again only to hear an additional item to be completed when I think

we've been accommodating, not trying to pursue the antelope last year and kind of sat back. It's a little concerning I guess. I understand the whole idea behind a MOU Commissioner Ramos or, can't remember where the question came from, I think it was Commissioner Ramos, and we have requested back in June to meet with the department and set up a meeting to meet with the Director and the staff to talk about ways that we can partner and things that Santa Ana can provide for the department. But that hasn't been responded to yet. I think the precedent has already been set to release antelope and obviously we have a herd of forty-five to fifty antelope on the reservation and it's a critical time because of funding and also because of where we're at with the antelope. If we want to get to our goal of a hundred antelope, to actually get forty antelope this year. I understand that there are limitations but state resources as far as antelope go, I haven't heard of any other trapping events that have been approved by the Commission for the department engaging, I know that they approved Arizona's antelope which they received last year and a couple other areas in Southeastern New Mexico. I thought we were the fourth so I thought we were sort of in the queue basically, if we did our homework. I know the department is planning on trapping up to like a hundred or a hundred and fifty antelope this year, I don't know if the Commission has approved where they're going to go yet. I'm assuming you guys have. And then also I just want to reiterate the Pueblos position here on how we are kind of where New Mexico was years ago with reintroduction of big game species to your lands. We're at the State's mercy, we can go outside the state and get antelope or we can go to another tribe outside of the state and get antelope. Obviously the cost goes up and the risk of bringing in things that you don't want to bring in and the stake goes up. It's in the best interest I think in the State of New Mexico and the Pueblo to work within the states boundary so were not bringing in animals from the outside into New Mexico. I think it's important for you to understand that the

Pueblos in the position where New Mexico was sixty, seventy years ago. I understand the sportsmen's concern and perhaps we can go to the sportsmen's groups and get their support on this. We've already seen support from different sportsmen's groups, of the con comments that were made at previous presentations to the Commission. And then also, I just want to reiterate the financial contribution that offsets some costs that's incurred by the department in the state before you make your consideration on this.

CHAIRMAN KIENZLE: What time of year do we do the traps usually?

CAL BACA: I just like to hear myself on the microphone.

CAL BACA: January 12th, this year, is when we are going to be trapping for the current trap schedule. Normally, we try to trap within that January/February time frame. Those that happened in March were due to different glitches in weather and timing of activities. But normally when we try to trap antelope, we try to do it during the winter months when the animals are less likely to get heat mortalities and other impacts due to high temperature trapping situations. So normally we trap in the winter.

CHAIRMAN KIENZLE: OK. Thank you.

COMMISSIONER ARVAS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: I just have one question. How did you come up with the number of 40?

CAL BACA: Commissioner Arvas, in the literature basically it says that for re-introduction efforts a minimum of 100 animals should probably be released for success. It is kind of, you

know, when you're bolstering populations that already have antelope in it, you don't have to put that many in but minimally on successful re-introduction efforts, it is 100 animals. So basically, we are looking, we have released 60 and obviously not all 60 survived. We had some capture myopathy, we had some dispersal. But ideally, I mean, that's where that 100 comes from. It's 100 basically. So . .

COMMISSIONER ARVAS: So that was the second part of my question. How many, have you kept real accurate records on the ones that are already there? (Inaudible word) mortality rates, and that type of thing.

CAL BACA: We have been monitoring the antelope through GPS collars, transmitters.

COMMISSIONER ARVAS: So how many are left now?

CAL BACA: Well, we haven't done our winter count. But we are thinking 45 to 50 right now in Santa Ana Pueblo. There are some that are off the Pueblo but on Pueblo lands, 45 to 50.

COMMISSIONER ARVAS: OK. Thank you very much.

CAL BACA: And I think that that speaks to the success of this, I mean we are just halfway to our goal and that's the importance of putting an additional group of animals out there. And I feel pretty strongly that this would be the last time that the Pueblo would request antelope. I think they'd be on their way after that.

CHAIRMAN KIENZLE: Any further questions or comments? We've got some public comment. Is it Alan Hatch? Mr. Hatch?

ALAN HATCH: Thank you, Commissioners. My name is Alan Hatch. I am the Director of the Department of Natural Resources for the Pueblo Santa Ana. I think in the 16 years I've worked

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for the Pueblo, the Pueblo showed an extraordinary commitment to protecting its natural resources and re-introducing animal species to that portion of New Mexico. We've seen our restoration efforts have been copied by neighboring Pueblos and other local agencies and likewise the animals we have re-introduced have moved off the Pueblo onto either neighboring Pueblos or neighboring public lands and I think Santa Ana is a catalyst for change in that section of New Mexico. And as we do projects like this we see other Pueblos and other local agencies wanting to follow along. So I think, you know, an introduction like this is real important not just to the Pueblo but the entire region. That's all I wanted to say. Thank you.

CHAIRMAN KIENZLE: Thank you. Mr. Garcia? (phonetic)

GUEST SPEAKER: Good morning. Good morning, Commissioner. I am (indiscernible) Garcia (phonetic) from Santa Ana Pueblo as well as one of the religious leaders. And as far as religion in our culture goes you know, we have been working really hard with our Department of Natural Resources to establish a wildlife code not just for antelope but as well as elk and deer and turkey. And Santa Ana is a catalyst for other Pueblos to come. We are trying to establish a wildlife corridor. There's importance, religious-wise, as far as (indiscernible) goes, every bone, every hoof, as well as the horns are used in some of our winter herd dances. Santa Ana, I think, is one of the forerunners and maybe the only Pueblo that has established a wildlife code. We are trying to get at least 100 antelope as far as the herd goes. And, like Alan has said, some of the herd has meandered off of our tribal lands and not only does Santa Ana benefit, I mean there have been antelope that have wandered off into BLM lands as well, as well as other Pueblos that are in support of Santa Ana as well. There's this concept of creating a bigger wildlife corridor. As far as our (indiscernible) goes, there was a question of one of the gentleman there on the Commission, with Santa Ana it's not all about sport. It goes back to what my father has seen on

the range lands since he was a child growing up and like I said for (indiscernible) and respect for the animal. I would like to work with State Game and Fish on an MOU. I mean recently, in the paper as well as on the media, there was the re-introduction of I think 45 head of bighorn sheep above Cochiti (phonetic) Pueblo which is on forest lands. I mean talk about an MOU, Santa Ana is willing to work an MOU to have this sheep that was re-introduced to expand, to repopulate the area. There's other Pueblos there that don't have anything in place and yet this re-introduction of bighorn sheep has happened. But Santa Ana is willing to work with the Game Commission and we have to look at it broader there. (Indiscernible) of things, we want these things to happen though, and things to go in the present positive direction. As a religious leader here, this is what I have to say and we would like to continue working with the State Game and Fish on good terms. Thank you.

MALE SPEAKER: Thank you.

MALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Mr. Lujan (phonetic)

GUEST SPEAKER: Good morning. Mr. Chairman and members of the Commission. My name is C.J. Luha (phonetic). I am a tribal member with the Pueblo Santa Ana, and also (indiscernible) Advisory Committee to the Governor, and our former governor as well. I would like to speak on behalf of, as far as culture and ethics. I finally had the privilege of just recently going on a hunt. And this is coming from a 14 year old who basically went on his first bow hunt for elk. And as a mentor I had to be along with him. So I have experienced first-hand from a child's point of view what it takes to be out there to go hunting. And this as a sportsman, but as a cultural, religious aspect. And he was not successful on the elk hunt. However, he took into



view as far as what it took to be out there to be after game ethically and sportsman-like, not just going on road hunts, not just going out there and a lot of the times sportsmen just advocated just going out and drinking beer and elk hunting and doing all those crazy things, you know. But as far as even ethically going out, (indiscernible) what you take and packing it back out. I let him know, you know, you're going to go on this long hike and unfortunately, me as an old man, I just turned 61, I'm not able to hoof it just like you but, you know what, I am going to give it my best effort. But you know what, we are going to take into account all the ethics of proper hunting. Well, at the end of the hunt, he says, "Dad" (you know, he calls me Dad), and he says, "You know, we're not taking home any meat." I said, "Yeah, I realize that, but you know with all the things that we've learned along the way," I said, "what else are you going to take home?" He thought for a minute and he says, "Well, you know I learned what it takes to be out there and have to use all your natural instincts in order to get up close to the elk." And how close did we get to one, 24 yards exactly, just didn't get the opportunity to fling that arrow. But he was right there behind that pine tree but I couldn't get (indiscernible) either, exactly, just because you wanted to. Yeah, but you know, now I go back to the re-introduction of the antelope. Well, because of the hunt codes just recently, he was actually able to, and the only individual, as a child, to also get the Pueblo's hunt that is allowable this time of year, and he got the cow elk permit tag. And so we both went out and again we didn't go out all of the days because he is still in school (indiscernible) and I told him, we are not going to give up, and I am not going to give up. Right after school, our bags are packed, we're in the truck and we're going out. Well, on the very last day, at the very last minute because our hunt ends at sundown, well we are headed back to the truck and says, "Well, we will go ahead and hike back to the truck, we've got a little bit of time and we will check out this one little stump pond, and hopefully maybe something is coming

in for a final drink before the end of the day.” Well, lo and behold, on our way back to the vehicle, here comes an elk. And it just happened to be a cow elk that he had a tag for and he took it down, 150 yards. And he was the most happy guy there. And tracking back, just last week he submitted his survey for the hunt itself. I said, “Did you turn it back in?” And he said yes. “So what interest did you put on there?” He said, “I thanked Santa Ana Pueblo for allowing me the opportunity to go out and hunt on my own tribal land and even though I was not successful on the state side, I was successful on the Pueblo side. But we have a code and we followed it.” Yes, we did. So that’s what it takes to be an ethical hunter. I said, “So what are we going to do now?” “Well, we’re going to have a feast for everybody.” Exactly. Which we ended up doing just this past weekend, you know. And that, by religious cultural (indiscernible) would do that. We honor the animal in its death. We (indiscernible) it, we don’t spoil it, we don’t waste it. No, we don’t. We fed members of our extended family. And not only that, now we utilized what we’ve taken. Now if it was say something that we are able to use in our cultural activities, then fine, we would, like in the case of the antelope or the deer and of course now at the end of the month, here on the 27th to the 30th, he is going to go for a mule deer hunt down south to Unit 13. And so he is all up and geared and ready for that because he knows that if he is successful those items are usable for our cultural activities but (indiscernible) as far as what we are asking here for help and assistance for the re-introduction of antelope, this coming from a 14 year old and he is only going to spread the news to his buddies in school and everybody else that he comes in contact with as far as what he had to do to be able to be successful and I think on the tribal side, to have antelope re-introduced and given the privilege to go hunting and hopefully the mindset of the Pueblo as well as everybody else will justify to ethical hunting. But I know one of the things you were asked as far as, Commissioner, on the (indiscernible) here about what we

give back. I know for a fact as a former governor of Santa Ana Pueblo Agency, they have utilized the model of the Santa Ana and what it has as far as the code and its regulations and (indiscernible) funding (indiscernible) range of wildlife, they have been successful and they would be able to get a higher funding but this does not really go to the Pueblo. Santa Ana as the agency for the (indiscernible) Pueblos is diversified as far as the need for (indiscernible) game but for range improvement and range assistance for people like the cattle owners and such. So I just wanted to say that Santa Ana Pueblo is being utilized as a model and a catalyst for other sister tribes and hopefully others will go ahead and come in to follow our path and get in on the bandwagon. Thank you very much.

CHAIRMAN KIENZLE: Thank you Mr. Luja (phonetic). I appreciate your comments. Any further questions or comments from the Commissioners? This is a discussion item, so thank you. The way forward on this is to contact the Director again, and if you contact anybody in the Department, feel free to copy me in those emails. I am interested in the issue, so.

MALE SPEAKER: Mr. Chairman, I was understanding this was going to go into a vote. This was according to the (indiscernible, multiple speakers).

CHAIRMAN KIENZLE: This is a discussion item, I believe, not an action item today.

MALE SPEAKER: Thank you, Commissioner.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 12, Final Proposal Regarding Importation and Authorized Uses of Live Wildlife Permitting.**

DONALD JARAMILLO: Good morning Mr. Chairman, Commissioners. My name is Donald Jaramillo. I am here to present to you the final proposal for importation and authorized uses of

live wildlife permitting. This was presented to you as a discussion item I believe at the August meeting in Santa Fe. This is a collaboration of what we learned there and what we hoped to move forward to. A little bit of history on this. Under Statute 17.33.2 which is the importation of nondomestic animals into New Mexico obviously need to be permitted prior to coming into New Mexico. Kind of the rule that kind of follows that is the rule slated to go under NMAC rule 19.35.7 which prescribes the process for applying for these applications for wildlife that is imported into New Mexico. Some other statutes that are kind of that are important are 17.24.2 and 17.32.9 which allows for permits to be granted for rehabilitation purposes, possession, propagation for those animals that are imported and held in captivity, and much like the previous slide, the regulation 19.35.6 kind of prescribes that application process for the possession and propagation of those animals. So the proposed amendments to these rules requires the Commission to approve any applications for the importation or use of carnivores on private lands for the purpose of recovery and re-introduction and condition of establishment or re-establishment in New Mexico prior to (indiscernible). So basically through the process of something being imported, held in captivity, or released, a permit would have to be applied for and that under the pending proposals (indiscernible) in open meetings like here in the Commission meetings where that can be vetted on a public vote. (indiscernible) I'm not going to get into it. But what we are looking at, is we are going to see this, the underlined portions are what is going to be added to the amendments. This will be added into about three different places like we talked about before, being actually the importation part of it, of the permit, and the being held captive part of the permit, and also the release part. Again, (indiscernible) So you will see this in other slides, the members, again the State Game Commission must review any permit application for importation of any carnivore that will be held, possessed, or released on

private property for the purpose of recovery, re-introduction, conditioning, establishment, or re-establishing in New Mexico. The Director shall only issue Department (indiscernible) Commission direction following the review of applications submitted under this section of the rule. In the next three slides, you are going to see that that same exact amendment to other parts. Right now we are looking at the importation part of the regulation under 35.78, under 35.7 as far as for the captivity, (indiscernible) captivity in New Mexico is much of the same so the amendment to (indiscernible) to that particular rule, and you will see the exact same verbiage as I just read to you on the previous slide. Under the Rule 35.6, which is the captivity with permits, scientific purposes, here we are going to actually describe, excuse me, define carnivore as any animal that (indiscernible) under that same part of the rule of the permit issuance. Again you are going to see much of the same language that I have read to you before. So this is in the actual of the section. Under the Wildlife Conservation Act, which is the statutes that are listed (indiscernible) the Director is to provide reasonable opportunity for individuals to participate and express their views and points about any social or economic impacts that may result from that recovery. The statute requires that. The Game Commissions around the state are one part of that avenue for the Director to provide almost a vetting place for these conversations to occur for this public input to happen. Obviously all items on the agenda have to be posted prior to comment, (indiscernible) of the open meetings act, that's what we are required to do. Public is allowed to comment on each agenda item during the meeting or can send in requests to us which will be received on this particular agenda item through emails or voice, et cetera. Consideration of these applications by the Commission will provide an opportunity for the public to comment at part of an open meeting. Of course, these proposals were first posted on the Department website prior to August, referring back to the original and this resulted in discussion item. Some of the

public involvement, we've had one written comment concerned that feral the cats issue might be affected again by statute. I understand that this is a requirement just for non-domesticated, so the rule would not take part in feral cat programs. We've had one written comment (indiscernible) private property rights since this is particular to private party only. We've had one written comment concerned that the adopting of this proposal would jeopardize the Department's eligibility for Section 6 USA grants for endangered species recovery. We've had one written comment from Wildlife Chair from the New Mexico Chapter of the Sierra Club in opposition. And then we have almost, as of 4:30 yesterday, 366 comments, duplicated, written comments have been received from the members of the Rio Grande Chapter of the Sierra Club who are in opposition to these proposals. Several constitutes were obviously present at the August meeting that discussed their concerns at the August meeting in relation to the amendments to these regulations and the subject matter. And myself and (indiscernible) will stand for any questions.

CHAIRMAN KIENZLE: Commissioners, any questions?

MALE SPEAKER: I've got a question.

(inaudible)

MALE SPEAKER: Donald (phonetic), and I don't know, maybe at that August meeting, there were a couple ladies that stated if we voted in favor of this, this would put the Federal money we get in jeopardy. And I talked to (indiscernible) about it. Anyway, can you answer that question?

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner. Absolutely. This action is actually, does not impact the ability of the Department to receive the Section 6 funding under the ESA. All we're doing by these amendments is adding another opportunity for public to input on the

Final Copy

process of the importation permit. So it does not automatically cause the Department to lose Section 6, nor does it jeopardize that ability in the future.

MALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Commissioner Ramos?

COMMISSIONER RAMOS: Chairman Kienzle, Commissioners, Donald (phonetic). I do want to actually commend the Commission for one thing, is that we are working really hard for public input and we're really working hard for transparency on all issues. I really respect the way we have done the big game rulings and really seeking out public input. And I know just through email alone, I've received a lot of the comments, both Plus and Delta's and I respect and I welcome all this input with email. And with that, I think that what we're, what is right here in front of us today, is that the transparency of the items, the permits, you know on private, broader scientific views, or whatnot, is really important. And I think the nice thing about it is that when it is presented to us we are going to be able to, you know, look at the Plus/Deltas of the issue versus possibly, and I know we have a great Director right now, but possibly down the road we may have a Director that might want to have a closed meeting and make some decisions based on, you know, whatever. But to me getting the public input and getting everybody involved to really see not only the private sector but also how's it going to impact the surrounding areas where this is going to be taking place is really crucial. But again, I would think that all the comments that did come in, this is, what a great opportunity to really voice your opinion on that and to really see the pros and cons on that. So I really think this is a good thing that's coming. And thank you for presenting that today.

MALE SPEAKER: Director, does this affect any existing permits or applications?

DIRECTOR SANDOVAL: No it does not. This rule, if you all pass it today, will be from this point forwards. So any current importation permit that we have in place will not be impacted by this.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Donald or Alexa, maybe you can answer this. There has been an issue raised regarding private property rights. This doesn't affect it a because all it's doing, as Commissioner Ramos stated, is giving the public an opportunity, and giving this Commission, an opportunity to review and approve. So it wouldn't affect private property rights at all. Is that correct?

DIRECTOR SANDOVAL: Chairman, Commissioner Espinoza, that is correct. What, again, what you have laid out in front of you is the ability to approve or deny that permit. Nothing impacting private property rights.

COMMISSIONER ESPINOZA: Thank you.

CHAIRMAN KIENZLE: We have a number of public comments here. Garrett VaneKlausen. And given the number of comments, we will hold strictly to the time limit, so when you hear the beeping don't be surprised if I interrupt you.

GARRETT VENEKLAUSEN: Mr. Chairman, members of the Commission, Garrett VeneKlausen from the New Mexico Wildlife Federation. First of all, we were glad to see that the initial proposal was reigned in. But we also feel that the regulation amendment as written still seems unnecessary. The proposal unveiled in August called for the Commission to approve



any application for the possession or use of any predatory animal for the purpose of recovery, re-introduction, conditioning, establishment or re-establishment in New Mexico. That changed to “review any permit application for the possession or use of any carnivore held, possessed, or released on private property.” The original proposal seemed destined for a court battle which we were glad to see averted. The new version does not, but it still seems to tie the Director’s hands unnecessarily. The Commission should provide policy direction but not get involved in the permitting process. And I think a solution, maybe a possible solution, if you want the public to weigh in on the permitting process or issuing of permits for carnivores on private land, maybe the thing to do is require the Director to notify the public and hold hearings on that particular issuance. And again, we just want to see the Director have the ability to do her job without having her hands tied. Thank you very much.

CHAIRMAN KIENZLE: Mike Phillips (phonetic). Did you come all the way down from Bowsman (phonetic) for this?

GUEST SPEAKER: Yes, sir.

CHAIRMAN KIENZLE: All right. Cold up there?

GUEST SPEAKER: It’s cold up there, warmer here.

MALE SPEAKER: Warmer?

FEMALE SPEAKER: Still not warm enough.

GUEST SPEAKER: Mr. Chairman, Commissioners, thank you for the opportunity to share some thoughts. As I looked at this, it really touches on the more than just securing public comment because you as Commissioners get the opportunity to provide direction to the Director.

The language is in accordance with Commission direction which suggests that you provide an approval. So there is more involved here than just securing public comments. Moreover, it does touch on private property rights. Some individuals who had hoped to manage a landscape that would support native carnivores like black footed ferrets. But they hold that desire in high regard. And if that desire was denied, that could be construed by that individual as a taking of a right to enjoy his or her property as he or she saw fit. So there is really a lot at play here. I have had the good fortune to be involved in this kind of work for quite some time. As I look at these three potential amendments, that which is being proposed for 19.35.6.9 seems unnecessary. In contrast, what we're proposing or considering for 19.35.7.8 and 19.35.7.19 seems to be under (indiscernible) authority because they speak directly to releases of carnivores. That can be a mighty big deal for the public. I certainly understand that. I would ask that the Commission recognize that not all carnivores are created equal. We all know that gray wolves cause a great deal of angst amongst folks. In contrast, black footed ferrets are pretty easy to live with. They don't cause the same set of problems. I certainly would hope that you would consider that as you go forward. I do appreciate the opportunity to provide comments. We have had a great relationship with this state for many years, working not only on carnivores but other species and look forward to that relationship continuing. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Appreciate you coming down. Bob McPherson (phonetic).

GUEST SPEAKER: Thank you, Commissioner. My name is Bob McPherson (phonetic), and I live in Santa Fe. I have been working promoting and advocating for the Mexican gray wolf program and my comment is going to be short. I would not like to see the permitting process in any way inhibit that re-introduction program. Thank you.

CHAIRMAN KIENZLE: Thank you, sir. Evelyn (indiscernible).

GUEST SPEAKER: Commissioners, I appreciate having the opportunity to speak to you today and I've got a couple of questions, and they are not rhetorical because when I came in August there was no dialogue. So if you feel like responding to my couple of questions I'd appreciate it. Do you think that native wildlife should be protected in New Mexico and if so do you put as much value on the lives of non-game wildlife as you do on animals labeled as game? If your answer is "yes", then isn't it important to utilize all tools available for the protection and recovery of native wildlife, including cooperating with private property owners. And my personal comment is please don't add another layer of regulation to the wolf recovery program, and do reject this proposal. Thank you.

CHAIRMAN KIENZLE: Thank you. Nancy Savage.

GUEST SPEAKER: Good morning. I guess it's still morning. Good morning, Commissioners, Director. You did a great job in your presentation, I've got to tell you. I was impressed. Regarding the proposal, I'm a little puzzled about the purpose of this proposal, both stated and otherwise. Why would you single out mammalian carnivores only? Why would you single out private lands only? If transparency is the true goal and my understanding from something Mr. (indiscernible) wrote, that that is the goal, then the proposal would cover all animals for all lands. It seems somewhat inconsistent to me. Additionally, in the time of austere government finances, why would a state agency implement additional and unnecessary regulations that are clearly superseded by Federal regulations? As has already been stated, it is an additional layer of unnecessary regulation and at this time I think it is inappropriate. Private land owners such as Wildlife West and animal rescue organizations would be required to jump through additional

government hoops. I would ask the Commission, just like the lady before me, a question and I would like the answer and I'd like the opportunity, and I know I am able to contact you all. Where did this proposal come from, what was the genesis? It seems somewhat politically motivated. It's aimed, and it could be arguably, primarily aimed at wolf re-introduction. If approved the denying of permits could possibly provoke expensive litigation paid for by sportsmen's license dollars. I would just like to suggest to the commission that the paradigm of predator regulation interest and support and in particular the Mexican gray wolf has changed. Our desert wolves have a constituency that consists of the majority of New Mexicans according to a 2008 poll and I'm sure you have heard it quoted before. This constituency wants our New Mexico Game Commission to support and actively assist rather than add additional bureaucratic hindrances to the conservation and full recovery of desert wolves before it's too late. They are almost extinct. Gone are the days when the consistency of the Games . . .

CHAIRMAN KIENZLE: Ms. Savage . . .

GUEST SPEAKER: Commissions consists of ranchers, hunters, and hunting . . .

CHAIRMAN KIENZLE: I'm sorry . . .

GUEST SPEAKER: Officials only . . .

CHAIRMAN KIENZLE: Ms. Savage . . .

GUEST SPEAKER: Some of the consistency . . .

CHAIRMAN KIENZLE: Ms. Savage, I am going to have to interrupt you. Your time is up. Thank you.

GUEST SPEAKER: Thank you for the opportunity to speak. I'll submit my comments . . .

CHAIRMAN KIENZLE: If you have any other comments please submit them.

GUEST SPEAKER: Where do I submit them?

CHAIRMAN KIENZLE: You can always either email them to us or mail them to the Director and they will get to us. Thank you. Rita Gentry (phonetic).

GUEST SPEAKER: Good morning, Commissioners. Thank you very much for this opportunity to speak to you. And thank you, too, for your work on behalf of New Mexican wildlife. I enjoyed hearing your discussion about the pronghorn. I support a vigorous Mexican wolf recovery program in New Mexico. In that regard, I ask that you not set up Commission review as a possible intermediary step in the regulation of private facilities for carnivore recovery. As you know, we need to foster genetic diversity in our wolf population and private facilities give us the necessary space for wolf breeding. We need this introduction process to on vigorously and in a timely manner without the potential derailment of any planned actions. Letting it go forward would be cost effective as well as important for the program's success which many of us are relying on you to help along. Thank you very much for everything you do.

CHAIRMAN KIENZLE: Thank you for your comments. Tom Gorman (phonetic).

GUEST SPEAKER: Good morning, Commissioners. I am Tom Gorman (phonetic). I represent the Rio Grande Chapter from the Sierra Club. And, as you've seen on some of your slides this morning, the Rio Grande Chapter is very much in opposition to this proposal. Many of the reasons have been stated by previous speakers but I'd like to cover a few of them myself. One, there is a history that goes back to 2010 when this Commission pulled out of the wolf recovery program and that was a decision made as the new administration came on board. I think it was obvious to everyone at that time that the State was really not on board to support the wolf

recovery program. Now this proposal will put you in the position that we feel you should not be in. We feel that you do not have the authority to take on the responsibility to make decisions regarding whether wolves can be introduced or not be introduced into the landscape. We believe that the U. S. Fish and Wildlife Service, under the Endangered Species Act, has the authority and the jurisdiction to manage these recovery programs that are listed in the act. We feel like the intervention of the Commission in this proposal application should be denied, that there is no place for it to become part of your activities to probably interfere on a political level in something that should be based on science and biology. So we therefore strongly oppose the passage of this particular proposal. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Katherine Eagleson (phonetic).

GUEST SPEAKER: Director, Mr. Chairman, and Commissioners, I am Katherine Eagleson (phonetic) I'm the Director of New Mexico Wildlife Center. First of all, I would like to say that the New Mexico Wildlife Center has enjoyed 28 years of very close collaboration with the Department of Game and Fish. And I say in my six years as tenure with the New Mexico Wildlife Center, I have seen, especially in the last year, tremendous progress in both their licensing and permitting for rehabilitation and wildlife care. We have had multiple visits from the Department to make sure that our facilities are up to speed, up to standard. We enjoy an almost daily communication with permitting for releases of all types of wildlife. We are permitted to care and treat and release every species in New Mexico including endangered species. I think the Department, with their new abilities through websites and Facebook pages to get information from the public, has demonstrated that they are quite capable of getting input from the public in a timely way. That was very well demonstrated this morning. I think your

proposal here to add a layer on top of what the Department is already capable of doing is unnecessary, time consuming, and will hamper re-introduction. Thank you.

CHAIRMAN KIENZLE: Thank you. Judy Culman (phonetic).

GUEST SPEAKER: Thank you, Commissioners. My name is Judy Culman (phonetic) and I am a staff attorney at the New Mexico Wilderness Alliance. My comments are going to echo some of what's been said before, too, but I am going to read them anyway. We are a statewide nonprofit organization dedicated to the protection, restoration, and continued enjoyment of New Mexico's wild lands and wilderness areas. We are also concerned with the restoration of Mexican wolves within the state, and we have thousands of members across New Mexico.

While this proposed amendment is admittedly narrower than the one that was proposed several months ago, treating carnivores differently than other wildlife still seems to us to be an attempt to obstruct future recovery of Mexican wolves in New Mexico, a project which is mandated by the Endangered Species Act. Not only would this amendment hamper valid Federal Programs, something which could have both legal and economic implications for this state, it is also outside the scope of both the letter and the spirit of New Mexico's own law by which the Commission is bound, the New Mexico Wildlife Conservation Act which states that endangered species, quote, should be maintained and to the extent possible enhance their numbers. It also emphatically states that the recovery of listed species is a benefit to all of society. The Mexican gray wolf is listed as endangered in the New Mexico act. The decision to list that species was based on scientific evidence of their decline and of their critical importance to a functioning ecosystem. Its recovery is strongly supported by a majority of New Mexicans and private facilities are essential to this species' survival and recovery. Making it more difficult to recover Mexican wolves in the state is not in accordance with the Department's obligations to, quote,

conserve New Mexico's wildlife for future generations. The Commission should be looking instead for ways to help Mexican wolves make a full recovery and be removed from the list of endangered species instead of putting up roadblocks that may jeopardize their existence. Thank you.

CHAIRMAN KIENZLE: Thank you. Mark Jones.

GUEST SPEAKER: Mr. Chairman and Commissioners, thank you for the opportunity to comment here. I truly applaud your desire for widespread public involvement and public comment and transparency on these issues. However, if there is a problem with the permitting process not allowing adequate public input, that should be dealt with directly and not just from this very narrow area of permits but for all permits. For high profile permit issues it would be possible, I would think, to have the Department present for public comment at Commission meetings as necessary. None of this, however, requires the Commission to be involved in the granting of the permits. That is not a part of the public comment process or transparency. It gives the unfortunate appearance that, in this particular area, you do not trust the permitting process as it stands to come to the right conclusion. I very strongly urge that you not pass, rather that you look into public input into the permitting process broadly if that is what is needed. Thank you for the opportunity to comment.

CHAIRMAN KIENZLE: Thank you, sir. Jane Allen. (phonetic)

GUEST SPEAKER: Hello. I want to thank you for what you have done in the past for New Mexico's wilderness and for the wildlife, and I had a number of things I was going to comment on but it seems like they have already been said. What I would like to say is that I do have concerns with the proposal and would really find it unfortunate to undermine the relationship that



you have with different groups and individuals by passing this amendment and I also was just going to remind you of the Wildlife Conservation Act stating that species wildlife that is indigenous, which is the wolf, may be found to be threatened or may be found threatened or endangered should be managed and maintained to the extent possible and enhance their numbers. And, let's see, and then I would also just like to remind the Commissioners of the letter by Bruce Thompson (phonetic) that was written in 2007 and there was strong support of the re-introduction at that time and I think I would like to submit the letter for you to look at because I think his comments to the U. S. Fish and Wildlife were really relevant and I'm a pediatric occupational therapist and I thought, well, let's see, it's really important for you to maintain our environment and to maintain sustainable strategies for children and next time I'll show up with a bus full of children (laughter) so thank you for your time.

CHAIRMAN KIENZLE: Thank you. Cindy Roper (phonetic).

GUEST SPEAKER: I had noted on my comment card that I didn't need to speak publicly because I'm not very comfortable with this. But since I'm up here, I'm a citizen of New Mexico. And I also question what was the impetus to this change in the regulation. My only comment would be: if it's not broke, don't fix it.

CHAIRMAN KIENZLE: Thank you. Dave Craig (phonetic).

GUEST SPEAKER: Dave Craig (phonetic).

CHAIRMAN KIENZLE: Oh, what's your last name again?

GUEST SPEAKER: Dave Craig (phonetic).

CHAIRMAN KIENZLE: Craig (phonetic), OK, I thought I got it right. Thank you.

GUEST SPEAKER: Clearly a lot of these points have been made already and I guess the opening point would be public input is a great thing but this goes well beyond just public input. This introduces a substantial hurdle that a private landowner would be forced to get through in order to do what they think is best on their private lands. And it seems like the rationale isn't at all understood here about why this is limited to carnivores and why it is limited to the private landowners. It raises the question of whether this proposed change has a very distinct possibility of introducing a bias, a biased commission for example, into a process that should be a strictly bureaucratic review of has an applicant addressed the permit requirements. One of the questions I have is, if a permit is turned down by the Commission will that applicant be told exactly why, what they were not able to address correctly, and be given the chance to rectify any concerns the Commission has if this is voted in. I guess the final point I guess I'd ask is, if I could read my writing which I can't (laughter), sorry, oh well. Is it possible that the woman who was cut off earlier could have the rest of my time?

CHAIRMAN KIENZLE: We don't typically do it that way, sir. I'm sorry, we don't do it that way.

GUEST SPEAKER: OK. I guess that's it. Thank you.

CHAIRMAN KIENZLE: Jim Cluckert (phonetic).

GUEST SPEAKER: My name is Jim Cluckert (phonetic). I live in El Rancho in (indiscernible) Valley. I've been a resident and citizen of New Mexico for close to three decades now. I come from a long line of people who (indiscernible) when the economy was bad. My sister is perhaps the last of that line. She is just getting out of ranching in California due to the cost of feed. That is the pressure that she experiences and the agricultural workers that I know of are talking about

economic consequences. It looks to me like this proposal is about stymying the work of recovery program here in New Mexico. And another family member of mine, actually several of them, are scientists, and in this day, in these economic times, doing work in primatology like my son does, doing work in grassland management and research like my brother does, they often have to rely on private groups, grants, individuals who support a better understanding and a higher quality to our environment. By putting in this regulation on private property and private individuals, you add another hurdle. Now, if your ambition is to stymy the wolf program, please do add the hurdle because that's your program. But it is not a program of the majority of New Mexicans. It is not the program of the majority of sportsmen. I am well educated but I have also spent a lot of time in the last 30 years trying to acquaint myself with the wisdom of the people who have been in New Mexico for many, many generations. There is a wholeness that, to that wisdom and part of that is all creatures, great and small, in our environment have our respect and our support. And one of the ways we exercise that today is in our wolf recovery program.

Thank you very much.

CHAIRMAN KIENZLE: Thank you. Carlos Chacon (phonetic).

GUEST SPEAKER: Mr. Chairman, Commissioners, thank you very much. My name is Carlos Chacon (phonetic). I'm a member of the Northern New Mexico Stockman's Association. I am on the Board of Directors. I'm also a member of the Cattle Growers Association. And as to what the gentleman just addressed, I am a member of a family that has resided in New Mexico and Northern New Mexico for 6 generations. I'm quite concerned about the impact on private property. As these people have alluded, they're quite concerned about the restriction of people's rights on their private property but I am also standing in favor of this proposal primarily because as a private property owner neighbor to somebody who might want to introduce carnivores, I'm

concerned about the safety of my family, to my livestock, to the impact it might have on me enjoying my private property and managing it in the manner in which I see fit. Thank you very much.

CHAIRMAN KIENZLE: Thank you, sir. I am going to do my best with this name. Daren Cobot (phonetic). Did I get that right?

GUEST SPEAKER: It's Darlene (phonetic).

CHAIRMAN KIENZLE: Darlene. OK. I'm sorry.

GUEST SPEAKER: That's all right.

CHAIRMAN KIENZLE: Did I get the last name right?

GUEST SPEAKER: Coboble (phonetic).

CHAIRMAN KIENZLE: Oh, no. I didn't get it right at all. My apologies.

GUEST SPEAKER: That's no problem. Well, thank you for listening to me. My name is Darlene Coboble (phonetic). I am the Director of Colorado Wolf and Wildlife Center. So I am down here today to talk to. I am (indiscernible) Mexican gray wolves so it does concern me about this proposal and I am opposed to it. First of all, Mexican gray wolves, they are endangered. Period. They are endangered. We need to protect them. And there's approximately about 37 of them left in your state is what, you know, when we read things, this is all we have left, why aren't we protecting them more? And is it always about the stakeholders all the time. You know these animals are something that we teach about their importance in our ecosystem and with this view of animals that is out there, genetic diversity should be a concern. When you start getting them too far and few in between, then you start getting inbreeding and

that's already been proven through DNA. They are going to start having serious problems that we are already seeing. And then my fear is, when there is not enough there and we are getting inbreeding and we are losing our species, will there be money to recover this program. You know, so those are some of my issues there. So, basically, that's pretty much all that I have to say, that I just oppose this. And I found this, I went to your museum and they had some great books on Native American culture and I found this magnet that says, "When we show our respect for other living things, they respond with respect for us", and it says Native American proverb. And I'd like to give that to you to put on your frig to look at that with that wolf below and think about this proposal. Thank you.

CHAIRMAN KIENZLE: Carrie Romero (phonetic).

GUEST SPEAKER: Good morning, Chairman, Commissioners. Carrie Romero (phonetic) New Mexico Council of Outfitters and Guides. We are in favor of this permitting process and our organization, we represent outfitters and guides who outfit on public lands but also a number of outfitters who are also landowners and we do not feel that this permitting processing would impede private property rights in any way given the growing predator problem that we are having on sort of a country-wide basis. We don't think that it is unrealistic to add an additional layer of protection to the ungulate herds to protect from overwhelming predator populations and therefore we support you in this permitting process. Thank you.

CHAIRMAN KIENZLE: Thank you. Commissioners, any further questions or comments? Can I get a motion on this?

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes sir.

COMMISSIONER RICKLEFS: I move to accept the Department's . . .

CHAIRMAN KIENZLE: Hold on. We've got one comment left. What's your name?

GUEST SPEAKER: Valerie Werther (phonetic) with New Mexico Farm and Livestock Bureau. And I did submit a comment as well. On behalf of New Mexico Farm and Livestock Bureau and our 18,000 member families, I wanted to let you know that we are in support of this as well as the opportunity for the public and neighboring property owners to voice their opinion as well. So thank you.

CHAIRMAN KIENZLE: Thank you. I am going to close the floor to further public comment. Did you have a motion to make, Commissioner Ricklefs?

COMMISSIONER RICKLEFS: I move to accept the Department's recommendation and amend Commission rules 19.35.7 and 19.35.6 NMAC as presented.

CHAIRMAN KIENZLE: Second. All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The ayes have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 13: Prospective Initiative to Include the Addition of**, help me with this word, it's got moron- in it I can see (laughter) . . .

MALE SPEAKER: Moronidae.

CHAIRMAN KIENZLE: . . . **Moronidae as a Protected Species for the 2015 Legislative Session.**

GUEST SPEAKER: Mr. Chairman. Can I get started?

CHAIRMAN KIENZLE: Go ahead.

DAN BROOKS: I don't have a Power Point presentation. I am going to try to keep this one simple and straight forward. Recently, and of course you know it is near and dear to my heart, is the tilapia initiative. In talking with the (indiscernible) Chamber of Commerce and an individual there, we had a request to also consider hybrid sea bass and when I looked up his request, because this is also a fish that they would like to raise agriculturally for food, the hydroponics, when I looked that up I discovered that actually (indiscernible) that is listed in the statues does not include that, and instead I looked up and it was (indiscernible) And when I started researching that further, we had Mike Sloan's (phonetic) staff research that even further, it appears that white bass and striped bass are in Moronidae where we regulate. The Commission had that authority in the past, and we want to make sure that continues. So under some kind of oversight, we believe that to manage the stripers in Elephant Butte and the white bass in Caballo (phonetic) and other places we need that authority. So we are coming forward here today just to seek your approval so we could pursue the legislative process to basically continue what we've been doing for several years. So it's actually pretty simple. Looks like there was some scientific nomenclature that changed over time, it was unknown to us, and we are just trying to right that to make sure you continue to have that authority that you do and people continue to enjoy the fishery choices that we have in the south.

CHAIRMAN KIENZLE: Any questions, comments? Motion? Yes, sir.

VICE CHAIRMAN BILL MONTROYA: I move to direct the Department to develop and submit to the Executive Branch for review a legislative initiative including Moronidae as a protected species.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor.

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The ayes have it.

GUEST SPEAKER: Thank you.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 14: Final Proposed State Land Easement Agreement 2015-2016 Season.** Mike Perry. (Inaudible, multiple speakers).

MIKE PERRY: Good Morning, afternoon, Commissioners, Director Sandoval. I'm here to present Agenda Item No. 14, State Land Easement Agreement. What I'm going to give you is a summary of the changes from the previous State Land Easement. Most of these are just basic. We did have a few more things, but most of these are basic, bear with me for just a second. First of all, we are going to change the term of the easement so it shall become effective with the license season of 2015. It's to remain in effect until March 31st of 2016. The next things are pretty much grammatical changes. We moved to improve the strength of the language within Paragraph 4. We added by the grantee and its licensee. We added wording, the easement allows. We also added, the Department and its employees may access easement lands for law enforcement patrol and data collection activities. Previously those were hopeful intentions within the easement but they weren't specifically stated. To continue the changes, we replaced



“over the next 6 to 12 months”, we now meet on a regular basis at least every two months. We replaced subjectively (indiscernible) with comprehensively (indiscernible). We added, the Department and its employees or contractors who may collect data for research on. We replaced habitat data with habitat evaluations. And, in Paragraph 5, we changed the dates to align with the 2015-2016 license year for payment purposes. One thing that was added to the easement was Paragraph G, on an annual basis the Department shall provide to the Commissioner of Public Lands a report of habitat improvement projects summarizing the planning and implementation and other efforts related to habitat improvement projects on State Trust Lands. Years previously we were doing this but it was not in an official capacity; it was more of an email type and a conversation. So now we’re going to do it in a more formal document. In Paragraph 7, we also changed dates again to align with the 2015-2016 current licensure. Paragraph 9 was added to request the State Land Office that the Department of State Land Office for work together to provide state land access points to GPS waypoints points on a mapping system and that will be available publicly on both agency web pages. The purpose of this addition was to provide hunters, trappers, and anglers information so access points, gates, can be easier to determine. (indiscernible) will attempt to provide GPS waypoints points to the Carrymap application. We have already been in contact with the Carrymap application and currently officers are gathering these wavepoints in the course of their day-to-day activities that we are going to import to that Carrymap system. We also added, all individuals seeking to provide commercial big game hunting services on State Trust Lands are required to obtain a permit through the State Land Commissioner and must abide by the New Mexico Game Commission rules. The purpose of this addition was an attempt to gain compliance with the commercial big game hunting services with (indiscernible) State Land Office and the New Mexico Department of Game and Fish rules.

This was a summary of the proposed changes to the State Land Easement. At this time, if there's any questions, we will entertain those.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: Just one quick question. If you are going to be outfitting, guiding, on State Trust Land, don't you currently need that already, that approval?

MIKE PERRY: Correct. You do have to have that approval. They are trying to, I guess, get the word out that more people need to do that. Currently I think there were only 14 guides and outfitters registered on State Land Office, and we are working to try and get the word out that all those guides need to be registered through the State Land Office as well as us.

MALE SPEAKER: OK. Thank you.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: Is there anything substantially different between this lease agreement and the one we had previously?

MIKE PERRY: The only thing that really is different is the Carrymap application. The things that are different are the Carrymap application which is going to be the wavepoint so people who hunt on state property will be able to know where those access point are. The dates are just to align with the current license year. The wording of the guide and outfitters, and really that's the meat and potatoes of the proposed changes.

MALE SPEAKER: Is the lease amount in terms of the dollar amount any different than it was last year?

MIKE PERRY: We are currently leasing 9 million acres for \$200,000.00, and that has not changed. The only year it was different was two years ago, and that's because the term of the lease was eight months instead of 12.

MALE SPEAKER: Thank you.

MALE SPEAKER: So, that was pro-rated basically.

MALE SPEAKER: One last question. Private property owner who is the lessee of that state land, they are also required, if they are going to be guiding hunters in there to be licensed and permitted. Correct?

MIKE PERRY: On their private land, on their private property, there is no requirement as you know.

(Inaudible, whispering)

MIKE PERRY: Excuse me, Commissioners, Chairman Kienzle. There is no requirement for the private property as you know. But there is a requirement that, we have had possible State Land (indiscernible) with those people that are on their leased state land do not have to have a guide and outfitting application because they are lessees, they are agents of the landowner. We've had some issues of that in the past over spotlighting on BLM, and rabbits, and stuff. But as of right now, that's how it stands.

MALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Any further questions? One public comment, Max Trujillo (phonetic).

MAX TRUJILLO: Good morning. I am Max Trujillo, the Northern New Mexico Coordinator for the New Mexico Wildlife Federation. Mr. Chairman, Commissioners, we support this new easement. We applaud the Game and Fish Department and the Commission for working with State Land Office in establishing the GPS system that tells the hunters where we can get into state land and where we can't. It's really important because the vast majority of hunters in New Mexico hunt on State Trust Land, and I think it's a really good deal that we are doing that. I also would ask that the Commission and Department go a step further in possibly making it available to hunters on their websites and also thanking Mr. Perry for doing a great job in identifying these illegally locked gates and then opening those up and then moving them to where the access (indiscernible) state hunters. I think that's super important. And I would add, Commissioner Ramos asked earlier with regards to private hunters or private landowners who have unit wide tags, we'd like that information as well, especially on State Trust Land, you know, what ranchers have unit wide tags, so that we can access some land that we have the impression or perception that we are not allowed to hunt unit wide on some of those places. So with that, we do support this new land easement. Thank you.

CHAIRMAN KIENZLE: Thank you. Carrie Romero (phonetic).

CARRIE ROMERO: Thank you, Mr. Chairman, Commissioners. I wasn't originally going to say anything but to answer your question, Commissioner Ramos, in our dealings with the State Land Office and the Forest Service and the BLM, if you, even if your outfitter is operating under an agent or landowner agreement, if there is a state lease or a leased piece that they are also operating on public land, you are required to possess a special use permit. And, because the

requirements of a special use permit require that you are also registered with the New Mexico Department of Game and Fish as an outfitter, then you would be required to be licensed and registered by the New Mexico Department of Game and Fish. And that's one thing that we are trying to be better at communicating to outfitters and guides because I do think it's an area of confusion and there's been some legitimate abuse and then some accidental abuse in the past so we are trying to be more vigilant about making sure that all of our outfitters possess the required special use permits.

CHAIRMAN KIENZLE: Thank you. Any further questions or comments?

MALE SPEAKER: Chairman Kienzle, if I may add, we have this on the internet for at least 28 days. We have to this point received zero comment from the public on our website and the State Land Office website. I checked with them this morning.

CHAIRMAN KIENZLE: OK.

MALE SPEAKER: Are we ready for a motion?

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: I move to approve the Director and Secretary of the State Game Commission to sign and forward to the Commissioner of Public Lands for full execution the State Land Easement for hunting, fishing, and trapping as presented by the Department.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor.

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Ayes have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 15: 2015 Special Drawing Application Deadlines.** Rhonda.

RHONDA HOLDERMAN: Chairman Kienzle and Commissioners. Brace yourself for this. I am here to propose the special drawing application deadlines and there they are: Draw 1, February 4th; Draw 2, March 18th; and Draw 3, September 30th. And that is all of my presentation.

MALE SPEAKER: Short and sweet. Thank you.

CHAIRMAN KIENZLE: Any questions or comments? I'll take a motion. This is an action item. Yes, sir.

COMMISSIONER SALOPEK: I move to approve the Department's recommendation for the special drawings deadlines.

MALE SPEAKER: Times up.

CHAIRMAN KIENZLE: Do we have a second?

COMMISSIONER MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Number 16 has already been heard.

AGENDA ITEM NO. 17: Procedures to Decommission McGaffey Lake. What news have you on this?

CAL BACA: We have some news, Commissioners. So we do have some information regarding what we . . .

CHAIRMAN KIENZLE: It's simple, right? It's simple to do, right?

CAL BACA: It is simple to put into a presentation, yes. To accomplish on the ground, I don't know how simple that may be.

CHAIRMAN KIENZLE: All right. Just costs money.

CAL BACA: So we are here, I am here to present to you some procedures and alternatives that we've come to at this point, as per your direction. As you remember from the last time we presented this to you, if we were to propose a decommissioning of one of your dams, first we would have to seek approval and submit a plan to Office of State Engineer per their rule 19.25.12.19 Section B and must have a licensed professional engineer prepare a breach plan. That also must evaluate the potential effects of the breach on life, property, and the environment downstream. This is a high hazard dam as to how it is evaluated by the Office of State Engineer which means if something should fail on that dam there is impact to downstream, life, property, and in the environment. We also need to get, we would also, we will be required to go through the Clean Water Act Permitting Process, both by the State Environment Department and the Federal Government as well. The Federal requirements, we would have to go through the National Environmental Policy Act. This dam is on Forest Service land. We own the dam, they own the land that it sits on which incorporates an environmental impact statement, biological opinion, the National Historic Properties Act to ensure that if we start to tear a hole in it we don't

impact any historic or culturally sensitive properties. We'd have to go through some 401 and 404 Clean Water Act Permitting. And then, also have discussions with the Wildlife and Sport Fish Restoration Federal Grants Program and get the effects determination based on if we decide to breach this dam or remove the dam. Estimated cost, it is not going to be cheap unfortunately. An engineering breach plan potentially can cost us anywhere between 300,000 and 500,000 dollars just to do the engineering breach plan. The environmental impact statement and biologic opinion could range between 150 and 200,000 dollars to accomplish. We would need to contract both of these services out. We do not have the capability nor the capacity to do an environmental impact statement just by my staff alone. And then also we would need to meet all of the approvals of the state engineer and the US Fish and Wildlife Service to move forward with this plan. We do have some other options that we are pursuing in regards to McGaffey Lake. As you know, there are very few fisheries on the west side of the state for folks to go out and use. Unfortunately this one is dry. But when it does have water, it does have some significant use. We are discussing with US Forest Service about transferring the dam to them. Basically they would keep the dam and operate it and maintain it and we would assist them by stocking it as appropriate to maintain the fishery when there is water in that lake or reservoir. Currently, we were hoping to have a meeting set up out at McGaffey Lake prior to this Commission meeting to have a better understanding of what the US Forest Service was thinking about this. They move very slowly in getting people gathered up and so they were not able to get the on-the-ground meeting that they want to have prior to this. We will be meeting with them beginning of December on the ground at the site to discuss what the potentials could be for McGaffey Lake if you all decide to go ahead and move forward with a breach plan. With that, we will answer any questions.



MALE SPEAKER: Did they express any interest in that last alternative, or has that not been pitched to them yet?

CAL BACA: No, they have. They have, are considering that as a potential.

CHAIRMAN KIENZLE: I could live with that.

CAL BACA: So, they just wanted to get their folks from that Ranger District on the ground to discuss what that would look like, get our input. Of course, they want to know how much it costs annually to maintain the dam and those kinds of things so they can make a decision.

CHAIRMAN KIENZLE: OK.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: As far as the fishery, it's really kind of no-no, one year out of ten maybe?

CAL BACA: Potentially, yeah. I mean, it hasn't been, I don't know, I think Donald Jaramillo was the last, him and Chris Chadwick, were the last officers to go out there and check anybody and that's been a while. So.

COMMISSIONER MONTOYA: As for the first proposal, should the Forest Service fail, it that all game protection money or is there any Federal Aid money that would go into that part of it?

CAL BACA: Yes. Mr. Chairman, Commissioner Montoya, the cost would one, we would probably look at a capital request to fund those activities because of the, one, the amounts and then also the time frame needed to be able to accomplish those undertakings would be significant. We wouldn't be able to be done in a fiscal year by any stretch of the imagination.

So we will want to be able to have the flexibility a capital request may give us and then build a time frame to have, you know, the longer term, of that money.

MALE SPEAKER: Obviously the best proposal would be the Forest Service. It's a pretty site but it's just . . .

CAL BACA: Rather than an RFP for the engineering and the (indiscernible), what's the step down from that, where you just request information or something like that, I mean not for bid but to get . . .

DIRECTOR SANDOVAL: Mr. Chairman, it's an R5 Request for Information.

CHAIRMAN KIENZLE: Can we go through that process maybe, and get some real world numbers on what it might cost?

CAL BACA: Mr. Chairman, we are actually doing that right now.

CHAIRMAN KIENZLE: You are?

CAL BACA: We are trying to prepare that process. Mike Gustin is not here, he's actually out at Lake Roberts Dam. Hopefully he will have good news this afternoon that we are done, that we can (indiscernible).

CHAIRMAN KIENZLE: Yes, we'll be hopeful to get some more concrete.

CAL BACA: Mr. Chairman, that is actually his next, on the top of his priority list.

CHAIRMAN KIENZLE: Are you still looking at those books in your office, the ones on the shelf that have to do with . . .

CAL BACA: Actually, Mr. Chairman, actually I had an opportunity to look at it again this year.

MALE SPEAKER: Pull another one off the list and say “Hey”, and go through that whole process when it started to rain again, so it was kind of neat to actually know that those things actually worked.

CHAIRMAN KIENZLE: Well, it sounds like your making good progress. Let us know in January how things go with the Forest Service.

CAL BACA: Thank you.

MALE SPEAKER: Two questions.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: Cal, was the estimate 200 to 500 thousand for an engineering breach plan, does that include the work or is that just the plan?

CAL BACA: Chairman, Commissioner Ricklefs, that’s just the design, engineering and the planning process.

COMMISSIONER RICKLEFS: OK. Other question. Is there any water right attached to this dam and if so does it have any value and will it be lost if it’s breached?

CAL BACA: Chairman, Commissioner Ricklefs, I don’t know that off the top of my head. But I can get that information for you.

COMMISSIONER RICKLEFS: Thank you.

CHAIRMAN KIENZLE: Why don't you check on that for January? Any further questions or comments? This is just a discussion item. All right. The continuing saga of McGaffee Lake.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 18: 2013-2014 Bear and Cougar Harvest Update.**

CAL BACA: Commissioners, I am here to present to you our 2013-2014 bear and cougar harvest update. It's, just wanted to give you some statistics. First, on our bear side, in 2013 bear statistics, we had 173 depredation kills, 59 road kills, 545 sports harvest. So it was 80% of the total of 681. And then we translocated 82 bears for the year 2013. In 2014, as of 10/30/2014, this is the most up-to-date statistics that we have, you can actually see this on our website.

(indiscernible) our bear and cougar biologist updates that pretty regularly, so we actually have more up-to-date information as of today. So as of 10/30, we had 46 depredation kills, 33 road kills, and at that point we had 438 sports harvest of the 668 allowable which was about 65% and we translated 21 bears. Getting into cougar statistics, for 2013 we had 24 depredation kills, 9 road kills, and then for the sport harvest of the 749 that are allowed by rule, we harvested 203 and 17 were harvested in protection of bighorn sheep to maintain, to reduce predation on that species. For 2014, as of Halloween, we had about 13 depredation kills, 5 road kills, and 22 of the allowable 749 by rules for harvest, and 8 to protect bighorn sheep. With that, I will answer any questions.

CHAIRMAN KIENZLE: Questions or comments? Anyone.

MALE SPEAKER: Just one.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: How does this compare to last year's?

CAL BACA: If you look, I have both the 2013 year and the 2014 statistics. So if you look at 2013, as you know it was the last year of a very significant drought period that we were in. Full resources for bears was probably at a low, a very low and poor situation. So we had a lot of bear movement so we had a lot of depredation problems and also road kills. If you look at 2014 with a significant amount of fall and spring rainfall going into that bear season, we had a significant less number of depredation incidents and also road kills which meant that bears were finding enough food resources in their natural home ranges and not venturing too far out and getting into trouble as they did in the 2013 year. Same for cougars. You know, you look at cougars normally stay pretty, the trend for cougars over time is pretty flat. We don't see big bumps like we do in the bears. So we think that's pretty much the trend that we are going to go on for 2014. It will probably be in that same 25 range of depredation kills and probably within the same number of sport harvest hopefully to help maintain that population within sustainability where we think they should be at this point.

MALE SPEAKER: Thank you.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER MONTOYA: Those bighorn sheep protection permits, those 17 that were issued or taken, what units were those in?

CAL BACA: Stuart hasn't had a chance to talk to me, so I'll let him talk.

STUART LILEY: Chairman, Commissioner Montoya. The majority of those bighorn sheep last year were in the Ladrones and the Hatchet's, the Palencios, and the San Francisco River. So multiple GMU's just depending on the herd, but in the 23, 27, 26, and 13.

COMMISSIONER MONTOYA: None in 36 yet (inaudible) Sacramento.

STUART LILEY: Commissioner, Commissioner Montoya, we have not done any (indiscernible) of control for bighorn sheep on cougars in the Sacramento's yet.

MALE SPEAKER: Just bugging you.

(Laughter)

CHAIRMAN KIENZLE: Any further questions or comments? OK. That was an information item. **Number 19: Update on Efforts to Establish Bighorn Sheep Hunting in the Dry Cimarron Area.**

CAL BACA: I didn't need to, but I did a slide. I'm here today to give you an update on the Dry Cimarron bighorn sheep and the potential for hunting those on the land that is in that area. Currently, we have had multiple meetings with the three major landowners in the, that own the majority of the huntable sheep habitat up in the Dry Cimarron area. We will continue to negotiate the potential for gaining access to those private properties. And once we have final agreements prepared and ready for review we will bring those forward to the Director and for the Chairman's review for entering into those access agreements for access to those lands to provide some level of hunting opportunity in the Dry Cimarron area for the Rocky Mountain bighorn sheep. With that, Stuart and I are here for any questions.

DIRECTOR SANDOVAL: Mr. Chairman, if I might add just a little bit of information. We are coming in front of you today because at the last Commission meeting, as we had discussed, we were going to enter into one agreement with three landowners. Of course, as landowner negotiations go, we have some opportunity to maybe, perhaps, all three or subset thereof. So we are asking really for some clarification today on the ability for the Department to enter into other agreements other than just the one we had discussed in November.

CHAIRMAN KIENZLE: Commissioner Espinoza.

COMMISSIONER ESPINOZA: Director, does that mean we could enter into three separate agreements with the three private property landowners up there.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Espinosa, that is correct. That is what we are asking for, the ability to have some flexibility and how and who we negotiate based on how the negotiations go. So yes.

COMMISSIONER ESPINOZA: Yeah, again the goal is to hunt sheep on that herd.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Espinosa, absolutely. We recognize that is an opportunity for public sportsmen and for public landowners to be able to harvest some rams up there in that country.

CAL BACA: OK. Thank you.

CHAIRMAN KIENZLE: Garrett.

GARRETT VENEKLAUSEN: Mr. Chairman, Commissioners, Garrett VeneKlausen. Wildlife Federation. We support the bighorn sheep hunt proposal for the Dry Cimarron herd which puts one tag in the big game draw for every authorization provided to landowners. We want to re-

iterate that, want to make sure that that's a 50-50 split, and requires that participating landowners open their deeded and leased public land to both sets of hunters and that is a mandatory requirement. We hope you would carefully consider that also as we have previously said. And the Game and Fish, again, should not provide bighorn sheep authorizations to landowners anywhere in the state who deny hunters access to their leased public land. Thank you very much.

CHAIRMAN KIENZLE: Any further questions or comments?

COMMISSIONER RAMOS: I do have one question. If the landowners don't provide any access, obviously that means we can't hunt, so what would that happen, would that be more of a herd to produce more bighorn to transplant to other areas? What would happen with that?

STUART LILEY: Chairman, Commissioner Ramos, if I may answer that question.

(Indiscernible) figure that out. That could be a potential. We would also have to enter into some type of access agreement very similar to what we have with the Cristobals in the way we have entered into a Memorandum of Understanding with (indiscernible) Ranch Properties, Incorporated to gain access to the private property to be able to conduct any trap or translocation efforts from that herd. If the landowner is willing to allow for us to have that type of access, and partner with us in using that as a potential source herd and for future trap and translocations or moving to areas where accessibility may not be an issue, those are things that we would need to negotiate. It would be a similar type process we are in now for the hunting access. It would just be a different type of access which would be access to obtaining the ability to go in there and get the sheep and move them to other areas.



COMMISSIONER RAMOS: Currently are there any roads that are accessible on there to the State land?

STUART LILEY: Chairman, Commissioner Ramos, yes there are.

COMMISSIONER RAMOS: OK. And that's in all three properties.

STUART LILEY: Mr. Chairman, Commissioner Ramos, remembering the maps I think so but I don't want to say a definitive yes without definitively knowing.

COMMISSIONER RAMOS: OK. Thank you.

MALE SPEAKER: On this State Leased Land, one of these landowners, have we had a dialogue with the Land Commissioner about just, have we seen a copy of that lease?

CHAIRMAN KIENZLE: Actually we had a dialogue with the Commissioner about ultimately whether hunting is allowed or not pursuant to that one.

STUART LILEY: Chairman Kienzle, yes. We have seen the lease. We actually know what the language is in there regarding how that commercial lease was put into place, what it was for. We have also had conversations and there were supposed to be conversations with the Director and Commissioner of Public Lands regarding that issue. I don't know what the outcome of that was.

DIRECTOR SANDOVAL: Mr. Chairman, we did meet with the current Commissioner and had this very discussion over the lease. There are some legal issues that are confronted by the Commissioner in terms of that agreement that holds him accountable as well as the landowner to, it's a 50-year lease that exists out there. So that is a conversation in terms of how and when and all of that around the lease that really resides with the Commissioner and with that landowner.

CHAIRMAN KIENZLE: So did, in dialogue with the Commissioner and the landowner, have they expressed an interest in changing that term?

DIRECTOR SANDOVAL: Mr. Chairman, no they have not. And it's been, there have been multiple dialogues around that lease, and not wanting to change that.

CHAIRMAN KIENZLE: Got it.

COMMISSIONER RAMOS: Chairman Kienzle.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER RAMOS: One last question. And let's say that all three property owners do grant the access. What are our plans as far as the allocation of those tags?

STUART LILEY: Chairman, Commissioner Ramos, it is really based on the numbers that we survey and determine how many huntable rams exist on those properties. We would have to fly, we have actually flown some surveys, we would want to go on and do some ground census as well. To be able to get me comfortable with the number of huntable rams we could potentially offer on those three properties, if it was hunting individually or as a group or as three individual agreements with access to all, whatever the outcome of that may be, the total number of huntable animals will be dependent on the previous year's harvest which there hasn't been so that wouldn't factor in the first year, but also the number of surveyed huntable rams we feel that are out there to meet the Department's goals of the opportunity we would provide when we provide bighorn sheep hunting in New Mexico.

COMMISSIONER RAMOS: How many do we currently have? Do you have a good estimate on that?

CAL BACA: Mr. Chairman, Commissioner Ramos, I'll defer that to Stuart. They just flew it a couple of weeks ago, so he has the best up-to-date information.

STUART LILEY: Mr. Chairman, Commissioner Ramos, our best estimation for that herd is approximately 150 bighorns spread across. However, there is a transitory herd that does come in from Colorado and Oklahoma that moves from all three states. So we do have an issue with a definitely migratory herd that may be in Colorado, New Mexico, or Oklahoma depending on any given days. So with those additional animals it can be up to 200 animals.

MALE SPEAKER: Up to 200 did you say?

COMMISSIONER ESPINOZA: Chairman Kienzle.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: One more question. Understanding where we're at today, to date, this date, does it look favorable that we'll get at least one, two, or possibly all three landowners to enter into an agreement that we can hunt sheep this next year?

STUART LILEY: Mr. Chairman, Commissioner Espinoza, yes. It does look very favorable that the majority of landowners in the Dry Cimarron are considering an access agreement for hunting on their lands for bighorn sheep.

COMMISSIONER ESPINOZA: Great. Thank you.

COMMISSIONER ARVAS: Mr. Chairman, I have a question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Cal, when you look at the three properties, the first question is are the property lines pretty clear cut?

STUART LILEY: Chairman, Commissioner Arvas, not really. It is typical of northeastern New Mexico. The private property boundaries are probably very well identified with boundary fences. The problem comes in to where the State Trust Lands actually are within there, if they are, you know (inaudible, multiple speakers).

COMMISSIONER ARVAS: Well, that was the second part of the question, is that if on the one parcel of private property that has the State Land Office lease with the 50-year term, is the State Land Office portion of that larger than the private land?

STUART LILEY: Chairman, Commissioner Arvas, Stuart is pulling up the map and can probably answer that once he figures it out. I don't believe that it is. (Indiscernible).

(Inaudible)

STUART LILEY: Mr. Chairman, Commissioner Arvas, no the parcel under lease is smaller than the deeded property surrounding it.

COMMISSIONER ARVAS: So, in theory at least, you could have a hunt on the private land and just not hunt the state leased land.

STUART LILEY: Mr. Chairman, Commissioner Arvas, that theoretically, that could happen, yes.

COMMISSIONER ESPINOZA: Clarification on that, you know, understanding that Commissioner Arvas' comment, theoretically that can happen but the Department is not willing, or not wanting, to go down that road because of the public access to public lands. Is that correct?

STUART LILEY: Mr. Chairman, Commissioner Espinosa, we would prefer the ability to hunt all lands within there. It makes it easier for our sportsmen and private land sportsmen who receive that authorization to not have to worry about where they are or not. Because it is not clearly identified or delineated as to when you are on State Trust Land and not on State Trust Land in a lot of that area. So it would be my preference that if we do have access, we can gain access to the property in its entirety, both State and Trust Lands. Now, of course, knowing that this commercial lease is in place and it does eliminate hunting from those State Trust Lands, I would be of the opinion that if we were to gain access to private property for hunting bighorn sheep that we work with that private landowner, State Land Office, and our Department to figure out a way to clearly identify those lands and the areas where hunting cannot occur so that we don't put anybody in any sort of violation.

MALE SPEAKERS: Thank you. Thank you.

CHAIRMAN KIENZLE: Anything else? This is an action item. Can I get a motion, please?

COMMISSIONER ARVAS: Yes, Mr. Chairman. Move to direct the Department to negotiate hunting agreements with all interested landowners or any subsets thereof to facilitate the establishment of hunting opportunities in GMU 58 for bighorn sheep.

COMMISSIONER MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 20: Final Proposed Amendments to the Mentored Youth Hunt Program.**

JENNIFER MORGAN: Good afternoon Commissioners, Chairman. My name is Jennifer Morgan and I am going to be presenting to you today the action item in regards to the Department's Mentored Youth Hunting Program. So the Department today would like to provide the recommendation on how to proceed with changes to the mentored youth role. I am basically just going to recap the presentation we presented to you at the last Commission meeting. I do have some additional statistics that I would like to update you on at this point in time. We did see an increase in our mentored youth numbers since the last Commission meeting from, about 1100 additional mentored youth hunters since the total numbers were presented to you at the last. So we are at a total of 3,806 that are registered in the program. The Department also continues to utilize the GovDelivery system to maintain the open communication with our mentored youth registrants to remind them that their time may be expiring, that they need to proceed forward with taking a hunter education course prior to expiration in the program. Let me back up just momentarily. Some additional statistics that I'd like to update you on is, we had an influx of hunter education courses over the last couple of months and so our participation numbers increased slightly to 354 mentored youth registrants that have successfully passed hunter education. The numbers are still a little low but we are getting into our busy season so we are going to see a large influx in those numbers. The increase in the (indiscernible) numbers since the last Commission meeting data that I presented is in reflection of the small game seasons starting and are underway and also with mentorees, participants, taking advantage of the leftover licenses. So we did see increases. I don't have the exact increase numbers in these licenses but that is what we are seeing in the increase in numbers of participants in the program. What we

would like to propose to you today is the recommendation of amending the Rule with noticing the changes in the yellow text, these are the recommendations that the Department would like to recommend as changes. All the white text is what's in the current Rule. So I'll just kind of jump down to Item B. We would like to recommend that the minimum age be between 10 and 17 for the up and coming mentored youth registrants. And any mentored hunter that is currently registered within the Department shall remain eligible to hunt these species listed in Subsection 19.36.3.9D NMAC for the remaining two consecutive license year cycles. So I do understand that there was some concern as to what's going to happen with these current registered mentored youth hunters and we will allow them to continue on. We grandfathered in to continue to participate in what they currently registered in, and then any new mentored youth registrants will be affected in the new license year to whatever the Rule is going to reflect. And then, also in D, mentored youth program hunters shall be limited to hunting small game, turkey, deer, and for the license year beginning April 1 of 2015 and continuing forward. Before I open it up for any questions, I would also like to thank the public comment process. We did receive multiple comments through GovDelivery or through email from concerned and/or supportive public out there and so we did collect that information and a lot of hunter education instructors did like to weigh in on this as well, and the majority is in support of the Rule change. So there was some kind of conflict of people not maybe totally supporting the entirety but in the majority they are very much in for this amendment. So with that, I would like to open it up for any comments or questions at this time.

CHAIRMAN KIENZLE: Commissioners? Yes, sir.

COMMISSIONER SALOPEK: Thank you. You know, I know Ralph, there again new get to ride together. And when you first brought it up, I said, "I don't know, Ralph, but I like what

we're doing." I know after we left that last meeting, I believe we had deer (indiscernible), elk, and Oryx, and antelope (indiscernible) the deer back over here. It's one of those that a youth mentor, maybe they can buy private tag (indiscernible) the comment I'd like to make. So thank you, Jennifer, for a very nice job.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Jennifer, I want to thank you again for all the hard work. You know, I brought this up well over a year ago, quite a while back, and I'm glad we're at this point to bring it to conclusion. And I like where we're at. I think that's going to get us to a better place and a lot more mentor use. You know, that 1100 that you stated came in literally in the last 60 days I guess, kind of a testament to the mentored youth program in that a lot of people like it and this defines it a little better. So thank you for all your hard work. I do think it is going to create a little bit more, and we've had that discussion as far as more hunter education classes because you've a lot of more kids there that are required now to continue so, and I think that's kind of a good catalyst to bring that hunter education classes more into the limelight. I know me and you had that discussion of, you know, you had lots of good thoughts on how we are going to get more of those in place. But one question for you, the hunter education instructor, the Association, generally are they in favor of this new proposal?

JENNIFER MORGAN: Chairman, Commissioner Espinoza, they are from previous comments that they have made to the program, at the inception of this program, that they are very much in support of placing a minimum age and some additional restrictions on the mentored youth program. So they are happy about that.



COMMISSIONER ESPINOZA: OK. Great. Thank you again.

JENNIFER MORGAN: Thank you.

COMMISSIONER ARVAS: Mr. Chairman, I have a question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Jennifer, have there been any incidents with the mentored youth program at all that you'd like to comment on?

JENNIFER MORGAN: Chairman, Commissioner Arvas, at this time it is still the safest way to introduce new hunters into the field. So there are zero hunting incidents in New Mexico reported.

COMMISSIONER ARVAS: I think that's pretty important to put out to the public whenever you have the opportunity because that's one of their concerns obviously.

JENNIFER MORGAN: Yes, sir.

COMMISSIONER ARVAS: So if you could, I'd sure appreciate that.

JENNIFER MORGAN: I can do that. Thank you.

COMMISSIONER RAMOS: Mr. Chairman, one last comment.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER RAMOS: Jennifer, I think is great again, a good job on that. I'm really looking forward to the hunter education component and I know we're looking outside of the box

and really trying to make that the best, you know, ever. So please, I can't wait to get involved with that.

JENNIFER MORGAN: Chairman, Commissioner Ramos, we all share the value and integrity of the hunter education program. I'm a little biased. (Laughter) But we do all share that goal and it is our goal to allow the opportunity for these mentoree hunters to continue on. The last thing we want to do is see a huge hiatus in their adventures afield, the inability to get into a class and continue on with their hunting adventures, so we are dedicated to making sure that these folks are able to continue on and not expire and have a hiatus in their ability to hunt. So we are actively working towards some solutions to effectively get more involvement by instructors and volunteers to get more on the ground classes (inaudible).

COMMISSIONER RAMOS: Thank you.

(Inaudible)

CHAIRMAN KIENZLE: I have one comment to make. Great job on this. I would suggest in Paragraph B, where it does say "currently registered" that we say "currently registered as of today, November 13, 2014" so people can't play games with what "currently registered" means down the road.

JENNIFER MORGAN: Mr. Chairman, that has been noted. Thank you.

CHAIRMAN KIENZLE: So, we need a motion in that regard. So who wants to so move that?

COMMISSIONER SALOPEK: I make a motion to make the amendment.

CHAIRMAN KIENZLE: We need a second.

CHAIRMAN KIENZLE: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: So everyone understands what I'm saying, it is as of today and so someone can't say, two years from now, well I'm currently registered.

CHAIRMAN KIENZLE: Any other questions or comments? I've got some public comment, but any other Commissioner questions or comments? Joel (phonetic) and then Max (phonetic).

JOEL GRAY: Thank you, Mr. Chairman. Joel Gray, New Mexico Wildlife Federation. We support the proposed amendments to the mentored youth program. The idea of a minimum age of 10 (indiscernible). Just like Jennifer said, we heard a surprising amount of comment on this ourselves, got calls from all over the state, people, you know, on both sides saying no minimum age at all but quite a few saying 10 and some saying twelve. So we think 10 is a good compromise. And as we heard at the last meeting, it was really kind of a surprise to hear that some of the conservation officers had seen unsafe conditions and had some concerns about safety and that sort of thing. So we would actually ask you today to think about taking a second look at our minimum ages. Because as it is right now, this is just for the mentored youth program. As of right now, a kid who is any age at all who can pass the hunter ed program can then apply for, say, an Oryx tag. And it might be that you might consider similar kind of a species limitation for certain ages. So the kid who's 8 years old and passes hunter ed, let him hunt turkey and deer and, you know, whatever. And maybe if they pass hunter ed they have to be 10 or 12 to hunt

Oryx. Just something to think about. Because right now we have almost 2 classes of kids, and the whole point of this I think was to get the kids interested in safely participating in hunting so those are the comments.

CHAIRMAN KIENZLE: Thank you. Max Trujillo (phonetic).

MAX TRUJILLO: Pass.

CHAIRMAN KIENZLE: Pass? OK. Any further questions or comments from Commissioners? So, whoever makes the motion will be making it “as amended”.

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: I move to amend 19.36.3 NMAC for Mentored Youth Program Hunters to create a minimum age of 10 and limit to game species hunted as presented by the Department, and as also amended per (indiscernible)

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye’s have it.

CHAIRMAN KIENZLE: Good work. Thank you.

GUEST SPEAKER: Thank you.

COMMISSIONER ARVAS: Are you ready for the motion, Mr. Chairman?

CHAIRMAN KIENZLE: Yes, please.

COMMISSIONER ARVAS: I move to adjourn into Executive Session closed to the public, pursuant to, Section 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters, and pursuant to Section 10-15(H)(7) on matters subject to the attorney-client privilege relating to threatened or pending litigation pertaining to State of Oklahoma, et al. v. US Dept. of the Interior et al., Defenders of Wildlife, et al. v. Sally Jewel et al., WildEarth Guardians v. Kirkpatrick, and, Soaring Eagle Lodge, LLC, et al. v. Gary K. King, NM AGO, et al., in which the Commission and/or Department is or may become a participant.

COMMISSIONER ESPINOZA: Second.

DIRECTOR SANDOVAL: Chairman, this is a roll call vote. I'm sorry.

CHAIRMAN KIENZLE: We got a second.

DIRECTOR SANDOVAL: Excuse me. I was jumping the gun on that. I apologize.

CHAIRMAN KIENZLE: Now we can have at it.

DIRECTOR SANDOVAL: Chairman Kienzle.

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: Vice Chairman Montoya.

VICE CHAIRMAN MONTOYA: Yes.

DIRECTOR SANDOVAL: Commissioner Arvas.

COMMISSIONER ARVAS: Yes.

DIRECTOR SANDOVAL: Commissioner Espinoza.

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos.

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs.

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek.

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: So, folks, you can all stay here. We're actually going across the hallway.

DIRECTOR SANDOVAL: You know, I don't know if we had any public comments.

MALE SPEAKER: Yes.

DIRECTOR SANDOVAL: Chris, Chris, over here. Can you see if there are any more comments, public comments?

(Background noise only)

MALE SPEAKER: Ready?

MALE SPEAKER: Those matters specified in the motion to adjourn, and took no action as to any matters.

(Background noise only)

DIRECTOR SANDOVAL: OK, so we're live again. Commissioner, Vice Chairman Montoya, would you mind saying that again?

VICE CHAIRMAN MONTOYA: Mr. Chairman, this Commission adjourned into executive session closed to the public. During the executive session, the Commission discussed only those matters specified in this motion to adjourn and took no action as to any matter.

CHAIRMAN KIENZLE: OK. Do we have any public comment?

DIRECTOR SANDOVAL: We've got a few, yes.

CHAIRMAN KIENZLE: Garrett.

GARRETT VENEKLASEN: Mr. Chairman, members of the Commission (inaudible, microphone feedback?) There's been a lot of talk today about transparency and inclusivity among the public. And yet, we continue to see this (indiscernible) access issue being dealt with in a very non-transparent way, and in a very non-public (indiscernible) inclusive manner. It's my understanding that the Department recently supported the complaint that was issued against CAG's opinion. Chairman Kienzle, I know you don't like questions being asked during comment periods, but can you please share with us why this is not being discussed publicly and why the Commission continues to not bring this into the public arena and why the Department does not take a stand on this issue? Thanks very much.

(Inaudible)

GUEST SPEAKER: Good afternoon, Mr. Chair, Ms. Director, and Commissioners. I'm (indiscernible). I am the Los Alamos County (indiscernible). In April of this year, Los Alamos

County Council unanimously passed a resolution to support banning animal trapping throughout Los Alamos County. We subsequently passed a ban on trapping on county-owned land, (inaudible) lands there. For many years, the southern part of the county has had a trapping ban negotiated with Game and Fish. But public lands in the northern part of the county are still open to trapping. A tiny amount of trapping goes on. However, what initiated this recent resolution was an accident in which a pet was injured. We actually, my reading of the actual trapping (indiscernible) in Los Alamos County showed one fox trapped in the recent year, and we've had at least two accidents in recent years. Any economic benefit to our county is more than overshadowed by the economic harm to the residents and tourists of the potential for accidents. There was tremendous support for these bans. No resident, in fact, testified against extending this ban. We ask that you assist us in extending that band on trapping in the southern part of the county to the rest of the county. This resolution, I believe, has been transmitted to you but I'd be happy to leave some copies. But we are a county, of course, of hunters and fishers, and we understand the rule of hunting and fishing to maintain reasonable animal populations. That's (indiscernible) for trapping in our county. As I've said, it's extremely important that tourists and recreational hikers and bikers be able to do so safely. For us, that means banning trapping throughout the county. So I will leave a copy of this with you. Thank you for your concern.

CHAIRMAN KIENZLE: Thank you. I don't have any more comment cards, so is there a motion to adjourn?

COMMISSIONER ARVAS: So moved, Mr. Chairman.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?



ALL MEMBERS: Aye.

In Re:  
Game Commission Hearing  
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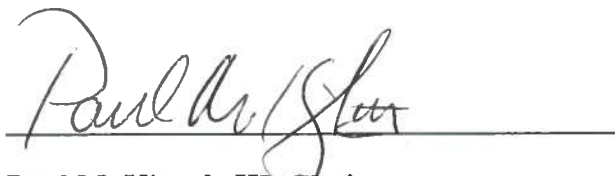
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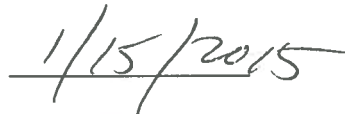
Alexandra Sandoval, Director and Secretary



Date



Paul M. Kienzle III, Chairman



Date

New Mexico State Game Commission

AS/scd