

STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Game Commission (“Commission”) will be hosting a meeting and rule hearings on Friday August 19, 2022 beginning at 9:00 a.m. at the UNM Gallup Campus Room STC 200, 705 Gurley Ave., Gallup, NM 87301. The purpose of this meeting is to hear and consider action as appropriate on the presentation of proposed changes to the Wildlife Management Areas Rule.

Synopsis:

The proposal is to amend the Wildlife Management Areas Rule 19.34.5 NMAC, which will become effective April 1, 2023. This rule is a permanent rule.

PROPOSED CHANGES TO THE WILDLIFE MANAGEMENT AREAS RULE:

- Include the name and location descriptions of properties acquired by the State Game Commission that are not currently included in the Wildlife Management Areas Rule.

A full text of changes for all rules will be available on the Department’s website at:

www.wildlife.state.nm.us.

Interested persons may submit comments on the proposed changes to the Wildlife Management Areas Rule to DonaldP.Auer@state.nm.us. Individuals may also submit written comments to the physical address below. Comments are due by 8:00 a.m. on August 17, 2022. The final proposed rules will be voted on by the Commission during a public meeting on August 19, 2022. Interested persons may also provide data, views or arguments, orally or in writing, at the public rule hearings to be held on August 19, 2022.

Full copies of text of the proposed new rules, technical information related to proposed rule changes, and the agenda can be obtained from the Office of the Director, New Mexico Department of Game and Fish, 1 Wildlife Way, Santa Fe, New Mexico 87507, or from the Department’s website at www.wildlife.state.nm.us/commission/proposals-under-consideration/. This agenda is subject to change up to 72 hours prior to the meeting. Please contact the Director’s Office at (505) 476-8000, or the Department’s website at www.wildlife.state.nm.us for updated information.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Department at (505) 476-8000 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Department at 505-476-8000 if a summary or other type of accessible format is needed.

Legal authority for this rulemaking can be found in the General Powers and Duties of the State Game Commission 17-1-14, et seq. NMSA 1978; Commission’s Power to establish rules and regulations 17-1-26, et seq. NMSA 1978.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 5 WILDLIFE MANAGEMENT AREAS

19.34.5.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[19.34.5.1 NMAC - Rp, 19.34.5.1 NMAC, 4/1/2023]

19.34.5.2 SCOPE: Department staff, licensed hunters, anglers and trappers and other users as allowed by rule-GAIN permit holders.
[19.34.5.2 NMAC - Rp, 19.34.5.2 NMAC, 4/1/2023]

19.34.5.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has with the authority to identify game refuges and to establish rules and regulations that it may deem necessary to carry out the purposes of Chapter 17 NMSA 1978.
[19.34.5.3 NMAC - Rp, 19.34.5.3 NMAC, 4/1/2023]

19.34.5.4 DURATION: Permanent.
[19.34.5.4 NMAC - Rp, 19.34.5.4 NMAC, 4/1/2023]

19.34.5.5 EFFECTIVE DATE: April 1, 2023 July 15, 2013, unless a different date is cited at the end of a section.
[19.34.5.5 NMAC - Rp, 19.34.5.5 NMAC, 4/1/2023]

19.34.5.6 OBJECTIVE: To identify wildlife management areas created by the state game commission.
[19.34.5.6 NMAC - Rp, 19.34.5.6 NMAC, 4/1/2023]

19.34.5.7 DEFINITIONS:

- A.** "Department" shall mean the New Mexico department of game and fish.
BA. "Wildlife management area" (WMA) shall mean an area of land owned or controlled by the state game commission and designated by the commission or department as a wildlife management area WMA.
B. [RESERVED]

[19.34.5.7 NMAC - Rp, 19.34.5.7 NMAC, 4/1/2023]

19.34.5.8 WILDLIFE MANAGEMENT AREAS:

- A.** Bear Canyon lake wildlife management area is located approximately 2 miles north of Mimbres and is more fully described in deeds on file in Grant county and with the department.
B. Belen wildlife management area is part of the Ladd S. Gordon complex and is located approximately 2 miles south of Belen and is more fully described in deeds on file in Valencia county and with the department.
C. Bernardo wildlife management area is part of the Ladd S. Gordon complex and is located approximately 15 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
D. Bernardo wildlife management area, Simms donation, is part of the Ladd S. Gordon complex and is located approximately 16 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
E. Bert Clancy wildlife management area is located between Pecos and Cowles and is more fully described in deeds on file in San Miguel county and with the department.
F. Bill Evans lake wildlife management area is located approximately 8 miles south of Cliff and is more fully described in deeds on file in Grant county and with the department.
G. Bluebird wildlife management area is located approximately 6 miles southeast of Cuba on state road 126 and is more fully described in deeds on file in Sandoval county and with the department.
H. Casa Colorada wildlife management area, part of the Ladd S. Gordon complex, is located approximately 7 miles southeast of Belen on the east side of the Rio Grande and is more fully described in deeds on file in Valencia county and with the department.
I. Charette lakes wildlife management area is located approximately 23 miles southwest of Springer and is more fully described in deeds on file in Mora county and with the department.

J. Clayton lake wildlife management area is located approximately 15 miles north of Clayton and is more fully described in deeds on file in Union county and with the department.

K. Colin Neblett wildlife management area is located immediately east of the village of Eagle Nest and Eagle Nest lake and is more fully described in deeds on file in Colfax county and with the department.

L. Double E wildlife management area is located approximately 6 miles northeast of Gila and is more fully described in deeds on file in Grant county and with the department.

LM. Eagle Nest lake wildlife management area is located immediately south of the village of Eagle Nest and is more fully described in deeds on file in Colfax county and with the department.

MN. Edward Sargent wildlife management area is located immediately north of Chama and is more fully described in deeds on file in Rio Arriba county and with the department.

NO. Elliott Barker wildlife management area is located approximately 15 miles northwest of Cimarron and is more fully described in deeds on file in Colfax county and with the department.

OP. Fenton lake wildlife management area is located approximately 9 miles north of Jemez Springs and is more fully described in deeds on file in Sandoval county and with the department.

Q. Glenwood Allred wildlife management area is located immediately south of Glenwood and is more fully described in deeds on file in Catron county and with the department.

PR. Hammond Tract wildlife management area is located approximately 2 miles east of Blanco and is more fully described in deeds on file in San Juan county and with the department.

QS. Heart Bar wildlife management area is located approximately 36 miles north of Silver City and is more fully described in deeds on file in Grant and Catron counties, and with the department.

RT. Jackson lake wildlife management area is located approximately 8 miles northwest of Farmington along the La Plata river and includes management of state land office section 16 and bureau of land management section 21 and is more fully described in deeds on file in San Juan county and with the department.

SU. La Joya wildlife management area, part of the Ladd S. Gordon complex, is located approximately 20 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.

TV. Lake Roberts wildlife management area is located approximately 20 miles north of Silver City and is more fully described in deeds on file in Grant county and with the department.

W. Marquez wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in McKinley and Sandoval counties and with the department.

UX. McAllister lake wildlife management area is located approximately 7 miles southeast of Las Vegas and is more fully described in deeds on file in San Miguel county and with the department.

Y. Marquez/LBar wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in Cibola, McKinley and Sandoval counties and with the department.

Z. Mimbres Tract wildlife management area is located approximately 1 mile southeast of Mimbres, and is more fully described in deeds on file in Grant county and with the department.

AA. Navajo wildlife management areas are located approximately 10 miles northeast of Navajo Lake and are more fully described in deeds on file in San Juan county, Rio Arriba county and with the department.

WBB. Pine river wildlife management area is located approximately 1 mile south of the Colorado border off state road 511 and is more fully described in deeds on file in San Juan county and with the department.

XCC. Prairie-chicken wildlife management areas are located throughout Chaves, DeBaca, Lea, and Roosevelt counties and are more fully described in deeds on file in said counties and with the department.

YDD. Red Rock wildlife management area is approximately 26 miles north of Lordsburg and is more fully described in deeds on file in Grant county and with the department.

ZEE. Retherford wildlife management area is located approximately 3 miles southeast of Bloomfield and is more fully described in deeds on file in San Juan county and with the department.

AAFF. Rio Chama wildlife management area is located approximately 14 miles south of Chama, bordering El Vado reservoir and the Chama river, and is more fully described in deeds on file in Rio Arriba county and with the department.

BBGG. Rio de los Pinos wildlife management area is located approximately 10 miles southwest of Antonito, Colorado and is more fully described in deeds on file in Rio Arriba county and with the department.

HH. River Ranch wildlife management area is located approximately 24 miles northwest of Deming and is more fully described in deeds on file in Grant county, Luna county, and with the department.

II. San Simon Cienega wildlife management area is located approximately 16 miles northwest of Animas and is more fully described in deeds on file in Hidalgo county and with the department.

CCJJ. Socorro-Escondida wildlife management area is located approximately 3 miles northeast of Socorro and is more fully described in deeds on file in Socorro county and with the department.

DDKK. Tres Piedras wildlife management area is located approximately 5 miles southeast of Tres Piedras and is more fully described in deeds on file in Taos county and with the department.

EELL. Tucumcari lake wildlife management area is located immediately east of Tucumcari and is more fully described in deeds on file in Quay county and with the department.

FFMM. Urraca wildlife management area is located approximately 12 miles north of Questa and is more fully described in deeds on file in Taos county and with the department.

GGNN. Wagon Mound wildlife management area is located approximately 1 mile north of Wagon Mound and is more fully described in deeds on file in Mora county and with the department.

HHOO. Water canyon wildlife management area is located approximately 18 miles northeast of Grants by Mount Taylor and is more fully described in deeds on file in Cibola county and with the department.

PP. William A. Humphries wildlife management area is located approximately 10 miles west of Chama, south of US highway 64/84 and is more fully described in deeds on file in Rio Arriba county and with the department.

HQQ. William S. Huey wildlife management area is comprised of the Artesia and Karr farms and is located approximately 2 miles north of Artesia and is more fully described in deeds on file in Eddy county and with the department.

JJ. William A. Humphries wildlife management area is located approximately 10 miles west of Chama, south of US highway 64/84 and is more fully described in deeds on file in Rio Arriba county and with the department.

[19.34.5.8 NMAC - Rp, 19.34.5.8 NMAC, 4/1/2023]

HISTORY OF 19.34.5 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

DGF 67-10, Order No. 14-67, Creating Miller Mesa Game Refuge, No. 319, 9/22/67.

DGF 70-7, Order No. 4-70, Creating Alcalde Refuge, No. 320, 8/24/70.

DGF 70-7, Amendment No. 1, Order No. 2-74, Re-Creating the Alcalde Game Refuge, No. 320, 3/6/74.

DGF 70-10, Order No. 9-70, Amending the Artesia Game Refuge, No. 318, 12/9/70.

DGF 81-3, Order No. 5-81, New Boundaries for the Artesia Game Refuge, No. 318, 5/27/81.

Order No. 5-85, New Boundaries for the Artesia Waterfowl Management Area No. 318, 9/11/85.

Order No. 1-86, Changing the Name of the Artesia Waterfowl Management Area No. 318 to the William S. Huey Waterfowl Management Area No. 318, 3/25/86.

DGF 72-10, Order No. 6-72, Amending the Bernardo State Game Refuge, No. 314, 8/15/72.

DGF 72-10, Amendment No. 1, Order No. 2-76, Amending the Bernardo State Game Refuge, No. 314, 5/25/76.

DGF 72-10, Amendment No. 2, Order No. 6-79, Amending Boundaries of Bernardo State Game Refuge, No. 314, and Providing for Retriever Trial and Training on a Portion of the Refuge, 7/27/79.

Order No. 4-83, Amending Boundaries of Bernardo State Game Refuge, No. 314, and Providing for Retriever Trials and Training on a Portion of the Refuge, 9/7/83.

DGF 72-13, Order No. 8-72, Regulating Hunting on Certain State Lands, 9/26/72.

DGF 74-1, Order No. 16-73, Amending the La Cueva State Game Refuge, No. 300, 1/3/74.

DGF 75-10, Order No. 7-74, Creating the Mary S. Sprague State Game Refuge, No. 321, 10/28/75.

DGF 79-5, Order No. 4-79, Amendment to No. 3 to the Boundary Description of the Big Hatchet Game Refuge, No. 10, 6/27/79.

Order No. 11-81, Amending Fort Bayard Game Refuge, 8/19/81.

Order No. 2-82, Creating the Casa Colorada State Game Refuge, No. 322, 3/2/82.

Order No. 1-83, Hunting on State Game Refuges, 3/9/83.

Order No. 7-86, Creating the Ladd S. Gordon Wildlife Management Area, 1/5/87.

History of Repealed Material:

DGF 73-5, Order No. 7-73, Abolishing the La Huerta State Game Refuge, No. 311, 5/31/73.

Order No. 15-81, Abolishing the La Cueva State Game Refuge No. 300, 9/4/81.

Order No. 3-82, Abolishing the Organ Mountains and San Simon State Game Refuges, 3/2/82.

Order No. 14-82, Abolishing the San Juan State Game Refuge, 12/15/82.

Order No. 1-87, Abolishing the Miller Game Refuge - Repealed 6/4/87.

19.34.5 NMAC, Wildlife Management Areas, filed 12/1/99 - Repealed effective 7/15/13.

NMAC

Transmittal Form



FILED WITH
NEW MEXICO STATE
RECORDS CENTER

2022 AUG 25 PM 3:31

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New Amendment Repeal Emergency Renumber (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):
Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

FILED WITH
NEW MEXICO STATE
RECORD CENTER

2022 AUG 25 PM 3:31

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

The rulemaking was undertaken to adopt a new Wildlife Management Areas Rule, 19.34.5 NMAC, which will become effective April 1, 2023, and to repeal the current rule which is a permanent rule. The new rule will include the name and location descriptions of properties acquired by the State Game Commission that are not currently included in the Wildlife Management Areas Rule. There were no changes made between the published proposed rule and the final rule.

There were no public comments submitted on this rule. To view the rule making record, please visit www.wildlife.state.nm.us/commission/meeting-agendas/ and click on the Hearing Archive tab.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Michael B. Sloane

Check if authority has been delegated

Title:

Director, New Mexico Department of Game and Fish

Signature: (BLACK ink only OR Digital Signature)

Michael B. Sloane

Digitally signed by Michael B. Sloane
Date: 2022.08.25 14:20:05 -06'00'

Date signed:

8/25/22

2022 AUG 25 PM 3:31

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 5 WILDLIFE MANAGEMENT AREAS

19.34.5.1 ISSUING AGENCY: New Mexico department of game and fish.
[19.34.5.1 NMAC - Rp, 19.34.5.1 NMAC, 4/1/2023]

19.34.5.2 SCOPE: Department staff, licensed hunters, anglers and trappers and other users as allowed by rule.
[19.34.5.2 NMAC - Rp, 19.34.5.2 NMAC, 4/1/2023]

19.34.5.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to identify game refuges and to establish rules and regulations that it may deem necessary to carry out the purposes of Chapter 17 NMSA 1978.
[19.34.5.3 NMAC - Rp, 19.34.5.3 NMAC, 4/1/2023]

19.34.5.4 DURATION: Permanent.
[19.34.5.4 NMAC - Rp, 19.34.5.4 NMAC, 4/1/2023]

19.34.5.5 EFFECTIVE DATE: April 1, 2023, unless a different date is cited at the end of a section.
[19.34.5.5 NMAC - Rp, 19.34.5.5 NMAC, 4/1/2023]

19.34.5.6 OBJECTIVE: To identify wildlife management areas created by the state game commission.
[19.34.5.6 NMAC - Rp, 19.34.5.6 NMAC, 4/1/2023]

19.34.5.7 DEFINITIONS:
A. “Department” shall mean the New Mexico department of game and fish.
B. “Wildlife management area” shall mean an area of land owned or controlled by the state game commission and designated by the commission or department as a wildlife management area.
[19.34.5.7 NMAC - Rp, 19.34.5.7 NMAC, 4/1/2023]

19.34.5.8 WILDLIFE MANAGEMENT AREAS:
A. Bear Canyon lake wildlife management area is located approximately 2 miles north of Mimbres and is more fully described in deeds on file in Grant county and with the department.
B. Belen wildlife management area is part of the Ladd S. Gordon complex and is located approximately 2 miles south of Belen and is more fully described in deeds on file in Valencia county and with the department.
C. Bernardo wildlife management area, part of the Ladd S. Gordon complex, is located approximately 15 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
D. Bernardo wildlife management area, Simms donation, part of the Ladd S. Gordon complex, is located approximately 16 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
E. Bert Clancy wildlife management area is located between Pecos and Cowles and is more fully described in deeds on file in San Miguel county and with the department.
F. Bill Evans lake wildlife management area is located approximately 8 miles south of Cliff and is more fully described in deeds on file in Grant county and with the department.
G. Bluebird wildlife management area is located approximately 6 miles southeast of Cuba on state road 126 and is more fully described in deeds on file in Sandoval county and with the department.
H. Casa Colorada wildlife management area, part of the Ladd S. Gordon complex, is located approximately 7 miles southeast of Belen on the east side of the Rio Grande and is more fully described in deeds on file in Valencia county and with the department.
I. Charette lakes wildlife management area is located approximately 23 miles southwest of Springer and is more fully described in deeds on file in Mora county and with the department.
J. Clayton lake wildlife management area is located approximately 15 miles north of Clayton and is more fully described in deeds on file in Union county and with the department.

- K.** Colin Neblett wildlife management area is located immediately east of the village of Eagle Nest and Eagle Nest lake and is more fully described in deeds on file in Colfax county and with the department.
- L.** Double E wildlife management area is located approximately 6 miles northeast of Gila and is more fully described in deeds on file in Grant county and with the department.
- M.** Eagle Nest lake wildlife management area is located immediately south of the village of Eagle Nest and is more fully described in deeds on file in Colfax county and with the department.
- N.** Edward Sargent wildlife management area is located immediately north of Chama and is more fully described in deeds on file in Rio Arriba county and with the department.
- O.** Elliott Barker wildlife management area is located approximately 15 miles northwest of Cimarron and is more fully described in deeds on file in Colfax county and with the department.
- P.** Fenton lake wildlife management area is located approximately 9 miles north of Jemez Springs and is more fully described in deeds on file in Sandoval county and with the department.
- Q.** Glenwood Allred wildlife management area is located immediately south of Glenwood and is more fully described in deeds on file in Catron county and with the department.
- R.** Hammond Tract wildlife management area is located approximately 2 miles east of Blanco and is more fully described in deeds on file in San Juan county and with the department.
- S.** Heart Bar wildlife management area is located approximately 36 miles north of Silver City and is more fully described in deeds on file in Grant and Catron counties, and with the department.
- T.** Jackson lake wildlife management area is located approximately 8 miles northwest of Farmington along the La Plata river and includes management of state land office section 16 and bureau of land management section 21 and is more fully described in deeds on file in San Juan county and with the department.
- U.** La Joya wildlife management area, part of the Ladd S. Gordon complex, is located approximately 20 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
- V.** Lake Roberts wildlife management area is located approximately 20 miles north of Silver City and is more fully described in deeds on file in Grant county and with the department.
- W.** Marquez wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in McKinley and Sandoval counties and with the department.
- X.** McAllister lake wildlife management area is located approximately 7 miles southeast of Las Vegas and is more fully described in deeds on file in San Miguel county and with the department.
- Y.** Marquez/LBar wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in Cibola, McKinley and Sandoval counties and with the department.
- Z.** Mimbres Tract wildlife management area is located approximately 1 mile southeast of Mimbres, and is more fully described in deeds on file in Grant county and with the department.
- AA.** Navajo wildlife management areas are located approximately 10 miles northeast of Navajo Lake and are more fully described in deeds on file in San Juan county, Rio Arriba county and with the department.
- BB.** Pine river wildlife management area is located approximately 1 mile south of the Colorado border off state road 511 and is more fully described in deeds on file in San Juan county and with the department.
- CC.** Prairie-chicken wildlife management areas are located throughout Chaves, DeBaca, Lea and Roosevelt counties and are more fully described in deeds on file in said counties and with the department.
- DD.** Red Rock wildlife management area is approximately 26 miles north of Lordsburg and is more fully described in deeds on file in Grant county and with the department.
- EE.** Retherford wildlife management area is located approximately 3 miles southeast of Bloomfield and is more fully described in deeds on file in San Juan county and with the department.
- FF.** Rio Chama wildlife management area is located approximately 14 miles south of Chama, bordering El Vado reservoir and the Chama river, and is more fully described in deeds on file in Rio Arriba county and with the department.
- GG.** Rio de los Pinos wildlife management area is located approximately 10 miles southwest of Antonito, Colorado and is more fully described in deeds on file in Rio Arriba county and with the department.
- HH.** River Ranch wildlife management area is located approximately 24 miles northwest of Deming and is more fully described in deeds on file in Grant county, Luna county, and with the department.
- II.** San Simon Cienega wildlife management area is located approximately 16 miles northwest of Animas and is more fully described in deeds on file in Hidalgo county and with the department.
- JJ.** Socorro-Escondida wildlife management area is located approximately 3 miles northeast of Socorro and is more fully described in deeds on file in Socorro county and with the department.
- KK.** Tres Piedras wildlife management area is located approximately 5 miles southeast of Tres Piedras and is more fully described in deeds on file in Taos county and with the department.

LL. Tucumcari lake wildlife management area is located immediately east of Tucumcari and is more fully described in deeds on file in Quay county and with the department.

MM. Urraca wildlife management area is located approximately 12 miles north of Questa and is more fully described in deeds on file in Taos county and with the department.

NN. Wagon Mound wildlife management area is located approximately 1 mile north of Wagon Mound and is more fully described in deeds on file in Mora county and with the department.

OO. Water canyon wildlife management area is located approximately 18 miles northeast of Grants by Mount Taylor and is more fully described in deeds on file in Cibola county and with the department.

PP. William A. Humphries wildlife management area is located approximately 10 miles west of Chama, south of US highway 64/84 and is more fully described in deeds on file in Rio Arriba county and with the department.

QQ. William S. Huey wildlife management area is located approximately 2 miles north of Artesia and is more fully described in deeds on file in Eddy county and with the department.

[19.34.5.8 NMAC - Rp, 19.34.5.8 NMAC, 4/1/2023]

HISTORY OF 19.34.5 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

DGF 67-10, Order No. 14-67, Creating Miller Mesa Game Refuge, No. 319, 9/22/67.

DGF 70-7, Order No. 4-70, Creating Alcalde Refuge, No. 320, 8/24/70.

DGF 70-7, Amendment No. 1, Order No. 2-74, Re-Creating the Alcalde Game Refuge, No. 320, 3/6/74.

DGF 70-10, Order No. 9-70, Amending the Artesia Game Refuge, No. 318, 12/9/70.

DGF 81-3, Order No. 5-81, New Boundaries for the Artesia Game Refuge, No. 318, 5/27/81.

Order No. 5-85, New Boundaries for the Artesia Waterfowl Management Area No. 318, 9/11/85.

Order No. 1-86, Changing the Name of the Artesia Waterfowl Management Area No. 318 to the William S. Huey Waterfowl Management Area No. 318, 3/25/86.

DGF 72-10, Order No. 6-72, Amending the Bernardo State Game Refuge, No. 314, 8/15/72.

DGF 72-10, Amendment No. 1, Order No. 2-76, Amending the Bernardo State Game Refuge, No. 314, 5/25/76.

DGF 72-10, Amendment No. 2, Order No. 6-79, Amending Boundaries of Bernardo State Game Refuge, No. 314, and Providing for Retriever Trial and Training on a Portion of the Refuge, 7/27/79.

Order No. 4-83, Amending Boundaries of Bernardo State Game Refuge, No. 314, and Providing for Retriever Trials and Training on a Portion of the Refuge, 9/7/83.

DGF 72-13, Order No. 8-72, Regulating Hunting on Certain State Lands, 9/26/72.

DGF 74-1, Order No. 16-73, Amending the La Cueva State Game Refuge, No. 300, 1/3/74.

DGF 75-10, Order No. 7-74, Creating the Mary S. Sprague State Game Refuge, No. 321, 10/28/75.

DGF 79-5, Order No. 4-79, Amendment to No. 3 to the Boundary Description of the Big Hatchet Game Refuge, No. 10, 6/27/79.

Order No. 11-81, Amending Fort Bayard Game Refuge, 8/19/81.

Order No. 2-82, Creating the Casa Colorada State Game Refuge, No. 322, 3/2/82.

Order No. 1-83, Hunting on State Game Refuges, 3/9/83.

Order No. 7-86, Creating the Ladd S. Gordon Wildlife Management Area, 1/5/87.

History of Repealed Material:

DGF 73-5, Order No. 7-73, Abolishing the La Huerta State Game Refuge, No. 311, 5/31/73.

Order No. 15-81, Abolishing the La Cueva State Game Refuge No. 300, 9/4/81.

Order No. 3-82, Abolishing the Organ Mountains and San Simon State Game Refuges, 3/2/82.

Order No. 14-82, Abolishing the San Juan State Game Refuge, 12/15/82.

Order No. 1-87, Abolishing the Miller Game Refuge - Repealed 6/4/87.

19.34.5 NMAC, Wildlife Management Areas, filed 12/1/99 - Repealed effective 7/15/13.

19.34.5 NMAC, Wildlife Management Areas, filed 6/27/2013 - Repealed effective 4/1/2023.

Instructions for completing the NMAC TRANSMITTAL FORM



Your agency must complete the following:

Volume, Issue and Publication Date. [Example: Volume: XXXII , Issue: 10, Publication date: May 25, 2021.](#)

Provide the total number of pages of the paper version of the new rule, amendment, repeal, or emergency document. [Note: Do not include the pages of the transmittal form, billing sheet, PO, etc.](#)

Sequence number is for **ALD use only**.

Issuing agency's name and mailing address.

Agency's 3-digit DFA code. [Example: 123](#)

Contact person's Name, Phone number, E-mail address.

Check type of rule action: **New** (brand new rule or replacement rule), **Amendment**, **Repeal** (repeal and do not replace or repeal and replace), **Emergency**, or **Renumber**. [For a repeal and replacement rule, the agency must provide TWO signed transmittal forms; one for the repeal statement and another for the new \(replacement\) rule.](#)

Most Recent Filing Date of the Part for **ALD use only**.

Identify NMAC Title, Chapter and Part numbers and Title, Chapter and Part names.

[Example:](#)

Title 19 Natural Resources and Wildlife
Chapter 30 Wildlife Administration Aquatic
Part 14 Invasive Species

Description of Amendment: (if amending) [Example: "Amending three sections"](#).

Amendment's NMAC citation: (if amending) [Example: "Sections 9, 10 and 18 of 7.1.13 NMAC"](#).

Are any materials incorporated by reference? [Check: Yes or No. If Yes, please list attachments or provide Internet site.](#)

If incorporated, has copyright permission been granted? [Check Yes or No or check if document is in the public domain.](#)

Concise Explanatory Statement for rulemaking adoption See 1.24.25.14 NMAC:

Provide your agency's specific statutory or other authority authorizing rulemaking: Check with your agency's general counsel office to determine the correct citation(s) authorizing your agency to make rules.

Provide your Notice date(s) ([when notice of rulemaking was published in Register](#)): Hearing date(s) (if agency has board or commission): Rule adoption date: ([see note below](#)) and Rule effective date ([date rulemaking becomes effective](#))

Note:

- There must be at least **30** days between the notice publication date and hearing date.
- Your agency **must file** your rule within **15** days from rule adoption date. The date of adoption of the proposed rule shall be the date the concise explanatory statement is signed by the agency, unless otherwise specified in the concise explanatory statement. Unless your rule is an emergency filing, the rule effective date cannot be any earlier than the publication date in the New Mexico Register.

Findings required for rulemaking adoption. If attaching a separate document as findings or as concise explanatory statement, please indicate as such in findings section.

[Check with your agency's general counsel office regarding substance of any required findings to be filed.](#)

Issuing Authority: Name, Title Date signed and original Signature of issuing authority or their delegate in **black** ink or with valid digital signature: [Note: If authority has been delegated, this box must be checked. A letter of delegation must be on file with the State Records Center and Archives, Administrative Law Division.](#)

NMAC

Transmittal Form



Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New Amendment Repeal Emergency Renumber (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?
Yes No

Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Check if authority has been delegated

Title:

Signature: (BLACK ink only OR Digital Signature)

Date signed:

Wildlife Management Areas 19.34.5 NMAC



June 3, 2022

State Game Commission Meeting



New WMA's

- Double E
- River Ranch
- Glenwood
- L Bar



WILDLIFE MANAGEMENT AREAS PROPOSED RULE CHANGE SUMMARY (updated: 6/8/2022)

PURPOSE

Update list of properties owned by the New Mexico State Game Commission that are identified as wildlife management areas.

PROPOSED ADDITIONS TO LIST OF PROPERTIES IDENTIFIED AS WILDLIFE MANAGEMENT AREAS

Double E wildlife management area is located approximately 6 miles northeast of Gila and is more fully described in deeds on file in Grant county and with the department.

Glenwood Allred wildlife management area is located immediately south of Glenwood and is more fully described in deeds on file in Catron county and with the department.

Marquez/LBar wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in Cibola, McKinley and Sandoval counties and with the department.

Mimbres Tract wildlife management area is located approximately 1 mile southeast of Mimbres, and is more fully described in deeds on file in Grant county and with the department.

Navajo wildlife management areas are located approximately 10 miles northeast of Navajo Lake and are more fully described in deeds on file in San Juan county, Rio Arriba county, and with the department.

River Ranch wildlife management area is located approximately 24 miles northwest of Deming, and is more fully described in deeds on file in Grant county, Luna county, and with the department.

San Simon Cienega wildlife management area is located approximately 16 miles northwest of Animas and is more fully described in deeds on file in Hidalgo county and with the department.

PUBLIC INVOLVEMENT

The Department continues to receive public comment. If you would like to comment on the proposals, please send an email to: DonaldP.Auer@state.nm.us

COMMISSION MEETING AGENDA BRIEFING

Meeting Date: August 19, 2022

Agenda Number: 15

Presenter: Stewart Liley

Corroborator: N/A

Agenda Title: Rule Hearing Wildlife Management Areas Rule 19.34.5 NMAC.

1. Summary of Agenda Item

The Department will present to the Commission amendments to the Wildlife Management Areas rule 19.34.5 NMAC, to include descriptions of properties acquired by the Commission since the rule was last amended in 2013.

2. Background Information

The Wildlife Management Areas rule 19.34.5 NMAC list Commission owned Wildlife Management Areas and provides the name of the property as well as a general description of where the property is located.

3. Strategic Plan References and Possible Impacts of Agenda Item

The process as presented to the Commission meets the Conservation Services Program Objectives 9 of the Department's Strategic Plan: FY 2019 – FY 2023

4. Considerations Regarding Duplications and/or Conflicts with Existing Rules or Statutes

None

5. Description and Summary of Public Involvement Process and Results

None

6. Suggested Motion

The Department respectfully suggests the following motion unless Commission discretion indicates a different course of action:

“Move to adopt the proposed changes to 19.34.5 NMAC as presented by the Department and allow the Department to make minor corrections to comply with filing this rule with State Records and Archives.”

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 5 WILDLIFE MANAGEMENT AREAS

19.34.5.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[19.34.5.1 NMAC - Rp, 19.34.5.1 NMAC, 4/1/2023]

19.34.5.2 SCOPE: Department staff, licensed hunters, anglers and trappers and other users as allowed by rule GAIN permit holders.
[19.34.5.2 NMAC - Rp, 19.34.5.2 NMAC, 4/1/2023]

19.34.5.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has with the authority to identify game refuges and to establish rules and regulations that it may deem necessary to carry out the purposes of Chapter 17 NMSA 1978.
[19.34.5.3 NMAC - Rp, 19.34.5.3 NMAC, 4/1/2023]

19.34.5.4 DURATION: Permanent.
[19.34.5.4 NMAC - Rp, 19.34.5.4 NMAC, 4/1/2023]

19.34.5.5 EFFECTIVE DATE: April 1, 2023 July 15, 2013, unless a different date is cited at the end of a section.
[19.34.5.5 NMAC - Rp, 19.34.5.5 NMAC, 4/1/2023]

19.34.5.6 OBJECTIVE: To identify wildlife management areas created by the state game commission.
[19.34.5.6 NMAC - Rp, 19.34.5.6 NMAC, 4/1/2023]

19.34.5.7 DEFINITIONS:

- A.** "Department" shall mean the New Mexico department of game and fish.
BA. "Wildlife management area" (WMA) shall mean an area of land owned or controlled by the state game commission and designated by the commission or department as a wildlife management area WMA.
B. [RESERVED]

[19.34.5.7 NMAC - Rp, 19.34.5.7 NMAC, 4/1/2023]

19.34.5.8 WILDLIFE MANAGEMENT AREAS:

- A.** Bear Canyon lake wildlife management area is located approximately 2 miles north of Mimbres and is more fully described in deeds on file in Grant county and with the department.
B. Belen wildlife management area is part of the Ladd S. Gordon complex and is located approximately 2 miles south of Belen and is more fully described in deeds on file in Valencia county and with the department.
C. Bernardo wildlife management area is part of the Ladd S. Gordon complex and is located approximately 15 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
D. Bernardo wildlife management area, Simms donation, is part of the Ladd S. Gordon complex and is located approximately 16 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
E. Bert Clancy wildlife management area is located between Pecos and Cowles and is more fully described in deeds on file in San Miguel county and with the department.
F. Bill Evans lake wildlife management area is located approximately 8 miles south of Cliff and is more fully described in deeds on file in Grant county and with the department.
G. Bluebird wildlife management area is located approximately 6 miles southeast of Cuba on state road 126 and is more fully described in deeds on file in Sandoval county and with the department.
H. Casa Colorada wildlife management area, part of the Ladd S. Gordon complex, is located approximately 7 miles southeast of Belen on the east side of the Rio Grande and is more fully described in deeds on file in Valencia county and with the department.
I. Charette lakes wildlife management area is located approximately 23 miles southwest of Springer and is more fully described in deeds on file in Mora county and with the department.
J. Clayton lake wildlife management area is located approximately 15 miles north of Clayton and is more fully described in deeds on file in Union county and with the department.

- K.** Colin Neblett wildlife management area is located immediately east of the village of Eagle Nest and Eagle Nest lake and is more fully described in deeds on file in Colfax county and with the department.
- L.** Double E wildlife management area is located approximately 6 miles northeast of Gila and is more fully described in deeds on file in Grant county and with the department.
- LM.** Eagle Nest lake wildlife management area is located immediately south of the village of Eagle Nest and is more fully described in deeds on file in Colfax county and with the department.
- MN.** Edward Sargent wildlife management area is located immediately north of Chama and is more fully described in deeds on file in Rio Arriba county and with the department.
- NO.** Elliott Barker wildlife management area is located approximately 15 miles northwest of Cimarron and is more fully described in deeds on file in Colfax county and with the department.
- OP.** Fenton lake wildlife management area is located approximately 9 miles north of Jemez Springs and is more fully described in deeds on file in Sandoval county and with the department.
- O.** Glenwood Allred wildlife management area is located immediately south of Glenwood and is more fully described in deeds on file in Catron county and with the department.
- PR.** Hammond Tract wildlife management area is located approximately 2 miles east of Blanco and is more fully described in deeds on file in San Juan county and with the department.
- QS.** Heart Bar wildlife management area is located approximately 36 miles north of Silver City and is more fully described in deeds on file in Grant and Catron counties, and with the department.
- RT.** Jackson lake wildlife management area is located approximately 8 miles northwest of Farmington along the La Plata river and includes management of state land office section 16 and bureau of land management section 21 and is more fully described in deeds on file in San Juan county and with the department.
- SU.** La Joya wildlife management area, part of the Ladd S. Gordon complex, is located approximately 20 miles south of Belen and is more fully described in deeds on file in Socorro county and with the department.
- TV.** Lake Roberts wildlife management area is located approximately 20 miles north of Silver City and is more fully described in deeds on file in Grant county and with the department.
- W.** Marquez wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in McKinley and Sandoval counties and with the department.
- UX.** McAllister lake wildlife management area is located approximately 7 miles southeast of Las Vegas and is more fully described in deeds on file in San Miguel county and with the department.
- Y.** Marquez/LBar wildlife management area is located approximately 25 miles north of Laguna and is more fully described in deeds on file in Cibola, McKinley and Sandoval counties and with the department.
- Z.** Mimbres Tract wildlife management area is located approximately 1 mile southeast of Mimbres, and is more fully described in deeds on file in Grant county and with the department.
- AA.** Navajo wildlife management areas are located approximately 10 miles northeast of Navajo Lake and are more fully described in deeds on file in San Juan county, Rio Arriba county and with the department.
- WBB.** Pine river wildlife management area is located approximately 1 mile south of the Colorado border off state road 511 and is more fully described in deeds on file in San Juan county and with the department.
- XCC.** Prairie-chicken wildlife management areas are located throughout Chaves, DeBaca, Lea, and Roosevelt counties and are more fully described in deeds on file in said counties and with the department.
- YDD.** Red Rock wildlife management area is approximately 26 miles north of Lordsburg and is more fully described in deeds on file in Grant county and with the department.
- ZEE.** Retherford wildlife management area is located approximately 3 miles southeast of Bloomfield and is more fully described in deeds on file in San Juan county and with the department.
- AAFF.** Rio Chama wildlife management area is located approximately 14 miles south of Chama, bordering El Vado reservoir and the Chama river, and is more fully described in deeds on file in Rio Arriba county and with the department.
- BBGG.** Rio de los Pinos wildlife management area is located approximately 10 miles southwest of Antonito, Colorado and is more fully described in deeds on file in Rio Arriba county and with the department.
- HH.** River Ranch wildlife management area is located approximately 24 miles northwest of Deming and is more fully described in deeds on file in Grant county, Luna county, and with the department.
- II.** San Simon Cienega wildlife management area is located approximately 16 miles northwest of Animas and is more fully described in deeds on file in Hidalgo county and with the department.
- CCJJ.** Socorro-Escondida wildlife management area is located approximately 3 miles northeast of Socorro and is more fully described in deeds on file in Socorro county and with the department.
- DDKK.** Tres Piedras wildlife management area is located approximately 5 miles southeast of Tres Piedras and is more fully described in deeds on file in Taos county and with the department.
- EELL.** Tucumcari lake wildlife management area is located immediately east of Tucumcari and is more fully described in deeds on file in Quay county and with the department.

FFMM. Urraca wildlife management area is located approximately 12 miles north of Questa and is more fully described in deeds on file in Taos county and with the department.

GGNN. Wagon Mound wildlife management area is located approximately 1 mile north of Wagon Mound and is more fully described in deeds on file in Mora county and with the department.

HHOO. Water canyon wildlife management area is located approximately 18 miles northeast of Grants by Mount Taylor and is more fully described in deeds on file in Cibola county and with the department.

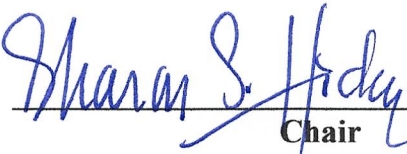
PP. William A. Humphries wildlife management area is located approximately 10 miles west of Chama, south of US highway 64/84 and is more fully described in deeds on file in Rio Arriba county and with the department.

HQQ. William S. Huey wildlife management area is comprised of the Artesia and Karr farms and is located approximately 2 miles north of Artesia and is more fully described in deeds on file in Eddy county and with the department.

~~**JJ.** William A. Humphries wildlife management area is located approximately 10 miles west of Chama, south of US highway 64/84 and is more fully described in deeds on file in Rio Arriba county and with the department.~~

Dated at Gallup, this 19th day of August, 2022.

STATE GAME COMMISSION



Chair

ATTEST:



Michael B. Sloane, Secretary

CERTIFICATE OF AUTHENTICATION

State of New Mexico)
) ss
County of McKinnley)

I, Michael B. Sloane, Director of the Department of Game and Fish of the State of New Mexico, do hereby certify that the foregoing amendment of rule 19.34.5 NMAC Wildlife Management Areas rule is a true copy of said amendment of the State Game Commission of the State of New Mexico; that said amendment has been adopted, signed, and filed in the office of the Director in accordance with Section 17-2-5, New Mexico Statutes Annotated, 1978 Compilation, and in the office of the State Records Center of the State of New Mexico in accordance with Section 14-4-1, New Mexico Statutes Annotated, 1978 Compilation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Director at Santa Fe, New Mexico, this 19th day of August, 2022.



Michael B. Sloane, Director

S E A L