

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

Santa Fe Community College
6401 Richards Avenue
Santa Fe, NM 87508
Thursday, January 15, 2015
9:00 a.m. – 5:00 p.m.

CHAIRMAN KIENZLE: Meeting called to order at 9:00 am

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Here.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: Here.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Here.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

DIRECTOR SANDOVAL: Chairman, we have a quorum.

MEMBERS: (Pledge of Allegiance is recited).

COMMISSIONER ARVAS: Motion to approve the agenda.

COMMISSIONER MONTOYA: So moved Mr. Chairman.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

AGENDA ITEM NO. 5: Introduction of Guests.

CHAIRMAN KIENZLE: We'll all go around the room and introduce yourselves and who you are with.

GUEST SPEAKER: John Crenshaw, New Mexico Wildlife Federation.

GUEST SPEAKER: Good morning, Commissioners. Lance Cherry, Chief of Information and Education.

GUEST SPEAKER: Good morning, Commissioners. Garrett VeneKlasen, New Mexico Wildlife Federation.

GUEST SPEAKER: Joel Gray, New Mexico Wildlife Federation.

GUEST SPEAKER: Commissioners. Jack Morrow Turner Ranch

GUEST SPEAKER: Good morning. Michael Perry, Captain, Northern area.

GUEST SPEAKER: Good morning, Gentlemen, Ladies. Star Gonzales, Marketing Manager, New Mexico Department of Game and Fish.

GUEST SPEAKER: Good morning. Dan Williams, New Mexico Game and Fish, Editor of New Mexico Wildlife.

GUEST SPEAKER: Ron Short, Information and Education.

GUEST SPEAKER: Good morning, Commissioners. Martin Perea, Videographer, Information and Education, Game and Fish.

GUEST SPEAKER: Good morning. Sandra DuCharme. Executive Assistant to the Director, New Mexico Game and Fish.

FEMALE SPEAKER: Mr. Chairman, if I might take just a minute.

CHAIRMAN KIENZLE: Sure.

FEMALE SPEAKER: We completed an (indiscernible) North, North Central New Mexico (indiscernible) 89 antelope (indiscernible) that was very successful (indiscernible). Thank you.

CHAIRMAN KIENZLE: Thank you.

AGENDA ITEM NO. 6: Approval of Minutes November 13, 2014, Espanola, NM.

CHAIRMAN KIENZLE: I've got a motion to approve the minutes from November 13, 2014.

COMMISSIONER SALOPEK: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 7: Election of Chairman And Vice Chairman of State Game Commission.**

COMMISSIONER SALOPEK: Mr. Chairman, I would like to place the name of Paul Kienzle for Chairman of New Mexico Game and Fish.

COMMISSIONER RAMOS: Second.

ALL MEMBERS: Aye.

DIRECTOR SANDOVAL: Mr. Chairman, it should be a roll call.

DIRECTOR SANDOVAL: Vice Chairman Bill Montoya.

VICE CHAIRMAN: Yes.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Yes.

DIRECTOR SANDOVAL: Commissioner. Salopek?

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: The aye's have it.

COMMISSIONER RICKLEFS: I would like to nominate Vice Chairman Bill Montoya as the next vice chairman.

COMMISSIONER SALOPEK: Second.

DIRECTOR SANDOVAL: Roll call.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Congratulations, gentlemen.

CHAIRMAN KIENZLE: I'll do the best I can.

CHAIRMAN KIENZLE: Let's see. Future meeting schedule and locations.

DIRECTOR SANDOVAL: This is a discussion for the Commission. We don't necessarily have a site for it. But the locations that we have presented for you for consideration are: March 26, 2015, in Alamogordo; May 7, 2015, Farmington; June 11, 2015, Taos; August 27, 2015, Santa Fe; October 1, 2015, Albuquerque; November 15, 2015, in Roswell; and, January 14, 2016, Santa Fe.

MALE SPEAKER: We finally got our own Game and Fish (indiscernible)

MALE SPEAKER: Yes, and you can thank me for that.

MALE SPEAKER: I'd like to (indiscernible).

CHAIRMAN KIENZLE: Anybody got any problems with dates?

COMMISSIONER RAMOS: Chairman Kienzle, I was just wanting to see if we could look at a possibly a Saturday somewhere. We did get some public input, maybe it's not possible, but thought I'd just ask on that.

COMMISSIONER RAMOS: Well, I'd like to at least throw it out there. You know, we were concerned about that. I know when that was brought up, there was also some opposition from the

public as well, the Saturday soccer and pro-ball games, things like that happening. But nevertheless I thought I'd put it on the table.

CHAIRMAN KIENZLE: Let's do this. Let's keep the days we've got here. But maybe the later months. Joel, what's your thought.

DIRECTOR SANDOVAL: Joel, why don't you come up to the microphone here?

JOEL GRAY: Joel Gray, New Mexico Wildlife Federation. This is an issue we talked about for a number of years, that was just before you got on the Commission. And, there are difficulties for everybody whether you do it on Monday's, or Thursday's, or Saturday's. However, having meetings start at 9 o'clock on Thursday sends a message to the public that we really don't want to hear from you guys. You guys, you see us at virtually every meeting you hold. You don't get anybody from the general public, or very rarely do. It was interesting to see when those guys that showed up last June. A bunch of hunters showed up and kind of gave you guys an earful. So I think those are the types of people that you ought to hear from. And I think that Saturday's, I know some people have soccer games, but I guarantee you on Thursday's from 9 to 5, you are not going to get everyday hunters and anglers coming in to give you feedback. So, thank you, (indiscernible) and to others. I think you have one or two additional people that would hold a meeting on Saturday versus Thursday.

CHAIRMAN KIENZLE: It doesn't matter what day or what time you hold a meeting, there will be conflicts. We will at some point in time and give it a shot. It wouldn't hurt to try it once.

MALE SPEAKER: I think you should leave things as they are (inaudible, background).

MALE SPEAKER: How did it go, with, I guess later in the year, and so it wouldn't interfere with hunting season, on Saturday, see if we could get the public to attend.

COMMISSIONER MONTOYA: If you're going to pick one, you've got to secure hotels for August in Santa Fe.

DIRECTOR SANDOVAL: I just might add some technical discussion, at that August meeting, we have a new (inaudible) September 1. So moving backwards to the previous Saturday or discuss another month which is ample time to prepare.

CHAIRMAN KIENZLE: Do you have a proclamation where that would interfere with the opening of hunting season?

DIRECTOR SANDOVAL: That Saturday would be August 22, and let me look there. So, not necessarily for the hunts for antelope, but that is our (indiscernible) committed at that point.

SPEAKERS: (Inaudible/indiscernible).

FEMALE SPEAKER: So it could be June 6, or June 13.

MALE SPEAKER: 13th?

DIRECTOR SANDOVAL: So June 6 is free fishing day. So, probably June 13.

CHARIMAN KIENZLE: Like I said, I think that would be a good start to see what we can come up with, see what kind of turnout we go, and think that's encouraging.

CHAIRMAN KIENZLE: I need a motion.

COMMISSIONER RAMOS: Chairman Kienzle, I move to amend the proposed June date in Taos from the proposed June 11th date to June 13.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

DIRECTOR SANDOVAL: We'll move that to June 13.

COMMISSIONER MONTOYA: All work, no play. I need a vacation day here.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 9: Final Proposed Amendments to the Commission's Open Meeting Procedures.**

DAN BROOKS: Good morning, Commissioners, Director. This agenda actually came from the open meetings act agenda by statute. Each shows their procedures that they operate under when it comes to meeting notices. So you all heard this actually initially in the November 13 meeting. So this is just the conclusion of that. The Department contacted the Attorney General's office and Assistant Attorney General's office, and so she did concur so the recommendations are that we had for you so this particular agenda item has not changed much other than there were a few typos which have been fixed and there was a definition we added here, in Park and Public's (indiscernible). It had not had on the previous presentation but as Mona and I talked, she wanted to make sure that was actually put in the rules, a definition, so it is clear on where we put the advertising. So we have done that as well. So this is pretty straightforward and in line with the open meetings act and we have a 10-day notice and it is consistent with that. We also have the 3-

day notice for special meetings, and a 24 hour word help on emergency meetings. Some of this other stuff hasn't changed too much. You both know what is required and one of the things we are proposing is that we actually advertise on the New Mexico Game and Fish website and social media websites. Also notice that through any major publications clarify that request as well. So that's consistent so the discussion we had last time, so the only thing I would add is that although we didn't receive any public comments, the Commission did have a comment at the November meeting about us utilizing our email and contacting hunters and we're already doing that and will continue to do that. We did not put it in a rule. Ms. Valicenti and I talked about it. We didn't think it had to be memorialized in a rule simply because we have thousands and thousands of emails that go out and there is no way to verify or refute if someone doesn't get an email and the meeting process if somebody came forward to claim they didn't get their email. So we felt that although we could do that, we didn't need to memorialize it. That is really the only comment that I am aware of from last time (indiscernible) adopt as your open meeting procedures (indiscernible).

CHAIRMAN KIENZLE: Questions? How long have you been working on this?

DAN BROOKS: About 69 (indiscernible)

CHAIRMAN KIENZLE: Ouch.

COMMISSIONER SALOPEK: (indiscernible) Is that correct?

DAN BROOKS: Mr. Chairman, Commissioner Salopek, what we're doing is we're putting on our website and social media sites but we are still, actually, they are put in newspapers or radios that request, but it will be call on their request.

JOEL GRAY: Joel Gray, New Mexico Wildlife Federation. Thanks for bringing that up. We appreciate it. I'm a little confused by the statement that we are to send out these media notes because, you know, I've seen the Commission Reports. I have yet to personally release this from the Department on a more regular basis. And I've never gotten a notice of a public meeting so you know, I'm not sure if you have to be on a special meeting list or whether . . . You know, my suggestion, or our suggestion, would be to send to everybody who is a licensed buyer. You got their email. They had to go online, and you've got their email, set it up. The hardest is this idea of posting on the website. I don't know how the website (indiscernible) what room this meeting was in. You want a Department website and (indiscernible). You go over the Game Commission's website, it (indiscernible) say there is a meeting today on Saturdays. You click on the button that says meetings and agendas, and it (indiscernible) say there's a meeting today in Santa Fe. You find that when you click on the actual agenda, and then you find out there's a meeting on Saturday. So if the Department is going to actually tell people about meetings on its website, social media, and I have to admit I'm not all that (indiscernible) guy so maybe it's all on the Facebook or Twitter, I don't know. But I do know that it's not on the website and (inaudible, coughing) for a couple of weeks so that people know whether the meetings are Saturdays or Thursdays, have a chance to put it on their calendar.

COMMISSIONER ARVAS: I move to adopt the proposed amendment to 19.30.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 10: Revocations.**

DONALD JARAMILLO: I am here to present the list of licenses for revocation or suspension of their hunting, fishing and trapping license privileges. Currently, we have 298 individuals who have failed to either pay the assessment within 30 days of notification.

CHAIRMAN KIENZLE: Commissioners, any questions?

COMMISSIONER MONTOYA: Those violations, and the assessments, is this the first time we have seen this, or have we just started doing it?

DONALD JARAMILLO: We've done a few of them this past license year.

COMMISSIONER MONTOYA: This is a big number.

COMMISSIONER MONTOYA: Mr. Chairman, Commissioner Montoya, this is a big number. It's been a few meetings since we have compiled penalty assessments here.

CHAIRMAN KIENZLE: Any other questions or comments.

COMMISSIONER ESPINOZA: Mr. Chairman, Bobby. Just for my clarification, (inaudible).

DONALD JARAMILLO: Mr. Chairman, Commissioner Espinoza, that is correct.

(indiscernible).

MALE SPEAKER: Mr. Chairman, just for information, on average we have about 600 a year that (inaudible), so it's pretty consistent. We haven't got all compliance straight, all about 52% typically will come into compliance once we take the privilege away.

MALE SPEAKER: Cheaper to buy licenses.

MALE SPEAKER: Mr. Chairman, Robert. Did you go through the sequence of events, because one of the questions I've been asked (indiscernible) it seems obvious they are confused.

MALE SPEAKER: (indiscernible) Walmart to buy licenses, (indiscernible).

MALE SPEAKER: Mr. Chairman, Commissioner Arvas, (indiscernible) when they try to purchase their license all that's happening is it will show their (indiscernible) they are not allowed even to purchase a license.

MALE SPEAKER: So in other words, at the counter here at Walmart, the notice is given?

MALE SPEAKER: That's correct. And that's because of the fact that we (indiscernible). So that's another reason why we wanted to go ahead and do this computerization.

MALE SPEAKER: Commissioner Arvas, (inaudible, indiscernible) And that's what we've seen over the past couple of years, even out of the (indiscernible) revocation, is if there are a lot of those individuals who, over the years, have just purchased an over-the-counter license and we weren't able to catch that until now. We've got a lot of individuals who, they may not have even known that they were out of compliance, and just (inaudible) and somehow, someway, (indiscernible)

(Inaudible)

MALE SPEAKER: Mr. Chairman, Commissioner Salopek.

CHAIRMAN KIENZLE: Anything else? Can we get a motion on this, please?

COMMISSIONER RAMOS: I move to authorize the department to administer the suspension of on behalf of the Commission including the issuance and service of a notice of contemplated

action to each individual that is out of compliance with the Parental Responsibility Act and each individual that has failed to a penalty assessment within the 30 day time frame.

COMMISSIONER MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 11: Rancho de Chavez Shooting Preserve Application.**

DONALD JARAMILLO: Mr. Chairman, I am here to propose and present to you an application for a shooting preserve. A little bit of background. Under the regulations (inaudible). Location of the preserve, it is located in south (indiscernible) in Santa Fe County. It is a pretty big property as you can see. It is about 12,000 contiguous acres. Our officers in the field and local officers have done inspections on the property itself, and (indiscernible). They also contacted the surrounding landowners around Rancho de Chavez. Anybody expressing that there were any issues with the shooting preserve having been there. With that, I think that the managers are in the audience, do you need to ask some questions off-hand. That's just where we leave it as it stands, for any questions.

CHAIRMAN KIENZLE: What's the formal notice requirement to adjoining landowners? Do they get mailed something?

DONALD JARAMILLO: Typically, Chairman, our local officer goes out. We meet with the landowner. they identify probably some of the closer residences or property owners, and then our

officer physically goes and contacts those people adjoining to the property, adjacent to the property.

CHAIRMAN KIENZLE: Any questions? Who will make the motion?

COMMISSIONER SALOPEK: I move to approve a shooting preserve on 12,000 acres of Rancho de Caves Ranch located in Santa Fe County as presented by the Department.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 12: Strickling Ranch Shooting Preserve Application.**

DONALD JARAMILLO: Again, Chairman, Commissioners, this is Agenda Item 12. Again, another application for a shooting preserve for the Strickling Ranch. A little bit of the background. On much of the same slides you saw, giving the Commission the authority to approve such applications. The Strickling Ranch Preserve, owner Ben Strickling out of Texas, on releasing propagated again, pheasants, Chukars, bob white quail. Game species that occur on the property naturally are bear, mule deer, dove, turkey, cougar. The ranch itself is located in San Miguel County. This is going to be just east of Rowe. The property again is of pretty significant size as far as shooting preserves, listing at 5,200 acres. Again, conservation officers, local conservation officers, met with the ranch manager in that area and did find suitable temporary

holding habitat for propagated game birds. Also contacted adjoining landowners of the property and there have been no objections to the shooting preserve at this time.

CHAIRMAN KIENZLE: Any questions?

COMMISSIONER ARVAS: Just one, Mr. Chairman. Don, what does the term “shooting preserve” actually mean?

DONALD JARAMILLO: Mr. Chairman, Commissioner Arvas, a shooting preserve typically is where they release pheasants, propagated pheasants, whether they’ve grown there on the property or they buy them probably from within state from producers. Hunters are given, the ranch owners are allowed to bring hunters in to harvest those birds any time of the year under the preserve. The shooting preserve obviously must be inspected, must have the proper posting identifying it as a shooting preserve.

COMMISSIONER ARVAS: So that’s it? Thank you.

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: What is the posting requirements? Every quarter mile along the boundary, or . . . ?

DONALD JARAMILLO: Mr. Chairman, Commissioner Ricklefs, posting requirements as such, at least the primary entrance to the thing must have, what we’ll do, is we’ll issue a number, a shooting preserve number like others in the state so it’s identifying that property as being a shooting preserve. Any public property that’s adjacent to the private property would have signs along the fence boundary identifying it also as a shooting preserve.

COMMISSIONER RICKLEFS: Thank you.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER MONTOYA: Does this shooting preserve butt up against the forest anywhere along the boundary? I couldn't tell.

DONALD JARAMILLO: Chairman Kienzle, Commissioner Montoya, I did not physically go out there. From what I can see from the map, it does boundary I-25 there along on that side. I think the other boundary, on the other sides, are all private property.

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

COMMISSIONER ARVAS: So moved, Mr. Chairman. I move to approve a shooting preserve on 5,204 acres of the Strickling Ranch located in San Miguel County, as presented by the Department.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

DONALD JARAMILLO: Thank you, Commissioners.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 13: Request from Vermejo Ranch to Import and Possess Black Footed Ferrets.** Presented by Dustin Long. Could you tell us your name again.

DUSTIN LONG: Absolutely.

CHAIRMAN KIENZLE: Thank you.

GUEST SPEAKER: Mr. Chairman, members of the Commission, my name is Dustin Long. I am a senior biologist with the Turner Endangered Species Fund. I have managed the black-footed ferret program at Vermejo since 1998, so I speak of the history of the program. I want to tell you that I appreciate the opportunity to speak to you today about our ferret re-introduction program at Vermejo Park and the reason I am here is to ask you to renew our existing permit for an additional three years. It is a scientific take permit that is renewed anywhere from 1 year to 3 years in the past. It has always been renewed on a 3-year basis. So, I work with black-footed ferrets in New Mexico is focused solely on Vermejo Park Ranch. It is a 585,000 acre parcel of land up in Colfax and Taos Counties. It's principally a hunting and fishing resort which you probably all know. There are two notable conservation efforts occurring in the property, those being the Rio Grande cutthroat trout in the Costilla Basin and, of course, the black-footed ferret project both in the mountains and in the prairie. A little bit of background. Black-footed ferrets are critically endangered are a predator of prairie dogs and was twice thought to be extinct. It remains one of the rarest animals on the planet. Interestingly, one of the last specimens collected in New Mexico was captured by the former Director of Game and Fish, Elliott Barker, on Vermejo Park Ranch, and that was back in the 1930's. What makes this species so rare is that it requires large, disease-free prairie dog colonies in order to persist, what we would consider an excellent example of a habitat specialist. So this animal isn't going to live in the neighbors' wood pile or live off the neighbors' chickens. It has very distinct habitat requirements. So, in order to talk about black-footed ferrets, we have to have a nod towards prairie dogs because those are the animals they live on. without prairie dogs, the ferrets don't make it. So, we have

two species of prairie dogs on the property. We have black-tail prairie dogs, and Gunnison prairie dogs. They look very similar but the big difference between the two species is Gunnison prairie dogs hibernate, black-tailed prairie dogs don't. This is a map of Vermejo Ranch. Black-tail habitat would be everything down in that boot, lower portion of the slide. Gunnison habitat would be everything else that's green, with about 60,000 of black-tail habitat. The remaining, again, is Gunnison habitat. When Ted purchased the property, we had about 500 acres of black-tail prairie dogs and 20 acres of Gunnison prairie dogs, and that is not even close to enough prairie dogs to support a ferret population. So, through a series of translocation and soft releases, we increased that population from 500 acres of black-tails to 10,000 acres of black tails, and from 20 acres of Gunnison to 4,000 acres of Gunnison. Now this took several years. This didn't happen in two or three years. This took 10 to 12 years for us to accomplish. So a lot of effort went into this. These are the acreages we are looking at to support black-footed ferrets. You know 1,000 acres just isn't going to cut it for the ferrets. So, we'll jump into the ferret portion of our work there. The ferret project can be divided into three different phases. In 1997 to 2005, we had the pen pre-conditioning phase. What that entailed was us approaching the Fish and Wildlife Service in 1997 and asked them how we could assist them in the recovery of the black-footed ferret. They said they were able to produce a lot of ferrets but we don't have the capacity to pre-condition all the ferrets. So what we did, we went about building up a set of 12 pens. Each of these pens has a network of prairie dog burrows in it. We would import ferrets from Fish and Wildlife Service, put them into the pens, and expose them to prairie burrows and live prairie dogs. So these ferrets who were fairly naïve when they came in would leave the facility as sort of functioning black-footed ferrets. They would know what a prairie dog was, they would know how to kill it. We also built an indoor quarantine facility where we would quarantine ferrets as

they came into the state and left the state. We also bred ferrets there, quite a few ferrets. During this period, we had a total of 393 ferrets come to the facility. Again, all of these ferrets left the state. None of these stayed here. They all went to a bunch of release sites elsewhere. The second phase of our ferret project was from 2005 to 2007. It was wild preconditioning. It was the next step forwards. We knew we eventually wanted to release ferrets on Vermejo, a year-round release of ferrets. But we didn't want to jump into it right way. We wanted to inform the neighbors what was going on, and sort of dip our toe into the project without jumping in completely. So, to accomplish that, we were required by Game and Fish to meet with concerned citizens and those who may be affected by the ferret release. And this is an endangered animal. We met with adjacent landowners, Maxwell City Commission, Colfax County Commission. We came and talked to the Game Commission. We also provided interviews to numerous local and regional media outlets, held an open house and posted flyers. So, anyone who could have been impacted by this release was informed of the release. I individually went to each adjacent landowner, knocked on their door, and talked to them about it. Of course, the major concern with this is what happens when a black-footed ferret leaves your property and ends up on my property. And the answer to that was, we were allowed incidental take on Vermejo Park and all adjacent landowners were also included in that incidental take permit. So short of a person taking a shovel and beating a ferret to death, there would be no consequences to a ferret coming on to your property and dying. If you were to continue to poison prairie dogs, you can continue to shoot prairie dogs, ranch, farm, do whatever you want as long as it's legal and if a ferret dies there would be no consequences. So we were covered in that sense. After we informed them of that, we did not receive any negative comments from anyone. So the wild conditioning just simply consisted of erecting a portable electric fence around a prairie dog colony, about a

thousand-acre colony. Then we soft released ferrets. We found if we released ferrets, dams with kits, the kits tended to hold the dams to the side and we had better retention. After 1 to 3 months, we captured the ferrets. And, again, all these ferrets left the state. They were all sent to release sites elsewhere. When that was completed in 2007, the next phase for us was what we called the year-round release. And we had year-round releases from 2008 to 2012 and the black-tailed prairie dogs which were on the prairie, short grass prairie, and then from 2012 to present on Gunnison prairie dogs. The year round releases have all been hard releases. We just take ferrets out and let them go. There's no soft release technique involved with these. And they did fairly well for a while. This is the first documented black-footed ferret, wild born black-footed ferret in New Mexico, in 75 years. It was quite a momentous night for us. Sadly, the black-footed ferrets did not do well on black-tailed prairie dogs despite us having 10,000 acres of black tailed prairie dogs. The drought and the sort of the oscillation of prairie dog population, the ferrets couldn't persist. So, in 2012, we pulled the plug on that program. About that same time, 2012, the Gunnison prairie population had reached a point where we thought we could put ferrets on them, and that's where we stand today. We've got ferrets on the Gunnison prairie dogs in the high country, up in the mountain meadows. We do not have any ferrets on the black tails down near Maxwell and Cimarron. So there's a summary of our ferret work in Vermejo Park. Pen preconditioning, wild preconditioning, and then jumping into year-round releases. We found out that, as part of this permit, which is a research permit that we're under, we found out that the habitat on the black tails is not suitable for ferrets. What's interesting, if you look at the historical records of ferrets in New Mexico, 89% of the ferrets in the state that were found were on Gunnison prairie dogs. Only 11% were collected off of black-tailed prairie dogs. So looking at that historical record, it's a pretty good indication that Gunnisons in this state provide better

habitat for ferrets than the black tails do. And so here we are at the present. We still have ferrets in the Gunnison prairie dog colonies. They are doing fairly well. The population is stable. We stand at about 15 animals, it looks like. We will head out after this meeting and begin to monitor ferrets tonight to get an updated estimate. So, the future for our program is, we are going to continue with the ferret releases on Gunnisons. We are going to shift our current permit which is a 10A-1A recovery permit to a Safe Harbor Agreement. Both permits allow incidental take. Safe Harbor provides, it's a more robust permit that Fish and Wildlife issues. It also provides us with the assurance of a baseline of zero. So we are not held to a higher number of animals at any time. So with that, before I close though, I will again emphasize, we have gone through two sort of separate releases on black tails on Gunnisons on Vermejo Park Ranch. We've informed all the adjacent landowners. I personally informed them. I met with several. We've had open houses. I am not aware of a single negative complaint from any landowner regarding the black footed ferret releases (indiscernible). And we ask again that you re-issue the permit for three years.

CHAIRMAN KIENZLE: Any questions?

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Cal, have you all visited this facility?

CAL BACA: Yes. Our biologist has been out there to kind of oversee it, and what's our take on that. Sounds like a pretty neat thing.

MALE SPEAKER: Mr. Chairman, Commissioner Ramos, I am not completely sure of what our involvement has been with the Turner Endangered Species Fund regarding their black footed

ferret program. Dustin could probably clear that portion up of it, as well. But from our perspective, in the Wildlife Management Division, we think this is a good project. The Safe Harbor Agreement that they're fixing to enter into was something we really pushed for to be able to allow for these types of activities to occur on a critically endangered mammal in North America. So we feel this is a pretty good avenue to continue moving forward on ferret re-introduction and recovery.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Cal, with the issuance of this permit the Department really doesn't have any stake or any physical personnel on the ground, do we?

CAL BACA: Chairman, Commissioner Espinoza, that is correct. What you are issuing is a scientific research permit to Vermejo Park Ranch so that they can continue handling the ferrets for the recovery program. We maybe participate in gathering information and understanding the program that they have because we are an active participant in the black-footed ferret recovery process. You know, we sit on the recovery teams and we do have Jim Stuart (phonetic) who does work with them to gather data and information for the Department's purposes. But we don't have someone specifically assigned to participate with Turner Endangered Species Fund.

COMMISSIONER ESPINOZA: Just one comment. I've been privileged to go up and see a little bit of what you guys are doing there, and the amount of dollars and the effort that Turner spends on these kinds of projects is amazing. So from that standpoint, from me personally, I want to

thank you guys for the effort because we are going to recover an endangered species because of you guys. Thank you for caring and doing that.

CHAIRMAN KIENZLE: Cal, what sort of motion, or maybe Dan, what sort of motion are you suggesting?

CAL BACA: Mr. Chairman, I believe we have provided that to you for your review.

DIRECTOR SANDOVAL: The Chairman is reviewing it.

CHAIRMAN KIENZLE: I'll take a look at it.

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: Mr. Chairman, I will abstain on any vote on this issue, but I do have a couple of questions.

CHAIRMAN KIENZLE: Yes, Sir.

COMMISSIONER RICKLEFS: The Gunnison habitat, is there any adjacent landowners to that? Is that your Castle Rock Country, that high country?

DUSTIN LONG: Commissioner, yes. That is where the ferrets are right now. The nearest landowner to Gunnison's would be the Forest Service. As we go north from there, into Colorado, that's it. There really aren't any adjacent landowners. Of course, the black tails, there were quite a few or dozens. But there really isn't anyone there that's going to be affected by the place.

COMMISSIONER RICKLEFS: Mr. Long, I did visit with several neighbors in Maxwell area and on the other side and they did not seem to have any issue with the ferret itself. It's just the

extension of the prairie dog itself, the dust storms that occur on the flats down there. Does Vermejo do any mitigation or any help for adjacent landowners on prairie dog control?

DUSTIN LONG: Commissioner, we do. Yes, we do. In the past, we've poisoned prairie dogs on Vermejo Park Ranch and tried to coordinate poisoning efforts to removed colonies. The difficulty was the neighbors couldn't find the time, or the money, or the resources to do those things. So, we do mitigate. The blowing dust, we spent several thousand dollars recently working toward that goal. Now I think if you go down there and look around, it's not just Vermejo with blowing dust. It's a lot of people down there with blowing dust.

COMMISSIONER RICKLEFS: Thank you.

CHAIRMAN KIENZLE: Anything else, Commissioner? Mr. Crenshaw?

JOHN CRENSHAW: Good morning, Mr. Chairman, Commissioners. Just want to take a moment to thank the Turner Foundation and Turner Ranch for what they are doing. These kinds of projects would be virtually impossible on public land and with public funding. It would be very difficult to come by the property and electric fencing and the hard cash to do that. And this is a really important project nationally as well as for here in New Mexico. And, I'm really glad that Turner is making a real effort to be a good neighbor about it and wish them all the success. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Teresa Seamster (phonetic). Did I get that right?

TERESA SEAMSTER: Good morning, Commissioners. My name is Teresa Seamster. I'm with the Northern New Mexico group of Sierra Cloud. And on behalf of our thousands of members who live in Northern New Mexico, I just want to pass on their strong endorsement of this effort with the Turner Endangered Species Fund. I absolutely concur with Game and Fish Department

to promote this, to work with neighbors, and employ the best science to restore this endangered species. And I don't think you'd find a comparable facility anywhere. This ranch is absolutely exemplary and we want to thank Turner and all of its staff for the wonderful job that they do.

Thank you.

CHAIRMAN KIENZLE: Thank you. Any further questions or comments? I just want to say thank you for coming today. It's informative and much of this is news to me. So I appreciate it.

DUSTIN LONG: Mr. Chairman, I went through that talk fairly quickly. I would be happy to come back at a later date. There's a lot of neat stuff in this we can talk about, that I'll be happy to talk about.

MALE SPEAKER: Come to our Saturday meeting.

(laughter, multiple speakers).

CHAIRMAN KIENZLE: Can I get a motion on this?

COMMISSIONER RAMOS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Mr. Chairman, I would move to approve the permitting request for black footed ferrets as requested by Turner Endangered Species Fund with the following restriction: The approval would be valid for one year from today and we would reconsider for further approval by the Director for two additional years contingent upon review at the end of the first and second years, and the Turner Endangered Species Fund is found to be in good standing every year.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

MEMBERS: Aye.

COMMISSIONER RICKLEFS: Abstain.

CHAIRMAN KIENZLE: The Aye's have it. And Commissioner Ricklefs abstained. Thank you.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 14: Procedures to Decommission McGaffey Lake Update.**

MIKE GUSTIN: Good Morning, Chairman. Mike Gustin and I are here to present to you an update on our process and investigations into the McGaffey Lake, and potentials for the decommissioning of said dam. So, I just wanted to kind of refresh our memories. It's been a while since we started this process. But I kind of wanted to give you a brief history of why we started these investigations and conversations with you commissioners. Back in 2005, the Dam Safety Bureau with the Office of the State Engineer changed its regulations regarding dam owners' maintenance requirements, and also required that dam owners have emergency action plans, operation and maintenance manuals on dams that were specifically high-hazard, high and significant hazard dams. So we do have quite a few of those as we've talked about in the past. We do have some high hazard dams. Those are dams that have downstream potentials for loss of life and property if it was to spill or breach. It also required the dam owners to address undersized spillways, capacities and other deficiencies through regular annual inspections. Lake Roberts Dam is one of those where we had to go in and rebuild our spillway which will give you as a presentation if you request because we've done so many photographs through the whole process which makes it an interesting time lapse type thing. So, when we started looking at the dams that we own, per your request, and which ones could potentially be decommissioned or taken from our inventory to help reduce costs to sportsmen regarding the annual maintenance

Final Copy

and operation of these dams, we kind of came up with McGaffey Lake, as the lake itself is dry and the dam is not a high hazard dam, and so there were no water rights associated with that other than our special use permit and the impoundment rights for recreation use. So we felt it was a good one to start investigating the process for you to consider. As we spoke before, there are some requirements, both at the state level and the federal level, that require us to meet to even consider a breach plan or breaching a dam. The first one is through the Office of State Engineer Dam Safety Bureau. We must submit a plan for approval per their regulations and rules. We must have a professional licensed engineer prepare the breach plan which means we would have to contract with somebody because, as you guys saw from my email, basic math fails me sometimes. Must evaluate the potential effects of a breach on life, property and environment downstream. That is a requirement by state engineer. And then also we have requirements under the State and Federal Clean Water acts through the New Mexico Environment Department. The National Environmental Policy Act, or NEPA, would fall into our Federal Requirements to consider. We would have to do an environmental impact statement, and get a biological opinion of the effects if we were to go down the road of breaching a dam. We would have to look at the National Historic Properties Act to ensure we are not impacting any historical or archeological properties surrounding that dam with the process of breaching it, look at the Clean Water Act through the 401 and 404 permitting process, and then also work with our Wildlife and Sports Fish Restoration Program, our Federal Aid Grants, to determine the effects and determinations if we go through and breach that dam because we did some of our operation and maintenance balanced against Federal grants for the time and energy we spend doing those things. Then, because it's on U.S. Forest Service property, we would need to work with the Forest Service and, in reviewing our current special use permit for McGaffey Dam, we were made aware that if we

decide to breach the dam which is well within our permit requirements, we could walk away and then breach the dam if we wanted to, the Forest Service could require us to remove all the structures and restore that site to its original condition which would be an extensive rehabilitation and reclamation process if we decided to do it. It wouldn't be just simply cutting a hole in the dam and walking away. So, we did do some investigation. We do work with engineering firms for multiple projects throughout New Mexico throughout the year. And so we have some pretty good relationships with engineers. So we polled them to see what their estimated costs would be on an engineering plan and a breach plan and all the requirements we would have to do to go ahead and process the breach plan for McGaffey Dam. The engineering breach and/or rehab plan could run us anywhere from 150,000 dollars to 300,000 dollars to develop the plan. The engaging and conducting the NEPA and getting the biological opinion could require us to encumber about 150,000 to 200,000, that's a pretty high estimate but I would rather give you the worst case scenario and then have the ability to spend less money. Then, we would have to go through and meet the approvals from the State Engineer's office. Based on those plans, and then also the U.S. Fish and Wildlife Service, and the Forest Service to kind of get approval to move forward on the breach plans. We did also investigate other options for McGaffey Lake. One of those was having discussions with the Forest Service to see if they would be willing to work with us to take over ownership of the dam and then we would just work with them under a special use permit as that dam fills up, look at ways to re-stock the lake with catfish and other fresh water fish for angling use into the future. Unfortunately the Forest Service, at this time in their budget process, does not have the capacity to take over the dam and run its operations and maintenance. And with that, Mike Gustin (phonetic) and I are here to answer any questions.

COMMISSIONER SALOPEK: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER SALOPEK: So, I believe we were looking at this being our first lake, and it would probably be our last lake to look at, right? I mean really, in reality, if we don't do anything and let it rain and snow, this drought's going to end. I can't tell you what year but it will end. So if it fills up again we can stock it with fish. The people around Gallup, Grant area, should be happy again when there is water if we do nothing, right. What's it cost, Cal, I don't think there's much for us to do when there's no water. There's no cost for us, is that correct?

CAL BACA: Chairman, Commissioner Salopek, no that is not correct. We actually do have. They do conduct annual inspections on the dam and we do have some costs to meet those requirements. And they are simple things, because this is an earthen dam and there are things that happen. Trees grow in it, prairie dogs and other burrowing animals get in it. If it does rain, there might be little slight erosion, things that we need to maintain. And that's just based on owning a dam and meeting those requirements. Just for all of your information, in 2005 when these requirements came in, all dam owners in New Mexico were required to step up their game. We are probably at, and correct me if I'm wrong, Mike, 85 to 90% compliant in all our dams. Our inspection sheets have gone from significant issues in all of our dams to not so much significant issues any more. It's just the natural going through and making sure we don't have trees growing in it, making sure we don't have prairie dogs in it, and makes sure there are no erosion issues.

MIKE GUSTIN: Or gophers.

CAL BACA: Or gophers. Yes.

CAL BACA: And so, if you look at your other question about average annual maintenance and costs, here's a breakdown of what it normally costs us to McGaffey itself.

MALE SPEAKER: Compared to what's in it, compared to trying to get rid it, half a million doesn't make any sense.

CAL BACA: Right. And because you all own 10 other dams, so a total of 11, this is something that Mike's crew is scheduled to do. We are getting our habitat biologists in our regional offices also geared up to help with going out on a regular basis and, in their course of duties, look at these dams and ensure we are not missing anything and trying to get as many people out there to make sure we are meeting our obligations under our annual inspections to ensure those things are not deficient.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Kind of following up on Commissioner Salopek, the other dams that we own, can earthen dams maybe fall close to this parameter to McGaffey, whether they've got water in them or not? Is the maintenance cost yearly about the same.

CAL BACA: Chairman, Commissioner Espinoza, I will hand that over to Mike. He can answer that question better than I can.

MIKE GUSTIN: Commissioner, it depends on the size of the dam. But basically these are these are just the basic annual costs where we have to go do the inspection. We may send a crew if we have to do some spraying on woody vegetation. That's a basic. The only other one is looking at spillway sizes. There's going to be some of the inspections, I'll use Hopewell Lake as an example, the outlet, the gate portion needs to be replaced. And so, there are going to be some costs associated with it if we have to replace a gate. We've got to send somebody in to inspect

the pipe, thinks like that. So it is really dependent on the dam. But the maintenance costs are not that big. It's the rehab stuff.

COMMISSIONER ESPINOZA: Other than the rehab or repair, spillway, that's cost that's going to come up because it is. But I'm just asking the normal maintenance cost of the dam. Is it pretty close?

MIKE GUSTIN: Yes, it's pretty close.

COMMISSIONER ESPINOZA: Then that's not that bad.

CHAIRMAN KIENZLE: Any other questions? Comments? I think this may be the last we hear of dams for a while. I appreciate the legwork you've done on this. It's been an education to see what it takes to decommission these. Absent some extraordinary maintenance costs for no pay off, it looks like most of these are just going to stay in place and keep bailing the leaky boat, fixing it as we need to. All right. This is not an action item. It is just a discussion item. Thank you. I appreciate it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 15: Proposals for Updating the Hunter Education Programs.**

LANCE CHERRY: Chairman Kienzle, Commissioners, I come before you today to discuss updates on the Department's proposal process for updating the Hunter Education Program. Currently the Department has 411 volunteer instructors who have offered 160 classes and certified 2,083 students in 2014. Currently there are 3,920 youths who are enrolled in the Mentored Youth Hunt Program. And with that said, we know we can do more, and we are taking the steps necessary to improve and enhance and expand into the future for the program. The Department right now is in the initial states of evaluating the hunter ed program. And some of

the key areas we are focusing on are enhancing the volunteer recruitment and retention efforts and we are also looking at increase in the hunter education class offerings and expanding our partnerships. With enhancing our volunteer recruitment and retention efforts, some of the key areas that we've looked at are reaching out at the university level and targeting some of our ad programs that develop students that become professionals as County Extension agents. These are the individuals who are often tied into 4H programs and have a similar interest to what our program has, and trying to get them the tools in advance of them starting their careers. We are also looking at some potential instructor incentives for whether it be contract or paid courses; we are evaluating the possibilities for that, not to say we are looking at eliminating the variety of free opportunities and the existing program in itself but rather looking for ways to reach our students, our youth, in a much more effective manner that they expect out of us. One of the other things that we're looking at real closely is looking at how we can get the public education department to endorse our program so we can re-establish that relationship and provide that in-school course opportunity once again. And so, there are a variety of steps that may need to be taken before we can get to that point, but this is something that we are looking very seriously at this point. With our hunter ed class offerings, we are looking at a potential to add a course fee to this and really what this has to do with is our no-show rate. In 2014, we had a 17% no-show rate to our classes. That means students actually occupied a space within the class and failed to show up and that's kind of a common trend across the country as we are starting to find out. And one of the ways that many of these states appear to be dealing with this is by providing a small course fee attached to it. At this time the way that the hunter ed classes work is that students have a voluntary \$5.00 fee once they get to class, and that sometimes helps to cover some of the incidentals associated with the class. We are also continuing to develop our online course and

field day program. As you might imagine, when an instructor can give you, let's say, 10 days a year, a field option allows us to certify and teach those kids within a 1-day period. And so it is much better to have 10 classes than 5 classes over those voluntary efforts. Again, not to say we would be abandoning existing courses but this really is a trend in popularity as things, as students and the youth are coming up, it seems to be something that they have been very interested in. I'm working with those online courses, continuing to make them more interactive and help get our students to the level that they need to be when they start the programs. And then, lastly, expanding our partnerships. This is really important to us. We are continuing efforts to reach out to our conservation organizations and partners and have really been working to include them in things such as our Youth Hunt Camps, our workshop opportunities, and so forth. So stepping back just a touch, we just recently sent out a national survey to all of our agency partners across 50 states. And we focused in on a few things looking at trying to understand what their programs are doing and the issues that their programs have had that are similar to us, and different than us, but to evaluate how that fits with our program. We've looked at them to talk about if they are doing contracts or paying hunter ed instructors to meet that public demand. We've been looking at how their volunteer programs work to allow instructors to collect either per diems or reimbursements for the work being done. And a really key component to it is looking at how their volunteer instructor base has responded to any of these changes or how they have been implemented. Since we sent that survey out, we received back 22 of the states so far. And of that, 50 percent, literally half and half, charge a fee and half do not currently charge any fees attached to their classes. Most of those range between 5 to 10 dollars and most of them focusing on the large metro areas. The real split between the half that charge and the half that don't charge, is that the half that don't charge currently are desperately seeking the volunteer match for their

programs. It's not that they necessarily have shied away from collecting fees or even think that is a strong way to deal with no-show rates and to get a greater commitment from their students; more so that they need the volunteer match to continue to get the most out of their Federal Funds. That's a situation that the New Mexico Department of Game and Fish isn't necessarily in at this time. And then, with our partnerships, here recently we just partnered up with Turner Enterprises, Wild Sheep Foundation, Rocky Mountain Elk Foundation, and the New Mexico Youth Conservation Foundation to hold youth upland game hunt camp up on the Armendaris Ranch. That occurred here about mid-December. It was a really great weekend. We brought in, we specifically targeted those students that had not been successful in a draw, or had not obtained a hunting license since completion of their hunter certification. These were new hunters, and kids that just hadn't had that opportunity. It was a really good weekend in that we were able to provide workshops, actually get the kids out in the field for a real hunt. Our partners brought in all the tools and necessities needed to really turn this into a spectacular weekend. It was also a really good opportunity for us to get our partners bought into our program and to create a greater understanding of what our Hunter Education Program is all about. And so, moving forward, we'll continue to look for some of these opportunities. With that said, I'd be remiss to not mention that in the past, one of the things we have offered in the hunter ed program is for our students who achieve a 100% on the written test, the Vermejo Ranch has provided us opportunities for elk and even antelope hunts that we've been able to draw those kids out of a hat and take them. So both Turner Enterprises and Sportsmen for Fish and Wildlife have been long standing partners in helping us put that hunt on and we basically looked at the success of that partnership and have continued forward with this. So, moving forward, I'm actually excited to talk just a touch here about an upcoming hunter education camp that we are going to do. That

will be taking place here April 17 through 19, at Philmont Scout Ranch. This is a fantastic opportunity to put kids not only through a hunter's ed course but also get them out in an environment that is very much like what they will experience when they are out in the field. This has been a really good opportunity for us with both the Boy Scouts of America organization partnering up on this one, and really them inviting us into the fold for this type of class. And also, the Safari Club International. This camp, we're expecting to have essentially a mega-class which is where you have more than your standard 15 to 20 kids attend. It is a much bigger deal than that and so we're real excited to get involved with that one upcoming, and of course when we come back around for more information and trying to round up the loop on this particular process that we're working on, we'll also bring you and update as to how that camp turned out for us and give you a little bit of a look at the overall progress that we're making with that. And so, at this time, our next steps in this will be a continuation of working on that survey to get a more in-depth look at the Hunter Education Programs and issues and continue to look at all the ways that we can move forward to make our Hunter Education Program even better. And so, with that, I'll stand for questions.

COMMISSIONER RAMOS: Commissioner Salopek is more long-winded than I am, and I got to listen to it all the way up here. I just have a few statements. You know, the complaints I hear in Las Cruces are the classes fill up and then they don't show up; now that's from the volunteers. Now I had a conversation with them 3 or 4 months ago, and I said what would it take to get these volunteers paid per diem or something because they're worth their weight in gold. What they're doing is huge and if you look at Las Cruces they've been doing it a long time. It's their passion. And I always felt they should have been paid. But that was when I was (indiscernible). And you know, you guys are looking at the whole thing and thank you because we need to.

JENNIFER MORGAN: And that is one of the bills that we will be running this years through the legislative session is to allow for that specific per diem and a few other things that go with the volunteers. So, yes, we are hoping that will be successful.

COMMISSIONER RAMOS: Thank you.

COMMISSIONER SALOPEK: Chairman Kienzle, Lance. Good job. I'm glad that you brought this, and you've been doing a lot of research and trying to think out of the box with hunter education. And, myself as well, I've been getting some input from volunteers. And some of the things I'm hearing is, we don't have enough volunteers out there. And there are some districts globally throughout the whole state that are being impacted as we don't have anyone there. And I'm always a solutions person and I'd like to just throw something out there and I know that it's sometimes more work on employees and things like that. But I really, to me, that's our future and we really need to find these high impact places where we do have plenty of volunteers but also these places that aren't getting serviced. And I'd like to look into possibly, I believe that all our field officers are certified to teach the course and I think that would be a great opportunity to create a rapport with kids and newcomers and anyone who's willing to take this course to possibly teach one or two courses in these peak times, especially now with this new mentor program. You know, I know it's more out of their schedule but also I think it would also broaden their horizons as far as, it's not only about law enforcement in working with these students but looking at tall these other different areas that are involved with the curriculum that's being offered through these courses. But this might be something. I think another possible solution would be to possibly to hire some more staff that are just committed, maybe just one or two, a north-south type of person that's kind of geared towards working on focusing with recruitment, as far as teaching the courses, as far as training the volunteers, all those types of things, and

that's what they can really focus on and of course you know more about how your staff functions. But looking into something like that. I think the other one that really intrigues me with our field staff is that, being that I was an Ag teacher as well, I'd really like to up our game with some career day visits in high schools as well as the Ag programs that are out there to recruit a lot of these students to get into becoming a biologist or something, find their niche with the Game Department, of course working with our in-state universities and what-not as well. But I really think that's something that needs to be looked at. And, I think one of the biggest challenges I have for you, and I'm really adamant about this because as a principal of the public schools I've had a hard time to implement hunter education on our campus. I'm very proud to say that we do have NASP going on with our archery program, finally corralled me an instructor to do that and found the perfect hire for that. But one of the things I think that we really need to hone in on is how to get it through the New Mexico Department of Education with Secretary Skandera and really work that. And I don't know, as far as our curriculum that we're offering, I know we have a lot of curriculum but really looking at streamlining it where we could offer it as a semester course. But I like to think big because I think that's the best place for it, is a semester course as an elective that any student, I'd say from 6th grade all the way into high school could take. But of course there's some differentiation of rigor that needs to be looked at as well. But you know anything I can help with. But if we can't get the big picture, how can we embed it into an after school program would be the other thing I would strongly recommend because there are some Federal dollars as well the support personnel to be there for that type of thing which I think could really benefit this kind of program. I know I've said a lot, but I'm always open for comments or anything like that as well, and I'm willing to really go to the next level to make this happen. Thank you for your time.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER SALOPEK: I would just say, Commissioner Ramos, if the pitch needs to be made to Skandera, refine your pitch. You know, figure out exactly what you want and then we'll work on setting up a meeting with the director. I'm sure I'll attend, and you can come along, and we'll make the pitch. But it has to be something specific.

LANCE CHERRY: I'm not smart enough to know how to get it into the public schools but you know you're the perfect person to do that.

COMMISSIONER RAMOS: I think the biggest constraint, and the obstacle that I've encountered, has been the attorneys. They're the ones that pretty much shot it down. I know my Superintendent was for it but when it got to the attorney's desk, that's when it got shot down due to the safety and what not. And one of the things I think is key here is to let them know we can use dummy rifles as far as the muzzle control, things like that. But we're already using air rifles in high school with ROTC and things like that. I think it just needs to be discussed. But I think, one thing before we would present it to Secretary Skandera, Department of Education, is I would really like to have a good curriculum base, a really sound, good base, maybe a middle school base and a high school base, to really massage it.

LANCE CHERRY: Well, I'll tell you the only way it's going to get done is we're going to have to pay for it.

COMMISSIONER RAMOS: Right. So I don't think the Education Department has a budget for anything like this. But if we're interested in this, we need to find dollars to make it happen. And, the way I see it, is we're adding value to a public school education through our dollars, I'm pretty sure the education secretary will run with it.

COMMISSIONER RAMOS: One last thing. I think the safety component with that, with firearm safety, not only if it's for hunters but I think the safety component especially with terrorism and school shootings and things like that that are going on, even gun safety in your home, when you go to a friend's house and things like that, what do you do, always treat a gun as loaded, you know, simple things like that. I think it could be done. Again, Lance, I'm available at any time.

LANCE CHERRY: So, you want to keep the drive alive on this?

COMMISSIONER RAMOS: Absolutely.

LANCE CHERRY: OK. I appreciate that.

COMMISSIONER SALOPEK: Just one comment that Ralph had made, that what got turned down in Las Cruces was because we're coming in with the hunter education, the attorney said you're coming into schools with guns and we're trying to stop all guns. I mean Ralph was adamant, and Stan Rounds, superintendent, was for it so I think it's just that mindset. Yes, we have issues across the nation. We all know that. But this is something (indiscernible) the kids that go through hunter education would never ever shoot a person, what is it, 90% or it's way up, it's in our favor.

LANCE CHERRY: If that's a sticking point, then you Power Point it, and you do baby steps. Get it in there first, then later on you can push for more. But you've got to get it started somehow. So if that's a sticking point then back off of it and let's get done what we can get done and try and get more done later.

COMMISSIONER ARVAS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Lance, have you had an opportunity to talk to NRA, maybe Whittington Center, about maybe dovetailing your concerns with their YHEC program, the Youth Hunter Education Challenge?

LANCE CHERRY: Mr. Chairman, Commissioner Arvas, I can't answer that question for you at this time. But I can find out if my program manager has been in contact with them and further vet that for you.

COMMISSIONER ARVAS: Well, I'd certainly like to go ahead and offer that as a suggestion and I'd be more than happy to help you follow up on that. As you know we have a very successful program up there in the summer and if nothing more we could maybe add our population of students to that program. But that's something I'd sure like you to follow up on. I'd be happy to help you do that if you'd like.

LANCE CHERRY: Mr. Chair, Commissioner Arvas, we most certainly will do that. It also comes to mind to me that there are several opportunities that we do currently work with the Whittington Center on that provide hunter education classes and certifications through some of their camps. So I know that there is probably more potential and we will continue to search out more opportunities with them.

COMMISSIONER MONTOYA: I wonder, I'm always thinking about where these dollars are coming from. But how much Federal aid match money could we get if a program like this came to pass?

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner, I'll take that. We actually have an abundance of hunter education funding so that really is not the issue. It is not the limiting factor

on what we can go do. Now potentially if this gets rolling over the next few years then we'll have to start looking at that funding being a limiting factor but at this point we are fine.

COMMISSIONER MONTOYA: Well, that'd be a good problem to have.

LANCE CHERRY: Yes, but there are funds available for hunter education.

DIRECTOR SANDOVAL: Mr. Chair, Commissioner, yes. Absolutely. And we receive those every year. It is Section 4 and Section 10 monies specifically. So we're looking at about 780,000 a year that we get that gets sectioned off into Section 4 and Section 10.

COMMISSIONER MONTOYA: Are we utilizing that now?

DIRECTOR SANDOVAL: Not completely. That's why I say it's not a limiting factor at this point. It may, if the program expands.

COMMISSIONER MONTOYA: I still say, go with what you can get done and back off on the contentious parts and we can ramp the thing up over time here.

CHAIRMAN KIENZLE: Good. Any other questions or comments?

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: A couple of things I'm really encouraged to see. The new partnerships you're building on and you're doing with Philmont that you've got up on their slide now. One recommendation that I would make would be kind of some of the limiting dollars. And there are lots of organizations in the state. Instead of maybe just going to one, you know like the Whittington Center or YHEC or whatever, invite them all. Invite ever one of them to participate instead of having a small group. You can have a bigger group, a bigger pool of money to go to. And I think you're going to get more wanting to participate whether it be sending personnel or

supplying dollars or supplying equipment, safety glasses, I see safety glasses on that (indiscernible) right there. Invite them all to a project and say you know we're going to do something up at the Philmont, would you like to participate. Because I think you're going to get a lot more participation. You're going to get a lot more interest, a lot more feedback as far as future projects as far as what we can do. Don't let limiting factors be the downfall of it so to speak. And then, on hunter education, kind of on Commissioner Ramos's part of it, as far as hiring more people, I'm sure you're looking at one of the aspects as a contractor, the contractor aspect of it. Because one of the things I see in hunter education as our hunter education instructors and demographics as we get older and older, is here lacking some leadership just to organize the thing or follow through on it. I think if you can't hire the staff, look at the contractor aspect of it, just to organize it.

LANCE CHERRY: Mr. Chairman, Commissioner Espinoza, first off you've hit the nail on the head in dealing with partnerships. That is very specifically the direction we are headed with these things. I'm pushing very hard on our program staff to ensure they reach out to as many partners as possible. Within (indiscernible) again, when they support our programs and participate in it, they have that total buy-in into the program and it'll only make us better. And so that is a really, really important component to this. And then, the second piece, in dealing with the contracts, that is one of the things, just so that I can come back and make sure I'm a little bit clearer with one of those pieces we're looking at, I'd like to think about this a little bit like the MVD Express kind of model. Motor Vehicles has put that in place and it's really about convenience for the customer and what that's done is, we have plenty of customers who are willing to pay a little bit of a premium to those individuals to provide that service where they want it, when they want it, and how they want it. So I'm really looking at some of those ways that we can accomplish that with

the hunter ed program with this variety of conflicting things that kids are involved in these days that compete directly against hunting and fishing. This is an opportunity for us to just make it that much easier to get them hooked, no pun intended, but hooked in what we do. So that is very much what we're looking at this point.

CHAIRMAN KIENZLE: Any other comments?

COMMISSIONER RAMOS: I think that would be huge.

CHAIRMAN KIENZLE: This is a discussion item. I think we're going to take a break for a bit. One housekeeping matter. At the October 1, 2015 Albuquerque meeting, that's the front end of the Balloon Fiesta.

COMMISSIONER MONTOYA: Oh! Make hotel reservations sooner rather than later. Or bring a tent, or an RV or whatever.

DIRECTOR SANDOVAL: I believe Sandra will get right on that.

CHAIRMAN KIENZLE: See what you can get done. If it's a problem, then we'll revisit.

Anyway, we'll take a break for about 10 or 15 minutes.

(Return from break)

DIRECTOR SANDOVAL: Thank you, Mr. Chairman. I would like to take this opportunity to recognize some promotions that we have recently have in place here at the Department. So, Captain Jim Cumins, if you will please stand up, Jim. He is now the Captain in Raton. He grew up in the Agency and is now up north. And we have Captain Colin Duff who is the Captain down in Albuquerque. So, the northern part of the state is full. I think they are going to be happy to have, the Major I'm sure will be happy to have you on board. So congratulations, guys.

CHAIRMAN KIENZLE: Congratulations, fellows. (Applause)

DIRECTOR SANDOVAL: Well, full of captains, I stand corrected.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 16: New and Upcoming Public Outreach Efforts.**

CHRIS CHADWICK: OK, Mr. Chairman, members of the Commission. This is somewhat of a continuation of the presentation that you just had. I'd like to talk to you a little bit about some of the new initiatives, some ongoing initiative that we have going on right now within the Public Information and Outreach Division. But before I get into that, I know that there as a comment earlier in terms of how we reach out to people, and I can assure you that everything that we do and everywhere that we are headed right now is to get our message out. And we are going to do this in a variety of ways. We are going to utilize new technologies, we are going to utilize some of our existing methods. And, if there is an opportunity to get better, it is going to be my goal to make sure that that happens within this division and within this Department if we have that capability. One of the things, like I mentioned before, we do have a variety of methods and ways in which to deliver our message. They include traditional public events and outreaches which I'll talk about in a second or in a minute. Then we also have some new and emerging technologies that we continue to try to utilize and take advantage of. One of those initiative involves our revamping and revitalization of our new website. There are a lot of technical pieces to that and for that reason, I am going to turn this over, this portion of this presentation, over to Lance Cherry. He understands how that website works and its capabilities. I would like to be able to share that with the Commission and the audience behind us.

LANCE CHERRY: We are really excited about this specific project. This has been a lot of effort and work for the entire Department and a really close partnership working between us and our IT

Division to move the Department's website into an entirely new world. We officially launched our new website on December 29. We matched it directly up with the release of our electronic version of our new Hunting and Fishing Rules and Information book. In that first 24 hours, we had over 6,000 downloads of our Hunting Rules and Information book, and to date we have had over 16,000 downloads of that book off our new website. This really exciting because we can see our customers actually moving into a new platform and beginning to utilize this opportunity that we put out there in front of them. Also it allows me to reduce some of the costs associated with printing just hard copy version of that rules and information book. I really think we are moving in a good direction towards some balance between the two. A little bit about this website. It is a data driven website. And what it does is, it uses data stored from a data base to generate web pages. This is more of an electronic process than a human process. It allows live-time data to occur in that connection between those pages. So, to put that in real terms, because data driven, what does that really mean. So to put that into real terms so we can understand what is taking place here. For instance, when we prepare a press release and we put that on to the website, not only is that able to appear within just a newsfeed but also we are able to attach categories to it so no matter where a customer is looking within our website, they can actually find that news release in that variety of sections. So we have something that is very hunting driven. It not only would show up in our regular newsfeed but it also can show up in our hunting news section of that website. It also allows us to, every time we do something new, that content dynamically comes into the homepage of our website. And there are lots of folks who use different things like RSS feeds and different services to notify them when new content has been added. And this website allows that to occur. What is even more exciting about using that type of technology is the search functionality of our website. Prior to this redesign, when you would do a search on our

website, we actually used a Google kind of pug-in attachment to an old static website. So you literally were leaving our website and getting whatever Google felt was relevant to the content you were searching. And the way Google would do that is, they actually crawl through your pages and they rank them and look for the descriptives. So you really are waiting on Google to come up with that content. This new data driven site actually uses a search functionality on our website and allows you, when you put those things in, whatever your search terms are, it generates a new page with that content in the hierarchy working its way down. It searches literally our website only. And so it really provides an opportunity for folks to find the information they specifically are seeking from the Department's website. The other exciting part about moving to a data driven site like this is that we have been able to use a responsive, user friendly web design attached to this. So what that does is that over 90 percent of the public nowadays, generally when they search a website they are doing so from a mobile device not from a desktop computer. What this new responsive web design does is, it actually reformats itself based on whatever mobile device you're using. So, for example, I've shown, up here is an iPhone, an HTC droid which is kind of a PC based phone, and an iPad. And you can see how the website literally shifts itself and slides into position so that users can get the information that they are looking for easily and more clean and more quickly. When it moves with the responsive design, it actually is set up so that it addresses some of the download speeds of slower mobile devices and so forth. And so we are really excited about the direction we are headed with this website. There is a whole bunch of functionality and tools that we have, and things that we'll be doing with this website moving forward. I literally could talk hours and hours about this but I'm really not going to do that to you today.

CHAIRMAN KIENZLE: Thank you, Lance.

CHRIS CHADWICK: If I could mention something on this, Mr. Chairman, Commission. Today for example, one of the neat things that we've been able to do and I believe one of the Commissioners couldn't find a document and we were able to resolve that pretty easily within a short period of time and this is what I've noticed. Today, one of our employees came in and told me that our website, because there's always updating, there's always things that have to occur, indicated that this meeting was in the Jemez room. Well, it's not, and this isn't the Jemez room. And within two minutes, using his Smart Phone, Lance was able to make that change and even though that error did appear, we were able to fix it and you couldn't have done that before. You would literally have someone in the office do that and so that is one huge advantage that I see with this and as we move forward any corrections to it or additions, we will work through those and update it. But there are some tremendous advantages in terms of the ease of use and ability to have our staff able to access it and make corrections, add information, do press releases. There is huge value with that in today's age of technology and the pace at which information flows.

LANCE CHERRY: So the next piece I wanted to hit on just briefly here was a little bit of our social media efforts. Our social media efforts continue to expand drastically. Currently we have over 8,500 Facebook fans. We have over 3,100 Twitter followers. Our You Tube has over 1,296 subscribers. What that really breaks down to is, for our You Tube channel, we had over 820,000 views of our video. It's something that absolutely crushes the type of viewership we had when we used to air the TV show on air. This video is being provided where our customers want to find it. And it has become very clear to us very quickly that this is providing it in the platform they want to see it and use it and have access to it. And so that has been a real strong positive. With our Facebook and our Twitter, we have been able to reach over a million touches to our customers with our posts and the information that is taken and shared and passed along. What's a

really great advantage to having a good strong social media presence is our ability to truly interact with our customer. When we put content up, I have a team of folks across the state that literally are able to answer questions and communicate with our customers directly. When you post a story and they get excited about it, we can interact directly with them. And so we continue to improve and continue to go down this path of just trying to communicate and make us more accessible to our customers. Our .GOV delivery system is incredible. At this time, we have over 153,000 subscribers to our list. That is a significant growth over time. What I'm most proud about is that our email system is really permission based focus. That means that when we get email addresses we've allowed our customers and opportunity to tell us that they are willing to accept information from the Department and we have put them into our system and we will provide them information. They have the opportunity at any time to opt out of receiving those emails. But we are experiencing quite the opposite thing. We have very little opt outs from our customer base. We continue to grow and it tells us that we're providing good quality content. With this system we are also able to look at click-throughs and see how often our customers are hitting particular stories. It helps us to understand better their interests and when we develop content, it really helps us to cue in on the type of things they are looking for from the Department. To date, this is just this calendar year, this isn't the course of this system overall, to date we have had over 2 million, 2.3 million, emails sent out open clicked from the New Mexico Department of Game and Fish. And so I think we are moving in a very positive direction. To put that in context, Albuquerque Journal for instance has a daily circulation of 96,825. And so what I'm saying about our subscriber list is that we have the ability to truly put our message out as we write it and provide it. Many of the press releases we put out, these same newspapers and news agencies pick up and run as well. So we reach their circulation long with the types of numbers

we have to push our message out. And with that, I'll pass it back over to Chris to talk about some of these new and upcoming outreach activities.

CHRIS CHADWICK: Just before I get into that, to sort of recap, one point that Lance made, as a tool, as a Captain, the Department would run roadblocks around the state and part of that is an internal process that the courts require that we do. And this is a very effective tool that we can go back and run a report and be able to demonstrate to the courts for the purposes of prosecution, that we did send this out, and the different media outlets and individuals that hit it and so there is a lot of information that we get on the back end that can be useful to us in terms of the content and what people want to hear and what they are really interested in. There's a lot of benefit in really trying to make a lot of inroads into sort of the new media world that we're in now which I'm just learning about working with Lance. Moving forward into some of the more traditional ways that we reach our audience, we have a couple of long-standing initiatives I'd like to talk about and then we've got some new stuff that I'd like for the first time to present to the Commission and some ideas that we are hoping to move forward with. For starters, many of us are familiar with the Bob Gerding outdoor adventure show. Bob Gerding recently passed. This show been a very important event that we participated in and sponsored. But with the passing of Bob, we wanted to keep that tradition alive. The Department has acquired the rights to that outdoor show and so we've moved forward and we are scrambling to be able to pull this off. We are moving forward with that show and we already, we expect to have over 100 vendors or exhibitors. It will be held on February 14 and 15 at New Mexico Expo at the state fairgrounds in the Manuel Lujan building. In conjunction with that show, we also and in partnership with the New Mexico Wildlife Foundation, I don't know how familiar those of you on this Commission are familiar with the foundation. But it was originally started back in the day when

Commissioner Bill Montoya was the Director, State of New Mexico. The Foundation is an organization to help support the Department and provide some support to wildlife resources or to wildlife entities out there through grants and that sort of thing. It hasn't been real active in the last few years and we really hope to revitalize that and get that going and really provide another funding mechanism for wildlife conservation in the state of New Mexico. So in conjunction with the New Mexico outdoor show, we also are moving forward with the premier hunting and fishing package and benefit banquet auction which will be February 13, the night before the show opens up. We hope to invite people over. Many of you are familiar with, in statute years ago, the State Legislature authorized the Department to auction numerous big game hunts, hunt packages, as well as waterfowl, fishing packages. It is a fundraiser. The money goes back into the Department but we've never taken advantage of that and utilized that. So we are hoping that we can move forward with that with the banquet, raise money for the Foundation and work in partnership with the Foundation to generate money for the Department and also keep this tradition alive with Bob Gerding. And again, that will be February 13, Expo New Mexico. We hope to see lots of people attend that. We also have some more, I guess traditional or familiar events upcoming. The National Archery in the Schools, or NASP, tournament is still planned. That is for February 28. It will be at the Santa Ana Star Center in Rio Rancho. We've had a lot of luck there. We hope to have teams from all over the state attend. The top teams certainly in the middle school and the high school I believe will be sent on to Nationals which will be in Louisville, Kentucky. And that will take place later on May 9. Also we have the traditional or ongoing New Mexico Outdoor Expo in Albuquerque at the Albuquerque shooting range. That's August 15 and 16. In the past we've had numbers reaching up to 5,000 people. Again that is targeting a wide range and is sort of an entire family event and we have lots of activities out there both related to hunting and, in

general, outdoor recreation. This is one of the Department's biggest events and we hope that as we move forward we can sustain and support more of these types of events and again reach a real broad cross section of New Mexicans, not just necessarily our traditional audience that we cater to everyday. And then finally, I don't want to fail to mention that June 6 is the free fishing day. The State or the Department, traditionally we host fishing clinics all over the state. We bring kids in and adults and try to get them out there at these clinics, teach them how to fish. We really want to focus on the skills based side of things and our officers get involved with that and it is really a successful to meet with these people in our smaller communities around the state and again we are looking forward to that. Again all these events, these are just a number of the bigger ones I wanted to highlight. But you can see, through this we have a lot going on within the public information and outreach division. And we hope that you guys can mark your calendars and everyone in the audience and the Commission can mark their calendars and attend these events. We really look forward to it and with that I would stand for any questions.

CHAIRMAN KIENZLE: You guys are busy.

CHRIS CHADWICK: We've got a little bit going on.

COMMISSIONER ESPINOZA: That's awesome.

CHAIRMAN KIENZLE: Any questions or comments.

MALE SPEAKER: Chairman Kienzle. First of all I do want to go ahead and commend you with all the work you've done and definitely raising the bar with our social media and everything that you are doing that you just explained. The email notifications, I think that's great. I think we need to continue utilizing that. Gosh, almost a weekly, you know it's nice to get those emails and they hit your phone and you're here on point with what's going on and what's happening. I know

that our website is probably going to include more data, harvest data and things like that, to make it user friendly to locate. One of the things again, and I know I've talked to Colonel Griego as well about the posting of people cited, like a monthly blog maybe through our website. I think that's something I'm still wondering about. I don't know if there was communication with the Attorney General's office in getting that clarified or what, but that is still something I would like to see continue. Another thing that I'd like to see possibly on the website is our Units posted with the public and the private and hopeful with the Unit wide ranch only owners in there. I know the technology is definitely out there for that as well. But overall, gosh, great job. Good luck with the Wildlife Foundation. I think that's going to be a great hit, a great start and rebound for that program as well. And of course, always thinking outside of the box, it may be down the road, maybe next year, we can look at possibly for that New Mexico Outdoor Expo, maybe combining a Game Commission meeting at that time. (Laughter)

JENNIFER MORGAN: We can certainly work on that.

MALE SPEAKER: We'd need a big auditorium for that.

MALE SPEAKER: I think just so the public could see what we do and how it functions. That might be an outreach to them as well to get involved, I don't know.

FEMALE SPEAKER: Absolutely. We can definitely take a look at that.

COMMISSIONER ESPINOZA: Mr. Chairman, Lance. One thing on the website. First I'd like to commend you guys on that. You know, I like it. I think it's great. I like all the outreach you guys are going with and emails, etc. You know I get lots of comments from all the emails that you get from sportsmen around. But a couple of comments on the website. I've had a couple of comments saying, and I think it's just because it's new, but have you guys considered maybe

sending out an email or post it on the website for public comment so far as how the public perceives it? You know, as far as any suggestions, recommendations. Because at the end of the day those are the guys that are using that and if they can't navigate it or whatever, or have a comment to improve, I think we should utilize that.

LANCE CHERRY: Chairman Kienzle, Commissioner Espinoza, we will certainly look into some ways to enhance that opportunity. With that said, I will say that when we released the press release and put the information out announcing that we had released the Rules and Information book, and that the new website had come out, that new website really was a hook (phonetic). The press ran absolutely crazy with it. We got amazing coverage during that window that had taken place. What happens when that occurs is that immediately following, especially with my name across the top of the press releases, the phone started ringing and hardly stopped for a while. Overwhelmingly the majority of the public was really happy with what we had done and the direction we were going. The few comments that tended to lean towards more of the negative really was more constructive and really was an opportunity to talk with them a little bit about the development and future of the site, and ultimately without exception ended in a very positive outlook for the future of that website. And so, like I said, we will look more into some potential opportunities to create a pathway for customers to easily give us updates or ideas of what they think they would like to see on that site to continue to improve it.

CHRIS CHADWICK: And, Mr. Chairman, if I could add, when we rolled that out, you know there are always concerns when you roll out a new technology like that, and you test it and you want to make sure it is capable of handling the amount of information, you have concerns about that and I remember Director Sandoval telling me, make sure it works. And then I went to Lance and said, make sure it works. So I'm relieved to say that with all the information, it's working.

It's a work in progress. There will always be updates, we can always do better but I want to let you know that Lance really worked hard on that, and his staff, as well as our IT folks. They pulled together and made sure it worked. So we will continue to do our best to make sure it continues to work.

MALE SPEAKER: Chris, real quick, in defense of her, she gets to hear from all of us to make sure it works. (laughter) And that's how it should be.

DIRECTOR SANDOVAL: He's saying it nicely.

COMMISSIONER ESPINOZA: Chairman Kienzle, if I may add one last comment. As far as like public surveys, I know we did that economic survey and what not and that was a huge success. Got some great data out of that. Do we have any other future surveys that we are planning on down the road to seek information from people out there? You know, what a great tool to reflect on.

DIRECTOR SANDOVAL: So Commissioner, I have those. I have not expressed those to them. I have about 5 different subject matters that I would like to see rolled out. We were waiting to see what happened with the website because we will try to bring folks into the website to do those surveys or potentially Survey Monkey, one or the other. But yes, I've got five different ones lined up that they are not aware of yet.

CHAIRMAN KIENZLE: Thank you.

CHRIS CHADWICK: Mr. Chairman, Commissioner Ramos, thank you for making me aware. (laughter). I could come up with a couple of topics but . . .

DIRECTOR SANDOVAL: Well, we can discuss it, absolutely.

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: I'm not a computer person. But I was able to navigate it so I have to commend you. Very, very nice site. I usually get lost and frustrated in them but this one worked really well.

LANCE CHERRY: Chairman and Commissioner Ricklefs, thank you for that.

CHAIRMAN KIENZLE: Well, don't quit on making it better. You know, things always change, so just keep at it. But it's awesome so far. It's great. Any other questions or comments. OK. This was a discussion item.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 17: Presentation of Fiscal Year 2014**

Settlement and Audit Report. This is the fun part of the presentations today.

DAVE ROHRBACH: Hello, Mr. Chairman and Commissioners. This is the results of our 2014 fiscal year audit. The State Auditor has approved and released the Department's fiscal year 2014 financial statements. Today is the first day we are able to release those results to the public and the Commission. State Rule requires that we present the financial statements to the State Game Commission for approval. Navigating the financial statement, management's discussion and analysis provides a narrative representation of the information provided in the financial statements. The financial statements provided detailed information regarding the agency's revenue, expenditures, assets, liabilities from an agency wide perspective. The supplemental information and schedules provide information that supports the financial statements. This single audit provides information regarding the agency's expenditures of Federal awards. Results of the audit, a summary of the audit results can be found on pages 73 through 81. In the basic financial

statements, the Department resolved previous years and eliminated deficiencies. We did have one new finding in regards to intra (phonetic) agency transactions and there were no findings on our single Federal audit. In 2012, there was an incorrect journal entry made impacting cash and suspense liability account and the Department has taken corrective actions and resolved that finding. In 2013, there were some missing background checks. The Department was able to find and resolve those. This year, the Department during (indiscernible) over inter (phonetic) fund balances, it was identified that the Department is not recording intra (phonetic) agency transactions in a consistent manner with other state agencies. As a result of these inconsistencies an adjustment was required. The Federal single audit, in 2013, the Department's Federal schedule of Federal awards did not reconcile with the state's book of records regarding allowable Federal expenditures and revenues received. And again our corrective actions resolved this. The 2013 Federal revenue received and the amount of allowable Federal expenditure revenue was out of balance and again the Department's corrective actions resolved this material weakness. In 2013, payroll entries into the Department's Federal payroll tracking system did not match those provided by the employees and again the Department's corrective actions resolved this matter. The auditors expressed an unmodified opinion regarding the Department's basic financial statements which is the best opinion that we could have hoped for. The auditors expressed an unmodified opinion regarding the Department's Federal awards which again is the best opinion we could have hoped for. Questions?

CHAIRMAN KIENZLE: I'll just say that I attended the exit conference, was it in December?

DIRECTOR SANDOVAL: Yes.

CHAIRMAN KIENZLE: In early December as I recall. And in addition in a large group I met privately with the two auditors that were there. Basically anything that's in here is, the way I characterize it, is like a touch foul in basketball. I mean, they are going to find something. They were very pleased with how the Department conducts itself. So, they are always going to find something. And even if they found something, the Director and her staff were able to say, well this is why it happened. It wasn't like any of these things were a surprise. So based on that, I have high confidence in the report and the numbers. Any questions or more comments?

Anything you want to say?

DIRECTOR SANDOVAL: No. I thank all of the staff. That was a lot of work for the agency to get to a new place within our Federal awards so that was a lot of work on everybody's behalf, and I am very thankful for that. I am very appreciative.

CHAIRMAN KIENZLE: It was impressive. The auditors were clearly impressed. And it wasn't very tense. In part, just going through the motions. I can imagine in some Departments it may be tense but we run a clean shop so thank you, and makes me put my head on the pillow at night knowing that it's done right. So thank you.

DIRECTOR SANDOVAL: It does require a motion.

CHAIRMAN KIENZLE: This is an action item, so can I get a motion on this, please?

COMMISSIONER ARVAS: Mr. Chairman, I move to approve the Department audit report for fiscal year 2014.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 18: Review of Oryx Management Relating to the Security Badged Hunts.**

CAL BACA: Good morning, Commissioners. I am back up here to present to you this Commission meeting item. Unfortunately, Stuart Liley was supposed to be here with us today but because of the weather they had to continue trapping up to this morning. I am pleased to announce they are complete with their trapping effort. They did get the requested 100 animals. We had one mortality which is extremely, extremely positive and it goes to show how well our trapping process, which has been refined since the 30's and 40's, works when it comes to pronghorn antelope and trapping and translocating them. So, I'd like to thank Stuart and the staff of White Sands Missile Range for actually putting this proposal together. Gilbert Viagas (phonetic) and Patrick Moore (phonetic) are here today as well if you have any technical questions. What we did, when the Terk decision was vacated by the Department and was able to allow for us to apply the quota to those species that it had affected, primarily Oryx in this situation, a situation occurred on some of the hunts that were occurring on White Sands Missile Range, specifically those hunts that were slated for the secure areas through an escort or for a person who has access to those areas. This required the Department to apply the quota as per statute which means there is a portion of those that go to an open applicant that has contracted with a guide or outfitter pool. The problem is that in those secure areas with someone who has a security badge or is escorted by someone with a security badge, White Sands Missile Range policies do not allow for that person to use that security clearance for commercial or financial gain. So, it came into an issue with those guides, those hunters with guides or outfitters, and the

perception of financial, some type of financial gain. So it caused an issue with the hunting access for those hunts. So what we did is, we worked with White Sands Missile Range to come up with some solutions that I am going to present to you today. So, to look at the current hunt structure, these are not once in a lifetime hunts. These are security badged hunts and they are only available to be applied for by personnel with an official, valid security badge or escort someone as their guests on those hunts. Currently we have 6 hunts in rule, 25 hunters per hunt, and these are an either sex bag limit. The purpose of these hunts primarily is a population management tool in those secure areas. White Sands Missile Range needs to reduce those populations because they are affecting critical missions. Because those areas have a high security clearance, not just anyone can go in there and that was the reason for us creating these hunts before, to allow for an application mechanism so that we can sort those people that have either secure access or can be escorted by someone with secure access to be able to affect the number of animals we hunt in those secure areas. What we are recommending to you today, and for future action, is that beginning with the 2016-17 season that we remove all security hunts, all badged hunts, from the rule. We worked with White Sands Missile Range to create a population management hunt system for these secure areas and we programmed the current application in the Oryx section. When you choose your Option Number 5, to be able to have a field in there where you would enter into a number provided by White Sands Missile Range to those that have those secure badges that can be used to identify them as being able to hunt in those secure areas. And the we would just basically at that point follow the similar protocol we do for all population management hunts which is then going through those individuals that indicate they have secure access and go with the next in sequence, call them, offer them the hunt, the time windows, work with White Sand Missile Range personnel to insure that time windows are appropriate and do not

affect missions and do not require any other secure accesses or information that we need to provide to those hunters just like we would in any other situation where we put hunters on White Sand Missile Range. And with that I can answer any questions.

CHAIRMAN KIENZLE: So, if I understand correctly, the problem is not solved for this season.

CAL BACA: Mr. Chairman, that is correct. Because we weren't able to come up with a viable solution prior to the application process and you had already passed the Oryx rule quite a few months ago, this season will maintain the same basic situation and same basic problems that are occurring right now. We have worked with our ISD and licensing departments to put a disclaimer in the application process that indicates that if you are applying for one of these hunts, you may not receive access if you are selected from the guide and outfitter pool. So there will be some disappointed applicants and we will have to work through that for this year. But moving forward we think we have an alternative that actually meets White Sand Missile Range's approach to hunting those Oryx in those areas and also a system that's very workable for the Department.

CHAIRMAN KIENZLE: So is this a change by the Range in how they have handled these, or is it the same rule that's always been there and they are just interpreting it differently? What's the deal on that?

CAL BACA: You know, I don't know the legal. My best guess is that they have always had that for anybody that has a secure access. They can't use that security access for financial gain. So they can't get paid to escort somebody in this instance. Someone can't give them any type of gratuity or consideration for their ability to escort. That is a violation of having that secure access.

CHAIRMAN KIENZLE: So, if that's a rule of theirs, they haven't really enforced it before?

CAL BACA: They didn't really need to enforce it. Sorry, Chairman, didn't mean to cut you off. They really didn't need to enforce it as much because the Terk decision was in place and so there was no statutory requirement to apply to that. So the reason we have these in place the way they stand is because that is the way to filter those folks to say you can only apply for these hunts if you have security.

CHAIRMAN KIENZLE: If there's any fall out from that and we'll just have to sort it out like we've tried to sort out the other Terk issues.

CAL BACA: Chairman, that is correct.

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Chairman Kienzle, I'm just trying to wrap my brain totally around it as well. So, what we're going to do is we are going to eliminate the badge hunts is what we are kind of looking at, but implementing the population reduction hunt system currently when you have 3 or 4 choices and if you write down population reduction then you'll be on a need to call basis to go into a hunt on that, you know, that time frame, whenever you open that hunt. Now I know some of the problems we used to have is that if you run that monthly badge hunt, let's say February, and White Sand Missile Range had a mission so a lot of those weekends you couldn't hunt. So, are we going to be working with them where they will notify us and of course obviously when you call us we either say yay or nay if we can attend during that time frame that you're projecting to us. And last, just for my clarification, a population reduction does not allow

non-residents, correct? So that would actually benefit residents who do check off that box, or is that still for non-residents and resident hunters?

CAL BACA: Commissioner, Commissioner Ramos, we may have to revisit some of those. I didn't (indiscernible) order. So I may have to get some clarification on some of your questions. But yes, our proposal is to eliminate the hunts from rule. And so beginning, if you approve that change through an action item, we will eliminate those hunts beginning with the 16-17 season. So what was your next question?

COMMISSIONER RAMOS: I know the population reduction, does that eliminate nonresidents from being able to participate in that program which would benefit New Mexico sportsman.

CAL BACA: Chairman Kienzle, Commissioner Ramos, no. That doesn't eliminate anybody from whoever applies for a specific species. They have the option, once applied for a first choice (indiscernible) all the way to fourth choice if that occurs for that species. Most likely the top three choices, then they can choose option number 5 and put themselves and indicate to us that they want to be put on a population management list. There are no restrictions around that. It is anyone who applies can do that. And so, just for your information, we have called nonresidents for population management hunts across New Mexico for different species. People have flown in from the Dakotas, from Wyoming. And so, no, it is really up to them to determine at that point once we call if they are going to incur the cost of buying the license and come out for a population management hunt.

COMMISSIONER RAMOS: OK.

CHAIRMAN KIENZLE: So this year is a bust?

CAL BACA: Chairman Kienzle, not necessarily a bust. But it is going to be, we are going to have some disappointed folks probably.

CHAIRMAN KIENZLE: So who will handle those phone calls and emails?

DIRECTOR SANDOVAL: Mr. Chairman, we are actually monitoring the applications. Rhonda Holderman, my licensing supervisor in the Licensing Division, she is monitoring that right now and she is making sure that as those folks are applying, reaching out and, do you really understand what you've done on your application. Just to give them a heads up. We want to make sure they are fully privy to what's going on.

CHAIRMAN KIENZLE: OK. Well, ounce of prevention.

COMMISSIONER RAMOS: And that was my next question on that. So, if I'm going to put in and I have a sponsor, is there somewhere for these, is it still going to be where you have a sponsor, you need a sponsor for that hunt who has the access to the range?

CAL BACA: Chairman, Commissioner Ramos, yes. And what we are working with, White Sand Missile Range, is they will provide us with those folks who have those hunt badges with a number that they can provide to that person that they are willing to escort so that they indicate it on their option 5 for Oryx we have that little field that we are going to work with our Information Services Division, and licensing, to work through the parameters on that so they can indicate there that they have a number provided to them by that escort so it shows that they have either access or can gain access by having an escort, or if they get called for one of these secure hunts. Now that doesn't prevent them from us calling them for a regular Oryx population reduction hunt that could occur on other places we partner with, (indiscernible) experimental range, Fort Bliss, other places on White Sand Missile Range, Holloman Air Force Base. So it doesn't limit

them to just those hunts but if those hunts do occur we will be able to offer that to them because they have indicated they have that right number that we can verify from working with White Sand Missile Range.

COMMISSIONER RAMOS: Thank you.

CHAIRMAN KIENZLE: Well thought out. I've got some public comment. Garrett?

GARRETT VENEKLASEN: Mr. Chairman, members of the Commission. Garrett VeneKlasen from the New Mexico Wildlife Federation. One point of clarification. In terms of choosing applicants, is the quota, do you follow the quota? How do you choose those applicants and what is the process, just for clarification?

CAL BACA: Do you want me to answer that?

CHAIRMAN KIENZLE: Go ahead.

CAL BACA: Chairman, Mr. VeneKlasen, the process that we use in all of our population management hunts, no. The quota does not apply to those because those people are self-identifying that they would like to be put on a list in case a situation like this occurs where we need hunters to go out and harvest animals in a population management situation. The system that we use gives us a listing of folks, based on their application number, and we will use the next in sequence. So, depending on their application number and the random number that's assigned to them, that will rank them in a list. We call that person, we offer them the hunt. If they accept, we give them the information on how to buy the license. They go to one of our offices and buy the license. We give them the information on the restrictions around the hunt, weapon type, bag limit, season dates, and then they go hunt. If they decide not to accept the hunt, they

will be skipped and we will move on to the next person in line. Practice right now with the Department is if we call someone and they indicate to us after two or three calls that they don't want to participate, we no longer call them again. So even if they may be the first person on the list, and we will call them for an Oryx hunt, they will say, no I can't go on that one, we won't put them on the bottom of the list, we will call them again and give them at least two or three opportunities to refuse us before we do put them to the bottom of the list.

GARRETT VENEKLASSEN: Thank you for the clarification. The other comment I had is that we were excited to see that these badge hunts are actually going away just in terms of the idea of people knowing other people and the fairness of being able to hunt these hunters. We are excited to hear that the badge hunts are going to be changed a little bit. The price on the hunt is a little bit high. I don't know if there is anything we can do about that in the future but we have heard that some people have some real heartburn with the price of the hunt.

DIRECTOR SANDOVAL: As a point of clarification, which price are you talking about? The license price?

GARRETT VENEKLASSEN: The license price, well, the access fee. The access fee is the heartburn.

CHAIRMAN KIENZLE: Thank you. Carrie Romero (phonetic)

CARRIE ROMERO: Thank you Mr. Chairman and Commissioners. Carrie Romero, New Mexico Council of Outfitters and Guides. Just wanted to say a quick thank you to the Department after the Terk injunction was vacated last year. We requested that the Department add a little bit more clarification to the issue with the outfitter pool and the security badge hunts and we see that has been added to the proclamation and it is a lot more noticeable that it is not

allowed by White Sands for an individual to hunt under a security badge hunt with an outfitter.

So we appreciate that and we like this idea. We think it is going to eliminate the confusion of just having an empty outfitter pool. So, thank you.

CHAIRMAN KIENZLE: Any questions? Ralph, you got any questions or comments?

PATRICK MORROW: Patrick Morrow (phonetic), White Sands. I didn't sign a card, but may I speak?

CHAIRMAN KIENZLE: Sure. Step up.

PATRICK MORROW: Just a few clarifications. When the Department introduced these potential options, because we had several options, we like it. Originally, security badge hunts were population reductions and they were pulled out of that and that may have caused some of the confusion. But there are still a lot of details to work out. For a little clarification, what we would be suggesting if this worked, would still similarly work it like security badge hunts but only under this population reduction process. Because, they are still going to have to have a (indiscernible) escort, somebody who has access or their guests. And we still have to do background checks. So it's not going to be like calling them up two weeks before the hunt and say, you want to come hunting, and we need 10 from south of 70 and 10 from the mountains, and 10 for the Escuras (phonetic) around the bombing range. So what we're hoping we can work out with time, and I think we have time since it is going to be a year away, is to get a pool of the first 50 who are on the list, clear them for background and then allow us to apply them similarly to the security badge hunt we use now based on escort by area where we need them to harvest those animals. So in a nutshell, I know you may not like it but (indiscernible) it would work the same but only under the population reduction process because we still need time based on missions

and security badge and background checks and all these other things to set it up before the hunts start.

CHAIRMAN KIENZLE: But you're willing to work on this?

PATRICK MORROW: Oh, most definitely.

CHAIRMAN KIENZLE: That's great.

CAL BACA: Mr. Chairman, just one more point of clarification on that. That's nothing new. All Air Force Bases requires background checks on all hunters we put on Holloman Air Force Base. We've done it working with those installations. They are very willing to work with us. We've done it on a 48 hour notice, where they have gotten background checks done and people on the Holloman Air Force Base in the past. So (indiscernible).

PATRICK MORROW: White Sands doesn't work that way, unfortunately. Our background checks, because our security director has another duty assigned . . .

CAL BACA: That was just an example.

PATRICK MORROW: . . . it takes us sometimes a months or 2 months to get background checks on the hunts we have now for the once-in-a-lifetime hunts. That's why we need them so far in advance because other installations actually, in the army anyway, put that background check on the hunter. You go to the sheriff's department or the FBI, get your background check, pay your \$28, bring it to me, and then we will allow you to hunt. Right now we are covering that cost because we have the manpower to do it. So Holloman, if they don't do this, (indiscernible) as many as a thousand hunters come on it's a little more difficult for us because we're doing the background checks on 1200 sports hunters, the handicapped use, the whole 9 yards.

CHAIRMAN KIENZLE: Just recognize, I'm going to get hollered at if we don't get these hunts straightened out.

CAL BACA: Oh, definitely. And I apologize for it. It is just one of the things. Our attorneys really believe. Because Patrick Marrow or Gilbert (indiscernible) or John Doe, we're using them as volunteer sponsors. In the past, we used to escort 100 to 150 hunters on population reduction hunts. Half of them would be New Mexico Department of Game and Fish personnel and half of them would be my personnel and we are paying overtime bills of 40 to 50 thousand dollars a year to control these Oryx where we are never going to have public hunts, controlled hunts. So we are not only saving the Department overtime costs or funding costs, we've saved White Sands a huge amount of money by using people who already hunt and have access to serve as volunteer sponsors to take mostly the general public, it's not White Sand Missile Range people drawing most of these hunts, it's usually somebody else. And what I'm encouraging Gilbert to do is come up with potentially a process to have a list of volunteer sponsors who don't have guests, who didn't draw, that might take somebody else out, to encourage or maybe at least allow a few more people to have access to more of these hunts. That is a difficult thing, a lot to work out. One of the difficult things that I think we have to realize is that right now you can apply for a security badge hunt under this process. If you've already drawn a once-in-a-lifetime hunt, you can't use your fifth choice. You are going to have to pick one of those Broken Horn, McGregor, off-range hunts in order to get to that fifth choice to go there. So I think there will have to be a huge education to notify people, hey this has changed. You can't just apply for (indiscernible), you're going to have to apply for something else to get to that fifth choice.

CHAIRMAN KIENZLE: So, Cal, what's the time frame to get this back in front of us?

CAL BACA: Mr. Chairman, we can bring it back as soon as you want. We would like to have some public comment time. So, you know, we would need to work with you all to figure out what that is.

CHAIRMAN KIENZLE: Sooner rather than later. But sometime this year?

CAL BACA: Definitely. It would be sooner rather than later so that we can start the process to build the program to be able to get these hunters out there.

CHAIRMAN KIENZLE: I can already feel people getting ready to holler about it.

PATRICK MORROW: Thank you, Commissioners.

COMMISSIONER RAMOS: Don't sit down yet. Mr. Chairman,

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: \$200.00 for an access fee?

PATRICK MORROW: \$150.

COMMISSIONER RAMOS: Tell us what that's used for.

PATRICK MORROW: It is a Federal law that requires all DOD installations to manage their natural resources on those installations. Part of that law allows installations to collect fees for hunting, just like a (indiscernible). It is different than your (indiscernible) in that the (indiscernible) monies that we collect because we're not generally funded for our hunting operation. That's kind of a no-no. So these funds are generated and they go right back into the wildlife program at White Sand Missile Range. The law requires those dollars to only be spent at the installation for natural resource work. The Commander can't use it for public works or for

anything else. And over the years, we've generated approximately 2 million dollars since we started this program and all those dollars have gone into Oryx research, pronghorn research, deer research, CWD research, improvement of wildlife water units. We put all those dollars just like you do in your habitat, back into the ground at White Sand Missile Range. And I think, you know, \$150 is fairly cheap for what we provide and all the things that we have to do in order to give those hunters access to White Sand Missile Range after 911. It was easier before that.

COMMISSONER RAMOS: I just wanted that to come up publicly so that we'd know where to go because there are a lot of questions on that.

PATRICK MORROW: And I would be glad at any time to go over the last 10 years of what some of those dollars, and the glory of those dollars is that I don't have to spend them in the fiscal year we collect them. I can bank them for bigger projects. And sometimes they actually fund things that the army's endangered species act, you know we put them into (indiscernible), we can put them in anything we want as long as it is for natural resources on White Sand Missile Range. But if we have a bigger project in a few years, I can bank them and they are basically no-year dollars. We've actually provided some to the Department for lion control and sheep activities. Some of the (indiscernible) use those dollars.

COMMISSIONER RAMOS: OK. Appreciate it.

CHAIRMAN KIENZLE: Any other questions? Comments? All right. This is a discussion item. Thank you, Cal.

CAL BACA: Thank you.

CHAIRMAN KIENZLE: Roll call? Who's got my motion?

DIRECTOR SANDOVAL: It's there, under 18.

AGENDA ITEM NO. 19: Closed executive session.

VICE CHAIRMAN MONTOYA: Mr. Chairman, I move to adjourn into Executive Session, closed to the public pursuant to Section 10-15-1(H)(2) to discuss limited personnel matters relating to complaints and discipline pursuant to Section 10-15-1(H)(8) NMSA 1978 to discuss Commission to discuss the Morphy Lake Lease and pursuant to Section 10-15—1(H)(7) on matters subject to attorney-client privilege relating to threatened or pending litigation pertaining to State of Oklahoma et al v. US Dept. of 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.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: yes.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: Yes.

DIRECTOR SANDOVAL: Dr. 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: We will be adjourning out into this room, so you all don't have to move. We will be back.

CHAIRMAN KIENZLE: Who is making the announcement?

COMMISSIONER SALOPEK: The Commission had adjourned into Executive Session closed to the public. During the Executive Session the Commission discussed only those matters specified in its motion to adjourn and took no action as to any matter.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 20: Morphy Lake Commission Easement.**

DAN BROOKS: Thank you Mr. Chairman, Commissioners. I would just like to say a few words before we get started. I know to my right is Deputy General Counsel Aaron Rodriguez. He has been working in detail on this with State Parks and Ethics Commissions and where we don't have a general counsel right now so I have appreciated all his efforts in this matter. As a quick overview, we have actually been visiting with the two Acequia's which is Acequia de San Jose and Acequia de Isla and then State Parks. We have actually started negotiating this lease in 2013. So what is coming in front of you today has been quite a work in progress. And with that I will turn it over to Mr. Rodriguez.

AARON RODRIGUEZ: So this presentation is on Memorandum of Agreement. While the documents are a little more complex they should be very straight forward. The Department is recommending for the State Game Commission to enter into a Memorandum of Agreement that would allow public access for sport fishing and other related purposes into the Morphy Lake area. By way of background, back in 1965 the State Game Commission did enter into a lease agreement the Acequia's, the Acequia de la Isla and the Acequia de las San Jose. And that was for those purposes for recreational uses and also for, essentially for that. Also, in 1965, the State Game Commission was conveyed from the (indiscernible) family perpetual right of way and easement for road purposes to be able to access Morphy Lake. Now, actually the lease agreement, not the right of way and easement (that's perpetual) but the lease agreement had an option for an extension another 25 years. So, 25 years plus another 25 years if the State Game Commission elected it, to have that option. So, fast forward from 1965 to 1990, the State Game Commission did elect to use that option and we did get an extension. And then we fast forward to now, the year 2015, and on February 21, 2015, this lease agreement is set to expire. So that is why this Memorandum of Agreement comes before you. The current state of the property, the parties to the original lease agreement do want to continue with this Memorandum of Agreement. The parties to the perpetual right of way and easement do want to continue to allow the State Game Commission to use that road that allows the access into Morphy Lake, and currently there is, let me fast forward, currently there is a quiet title suit before a District Court with an assisting AG which is representing the Department. That quiet title suit with, according to Mr. Sidell (phonetic), that involves that road that allows the access into Morphy Lake. Morphy Lake is adjacent to the premises or property that is in the quiet title suit. So he communicated that it looks like the parties are all on board. In that case, (indiscernible) other parties, but all

parties seem to be on board with continuing with this perpetual right of way and easement and validating it and acknowledging it. So, as that quiet title suit is really starting another phase in the litigation process, one thing is Mr. Sidell is, may, submit the support of partial summary judgment that would allow that easement and right of way to be validated. So we go over into the Department's interests and the general interests of the Department are that the Department can provide, well the Department does have a lease agreement first of all. And second, there is a general wildlife management role that the Department has. The Department's contribution would be providing 20,000 dollars annually in funding to use the lake for fishing and providing this public access for fishing, maintaining this public access as well. There would be certain guarantees come in with this Memorandum of Agreement. Some of them include: There would be a 150 acre (indiscernible) full of water, that's entailed in that Memorandum of Agreement, as well as some other items such as Acequia's maintaining or providing maintenance and inspection for really all the items that assist with the water courses and so on with delivering the water. So those are really the issues within the memorandum of agreement and I think we stand for (indiscernible).

DIRECTOR SANDOVAL: To clarify, we also have a 7,500 dollar piece in that agreement that would go over to (indiscernible) for the purposes of providing servicing to the anglers on Morphy Lake itself.

CHAIRMAN KIENZLE: How does this form of agreement differ from the 1990 version?

AARON RODRIQUEZ: In the 1990 version, it was between the State Game Commission and the Acequia's. And now there is State Parks that is going to be included in the Memorandum of

Agreement. And that's why it would be, instead of keeping the lease form, it would be using this broader Memorandum of Agreement.

CHAIRMAN KIENZLE: Will it require my signature, or is it just the Director?

AARON RODRIQUEZ: It would be, with our concurrence, the Director's signature.

COMMISSIONER MONTOYA: At 20,000 annually, what was it in the lease before that?

DAN BROOKS: If I recall, Commissioner Montoya, I believe it was 20,000 in total. There are some other things that are happening here. And to Chairman Kienzle's question, one of the other things that differs is that we are no longer responsible for any water delivery, any maintenance. In the old agreement, we were responsible for maintenance. Now we are no longer. That is the two Acequia's responsibility. So, although the price has increased we are relieved of much burden when it comes to dealing with the dam and water delivery system.

CHAIRMAN KIENZLE: It's got a dam? I'm sold.

CHAIRMAN KIENZLE: Is it in final form now? The agreement?

AARON RODRIGUEZ: The memorandum of agreement, yes. We just need to include an exhibit that's a map that's described in the agreement itself, and just some contact information I think, and it's set to go.

CHAIRMAN KIENZLE: Any questions? Further comments?

COMMISSIONER ESPINOZA: Mr. Chairman, I just had one question. Are we going to be doing any more MOU's with (indiscernible).

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner, yes. We are partners all across the State of New Mexico with (indiscernible) I think at last count, probably 26 or 27 MOU's and/or JPA's with (indiscernible). It just depends on the action we are taking. This will be another.

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

COMMISSIONER SALOPEK: I move to allow the Director, with concurrence of the Chairman, to enter into a proposed Memorandum of Agreement as presented and allow minor changes in this if approved by the Chairman.

COMMISSIONER MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Just send it to me when you get it.

AGENDA ITEM NO. 21: General Public Comments.

CHAIRMAN KIENZLE: I have one public comment from Garrett.

GARRETT VENEKLASSEN: Mr. Chairman, Members of the Commission, Garrett VeneKlasen from the New Mexico Wildlife Federation. I know this is contentious and I will try to be as diplomatic as possible. But again, I want to bring up stream access. It has come to our attention that the Game Department has finally announced where you all stand on stream access. And we are disappointed, quite frankly that you guys are not talking about this publicly, and correct me if I'm wrong on this. But court documents now show that the Commission and the Department believes that the AG's opinion is wrong and that property owners on non-navigable streams do own the stream bed and that wading in such streams without permission is, in fact,

trespass. And I just want to re-iterate that in August, a small group of landowners and lodge owners filed a lawsuit in Roswell asking the State District Judge to declare the AG's opinion invalid. The lawsuit also names the Game Commission and the Department of Game and Fish because they manage fishing in the state. The AG responded by filing a motion to dismiss the lawsuit. In December, the judge agreed with AG and announced her plans to dismiss it. A month earlier the lawsuit had been amended to include the New Mexico Council of Outfitters and Guides. The judge's dismissal only applied to the original lawsuit, not the amended version, so technically the lawsuit remains alive. The judge is expected to rule again this spring. In the meantime, however, the Game Commission and the Department took sides in the lawsuit. This is our understanding, anyway, and sided with the landowners, lodges, and outfitters. And it is also the understanding that the Department has hired outside legal counsel rather than using their own staff attorneys and it is important to know if this is at the expense of the license holders whose best interests, at least in our opinion, continue to go unserved. And I contest, respectfully, that this commission continues at least on this issue to act contrary to the best interests of the public and especially to the citizens and license holders who pay for this Department. We just want to see this thing brought out in public. We want to have some good conversations about this. We understand where the concerns of the private landowners are and we think these problems can be solved and addressed and would like us to be a little more public in this process.

CHAIRMAN KIENZLE: Thank you. Can I get a motion to adjourn?

COMMISSIONER SALOPEK: So moved.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

In Re:

Game Commission Hearing

C E R T I F I C A T E

I, Cheryl J. Melgarejo, transcriptionist,
DO HEREBY CERTIFY that the
above captioned transcription was prepared by me;
that the RECORDING was reduced to typewritten
transcript by me; that I listened to the entire
RECORDING; that the foregoing transcript is a
complete record of all material included thereon,
and that the foregoing pages are a true and correct
transcription of the recorded proceedings, to the
best of my knowledge and hearing ability. The
recording was of (GOOD second portion, POOR first portion – select one) quality.

I FURTHER CERTIFY that I am neither employed
by nor related to nor contracted with (unless
excepted by the rules) any of the parties or
attorneys in this matter, and that I have no
interest whatsoever in the final disposition of this
matter.

Cheryl J. Melgarejo
(Name of Transcriptionist)

Quality Assurance and transcript provided by:

Premier Visual Voice, LLC

www.premiervoice.com: 216-246-9477

APPROVAL OF MEETING MINUTES
NEW MEXICO STATE GAME COMMISSION

Santa Fe Community College

6401 Richards Avenue

Santa Fe, NM 87508

Thursday, January 15, 2015, 9:00 am



Alexandra Sandoval, Director and Secretary

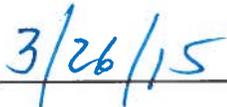


Date



Paul M. Kienzle III, Chairman

New Mexico State Game Commission



Date

AS/scd