

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

New Mexico Museum of Space History

3198 State Route 2001

Alamogordo, NM 88310

Thursday, March 26, 2014

9:00 a.m. – 5:00 p.m.

A P P E A R A N C E S

Game Commissioner Thomas Salopek

Vice Chairman Bill Montoya

Chairman Paul Kienzle

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

Game Commissioner Ryan

A B S E N T

None

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Present.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: Here.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: HAppy to be here in Alamogordo. Here.

DIRECTOR SANDOVAL: Commissioner Ryan?

COMMISSIONER RYAN: Here.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

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

CHAIRMAN KIENZLE: Thank you. Let's do The Pledge of Allegiance.

(Pledge of Allegiance ends.)

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

COMMISSIONER SALOPEK: So moved.

VICE CHAIRMAN MONTROYA: Second that.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

(Motion Unanimously Passed)

CHAIRMAN KIENZLE: The Agenda is approved. Let's go around the room and introduce ourselves. Who wants to start?

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

GUEST SPEAKER: Good morning everyone (indiscernible) Drug Programmer Manager of Wildlife (indiscernible).

GUEST SPEAKER: Good morning Commissioners, Cal Baca, Wildlife Chief New Mexico Department of Game and Fish.

GUEST SPEAKER: Dave Bennett (indiscernible)

GUEST SPEAKER: Drew (indiscernible)

GUEST SPEAKER: Rod Simms, (indiscernible)

GUEST SPEAKER: Good morning, R.J. Kirkpatrick, I'm the Assistant Director with the Department of Game and Fish.

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GUEST SPEAKER: Good morning Chairman and Commissioners, Director of (indiscernible) of Southern Field Operations South of the state.

GUEST SPEAKER: Good morning Chairman, Commissioners, Stewart Linley, I'm the Game Supervisor of Santa Fe.

GUEST SPEAKER: Good morning, Don Bell, Region of New Mexico Livestock Bureau and Cattlemen Associations.

GUEST SPEAKER: Good morning Commissioners, Jim Hellit from (indiscernible) County Farm Bureau.

GUEST SPEAKER: Hi, Ashley Whitman, I work for the (indiscernible)

GUEST SPEAKER: (indiscernible) I'm from Albuquerque, I'm just a hunter and I'm here to hopefully make it so I can still draw a tag so my kids can pay me back because (indiscernible)

GUEST SPEAKER: Lee (indiscernible)

GUEST SPEAKER: I'm Mary Coffman, I'm the New Mexico Guide.

GUEST SPEAKER: Dennis (indiscernible)

GUEST SPEAKER: Cecil (indiscernible) from Los Cruces, I'm a Guide from (indiscernible)

GUEST SPEAKER: Good morning Commissioners, Ross (indiscernible)

GUEST SPEAKER: I'm Jack Rican, I've been hunting out there for wild (indiscernible)

GUEST SPEAKER: Good morning. Curt Ackerson, Regional Representative for Safari Club International from Roswell.

GUEST SPEAKER: Good morning, (indiscernible)

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Good morning, Kevin from (indiscernible) County, also a Guide out there.

GUEST SPEAKER: Jill Cramer, (indiscernible) New Mexico Hunter (indiscernible)

GUEST SPEAKER: David Kramer, land owner, Guide and sportsman.

GUEST SPEAKER: Good morning, Dave Roebuck, Chief of Military Services (indiscernible)

Game and Fish.

GUEST SPEAKER: Good morning, Rad Carey, Chief of Information and the invitation
(indiscernible)

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Good morning everyone, I'm Dan Williams, (indiscernible)

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners, I'm Art Declario, video
specialists in fish.

GUEST SPEAKER: Good morning everyone, Lev Aster.

GUEST SPEAKER: Good morning I'm the Executive Director of (indiscernible)

CJHAIRMAN KIENZLE: We wouldn't be here without her. Starting in the back there?

GUEST SPEAKER: Spike (indiscernible) Sacramento Law Firm for Cairo County.

GUEST SPEAKER: Hello everybody, my name is (indiscernible) and I'm the Marketing Manager of (indiscernible) Game and Fish.

GUEST SPEAKER: Good morning, I'm Jessica Fisher, I'm the shooting Programs Coordinator out of Santa Fe Department of Game and Fish.

GUEST SPEAKER: Good morning Mr. chairman, Commissioners, I'm Jason (indiscernible) the Sergeant from (indiscernible)

GUEST SPEAKER: Mike Jones, (indiscernible)

GUEST SPEAKER: Larry Johnson (indiscernible)

GUEST SPEAKER: Michael Garcia, owner of (indiscernible)

CHAIRMAN KIENZLE: And I think we've got two here in the front.

GUEST SPEAKER: George Hobbs, a hunter and and angler.

GUEST SPEAKER: Good morning, I am Elizabeth Hobbs, a hunter.

CHAIRMAN KIENZLE: Welcome everyone. Thank you. I thought since we've got a new Commissioner, Commissioner Ryan will give us the 15 second bio on her.

COMMISSIONER RYAN: Well Chairman and Commissioners, and Ladies and Gentlemen, I'm really hAppy to be here. I am Beth Ryan from Roswell. Born and raised in Roswell. I do have my law degree, I'm a practicing Oil and Gas Attorney in Roswell. I have my Law Firm. I'm married to a great husband, Zach Ryan, I have two little girls, Bell and Kate who are six and eighteen months and I'm a hunter and I'm a member of SCI and NRA and I'm so excited and honored to be able to serve. I used to serve on the Environmental Improvement Board, which is

the Environments Department version of the Commission, I served four years there and really excited the Governor saw me fit to serve with this great Commission. So please feel free to call or email me anytime if you want to get to know me a little bit better, I'd sure love to get to know you. So, thank you.

CHAIRMAN KIENZLE: Thank you Commissioner Ryan. Welcome. Agenda Item No. 6: Approval of Minutes from the January and February meeting. Can I get a motion on that please?

COMMISSIONER RAMOS: So moved Mr. Chairman.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: Minutes are approved.

DIRECTOR SANDOVAL: I wanted to take this opportunity for those of you who don't know, Cal Baca has taken a position with the Western Association of Fish and Wildlife Agency, otherwise known as Wafa, as the program lead for the lesser prairie chicken. The five states that are involved in that are Kansas, Oklahoma, Texas, Colorado and New Mexico. So Cal will still be working with the department but he will be the Program Lead for what we're calling, "The Range Wide Plan". It's something that's been in the works for years. It's been on the ground for about a year. I actually sit on the Council that governs that Range Wide Plan. We're very excited to have Cal come in the Program Manager but sad to be losing him here from the Department of Game and Fish and would like to recognize all of his work that he's done as a Wildlife Management Division Chief and then also as the Private Land Coordinator. So thank

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you Cal, we wish you the best of luck. We'll be working with each other for quite a while, but thank you very much for everything you've done.

(Applause)

CHAIRMAN KIENZLE: Colonel Griego, Agenda Item No. 7: Revocations.

COLONEL GRIEGO: Good morning Mr. Chairman, Commissioners. I'm here to present some people who are out of compliance for the Parental Responsibility Act. The department will present a list of individuals that meet the established criteria for initiating the suspension process for Hunting, Fishing and Trapping License (indiscernible). Human Services currently provided a list of 199 obligors that are out of compliance in January and February and you have that list in front of you.

CHAIRMAN KIENZLE: Seems like we always have 199.

COLONEL GRIEGO: It's a good number.

CHAIRMAN KIENZLE: Yeah, the list never gets any smaller it seems like. Are these people, and I've asked this question before, are these folks year over year that continue to have a problem or are these new?

COLONEL GRIEGO: Mr. Chairman it's both. Some of them are, once they're on the list and they stay out of compliance, it's only the one time. But some of what we have an issue with is individuals that are new to the list and then some that come back into compliance and then fall back out of compliance a few months later. So, it is a lot of the same but once you hear them, if they stay out of compliance or they come into compliance, you only hear them once.

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CHAIRMAN KIENZLE: How often do you get this list? How often is this information sent to you?

COLONEL GRIEGO: Mr. Chairman, we get the list monthly.

CHAIRMAN KIENZLE: Okay, any other questions?

COMMISSIONER RAMOS: Mr. Chairman, Colonel Griego, Again, I know I ask you this question every Commission Meeting, where are we on the, I guess listing all these citations monthly report on our website? You know, where's the status on that? And I probably would quit asking that question if we know that it's, that we can't do it or we can, where are we at with that?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, we are still in the works with that. We're looking to work with IT and our INE Division, but also working with getting with our general Council to assure that we're going to be in compliance as far as putting somebody's name or face out there. We want to just insure we're covering all our bases but we're still moving in that direction. We do think it's a pretty good idea. We just want to make sure we cover all our bases before we do that and put it out on a website. So, we're still moving in that way.

COMMISSIONER RAMOS: All right, thank you.

COMMISSIONER ESPINOZA: Bobby, a little further on that same subject, best guess time frame?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza, I really can't give you a specific time frame. I know our attorney, we're getting a new attorney Monday so I'm sure since it's

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been bought up again it will be a priority that we can discuss here in the next few weeks and probably have a pretty decent answer for you at least by the next Commission Meeting on a direction of time line from there.

COMMISSIONER ESPINOZA: I would be interested to know. I understand you can't give me a specific date but best guess in the next, my lifetime or this year or something like that.

COLONEL GRIEGO: I assure you I have no problem smearing a poachers name but we want to make sure that the agency is covered.

COMMISSIONER ESPINOZA: I understand, thank you. I Appreciate it.

CHAIRMAN KIENZLE: Any other questions, comments? This is an action Item. Can I get a motion on this please?

COMMISSIONER RAMOS: Mr. Chairman, I move to authorize the department to administer these suspensions on behalf of the Commission, including the (indiscernible) of service of notice of contemplated action to each individual listed that is out of compliance with the Parental Responsibility Act.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: Aye's have it. Agenda Item No. 8: Proposal To Amend Miscellaneous Permit Fees Including Those For Game Fish Propagation and License Vendor Requirements and Restrictions.

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COLONEL GRIEGO: Mr. Chairman, Commissioners, this is just a discussion Item at this point. Kind of like a proposal to amend miscellaneous permit fees including those for game and fish propagation and license vendor requirements and restrictions. Chapter 17 establishes the Commissions authority over license vendors and authorize the commission to set fees for the permits not to exceed those administrative costs. Rule 30.9 NIMAC establishes the financial requirements for license vendors and sets the fees for many special use permits. This Rule was originally passed over twenty years ago. The online licensing system has significantly changed their role that our license vendors have and the cost of administering the special use permits have evolved over time. We're putting significantly more time into them for the amount of the administrative fee that we get. The department proposes that the Commission repeals the current 30.9 Rule and replace it with a new Rule and then updating the responsibilities of the vendors and the fees charged for those special use wildlife permits, which we will be posting on the web and I gave you the new proposed Rule with some of those fees and changes. The proposed changes will be posted for public comment and final Rule will be presented at a future meeting. Again, this is just a discussion Item and will compile that public comment if we get any. I'm sure we will get some for sure on special permit fees and bring that to the next meeting.

CHAIRMAN KIENZLE: So looking at this proposed change, paying with a (indiscernible) is it easier for vendors under the proposed Rules or is it harder for them. Because somebody is going to holler if it makes it more difficult to them.

COLONEL GRIEGO: Mr. Chairman, I believe it would be significantly easier but Chief Rohrabacher can probably give you a better answer on the specifics on that one.

CHIEF ROHRABACHER: Mr. Chairman, it will be easier.

CHAIRMAN KIENZLE: Okay.

COMMISSIONER SALOPEK: I guess on the fishing license, I meet with people in (indiscernible) and they've been complaining that now that fishing licenses aren't sold at stores, that people say, "Wow, I'm just going to go fishing because I don't need to buy a license or a temp." Are we going to have another line, like going into the lakes, is there a 1-800 number where you can buy it? Say a Sunday morning and somehow if we can get it on our Smart Phones, or you know, when I was in Florida, I called on a Sunday and they gave me a number, that's all I needed for the Game and Fish if I got it checked. I hope we can make it that simple. People will buy the licenses if they know what number to call, I guess we need to put it out there a little bit better.

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, they can currently if they have that Smart Phone, they can get online and purchase their fishing license 24 hours a day. We could probably produce additional signage to remind people of that but they can currently do that.

CHAIRMAN KIENZLE: So that's just online not by telephone?

COLONEL GRIEGO: Not by telephone.

CHIEF ROHRBACHER: Mr. Chairman, Commissioner Salopek, we are in the process of procuring and developing a Smart Phone App. for our licensing system.

CHAIRMAN KIENZLE: So did you talk to a real human being when you did it in Florida?

COMMISSIONER SALOPEK: I did. It was pretty interesting because I was going with my wife's cousins and I said, "Don't I need a fishing license?" They said, "No". Then I said, "Oh, we're going to buy it by the lake?" And they said, "No" we never get checked by a Game

Warden and I said, “Well, if I get a ticket”... We pulled into the bait shop and he was not happy, and he said, “There’s the number, call it”. So we called it and the person gave me the number and said whatever it was and said if somebody checks you, and then he sent it to my Smart Phone and I got it before we got to the lake. But just that number alone he said, keep it in your pocket and I thought that was really simple and easy.

CHAIRMAN KIENZLE: So what’s the time frame to do the Smart Phone App?

CHIEF ROHRBACHER: It depends on the, I’m sorry, Mr. Chairman, it depends on the procurement process that we have to go through. We’re working with the State Purchasing Division. But hopefully, soon rather than later.

COMMISSIONER: A couple of questions, one, what I’m seeing here, the vendor fee of a dollar is still the same that we’ve been doing, is that correct?

FEMALE SPEAKER: Mr. Chairman, Commissioner, that’s actually statutorily, so this is a redundant listing of the vendor code, the one dollar code, it actually sits in statute, but yes, it stays the same.

COMMISSIONER: Okay. And I noticed that the Application fees are going to go down. Is that just because of all the work you guys have done and are online?

FEMALE SPEAKER: That is the current fee, the \$7.00 fee.

COMMISSIONER: It is the current fee? Well it said previous fee.

FEMALE SPEAKER: Right, that’s what it was two years ago.

COMMISSIONER: All right. Thank you.

COMMISSIONER RYAN: I see that the assessment of financial liability has completely been stricken and that you've inserted a whole new bonding requirement set of the assessment, could you explain your reasoning for that a little bit?

CHIEF ROHRABACHER: Mr. Chairman, Commission Ryan, we are super fining the process with our online system, if there is an issue with a vendor we are able to turn off some of their privileges immediately and because of that we were able to simplify the process for them.

FEMALE SPEAKER: Mr. Chairman, Commissioner Ryan, the reason for that is when that Rule was built, we would still have paper licenses that the vendors were in control of. So they would be assessed a penalty if they lost a book of licenses or you know, they kept messing up in their submission. That process is completely gone now. We don't have any paper issuance of licenses and so now it's all online. So the money that's collected for the licenses now actually comes directly to the department. There's no holding of that money by a third party vendor. So the financial liability has actually gone away. There's no need for that at this point. So we wanted to change that Rule to reflect where we are currently.

CHAIRMAN KIENZLE: Any other questions or comments? So when do you expect the finance Rule to get from us?

COLONEL GRIEGO: Mr. Chairman, I believe that once we post this for public comment, for at least that thirty days, I believe that we'll easily be able to, at the next Commission Meeting bring something to you, probably for a month.

CHAIRMAN KIENZLE: Okay. Agenda Item No. 9: Initiation of Tagging and License Validation Requirements for Big Game. No comments on Item 8, you can rock and roll on that then.

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COLONEL GRIEGO: All right Commissioners, so here to present big game tagging and or harvest reporting. As I'm sure you're all aware, we had a legislative push this year to, there were some Bills that wanted to make it illegal for felons to Apply for what they were calling, rifle hunt. As you all are full aware of, rifle hunts are really any legal sporting on hunts. It can be a rifle, bow or muzzle loader. Because of that push, we wanted to try and get in front of it if those Bills, obviously, did not end up passing through but to pull off something like that would require that we were auditing these Applications within that. Oh, too many things on the plate. My eyes are seeing something but my mind was thinking of something else entirely.

CHAIRMAN KIENZLE: I was trying to figure out where you were going with this.

COLONEL GRIEGO: I was throwing you a little curve ball there. Remember what I just said because the next one is this. Let's start over. Okay, the Big Game Tagging and Harvest Report, again, this is just a discussion Item on where we want or get some direction as we go forward, as we have our licenses that we're printing the license, we have really no carcass tag anymore. We passed that Rule to where we've changed that system up but just bringing it up again that therefore, the system we currently have with some of the concerns we have. From the get-go, we've talked about developing an App that will allow the customers to submit their harvest report via that App. That it would include an electronic tagging. When they submitted that harvest report, it would invalidate that license number and therefore, when they were checked in the field our officers would have the ability to either print a list each morning when they got back to the house or have connectivity that would say these individuals have harvested and submitted their harvest report. Another option for the time being is we can continue to have the harvest report in view of the telephone or the online system like we do have or on our current license, the way it is, there is a section on the bottom that is void of any information. We could potentially

add a carcass tag to the bottom of that if we're having our sportsman out there that just have that strong desire to want to put a tag on something. Ultimately, the development of that App is where we need to go for law enforcement security purposes and as I just found out this morning, we are closer with that App than I had anticipated. If we want to discuss that App, I'll have to bring one of the other guys up that is doing some of the discussions with that. But some of the discussions have been with this App, it would be an all-encompassing App that people could download and not only would it have this ability to submit these harvest reports, but it also would have the neat little gadgets that go along with those Apps. You know, shooting hours, weather, whatever the case may be to make it a pretty handy App for our sportsmen to utilize and make it the easiest way to submit those harvest reports and therefore validating those licenses. Really at this point, we're just looking for some direction or input on that. I'm sure we want to continue down the road to get that out with this print your own license. You know on the law enforcement end we have some significant concerns. We have made any really big cases with those concerns yet but again, still have that anecdote information but we are seeing a lot of our individuals that we're keeping a close eye, they're figuring out the systems, they're figuring out we're noticing that on the harvest reports their all successful, all the time. So I think they've figured that part out to if you want to cover illegal activity, you need to report that you've harvested to make that license beneficial for you in the future. So we are seeing that type of activity so it's going to be important that we come up with this App or system fairly quick.

CHAIRMAN KIENZLE: When did we talk about this before?

COLONEL GRIEGO: About two years ago.

CHAIRMAN KIENZLE: Two years ago. So we're making progress and I don't mean that in a bad way. I know the meeting we had on that, as I recall we were all scratching our heads that week to solve this problem. So I think it wasn't an easy problem to solve.

COLONEL GRIEGO: And Mr. Chairman, as I understand it, and it might be best for Chief Cherry or one of those guys to come up, that this App is really, if we can figure out the procurement portion of it, this company that's saying that they can provide this App will actually pay us to utilize it. That it's really just right around the corner if we can just figure out how to get our hands on it. But I'll let Chief Cherry discuss that.

CHIEF CHERRY: Good morning. How are you doing Gentlemen, Commissioner? So the App that we're looking at most definitely has a tremendous amount of potential. And really, kind of just to step back just real quickly because you had a question, we are really shooting for more of a launch time by this summer, potentially. We're fast tracking that two-year-mark from the past is we're moving rather quickly on this possibility. And this App has tons of fuctuallity. This portion of it is something that after you guys come to decisions, can be added and shaped and designed to fit exactly what you will come up with. It will just be an additional add-on. We'll have the ability to do harvest report and right from it you'll be able to track your buddy GPs in the field. You'll be able to do your maps and your regular hunt information, a really comprehensive App.

COMMISSIONER RAMOS: Lance, one of thing you mentioned, the GPS, are we going to also put in the unit wide versus ranch only layers in there? That GPS, if we're going to do it, I would like to do it in full force and do it right plus also make it available obviously, online where a guy can go in there and see where you can and can't hunt as well.

MALE SPEAKER: Mr. Chairman, Commissioner Ramos, those maps will actually be put into GIS layers and will go to the carry map application that we fully operated with to be a (indiscernible). So as those get mapped and it's not as simple as one might think. Our area regional biologists are trying to map those as we speak and as we get those mapped in the GIS Layers included, then we'll be able to add those to the carry map application for use on those game managed unit maps.

CHAIRMAN KIENZLE: So when you talk about the successful harvest report, is that somebody who has a real license and then someone else, you've got a bunch of people hunting it? Tell me why that fill that harvest report out successfully.

COLONEL GRIEGO: Mr. Chairman, why their doing that?

CHAIRMAN: Their covering their tracks but I mean, tell me more about that.

COLONEL GRIEGO: Well Mr. Chairman, what we're seeing is with these individuals that we're investigating is their never putting that their unsuccessful on their harvest report. Because as soon as you put unsuccessful, if you have bad intentions with that document to cover illegal activity, you've invalidated that license where it's, that license, when we look it up says you were not successful in 2009, yet you have a 2009 license on this animal, what's the deal? So they have figured it out that every hunt they draw, every harvest report they submit, it is always successful. So, again, I 100% agree that being able to print your license is convenient and being able to print your license is never going to make an honest sportsman an illegal sportsman. But what we've created is an easier opportunity for our illegal individuals to, it's just created a little ease to cover up illegal activity with that.

CHAIRMAN KIENZLE: I'd like to catch somebody. I'd like you to catch somebody. It's a challenge though, I've been there.

COMMISSIONER SALOPEK: What about if you, where you comb in the elk? The illegal, when somebody does something illegal and you culminate, Operation Game Take. Anyway, can we raise those limits? Can we raise where that comes in to play? I mean to me, we've never done anything illegal but you look at, if somebody is doing it, their talking to somebody. And somebody will eventually, in my opinion, would say, "Well, I don't like that glider, he did this, I need to call it in." Is there any way we can increase our price to help us in these calls or is that state legislative mandated?

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, we're currently already getting a lot of OGT calls in regards to this violation. I think the system as it is is working, it's not that we're not getting the calls it's just their very difficult to make. We've not gotten to the point where we've served a lot of search warrants on these individuals. We did have one recently that we did serve, some search warrants, and there were multiple heads, we had about \$90000.00 worth (indiscernible) in heads. We had that at about twenty-five trophy class mule deer and that case was just fixing to come up to trial here in about a month and he was murdered three days ago. So the one case that we were closest to saying, okay, now we've got some meat behind some of our concerns, went away. But again, it's difficult with the convenience of it again to have multiple licenses. If you lose one or one's in the truck, one's in your wallet, it's fantastic for the honest guy. But again, I check this individual and he's harvested and everything on the surface is legit, it's tagged, it's filled out, and then he decides to come out three days later and another officer checks him, we have no way of comparing that he's been checked or that that license has done anything. We have no way to communicate unless we are verbally

communicating to the officers and that's just, it's not a real efficient way of doing it. O that's why the cases are not just being made consistent.

CHAIRMAN KIENZLE: Can you get us a number of Poach ET Reports you've gotten on this issue for the next time around?

COMMISSIONER RAMOS: Bobby, my concern is when we used to tag animals as well, you had your tag, carcass tag with you. I mean then go and buy a duplicate license and things like that. To me it's something that we need to look into more intensive and hopefully this App offers that, is take a picture in the field right there but also I think we need to dig down deeper where we look at the questions that we ask for that harvest report. It's pretty simple right now, did you kill one, did you not? How many days did you hunt, you know and really maybe narrow that down a little bit more with more specifics. Maybe that could be a place where we can look some of that data up, you know even as far as what kind of terrain were you hunting? I don't know, you all are the experts at that, but more intensive questioning on a harvest report. I know in Arizona when I harvested a cruz deer, you have to call that 1-800 number and they have a lot more specific questions then our basic harvest report that we're gathering right now.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, those discussions, we've had exactly those discussions on making it more specific to kind of paint them into a corner if they do choose to do illegal activity. We at least know that that animal was called in, that that individual did harvest an animal with that license and it was a mule deer that was, four on the left, three on the right which will aide us in the future or even going to the point with an App that you could take a photograph of that head from the front and the side angle and that it would be

on there. And I think it's whatever we can imagine for the most part. There's individuals out there that can put that in an App. So yes, I agree with you.

COMMISSIONER RAMOS: Even requiring possibly the weapon that they were using. You know was it an ax, a spear or was it an ought six.

COMMISSIONER RYAN: So how does the App specifically eliminate, partially eliminate the issues you have with just it being online right now and being able to print off your license? Would it just be a completely digital license at that point?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, no it would still be the paper document that they would print off. But what that App would in essence do is when you submitted your harvest report, it would invalidate that license number. So even though by word of mouth I did not communicate to another officer that individual had been checked or that even if we didn't check him, we would real-time get a list of licenses that were invalidated so if I did check you in the field tomorrow, and you submitted your harvest report two days ago that you had harvested, it at least gives me a foundation to start inquiring what you are doing out here with a rifle? Why are you still hunting?

COMMISSIONER RYAN: So would this be the only option your proposing on, is to report through this App or they would still be able to call in or go online and still report that way?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, that would be just an option. We're hoping that this App would make it easier for our sportsmen but it would not be the only option. They would still have the ability to get on the phone and call in or get online and submit it that way. So it would just be an additional option.

COMMISSIONER RYAN: So I guess that's my question, is if it's just another option, I mean for my generation I would love to have an App on my phone that I could just do it, make it real easy. But it doesn't seem like we're eliminating those guys that still get online and print off, I mean that's your concern and I'm not seeing, the App is really cool but I'm not seeing how it's addressing your specific concerns.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, because ultimately when we go down this road I'm going to be back in front of you all asking, okay, now we need to significantly reduce the harvest reporting time-period. Whether it's going to be 48 hours, 72 hours, 24 hours, immediately, the shorter that window is the more law enforcement benefit it has, that if I say, if you harvest, you have X amount of hours or X amount of days to submit that harvest report so I can get real-time information as soon as possible versus months from now. And the shorter that window is, the quicker that license by Rule, will have to be invalidated. It just narrows that window.

COMMISSIONER RYAN: And that's what I see the real issue is when we dig down in this particular topic is that I see the department pushing real-time harvesting reports instead of having the year basically, your license year and so that does increase the burden on hunters and honest hunters. So I do want that to be a consideration as we move forward on this issue, is you know, the App makes it easy. You'll get more real-time data then you would have but if we're closing in the time-periods, then that also creates what kind of late fee or things are going to be imposed by now that we have a 48 hour time-frame. I mean that's significant from having your license year. So that's a concern for me, that when we talk again I'd really like the department to address that specifically. As a hunter, that concerns me. Because I understand the guys were trying to get but we're talking a very small number of people we're trying to catch. And I certainly want to

get those bad guys, but I don't want to make the whole process so burdensome on all of us good hunters, honest people. It goes too far the other way so I think there's a balance that I'm sure the department can find.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, yes Ma'am, I agree whole heartedly. That's the balance, is finding that customer service versus the need on the law enforcement and finding that balance somewhere and going forth from there.

COMMISSIONER RYAN: Thank you.

CHAIRMAN KIENZLE: Any other questions on this one? We had a couple of public comments, Elizabeth Hobbs?

ELIZABETH HOBBS: Good morning Commissioners, Mr. Chairman, Director, I just wanted to thank the Commissioners and the department for having it being so the computer printouts of the license. It's been very helpful to me, particularly when I lost my license in the laundry. But I'm kind of concerned about the additional reporting of harvest. If I harvest a bear, I've got to take it to a Warden and he pulls a tooth. So that happens and so I don't quite understand why I then would need to also report to the department through an App or whatever that I've killed that bear. I think the key parts that I'm hearing from this discussion is, that there needs to be a real-time App between the Wardens on the discussion. Whether their taking down the license number and saying, hey, this one's been invalidated and the next morning Warden B looks at the list and checks and makes sure that license number hasn't already been invalidated through the first check. And not everybody has a Smart Phone and not everybody is technologically advanced like me, I'm not technologically advanced to use Apps. I don't use Apps. So I guess those are my concerns with what I'm hearing here.

Final

CHAIRMAN KIENZLE: We'll find a way. We found a way to put licenses online. I appreciate what you're saying. I think that's what Commissioner Ryan is saying as well. We don't want to make it too hard at the end of the day.

COMMISSIONER SALOPEK: I have a question on the section of continued App. If Mrs. Hobbs with that bear, that would (indiscernible) and they check for (indiscernible) she wouldn't have to go through the App, is that right Bobby?

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, that is correct.

COMMISSIONER SALOPEK: I mean you're getting checked, there's no need of wait, we got to do two or three things. Because once this woman catches it, it's done and we're good to go. I just want to clarify that.

COLONEL GRIEGO: That is correct. And our issue isn't with, because of that five day time frame with the bears, we're not having that issue with the bears, it's our elk and our deer and other species like that.

COMMISSIONER RYAN: Mr. Chairman, it seems to me that the online system and the App and I'm sure you'll be addressing this, should be synced up. So if you're doing it just regularly online instead of the App, that your license number will be invalidated just on the online system and the App. So it seems like that concern can be addressed that we currently have.

CHAIRMAN: Jess Rankin?

JESS RANKIN: Mr. Chairman, Ladies and Gentlemen, Commissioners, I'm Jess Rankin. I'm the Outfitter for (indiscernible). You know I've hunted some other states in the Midwest where you had to check your animal in at a check station and they get, I think pretty valuable info on

like how much your deer weighed, how many points it had and like in Oklahoma, a lot of places like Court Houses are all check stations, but some hotel would set up the record. The department pays them %5.00 a deer or something like that. You can't leave the state with a deer until you check it in at the check station and you have to do it within five days of killing it. So that way your getting real vital information, age structure and everything else. I know in North Carolina you call an 800 number, answer a few questions about how much your deer weighed, how many points. The number is easy to remember, 1-800 I GOT ONE. Anyways, they should have real vital info on what's being harvested. You know they have a basic idea what the age structure is, I don't think that would be too much trouble. If I were to spend to kill anything, I would not have trouble checking in.

CHAIRMAN KIENZLE: That's what Commissioner Ramos said, get as much information as you can out of this process.

COMMISSIONER RAMOS: And I think Jess probably brought up a valid point and I know if you guys are looking at is as just a call in number as well. You know the App, we need to make as many options as we can for the convenience of our sportsmen and not make it so narrow.

COMMISSIONER RAMOS: I don't know, I look at Unit 34 and having to report your chronic wasting disease elk or deer, you know I don't know how that's gone. But I do like the way you're going but I just can't imagine loading an elk up cold and bringing him in to get some data and I can see the skull, whatever the way their doing it now, but I think it would just be more of a hindrance. I think for the average person out there, actually even above that, you're going to get the information you want from a harvest report, seeking the information you want. Now Bobby, I

know you've mentioned the carcass tag, tell us a little bit more about that. Why do you want to go in that direction? I think I more or less know, but tell me.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, when you say carcass tag?

COMMISSIONER RAMOS: Putting it on the animal. I mean I know you want to go back in that direction. To me it's like, you have the license already and some guys have even marked it and everything, they put it on the animal and they have their other one and they mark that one and keep that one. I mean the point is, whenever the Game Warden stops you, they're going to ask to see the animal anyway. So really, what matter does it take to have a carcass tag on the animal if you're going to check the animal when you do stop us?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ramos, the tagging portion as it is now, as we can print our own licenses is not really an issue. I know I've heard from various sportsmen, they just were raised tagging animals so they've got this burning desire to put a piece of paper on that animal. As far as law enforcement goes, if we're not controlling the amount of licenses out there, you can't print them, then whether you tag it or not or just have it with you on your person, law enforcement wise is of no benefit. Where it comes into a benefit is when we control that tag. There's only so many out there that we give and we control it. They're vin, that tagging is essential for the law enforcement function. If it were not then it's not a big deal. That's why we're going to technologically, if we can invalidate the number and then have that real-time information, that would serve it the same purpose.

COMMISSIONER ESPINOZA: Bobby, I'm curious as far as what you hear in the field. You say us sportsmen, they just grew up that way, you know it's like, what do we do now type thing.

Are you getting that we should have a paper tag? Are you getting that from the public or are you saying they love the system as it is today?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza, I think the vast majority of our sportsmen really appreciate the convenience of the new system without a doubt. They like that they can print their license. They like that if their outfitter and their using land owner authorizations that they can get on their and validate that without having to go to an area officer. There's all these conveniences that are fantastic for our sportsmen. Now as far as tagging is concerned, again, there was some confusion on what do I do with it? Do I tag it or not tag it? Do I mark this? So, the vast majority of the individuals we checked were tagging the animal with that piece of paper and then they had one in the truck too. And again, that's fantastic for our honest, law abiding sportsmen, without a doubt, fantastic. I'm just coming in the back end trying to fix the loop holes that it's created so were not in a situation where our resources are getting hit so hard because of the convenience to the illegal individual also. So, just trying to clean that up and to catch up with the convenience to our legal system.

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER RICKLEFS: I believe I'm one of those old-fashioned that likes an official piece of paper on that carcass. Many of the hunters that I see will walk into a cooler, there's no papers, there's nothing that comes in and out of the processors without paperwork. I think a lot of hunters feel that it just allows people to skirt around the legalities by not having a tag on hand. It's interesting that you say that it is not an important issue.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ricklefs, it is an enforcement issue without a doubt but we still do require even though you can print your own license, there is still

the requirement that that carcass, whether it goes to the cooler or it's in the truck, that it is accompanied by that piece of paper that you ran off. So we still have that requirement.

COMMISSIONER RICKLEFS: And it has to go to the processor with the carcass?

COLONEL GRIEGO: That is correct. So all of those requirements are still there, it's the issue of even though I utilize that one piece of paper, I can still have ten more.

COMMISSIONER RICKLEFS: I understand.

CHAIRMAN KIENZLE: It's going to be interesting, the final outcome.

COMMISSIONER RICKLEFS: Well the comment I would like to make, we've been doing this for this. Is it going into our third year I believe, I personally like it. Me and my sons, I put one just out of nature on that generation, that I put it on the horns. We go to our old (indiscernible) so that, I like it and I do have, you know I turned 58 the other day so I have one in my truck and one in ,y (indiscernible), I don't want to get a ticket by not having a license. I guess so, I have three or four of them. One in my wallet, so once I get one I tear them all up, that's just what I do.

COMMISSIONER: I can see how the current system works for the majority. It's that portion that your wanting to narrow down on and you know, tighten up on. That's a tough one.

CHAIRMAN KIENZLE: That's why it's helpful to catch somebody at this. You know, put a prettier and ugly face on it. I'm not saying you guys aren't doing your job and I imagine it's very difficult to catch someone and that's why I asked about the OGT Reports. You know, if it's two reports that's good news. If it's 1,500 reports, then that's bad. So something to help quantify the problem helps us make a better decision. Anything else on this one?

Joel Gade: Joel Gade, New Mexico Wildlife Federation, It's easy to sort of imagine how a poacher can get around any of these regulations. We all know, you can hear all that stuff out but I just, I would just like to reiterate that the key thing is trying to get more Wardens out in the field and the department has been pushing I think successfully to try and get more money into that part of the program. That's critical. We got a call the other day from somebody down in Silver City who had what I thought was a good suggestion, and that's that if the Game Protection Fund is as big as it is right now, why don't you spend some money on satellite phones for these Wardens? Because clearly, you get out there and you don't have cell service which is another hole in the App idea, is that you can't report from a lot of places. However, if Bobby had and all those guys had satellite phones, you know, I pull up with my elk, I'm not even close to cell service but he can say, "Hey, I'm happy to just check you off the list here, we'll take care of that." And I'm certainly no technology guy, I don't know if that will even work but I thought it was an interesting suggestion.

CHAIRMAN KIENZLE: Thank you. Yes, Mr. Benet?

MR. BENET: I approach this from a marketing perspective and that is, you have an audience of customers, if you make it more difficult to participate, they go do something else and you have fewer hunters, less revenue. So it has a negative impact and so I agree totally, with his comment about a cell service or where do I charge it? A serious problem. But in the long run, your customers are going to make the decision. You know, this changes, this changes, well I didn't get this done, can't do this. They go do something else. And as the former member of the Chairman of the (indiscernible) Membership Committee, I spent a number of years looking at marketing and how customers make choices. I think you need to look at that very carefully. Thank you.

CHAIRMAN KIENZLE: Thank you. Yes Sir, Mr. Winn?

MR. WINN: Thank you, I'm Brandon Winn. Chairman, Commissioners, one thing is, when they came out with the new online where you print your own license, U thought it was awesome. And so you know, like Commissioner Salopek, I have the license taped to the window of my truck, under the bed, one in my underwear, you know I have them everywhere and then I realized like, this is crazy, if I was a law breaker I'd have all these tags, I'd have a stack of them and then when I used all those go back home and get more. So, I can't remember what state but somewhere I had where when you print your tag, when you print your license, you could only print it one time but I think the technology is available to where if you made it where we could, because I love getting it online but if we can print it one time, maybe that would stop us from where obviously you couldn't print a bunch of them and use them again. So maybe you can do that. Stay with the online system but you know, fine-tune it a little bit. Then also, as a hunter, I'm willing to accept quite a big burden to help law enforcement catch the people that are breaking the laws. And it's true like Commissioner Ryan said, there are relatively a small number of law breakers we hope, but one law breaker can do the damage of literally hundreds of hunters. You get one person out into like, mule deer winter range and he can literally wipe out the mature population for a hundred square miles, one person can do it and they do it. So I'm all for, I'm willing to accept the burdens. I have to check my animal in, you know some places your pretty remote, you might need 48 hours. But I'm willing to do a lot of work to help you guys out as a hunter. I'm willing to accept a lot of burden. Thank you.

CHAIRMAN KIENZLE: And with that, I think we're going to move on. Thank you, it's been informative. I've heard some of this next Agenda Item but refresh my memory. This is Agenda

Item No. 10: Proposal of Administrative Restrictions For A Convicted Felon Taking or Attempting To Take A Game Animal or Bird with Firearm.

COLONEL GRIEGO: Mr. Chairman, Commissioners, as you recall, again, that there was a legislative push this year to make it unlawful for felons to apply for what were being called rifle hunts and like I said earlier, we know that our rifle hunts are really any legal sporting arm hunts which would require us to do an audit of these applications prior to the draw. From the time we start taking applications to the time we draw is approximately a two month window. As you can see, we have on average about 150,000 applicants per year that apply for hunts other than archery hunts. We have several thousand applicants that apply for a combination of mizzle loader for one choice, bow for a second choice and then any legal sporting arm for their third choice. And then also, you know 50,000 individuals annually purchase licenses over the counter for any legal sporting arm hunts. Because of that, that's a pretty significant amount of individuals that we would have to audit prior to that draw. Just for your information, you know there's a misunderstanding or at least there was in the legislature this year that somehow as a law enforcement agency, we can simply run these individuals, these citizens through our data bases and basically do a criminal history on them to see, okay, he is a convicted felon, she isn't, he is, but by law, we can only do that if we have an active criminal investigation going on, on that individual or that individual is involved with or we can run those individuals if it's for employment in a safety sensitive position. We can't just take general public and run them through our system to see their criminal background.

CHAIRMAN KIENZLE: We could have a check the box, are you a convicted felon? Right? We assume the felon will not check the yes, I'm a convicted felon , box but sometimes it makes

people think twice. So if they check the box, yes, I'm a convicted felon we could bounce them. I mean, we could do that right? And that would sort of stop the license process in it's tracks.

COLONEL GRIEGO: Mr. Chairman, that is correct. And we do this year, if you noticed when you applied, we do have that pop-up that talks about the language. If you're a convicted felon according to New Mexico State Statute, you can do that. And it's not that these individuals don't know but we did add that additional pop-up for an extra layer of security for that. But basically, if we had to go down that road of auditing these applications, it would cost the agency about 1.3 million dollars per year. Just because to do these audits through the system, we do have not running them through NCIC or doing a triple eye on them We would have to use some private companies that have information on individuals that it supplied after there's convictions, give to this company and we pay a company called, TLO, that allows us as law enforcement to get on there and do background checks on individuals that is separate from the National Crime Institute System. We can only do about three per hour. It takes us about 20 minutes per individual and that's considering that if it were an individual that was convicted of a felony in New Mexico. If your convicted of a felony in New York, now not only do we have to look on this system, we would have to look on New York's System.

CHAIRMAN KIENZLE: Have we called around to other states to see how they handle this issue, if they handle it at all?

COLONEL GRIEGO: I have not specifically made those calls.

CHAIRMAN KIENZLE: This is going to come up again before the end of the year. Why don't we, you know like we do in some other situations, let's make some phone calls and say how do you fellows handle this? You know, just to get some more intelligence on what other states do

because we can't be the first to have dealt with this issue. I agree with you that it's a ton of work and it may, you know, we joke there's an App for that. I'm not all together sure that it's that simple. I had this issue come up with concealed carry here in the state and the same thing came up, well how do you check all fifty states to see who's doing what and it was on the immigration side of things, not the law enforcement side. But there isn't a convenient data base always for all of these kinds of things that your trying to get at. And the work that's required to get it done is sometimes tremendous. So, I understand the policy of not wanting convicted felons to hunt with fire arms but we may have to strike a balance on how to do it without eating up too many man-hours or too many budget dollars.

COLONEL GRIEGO: And Mr. Chairman, Commissioners, the fact still stands that you know a convicted felon can still hunt during any legal sporting arm hunt as long as that individual doesn't use a fire arm. They can use a bow. So, they can still apply and legally stay within all of the parameters that have been put upon them. So to eliminate them from that, I don't think we could do unless we somehow changed our hunts to rifle only and then you get into the issue of individuals who like hunting with a muzzle loader during that rifle hunt because their Dad hunts with a rifle, they hunt with a muzzle loader and the other brother hunts with a bow.

CHAIRMAN KIENZLE: So we don't have to reinvent the wheel, let's make some telephone calls and get some intelligence and that. I know we'll pick this up again before the end of the year.

COLONEL GRIEGO: The bottom line is that it would be pretty significant man hours and pretty significant price with auditing an application. You know, currently you all do by statute, you have the authority to do certain things. Also, by statute, 37.16, it makes it illegal for a felons

to possess a fire arm. But like I said, it is legal for them to hunt with archery equipment. And New Mexico Law, the felon in possession of the fire arm statute only applies to those felons for the first ten years. After it's been ten years since you've been sentenced or you completed your probationary period, the State of New Mexico no longer considers you a felon for possession of a fire arm. Now that confuses the system because the federal side of it says, you're a felon forever. They still will not allow you to possess a fire arm but per state statute, there is that twist also. Again, it just adds significant issue. Another issue with it is New Mexico Conservation Officers do not have direct authority over a felon in possession of a fire arm. Typically, if we have these cases, we end up taking them to the DA and then going from there. By statute under Chapter 17, the Game Commission does have the authority to adopt Rules establishing procedures for the suspension or revocation of licenses when a person is charged with violating a provision in Chapter 17 or one of your Rules. So if we did go down the road of trying to do an administrative sanction on this, we would either have to tie it into Chapter 17 or one of the Rules. Which leads us to our future planning and considerations with this issue is obviously from here, we need to consult with the State Attorneys, whether it's the AG's Office, the District Attorneys around the state and our future Council. You know there is the possibility if we want to go the direction of modifying manner and method to address this issue. Again though, your addressing a fourth-degree felony with a potential misdemeanor violation to kind of gift wrap it. Or with your approval, we potentially can go and have a legislative initiative that the department pushes forward to try and address our officers authority as it pertains to this law or get a statutory change in the felon in possession that tie it back to a revocation or however we want to go forward from there. But really, this is just a discussion on how do we want to go forward with this issue and obviously, I will make some phone calls across the United States to see how their

addressing it. But, I think it's going to be pretty similar in the fact that if they have any legal sporting arm, it's against the law for you to use a fire arm, not to simply apply.

CHAIRMAN KIENZLE: My question or my comment is, find out if they have an online licensing system and how do they deal with , sort of the nuts and bolts of this, you know, trying to weed out felons from hunting with fire arms. You know, just more of that nuts and bolts kind of things. But Director on the legislative side of things, can you tell us a little bit about what the legislature, some of the members of legislature wanted to see in this area?

DIRECTOR: Yes, Mr. Chairman, the push was for us to actually not allow them to even apply to come into the system. So it would stop them from even being able to make application. And the concerns as the Colonel pointed out was you can have those one hunts, what we call all weapon types, it would not be unlawful. But they wanted us to stop them from even entering into the gate, going through the front door for application.

CHAIRMAN KIENZLE: I guess that's what I'm asking, when you go out to visit with folks, how do you handle this on an online basis to even stop them? You know, following up on that, so maybe it can't be done, maybe it can. But let's check around and see what other people are doing.

COMMISSIONER RYAN: Mr. Chairman, I just have a question Colonel, are you treating like fourth-degree felons or like some drug charge the same as somebody who's robbed a store or using a fire arm? A kind of aggravated felon in charge, are we treating them all the same or is there a difference?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, the statute, a felon in possession, doesn't differentiate, just fourth-degree felony and above. Any convicted felon within the last ten years.

CHAIRMAN KIENZLE: Any other questions or comments on this one? All right, it's the Count Baca Show. The last Cal Baca Show. Agenda Item No. 11: Initiation of Bear and Cougar Rule Development, 2016 to 2020 Seasons.

CAL BACA: Good morning Commissioners. As it's been said multiple times, this is my last Commission Meeting as a Member of the Department Game and Fish. We are going to start some Rule development this year. I will be handing off the torch to my very competent biologists have developed these Rules and will be developing these Rules, so there's not going to be anything for you all to worry about for sure. But, we just wanted to start this conversation today with the Initiation of the Bear and Cougar Rule, 19.31.11 NMAC. And I'll hand it off to Elise Goldstein who just gave herself this morning a very broad fancy title that I didn't know about so that was pretty cool.

ELISE GOLDSTIEN: Having experimenting with titles and their all about three paragraphs long,. Chairman, Commissioners, I'd like to present a little bit of information about our Bear and Cougar Harvest Data, to give the frame work for opening the Rule. So this slide shows some statistics that are averaged over the last three years. And so in the last three years we have had a 103 deprivation kills, 49 road kills or accidental kills and the accidental kills include things like power line issues, lightening and anything else you might imagine that a bear could get itself into. We've had 522 sport harvest on average and so that ends up being that we harvest approximately 79% of the maximum sustainable harvest. And on average, we closed about nine

out of the fourteen zones every year and so that's 64%. There's actually a fair bit of variability year to year in these harvest statistics for bears and what really jumps out is the deprivation rates and that's very tightly tied to the quantity and timing of precipitation. So in years where there's a lot of rain at the right time so there's a lot of food in the mountains, we end up having very little deprivation such as this past year. In contrast in the year before the deprivation rate was actually three times higher. So if you don't already have enough reasons to hope we get a lot of rain, I now give you another one.

CAL BACA: So again, remember these are just averages over there. If we had a graphic perspective you would see those big spikes and then those big dips. So, that 103 kind of made me pause a little bit but she explained it very well. That's just an average, it's not the actual.

ELISE GOLDSTIEN: Okay, moving on to Cougars, this again, averages over the past three years. An average of 22 deprivation kills, 9 road kills, 229 sport harvest kills out of 749 allowable. And that is only 31% of the maximum sustainable harvest. This is a very different picture than in the case of bears, we don't harvest a lot of cougars in this state. And the cougars that are harvested are focused in the mountain areas that get snow. O it's not evenly distributed around the state at all. And on average we closed two of those zones. Ironically, I forgot to put the cougars that are killed to protect Bighorn Sheep. But as it turns out, that number is on average, we kill about 22 cougars per year state-wide to protect Big Horn.

CAL BACA: So in contrast, these statistics, these averages are very much pretty flat. They're actually pretty accurate as to what the actual harvest over time is. It doesn't vary on cougar harvest very much. Even the deprivation component of this, we don't see those peaks and valleys like we do with bears. It's a pretty flat trend across the years.

ELISE GOLDSTIEN: So, in the past ten years or so, there's been a lot of really exciting developments in our ability to gather and analyze data. And in order to set the number of licenses that we have, we need to base it on information about the population. So we've been working with New Mexico State University and we currently have a Ph. D. Student who is slightly more than half way through his Ph. D. Program, He's been gathering genetic samples that he can use to estimate bear populations and both the Northern and Southern Sangre de Cristo Mountains. We have preliminary data there. He's continuing his work into the Sacramento Mountains and the department has expanded that work into the Sandia Mountains. So we should be able to get some really great population estimates. There's been a lot of development about the statistical theory behind it which I promised Cal I wouldn't go in to because you would all fall asleep in four seconds. But just trust me, it's really exciting. So we're getting some really good information from that study and we're going to be applying the data to our recommendations. Through the course of this Rule Development Process, we will be getting data in so we will incorporate it as we receive it. On the cougar side of things, we are working with new Mexico State. We just initiated a master study in the Guyana's Mountains looking at cougar and deer interactions. So that's going to hopefully give us some really good information on both, the cougar and deer side of things. And we are also going to be initiating a Cougar Ph. D. Study. It's not on the ground yet, we're still working to make that happen. I hope it happens this fall and see if we can get it all together by then. And that study will probably be similar to the Bear Ph. D. Study that's going on where again, we're looking at some really great techniques to get some better population status. So some things that we are starting to discuss based on input from a variety of folks within the department, comments reviewed from sportsmen as well. We're potentially looking at having multiple seasons for bears. Right now we get a lot of folks going

out at the beginning of the season to harvest bears as kind of as quickly as they can. And by having multiple seasons we would be distributing that hunter pressure across time which would also, for a given number of licenses it would provide additional opportunities for hunters to go out at different times. We are looking at spring bear hunts. Some of the advantages of spring bear hunts is that it gives hunters an opportunity to harvest bears when their pelts are in prime condition. It also focuses on male bears. In states where they have spring bear hunts they take approximately 75% of the kill at that time is males versus in the regular season when it's about 55% and we can certainly structure it to encourage that to happen. We're also going to be integrating these research results. What we'll get are better population estimates in those areas on which we can base our harvest limits to try to manage this population through sports harvest. On the Cougar Rule, again, we hope to integrate some of the research results. It may be a little bit early for this Rule Cycle to integrate data that we get in New Mexico but certainly, there is data from other states that we can use and we can continue to improve our estimates even based on what we have. Using that data to again, look at our harvest limits. Now we're not coming anywhere near close to reaching those maximum sustainable levels and there are some consequences to other species because of that. So, as opposed to trying to raise the limit, we need to look at ways to raise the harvest and the actual take and one of the ways that could achieve that is by expanding the manner and method of take. So we are currently looking at ways that we might be able to implement that.

CAL BACA: So, just so you all know, to remind you of our Rule Cycle that we processed, that we initiated last year with majority of our Big Game Rules and we now have a new Commissioner on board that didn't go through the process last year. The way the process works is we're bringing this to you today, giving you the big picture, talking about where we were the

last four to five years in regards to harvest, analyzing that data. And then we will be bringing some options for folks to start to consider and giving us public input on from the conclusion of this public meeting to the next public meeting, Commission Meeting that you guys have in May. We will be putting out those large concepts to start getting some general feedback in from hunters, from the department. We've met with all of our sergeant districts, we're continuing, we've established law enforcement and other divisions have worked with us to establish a working group to work through the development of this Rule. And so, as information becomes available and the department decides to put out information for comment, it will go to the website and through other means of reaching out to folks to be able to gather input on those basic ideas. As we come into the second meeting time frame, the normal course of action is to put together some offers of options, status quo option and maybe one or two other Rule options that incorporate what we've heard from public comment. What the harvest data is telling us. What the research information that's happening is telling us and then just general feelings from the general public as well. And so that's what you will see the next time around. And then, we will go through the summer. We will have public meetings. We'll have meetings with interested groups. As the summer progresses we will then bring you a final Rule for you to consider. At the August meeting is when you will see a final Bear and Cougar Rule for your consideration. And at that time, as you folks will remember, we will bring in the public comments. What that generated. The basic information we're receiving from them. So at each of those public meetings you will have the information that we're having brought forth by hunter sportsmen and others that are interested in bear and cougar sport harvest.

CHAIRMAN KIENZLE: Just have lots of data for August on these two species. Any questions or comments from Commissioners before I get to public comment?

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COMMISSIONER: One of the comments that you had there was manner and method. Can you maybe expand a little bit on what you're looking at as far as additional manner and method?

CAL BACA: Part of what we've been evaluating is the opportunity to use different manner and method, expand that opportunity out there. Right now it's very limited just how you can hunt cougars in New Mexico which contributes to the inability for us to get close to our sport harvest. One of the manner and method things we're going to go out with for potential for you to consider is the expansion of the use of trapping and snaring for cougars in New Mexico. Currently right now we do on a limited basis for big horn sheep protection on private properties that have deprivation issues or want to have that sport harvest opportunity to trapping and snaring. It's a very successful means of harvest for cougars and so we wanted to see if that's something that would be palatable or something that the sportsman would want to consider as another tool in the toolbox, to be able to go out there and harvest cougars with. And then there's other things we would do and we would reach out to other states that are successful in their cougar harvest. Cougars are very reclusive animals so their very hard to hunt and so we want to be able, we're very conservative in our estimate of 749 animals to be taken and so based on that we're not even reaching 25%. And so, based on that looking at ways to try and improve those 2,500 people that but a license annually, their ability to go out and try to get closer to that 749 limit. And then, as we move this Rule through the process, as they move this Rule through the process, once implemented, evaluate that harvest and its effects to the population to determine if they need a change or tweak or do that so that we have a better understanding of what our cougar populations are actually doing through harvest report.

COMMISSIONER: Obviously that number is very concerning that according to this was 31% of allowable harvest, that means to me, not a biologist, that we're growing cougars over the last few

years and our population is just starting to get to the ticking point of we're going to grow them exponentially. So allowing our sportsman more ways to harvest to directing will not only will be some licenses but we'll reach that goal of what we allow. So I'm all for that.

CAL BACA: Chairman and Commissioners, one thing we forgot to mention as well, is in part of the research that we're doing we are working on our current harvest population models. We use a habitat model as the basis for that so we are working on improving that. The layer data that we were using was old data, it wasn't very good data. We have some regional biologists and other folks that we're working with to get the most current habitat information for New Mexico and input that into the model and expand those habitat types out to where we're now seeing where the old habitat model said no bears should exist and we knew bears were there, it's now with the new habitat information being inputted showing that there should be bears there at the rates that we expect them to be and are seeing them to be. So the same thing will be done with the cougar model as well. I was looking at the habitat so that we have more than just one pool to evaluate population densities in New Mexico and we can bounce those together and compare them in contrast and see where we are to get a better harvest estimate than what we probably have now.

COMMISSIONER: I think that's what Chairman Kienzle said, you know bring us that data.

COMMISSIONER RAMOS: Again, data drives need, need drives change and I'm all about change. I like the way you have these zones, the nine zones that are getting closed and I really hope that we dig in deep to look at those numbers to see how many more bears we can harvest out of these units. I would like to see where it also correlates with the depredation of those zones as well. If we need an increase there, let's do it. I mean rather than just a blanket statement, let's increase it across the whole state, that's going to be really important. The other thing that really

stimulates my interest is these closed areas. You know they close some within the first week or two and don't give the opportunity for people that purchase that tag, so hopefully you can come up with some models to really differentiate for each of the weapons used and what not on that. So, I'm really looking forward to your proposal.

ELISE GOLDSTIEM: Chairman, Commissioner Ramos, Commissioners, one of the things we've been already starting to look at is doing things a little bit more on a zone by zone basis because I completely agree with you that not all parts of the state are the same biologically, socially and everything else. So having a one-size-fits-all for the entire state is probably a place to start the evaluation but not the place to end it. And so we are starting to look at it on a little bit of a finer scale and say, well we have a base line and allow us to consider what other data and information we know about these places to refine it for each area.

COMMISSIONER RYAN: One comment, one question. First, I'm so pleased that the department is digging into this because clearly the numbers are speaking pretty loud that we be expanding and changing methods and probably doing lots of several different things different. I just want to commend the department for doing that. Secondly, just on how this process works, so will we have a read line version of the Rule by May or does that not happen until August?

CAL BACA: Chairman, Commissioner Ryan, the process that we go through is we don't develop a read line version of the Rule until we start to develop a final options that we want you all to consider. So you probably won't see a read line version until sometime in the summer. The reason why we do that is, if you've read our Rules and looked at our Rules, what we've experienced in the past by doing that is that, and we have a clean-up presentation for you today because of that, but we miss things, we have long versions, it gets touched too many times. So

we want to make sure we get as much information, put as much broad information out from now until May to get as much feedback as we can so that we can start giving you the broad options at that point. Once we have some broad options and get some direction as to where we feel the majority of folks and the Commission really wants us to focus in and what the data is speaking to, then we will start formalizing and finalizing a Rule or set of Rules, depending on the options for you all to evaluate and consider. Most people don't actually read the Rules themselves when we put them out there for public comment, they just want to know what we're doing and why we're doing it. That was very successful for the majority of our Big Game Rules that we did last year because we put the big bullets in there, what we're doing and why we're doing it and the data. People could read that and they could comment to it and we were responding back to those reported comments in a timely manner and it was very interactive in that process and we were able to address people's questions. By putting out a read line Rule very early, it muddies the water for everybody and then we don't remember if we cut that out, did we paste that in there, what did that person say? This way we bring you a final product that says here are your options to choose from and here's the differences in those options.

COMMISSIONER RYAN: Thank you.

COMMISSIONER RAMOS: Just one comment on that. I really want to encourage the public to really take advantage of the website options. Although, I do want to make a comment, maybe Lance if you could possible make it as user friendly as possible to find and be able to go in there, articulate that. And if there's another way to actually differentiate because as a Commissioner, we receive like 800 emails that are rubber stamped from one organization, maybe if there could be even an organization group, comment on how they feel on a matter versus the same rubber stamp that's coming to our emails. Of course that's uncontrollable but again, utilize that website

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technology. I know that when we did look at the Big Game Rules, we looked at that data very closely and made some decisions based on that. Thank you.

COMMISSIONER; As far as the cougar, I've had a bunch of conversations with Cal, he probably gets tired of me calling, it's about once a week. You know as far as snaring goes, are we going to be able to have it where outfitters can do it with the hunter or is it just going to be a hunter being able to do that? Coming over here, me and Ralph were talking about that this morning and just throwing something out there you help but we have a lot of outfitters in the room and just wondering with something like that if we can make that work?

CAL BACA: That's something we can look into and visit with our Field Operations Division to see what options are out there.

COMMISSIONER: And then the second one, as far as the bear, we've all hunt and being a Commissioner, I get hounded every year because the season starts August 16th and then we get into bow hunt and it seems like in the Southwest all the quotas are filled up because of bow hunters. And I've told Cal, well if we could just, I like August 16th, I get feedback start September 1st but I look at it there's (indiscernible) they can start. We're used to calling in any way for the season if it's open or not so we had three for that first two weeks of rifle, some for the bow hunt and then save some for the last, maybe one-third, I don't know how you do it but that would fit real good in our plans. I just want to give you support on that, on the structured seasons.

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER RICKLEFS: I believe I agree that manner and method is probably the best way to go to raise this quota but can you explain to me, I'm not really familiar, how hard is it for
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a public hunter to hunt on public lands or forest service versus state lands? Cougars are open year-round. Can a hunter hunt on state trust land if he has a valid license anytime of the year?

CAL BACA: Chairman, Commissioner Ricklefs, I believe so. That's a valid license for them to have access on that land. Our forest service lands, yeah, it's open year-round as long as your license is valid for you to be hunting cougars. The problem with hunting cougars...

COMMISSIONER RICKLEF: There no restriction on BLM or Forest land, about when they go or how they want?

CAL BACA: As long as their within the season and weapon limitations the license dictates to them, I'm sure that's the only limitation they have. Chairman and Commissioner Ricklefs, the issue is we have a year-round season with a two cougar bag limit. New Mexico as you know is a very errant state. Cougar hunting with traditional methods is really best when the snowfall hits at the right time because of the way the dogs are trained. There's very few individuals, there are individuals that do have hounds that can run on both snow and dry land but it's not as many as we would like. So being very errant, if you look at one of those zone closures occur, their mostly those Northern, North Central Zones, the Southern Zones don't close and when they do close it's right after a snow event normally and so as we get less and less people who able to have those types of hounds that able to run cougars on dry land, it limits their ability to harvest cougars successfully. And so you can call them in, you can spot and stalk them, but I think more times I've been spotted and stalked by a cougar then I actually even knew when one was there.

COMMISSIONER RICKLEFS: So how do you think if we expand the trapping opportunity, how will that be effective on state trust land or federal lands?

CAL BACA: Chairman and Commissioner Ricklefs, it just gives another tool in the tool box. We don't know how more successful it would be. Our experience from Big Horn Sheep and using those techniques for research purposes as well as depredation purposes on some of the private ranchers that we're working with right now, it's very successful. If you have someone who understands cougars and their habits, it's a very successful tool to use foot snares and foot hold traps to capture those animals on land regardless of the land status. The situation comes in in the education process, people learning how to employ that as a toll in their sport is going to be the one where we see that pick up and drop off over time.

COMMISSIONER RICKLEFS: And it may be effected by Land Commissioner who decides not trapping .

CAL BACA: Chairman, Commissioner Ricklefs, that's correct.

CHAIRMAN KIENZLE: Mr. Lee, public comment?

MR. LEE: Nice to see you again.

PETE BOLEE: Mr. Chairman, Members of the Committee, my name is Pete Bolee, I'm here representing New Mexico Cattle Growers and New Mexico Federal Lands Council. We would like to see all increased permits. A lot has to do with your statistics that you were showing earlier and we would also think that possible add tracking along with the ability to harvest these animals. Thank you.

CHAIRMAN KIENZLE: Thank you. Mr. Bell?

JOHN BELL: Good morning. I'm John Bell from up at Weed, I was asked to read this statement and it was cattle groweers, New Mexico Cattle Growers Association. Also this morning, Gary

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Stone could not be here, they asked him to come and he wasn't able to do that and so they asked me to do this. He said according to the department, and what I want to say I appreciate listening to this discussion. I think you all are on the right track and I appreciate what your doing. I just want to emphasize that we have a serious problem. According to the department, the current sustainable harvest limit is over 700, sports hunting kills for a little over 200 each year, leaving 500 extra cats to make more cats. Population models used by the department are extremely conservative, I think I heard Cal say that a while ago, and only estimate populations using the best cougar habitat reported kill locations have or occur all over the state outside of the predicted habitat. The data support that cats are living in habitat that is unsuitable because the good habitat is already occupied. This actual population numbers has to be higher than those predicted by Game and Fish. The sites used to come up with a current population number and harvest limit was attacked by the Animal Rights Community when those limits were established in 2010 and again when the season was expanded year-a-round, the two cat limit in 2012. Those same knuckleheads did a 180 and embraced the same sites in the legislature this year when proposed to remove all protection from cougars while embracing the sites they used to abhor, they made impassionate please for the department to do something to increase the cougar harvest to get closer to sustainable harvest limit. According to the greatest science on earth, rather than removing all regulations on the cougar harvest. When asked about it, Representative McCanelly if the department could do something to increase sports harvest to decrease the population depredations, the Mule Deer declined. Director Sandoval said they absolutely could, the only way to affect a substantial increase in the harvest of cougar using the means available to the department to add a new legal method of taking this trapping they suggested. No other method has a chance of increasing the level of the harvest two to three times the current levels. And I

would just add that in my personal experience, I had one deer killed right behind my house, maybe 100 feet from my house by lion. I've had multiple sightings this year, right there in the front yard. We've had a neighbor over the mountain from me wa having a problem, they kept seeing these lions and there were a couple of young lions we think and probably a mother and some more. I think two or three got taken and there's still more there. They haven't gotten on the way yet. Right at Weed, it's been quite amazing to me at what's happened. I know the neighbor came over and told me he heard about the sighting, that somebody had seen one in their front yard and he came over to talk to me and he had gone out one morning, they saw something so he went looking around and he got a four-wheeler and he said his house cat followed him. Their neighbor had had over twenty cats, I guess they disappeared down to where there was only four or five left. I don't know how many is left now but while he got off of his four-wheeler, he looked behind him nd he had one standing right next to him, it was just right behind him and scared him really bad. As he turned to try and grab a shotgun to try to scare it off, it turned around and grabbed his house cat by the head. I think they spent quite a while in the vet's office down here trying to get it to recover. And he shot him, and the lion finally dropped the cat and ran off. But there are just really too many cats. I have a ranch at Weed, a unit 34. I also have anither ranch at pinion. It's right on the corner of 29,30 and 34. And the deer population just is not there. I was raised up here in the Sacramento Mountains. My family has been up here over a hundred years and the deer population has gone to pot. There's just not, we think a lot of that may be influenced by the lion numbers so we think you certainly need to raise the numbers that are available. I think that our area already hit and killed all the hunting ones out this year. I think we've met that quota, it's what I was told anyway, that there wasn't another one available. Anyway, we think that you need to do more to support and continue, I appreciate the

presentation this morning. And I also want to say, Alexis and Cal for meeting with us in Albuquerque, or Santa Fe when we had the Egg Fest the other day we were able to discuss this issue and some others but thank you very much. Thanks for taking time to listen.

CHAIRMAN KIENZLE: Thank you Mr. Bell. Brandon Winn.

BRANDON WINN: Thank you Mr. Chairman, Commissioners. I went to the legislature to the Committee Meeting when they were talking about making the cougar a non-game species and it's kind of scary. So if there's anything you need to do is you do have to get the take up or we won't even be having this discussion. I mean we were close to not even having this discussion today and I think that the professional wildlife managers ought to continue to manage the cougars. I think there's so few people that are affected, especially the dry ground cougar hunters, maybe increase a bag limit to even five or something crazy like that. That probably wouldn't be very popular but maybe you need to let the few people that are good at cougar hunting do more of it. And then also, I think a lot of guys chase cougars and they don't kill their cougar, they kick him out of a tree and somehow incentivize him to go ahead and take the cougar because we need to get the take up. Thank you.

CHAIRMAN KIENZLE: George and Elizabeth Hobbs.

GEORGE HOBBS: Director, Chairman, Commissioners, I really appreciate you all opening up the bear and cougar deal this year and I think with some new data it's going to help a lot but I know up here in the kappans, the last two years, this last fall, we hunted ten days in August and it was over. The fall before we hunted five days and it's over. And we're going to have to change something because we just got bear everywhere. I was born here in Tularosa, I've been hunting the kappans for close to fifty years with hounds and there's just so many more bears

there now then there ever has been and we need to look at what our population really is. Another thing is like Zone 10 over there needs divided up. It's a real large zone, a lot of bears taken around reserve and there's some other areas that very few bears been taken. It needs divided up over there. And the cougar, I happen to be up here on a hunt to kappa tans and Tucson and Caresose and it's one of the areas that's been getting closed. I'd sure love to see a lot higher quota in there and I happen to be one of the guys that kind of like the dry ground, I'm not very tough when it comes to that cold and that snow. Anyway, if you're going to open it up to snares and trapping, you need to really bump those quotas up high. Thank you.

CHAIRMAN KIENZLE: Thank you.

ELIZABETH HOBBS: Thank you Mr. Chairman, Commissioners, Director. One of the things I've heard being talked about with regards to the bears is the high number of bears that are being killed in August which led me to believe that there may be discussions on doing away with the August season. Which yes, I can understand it. It's not prime to kill bears but I would hate to see losing a season without it being replaced elsewhere. The possibility of the spring bear hunt would be a good exchange. Second, I've got concerns about how its set up with regards to drought and unfortunately Commissioner Salopek, bow hunters. Because once you can sit on water, in the years that have drought that is when a lot of the bears are taken. And their taken as opportunistic with regards to the elk hunt and so I think the idea of the multiple seasons and sub-quotas for the bears is an excellent idea. I think that would help solve some of the concerns about, well it's those August hunters, it's those bow hunters, it's those hound hunters, it's those outfitter guys. So with regards to that I'd also like, I'm glad to see the department thinking out of the box with regards to the April seasons, the spring season. Forty years ago New Mexico did have a spring season and my husband recalls that at that time you were running about 93 to 97%

of the kill with boars. And so yes, that would help with regards to getting the population and removing some of those boars are going to help the females and cubs survival. It's been an old bear population with the big boars taking the prime habitat and moving the females and the cubs into poor habitat. I think Unit 10 needs to be divided up. It's a huge Unit and the easiest place to hunt is up in the reserve area. So the entire unit which includes the magdalinas, the black range, the gila wilderness of being run solely on the basis of what happens up in reserve. It's tough country to hunt the black range and the gila wilderness but for those that are wanting to do it they could have a much longer season running their hounds. If there was a different quota for those areas because it wouldn't be much harder to fill those quotas. And then again, Unit 37 was one of the ones that got closed early, five days last year, or year before, ten days and yet it includes several different ranges and there's a lot of bear out there. So I want to thank you very much for listening and thank you.

CHAIRMAN KIENZLE: Thank you. I think we're going to take a quick break here for about ten minutes and then we'll come back.

COLONEL GRIEGO: Mr. Chairman, Commissioners, I would like to take this opportunity, kind of a unique opportunity since we're here as a Game Commission Meeting and I have Sergeant Cline here in front of several of his constituents, people he serves here in this community and recognize Sergeant Cline. He was given our officer, the Shikari Safari Officer of the Year Award this year which is a very distinguished award. It's a National Award and he is a very deserving officer, very good officer and serves as a real high standard for the rest of our troops and at this time I would like to take the opportunity to recognize Sergeant Cline for that great award.

CHAIRMAN KIENZLE: Thank you. Agenda Item No. 12: Final Proposals on Oryx Management Relating to the Security Badge Hunts.

CAL BACA: Last weeks meeting Commissioners we brought forward to you the proposal to fix some of the issues the department was having in regards to the security badge hunts in relation to applying the state mandated quota to those hunts. Specifically, in the guided outfitted portion of that pool. Again, the current hunt structure we have right now and the Rule that you all passed last year, these are not once in a lifetime oryx hunts. These hunts are only available to personnel with official badge security badges or their guests. We have currently six hunts with 25 hunters per hunt and there an (indiscernible) bag limit. The intention of these hunts were to aide White Sands Missile Range and population management of oryx in high security areas. The reason we have this in place is because we didn't have to abide the state mandated hunter quota, 84, 10 and 6. So this was a tool that White Sands Missile Range could use to insure that the folks hunting in those high security areas have the proper security access or escorted by someone with that proper security access to get into those areas. Our final proposal amendment for you to consider today is to remove all badged hunts , what we call badged hunts form the Rule beginning with 2016 to 2017 season. And we will work with White Sands Missile Range to create population management hunts in those secure areas and this will be done through the population management hunt system that we currently have in place for our big egg species in New Mexico. So an applicant would apply for a hunt and then would be asked if they want to be put on a list by checking the option number 5 box, but to be put on a list for a potential oryx population management hunt if one was needed. We would also work with our licensing and Information Services Division to create a way for those individuals to receive a hunt number for White Sands Missile Range that would indicate to us on the front end, that they either can be escorted or have

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the security access to get into those areas which then will allow us to sort for those folks to put them directly into the field as an option for the applicant as well. So with that, I can answer any questions.

CHAIRMAN KIENZLE: So 2015 is off?

CAL BACA: Chairman, 2015 is already in the books.

CHAIRMAN KIENZLE: Okay.

COMMISSIONER RAMOS: Cal, the question I guess is, how are communicating with White Sands? Are they all for this? And I know that it's kind of like the discussion to the final minor adjustments and all that, is it all set? When are you going to be doing this?

CAL BACA: It will start with the 16-17 application process. We actually called White Sands Missile Range personnel, Patrick Morell, and discussed the end with him and Gilbert to discuss what options and opportunities we could present and this was the consensus that we came to. To say this was probably the easiest and most useful tool that we could use that doesn't impact their ability for a person with a security badge to be in violation of the non-commerce or whatever law they have on White Sands Missile Range regarding financial gain from that badge, that security access. And so we felt this was the best compromise because it gave us the ability to continue working White Sands Missile Range the way we would anyways regarding putting the right people in the right places to hunt oryx when they need them.

COMMISSIONER RAMOS: Okay, so that would give you basically the two options, the population reduction and then also the population reduction with an escort. So that will give them more flexibility during their weekend hunts. Now will that change the structure of hunting

a month long hunt versus maybe two weekends or will that even maybe give them an opportunity to have more hunters in case they need that? How does that work?

CAL BACA: Chairman Kienzle, Commissioner Ramos, your over-complicating a simple program. The way it works is you apply for an oryx hunt and then you check the box. If you have security badge access you'll get a hunt number or apply for a hunt number that you can put in there and then that gives us that ability. That person is put on a list. That list is then generated as population reduction hunts are needed. It doesn't limit that person if say, the (indiscernible) needs population or McGregor Range who just needs oryx hunters, it doesn't limit that person from not being able to go to those. You're just saying you have one more advantage over just somebody who doesn't have the access. So if White Sands Missile Range then says, yes, we need hunters, we then can pull the list, sort it by that hunt number and either ask them if they have a hunt number or not and then they provide us that hunt number and then we can put them in touch the way we normally would with White Sands Missile Range personnel and they would then finalize the process to get them out there to hunt. So the hunts structures are really based on need and so based on access and so some places will be a week. Some places will be two days, it may be a one day hunt. It really depends on what that inspiration or needs in the way of population management hunters are.

COMMISSIONER RAMOS: Right and I hate to over analyze things but on the other hand I did have a conversation with Patrick Morell who is sitting right back there who told me basically, this is replacing the badge hunt structure and I just want to make sure because we do end up getting people confused with this whole matter as well. I would rather fix it up front rather than later.

CAL BACA: Chairman, Commissioner Ramos, I guess I don't understand your question because that is exactly what we're

COMMISSIONER RAMOS: Okay, are you going to allow escorted, are you going to have escorted hunts?

CAL BACA: Chairman, Commissioner Ramos, and you're proposing to remove all badge hunts from the Rule as they currently exist.

CHAIRMAN KIENZLE: Okay.

CAL BACA: So all the hunts that are currently in Rule and you have that in your folder, you'll see the strike through parts, those will no longer exist starting with the 16-17 season. So you can not apply for those hunts that do not exist anymore. What we're getting is we're saying that if White Sands Missile Range needs to have hunters in those high security areas, they will request the population reduction hunt list from us and then we will then pull up the list. The next person in line will be determined if they have access or can gain access and then we will put them in contact as we would for any other type of population reduction hunt.

MALE SPEAKER: Commissioner Ramos if I might? I thought your question was very simple. Are they going to be escorted or not?

CHAIRMAN KIENZLE: Correct.

MALE SPEAKER: Can I have Pat Morell come up and tell us what the requirements of Missile Range are?

PAT MORRELL: Chairman, Commissioner Ramos, I think we can work with this. Even though we're getting rid of the security badge hunts, what I will be proposing to the department and
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Stuart and I talked a lot about this, is doing the same thing we're doing now with the security badge hunts but only on the population reduction process. So instead of calling five guys to go kill south seventy and have five escorts like we used to do it or thirty guys and having fifteen Game and Fish Officers and fifteen White Sands Missile people to do those population reductions. That's what brought us to the security badge which is expensive. As I might ask him for thirty or forty depredation list with escort, right off the bat they call them up and then I will schedule them. I can schedule them just like the old security badge hunt. In my mind most of it will work the same way. But this (indiscernible) so they still have to have an escort, whether it's me or somebody else they still have to have an escort or it's going to be a controlled population reduction hunt and put officers and missile officials taking them.

COMMISSIONER RYAN: You're just changing the process?

PAT MORRELL: Just changing the process.

COMMISSIONER ESPINOZA: One clarification, when we apply and somebody checks that box, will they, we had some confusion in that. I know I've had some calls on it in the past. How hard would it be to have that person when they check that box put the badge number or the individual that they have already pre-established in relationship with that matched person from the range? I've had people apply and then they say, well I didn't know I had to have an escort and they have no clue who to contact.

DAN BROOKS: Chairman, Commissioner Espinoza, it is for right now and the current Rules and information booklet it is specific. It does give specific information. Do not apply for these hunts if you do not have a security badge or access to someone to escort you with a security badge. We'll put that information in there as well on the application site as much as possible to

educate these folks and then we're planning on working with them to develop that hunt number. That was one of the suggestions from White Sands Missile Range is that they would be able to give a hunt number or a number for a person that has either the security badge access or is willing to be an escort for someone to be .

COMMISSIONER ESPINOZA: That person didn't get a license or didn't get on that list if they don't have an escort, it kind of eliminated them if they didn't fill in that box, they couldn't go any further and couldn't get on that list.

DAN BROOKS: Chairman, Commissioner Espinoza, we didn't want to limit our option five hunters because we have oryx hunters that we needed population management situations on other places. So this would just be an addition to the way the system works is it's not an automatic. Just because you get placed on the list doesn't mean that you're going to get to go hunt. We have to physically call that person and see if they want to take the opportunity and if they want to take the opportunity then we have a series of questions and information we provide to that hunter to make sure that that's something they want to do. Once they make that choice then we give them the information on how to buy the license.

COMMISSIONER ESPINOZA: So one of the questions would be, do you have a security badge individual that will escort you and if I say, no...

DAN BROOKS: Chairman, Commissioner Espinoza, that could be part of the protocol, yes. Mr. Chairman, Commissioner Ramos, we haven't finalized the process yet because we don't have that in place yet. Once you finalize the Rule to remove these, we will then establish the population management protocols for White Sands Missile Range Security access hunts.

COMMISSIONER RAMOS: Chairman, Cal, I have another question and it goes right back to outfitters and in fact Ryan asked are outfitters going to be able to guide during this population reduction hunt?

CAL BACA: Chairman, Commissioner Ramos, That is an access requirement by White Sands Missile Range. White Sands Missile range, I believe Patrick Morrell stated the answer was no and so he can reaffirm that but...

COMMISSIONER ESPINOZA: And that's exactly why I asked the question. If we're going to change the badge hunts wasn't it to abide by this 84.10.6 Ruling to allow outfitters to guide on that?

CAL BACA: No Sir. The reason why we're making this proposal is because on these hunts, those people with security badges couldn't enter into a contract or hunters couldn't apply for those hunts under that Rule because of it violates White Sands Missile Range requirements for those security badged individuals to not be able to make any financial gain with that security badge. And so what this is doing is it's eliminating that potential problem by removing that application potential with that pool to putting them into a separate system that allows for us to work with White Sands Missile Range to identify individuals with security access or can be escorted by someone with security access to hunt in the areas of White Sands Missile Range needs the hunt in.

CHAIRMAN KIENZLE: Let's take some public comments and then Commissioners if you have any other questions or comments we'll pick those up. Mr. Jenson?

MR. JENSON: Thank you Commissioners, Jared Jenson out of Rio Doso. I do like that we are going to move to this system. There are a couple questions that I have on it. One is, the amount
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of licenses that may be issued. I know their based on need. I know we talked about population need and hopefully that's what they'll be based on is population reduction need. The other one that we were discussing is, it could create a good opportunity for outfitters to get people in contact with security badge holders so they would be allowed to go on these hunts. Right now and I know that's the way the system is, is that you have to know somebody with a badge to go on these hunts but that puts a lot of people out of it and not only that it really favors people that hunting on this land that know badge holders. And so I don't know if there will be a list or if outfitters can gain and basically the outfitters could be guides or be paid and guide hunters but the badge holders themselves would not be paid. Basically, an arrangement would be made between the hunter, the outfitter and then the badge holder and so that might be an option to go with on that as far as if we have concerns of getting access on and off the range. So there may be an opportunity there for the Outfitting Associations or outfitters in the state to build on their businesses in that way. You know for the average guy in New Mexico who wants an oryx tag, you know he wants to be in for these hunts and so if there could be even a list generated of escorts who are willing to take hunters that might be a possibility.

CHAIRMAN KIENZLE: Is there a way for the outfitter organizations to get involved in this dialogue?

DAN BROOKS: If I might Mr. Chairman, we will continue to work with White Sands Missile Range to where there might be opportunities. Recognize though that these are secured areas so what we presented in front of you all today is the ability to still manage oryx, allow people to access the missile range and not violate the states quota law. So that's really what's in front of you today. So although I appreciate Mr. Jenson's comments, we will continue to endeavor the work in that matter but recognize there are going to be some limitations with national security.

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CHAIRMAN KIENZLE: But there's a means for them to at least get in this dialogue.

DAN BROOKS: Yes.

MR. JENSON: Thank you very much Commissioners, I appreciate it.

CHAIRMAN KIENZLE: Mr. Winn?

MR. WINN: Thank you Commissioners, Chairman. On these badge hunts, something bothering about these badge hunts, it just doesn't seem to solve that problem is that it's an inside deal. If you happen to know someone with a badge then you can participate in this. If you don't, like I don't know anyone with a badge so I would never be able to participate in this. So I would like to see as part of the process that you do a better job of linking just the hunters that don't know anybody on White Sands with a badge, with security passes so they can do this. It should be opened up to everybody and everybody should have an opportunity to try to do this. Thank you.

CHAIRMAN KIENZLE: Thank you. Jess Rankin.

JESS RANKIN: Hello, I'm Jess Rankin. This is kind of an interesting point for me. I was one of the few people who drew a security badge oryx hunting last year in an outfitter pool. I invited about four of my friends to apply with my outfitter number. We all signed a contract but we were doing it for free. I mean I didn't even charge myself anything. But we couldn't go on the hunt because White Sands considered it a commercial endeavor. Okay, I understand that but my question is if one of my guided hunters applied in the outfitter pool and wants to put a fifth choice is a security badge escorted hunt, is it still considered an outfitter 10% tag or would it just be ?

CAL BACA: Chairman, Commissioners, no, those aren't subject to a quota, it's just a list of hunters who have indicated that if a population management hunt presents itself that they would want to be contacted. No license is issued to any hunter. We just gather names essentially and I call them and say, do you want to go hunting now.

CHAIRMAN KIENZLE: Probably not the answer you wanted.

CARRIE ROMERO: Thank you Mr. Chairman, Commissioners, Carrie Romero, New Mexico Council of Outfitters and Guides. I just thought that I would try to clear up some of the confusion around this issue. So the Outfitter Pool, the 10% Outfitter Pool that oryx are subjected to now that turk is overturned created an issue for us because White Sands Missile Range does not recognize any commercial activity so any of the outfitters that had customers that drew under the 10% outfitter pool could not because they were mandated by statute to have a contract on file. They could not hunt under those security badge hunt code. So this fixes that for us and we are completely in support and to kind of answer Jess's question, if you have a hunter that draws now, let's just say a resident hunter, then you can according to Pat, go with your outfitter under the security badge. So with your escort and then with your outfitter and the hunter, you can all attend this new population management hunt. So this fixes everything and we're totally supportive.

FEMALE SPEAKER: But they told me no. I said can you have an outfitter with you and I was...

CARRIE ROMERO: Not if their done under the Outfitter Pool. Not if their done under the commercial Outfitter Pool.

CAL BACA: The outfitter can hunt but it can't be a charged activity. When you draw 10% for commercial activity you're associating my badge, my credential that associates with the

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commercial activity. That's why we're removing it. If Jess's hunter applies for that and still signs the same declaration, I'm not charging him for it and I chose to take Jess and his hunter, there's no fee involved. They can still apply for that it's just not set aside for that commercial activity. Our rulers see that as a (indiscernible) their associating my (indiscernible) with a commercial activity that says no. Don't even go there. Even the perception that I may be getting paid to take commercial outfitter is in question and could affect my job. But if they draw like any other hunt and the outfitter does that as long as there's no compensation their welcome to come.

CARRIE ROMERO: So because the outfitters are mandated by statute to have a contract in place in order for their hunters to apply under the 10% allocation the 10% outfitter pool is where the issue came up. That's why we couldn't have a (indiscernible) 10% outfitter pool basically. So that's why the outfitter pool had to go away for this particular arrangement. This fixes it, thank you.

CHAIRMAN KIENZLE: So this Rule that we're fixing to vote on here, will it be the Rule going forward or are we going to revisit this in a year or so?

CAL BACA: Chairman, Commissioner, our recommendation is that it moves with the 2016 season to the ending of the season of 2019. How we must size the process by which we put hunters on White Sands Missile range is outside of the Rule Process. It's indicated in a separate section which is population management section for the Rule which we're not amending today because it gives the department the authority to work with White Sands Missile Range to figure out the process by which we put hunters on there. Which gives us every year, every hunt after every hunt, the ability to reconvene and talk about how do we make it better to get the hunters out there.

CHAIRMAN KIENZLE: As I recall the department has worked on this for what, about six months?

CAL BACA: Mr. Chairman, I think your (indiscernible) is pretty accurate.

CHAIRMAN KIENZLE: It's a bad situation but is this in your opinion the best fix for a bad situation?

CAL BACA: Chairman Kienzle, you heard from White Sands Missile Range and the Council Guides and Outfitters, they support it, and they're working with us to provide the best case scenario for this. I think it's something we can work through based on your authority under the population management section of the Rule.

CHAIRMAN KIENZLE: Any other questions or comments?

COMMISSIONER RYAN: I have just kind of a particle question. So if I get the phone call and say hey, you want to go hunt? To address some of the public comments at that point can I get access to people who can meet us for it, to have the badge. If I'm called and say hey you want to go hunt, yes I want to go hunt, where's someone I could call and go do that?

CAL BACA: Currently right now I think we provide the phone number to White Sands Missile Range and they can give you information on that. Currently under the process it may be the similar type process. A comparable example is hunting on Fort Bliss McGregor Range, you are required to have a hunter education number regardless of how old you are and so that's one of the questions we ask the hunters. You've been selected for an oryx population reduction hunt on Fort Bliss McGregor range, do you have a hunter education number? And the first question is well no. Okay, well how do I get one? Well you take a Hunter Ed Class, you can go online or

find one, whatever and then we can call you back. So we do have some flexibility many times to be able to work with some hunters so yeah, I'm pretty sure we can figure out some type of flexibility at that point as well.

COMMISSIONER RYAN: Because I think implementation, I mean we have a Rule making here, an amendment to a Rule and I think implementation of a management of how it's going to practically work is where everybody is confused.

CAL BACA: Chairman, Commissioner Ryan, that's held under the population management section of this Rule, under that section the Division Chief, the Area Captain and the Installation Manager can work together to decide a population management hunt for a specific purpose to get hunters in the field. And so we as a department would make recommendations to the director as to what the population management hunt need is and how we propose to put those hunters in the field and then work with that installation on any type of special access requirements they may or may not have.

COMMISSIONER RAMOS: Mr. Chairman, I don't want to be controversial or anything Cal But I think maybe in your presentation that could have been forthcoming rather than having to debate it here as well.

CAL BACA,: Chairman Kienzle, that's the information we gave you at the Commission Meeting. We could have brought that forward again and we failed to do that. We assumed you were up to speed as to where we were on that based on our conversations from the last Commission Meeting.

CHAIRMAN KIENZLE: This is just a bad situation and having visited with department personnel over the last few months. This is a reasonable solution I think to the problem and if I

understand Mr. Morrell correctly, we'll continue to try and make that situation better. So that's why I ask is the Rule going forward. We can always revisit it. If we need to we can try it for a year or so and if it's not working I assume the Director will tell us it's not working or we'll hear from people who have a dog in the hunt then we'll come back and revisit it. So we don't have to live with this for the rest of our lives if it doesn't work. Can I get a motion on this one?

COMMISSIONER SALOPEK: Yeah I'll give it. I move to mend the proposed changes to 19.31.12.9 and 19.31.12.13 NMAC as presented by the department and allow the department to make minor corrections to comply with filing this Rule with state records and archives.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS EXCEPT ONE: Aye.

COMMISSIONER RAMOS: I abstain.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: AGENDA ITEM NO. 13: Initiation of Migratory Game Bird Rule Development - 19.31.6 NMAC for the 2015-2016 Seasons.

CAL BACA: Commissioners, Kristin Madden and I are here to initiate the Migratory Game bird Rule 19.31.6. As you will remember, and for you new commissioners, this rule has to be basically repealed and replaced every year because we, as a State Wildlife Agency, have full authority over migratory game bird hunting in New Mexico. We work through our Flyway Council, both the Pacific and Central flyways, and the U.S. Fish and Wildlife Service to establish the frameworks and the season and take based on those discussions throughout the year. So, we

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will go through the process that we feel, what we think, at this stage is the potential for what we are looking for coming forward and you will have, this will bring forward more information in May which gives us a little bit more time through the technical committees and the flyway councils based on recommendations as what we may or may not see come forward into the Federal Register later this summer.

MALE SPEAKER: So is this where we had that awkward meeting in August where everything quote-unquote happens on-the-fly?

CAL BACA: Normally, yes, Commissioner, this is where you adopt a rule and then a day or two later it actually gets adopted into, that's when the Federal Register hits. Last year, we adopted the rule 10 minutes prior to it being released into the Federal Register. So we are actually in this weird situation. We talked a little more about the upcoming seasons because it does change a little bit.

CHAIRMAN KIENZLE: Get it to us as soon as possible.

FEMALE SPEAKER : Yes, sir. Mr. Chairman, Commissioners, good morning. Yes, we have some good fixes for that issue coming very soon. So, I just want to let you know, a couple of years ago, we started having migratory game birds specific public meetings to allow these hunters greater opportunity for input and discussion on the seasons that are coming up. This year, we are going to do three of them. They have already gone out on e-mail, and there's a Facebook page that people have posted it to. And I will send you these dates and locations in time so any of you can attend if you'd like to. Because I've already started communicating the possibilities, we have already received 14 comments. The majority of them are in support of the likely changes to the Ascentia Valley Crane Hunt and the duck season. So, we bring you this every year. Essentially, what we are going to do is, we are going to align ourselves with the

Federal frameworks that will be published in the Federal Register for this upcoming season. They will be published in August, but that is likely to change soon. Then, we will adjust the season dates according to the calendar.

MALE SPEAKER: So, apparently right now, the way the process works, we have the initial flyway meeting where the technical committees have met in December and January to bring forth recommendations on season frameworks that take for migratory game birds. That was presented to the flyway councils in March. We vote on those and move them to the U.S. Fish and Wildlife Service for their consideration. We will have more information for you in May. In June is when the first service regulation committee meets with the U.S. Fish and Wildlife Service to go through all the flyway recommendations and determine whether they are going to make changes or not based on those recommendations to service regulations committee of the U.S. Fish and Wildlife Service. In July and August, we also have another, and that's for the early season recommendations. There's an early season frameworks and a late season frameworks. There's an early season Federal Register and there's a late season Federal Register. And so, we've done our duty and provided those two there, and they will go fight with the Fish and Wildlife Service about getting what they want in June for the early seasons and then for the late seasons, they'll come back again. We meet in July. We plan in conjunction with the technical committees to do that and then we process our recommendations for the late seasons in that timeframe as well and then in August is when, late July or August, is when they release it to the Federal Register. That takes 60 days or so, maybe less, depends, and then two weeks and then they come back with a final proposed frameworks. We actually asked to adopt the proposed New Mexico Migratory Game Bird Rule in August normally so that we can start hunting in September once those hunts have officially hit the Federal Register. There has been movement in the U.S.

Fish and Wildlife Service to streamline based on reductions on staff, reductions in budget, all the other things. We have two set SRC meetings a year. They wanted to move that service cycle into one meeting per year. The reason we thought this was a good idea, and we worked closely with the flyways to do this, is that it gets us out of this last minute rule adoption right before September 1. We are now going to be knowing a lot of this stuff in September of the previous year. So this September we will have another flyway meeting to make recommendations for the 16-17 season. So we will actually be moving rules to you sooner rather than later and give us more time to meet with elk hunters and then in the springtime we can actually potentially have a rule for you to adopt. And then that gives us kind of something to . . .

MALE SPEAKER: . . . to do at our leisure.

CAL BACA: Right. You have time to make some decisions based on that because we are going to be using (indiscernible, multiple speakers) the way that we do with a lot of our big game stuff, we're kind of proposing changes a year in advance rather than the year of . So that's what you're going to be seeing. Kristin will be bringing you more information as we go. We have a lot of exciting opportunities that Kristin and our Wildlife Area Management staff in conjunction with some of our concerned duck hunters have regarding some better opportunities in some of our (indiscernible) areas for youth hunters. And so there's going to be some good things coming out of this as well.

KIRSTIN MADDEN: So, I already have some likely changes to the season. I expect to be able to increase the bag limit in the Ascentia Valley for sandhill crane hunts. For the last 5 to 10 years we have been estimating based on bill cards that we had, about 5 to 10% greater sandhill cranes which is a population of concern. Last day, for the nine-day hunt I ran a check station all nine days and did not come up with one greater sandhill crane. So I am planning to hopefully,

with your approval, increase the bagged and possession limit back up to where it was last year. We'll need to continue to do check stations to verify that last year wasn't a fluke. But that should be a fantastic thing for crane hunters in the Ascentia Valley. Fantail pigeons, I know you've heard about the issues with the fantail pigeon. There is a push from the service, from the Fish and Wildlife Service, to significantly reduce if not close the season. We've been working with the four interior states that have this particular population of fantail pigeon. There is a huge amount of uncertainty in the data that we have. Most of the data that we used to populate the model that we have for maximum sustainable yield comes from the Pacific Coast population. So one of the things we are asking for this year is to re-instate the free permit that we used to have so that we can sample those hunters to get better information on our population and I just want to let you know that we do expect to see a decrease, not only in the bag limit from 5 to 2, but in the season length to 30 to hopefully only 14. But that is still up in the air. But I just wanted to give you a heads up that this is coming. And changes to the regular duck season dates largely based on public comment, I am going to move that back. This is just a proposal; I don't know what the frameworks are going to be. This is based on last year's frameworks. So we are going to close on the last day that we possibly can of the season, and back it up into October. So it is going to be a bit of a later stay. This is based on the potential for a September teal again, and it also includes the falconry dates. So we will be backing that season up.

MALE SPEAKER: Do you hold any public meetings on any of these issues?

KRISTIN MADDEN: Oh, yes. Yes, absolutely.

MALE SPEAKER: We are very fortunate that waterfowl hunters are a very vocal and active group, so they commonly communicate with us regularly on these issues.

KRISTIN MADDEN: Commissioner, Mr. Chairman, Commissioner, I've been in e-mail communications with them pretty regularly. And I know it has been all over Facebook. And this will be the focus, one of the big focuses of the public meetings that have come up.

MALE SPEAKER: OK. Great.

KRISTIN MADDEN: This is just a very, very basic chart to give you an idea what's been going on with the Bernardo Youth Waterfowl Hunts. A couple of years ago, we took some of the days from the Bernardo Pond Unit, set it aside specifically for youth hunters and their supervising adults. The blue line is that first year; it was really kind of sporadic how people were purchasing the permits. Only one, well a couple, of those permits at the end of year sold out. The red line is last year. Only 2 of those hunts didn't sell out last year. So we had a huge increase in people wanting to do this. I've gotten phone calls and e-mails from parents who are really excited about it, really want us to expand this. So what we don't want to do is take away more general hunting days in the Bernardo Pond Unit. What we are hopefully planning to do, and my fingers are crossed and my toes are crossed that we can get this done this year, is we have a piece of land just below the Quagmire just to the left of the green arrow, that we want to develop specifically for a youth hunting area. That will allow us to open the ponds back up to general waterfowl hunting and keep this area that will be open when the ponds are open just for youth hunters.

MALE SPEAKER: There really is a quagmire in it.

[Laughter, multiple speakers]

KRISTIN MADDEN: And, with that, I can take any questions.

(indiscernible, multiple speakers)

CHAIRMAN KIENZLE: Thank you. That was a discussion item. **AGENDA ITEM NO. 14: Initiation of Reporting Requirements for Licensed Trappers and Furbearer Hunters – 19.30.10 NMAC for the 2015 – 2016 Seasons.**

CAL BACA: This is not a total rule initiation. All this is, is merely a cleanup of this rule 19.30.10, Section 8. When we went to mandatory hunter harvest reporting for all big game species, and you all passed that, we found that we cut and pasted erroneously and for that trappers and some of the language. So, the first sentence had what we wanted it to do. But when I went in and cut and pasted and then we gave it to Darryl (phonetic) for his reformatting, we lost it somewhere. And so we went back and found that is exactly what happened, it was a cut and paste error, and we left out the trapping specifics in the subsequent sentences of this section. What this does is, it stays with the intent that if a trapper does not report their trapping activities they will then be in violation of the mandatory harvest reporting requirements and be subject to an audit which could reject their application from purchasing or applying for hunts in the future. So all this does in the underlined and italicized text there, is what the cleanup is. It puts that specific trapper information that was not in there prior back in there so it follows the intent of the first sentence which is who failed to report the results of their hunting or trapping activities by specified deadlines may submit their hunting-trapping report with payment of a fee so they do not get rejected.

CHAIRMAN KIENZLE: If anyone has any questions on this, I'd be surprised. Are there any questions?

MALE SPEAKER: I have questions. When I didn't fill out my trapping report, I got kicked out. Unfortunately, (indiscernible) was in there at that time. (indiscernible). So we made it for all species.

CHAIRMAN KIENZLE: No cards? No public comment cards? That's a discussion item.

AGENDA ITEM NO. 15: Review of Management Strategies for Barbary Sheep in Game Management Unit 34 Relating to the Need to Expand the Bighorn Sheep Population. This one has made the newspaper a time or two.

MALE SPEAKER: I wonder why?

MALE SPEAKER: Pressure's on.

CAL BACA: Mr. Chairman, Commissioners, Stewart Liley will take the lead on this. But why we are here today is to answer any questions and give you some information on the Sacramento Bighorn and Barbary situation, what we want to do and why we want to do it, and some of the concerns and questions. I know there will probably be some questions so we will be able to answer those today hopefully.

MALE SPEAKER: Oh, boy. You've got your work cut out.

STEWART LILEY: Mr. Chairman, members of the Commission, thank you for taking the time to hear this. I want to give a little bit of background real quick first on desert sheep in New Mexico. In 2011, we took desert sheep off the state's endangered species list at about 700 animals in the state. Currently to date, we are at about 1,000 to 1,200 animals in the state, some pretty impressive growth in the last few years thanks to a lot of things. That said, we are looking at places where we can expand populations which will include expanding hunting opportunities for desert sheep in the state. In 2010, we had two licenses for desert sheep, one option, one raffle, one draw tag. What we have now is 27 draw licenses currently this year for desert sheep in the state. Two options, or two new start populations we've kind of looked at in detail, where we can go with desert bighorn sheep, are the Sacramento's right here along this western escarpment here, basically what you see out the back window here, and the Animas Mountains right here.

Each one has its unique concerns and issues we'd have to deal with before we go with the translocation. The Animas has the concern that we are trading basically a connected population for desert bighorn sheep where disease is a risk for all desert sheep populations. The majority of our sheep live down in those areas and if we have a disease that runs its course through the boot heel, we have the potential to lose in entirety a meta-population. The nice part about the Sacramento's is, it's solely separated from any of our desert sheep populations and could serve as a source if we had a major disease die off say, in a different area. The Sacramento's has its own unique concerns with some Barbary sheep which we are going to touch on here in a second. I failed to mention on this, the red on that is our Rocky populations where we have Rocky sheep currently and blue is where we currently have desert sheep populations. A little bit of history of bighorn sheep in the Sacramento's: In 1936 and 1938, this is a desert sheep, in 1936 and 1938, we had two reported sightings of desert sheep in the Sacramento's, one in Dog Canyon which is basically south where Oliver Lee is, and one in Nelson Canyon which is actually a canyon that runs kind of towards High Rolls. In 1942, a Mescalero Apache Indian harvested a desert Bighorn sheep on the reservation and turned it over to the Department. In 2013, we came to the Commission to discuss in Roswell areas to move forward to go with translocating desert sheep to grow populations through time, and the Sacramento's was, we were recommended to move forward and keep the planning stages. What we have here is what we consider the potential habitat given escape train, habitat type, cover. Sheep really like a low density cover in terms of trees. And what we see here is roughly 250 square kilometers of potential desert sheep habitat. What's here is your land ownership. What you see there is primarily almost entirely forest service land with a little bit of mix on BOM and some of that down in the south corner there is Fort Bliss military land. A better topography of it, showing where the tree cover is, so it shows

where it really is more conducive for the desert sheep. What 250 kilometers relates to, if we get a desert sheep density in the State of New Mexico in 2 sheep per square kilometer up to 4 sheep per square kilometer, we are looking at 5 to 1000 desert sheep in this range potentially which would then equate about a doubling of our desert sheep permits in the state, almost up to 25 desert sheep licenses if we obtained, just in this area, attained the densities we've seen in other ranges in the state.

MALE SPEAKER: I want to give you a little history. We were considering moving forward with translocating desert sheep into the Sacramento's in 2014, this last fall. We decided to shore up current populations instead, trying to really establish, get those populations we have going currently, build them, bolster them, so we don't have little translocation issues where we are putting 10 sheep here, 5 sheep here, to just boost numbers. What we have been able to see in the data is, maybe when we get to 50 ewes, we see these populations take off. Fra Cristobal is a prime example. Once we got above that 50 ewe base we really saw a growth from 100 desert sheep up to almost 450 desert sheep on the mountain right now. So we really see this big bolster. We were able to move 66 desert sheep into the Hatchet Mountains this year based off 40 coming off the Fra Cristobal's on one of the largest wild capture we've had in recent times, moving animals to a new range, and 26 animals coming out of Red Rock. What we're thinking is, 2016 we could potentially take 80 sheep for translocation, 40 probably out of Red Rock for building the ewe base up in Red Rock, and another 40 probably off the Fra Cristobal Mountains. The question at that time becomes, do we shore up the current populations in the Peloncia's to get over that bump of the 50 ewes in the Peloncia's and also the Ladrones and wait to go somewhere else and starting a new population, maybe towards 2018 when we could go with another 80 to start Animas, Sacramento's, depending on some directions we get. Specifically to the

Sacramento's and the issues we face here, one of the ones of particular concern is Barbary sheep. I want to give just a little history of Barbary sheep in the state of New Mexico. In 1940, Barbary sheep were introduced by Mr. McKnight in a game park in Concho, New Mexico in the Hondo Valley. In 1943, the first known escapes of those Barbary sheep started occurring, out of his game park. In 1950, the Department made its one and only time intentional release of Barbary sheep out in the wild. This occurred in the Nose Canyon in the Canadian River, so up in the northeast quadrant of the state. That happened with two different releases. We purchased or obtained some animals from Mr. McKnight and we also obtained some from the Hirsh (phonetic) Ranch in California. In 1955, the State Legislature statutorily classified Barbary sheep as game animal. In 1956, we had an illegal release of Barbary sheep in the Largo Canyon up by Farmington. In 1965, there was a large escape from the McKnight Ranch into the Hondo Valley of nearly 100 animals. In 1975, there was another large escape of those sheep out of the game park of maybe, they are thinking, of 75 animals. So what populated the Hondo Valley is escape out of that game park. What populated the Hondo Valley on into the Sacramento's, the Guadalupe's, etc., was all escaped animals from the game park of Mr. McKnight. In 1967, the first Barbary sheep hunt was held in the Hondo Valley. Also, in that year the first reports of Barbary sheep in the Sacramento escarpment happened in '67. In 1980, the Department entertained management plans to limit the expansion of Barbary sheep in the state of New Mexico. Those plans were to keep Barbary sheep only in the Largo Canyon, Mills Canyon, and the Hondo Valley. Efforts were unsuccessful in doing that. And by doing so, what the Department did was create an over-the-counter, 3-month-long season that allowed the taking of two Barbary sheep per individual hunter. And yet we still saw a large expansion of sheep, Barbary, across the state including into Mt. Taylor from the Largo herd, up north into the

Capitans, and from indiscernible place name) and what we are seeing here in the western escarpment of the Sacramento's. And 2005 was the first time that Barbary sheep in 34 was put into split from that statewide hunt. It had been under the statewide hunt, up in from the first time we started hunting sheep until 2005, I repeat, it was put into a draw, not into a draw but was split out as not part of the statewide hunt anymore. In 2009, Barbary sheep hunting was put into a draw in select units in the state, 34 becomes one of them. In 2003, after we approached the commission on release sites for potential desert sheep and the sites were considered, we put the west side of GMU 30 to over-the-counter to Barbary sheep to try to limit Barbary sheep populations and the potential release of desert sheep in the western escarpment. What I want to show here, harvestry point for Barbary sheep was a little complex. It was voluntary until last year. The 2013-14 season was the first year of mandatory harvestry reporting. What we see here is some hunters that, what we have, some estimate numbers. This is fairly high reporting rates. This report I created the day after the draw deadline, draw 2 deadline happens, so we have a lot of turnover in reports. One thing to find out is that we are accomplishing a higher take of Barbary sheep on our statewide hunts. We went from approximately 40 to 50 on that statewide hunt excluding our draw areas to almost 200 this last year. I think the biggest question we have, and we don't have good sound science on it, is what is that interaction of desert sheep and Barbary sheep. There is a lot of speculation through Texas, New Mexico, etc., on what could be the competitive interaction, or what could possibly be the co-existence. For speculation for disease to potentially plan an issue on desert sheep and Barbary sheep, we don't think that's the case. We know of multiple reports of desert and Barbary coming into contact in Mexico and Texas to where disease is not a concern. We have two probably different species where that disease, the pathogens, can't cross over and create the pneumonia die off. The other one is the

competitive effects of Barbary sheep on desert sheep. There's anecdotal evidence of Barbary, and a couple of sightings of Barbary sheep excluding male desert sheep from rut groups during the rut. Again, those are very minimal occurrence, minimal experience of sightings, no real relationship. I guess what the Department would propose, if we are going to go into a release here, is to try to study and understand those dynamics. It's never been done in a scientific manner. I guess if we were going to go into this area with desert sheep, we'd like to go in and also probably GPS collar desert sheep, GPS collar Barbary sheep, and get what is that interaction. Is it competitive, is it detrimental or not, can they co-exist in both species, can we hunt both of those species at the same time? I guess the other thing is that is what is really different between now and 10 years ago with desert sheep is we are at a whole different era. We are at 1200 animals on the ground versus 10 years ago when we were trying to get to 500. We are making fast movements on population growth, so we have some more desert sheep to spare to try testing out some of these areas to try to get at. Every one of these desert sheep isn't as precious as it was five years ago as it is today. I guess with that I'd stand for any questions.

CHAIRMAN KIENZLE: So, the study you're talking about, would that be in advance of any release? Do your study first and then release?

MALE SPEAKER: Mr. Chairman, our proposal would be, when we release those desert sheep into the Sacramento's, that's when we would do both. We would collar both with our translocated animals, GPS, and go in at the same time and capture Barbary sheep and put GPS collars to understand that dynamic.

MALE SPEAKER: Tickles me to death, Mr. Chairman. I'd like to see the study.

CHAIRMAN KIENZLE: Public comment, and then I'll take the Commissioners if they have any questions.

MALE SPEAKER: Oh, I'm sorry.

(indiscernible)

CHAIRMAN KIENZLE: Bill Lewellen (phonetic).

FEMALE SPEAKER: He's not here (inaudible).

CHAIRMAN KIENZLE: OK. Let's see, (indiscernible).

GUEST SPEAKER: You got it right. So, Commissioners, you know I was really happy with this presentation because it did highlight a lot of the unknowns, you know, and it wasn't just calling for an eradication of the Barbary sheep in the unit. There is a current study that's being conducted at (indiscernible) that's in the Trans-Pecos region where desert bighorns and Barbary sheep co-exist. And they are looking at that other end negative interaction, is there any disease transmission, because none of that has been proven. So, like I said, I was actually really happy with the presentation, being that it wasn't calling for trying to wipe the Barbary's off this. Because I think the Barbary's are a really good resource that everybody likes to hunt in New Mexico and, you know, obviously there was like 150 animal harvesting increase to the state and I guarantee you it was from this mountain range, so I don't want to see the Barbary's eliminated just to put on desert sheep which you might get a few tags 20 years from now, just hunting opportunity-wise. Thank you.

CHAIRMAN KIENZLE: We have a number of public comments, so I'm going to hold hard and fast to our 2-minute rule on this. Gail Kramer (phonetic).

GUEST SPEAKER: Thank you. I think the presentation clarified a lot of things that the public hunter, you need to do a marketing effect on this now, and let them know the plan. Because there was no plan out there and rumors were going around rampant. So, a couple of comments. Number one is the water situation up there. And as any of you who have hunted the Barbary

sheep know, the water situations, there's habitat stamp money spent, good money spent. They flew in umbrella tanks and everything. They are just sitting there. They never got set up. So, the Barbary's are either hitting the top waters or going all the way down. If you get up on top and you look down, some of those people down there have some domestic sheep. We need to maybe look at that as well. Another thing I'd like to challenge you commissioners with is, when you are looking at these things, get in Jason Cline's (phonetic) truck with him. Get in these officers' trucks with them. Go out there and listen. How is this going to affect. You know, when you are looking at those license issues, ask them, "Well, what do you think would work?" They have more answers than the people that sit in Santa Fe. OK? I'm sorry guys, but. I think you answered a lot of the questions with that presentation and I appreciate it. Thank you.

CHAIRMAN KIENZLE: Thank you. David Lane (phonetic).

GUEST SPEAKER: (indiscernible) I'm just kind of opposed to this on the route that what's it going to do to our grazing lot owners, those that are out there on that escarpment. It's competing against those. What's it going to do with the hunters' access to that area, if it's going to be closed off, those kind of issues. There's a lot of good elk hunting, deer hunting in that area. If we introduce those species are we not going to be allowed to go into there and do other hunting in there, those kinds of things also. We are going to lose a lot of money on that Barbary compared to what we're going to get for the desert bighorn, money generated to you and the Department, money generated to me as an outfitter, those kinds of things also. Thank you for your time.

CHAIRMAN KIENZLE: Thank you. Jared Jenson (phonetic).

GUEST SPEAKER: I would like to re-iterate what Mr. Winter (phonetic) said about the presentation. I thought it was very good. There have been quite a few rumors that the Department had plans and was going to move forward with those plans to wipe the Barbary completely off

the escarpment so they could put in the bighorns. I'd hope that would not be the case. The Barbary are a great asset to New Mexico. They bring a lot of non-resident and a lot of resident, and a wonderful hunting opportunity to each New Mexico sportsman. So I just would hope that we make sure we can, if the deserts can go on this mountain range with the Barbary, they have a place there. And if they don't, then I don't think they have their place. The Barbary are there and I would like to see us keep them there. I would definitely love to see the desert bighorns there. It is a wonderful animal. But if they can't make it naturally with a little bit of Department help, then they don't need to be there and we need to keep what we have.

CHAIRMAN KIENZLE: Nothing in our current plan is to take out all the Barbary's.

GUEST SPEAKER: Thank you.

CHAIRMAN KIENZLE: Jimmy Barr (phonetic).

GUEST SPEAKER: Thank you for the time. I appreciate it. Most of my questions were already answered but I do want to say that the Barbary sheep are super resilient an animal. You look at what they've done and how they've populated. I think they are a great asset for our community sportsman. It's a huge opportunity that just a blue collar sheep hunter doesn't have in very many places. The only other place you can go to hunt Barbary, you know, is 29-30, and then ranches in Texas and it gets really expensive. I'd hate to see them go. Thank you.

MALE SPEAKER: Keep that in mind.

CHAIRMAN KIENZLE: Michael Garcia.

(Inaudible)

GUEST SPEAKER: I'm Todd Browning (phonetic). I'm a taxidermist here in New Mexico. My point of view is they've pretty much talked about everything in the introduction but from the financial side of it for Alamogordo itself and Las Cruces, taxidermists, outfitters, they're going

to lose a lot of money if you get rid of the sheep and bring in the bighorns. You might get a guy, one or two bighorn hunters in five years where you're getting 10 or 20 Barbary sheep hunters. Me, personally, I'm going to lose 10 to 15 thousand dollars a year in revenue as a small business.

MALE SPEAKER: Based on what?

GUEST SPEAKER: If the Barbary are taken off the mountain.

MALE SPEAKER: So, when people had asked about closures, so will we be closing this off?

MALE SPEAKER: Chairman and Commissioners. No, there's no proposal to eliminate access to that area. It is not under our purview as an agency. It is the forest service lands, we're just wanting to have another area to grow our bighorn sheep on.

MALE SPEAKER: So it's going to be survival of the fittest, OK?

MALE SPEAKER: Which begs my next question. If the Barbary don't get along with the bighorn, are you going to remove the Barbary just to have the bighorn.

MALE SPEAKER: Chairman, that's the study that Stewart is proposing to determine what those effects are to make further recommendations.

CHAIRMAN KIENZLE: Thank you. Larry Joslin (phonetic).

GUEST SPEAKER: I oppose for the deal because I've been putting in for desert bighorn in three different states for 30 some years now and drawing bighorn sheep is like a lottery hit. We got a place to hunt up here. I get to hunt at least once every 3 years (indiscernible) drawn. Here everybody says sheep and Barbary sheep don't mix. I'm not a biologist but you don't see them together in any other state. I don't think it's going to happen up here. I think we're trying to take out a bunch of good public hunting for an average hunter to a sheep hunt if we get two tags. It's never going to happen. I mean, we've got a good hunt, we've got a good public hunt. Let's leave it alone. You can see the Barbary sheep are maintaining themselves. We don't need help from

the state, the Federal Government, nothing like that. Desert bighorn, you'll spend a lot of money on. I'd like to know where the money's coming from to do this, and who dictates it all. It's just a small group that's trying to do this. No asking anybody else what they think other than today. I haven't heard a plan yet. We asked Bill a while back what the plan was about killing them all and whatever. We haven't got to that yet. What are we going to do? That's all I'd like to know.

CHAIRMAN KIENZLE: I'll answer that. I mean, this is a discussion item today. And we are going to get at least another crack at this before we come up with anything final on it. So.

MALE SPEAKER: Mr. Chairman, again we probably don't have populations ready to translocate until probably 2016 at the soonest. So if you choose to put it back on the commission as an action item, formal action item for the translocation.

MALE SPEAKER: And, Mr. Chairman, real quickly.

CHAIRMAN KIENZLE: Yes?

MALE SPEAKER: This was just, we requested the ability for us to start looking at this. It was because we wanted additional places to try to expand populations. And so this was just a preliminary request as it wasn't (inaudible) planning phases for areas. We found it to be a good suitable habitat. So we wanted to get you all's permission to move forward and do exactly what we are trying to do right now, which is get as much public input and plan. We are not trying to do this in a vacuum.

CHAIRMAN KIENZLE: Let's make this an action item before there's any translocation.

Brandon Wint (phonetic).

GUEST SPEAKER: Mr. Chairman, Commissioners, thank you. I love to hunt Barbary sheep. The hunting is a lot of fun. It is a great opportunity in New Mexico. I mean it is really awesome and I love it. And I really for putting these bighorn sheep in here. You know, my understanding,

talking with biologists, is that this is probably the best place for us to put more desert bighorn sheep and to have another herd out there with the problems with sheep die offs, it's something that we really need to have. Because, as you know, there's a big die off right now in Montana, in Gardiner, Montana. And there's a big one in North Dakota and they had a Governor's Permit to cancel. That's the problem with sheep. The wind blows from the wrong direction for two weeks and they die. They are very sensitive. And for me, even though I love hunting Barbary sheep, if they had to remove the Barbary sheep from here for the bighorn sheep I would be fine with that as a hunter. I like to see the native species that were originally in here and the exotics, let's face it, they're an invasive species, they don't belong here. There's a lot of problems with them. We have a (indiscernible) with that and I take advantage of the opportunity with the exotics but I still, anytime there's a question to put the native species in there versus the exotics, I go for the native species every time. Thank you.

CHAIRMAN KIENZLE: Jess Rankin.

GUEST SPEAKER: You know, I think the Department ought to look at making this Sacramento rim a separate hunt code for Barbary sheep because we really don't know how many people hunt here, don't know how many sheep are getting killed, really don't know what we have. If it was a separate hunt code, with like 100 with tags or something like that, even if it was still year round, (indiscernible) before we know how many get killed out there. I think there are quite a few sheep in there. I had 4 hunters come down on a 3 day hunt and they killed 3 sheep and saw plenty. So I think we need to look at making that a separate hunt code, keep track of exactly how many hunters are hunting in there and how many sheep they are killing.

CHAIRMAN KIENZLE: Thank you.

MALE SPEAKER: Commissioners, any questions or comments?

COMMISSIONER RYAN: I have a question about the current status of being able to go up and just hunt Barbary sheep. Isn't there like no limit, and you can have as many permits right now if you want to go hunt them. Hasn't that been opened up in the Sacramento's?

MALE SPEAKER: Mr. Chairman, Commissioner Ryan, it still is, you can get an over the counter license, that is correct. But your bag limit still is one for the season. So, no, a hunter cannot kill multiple sheep. They can hunt it over-the-counter year round in the western escarpments.

COMMISSIONER RYAN: When did that just happen; was that 2013-2014?

MALE SPEAKER: Mr. Chairman, Commissioner Ryan, that is correct. The Commission amended the rule in August of 2013.

COMMISSIONER RYAN: OK. And that might be some of the concern that the public has, too, that it has been opened up with a lot more hunting and concern that we're just going to eradicate the Barbary sheep and eliminate a lot of hunter opportunity. So I would love to see these two species live together and I am assuming that as of right now, you're seeing that the habitat is sustainable for that many numbers of sheep and desert sheep.

MALE SPEAKER: Mr. Chairman, Commissioner Ryan, that's kind of the uncertainty of not knowing what is going to be obtainable numbers of both. We just don't know. No one has really ever attempted to really have a lot of co-mingling then, so we don't know. Again, what I gave on our numbers was our 2 to 4 per square kilometer of desert sheep in unoccupied Barbary ranges. So is it going to be on the two end with Barbary sheep on two end maybe, which would put 500 potentially. It is hard to say. Again, a lot of data would need to be collected to get that.

MALE SPEAKER: Commissioners, you've heard there's lots of rumors out there. This is a very small portion of Unit 34. It is not the entirety of Unit 34. It is just that western edge that we

showed you there. And so the remainder of 34, which is a big portion, is still available through those draw hunts. So we are not trying to eliminate them from the entirety of 34. We just wanted to reduce the numbers on that western escarpment so we could have it in a pretty good, to be able to start studying what those interactions might be and see if, using the tool of over-the-counter hunters was a viable tool in reducing numbers. That was something we wanted to look at by proposing this idea.

COMMISSIONER RYAN: So on reduction, what is that telling you right now? Do we know how many have been taken off? Do we have any idea?

MALE SPEAKER: Mr. Chairman, Commissioner Ryan, again I think getting to Jess's (phonetic) question, we don't have exact numbers. But what we can do, and I guess what I would propose within the Department, that we modify our hunter harvest reporting for Barbary sheep that will basically have a question that will say, did you hunt Barbary sheep outside statewide, did you hunt on the Western escarpment of 34, how many days, and if so were you successful to harvest, to try to get at how many are actually being taken out of here. The other thing that I'd like to bring up is, given the nomadic nature of Barbary sheep, we are always going to have backfill into the western escarpment from our more populous areas throughout the Hondo Valley, GMU 29, GMU 30, so it is never going to be an issue of not having Barbary sheep here. Barbary sheep are going to be here in the western escarpment. To try to get at what's that balance where we could have both species, we don't know yet.

COMMISSIONER RYAN: OK. Thank you.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: You know, there's a lot of questions and lots of speculation on maybe what's going to happen to the Barbary's and what's going to happen to the bighorns. The study

you were talking about answers a lot of those questions and moves ahead towards yes we can do this, or yes they had an effect, or no they don't. And it leads you to the idea that if you're ever going to be able to have a unified population of Barbary's and bighorns, you're talking about a study that's going to tell you that yes they do or no they don't. It's going to answer a lot of those questions. I think a lot of the fear that I hear, and I'm a sheep person, I've got to lay it on the line. But I think the fear we have here is that we are going to eliminate the Barbary and replace them with bighorn. And I think one of the things that concerns me more than anything along these lines is that, let's be careful that we don't try to raise 10 acres of beans and 10 acres of corn and 10 acres of cotton on 10 acres. We've got to see what we've got available for deer, sheep, Barbary's, elk, cattle, and the whole works. And it all has to be managed instead of just exploded into. So those are things that you need to look at, you're talking about looking at, and I think it ought to go forward and give us those answers instead of saying yeah we do or yeah we don't. We need to find out. We need to see what there is. We need to, you know, the habitat is there, but what is the carrying capacity of the habitat whether it be Barbary's or whether it be elk or, you know, we've got a lot of critters up there using the same part of the world during, excuse me, when times are critical. So be it, Mr. Chairman.

CHAIRMAN KIENZLE: Thank you. Yes?

COMMISSIONER RAMOS: Mr. Chairman, Stewart. Great job with your presentation as well. I love the way you articulated that. My question is, what are our goals for Barbary sheep populations, ram versus the ewes? Because right now it's really turned into a ram hunt and there's not an incentive to kill a ewe in there. Not to say none have been taken. And, what is the time frame that you're looking at for a year-round hunt versus to go back to a draw hunt, and I think that would kind of help us out with that. But not only that, what about predator control.

You know, if our translocation goal is going to possibly be 2016, what are we going to do with that which would really impact everything there as well.

MALE SPEAKER: Mr. Chairman, Commissioner Ramos. I am going to take these in pieces. I'll take your last one because I'll remember it the quickest. Predator control, yes. If we were to go in and put desert sheep here, we're definitely going to implement predator control probably at a high rate and that is specifically lions. We are a unique situation here in the Sacramento's where we have lions come in from the top potentially as well as the bottom, whereas our other mountain ranges, desert sheep, it's almost all predators' lines coming in from the bottom going to the top. So we would do a lot of predator control, we need to do a lot of predator control. One nice thing about having Barbary sheep in here is it could serve as a buffer to predation on desert sheep when we release it here. There is another prey species for them to take instead of just solely desert sheep like you've seen in some other mountain ranges where we're basically a 1-species mountain. And so, again, that is going to be something we would implement probably a year out or better. Again, it sounds like we would like commission concurrence and agreement in moving forward with the translocation so when we would propose that we would also propose some predator control at the same time. Let me try to remember some of the other points.

COMMISSIONER RAMOS: Sure, not a problem. The Barbary sheep population goal, rams versus ewes.

MALE SPEAKER: Yes. Mr. Chairman, Commissioner Ramos, as I kind of alluded to in the presentation on Barbary sheep management through history, there really hasn't been a structured management like other species. We tried it in Mills Canyon. There was a one-ram harvest limit in Mills Canyon at one point in time, basically in the late 80's and some of the 70's. The rest of the State has been either sex through history of Barbary sheep hunting. I would guess, what I

would say is the resilience of Barbary sheep compared to our native species, what we are seeing with Barbary sheep is we are hitting, lambs can get pregnant and at 13 months old a Barbary sheep can have twins versus our native species, none of our native species. Another big thing to recognize is Barbary sheep have 4 nipples. All of our other species here have 2, so they can raise that young a lot more efficiently than our native species. So that said, we don't have a structured management goal, rams versus ewes, just because the reproductive potential of them.

COMMISSIONER RAMOS: And that's just the questions coming in from the public as well you know, because it's turned into a ram hunt and I know that the guys are going out and finding a lot of ewes still out there but they have taken quite a few quality rams as well. I know that quality was a big concern that came from a lot of people from this community. My other point was, just to squash the rumors, rumor is that the next step is going to go in there with helicopters and eradicate this herd.

MALE SPEAKER: Chairman Kienzle, Commissioner Ramos. No. There is no, I would have to make that recommendation to the director and I do not plan to make any recommendation to spend \$1000 an hour to fly helicopters around shooting Barbary's. No. No, that was never ever considered by the Department or even thought about. So we just wanted to make that clear. We wanted to use the tool of the hunters to see if that was a viable tool or not.

COMMISSIONER RAMOS: And I do appreciate that as well. And I figured that was the answer as well. But I thought I would throw it out there, this being a public meeting here as well. And what do you see as far as your year-round again hunt versus the draw hunt. How much longer to you see this?

MALE SPEAKER: Mr. Chairman, Commissioner Ramos, again I guess I'd go back to the history of it, 2009 was the first year it was put into a draw. So the rest of it was not necessarily

the year-round but over-the-counter, and we still sell Barbary sheep populations throughout. I think I would like to get more data on what is the actual hunting pressure, what is the number taken, get that through the hunter harvest reporting before we come to the Commission with any recommendation on pulling out the year-round season, even to asking questions like when are you hunting, and maybe determine is there a season structure that works better, is there a harvest strategy that works better, before we would change a structure.

COMMISSIONER RAMOS: I know we can't rewind the button now, but I'm all about rapid resets, and I hope that this takes place really quick to get some data going because I think if we would have had a better plan to roll out to the public it would have stopped a lot of this misconception because, I'll tell you one thing, I was really excited about bringing in these desert sheep. I think it's outstanding. Not only do we need to look at things, how it's impacting us now, but I appreciate all your perspectives as far as our future and have possibly a lot more bighorn hunts in this State of New Mexico for future kids and whatnot. Appreciate it. Thank you.

CHAIRMAN KIENZLE: Anyone else? Yes, sir.

MALE SPEAKER: Stewart, again this has cleared up a lot for me, too. And I think I'm with that crowd, I think it cleared up a lot of questions and rumors and misconceptions, so I appreciate that. Kind of one step further, going on Commissioner Ramos, squashed some of those rumors and stuff, as we move forward through this, I think more since it is such a controversial subject (indiscernible) is to get some real concise bullet points on the web as far as the plan goes as you are going forward. I think this is one subject that you can't hold it too close to your chest, it really needs aired out. So if you don't mind doing that, I know a lot of us would have less phone calls as far as what we'd have to answer for. And I like the, you know I was leaning more to for your translocations more of augmenting the existing herds and I'm still in favor of that. But I

really like the idea of what you are doing and proposing here as far as your study and see if we can't comingle that stock, and I'm really excited about that now that I'm hearing that. I'm kind of in favor of both and using this as a seed population like you did the Fra's, you know, (indiscernible) too many of that. I'm excited to see what (indiscernible). Thank you.

CHAIRMAN KIENZLE: Mr. Bell, I'll give you the last word.

GUEST SPEAKER: Thank you, I appreciate it. John Bell (phonetic) again. Chairman, Commissioners, I appreciate your listening to this. I also think you need to look at another side. I'm not sure all the homework has been done. There's ranchers over there. One of them is the Gaus (phonetic) family, Spike Gause (phonetic) is here today, that has that Sacramento grazing allotment so you're really affecting his country heavily and if they need to be personally talked to and this needs to go in detail to them. Also, the Holcomb (phonetic) family has stuff right here. I know you can draw those boundaries, but those goats and sheep, I've dealt with them in the past, they go where they want to go. We won't control their exact area but there is a problem on the water. The Forest Service wants to believe they own water. In the State of New Mexico they do not own water. Last week I was in Albuquerque. I met with former Chief Justice of The New Mexico Supreme Court, his name is Judge Payne, and I said something about the Forest Service and we're having Forest Service claiming water rights. And he said there shouldn't even be a question, there is not a question. He said, when I was Chief Justice, the members case that your family was involved with went forward, he heard it at the Supreme Court level in New Mexico. They passed it. The Forest Service does not own water in New Mexico and cannot. It went to the U.S. Supreme Court in 1978 and they agreed. It's been decided. The Forest Service keeps trying to come in here and take things. So where are you going to get water? Because it's probably going to come from Spike, or it's going to come from those ranchers that already have

water rights there so before you go any farther I'd ask you to sit down with the Holcombs (phonetic), sit down with the Gaus's (phonetic), and have a detailed conversation. Is this going to have other impacts you haven't thought about? The Forest Service keeps trying to push them off. Know what their number 1 excuse is? You've got so stinking many elk up there that it's pushing their cattle off, so all they want to do is they come, last year I went with the ranger and Spike, and we went and looked at these leases up in the high country and they're telling us we've got to take the cattle off the water because they might save a mouse. They just keep coming up with other stuff, and they're threatening and they keep telling the rangers, you're going to have to reduce your cattle numbers because there's too many elk. But there's more other game. So there's a big inter-relationship that needs to be addressed before this plan can move forward. I just ask you to go forward and make sure that those families that are going to be directly impacted are considered and look at all the options. Thank you.

CHAIRMAN KIENZLE: Thank you. All right. We are going to move on. **AGENDA ITEM NO. 16: Review of Commission Properties Previously Approved For Disposal. RJ.**

(indiscernible, multiple speakers)

RJ KIRKPATRICK: Mr. Chairman, members of the Commission. This is a brief agenda item. It is really an update to benefit new Commissioners and refresh everybody's memory, having to do with Commission properties that have previously been approved for disposal by either sale or trade. Back in 2007, and in your briefing there's a table and I think all the public has the table and I'll get to that table real quick. In 2007, about 12 properties were suggested to the Commission for disposal. They didn't serve any recreational purposes. They didn't serve any meaningful wildlife purposes anymore. As that approval happened, several of those properties have been disposed of, and I'll get to that with this table. Abiquiu' tract, that property has been

disposed of and was transferred back to the Abiquiu' Land Grant in 2007. La Joya blocks, several of those, 3 of those, have been sold. This is the list. All these in blue are the list that were approved back in 2007. As I go down through this list, I'll talk about a couple of them specifically. The Navaho Project, Director Sandoval and I and Deputy Director Brooks met with the State Director of the BLM about (indiscernible) about four months ago, Jesse June was very positive and interested in trading the Navaho Project. There were some properties for Piño Mesa. Thought we were on a pretty good path to get that done. Subsequently, Jesse has retired and the BLM hasn't figured out who the new State Director is going to be. So until that gets resolved, I think we are a little bit slowed down on getting that one done but I think there is interest in all parties to go ahead and keep moving that one forward. (indiscernible) Warehouse Property, most of you are familiar with that. We subsequently have leased that to the State Forestry Division for their Veteran Firefighter program so we will continue to do that for as long as that lease is available and figure out whether or not we want to transfer ownership of it to them or somebody else. The rest of these properties, nothing has happened with. Moving on, there are four additional properties we proposed to Commission to get rid of back in 2012. Those four properties consist of the Rio Abajo property there in Belen, Pecos Canyon properties, Belen Farm, and Rios de los Piños property which is up on the Colorado State Line north of Tres Piedras. The Rio Abajo property, if you recall, last year we came before the Commission's (indiscernible) meeting and asked concurrence from the Commission and got that, to separate that ownership of that property a little bit contrary to the way in which we got it. We were going to lose a portion of the acreage. The property really doesn't represent, represents some wildlife value but it doesn't represent wildlife value to the extent that the Department would put a lot of effort into it, doesn't represent a lot of public hunting opportunity. The Valencia Soil and Water

Conservation District is the co-owner of it. They have a lot of other ideas that they are wanting to do with it, so the Commission gave us approval to separate, split the property along agreed upon lines in 51, 49. I recently met with Rio Abajo here about a week ago with our contract attorney and we are in the process of moving forward. We are going to do a survey on the property and we'll move that separation forward. At that point in time, we will probably come back before the Commission as to what the Commission chooses to do with the piece that you do retain ownership of. Pecos Canyon, I'm going to leave that one alone. (indiscernible, background) Farm is a really neat piece of property. It comes with water rights. It is very difficult for us to bring sportsmen to bear on that piece of property which is why we approved us moving it. We have had some preliminary discussions with the landowner who owns the property right north of Bernardo. And there is some potential that he is interested in doing a trade with us. He sees value in the Belen property to develop it for residential development which is what is all around it that prevents us from being able to hunt it much. We really would like to have some of that property he has got right north of Bernardo and he has actually also got some south (indiscernible) so we will continue those discussions. The Rio de las Piños property up on the state line, it does represent value to the sportsman. It is a stretch of the Las Piños River, a beautiful place. When President Obama established the Rio Grande del Norte National Monument, whatever that thing is, the BLM was very interested in acquiring this piece of property from us and establishing it as the stepping-off-point visitor center for the new national monument. So, if that were to happen, if we were to transfer ownership potentially to the BLM, it would continue to serve the purpose of anglers and outdoor recreation. It just would be the BLM's and in exchange for that, the original idea, is we're trying to secure some pieces of property from the BLM to establish some shooting ranges, potentially office spaces and so those

negotiations and discussions haven't been finalized yet. So that's sort of where we are. We recently secured, through an (indiscernible) process, procured multiple vendors for legal services. A component of that would be one of those vendors will provide real estate services to basically put a for sale sign in the yard of some of these smaller lots, the Roy lots, the Colmar lots, the (indiscernible) lot in Raton. There is some value in trying to trade some of these smaller properties down in the southeast area. For example, Ranger Lake, Pitchfork, Clark Lake, maybe make some land swaps either with the State Land Office or some private land owners to get a piece of property of equal value, equal acreage, next to one of our current prairie chicken areas. So, that's kind of where we are with the whole thing. As I said, just an update. We'll always try to retain water and mineral rights or consider whether the values retaining those or not. The Commission will be approving of that. Some of those properties have some restrictions in regard to U.S. Fish and Wildlife Service deeds, land grants, etc. And we will always seek final approval from the Commission before we finalize any deal. And that's for that.

CHAIRMAN KIENZLE: Questions?

CHAIRMAN KIENZLE: The Assistant Attorney General assigned to the Commission needs to leave at 1. So I call for a motion to move up Executive Session to the next agenda item to meet her schedule.

MALE SPEAKER: So moved.

CHAIRMAN KIENZLE: Can I get a second on that?

MALE SPEAKER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: So, we need the blurb. Who wants to read the blurb?

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COMMISSIONER SALOPEK: 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, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege relating to threatened or pending litigation pertaining to State of Oklahoma, et al. v. US Dept. of the Interior et al., Defenders of Wildlife, et al. v. Sally Jewel et al., WildEarth Guardians v. Kirkpatrick, Quintana et al. v. Barney et al., and State of New Mexico et al. v. United States et al. (D-1116-CV—7500184), in which the Commission and/or Department is or may become a participant.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: This is a roll call vote.

DIRECTOR SANDOVAL: CHAIRMAN KIENZLE.

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTOYA: 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 Ryan.

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COMMISSIONER RYAN: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Yes.

MALE SPEAKER: We'll be back shortly.

FEMALE SPEAKER: So, we're here.

MALE SPEAKER: We're staying here.

FEMALE SPEAKER: So, everybody, I'm sorry, has to (Audio ends here)

(Audio resumes mid-sentence here, Agenda item 17)

MALE SPEAKER: (indiscernible) if you go to their website and look up shooting center, they put in a complete set of shotgun ranges and part of their plan is to put in a baffled rifle and pistol range. So, (indiscernible). So, I'm in denial and that's why I've got some slides on it, some pictures and very recently I got some data. Missouri has that number of them. West Virginia. I saw a map of Wisconsin, I think. They've got 20, 30. The reason I mentioned the Whittington Center is the operation is, as you go to the gate to check in and pay your daily use fee, they ask you what do you want to shoot. Oh, I want to shoot rifle. I want to shoot pistol. I want to (indiscernible) ranges. Hand you a map, tell you where to go. Your time on the range, most likely you will never see a staff member on the range. Your job is, run up the red flag, shoot, and you're done, if your (indiscernible), take the red flag down. Thirty years, zero problems. Now, it's a relatively controlled environment compared to a range off the highway someplace. But it works. It has worked very, very well. I'm the Vice Chairman for the Trustees of this center so I can speak with some authority on that. Eleven public ranges, the one near Des Moines started out as an unstaffed range but they quickly realized way too many customers, so they went to a staff,

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they charge a range fee. All of their ranges are on. They call themselves a DNR. They own the land, period. No leased land, no BLM land, etc. Then they found that a couple more of their ranges needed help on weekends so they took range safety officers to go out and help. OK. They're finding they have a number of public hunting areas where they own the land and so they wanted to keep target shooting on ranges, hunting on open land. And they've actually arrived at a system where they have actually had to post some areas to keep target shooting separate. And I have specifically asked a gentleman from the Department, other land arrangements, and he said it is all their land, no conservation easements, etc., etc. Here are some pictures literally, and I'll send somebody, I have the photographs. They show up better. But essentially the hillside has been cut to provide a face for bullets, to recover it, since lead is a recyclable commodity not waste. They have a lead management plan, etc. Simple concrete benches. There's another one. This one I've known about because I was president of the State Rifle and Pistol Association. In about the mid 60's, they built this range. It's 1000 yards long. It is 3 miles east of Capitan. It's a club range. But the point is, a range doesn't have to be simple like just a simple rifle or pistol range on a berm. There's actually a big mountain behind the range, and the lease is a dollar a year from the rancher. But the point is, you can put in a fairly large facility on a simple piece of land and it's been running since the mid 60's. The landowner on that one was, and I assume still is, this is Spencer (phonetic) who was the donor for the performing arts center. The rules were, pick up your blankety-blank beer cans, and don't you dare shoot my cattle. I don't think there's a written contract, it's just been going on so long. Point is, very simple arrangement in terms of dealing with private land. Now I want to get into some areas to help you select sites, what to look for. Shoot north, unless you love shooting into the sun. You want a mountain behind you or the side of a mesa, something. You need a relatively small piece of land, probably an acre that

you're actually going to do something to. An acre would be kind of big. And, I use the word junk plan because if you go to Albuquerque Shooting Range Park and go to the Rio Puerco escarpment, the next half-mile of land, this whole strip west, running north and south, is truly junk. I mean, rocks and boulders and it's steep, something to look for. If you want the range to be safe, operable, and you have high confidence, you don't want permanent occupancy for three miles. That's the typical 5000 plus yard safety zone developed by the DoD and is used in lots and lots of ranges around the country. And the zone is actually a fanned, roughly. In the Albuquerque Shooting Range Park, we deliberately took range on the right. We rotated the safety fan and so all the fans for almost 2 miles of ranges across all meet at the top. So we don't have a piece of a fan falling onto somebody else's property. Think about noise problems. It's not this year, or not next year. But if housing to the south, and you're shooting north, you want to think well, there's a gas station behind you, it's going to be a gas station plus in 10 or 15 or 20 years. And so, just put it on your radar tree. And you want access, site drainage. The other key thing I think you'll find is community support in everything from the Boy Scouts, 4-H, as volunteers. They bring shooters. Scouts, it's part of their program. OK. It's a laundry list, Department land, leased land, State Trust Land. Albuquerque Shooting Range Park is actually checkerboard, land the city bought, State Trust Land, and BLM land. And we went through BLM hearings twice to get to the final plan that we then constructed. I drive to Raton a lot and I go by ranches that are, I don't know how big they are, but they're measured in miles and miles and miles. So finding a piece shouldn't be that big a problem. And I put DoD on there because we had to do a study on ranges near airports because the Albuquerque Range is next to Double Eagle Airport. And we're in the middle of the planning process and the FAA guy wrote and said, you better change your range because of our runway configuration in one of their plans. And we were kind of amazed

and so we did a study on ranges next to airports. We found one range between the parallel runways of an airport. National Airport used to have the shooting range for the airport guards, right off of the end of one of (indiscernible) landing and you look out and there's the targets. The shooters were actually under the airplanes. And, it goes on. So, one of the airports had a machine gun range parallel to the runways. OK. Liability protection, I assume you folks can handle that. The safety zone is a 3 mile long piece of ground. You've got to have a way to close it. It is an impact area for public. You also have to maybe close the range for things that are happening down range, not very often but they happen. Albuquerque Shooting Range Park has a power line across it. I don't think we've ever closed the range for maintenance but you've got to think about what goes on down range. Kind of options: Now you put up a U-shaped berm shooting where the back berm catches your bullets for your lead management. You always put a rifle safety zone on every range. Do not assume that you label it pistol, and the military does it, they put a short safety zone that's the range of a typical pistol. You don't know what firearm the guy's going to shoot, or yell. And so you put it, you walk up with any firearm, shoot, rifle, pistol, it's safe. Another one is, now but those are decent size ranges. And I've got some pictures of an alley range 20 yards wide maybe, 50 yards deep. They're great for classes but they don't take up much land, but you can put a bunch of them in a row. You save on some dirt moving, individual practice, somebody wants to come out and practice their holster skills, they've got a safe, contained place to do it. Long range shooting, you've got to figure out. It's easy to put the berms down range where the targets are. But you've just got to separate the short range stuff from people who like long range. This picture is a set of alley ranges in Shooting Range Park, so you could shoot in one, and next door to you, or one over, somebody is down at the end changing targets. No safety problems. Just some suggestions. One thing that's kind of disappeared from

youth shooting is indoor gallery ranges, so you might want to set up, if there's a lot of youth organizations, maybe think of something that's (inaudible, background). Because junior shooter development is really part of your mission, part of ours at NRA, etc. I guess I should comment, I'm a long term member of the NRA, Board of Directors, and I'm Vice Chairman of the Trustees at the Whittington Center. So I've seen a lot, been exposed to a lot. And I, and some others, have shotgun areas and the main thing there is, focus shotgun because sooner or later you're going to harvest the lead shot. It is part of your lead management plan. But, it's got a known safety zone for trap and skeet and you simply plan. And, also after lots and lots of clay birds, they are all in a certain area and it's easy to find, it's black and you clean them out, go back to shooting. OK. Safety criteria to keep in mind. The DoD standard is a 3-mile fan and you apply it, no short zones. That's the main thing. And you'll (indiscernible) Mother Nature's backstop behind you. Go check for buildings, structures, downrange. I looked at 1 range, and there was this, I think it was a milking barn, like 200 feet long, white sheet metal, it was traverse to the direction of the proposed direction of shooting. The Club didn't like it when I called it a witness blank (phonetic). Because once the people that owned the building started counting bullet holes, you're out of business. And they said, oh it's too far away. (indiscernible). Wrong. It will get the club's attention later. As soon as it does, you're out of business. So, find something with nothing down there. Typically, to contain things unless you're out in the middle of somebody's 50,000 acre ranch, you worry about what's around it or what will be around it. And if you're putting up an impact berm in flatland, just make it a U, and it keeps everything onsite. OK. Range signs, very important. Safety Rule sign says Safety Rules. Two more lines, otherwise, nobody will read it. I've seen signs that go from 1 to 24. And the safety rules weren't 1 and 2. It was like number 9 and number 17. And I'm going, and it must be a separate sign. Otherwise, people will read the

housekeeping sign and forget about it. Don't use sentences. Crisp phrases. That's what people remember. It's kind of like a highway sign. You don't use a 3-line sentence. Anyway, here are some ideas. Remember, your customer wants to go away happy. So keep it simple. OK. What's a berm? (indiscernible) So if you're 10 feet high, it's about 10 feet wide on the top for the grading tractor. One side is 20 feet wide. So you end up with a berm with a base. You have 10 feet at the top, 50 feet wide. Go to 15 feet, you're 70 feet wide at the base. But that's from typical New Mexico soil, it took a long slope. Just let it sit for a while. For the Albuquerque range where we had two ranges next to each other, we wanted, we asked, what happens if somebody shoots a low velocity bullet from the right hand rear corner and the other range is longer and he shoots, it gets over the berm in the middle and if it clears the middle berm, it goes way out in the safety zone someplace. Even if you think the round is a mortar which goes up and back down, so it turns out our design basis cartridge was a 38 special, very heavy bullet, target load. If it clears the middle berm, it goes out down range. So the guy changing the target at the far corner, no safety concerns. And, in fact, the whole back berm actually provides a ballistic shadow. I've heard of some county road is right behind a very high berm. The Europeans use that. They shoot across highways all the time. Actually, in Switzerland, I saw the targets, and I said, "What?" They are facing the highway. And I flipped my head around and sure enough, this ridge had a flat space and then it went back up. And it's the Army's rifle range. They shoot across the highway. It's just normal. Anyway, you can in some cases use the ballistic shadow of a berm or a hill, etc., to help you. And you will have to grade them and eventually the impact face, you're going to have to mine it. OK. Moving dirt. Once we got the Albuquerque range built, they wanted to make some improvements. So they went across the street to the city landfill whose heavy equipment moves 1-3/4 million yards of dirt a year. They did huge hauls, they fill them up, and they do

something with the dirt. So anyway, the Albuquerque range, the range paid for the diesel fuel. They came over and built those alley ranges I showed, and some others. And so, you've got lots of people, you just don't have to write a contract for ABC Excavating, etc., but there are maybe some local resources to help you move dirt, and you get to pay for the diesel fuel and lunch for the crew or something. I think that's what Albuquerque did. They worked together with the city's solid waste department and the Parks Department and they just came to an agreement and did it for large construction projects, etc. Because the folks that move a lot of it already have the survey equipment and the experienced operators to make a quick job of moving dirt. OK.

Suppose, I put this in here just to put it on your radar screen. Suppose I can't have an open range. But you need one. Two comments: A baffled range, and a tube range. And the purpose is, the gun can't point at the sky. And the shooter can't see sky if they are in proper shooting positions. And the things, especially overhead things, don't necessarily have to stop a bullet. Like you put it through a 3 or 4 inch hunk of lumbar, the bullet is deformed and comes out tumbling. And we don't need this 3 mile safety zone for a tumbling bullet. You need, you know, hundreds of yards. The point is, I've seen one where they built a roof then built a berm, 4-sided around, with a gap. So, they go inside the berm and you've got this fairly heavy roof and inside the center of it is a shoot house, law enforcement. And these guys are shooting 360 degrees because they've got rooms and they practice all their tactics. Bullets going 360, and they're all contained, you know if you get a shot that's above the berm. The point is, you can't see sky. There's a baffle range. You can see the wooden, some use slanted ones, some use just vertical ones spaced. No matter where you stand in there, if it's a designated firing area you cannot see sky. That's fairly expensive. A tube ring, and this is the best picture I can find, and I have one and when I find it I'll send it to the folks. It looks like a dirt berm with a fairly steep face and 15 to 20 foot pieces

of concrete pipe, some down here for prone shooting, bench shooting, standing. So across this face, there's all different heights of holes. You stick your gun in. If you hit the pipe, now you've got a deformed bullet and at the end there's a high berm. Can't see sky. Fairly inexpensive. This one's got a nice wood face. Open ranges: no side berms. For lead management, you really need an impact berm. You could use and shape terrain to make an impact berm. Even though you've got an open range, I've seen people try and, you know we've got 300 yards down range and we want to shoot rifles. And I've seen clubs that actually think that's OK. It's only a matter of time before they get closed down. What I'm presenting here is, I want your grandkids to shoot on this range, and nothing has happened in the interval. No safety problems, no nothing. Last thing, you want to control your safety zone, all the safety principles still apply. Regular, just some lead management things. You do need somebody to drive by it. Things to think about. And people have complained because not-so-nice people leave trash. Tell them to go away. Just take care of the trash problem. Because the advantages of having a shooting range versus not, (indiscernible, background), their refrigerator someplace else. Lead management plan, NSFS has a boilerplate plan that meets EPA standards. It's simple to implement. Clubs use it. The worst thing is, EPA comes around and you don't have a lead management plan. You get in trouble. Volunteers: You have a range day. Get the Scouts out to help you, some range officers, wardens, etc. And then develop relationships with local businesses. Like if you put in PVC pipe to stand up your target frame, somebody in town is making them and they just go buy one. They're inexpensive and you staple your target up and you're ready to go. Two good resources: NSFS has a range report magazine. I don't know if they re-labeled it lately. It is a free subscription and they have their lead management plan, comes in a binder, everything you need. NRA has a national range manager, Brian Hyder. They have manuals. And, for the local organizations that are near, there

are probably 50 different kinds of shooting programs, like the Scouts could implement it on a weekend, or a range day, etc., to generate awareness that there's a range, come out and use it and practice. Because every shot down range is training. And one of the greatest growing things we see is concealed carry training. Questions?

CHAIRMAN KIENZLE: So what's the next step on our side?

FEMALE SPEAKER: Mr. Chairman, we are actually, we met with Brian Hyder. We are in the process, in the whole game program, we're looking at what we can do with our properties and we are working with BLM. So we've got several different wheels turning on moving this forward. And Jessica, there she is, is in charge, and she is a go-getter, so we expect . . .

CHAIRMAN KIENZLE: So put this on our next agenda, because I want to keep driving this along.

FEMALE SPEAKER: Absolutely.

CHAIRMAN KIENZLE: So, that means I expect some progress. I don't know the sequence things on this because we do have the liability protection parts of it, and you identify site first. I don't know what goes first, but I want to see some progress by our next meeting.

GUEST SPEAKER: There are a lot of club ranges around this state for high power shooters. The Capitan Rifle Club now has controlled lease on that. There's other public ranges, the Butterfield Trail Range in Las Cruces, and the NRA maintains a range list.

CHAIRMAN KIENZLE: We can do this. We just need to keep moving on it.

MALE SPEAKER: I was thinking maybe a club might be part of your program, and open up like every other weekend, or one weekend a month and fulfill the need without the Department having to build something down the road or across town or something. Anyway, thank you.

CHAIRMAN KIENZLE: I appreciate it. But again, some progress by May. Let's just keep driving this forward. Thank you, Dave. I appreciate it. Good presentation. I don't know. Are there any questions? We're going to pick this up again, so alright. Thank you, Dave.

GUEST SPEAKER: Thank you, sir.

CHAIRMAN KIENZLE: We've already done Closed Executive Session. So Dan, you want to pick up on Number 20? Oh, I'm sorry, Legislative Update, number 18.

DAN BROOKS: Legislative, (indiscernible) Mr. Chairman?

CHAIRMAN KIENZLE: Why not.

DAN BROOKS: I know, you've been sitting a long time. Your chairs are probably not softer than mine. So I will probably clip through this pretty quickly. However, stop me if at any time you have questions. This is going to be the update of the session. Obviously you can see there are lots of bills, over 600 on the House side, over 700 on the Senate side. That makes for a whole lot of legislation that is moving through the Capital at that time, and a lot of things that they're hearing. One of the things of primary interest to the Commission of course, is the Department's operating budget which is House Bill 2. I'll touch a little bit on that. We'll talk a little bit about our penalties effort surrounding our Game and Fish laws, Veterans License Discount, our volunteer program, and then the Commission's authority on (indiscernible) and of course on some other legislative items. Just real quickly, just let me touch base on the budget bill, House Bill 2. That was approved, passed both the House and the Senate and then needed some concurrence so that's a 6.2 billion dollar budget. Now in amongst that budget, of course, is the Department's budget because of course we are a state agency. And some key points that were earmarked in the budget were money from the Game Protection Fund and the Trail Safety Fund. So just real quickly, there was 500,000 dollars earmarked to go to state parks. Now that was

actually to support hunting, fishing, and trapping, and wildlife conservation efforts. Director Sandoval worked closely with the State Parks Energy and Minerals to make sure that the language was right, so that the money could actually be spent. Another one was earmarked, 500 thousand dollars out of the Trail Safety Fund to go to state parks programs. That doesn't have the same strings attached to it as the license dollars that come to us through Pittman Robertson and Delan Johnson (phonetic), so that one's a little different. Also earmarked was 297 thousand to go over to the State Engineer's Office for (indiscernible) mineral program. There was a special appropriation that we actually asked for which was to operate and outfit our law enforcement vehicles at 525 thousand dollars which was something we sought. Also another 350 thousand dollars for IT upgrades. I know the Commission has heard several reports about our IT and we want to make it as secure as possible so that we continue to stay online 24/7, and so that's going to help us do that as well. And then there were a couple of other special appropriations that actually went to the Forest and Watershed Restoration Bill which is H.B. 38, that sought to take 500 thousand out of our Trail Safety Fund and then 500 thousand out of our Game Protection Fund. All this is actually what we asked for in our budget and this is what we got approved. So just to orient the Commission, this is for FY 16, so our fiscal year 2016 which will start in July. So the good news is we pretty much got what we wanted. We even got a little bit of an increase. And you saw on the previous slide, some of that money is being earmarked for other things. But overall it wasn't a bad budget at all for us to have. And so, you can see just real quick, most of our programs are intact. We kept our 309 employees and so that's good news for us. A couple of other things in there. There is a small budget adjustment we can make for emergencies if we need to, which is a quarter of a million dollars. Now, not quite as uplifting, no capital projects were approved. There was actually a capital budget. It went back and forth in the House and the

Senate. However, there were some changes and it didn't receive the concurrence and so it actually languished there at the very end. We still have capital money, of course, so we still have projects moving forward. But it doesn't quite allow the extensive projects that the Department was hoping for when it comes to habitat restoration, and the millions of dollars we were looking to put on the ground in the next few years. But like I said, we do have capital money and there is always next year as well. Real quickly, touching on the Department's bills, the penalty assessment citations, that's one that we've carried forward for the last 2 years, so this is the third year and it just allows our officers to actually issue penalty assessments instead of people going to court because right now almost all violations are mandatory court appearance except for fishing without a license or hunting small game without a license. So this is going to allow the Department to issue a lot more citations for manner and method so what you'll be seeing in the upcoming Commission meetings is an effort for us to get in front of you for manner and method violations for you to approve those so that they can then go into the manner and method section. And so that will be discussed a lot more extensively in the next couple of meetings here for the Commission to decide. Because part of the thrust here, and I don't want to spend too much time, but part of the thrust is minor violations could be penalty assessments. However, big game poaching and those major things that really concern us, we still want to go to court and still go in front of a judge. And so that's kind of the simple effort that we've had going. And of course at the bottom three, you will note there, we didn't have as I left the office yesterday any knowledge of if the Governor was going to approve that although they clearly approved that effort so I can't imagine that not happening so we just don't have any information on that. The other piece for our enforcement was for the waste of game which was the felony provision that we pursued. And this is the cutting off of the elk and the deer heads that happen every year. We are seeing this

numerous times now and we'd like to make that a felony. That did not go far. This is also our third year to pursue that as well. It went through the Senate Conservation but was tabled in Senate Judiciary (indiscernible) and there may be some other efforts behind the scenes. Director Sandoval and I have talked about maybe some other efforts we could do. There are interim committees we could get in front, and that may be another step to pursue in the future. Just very quick on the Veterans License Discounts, you might recall this is the 50% resident veteran or active duty person that is a resident stationed here that would qualify for that. And that actually passed as well, both the House and the Senate. So Representative Baldonado carried both this and the penalty assessment. He also carried another one for us as well. So that has moved forward to the Governor's desk. We are very pleased with that. We think that will really simplify things. Remember, veterans up until now, had a whole variety of different discounts, very hard for them to navigate through that, to know what discounted license they get. This will simplify all of that and just give them a 50% discount across the board. I am very pleased with that. Our volunteer authority, this will be something else that now will result. Because it is successful, we'll come in front of the Commission again because this basically empowers, once signed of course and that hasn't been determined yet but I believe once again the Governor supported this initiative so we don't have any reason why that won't be supported. This allows the Department to actually implement volunteer programs on a much broader base than we have right now. Right now, we have Hunter Ed but we have a lot of need for our Expo and all of our outdoor events that we're having. So this empowers the Commission to basically pass rules, once signed by the Governor, so we'll have to come back in front of you with some rules for volunteers and also allows the Director then to actually implement some procedures upon those rules.

CHAIRMAN KIENZLE: These new laws are usually effective June 1 or July 1, or something like that?

DAN BROOKS: That's right.

CHAIRMAN KIENZLE: So, maybe at our first meeting after that date, if you want to start pitching us on volunteers, let's put them to work as soon as possible.

DAN BROOKS: Yes, Mr. Chairman. We sure can do that. We're ready to start implementing those and that's right. I think, and I have it at the end of the presentation, I think the implementation is June 18 if it's signed, unless it's a budget bill. But I'll jog my memory here in just a second. Anyway, we are very pleased. Senator Shendo did us a very fantastic job, was in one of the committees until well after 1 o'clock in the morning, so it actually wound up being the next day, to get the billed passed out. So we owe him a debt of gratitude and service. This one, tilapia and of course the striped bass, this is the one near and dear to my heart. We had quite a following. There are just actually a lot of people very interested in us implementing this. So we were successful in both the House and the Senate as well. And so that's on the Governor's desk as well. Now there will be a few, probably, items that we will also need to bring in front of the Commission on this as well. Because, remember, part of the effort is to give the Commission control so that we can implement wise regulations around the importation of tilapia because this really is not for a fishery. This is more for fish farming, aquaponics, and so we need to have some rules around that as well.

CHAIRMAN KIENZLE: I still thought you were joking the first time you brought it up. I said are you serious.

DAN BROOKS: I am serious.

CHAIRMAN KIENZLE: You were serious.

DAN BROOKS: There is a following. And I think it is going to equate to millions of dollars of business here in the state. And so we are very pleased with that. Another piece of legislation I just want to touch on wasn't a Department initiative. However, it did have a lot of debate on both chambers, was stream access. Just real quickly, there were 2 bills that actually mirrored each other that started off: Senate Bill 226 and Senate Bill 235, both actually mirrored each other. They went through some changes and then you have actually Senate Bill 226 that actually passed and so that is waiting for the Governor's signature as well. I don't have any predictions as to what will happen there. However, this bill actually wound up changing to the point that it actually mirrors pretty much what the Commission rule is, which requires a person that's engaged in hunting, fishing and trapping, and this one encompasses a little more which actually included camping, hiking and sightseeing, basically to have some consent from the person or landowner in control of the land. So I don't see this one as a negative bill at all. If anything, it reaffirms the Commission's stance. There was a lot of debate though that went through both chambers. And of course you can see the vote in the House was pretty tight but it did pass.

Forest restoration: You heard me mention this earlier. This also is tied to our budget bill. There is 500 thousand out of the Game Protection Fund and 500 thousand out of the Trail Safety Fund. And I will note that what this one actually says, that million dollars that is coming out of our money basically is contingent on this bill being passed and signed by the Governor so it's a little unclear right now if she will actually sign this. It has some good intent but it also creates a bureaucracy around some of the very stuff the Department is going in and managing and modifying habitat to improve for wildlife and so we'll see where that goes as well. A whole bunch of unsuccessful things, I'll just touch on them very briefly because they were unsuccessful. However there are messages sometimes back to the Department. That's probably,

at least in my experience of being over there for 10 to 15 years is, sometimes the bills don't pass but they still want to send the Department a message. So we need to heed some of that information as well. And of course, House Bill 97, Colonel Griego touched on that. It was not successful but it does, here's basically the premise. The sponsor very concerned about, a felon may be taking licenses that should be available to others that are non-felons. That's really the simple message. Should a felon be entitled to a draw license when there are other citizens out there that could benefit from that. So you already heard some of the nuances of that. It isn't that simple, but that is kind of the premise there. There was also another one about the Department providing an annual report to an interim legislative committee. The Director worked behind the scenes with the sponsor to assure that we would have an annual report available so we'll be endeavoring to do that. We don't need legislation for that. Another one is H.B. 235. This was to prohibit trapping on public lands. That was heavily debated, died in its first committee. However, make no mistake, there's a lot of concern around that and the public, I believe, will still be concerned around that. So, as a Commission you may hear issues around trapping as well, and public safety. And so, those will also affect those people and their own opinions about that as well in future. Real quickly, 468, state sovereignty over prairie chickens. There was a lot of concern over the listing even though it's threatened over the prairie chickens and how it impacts oil and gas industry and how the states will be able to manage it if it wasn't in that category of threatened. So there was some discussion around that. It didn't make it at the end. Off-highway vehicles, I put this in here simply because the Department has jurisdiction now over ATV's, OHV's, UTV's, all those things that go off-road. And there was some discussion about not allowing a small community to charge a fee because ATV's, OHV's, already provide a fee through registration and then there was also this discussion about them being able to ride on the

pavement. That ultimately was tabled but there are still issues from concerned citizens about how ATV's are being used or not being used, and fees are being levied against them. Another one that was heavily debated was this (indiscernible) protect the cougar. There was a lot of discussion around that. Obviously you know we are moving into discussions around bear and cougars and so we are not meeting our sustainable harvest so you'll see the Department come forward with concerns to try to help meet that sustainable harvest because there were a lot of concerns especially from the agriculture community. Goat population management, that was another one heavily debated, actually made some mandatory decisions and took them away from the State Game Commission; ultimately that was tabled. But there is still concern about how we are managing elk and how they impact agriculture so we will want to heed some of that direction at well from the debate that was carried out there at the Round House. Senate Bill 215 was basically the depredation bill to prohibit killing without contacting and working with the Department first. That one didn't get very far at all and I think the Department is pretty successful in our depredation efforts and that is some of the feedback at least I heard from legislators and so that bill didn't go very far. Prohibit coyote killing contests. I suspect you will see that again in the next couple of years in another full time session just because there's a lot of emotion around that and I don't see any of those people going away in the near future. And then, of course, you already heard that Senate Bill 254, that was our enhanced penalty bill which was tabled and that was the cutting off of the heads of the elk and the deer so that was unsuccessful as well. Other legislation that affects either us directly or indirectly, allow for use of drones, it was actually a Senate bill brought by Senator Morales supported by the Wild Friends, wound up being amended to the point that it was withdrawn. It was actually modeled, though, after the Commission's rule. You know the Commission in the last 6 or 9 months, you actually

implemented a rule and the Wild Friends and Senator Morales went forward with that. However, there were some amendments made that weren't that friendly so in the end the Senator then decided to pick up along with Representative Baldonado and support the Wild Friends on a memorial. Memorial is very simple, just allows and encourages state agencies to be aware of technology that could impact wildlife. So very simple, very positive. There were some other memorials that went forward as well recognizing the watershed restoration that the Department has done and continuing to work with state forestry. Now that one did pass. Wolf Recovery Plan and Compensation, that did not. However, it challenged that the U.S. Fish and Wildlife Service does not have a current recovery plan in place and that there should be better compensation for livestock losses. Lesser prairie chicken on state lands, that did pass. That also recognized with work of the Department of Game and Fish, and encouraged the State Land Office and the State Land Commissioner to make sure that they are not doing anything detrimental to all those that depend on oil and gas and things like that in the eastern part of the state. Managing Mexican wolf program, that was another one, was very concerned and encouraged the Governor to seek the state to have sole authority over Mexican wolves inside New Mexico. Elk, House Memorial 114 was elk population management very similar to the bill that died and recognized that, wanted us to recognize small landowners with 250 acres or less and also sought to consider some other management outside of the scheme that we have. That one eventually didn't make it either, and then of course (indiscernible) denounced the wolf plan and transferred it back to the state to the Department of Game and Fish. So quite a few of the pieces of legislation that directly affected us, there were a couple more that I didn't mention. There are various memorials and bills. It seems like every year they talk about looking at Federal lands and taking them over to state ownership and stuff although those don't directly impact us at this point. I didn't put them all in

but those also are initiatives that I think you will continue to see that will continue to come. So obviously there is the date there, June 19. I believe, Mr. Chairman, I said June 18th, I was incorrect. I was off a day. So that's when most legislative, unless it is an emergency or it's a budget bill, it will go into effect June 19. Obviously for us, what we need to already start thinking about is next year's planning session so you'll see us come forward and talk probably in the summer, and talk about any significant issues that the Commissioners might have or we're hearing from the public or the what the Department might have.

CHAIRMAN KIENZLE: Some other fish.

((indiscernible, multiple speakers)).

DAN BROOKS: Anyway, that's my wrap up. I know I went through it pretty quickly. But there was a lot happening. Director Sandoval was busy every day, had to make a whole lot of allowances, and a lot of professional relationships. I just wanted to point that out. I think our success, I haven't seen this successful a legislative session in many years, and I would attribute it to the new Director and her ability to work with everyone.

MALE SPEAKER: Good job.

CHAIRMAN KIENZLE: I'd again say in the volunteer (indiscernible) by the fall.

DIRECTOR SANDOVAL: If I could, Mr. Chairman, Dan is being kind. He was there with me during the whole thing and really helped in making all of this happen. So thank you, Dan. We greatly appreciate it.

CHAIRMAN KIENZLE: Jerrod (phonetic) (indiscernible last name)

GUEST SPEAKER: Howdy. I just wanted to make comments on House Bill 616 that actually (indiscernible) pass the House Memorial 114 that did proceed but was just a statement. And then, familiar with Director Sandoval's comments to Chairwoman Ezzell, the committee the bill

actually died in. My issue is with the comments that you agreed to Chairwoman Ezzell to markedly decrease elk populations in units, was it not that, in units . . .

DIRECTOR SANDOVAL: I did not agree to that.

MALE SPEAKER: She did not agree to that.

CHAIRMAN KIENZLE: OK.

MALE SPEAKER: Well, OK, I thought that (indiscernible) gone for it, but if it hadn't then, you know I apologize for thinking that. But the bill is basically asking for a reduction in elk numbers in areas where landowners are complaining about elk overgrazing placing. You know I work in the hunting industry and so I feel I have the pulse on the elk population around this state, you know, a lot of areas, and I just don't feel like that's a problem. So I just really wanted to make sure the Commission really looks into complaints from landowners about elk overgrazing their leases or whatever before just issuing more tags or anything like that. Those are my comments. But (indiscernible).

MALE SPEAKER: Thank you, Commissioners. By now you know and recognize the (indiscernible), I love my elk. I love our elk I should say. In reference to the House 114, well you know in that statement it calls for a reduction in the state's elk herd by 20%. I appreciate Commissioner Salopek for standing against that. I also appreciate the Safari Club out of Roswell, the statement that said they did not support the actions as well, and the New Mexico Wildlife Federation. And so I think it's important that we protect those elk. You notice, in that bill, it calls for a reduction of elk not only on private property but on federally owned lands meaning our public property in New Mexico. If that is the case, then the elk really have no place to live in New Mexico. So I would implore the Commission to please protect that elk herd (indiscernible) plan. Relocate, redefine, have the Department relook and redefine the core areas, and protect

those elk where they can live which is on our public lands. And that would be my suggestion for that, just the key to watch over our elk herd, to be good stewards to them. And again, I appreciate those that supported the bill and ask the Commission to follow through with that (indiscernible). I appreciate that.

CHAIRMAN KIENZLE: Any other questions or comments on legislative? OK. You are up again on 20.

DAN BROOKS: Thank you Mr. Chairman, Commissioners. Just real quick, you've already heard a little bit in your Executive Session about Quintana versus Barney. Just to lay the foundation, the Commission recently entered into a long lease with Morphy Lake to continue to allow for fishing there. But in 1965, the State Game Commission was granted a perpetual easement and lease and that basically is the road that goes to Morphy Lake. And so Quintana versus Barney, this actually, because it's a quiet title action, actually reaches out and they're looking (indiscernible) that easement portion and they're looking to quiet that. So, just real quickly, in front of you is this, I believe that the Department could use some direction from the Commission or at least tap some Commissioner or the Chairman in charge of negotiating anything involving this quiet title suit. I think that would help us to continue to champion your perpetual easement and make sure that anglers continue to have access to Morphy Lake.

COMMISSIONER RYAN: I'd like to MAKE a motion, Mr. Chairman.

CHAIRMAN KIENZLE: Have at it.

FEMALE SPEAKER: I move to delegate to the Chairman the authority to enter into or negotiate settlement that still preserves our perpetual right-of-way held by the State Game Commission in this Quintana versus Barney Case.

COMMISSIONER MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

(indiscernible, multiple speakers)

COMMISSIONER RYAN: My first time.

CHAIRMAN KIENZLE: **Agenda Item No. 21.** I'd originally had a conflict on May 7, but I think that has resolved itself, so we are going to keep that date.

MALE SPEAKER: I have a conflict on October 1. I won't be here. And I was thinking like the week before, the week after which you can't do that. So I was just going to see if we could move that from October 1 on Thursday and back it up 2 days to Tuesday, September 29 if it's doable. If it's not, it's not a problem.

MALE SPEAKER: September 29 is on a Tuesday.

CHAIRMAN KIENZLE: Does that create any problems?

MALE SPEAKER: It's in Albuquerque.

MALE SPEAKER: It's OK with me.

CHAIRMAN KIENZLE: OK.

FEMALE SPEAKER: So, seek a motion.

COMMISSIONER SALOPEK: I'd like to make a motion to move our October 1 meeting to September 29.

MALE SPEAKER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

MALE SPEAKER: to Sept 29, two days before. It's on a Tuesday instead of Thursday.

Final

CHAIRMAN KIENZLE: Public Comment. Brandon Wint (phonetic).

MALE SPEAKER: You will announce that meeting on our website right away, right?

FEMALE SPEAKER: Yes.

MALE SPEAKER: Thanks.

GUEST SPEAKER: Mr. Chairman, Commissioners, thank you. (indiscernible) comment and the general comment here is, I have some dissatisfaction with the way the Department interprets the quota statute and applies that in the drawing. And, it's a complicated (indiscernible) how it needs to be done. But what I think, the way the statute is written, if the Commission would take the time to read it, is for the resident portion of the statute it says 84% and the resident portion is the only portion that has the word "minimum" in it. And so my interpretation, and I've talked to a couple of friends who are attorneys and my wife is an attorney, and they see it kind of the way I see it, that what that law says is that you start at 84% for residents and then there's a separate part of the statute that talks about rounding and so in order to meet the 84% minimum for residents you always have to round up on residents because if you round down you go below 84% when you do the math across the number of permits. So what the Department should do, and in my mind what the law says they can do, what they can legally do, is round down either on the outfitter for the nonresident portion. Instead of doing that, what we have is a system now where the Director is just going to add permits wherever she feels like she needs to, to round up. And I'm saying that the law says that you can, it is legal for you, to round down on the non-resident or the outfitter portion. And I think you should do that to protect the residents' quota. Now this year, what that means is, for bighorn sheep like the (indiscernible) where this is wrong is what we are going to end up with is a Director's permit for bighorn sheep. We got 18 published Rocky Mountain Bighorn sheep permits. What they are going to do, my understanding

and correct me if I'm wrong, is issue 16 to the residents which they have to do by statute for the 84% minimum and then, instead of just giving 1 to outfitted pool and 1 to the non-resident pool, they're going to create a new permit. And by the rule you guys passed where you lumped all the hunt codes together for the Rocky Mountain sheep, that means the Director now has the authority under the 10% cap of what she can do, she can now add that permit. So you gave her the ability to do that. She does have the ability to do that. It's legal to do that. She has authority. But my question as a resident of New Mexico, is why would we issue another sheep permit? And that permit is going to go to the outfitted pool directly and I guarantee that's going to go to a non-resident. In theory, residents can put in an outfitted pool but when there's only 1 or 2 sheep permits in that pool, most residents would never put in with an outfitter for that hunt. Now, you're not really taking permits, especially for sheep, you're not taking permit from the outfitter. I know everyone's concerned about that. I wish they weren't so concerned about that. But you are, and I understand that. It's money. (timer beeps) Oh, I was really shooting for never hearing that today. So anyway, you kind of get my point. It's dense. I'll send you all an email, hope you'll take the time to read. It's dense, it's complicated. Dense is your word when we talk about this, you said that at a meeting. Yes, it's dense but I think as Commissioners you have kind of a responsibility to look into this and I'll send you some stuff and if you feel like reading it I'd really appreciate it. But I don't think that sheep permit should be issued this year, as you know.

CHAIRMAN KIENZLE: Thank you. Garret (phonetic).

GUEST SPEAKER: I apologize, everybody. I was late getting here for the bear and lion talk that you had and I didn't get my card. I just want to make it quick. On the bear and lion thing that was talked about earlier, Officer Benford (phonetic) had a great plan for population management of bear (indiscernible). That is a unit that does not get filled. Neighboring unit 37 usually is filled

very quickly. He had a great management plan for the bears there. They are depredated by Department because they are close to town and it involves the baiting. I know that some people are against that but it creates a sportsman opportunity and (indiscernible) the depredation of the bears. As far as the lions go, and the bears, I believe we should probably break those units down into GMU's, game management units, and not (indiscernible) of regions. The reason for that, I hunt Unit 18 quite a bit for elk and in that unit we trail cameras up over on the southern end of that. The cow elk that were in that unit as of June 1, 2012, I believe it was, all had calves, collars on them, as the military was doing a study on them anyway. We could name each cow pretty much. (indiscernible). By the middle of August of that year, those same cow elk did not have a single calf and we got pictures in the meantime of lions (indiscernible). I'm not saying it was directly related to lions (indiscernible) but I will say this. That area, Unit 18, is lumped in with 36, 37, and used to be 34 but not anymore. Anyway, that area never gets hunted for lions. And I think we (indiscernible) ready to open that up for late season trapping, like maybe March, give a 30-day trapping season out there to manage those particular animals. And so those are just some suggestions that I have. And you know, I'll visit with the Department about that as far as the (indiscernible) and hopefully (indiscernible). Appreciate it. Sorry for taking your time.

CHAIRMAN KIENZLE: Never apologize for taking up our time. Any questions or further comments from the Commissioners? OK. Can I get a motion to adjourn?

COMMISSIONER MONTOYA: So moved.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. We are adjourned.

In Re:

Game Commission Hearing

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APPROVAL OF MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

New Mexico Museum of Space History

3198 State Room 2001

Alamogordo, NM 88310

Thursday, March 26, 2015



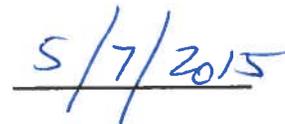
Alexandra Sandoval, Director and Secretary



Date



Paul M. Kienzle III, Chairman



Date

New Mexico State Game Commission

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