

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

Farmington Civil Center

200 West Arrington

Farmington, NM 87401

Thursday, May 07, 2015

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

CHAIRMAN KIENZLE: Let's bring the meeting to order. Good morning. We're going to do the Pledge of Allegiance first before roll call.

(Pledge of Allegiance ends)

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: Present.

DIRECTOR SANDOVAL: Commissioner Ryan?

COMMISSIONER RYAN: Present.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Present.

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

CHAIRMAN KIENZLE: Thank you. Good morning everyone. Can I get a motion to approve the Agenda?

COMMISSIONER: So moved Mr. Chairman. I would like to as we review the Agenda, I would like to recommend that we table Item No. 11 until the June 13th Commission Meeting in Taos.

COMMISSIONER RYAN: And I'll second that.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: Aye's have it.

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

COMMISSIONER: So moved.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Aye's have it. Agenda Item No. 11 will be heard at our June 13th meeting. Okay, introduction of guests. Dan, do you want to start?

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

GUEST SPEAKER: (indiscernible) I'm the General Council for the Farm and Family Fish.

(Indiscernible)

DIRECTOR SANDOVAL: We're happy to have him on board. We stole him from Wyoming Game and Fish so he's very familiar with our business and we're excited to have him with us.

ALL MEMBERS: Welcome.

GUEST SPEAKER: Lance Cherry, I'm the Chief of Information in the Education Division for the New Mexico Department of Game and Fish.

GUEST SPEAKER: Dave Rohrbach, Chief of Administrative Services of (indiscernible) Game and Fish.

GUEST SPEAKER: Scott (indiscernible) Department of Game and Fish.

GUEST SPEAKER: Good morning Commissioners. My name is Chris (indiscernible)

GUEST SPEAKER: Doug Lockland, long time New Mexico resident. 1952 long, I'm representing myself of some concerns important to me.

GUEST SPEAKER: David Stanbaugh, Director of New Mexico Youth Conservation and (indiscernible).

GUEST SPEAKER: I'm Joel Dave, New Mexico Wildlife Federation.

GUEST SPEAKER: Tony (indiscernible)..

GUEST SPEAKER: My name is Greg Cottaway, I'm a long-time resident and concerned citizen representing myself, thank you.

GUEST SPEAKER: Gary Johnson, Farmington sportsman.

GUEST SPEAKER: Aubrey Dunn, New Mexico ranchers.

CHAIRMAN KIENZLE: Thank you for being here this morning, appreciate it.

GUEST SPEAKER: Patrick Simmons, Farmington resident.

GUEST SPEAKER: I'm Lance (indiscernible) and I'm the Geographic Information System Administrator for the Department of Game and Fish.

GUEST SPEAKER: I'm Warren (indiscernible) I'm the Habitat Humanitarian for Wildlife Management Division in Game and Fish.

GUEST SPEAKER: Good morning, my name is Randy Wade, I'm from Albuquerque. I'm a hunter and fisherman and New Mexico resident. My kids are third generation. Thank you.

GUEST SPEAKER: Good morning, Tim Hendricks. I'm the Wildlife Biologist for the (indiscernible)

GUEST SPEAKER: Steve (indiscernible)

GUEST SPEAKER: Steph Edfuature, New Mexico Department of Game and Fish. I'm the shooting Program for (indiscernible).

GUEST SPEAKER: Good morning everybody. It's very nice to meet you. My name is Stargen Wallace. I'm the Marketing Manager for the New Mexico Department of Game and Fish.

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

GUEST SPEAKER: Good morning, I'm (indiscernible) Sargeant for the Northwest area of Farmington (indiscernible) district and field officer.

GUEST SPEAKER: Good morning Chairman and Commissioners. Tom (indiscernible), I'm the Field Officer (indiscernible) in the northern half of the state.

GUEST SPEAKER: Good morning. Robert Griego, Colonel of Field Operations.

GUEST SPEAKER: Mike Phillips from the Treasury and Endangered Species (indiscernible).

GUEST SPEAKER: Good morning, (indiscernible) Kirkpatrick. I'm the other Assistant Director for the Department of Game and Fish.

GUEST SPEAKER: Good morning Mr. Chairman and Commissioners. Stewart Liley, Big Game Programs Supervisor for Game and Fish.

GUEST SPEAKER: I'm Tamara Grover, I'm the (indiscernible)

GUEST SPEAKER: Good morning. Larry Johnson, owner of Soaring Eagle Lodge up here on the San Juan River. (indiscernible) and Secretary of the San Juan River Guide Association.

GUEST SPEAKER: Good morning. I'm (indiscernible) Dryer with the U/S. (indiscernible) Mexican Wolf Recovery Program.

GUEST SPEAKER: Good morning I'm Sherri Verret; I'm the Mexican Wolf Recovery Coordinator for the Fish and Wildlife Service in Albuquerque.

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

GUEST SPEAKER: Good morning. I'm Chris (indiscernible) and I work for the Mexican Wolf Project and (indiscernible).

GUEST SPEAKER: Good morning. Joel (indiscernible) with New Mexico Farm and Life (indiscernible).

GUEST SPEAKER: Elyse Mulsteen. I'm the (indiscernible) and Small Animal Program Supervisor of New Mexico Game and Fish.

GUEST SPEAKER: Good morning Mr. Chairman, Commissioners. My name is Chrystal (indiscernible)

GUEST SPEAKER: I'm Anthony Hampton, hunter and guide for New Mexico.

GUEST SPEAKER: I'm Chris (indiscernible), Compass West Outfitters, and Big Game Outfitter in New Mexico.

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Good morning. I'm Jennifer Cachero, New Mexico Farmington resident.

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

GUEST SPEAKER: Good Morning Commissioners, Martin (indiscernible) with Field Commission and (indiscernible) Division of New Mexico Department of Game and Fish.

GUEST SPEAKER: Good morning everyone. I'm Dan Williams. I'm the Editor and Depositor for the Department of Game and Fish.

GUEST SPEAKER: Good morning. I'm Carl Moffit, I'm with the Education and Information.

DIRECTOR SANDOVAL: I would like to welcome Carl. He's new to the agency, so welcome aboard.

GUEST SPEAKER: Good morning. I'm Sandra (indiscernible)

MALE SPEAKER: I want to welcome the Commission and the Department to Farmington. It's been several years since we've been here so I want to thank all the residents of Farmington for showing up at our meeting and hopefully we can do this again. So, thank you for being here.

CHAIRMAN KIENZLE: I would also like to say, I don't think Cory and Dave were here but we did a tour of Parks and Recreation yesterday in the City of Farmington and they were great. A lot of great things going on here and hopefully we can partner with them in the future. So we'll keep our eye out for those opportunities. Can I get a motion to approve the minutes of our March, 2015 meeting?

COMMISSIONER: So moved Mr. Chairman.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Aye's have it. Agenda Item No. 7: Awards of Excellence, Dedication to Wildlife Management. Director?

DAN BROOKS: If you don't mind Commissioners, I was going to turn this way just a little bit to face the public. Anyway, if I could, I would like to and I'm going to clip through these pretty quick but we do have quite a few awards because we've got a lot of employee that have done a

lot of great things for wildlife here in the State of New Mexico. So Chris Chadwick is going to help me with this. If I could first, get the Forest Service to come up, Anthony Madrid and Timothy Hendrix, they would like to recognize one of our employees and so as soon as I get them up here we're going to turn this over to them at first for the very first award if we could. And then if I could, also get Commissioner Espinoza to come up as well with recognition of this individual. Thank you.

TIMOTHY HENDRIX: Good morning everybody. So we definitely would like to take a little bit of time to recognize a few people. The Commission, the Department, but specifically, we have one employee that we would like to recognize that's really worked with us on habitat improvement projects over the last several years. So Donald, if you want to come up.

[Applause]

ANTHONY MADRID: So the mission of the Forest Service is to sustain the health, diversity and productivity of the National Forest and Grasslands to meet the needs of the present and future generations. So we feel that we align with the Department on Habitat Restoration and probably restoration overall. We've done a lot of work over the last several years, prescribe burning, big sage brush grassland restoration, water developments, just a whole slew of various projects. And one of the things that have allowed us to do that is our partnership with Game and Fish. Without partners these days, funding is very limited. And it's really the power of partnerships because we're able to bring in Game and Fish as a partner, it really makes our projects a lot bigger and we're able to attract a lot of other partners. So this past year, partnership with Game and Fish, Sportsmen for Fish and Wildlife, Oil and Gas Industry, we were able to implement a 5,000 gallon trick tanks that we installed on the Carson National Forest. Just a huge,

huge effort really shows the power of partnerships. So on behalf of the Carson National Forest, we'd like to present Donald an award.

[Applause]

MALE SPEAKER: Donald, hold on a minute. I've had the privilege of working with Donald for a number of years. You know, the passion and the knowledge that this man brings to this position is indicative of what a lot of the Department has to say. He really cares about what he does and it shows in the effort that's put on the ground by working with Forest Service and the partners like Anthony says, this man brings it all together and we've got lots of good stuff out on the ground. So Donald, thank you for everything you do.

[Applause]

DAN BROOKS: Very good. All right, our next award. Mike Sloan, are you in the audience? This actually is recognition from another State actually and so what I have here is an award actually presented to New Mexico Department of Game and Fish for the Costilla Creek Rio Grande Cutthroat Restoration Project and it comes from the Arizona Game and Fish Department and the Arizona Council of Trout Unlimited. So it's a pretty cool award and it actually represents the enormous amount of work that Mike Sloans Division has done with the Rio Grande Cutthroat Trout. Many of you may recall that it wasn't listed and we think part of the reason for that is Mike's big effort so I want to thank him and his crew for all that hard work. Thank you very much.

[Applause]

MIKE SLOAN: Dan thanks. I liked to thank Arizona and the Council of Trout Unlimited. Really, this is an award for the folks that are on the ground getting the job done and not for me. I'm just here accepting it. At least thank them when you see them.

[Applause]

DAN BROOKS: All right, my next recipient and I will tell you, we've tried to keep some of this quite so they may not know. You could see a shocked look on their face when I call them up. You never know. Scott Gunther.

[Applause]

MALE SPEAKER: I just wanted to add to that. On the way up here Scott was wondering why he had to attend the Commission Meeting. His boss told him because there was a problem with the vehicle order and the Commission had a whole bunch of questions for him.

[Laughter]

DAN BROOKS: So as Commissioners, if you have any questions now would be the time. Anyway, come over here Scott. Really, one of the things we wanted to do, Scott is one of the behind the scenes people that makes things work. He's the one that keeps the trucks rolling down the road. He actually is the one that keeps the officers in uniform. So all of things that we need that probably the public never thinks about, Scott's the go-to person on that. So he actually puts the "O" in Organization and we really appreciate it. You know it's quite a task to keep these vehicles running and not only that, the Commission is going to hear a little later about a request to dispose of items and Scott's going to be intricate with that as well. So he gets our items moved, brings them in. Our old ones, they get recycled out and that's all thanks to Scott's efforts and we just wanted to recognize him because truly here at the New Mexico Department of Game and Fish, as we work as a team, but we really couldn't do a lot of our stuff on the ground, our biological work, our law enforcement work without him, a person like Scott. So I just wanted to take a moment here in the public and thank him and recognize.

[Applause]

SCOTT GUNTHER: Thank you, thank you very much.

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DAN BROOKS: Next up, another shocked look I'm sure, Tony Jacobsen.

[Applause]

DAN BROOKS: All right, Tony is our Manager there at Seven Springs. He's done a wonderful job for us raising cutthroat trout. Now when he came on, they were raising around 24,000 trout and now since he has taken over as the Manger we're up to over 500,000 trout a year.

[Applause]

DAN BROOKS: I have if we're going to keep restocking and restoring a species into the wild and so that's exactly what we need so it's really, I don't know how to say it, "Tony, you kicked butt". That's great.

[Applause]

DAN BROOKS: Then next on my list, Lance Tyson, come on down.

[Applause]

DAN BROOKS: All right, Lance. By the way, this is great. I will tell you and I don't know how long Lance has worked for us but one, I have never seen him in a suit and two, he has never been to a Commission Meeting. So I told him, you can knock that off your bucket list. By the way I forgot to read this. I'm sure you all can look at the plaques later on in the break but the plaques basically give some information but this one in particular, Outstanding Information Support Employee, 2015. Now, what Lance does is he is the GIS Program Manager for us and so all the stuff that has to do when the biologists go out and do the surveys, Lance is the one that helps with the mapping. We recently went through this carry-map that's now on line. People can go, as a hunter you can go on the VLN website. You can get the land status and it even goes to your phone and it will show you where you're at and that's all part of Lance's hard work behind the scenes to make that happen. So he's our go-to guy when it comes to GIS,

Mapping, and all those things that people like to see. Where's the deer, where's the elk? I'll almost guarantee you somewhere in one of Lance's files there is a dot somewhere on a map that shows where the survey information is. One of the other things he's a go-to guy for me at least is, we get complaints from time to time about people poaching and they'll give us a location, they might say a canyon or a trick tank, and I can just go to Lance and he can pop it on a map and send it right out to the officers which is wonderful work that he does for the Agency and just another person that supports behind the scenes that the public may not ever think about or know about but he's helped the biologists and the officers once again in the field to get things done so I'm proud to present him this award.

[Applause]

DAN BROOKS: One more if you'll all just bear with me and as I say one more, it's actually three people. If I could, Star Gonzales, Jessica Fisher and Lance Cherry, come on down.

[Applause]

DAN BROOKS: We wanted to recognize these three individuals to gether. They work so well together and they actually do work day-in and day-out, so 8 to 5. These three are actually interacting a lot together. We gave them some big responsibilities and big tasks this year. We had our first ever Governor's Special Event Auction and we also took over the old Bob Gerding Outdoor Show which of course, Dick Gerding is up here as well in the Farmington area but it just helps bring people together and spread the word of outdoor recreation and enjoyment. The three of them, I gave them some pretty tough deadlines. They had to pull all this together by February. I think I talked to them sometime maybe in November or December and said, "Come on, you can do this" and they did rise to that challenge. The three of them worked so well together and we just wanted to recognize them for their efforts where they basically, their efforts have reached tens of thousands of people and just spread the word of outdoor recreation, Game and Fish, Wildlife Conservation and just getting out there and enjoying New Mexico. So, it's an award well deserved and I want to thank each one of you if I may.

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[Applause]

DAN BROOKS: All right, thank you Commissioners for indulging me. That is the end of the awards.

CHAIRMAN KIENZLE: Thank you. Agenda Item No. 8: Request from Turner Endangered Species Fund to Import and Possess Mexican Gray Wolves. Mr. Phillips?

MIKE PHILLIPS: Mr. Chairman, Members of the Commission, as I said earlier, my name is Mike Phillips. I service the Executive Director of the Turner Endangered Species Fund. I'm here today in support of our request for a renewal to our permit to hold Mexican Wolves in captivity at the Ladder Ranch. I served as the Executive Director of the Fund since co-founding the effort with Ted Turner in 1997. The fund aims to help conserve nature by insuring the persistence of imperiled species and their habitats with an emphasis on private land. More generally, I've been involved with imperiled species conservation work since the early 1980s specific to the request today. I've been involved with wolf recovery and conservation since the early 80s. I served as the first leader of the Yellowstone Wolf Restoration Project and prior to that I served as the first leader of the Red Wolf Restoration efforts in the Southeastern United States and I have served on every Mexican Wolf Recovery Team that's been convened since 1995. In 2006 I was elected to the Montana Legislature. I will serve in my Senate seat at least until January of 2017. My work as a conservation scientist and an elected official has made me keenly aware of the difficult, biological and sociopolitical issues that surround wolf recovery and conservation. And it's because of that, that you may recall when I testified in front of you when you were considering your new regulations concerning permitting carnivore or activities, carnivore or conservation activities on private land I stated that it seemed to me all together fitting. That you would make changes that would improve transparency and public awareness. And I applaud the Commission for taking that step. It's an honor for us to be here to speak about our work at the Ladder ranch. The captive facility at the Ladder Ranch for Mexican Wolves aides to sometimes breed animals in captivity but more importantly, it serves as a pre-release facility used extensively by the United States Fish and Wildlife

Service. It is important for that reason and it's important for insuring the genetic health of the sub-species. Since wolves first entered the facility in 1998, over 100 animals have been housed there per State and Federal Permits. No wolf has ever escaped and in 2012 we made extensive renovations and updates to insure that no wolf would escape in the future. To improve their survival in the wild, wolves at the Ladder Ranch are exposed to minimal human contact and a feeding regime that at least somewhat resembles what they will likely encounter in the wild. This pre-release approach for managing wolves at the Ladder Ranch was first developed by the Red Wolf Recovery Program in the late 1980s. It since has successfully been used by other imperiled species conservation efforts that are also reliant on captive bred animals including the Black-Footed Ferret Recovery Program and the Golden Lion Tamarin Recovery Program. As I stated, I'm here in support of our request for a renewed permit to continue to hold and breed as the case may be, wolves at the Ladder ranch as we have done successfully for the last 17 years. Given the long standing status of our work with Mexican Wolves and the absence of any problems, we respectfully request that the Commission approve our application for a renewed permit. Thank you Mr. Chairman.

CHAIRMAN KIENZLE: Thank you. Mr. Phillips, we may a question or two for you before you have a seat. Commissioners, any questions, any comments?

COMMISSIONER RAMOS: How are you doing Sir? My main concern is, and I'd like to get more of a feel as your long-term goal with the release of these wolves and where you're targeting what areas, New Mexico, other states, what's your goal with that? And what are the proposals that you all have been discussing and ideas on that Sir.

MIKE PHILLIPS: Commissioner Ramos, the intent of the Turner Endangered Species Funds is to assist with the recovery of the Mexican Wolf. That's the easy part of your question. The difficult part of your question should be directed to Miss Sherri Verret, the Recovery Coordinator for the United States Fish and Wildlife Service. We are not authorized to release wolves. We're not seeking authorization to release

wolves. We are a small part of a big federal program. And Commissioner, it's a great question, Sherri would be able to provide a much better answer than I could.

CHAIRMAN KIENZLE: That would be great. Thank you Sir. Sherri?

SHERRI VERRET: Good morning Mr. Chairman, Director Sandoval, Members of the Commission. I'm Sherri Verret. I'm the Mexican Wolf Recovery Coordinator for the Fish and Wildlife Service. So with regard to your question, we just recently, as you probably aware, in January of 2015 completed a revision to our experimental population rule to provide for further recovery of the Mexican Wolf south of I-40 down to the U.S. Mexico Border. In the State of New Mexico, that provides for the continued translocation of Mexican Wolves into the Gila National Forest. But it now also provides for the release of Mexican Wolves into the Gila National Forest on forest lands and it also provides for the release of Mexican Wolves from captivity onto the Magdalena District of the Cibolo National Forest as well. But those are the only areas that provide immediately for the release of naive captive wolves and those are the wolves that have never been in the wild before. The other provisions that we have though is that we could develop agreements with tribes or private land owners but with the private land owners only with the concurrence of the director of the local state game agency. So there would not be any agreements that we would be making with land owners without the concurrence of the state in that regard. We do have a provision for cross-fostering of Mexican Wolves which a lot of people are finding is a better way to get the genetics from the captive population out into the wild. Right now as you are probably aware, we started our whole program with only seven Mexican Wolves in our program before they went extinct. And so with those seven wolves, we built a captive breeding population with Mexico and it hovers around 260 to 300 animals. In the captive population we're able to control which wolves breed and we do that. We own all the wolves that are in those captive facilities, there

S about 55 of them throughout the United States and Mexico including the Rio Grande Zoo, one down in Las Cruces as well. We have several of them and we determine which of those wolves breed so we can

control the genetic and try and maintain that genetic diversity that we had with those seven individuals that we started with. In the wild we don't have that same luxury of course. We're allowing those wolves to be wild. And so what we do need to do is to continue to release wolves from captivity over time to enhance the genetic health of the wild population. We're no longer trying to increase the population in the wild with releases from captivity because their growing fine on their own right now. Our last count in February of this year showed a minimum of 109 in the wild. And so what we do now is we're looking at this concept called, "Cross-Fostering", which is where you take pups from the captive population at an age of about ten days old, very young, and then you put those into a wild den and then their raised by wild wolves. And what that does is reduce the nuisance behavior that we sometimes have with releasing of adult naive wolves from captivity. And so it's a way that we found that a lot of people on the ground are more amenable to because it does like I said, reduce that nuisance behavior that we've seen. The Ladder Ranch is really important in all this program that we have of trying to get those genetics of the captive program back out into the wild because they are close by and so for example, with cross-fostering program, we would then be looking at Ladder Ranch to assist us with that by putting the breeding pair that we have from the captive population at Ladder Ranch and then having those pups closer because at ten days old we have to move quickly. You can't have them away from their mothers care that long. We did try this cross-fostering last year in Arizona and it was successful. We will be trying it again in Arizona in the very near future. But we also find that it would helpful here in New Mexico as well. And like I said, the Ladder Ranch has been a key partner in this overall effort over the years. As Mr. Phillips said, they will not be doing any releases. That is the job of the U.S. Fish and Wildlife Service. They are simply a pre-release facility. We have three of them in the United States. Ladder Ranch, Sevilleta National Wildlife Refuge and also up in the State of Washington we have one. And so those are the facilities that we then bring wolves to when we want them to become more wild because a lot of these other facilities that are breeding, some of them are wolf breeding facilities and some of them are zoos, like the Rio Grande Zoo, they see more human activity. We don't want that before we release the wolves. We want them to be in very remote locations with very minimal human contact. They get fed once every four days

or so. The public is not allowed to go see them unless there's an event that we need to try to capture them for vaccinations or to release. So anyway, that is the request that Mr. Phillips is asking for is to continue to part of this overall Mexican Wolf Recovery program with regards to that role of a pre-release facility.

COMMISSIONER RAMOS: Ma'am, so what is your goal, ultimate goal out in the wild as far as, let's target the Gila okay? And you mentioned 109 that are currently there, is what your guess is. And I know that were boarding Arizona and to me your wanting to stimulate the population. So tell me, what is your goal in the Gila as far as number of wolves and kind of go with that. You know, wrap my brain around that.

SHERRI VERRET: Sure. In this new rule, we established a population objective of 300 to 325 Mexican Wolves between the area of Interstate 40 and the U.S. Mexico Boarder in both Arizona and New Mexico. And that's a population objective for this experimental population. We will be moving forward with development of a recovery plan which will de-establish the recovery goal for the Mexican Wolf which will provide those criteria for how we would need to then, when we could de-list and call it recovered. That's our goal. Our goal is to work ourselves out of a job.

COMMISSIONER RAMOS: Okay, so I hear that the 109 are doing quite well, correct? And my question is, why do you want to stimulate and get to that 300 mark and then once you get there, what are your plans to keep it there at that 300 level.

SHERRI VERRET: At the 300 to 325, we provide in the rule that they can be moved to Mexico, moved to another population, put back in captivity, or even at the last resort, and we don't expect to have to do that, legally controlled.

COMMISSIONER RAMOS: So one of your options is to put them back into captivity from the wild?

SHERRI VERRET: That would only be if they have genetic value to the captive population.

COMMISSIONER RAMOS: Okay, because that almost doesn't make sense to me. I know I'm not the expert on that but I do have a concern that once we reach that 300 and 325, I'd like to see really a tight proposed goals and objectives as to how we're going to maintain that. I have to be honest with you, I would like to hunt them some day and if we get a huntable population that's where I would like to go.

SHERRI VERRET: Well and that's the point at which they actually recovered. And like I said, the 300 to 325 is not the recovery criteria. That's still to be developed. But the point at which we can get them recovered and de-listed, then they come back under state management and then you can establish harvest limits. So that is the goal, that we would return the management of the Mexican Wolf back to the State.

COMMISSIONER RICKLEFS: Miss Verret, I'm curious where you came up with the number of 300 to 325. I was interested to hear that you are working on a recovery plan which I think many people have been looking for the last 15 years or longer. I'm happy to hear that but I think knowing where your going is where these questions are coming from and without a recovery plan we don't know that. In your recovery plan will it take into account the 90% of the habitat which is in Mexico?

SHERRI VERRET: I'll start first with the first question. The number 300 to 325 was informed by a scientific literature that's out there right now of what we would need to have in an individual population so that it could contribute to that overall recovery goal into the future. And so we would be looking at Mexico, we would be looking at other habitats that are available. That's the process that will come out of our recovery planning process. We first determined working with the States, what the number I that we need to have for a recovered population. We'll then move it secondarily to where we need to do that on the landscape. But first we need to go back right now and look at the vortex model that determines the population viability analysis that we've been working with. Look at the parameters that went in there and see if anything needs to be improved, updated based on the information that's now become available to us. We're continuing to learn as we move forward with our program about the Mexican Wolf and it's biology. We set aside the recovery planning process while we went through this process to improve the

experimental population over the last two years that included in an environmental impact statement. I'd like to extend my appreciation to the staff of New Mexico Department of Game and Fish for their expertise that they led towards that development of that EIS. It was incredibly valuable to us. Now that we've completed that process, we will then be, like I said, re-embarking on our process to develop a recovery plan.

COMMISSIONER RICKLEFS: Have you any idea the number which may be part of this recovery plan? Is it going to be 1,000 wolves?

SHERRI VERRET: We don't know that yet. That's what comes out this vortex modeling. That's the number, probably a range of numbers that will come out to inform us on. What would be a population that would be recoverable and persistent to the future?

COMMISSIONER RICKLEFS: I think it's very important to have that recovery plan because the way I understand it, it would have to take into effect the economics and the social issues of the wolves on the land. Like I mentioned, 90% of the habitat is in Mexico but it seems like 90% of the impact is on rural New Mexico and Arizona and there is huge impacts and those have to be taken into account.

SHERRI VERRET: Yes, and your right, that would be part of the recovery plan, is the implementation program, part of it that really we work with the stake holders to figure out the best ways to reduce the effects. And as you know, we've been working with the Mexican Wolf Livestock Coexistence Council recently to develop ways to offset both the direct costs of depredations but also the indirect costs that livestock producers may incur from weight loss and additional management.

COMMISSIONER RICKLEFS: That is important. Thank you Miss Verret. May I ask Mr. Phillips, congratulations on your serving on the Senate of Montana? You mentioned that your feeding scheme was based on the red Wolf Program in the East. Is the Red Wolf Program in the East successful? I understand their about to abandon that.

MIKE PHILLIPS: Commissioner Ricklefs the routine we developed for preparing Red Wolves for release to the wild improved the transition to a life of self-sufficiency. All we did was begin to feed them irregularly. Wolves live on a feast or famine existence in the woods so feeding them a bowl of dog food every day in captivity doesn't make a great deal of sense. Since we began that work so many years ago, we we're the first to say, "Holy Mackerel, there's got to be a better way to get this animal off of high grade kibble onto a meat diet and this feast or famine". And that's where this pre-release program came from. Now the Red Wolf Program has always been challenged by hybridization with coyotes. And what the United States Fish and Wildlife Service intends to do going forward, I'm not sure. I think the question is yet to be answered, can the Red Wolf persist in the presence of minimal management in a setting that supports a good number of coyotes. Commissioner, I don't know what the service intends to do. If they chose to terminate the project it will not be because captive born Red Wolves were not able to transition to life in the wild. They certainly can do that. Can they avoid coyotes? Well, sometimes not.

COMMISSIONER RICKLEFS: Okay, the permit you're asking for renewal does not include any importation , it simply is an agreement between your organization in Fish and Wildlife to hold animals and help with cross-fostering. And if you want to bring animals into your facility that will take another permit of importation, correct?

MIKE PHILLIPS: Commissioner, we were hoping to secure your approval so we can continue to operate as we have done since 1998. So we operate under what might be a can-do, a problematic permit and all the movement of animals to and from the Ladder Ranch. The grind of the effort is approved by the Director and her staff. We can everybody well apprised. The permit requires that before any wolf come or go from the Ladder, we secure support from New Mexico Game and Fish. So that's what we're hoping. It's just a continuation of what we've been doing successfully since 1998 and the Director or her staff may have better insights in what they imagine the mechanics of the permit to be going forward. But we're hoping for a continuation of what has worked so very well since 1998.

DAN BROOKS: Mr. Chairman, Commissioners, so what's in front of you is a request to possess these animals on their private land for up to a three year period. You might recall, you got this earlier with the Black-Footed Ferret and at that time when you got that request, you actually approved it for three years but with a yearly review. And so just to clarify and to split things up, the importation and release is a totally different process and that's vested within the Director of the Department of Game and Fish right now. So this one is just to possess these animals on the Ladder Ranch for a three-year- period.

COMMISSIONER RAMOS: Mr. Chairman, I'd like to add another question for Sherri. Sherri, you know we have 109 wolves in the Gila. They're being successful and their reproducing in the wild. Why don't you support the natural breeding and let that natural of the 109, I mean they're going to produce on their own. Why do you want to continue to look at adding some more that are born in a facility? And I'll tell you what, I really admire the work and all the efforts that are being done with the Turner Project. I'm in full support of the ferrets but to me when you already have them in the Gila and you want to keep supplementing them, I mean we already did all the supplementing right up front, we got them going. I think the 109 is sustainable right now and their reproducing. That's all great but why do you want to keep adding more? It's like you want to rush this project to reach that 300 goal of yours. It doesn't make any sense to me.

SHERRI VERRET: Commissioner Ramos, the question is, first of all, I want to just clarify that the 109 is not just in the Gila. The 109 that we have right now is a minimum count for all of Arizona and New Mexico. So that's mostly right now in Arizona on the Apache National Forest and on the Fort Apache Indian Reservation. But the key goal is we're not trying to grow the population from releases at this point in time. The population is on a positive trajectory and its growing fine on its own. Really, the only reason for the releases right now is for the genetic health of the wild population. We have two genetic key issues that we are looking at. What is the genetic diversity of individuals that we try and maintain to the maximum extent that we can? There's also the concept of kinship, which is the relatedness of the individuals out there. So while I might be genetically diverse myself, and this person over here is

genetically diverse, we also are siblings. So that's the kinship issue. So we do have some, for example, cousins breeding with cousins out there. We had a pair this last year that was actually siblings and we broke them apart and re-mated them with other wolves for release. So, that's our goal right now is that, like I said, with the cross-fostering that would be the reason is just to get some new genetic material through those pups from the captive program into the wild.

COMMISSIONER RAMOS: I'm right there with you on the genetic. You know it's no different than elk. I mean we have elk, you know I would love to trans locate elk from the Gila to the Lincoln and just kind of go around doing that, those type of things, but on the other hand, to me, elk are elk. These Mexican Wolves are Mexican Wolves. If they started with the original seven, I mean where's this other strain of genetics kicking into the picture?

SHERRI VERRET: There is no new strain of genetics that can kick in unless we find that secret wolf population that we don't know about here or in Mexico. Right now Mexico, as you know, they also, all their wolves were eliminated. So, we are working with that, the genetic diversity that we have from those seven unless we find a new wolf it's never going to increase from that. But the genetics in the captive population are much higher than they are the genetic diversities in the captive population, it's much higher than in the wild because we control who breeds with whom. So we have computer programs that we use to determine what's the best genetic matches each year, we determine which ones are going to be breed. And we're constantly transferring wolves among all of these facilities throughout the United States and in addition down into Mexico as well to their captive facilities just based on that computer program to match up the best genetic matches. You know and cross-fostering is not new to the agriculture community. I'm sure some of you are involved in that, it's been done with pigs forever. So the same concept. It's just trying to maximize the genetic diversity of that wild population and it's easier to influence the genetics while the population is small. It's much harder to influence the genetics of the population when it's larger.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER: Sherri, how many wolves from the Ladder Ranch have been released into the wild?

SHERRI VERRET: I don't have those numbers. I don't know if Mike....

COMMISSIONER: The past two or three years?

MIKE PHILLIPS: Commissioner, over the last many years there would have been dozens of animals that have come through the Ladder in route to being released to the wild including a couple of animals that have been released in Mexico. So it has been able to serve as a useful pre-release facility. Honestly, we wouldn't be involved otherwise. We're not interested in anything but advancing recovery that requires animals on the ground, in the wild.

CHAIRMAN KIENZLE: How many animals do you currently possess?

MIKE PHILLIPS: At this point in time, Mr. Chairman there is no wolves in the pens at the Ladder. There are a couple of reasons for that, in part we wanted to make sure that we were honoring your authority with your new regulations. The permit speaks to a maximum of 25. That's what can, the most that could reasonably responsibly be held at the Ladder. Typically, the number of animals in the facility is much, much less than that, typically in the order of six to ten. And as Commissioner Ramos pointed out, as you move away from this need of constant releases, the need for the Ladder to service as a pre-release facility will diminish somewhat. Ultimately, what the service may do going forward, is hold breeding pairs at the ladder to produce these litters of pups that can be used to strategically advance the success of the restoration effort in New Mexico and Arizona.

CHAIRMAN KIENZLE: So is the Ladder Ranch compensated for this work that it does?

MIKE PHILLIPS: The costs are accounted for through our base budget which includes monies from the Turner foundation and a contract that we've held with the United States Fish and Wildlife Service since

about 2003. Our Chief Biologist, Dr. Veza (phonetic) is here, she oversees the daily operations at the Ladder Ranch working very closely with the United States Fish and Wildlife Service and in the past, the State of New Mexico. We're proud of our relationship with the State and look forward to that continuing in the future. I think it's been great for the Natural Resources of New Mexico.

CHAIRMAN KIENZLE: Thank you. Mrs. Verret, good morning. Thank you for being here. You mentioned three facilities. One in Washington, the Ladder and then what was the third one?

SHERRI VERRET: It's the Endangered Wolf Center, is that right Maggie? Oh yes, I'm sorry, the third one is Sevilleta and National Wildlife Refuge.

CHAIRMAN KIENZLE: Does the service operate any of its own facilities or does it just use the private facilities?

SHERRI VERRET: We operate the one at Sevilleta and National Wildlife Refuge. We have staff that go down from Albuquerque and feed on about a four day period out there.

CHAIRMAN KIENZLE: Commissioner Ryan?

COMMISSIONER RYAN: I have a question actually for our Director. Could you advise us to, it's been my understanding that, at least most recently, that the Department and the Commission, it's been your stance not to support the U.S. Fish and Wildlife Wolf Recovery Program and not do anything to support that right now and I would like for you to speak on that.

DIRECTOR SANDOVAL: Commissioner Ryan that is correct. The stance of the New Mexico Department of Game and Fish in the State of New Mexico is that we are not in support of the current Mexican Wolf Recovery Program. We've stated a few times through written letters with Sherri and her crew. Our biggest issue is that there is no recovery plan in place. We don't know what the end game is for the Mexican Wolf population. And so at this point, the Department is not in support of the Mexican Wolf Program.

COMMISSIONER RYAN: Thank you Madam Director. To Mr. Phillips and Miss Verret, thank you for being here and being transparent with your plans and your ultimate goals and I can appreciate the passion and efforts that you and your team put towards the program. My issue has to do with the vagueness of the end goal. Commissioner Ramos and others have spoken. You know, south of I-40 is, I'm from Roswell, is definitely including my territory and our State is so heavily ranching in agriculture sustained. And so as I know your already aware of the economic impact to our ranchers and agricultural community and all of these unknowns about the end results, I think Commissioner Ramos spoke and said I'd love to hunt those one day but I have a hard time right now seeing how U.S. Fish and Wildlife or any of the other programs right now would love to see hunters hunting these wolves. I mean that's a lot of what ifs and hopefuls and assumptions and nothing concrete. I applaud the effort at the Ladder Ranch and all that you've done for so many years. My issue is not with that and the relationship of you with the State. My concern is that it's a pre-release facility that puts wolves into a program that's very vague at this point and so that's why I can't support it. I want to explain that rational. I want the Turner Foundation to continue its efforts of course because you've had so much success with other species. I know you all work very hard but it's because your permit would allow you to hand them over to a program that right now we don't, it's too ambiguous. I appreciate having genetic diversity. You know every species needs that. We want that for our deer and elk and whatever but there is so much of an economic impact and physical threat to our communities when you have children waiting at the school bus stop because of the dangers of the wolves being around. And coupled with the ambiguity of what our end goal is in the State with regard to the Mexican Wolf population, that's why it affects your permit in my eyes. If you would like to comment on that I'd love to hear what you have to say.

MIKE PHILLIPS: Commissioner Ryan, thank you so much for the very thoughtful response. One way you might find comfort in supporting the Ladder going forward is as Miss Verret pointed out, they're no longer involved in releases of large numbers of wolves. With 109 on the ground, then some probably the potential of natural growth is very real and will probably be realized about every year. The genetics are a

big problem for the Mexican Wolf and it's not as though you're creating new diversity by managing the genetics in the field properly. All you're doing is arresting the rate of erosion. The clock is the Mexican Wolf's enemy. And every generation that passes it's a little less genetically robust than it was before the clock started. So these cross-fostering opportunities with puppies that are born in captivity, placed in the wild at a very young age is a way to insure the genetic health is maintained as long as is possible. Using animals that aren't two or three or four years old that have been struggling with all of the consequences of life in captivity, these are youngsters that almost from a technical standpoint were born in the wild. Certainly raised in the wild. And that could be the most important role for the Ladder Ranch going forward and a way for this commission to insure that. The Mexican Wolf Program has less impact, less negative impact going forward than it might have otherwise. I think it's fair to conclude the United States Fish and Wildlife Service is going to continue to manage the genetics of that free-ranging population one way or another. So it may be the Commission's choice to do that in a manner that makes most sense to insure you've got animals best suited for life in the wild to minimize the frequency of conflict.

COMMISSIONER RYAN: Could you maybe do a comparison for me on how is the downward spiral of the genetic robust of wolves different than any other wildlife of species we talked about anywhere. I mean elk, deer, cougar, bear, how is this different than any of those?

MIKE PHILLIPS: Commissioner Ryan and other Commissioners, there is no difference except one startling fact. The Mexican Wolf went through a very, very small bottleneck. It went through a bottleneck that was defined by seven individuals and when you look at where those individuals came from and the time they were captured, they may well have been related. Some may have been related. So it's probably not seven distantly related individuals but rather more closely related. It's a genetic disaster on par with something like the Black-Footed Ferret where a very small number of founders started that program. The best analog is the Red Wolf Program, we spoke to that earlier. It began with a founding population of 14. But the 14 came from a winnowing process that included the capture of over canines. In Texas and Louisiana, those 400 were studied. Of the 400, 42 were allowed to breed. Of the 42, those that cast

puppies that looked the way a Red Wolf was supposed to look were kept and that was the 14. There was no winnowing process for the Mexican Wolf. It was just accepted. And so it was this very, very tight, very small bottleneck. It is a genetic disaster that needs to be managed very carefully because erosion is occurring with each passing generation.

COMMISSIONER RYAN: Thank you for explaining that and I appreciate that. I have just one more question to Miss Verret. You spoke about working with, and I just forgot in the organization I believe with some livestock organization that you said you were meeting with to try to hammer out some of these issues with the stakeholders. Could you expand on those kinds of meetings, when and where and the participation by stakeholders and what are some more ideas? Have you come up with to lessen that kind of impact?

SHERRI VERRET: Yes, thank you Commissioner Ryan. The group is called the Mexican Wolf Livestock Coexistence Council. It's an appointed Council of eleven members. It includes ranchers from New Mexico and Arizona tribes, county representatives and two environmental groups, the Defenders of Wildlife and the Mexican Wolf Fund who have been working directly with livestock producers to implement pro-active measures. So there's three main components of the plan that they put together in March of 2014 and those are funding for pro-active conflict avoidance measures like range riders of canteen or supplemental hay. There are depredation compensation and the depredation compensation is based on current auction prices as determined by the ranchers. It's not numbers that we come up with so it's based on current auction process which as you all know, private doubled in the last few years. And then the third component is the new innovative (indiscernible). It's called, Payments for Presence. It's a program that they have developed that. Like I said, recognizes the additional indirect costs of wolves on a livestock operation. Like the possible reduction of weight if there's a wolf moving livestock around too much and additional management costs on the part of the livestock producer. And so it's a formula base. They get a point, adept people apply and that the application process is open right now until June. You get a point if there's a wolf territory that overlaps your operation. You get another point if there is a core area

that's usually a den or a rendezvous site that overlaps your operation. You get a bonus point for every pup from that territory that lives to December of the year of its birth. You get a multiplying factor if you're implementing pro-active conservation measures. And then you also get a multiplying factor for the number of livestock that are exposed to the wolves. So you might have an operation for example of 1,000 livestock but only 200 of those are directly exposed to that territory based on your pasture rotations or whatever. And so based on all those points, you get a value for your operation and then from that we can prorate the amount of money that is available. The State of New Mexico, the money has come from the Livestock Demonstration Program from the Federal Government to the Department of Agriculture, New Mexico Department of Agriculture, they administer it. In the State of Arizona it goes to the Arizona Game and Fish Commission. And so that money then is provided and it pools based on by state and provided then to the producers in a check.

COMMISSIONER RYAN: And those programs are actually in effect right now or are they in the conception stage?

SHERRI VERRET: Their in effect. The depredation compensation and the provision of money for proactive measures have actually been in effect for a very long time through the Defenders of Wildlife. They stopped their program in September of 2010. The Mexican Wolf Livestock Coexistence Council Depredation Program started in September of 2011 and then just this last year in November of 2014, was the first payments for presence that were made out to the livestock producers. And like I said, they are open for applications from livestock producers. The payment for presence looks backwards. It looks to the previous year where the data base on your livestock production as well as where the wolf's were at that time. So we can then apply those data for the previous year.

COMMISSIONER RYAN: I appreciate this council that has met to come up with these creative ideas but how many meetings have been held with the actual public or the Cattle Growers Association or some of these others that aren't just hand-picked ranchers here and there. You know the public at large. I think

that's what the hump to overcome is, the perception and problems that the public have. They're kids waiting at the bus stop or maybe they're not a livestock operation but it's for their own family's sustenance. What are your plans with regard to that? Meeting with larger groups?

SHERRI VERRET: The group had a lot of discussions and I want to say that the Fish and Wildlife Service and the other agencies that are involved service liaisons to this Council. The Council had discussions about how to move the program out more into the public. They're thinking at this point they would like to have smaller group discussions with those groups that are interested versus very large public ones that might not be as amenable to discussions and then understanding it but they are having those discussions right now.

COMMISSIONER RYAN: Thank you very much.

COMMISSIONER MONYA: Sherri could I ask you another question or two? Fish and Wildlife Service I believe has got a recovery plan in affect and on the ground right now. However, there are some things that aren't included in that plan that kind of concern me a little bit. Do we have a plan?

SHERRI VERRET: We have a plan that was written in 1982.

COMMISSIONER MONTOYA: Okay, does that plan in effect, when you talk about the plan and what it has in it, does it have a maximum number of wolves that will be on the ground and what the effect of that plan is going to be when we reach that number of 300 or 325? Do we have a number in the plan?

SHERRI VERRET: No. Commissioner Montoya, back in 1982 when that plan was written, there actually were no Mexican Wolves left in the wild in the United States or Mexico. And so at that point that recovery team didn't know if it would even work to put wolves back out there. So they had two prime objectives, one was to develop a by-national captive breeding program which we've done. And then they said try to get at least 100 wolves out into the wild to see if it can work even to get wolves back into the wild. This year we achieved a minimum of 109 out in the wild. So we've met those two objectives but

they were not recovery criteria and that's what our next effort will be as I said earlier, we're going to start moving forward on a revision to that recovery plan now and that will come up with the number your looking for.

CHAIRMAN KIENZLE: Where are you at in that process?

SHERRI VERRET: We're just getting started right now. Like I said, we put it on hold during the last two years to complete this revision to the experimental population and the environmental impact statement. We're during some final admin records stuff right now but then our goal is to embark on that process in the very near future.

CHAIRMAN KIENZLE: So what does that process look like going forward now?

SHERRI VERRET: Well, like I said, it looks right now going forward of first starting with the vortex model to determine what the number of wolves are that we need. And then the second part of that would be determining where on the landscape those wolves would go. But the first part would just be determining what the population numbers are that we need to insure a population that can persist and not need to be relisted again in the future.

CHAIRMAN KIENZLE: I won't hold you to this estimate but what is your best estimate for completing that process?

SHERRI VERRET: Well, our hope is like around 2.5 years or so. That's our goal right now. It's going to take a lot of discussions with a lot of different partners to get that process in place. And I would again, invite the New Mexico Department of Game and Fish to join us in that effort if you find that that is as reasonable but we would definitely appreciate the expertise that your department has.

CHAIRMAN KIENZLE: So where's your next sort of concrete milestone in that process?

SHERRI VERRET: To go through this review with the states of the vortex model.

CHAIRMAN KIENZLE: And there's no particular deadline on that yet?

SHERRI VERRET: Not yet, no.

CHAIRMAN KIENZLE: Do you ever set a hard deadline on that or is it just an ongoing process?

SHERRI VERRE: It will be an ongoing process. Its better that we have some flexibility so we make sure that all issues are addressed versus setting a hard deadline that we can't go past if we have further issues that we need to resolve.

COMMISSIONER: Sherri, in the scheme of things, we've been talking about livestock. Where does it come into play say elk, deer? You hear the horror stories, Montana, Wyoming. Is there any part of the equation that here's our elk herd today or wolves go to here and our elk go to here, we know it's directly related. I'd like to help. Personally, I thank the world for the (indiscernible) hunting. That's just my guess. But is there any part of the equation that our elk herd is very healthy, I think our deer's okay, is any part where once we see elk we have a problem. Does anything come to play or you know it's too bad. That's the question.

SHERRI VERRET: Okay, good question. We specifically put into our new experimental population rule, the one that we did in January, a provision that allows for the state game agencies to provide information on whether or not there's an unacceptable impact to wild (indiscernible) herds. And that there's a process then that you go through with that. It's either a 15% reduction in the herd or as otherwise determined in the management plan that you have, the management goals you have with those herds. And then you provide us with information, you know what the information that shows that it's wolves and not some other causation factor out there, whether it's other predators or disease or drought or whatever. And then we work with you to determine if it's appropriate then to remove wolves which can include lethal removal as well to address those (indiscernible).

COMMISSIONER ESPINOZA: Sherri, along that same line, I appreciate and absolutely commend the efforts of the livestock industry because it's like Commissioner Ryan said, it's a social issue and economic issue to them and the people that live there. This Commission is entrusted to wildlife and everything that I've read in New Mexico what you're doing. Going further on Commissioner Salopek, there's nothing that says there is a hardline of when. If we reach that 15%, by the time we conduct more meetings on it we're two or three years down the road where we're going to end up in the same situation. My fear is what's happened in Idaho and Montana where it was too late. I just don't see how we can support anything like that unless we have some concrete stuff that says, now. I understand that now is kind of hard to determine or gauge but I just don't want to see our elk herd which is world renowned in the Gila to be decimated before we can actually go in there and do something. So that's one reason that I have a hard time supporting this. Mr. Phillips, I applaud the Turner foundation. I know the Turners. I applaud the endangered species. I think it's an amazing program of what you guys have done, private dollars to do that, us as U.S. Citizens don't have to pay as taxpayer dollars but it's hard for me to support a program that is supporting something that I don't believe in. Although, I fully probably am aware that if we don't renew your permit today that your efforts would just move to the Sevilleta so it's not going to mean anything. I think it's more on principle if that makes sense.

MIKE PHILLIPS: Commissioner Espinoza, I don't know what happens if you guys don't act favorably on our permit request. There are lots of twists and turns. I will say, it will not sour in any way our relationship with the state of New Mexico and Game and Fish. Chiricahua Leopard Frogs and Chupadera Spring Snails and Rio Grande Cutthroat Trout and Rio Grande Suckers and Rio Grande Chubs and Desert Bighorn Sheep and the Bull (indiscernible), all of those things that we get to do with the State of New Mexico matter independently of the Mexican Wolf Program. And we firmly believe that good professionals can agree to disagree. Now I have to comment as a Legislature from Montana and I've been there for a long, long time, this notion and I know its way off Mr. Chairman, I appreciate you letting me digress, it's off the notion of our permit but the notion about wolves and ungulates in Montana. For many

years I've been the ranking minority member on the Democratic side for our Fish and Game Committees in the Legislature. I serve on Montana's and Romanick Quality Council. I see the data. Most game management units in Montana are at above objective for elk for example. In many places of the state there are entirely too many of them. We considered several bills in the legislative session that just concluded that would reinstitute late season harvests and depredation hunts because there are entirely too many elk. They're still robust elk hunting opportunities for the public, both the trophy hunter and the meat hunter in the State of Montana. Montana is a very different ecological setting than New Mexico. I can't predict what it would be like here. And I know the Gray Wolves have the potential to kill a lot of ungulates. That's how they make a living. If Grey Wolves have any effect on the landscape as an ecological engineer, it's because they kill stuff. But, in Montana there are tremendous big game hunt. You folks should come to Montana and go hunting because it's a great place to hunt elk. I appreciate the concerns but please know that Montana's elk and deer herds are in great shape. We're proud of that. (indiscernible) Parks is deeply committed to the resources there as you guys are here.

CHAIRMAN KIENZLE: Let me make a little speech. I don't often make speeches but I'd say the majority of the people in this room don't like top-down management, probably even from this Commission. Certainly from Washington we don't like to be told what to do out here but we do like to cooperate. What's of concern to me and I think Commissioner Ricklefs started the ball rolling, is a written recovery plan that we can get our arms around and digest and work with in the future. Now I know, using an (indiscernible), and we always get beat to death right? You have out of date data, you're not up to date or whatever. So we're using something from 1982. You've answered my questions thoroughly I think. You know that you're in the process of updating that recovery plan. It's not going to happen overnight. I prefer to have that in hand before we renewed any permit. You know, understanding that this is an important project, at least to the service and to the Ladder Ranch. I'm amendable personally to renewing the permit but I would probably put it on a short leash because I want you to get your recovery plan done and I know how the federal government works on these things and it works slowly. And I know you want

to careful and you want all the stakeholders to have their say but I'm not going to wait around until I'm an absolute old man for a recovery plan. So, in terms of the renewal, my sense of things is, I'm not happy about it because I tend to agree with some of the comments that I've heard here today that philosophically are kind of opposed to it. I don't like being told what to do from Washington but I think with an actual written recovery plan in place, then I'll make better and more intelligent decisions. So, I'm not saying yes and I'm not saying no but you all have to go do your jobs and it's not going to be sufficient for me should I be sitting on this Commission a year from now or two years from now, hey, we're still in the process. So, get to work and get the States together, get the stakeholders together and get some better numbers. Because I know we're always told that but your numbers stink, they're out of date, go do your homework. You know we're constantly trying to update so I sympathize with you. It can't always be done overnight, you have to get personnel money. You've got to put people in the field. You've got to do a lot of things. But I also think you have to get to it. So anyway, enough speech making. Further questions or comments?

COMMISSIONER: The renewal is for three years?

CHAIRMAN KIENZLE: Two and a half is what the proposal is I think from the fund, correct?

COMMISSIONER: Could we do it one year?

MIKE PHILLIPS: I think we can. Mr. Chairman, you guys can do about anything I recon. The two and a half year mark, we just imagine that it would effective, the renewal, it being the renewal through the end of 2017 and that's if this is acted upon in mid-year 15. That's where you get the 2.5 years. In the past, we've always operated that everything we do, animals coming, always go right through the Director's Office, they see it, they provide approval, all against a permit that in the past has spanned a year. Sometimes it has spanned more than a year. But every activity that matters is always seen by the Director and her team before that activity is acted upon.

CHAIRMAN KIENZLE: Director, when does this permit expire or is it expired already?

SHERRI VERRET: It expires I believe next month.

COMMISSIONER: Can we amend the motion to renew it for one year? Is that feasible?

CHAIRMAN KIENZLE: I believe we can. The permit, it's not a hard and fast number in terms of years I don't think so I'm sure it can be amended to one year.

COMMISSIONER RICKLEFS: Mr. Chairman, I believe I would like to read the permit to know the parameters and the restrictions and so forth and I've not seen that.

CHAIRMAN KIENZLE: In terms of beyond possession and then looking importation, when do you expect to import next?

MIKE PHILLIPS: Mr. Chairman, we very much work and follow at the (indiscernible) and follow the lead of the United States Fish and Wildlife Service. Miss Verret may know better what their needs are for managing the captive population as it speaks. At some level it is disappointing to us that we've got a top flight facility, you guys should come visit. You're always welcome and we're proud of what we do and it sits empty and idle. And so we would hope that as soon as the Commission acts ideally favorably, we're able to put the facility back into service. Miss Verret may know exactly when they would be proposing to move animals back in. I've not heard a hard date on that.

CHAIRMAN KIENZLE: Director, what are the terms of the permit just as Commissioner Ricklefs suggested? And then what are the typical conditions that are put on the permit?

SHERRI VERRET: So the terms of the permit as it stands right now is to when they bring those wolves in they have appropriate health certificate. Their appropriately permitted through Fish and Wildlife Service and then the restrictions that we place on that is absolutely no wolves may be released or handled outside of that facility. So anything to do with the wolves that come in, their prodigy of the cross-fostering pups that are associated with them, they must be contained within that facility and can not leave. And so that's the biggest restriction that sits on it. It is truly a holding facility.

CHAIRMAN KIENZLE: Are there any conditions or restrictions on the permit that the department would like to see but have not been attached to the permits in the past or do you find the permits to be sufficient?

SHERRI VERRET: I think that current permit in terms of holding in the facility is appropriate because we do place those restrictions for only housing those animals and not moving them or doing anything with them. So as far as this permit goes, it's under the scientific permit side of our business and it's appropriate for what we have right now and they have it adhered to that. There's a steed book that they have to keep anytime that there's any type of movement or request that steed book has to be updated and that sent in with that request. So they have complied with that piece of the fund.

CHAIRMAN KIENZLE: In terms of review and investigation by the department, do we ever send boots on the ground to go investigate the facility and check-in and say hello?

SHERRI VERRET: I know we have done that. Not in the last year that I've been Director am I aware that we actually done it during my tenor but I know in the past we have sent folks out and they've done an inspection.

CHAIRMAN KIENZLE: And to your knowledge any problems with that inspection? Anything come up that commission?

SHERRI VERRET: No. They've been more than open. They showed us their steed books and they kept all of that information up to date.

COMMISSIONER: I don't have a motion in front of me but I would be amenable to and vote in favor if we would limit it to the end of 2016. But I don't see a motion in front of me.

CHAIRMAN KIENZLE: We're going to take some public comment first. Mr. Phillips, you have a comment card. You're free to speak at any time.

MIKE PHILLIPS: I wasn't sure of the process so I'm done.

CHAIRMAN KIENZLE: Thank you for being a good sport. You will get the opportunity for some rebuttle. Brandon Wing?

BRANDON WING: Hello. Thank you Mr. Chairman, Commissioners, Director. I'm a sportsman. I love elk hunting. It's one of my favorite things to do in the world. I think you need to grant this permit and I wouldn't even limit it to the time-period that you have. This is just trying to work with the genetics and all the issues that you have about wolves and the hunters. As hunters you know, we're supposed to hate wolves and I understand that. My friends probably won't take me to lunch when I speak in support of a permit. But the Turner Foundation, Turner ranch Outfitting, the Turner Ranches, I think their probably the best steward of the land, private steward of the land in New Mexico. They do so much for the Mexicans I think that you can't not give them the things that they want that you may not want very much because they do so much for us. As a sportsman, you know, I mean, you go down and you drive by the ranches and I really like seeing them. Their well-capitalized. And if you limit the time on that, you know they've got a lot of money invested in capital already down on the ground. They're going to have to come up with a budget for the operating and they donate so much to the sportsman of New Mexico that I think that as our representatives, the Commission needs to maybe bend backwards a little bit or be lenient or give something that you may not want to and give them the permit. They are one of our very best stewards of the land in New Mexico. The Bighorn Sheep just alone, I mean millions of dollars. You can't even quantify what they do for the State. I think you have to treat them specially and give them what they ask for even if you don't agree with everything that they do. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Wing. Douglas Auckland?

DOUGLAS AUCKLAND: Thank you Madam Director and Commissioners for allowing me to speak on this subject. I'm a concerned sportsman speaking for myself. I've heard a lot of discussion to day on the well-being of the Mexican Grey Wolf. I've heard a few comments about the concern of its prey base. I

would like some technical information as to the number of animals a given wolf can harvest a year or a month per animal, you know, per wolf because with 109 or with 300 or 325, that could be become a substantial number. We don't have the luxury and the habitat that some of the states that are further to our North. Our draw permits for the season were just completed the other day and I know a number of heart broken hunter, especially elk hunters, that were not successful. And anything that cuts into that prey base, anything that cuts into the herd of our elk or deer directly impacts licenses for the hunters. Another question I have, and it sounds like ultimately the goal is, to have wolves introduced into basically the entire State of New Mexico. Their satiny right now South of I-40 but I'm hearing this National Forest in Magdalena. I'm hearing private land. Where does it stop? If I was a poacher and I was apprehended by an officer, I could be fines as much as \$11,000 for a trophy elk, \$10,000 as a fine for the animal and \$1,000 criminal. Who's paying for the number of elk and deer that are being harvested by wolves? Is there any method in which to reimburse the owners of that animal, which are the citizens of the State of New Mexico, to reimburse them for that loss? Their talking about cattle and how they would reimburse the ranchers but nothing has been said about the prey base. I was hunting in Unit 10, elk a few years ago and here comes this guy in with a big stock trailer and a tent and he threw it up and I looked at his license plate and it was Idaho. So later we stopped by to have a cup of coffee and talked to him and I said, "What are you doing down here from Idaho hunting Elk?" He said I come down here because they told me, I guess the Game and Fish or someone, that Unit 10 had some trophy bulls. I said what about Idaho? He said we used to have trophy bulls but the wolves have taken care of that. So those are some of my concerns and I appreciate the stand of the New Mexico Game and Fish regarding the re-introducing of the Mexican Grey Wolf. One other point, in 1967 I was hunting deer north of Guadalupe Mesa on the North side of Mount Taylor. At 11:00 at night I was going around on a dirt road to where I was going to go hunting. Came over this little nob and in front of me was a German Shepard dog. I was 50 or 80 miles from no place. And I thought, what's a German Shepard dog doing out here? Then it turned in my headlights and I saw it. It was a Mexican Grey Wolf and this was in 1967. Thank you very much.

CHAIRMAN KIENZLE: Thank you. I have two comments on that and no questions for Mr. Auckland, thank you, just two comments. Do we have someone on staff who can talk about the prey issue?

MALE SPEAKER: Mr. Chairman, Commissioners, yes, there's been a little research done on predation rates of wolves on prey species, primarily elk. As stated earlier by the service by Sherri, elk are the primary prey source for Mexican Grey Wolves constituting roughly 90% of the diet of the current Mexican Grey Wolves. There hasn't been as much done in New Mexico and Arizona on predaciousness of this specific Mexican Grey Wolves but if you look at more intensely studied populations of wolves across the United States, specifically the Northern Range of Yellowstone where they were reintroduced, they saw some predation rates of about 2.1, 2.2 elk per wolf per month basically is what they were looking at some of their winter predictions.

CHAIRMAN KIENZLE: So, I'm no math whiz. Is that statistically significant, that number?

MALE SPEAKER: Mr. Chairman, yes it can be statistically significant. One of the other big findings that maybe found in there is a reliable measure that you might be able to get out as a kind of wolf to elk ratio where we start to see some significant impacts on populations. For example, of maybe wolves exceed a threshold of 3 to 5 per 1,000 elk is when they start seeing dramatic declines in the population. One was in particular, the Northern Range Herd that's probably been discussed more than any elk herd in the nation. I heard one from about 17,000 elk in 1997 to about 4,000 elk today but that was during a slide of wolf increases and again, researchers were finding when it got to the threshold of about 5 elk per 1,000 wolves, they saw some bigger increases and bigger impacts. In different areas they were seeing mass in fire hold, 12 wolves per 1,000 elk and that's when the significant impact really started.

CHAIRMAN KIENZLE: Thank you. That was very helpful. The second comment is, this does sound like something that would fit neatly within our recovery plan so we can understand just what we're dealing with out into the future. Thank you Mr. Auckland. That was a good comment. Miss Briggs?

MISS BRIGGS: Mr. Chairman, Commissioners. The New Mexico Cattle Growers Association and the New Mexico (indiscernible) oppose the renewal of the Ladder Ranch Permit to allow Mexican Wolves on their property. Both organizations are founded in the absolute protection of private property rights. It is certainly a right of the Ladder Ranch to hold whatever animal they choose on their property as long as they keep them there and do no harm to others. After their stay at the Ladder Ranch, wolves are released to roam over private, State and Federal Land and are alive to live off privately owned livestock and pets as well as wildlife that is held in the trust of the public. Thus, the Ladder Ranch is infringing on the private property rights of others. We respectfully request that the Commission deny the renewal of this permit and protect the private property rights of all New Mexicans. Thank you.

CHAIRMAN KIENZLE: Thank you. John Diamond and then Jack Diamond. Are you guys related?

JOHN DIAMOND: Good morning Director Sandoval, Members of the Commission, Mr. Chairman. I just got a few points here that I want to make. One is, in my opinion as a business owner, you cannot start a project until you have a plan or that's a direction of failure. One other thing is that my family's ranch is at Beaver Head and we have to drive through the Ladder Ranch to get there. I've had wolves on my back porch and one actually lethally removed. Probably the last wolf in the State of New Mexico lethally removed 100 yards from my house with my children. We also had wolves coming up to the vehicle with my children crying in it and I've got those both documented. If you guys would like to review them, we do have the documentation on those. So I think it's very important when you drive through the Ladder to speak, well that wolf came from the Ladder Ranch that's on my back porch. You know, you have to deal with it. Or if it kills a steer, well I just drove through the Ladder Ranch and here's my dead steer and that wolf came from the Ladder Ranch and that's pretty tough coming from that community of (indiscernible) the consequences. Another point is if I ask for a permit to raise wolves at Beaver Head, would you guys grant it to me and maybe somebody could comment on that?

CHAIRMAN KIENZLE: I'm probably not going to comment on something that's not before us today.

JOHN DIAMOND: But it's a pretty good point. I hope that you guys just don't just start handing out permits to everybody that asks for one and I think that's very important too. So I think the point more than anything and I didn't want to put you on the spot is, if the general public starts coming and asking for these permits, are you guys going to allow everybody to do it or is it going to come to a stop somehow? What's set in place on who gets what permit and how they get the permit and what their required to have the permit and I think that's important for the Commission to really consider because if not, everybody's going to be coming and wanting permits for this and permits for that and it may get out of control as well. My last point is, is it really necessary to have this breeding facility on the Turner Ranch? I think it's important that the Fish and Wildlife Service run the Sevilleta and I think they should be responsible for their own wolves. With this program and what I've been through with this program throughout the past, mostly since about 2006 is when we started seeing the issues, we have had very little support from the Fish and Wildlife Service. They tell you what you want to hear but they shove these wolves down our throats and I'm tired of it. So, that's my comments. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Diamond. Yes Sir, Jack?

JACK DIAMOND: Hello. My name is Jack Diamond. I live right in the middle of the recovery area. I'm not a Senator. I don't work for the government. I'm just an individual trying to make a living in the Gila. My family has been there a long time. Sorry, it's very emotional for me. I drive 20 miles a day to the lodge there at Beaver Head and I think of this program every single day on my drive and what could happen in the future. I don't hold anything against Sherri, the Senator, you know what? They have their views. But I can tell you for somebody that's on the ground there that this program is a failure. And he was talking about the hunting in Montana. Let me tell you, I'm also in the outfitting business. I take people from Montana and Idaho hunting because they have no elk where they hunt. So they actually come to New Mexico to hunt because there's no elk in those states in those certain areas that they used to hunt. The numbers might be the same, but they've moved out into the plains or wherever. I'm talking about certain areas, there's no elk. I would also like to tell you that I believe that there's an ordinance in Sara

County that just passed that said there is not supposed to be any releases, not releases but anybody is supposed to have a special permit through Sara County to have wolves. So I think before you pass this I think you need to check with Sara County and see. I do believe that they just passed an ordinance opposing any wolves in Sara County. So that might be something you need to check on. I would say that remember when this program started there was up to 100 wolves and now their already talking about 350. When's it going to stop? What happens when it's 350? Is it going to go to 2,000? We won't have any elk guys. We're already seeing what can happen right now in the Gila. Why in the world could we support something when people can't draw licenses and we're going to give it to the wolves? It makes no sense to me. I personally will not accept one dollar for this Coexistence Council that Sherri is talking about that I'm actually part of. And my family will not accept one dollar from it because we do not believe that we can coexist with wolves. The only way out for us I believe is to sell and get out and I think that would be a mistake because we have a great relationship with the Game and Fish. A great relationship with the forest. But every day I drive, I think about this program and what it can do to the wildlife of New Mexico and also my family's business. I also would tell you and I know I'm over, but I think their also building a super wolf and they were talking about the genetics. It's no different than cattle or horses. You can start with five horses and you can keep that bloodline going and you can develop a superior horse. It's the same thing. You start playing with genetics and I hope you give me just a little more time since I do live right there. I hope you will listen to me and just let me finish. But they can actually breed in my opinion, a superior wolf that was never here before with genetics from exactly from what they're trying to do. And that's what I would do if I was them. I would take the biggest male, I would take the biggest female and I would be breeding them together to produce a super wolf and I think that's what's happening. I would tell you, please check with Sara County and make sure that they do not have an ordinance. I believe it just passed and before I did anything, I would check with those county governments to see if there is an ordinance prohibiting this. I guess that's it. I appreciate you guys. I'm speaking from my heart from somebody that lives right there in that area and sees what could happen to our wildlife. And as far as hunting wolves, look, we're going to have a ton of wolves because there's not going to be anything else to

hunt. So thank you very much and I appreciate your time and I'm trying not to be disrespectful to the Senator, wherever he is or Sherri or anybody. I'm just telling you exactly how I feel. I know they have their opinions and I do not disrespect them in any way or anybody that disagrees with me. Thank you very much. Thank you for the extra time.

CHAIRMAN KIENZLE: Thank you Mr. Diamond. Kerri Romero?

KERRI ROMERO: Thank you Mr. Chairman, Members of the Commission. I'm Kerri Romero, New Mexico Council of Outfitters and Guide. First and foremost, I want to say thank you to the comments made by Miss Verret and also Mr. Phillips. I think is probably by far the most educated conversation I've heard on the Mexican Wolf or that I've been a part of so far. So I really appreciate all the comments that have been made. The outfitting industry is in opposition to the renewal of this permit. We're against the Fish and Wildlife Service expansion to the Mexican Wolf Recovery area and we see this permit as a step to releasing additional Mexican Wolves which at this point we are against. The wild population has achieved the original recovery projection of 1982 and so without an additional Mexican Wolf Recovery Plan, we don't see a need for anymore captive breeding of Mexican Wolves. It's no longer necessary to recover the species. And if you look at the wolves in the Northern Rockies, it's taken them a full decade after they reach their recovery numbers in order to de-list the wolf. We don't want to see the Mexican Wolves become the problem that the Northern Rocky Mountain Wolves have become. And this is what's going to happen if the permit is renewed without a responsible management plan set forth by the Fish and Wildlife Service. So what we would like to recommend would be that you hold off on renewing the permit until the Fish and Wildlife Service can provide a science based Mexican Wolf Recovery Plan that has a number of de-list to de-list. A solid concrete number where we could de-list the wolf if we need to de-list it. Thank you.

CHAIRMAN KIENZLE: Thank you Miss Romero. State Representative Paul Bandy, thank you for being here today. It's nice to see you again.

PAUL BANDY: I'm State Representative Paul Bandy. I represent the eastern end of San Juan County. First of all I'd like to compliment on Director Sandoval. She worked with us very closely during the last session and I really appreciate her cooperation and work that she did. So I'm really happy that you'll be continuing to be the Director.

DIRECTOR SANDOVAL: Thank you Representative.

PAUL BANDY: And I don't know what the procedure is here but is it okay for me to ask a question of Miss Verret? What is the budget for this recovery program nation-wide for this fiscal year?

SHERRI VERRET: The budget for the Mexican Wolf Recovery Program is about two million which includes salary operations in addition to money that we provide to other partners including agencies.

PAUL BANDY: And that includes the money that goes to the Turner Foundation for recovery?

SHERRI VERRET: It does. I believe that's \$29,000.

PAUL BANDY: Thank you. You know, it's my understanding that the Federal Government now is in debt for more than 17 trillion dollars and everyday it gets more. My constituents really consider this Mexican Wolf Recovery Program part of the problem. You know because for the citizens of New Mexico it seems like the effect it has are all negative. Both for the livestock producers of which I'm one and for the hunters and people that are involved in the outfitter business that make their money off elk hunting and also for the people in the Wolf Recovery area now where the kids have to be afraid sometimes and the county I understand is putting cages at the bus stops to protect the children from wolves. And so, the Federal Government owes all this money and is spending two million dollars a year for this program that has nothing but, it's my eyes, nothing but negative effect on the State. So I support the Director in opposing this renewal of this permit and doing whatever we can to stand in the way of this program. Thank you Gentlemen and Ladies.

CHAIRMAN KIENZLE: Thank you Representative. And Director, just to make clear, this is just a permit renewal for possession not for importation?

SHERRI VERRET: That's correct. Just for possession.

CHAIRMAN KIENZLE: I believe my last public comment on this is Commissioner Dunn, thank you for being here today. I appreciate it.

COMMISSIONER DUNN: You bet. Mr. Chairman and Commissioners and Director, thank you for the opportunity to speak today. I am here today to state clearly that within the boundaries of the Ladder Ranch there are 20,000 acres of State Trust lands. And in some of the documentation it looked like this was a private entity and it's not. I understand that the facility itself is on private land but there are 20,000 State Trust Acres. So I want to voice my concerns and opposition to the program. And that should wolves be released on State trust Lands where we consider this a violation of our grazing lease. There are over nine million acres of surface Trust lands within the State and we would consider nay release of wolves that would negatively impact our grazing leases and therefore the Public Schools of New Mexico. I urge the Commission to deny this request. In closing I thank you for your cooperation with the Land Office and we look forward to our future with New Mexico Game and Fish Department.

CHAIRMAN KIENZLE: Thank you Commissioner. I appreciate your comments. Well there's no particular motion on the table for this one. Let's go down the line and then we'll go back down the line until we're done. Commissioner Espinoza any further comments?

COMMISSIONER ESPINOZA: No, other than based on what we're entrusted for and the comments of the audience and the stance of the State of New Mexico and this Department. I would vote probably not to approve the permit just because it furthers the wolf program. Although I personally don't think it's going to make a difference one way or the other if we approve it or not approve it.

CHAIRMAN KIENZLE: Commissioner Ramos?

COMMISSIONER RAMOS: First of all I want to thank Sherri and Senator and Turner Gilp doing a great job with that. I just can't seem to see myself to support this and due to the long term recovery or lack of recovery plan, I'm just going to go and end right there.

COMMISSIONER RYAN: I concur with Commissioner Ramos that the vagueness of any recovery plan and then the current negative impact that are already being seen with part of the recovery plan that's in place. I cannot support anything that's even directly or indirectly supports the Recovery Program. So that would mean denying the permit as a whole. And I'm against any kind of special exceptions on the p[ermit for a year or anything like that I am in for denying it in its entirety.

COMMISSIONER MONTOYA: Let me wait until I listen to the other Commissioners comments and then I might have something that we could live with.

COMMISSIONER SALOPEK: You know I've seen the wolves seven times. I saw then the first year I believe when they were released in 98. My biggest concern has been the Game and Fish. I mean the animals, the elk. You know naturally the ranchers. Looking at it, trying that fence we have to ride. I could live with the maybe a year or end of the year with no releases. They're not important. They're going to be there. They've been there before. Knowing and hoping that, or knowing we will have a MOU of how many, the million dollar question is how many wolves. And Sherri you know it was 100, its 350, is I going to be 550? Is it a thousand? It won't work in New Mexico. I don't even think 350 will work in Mexico or Arizona. I can live with giving to where you all have done what you've done at your facility. I've been to your facility with Mike Roots, very impressive. I don' believe a wolf could get out of there. That being said, I don't know if I could go any further after this for any release. If we don't have a known number and what's pushing it? Is it that the environmental groups? Is it Washington? The wolves that we have out there are doing very well at 109 and I've seen them. I just cannot fathom being at 400, 500 or even a 1,000.

CHARMAN KIENZLE: Commissioner Ricklefs.

COMMISSIONER RICKLEFS: It has been asked directly, is this an import permit and they've answered no. I don't understand how they're going to get the wolves to the facility if none are imported. According to our regulations for us to agree to an importation, there has to be a plan in place. I believe I would not vote for this until there is a recovery plan in place.

CHAIRMAN KIENZLE: Well, we're back to the recovery plan it sounds like. That's just been a concern of mine from the beginning and as I said earlier, I might could live with a one year renewal of this provided there's some sort of concrete movement towards a recovery plan. But that's the best that I think I can agree to. That's not speaking for the Commission or the other Commissioners and I respect all of their opinions. But this all goes back to a recovery plan and I think we've been waiting years for it and dreadfully it's just not here today. I think that's just causing a lot of heartburn with people and sitting here today, I'm not sure how we would get around it. I will let you have the last word.

COMMISSIONER MONTOYA: Do we need to take action today because I think I've got something we might try. And I'm going to say this in, not in a motion but let's try a motion. Let's consider the approval of this permit for a period, let's consider the approval of this permit that we receive a management plan before we approve this permit that has a definite number of wolves that we will get to before we start looking at too many wolf numbers. And I can voice this a little bit better if we're looking at a specific motion. So I'm grasping for words Mr. Chairman with a little difficulty at time but let's try a motion that would say that we're going to consider the approval of this permit when we receive and approve Wolf Recovery Plan with a specific number of wolves written into the plan.

COMMISSIONER: But not for three years. How many years?

COMMISSIONER MONTOYA: Well, the notion that I've stated says that we will consider approval when we receive a recovery plan for these specific number of wolves written into the plan that's acceptable.

COMMISSIONER RYAN: I might amend that just in line with what Commissioner is saying. That we deny, I move to deny the permit in its entirety with the idea that the fund can always re-apply and it's encouraged that re-application at that time would come with a more defined recovery plan with scientific studies and research and more details that we're asking for but a denial of the permit and its entirety at this time.

CHAIRMAN KIENZLE: Give me one second. Mona, is that sufficient as a motion? May I, before we take a vote on that, I'm sure there's riders' rule of order that I'm supposed to invoke here so let's assume that I am invoking the right one. Does it make sense to defer a decision on this until June to give them a month to see if they can bolster their application for renewal?

COMMISSIONER RYAN: I would not consider information that's been put together in a months' time when they say they don't have it right now. So if something's being gathered in just a months' time is not going to be a science based response to the questions that we have. I mean that's my concern at this time. But whether that can happen within a year, they can come back and request a permit again. That's a whole other issue.

CHAIRMAN KIENZLE: So can you repeat your motion?

COMMISSIONER RYAN: Me?

CHAIRMAN KIENZLE: Yes.

COMMISSIONER RYAN: Okay, I move to deny the permit in its entirety at this time with the knowledge that the fund can reapply at any time for a permit and we have already laid out the things that we would consider at that time but deny the permit in its entirety at this. You can always re-apply.

COMMISSIONER: I second.

CHAIRMAN KIENZLE: Any other discussion? All in favor?

ALL MEMBERS: “Aye”.

CHAIRMAN KIENZLE: The Ayes have it. Colonel Griego? Good morning.

COLONEL GRIEGO: Good morning Mr. Chairman, Commissioners. The department has presented you all with a list of about 200 individuals who have been certified through the Human Services Department as being out of compliance with their Parental Responsibility Act and as you all well know that individuals who have been certified out of compliance are supposed to have any licenses suspended at that time. So you all have that list in front of you all of those individuals.

CHAIRMAN KIENZLE: Looks like the list from the last one.

COLONEL GRIEGO: That list is from the end of March, so by June we’ll have April and probably part of May. So I assume it will be 200.

CHAIRMAN KIENZLE: Any questions?

COMMISSIONER RICKLEFS: Bobby, every month it’s parental responsibility and never is it game violations. Do we never have any game violations anymore?

COLONEL GRIEGO: Commissioner Ricklefs, Mr. Chairman, I wish that was the case. No, we do have a list of criminal violations, wildlife violations that we do have that are coming up for (indiscernible). We’ve gotten two hearing officers on board and we’re just trying to catch up with that. Those should be occurring pretty quick. Hopefully, we will have a list of wildlife violators in front of you all in the next few.

CHAIRMAN KIENZLE: Any other questions or comments?

COMMISSIONER: I move to authorize the Department to administer these suspensions on behalf of the Commission including the issuance and service has been noticed of contemplated action to each individual listed that is out of compliance with the Parental Responsibility Act.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Ayes have it. Can I get a motion to take a brief recess?

COMMISSIONER: Yes.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: Let's take a brief recess. Agenda Item No. 10: Penalty Assessment Violations for Manner and Method.

COLONEL GRIEGO: Mr. Chairman, Commissioners, as you all know during this Legislative Session we had House Bill-202 sponsored by Representative Alonzo Baldonado. It passed the House and the Senate unanimously. What it did is it amended Statute 17-210.1 NMSA and gave us two additional penalty assessments to work with. Currently we have hunting small game without a license which is a \$100 penalty assessment plus cost of the license and the fishing without a license penalty assessment which is \$75 plus the cost of the license and fees. And it gave us these two additional, the first of which is going to be the hunting, fishing or trapping without the proper stamps. Basically, our habitat stamps are habitat management and access stamps and our two pole stamps. And what that's going to be is a \$50 penalty assessment plus the cost of whatever required stamps. The second penalty assessment is going to be for minor manner and method infractions which will be \$125 penalty assessment. And the way the penalty assessments work is when these individuals are out there in the field and they commit one of these violations, they have the option of choosing the penalty assessment in lieu of going to court. But they have that option. If they choose the penalty assessment, the set fine per say for like the stamps would be

the \$50 and then plus the cost of whatever stamp that their hunting without. If their hunting without a habitat stamp, that's a \$5 stamp so they would have to remit \$55. They would have 30 days to submit that money but they could continue on with the activity their doing. The copy of that citation would serve as that stamp for a certain period of time so they could continue on with the activity and not have to go into town to buy a \$5 stamp, the same with a manner and method infractions. With field operations, what we'll start doing is, and we're currently researching, trying to gather up some specific violations to bring in front of you all for your consideration and whether we want to make them penalty assessments. Once we come up with that list we will post it for public comment like we do everything else and then hopefully, get it in front of you all in time for the benefit of the fall hunting season. But again, the important part of it is that the violator does have the option if he chooses not to take the penalty assessment, they go to court just like anyone else. They would have an appearance in front of a judge. But it gives them that option. You know, over the years in my career, especially with the stamp violations, they often have asked us, well can you just sell me a stamp? You know where they've got a \$75 license or whatever activity their doing. They just didn't know they needed that stamp or forgot to get that stamp so this would give hem that option to go ahead and take the penalty assessment and continue fishing or continue hunting, whatever their doing and be legal doing so. The manner and method infractions, although what we would be considering the minor violations, a lot of them are going to be the common violations. As we develop them and put them in front of you for consideration it's all going to be based on how we can make our law enforcement a little more effective, a little more efficient. We're not going to be dealing with the egregious violations of where their killing our wildlife. It will be some of those minor violations that will keep our officers in the field where we hope that they can be a little more effective being out there dealing with helping our sportsman and keeping them out of the court system for those minor infractions that often times were not getting fines anyway.

CHAIRMAN KIENZLE: Could you go back a couple? So this dollar figures are those, those were the newly enacted figures by the Legislature correct?

COLONEL GRIEGO: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: So we have nothing to do with those penalty amounts?

COLONEL GRIEGO: Mr. Chairman no. Those are set by Statute.

CHAIRMAN KIENZLE: Thank you.

COMMISSIONER SALOPEK: Bobby, and I guess (indiscernible). To me this not having a stamp is almost petty. It was like when I bumped by fur bearing license and we had mandatory elk and deer up at the top and I forgot to go four pages down to do my mandatory trapping order that we bought over the counter. Is there anyway, and I know we've approached the Governor to tie in and hopefully we can get that done, a habitat stamp tied into each license. You know, I'm thinking about it last night after we talked, is there any way when you as a fisherman, woman and hunter, is there any way when you buy that first license that you're going to keep that it automatically pus on the habitat stamps? And then, when you buy the next one it carries on just so you guys don't have to go through this in the field? To me it's petty. We know we have to have one or the other. It's petty to not have one associated with the license. That's just my feelings.

FEMALE SPEAKER: Commissioner, I appreciate that sentiment. We've actually been talking about that internally where when you go to buy a license you just buy a license. Everything is already included in i. That would take statutory language for us to move forward with to allow that. And that is something that we will most likely bring to you for the next Legislative Session. I don't know that it will be during to the 30 day session because it's just financial but it may be, we may be able to do that. But we are looking to doing exactly what you are talking about. Where you go in to buy a license no matter who you are, what age you are, residency, you will be good to go. You say give me a fishing license and you'll have everything included. So we're working on that.

COMMISSIONER SALOPEK: And to the Governor's Office, this is not a new text. This is something we have to have. Use common sense and tie it in to something. With the computers we have now a days, it shouldn't be rocket science.

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, the benefits of the monies that we get off of these stamps is huge. You know it goes to a lot of like this drinker here, putting in a lot of those drinkers, those guzzlers around so the benefit we do get off of those stamps. Often times you know, without a doubt, we do run into individuals who just didn't know. But almost as common, there are some, they have a choice and they make it and we run into them. So the penalty assessment is going to really be a benefit for those but it's not going to take the officer discretion away on those legitimate, hey, I just had no idea, We do have to offer the penalty assessment but the officer still has a discretion on when it's a legitimate mistake to just go on with a warning and they would have that choice to going to town and buy that \$5 stamp.

CHAIRMAN KIENZLE: Do the penalty assessments get paid to the department?

COLONEL GRIEGO: Mr. Chairman, that's the benefit of this is that all that money from those penalty assessments does go to the Game Protection Fund rather than court cots which would go to the General Fund.

COMMISSIONER SALOPEK: What happens like in a fishing violation, the man (indiscernible) I had 1,200 or 1,600 fish? It can't be, oh well, you have 1,600 fish, here's a \$50 fine. At what point are you looking at break?

COLONEL GRIEGO: Mr. Chairman, Commissioner Salopek, that would fall under the minor manner method infraction on would it be exceeding the bag limit and that's something we would shy away from oviolations like that because in those instances we would not want that to be a penalty assessment. We would want that one to be heard in a court of law. So that's the process we're going through. I'm working with my Majors and my Captains all the way down to my field guys, having them look at our manner and

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method and the various to give me examples of some violations they would like to see, how common we're seeing those violations and just trying to put our experience into them on what would be the most beneficial use. But trying to avoid situations where we don't want to create a penalty assessment that is going to bite us later on when we do have that one case and that was one of those violations that we made into a penalty assessment. So we want to be careful with it. But to exactly avoid significant criminal activity would not be a penalty assessment.

COMMISSIONER RYAN: I just have a question. If they went with the penalty assessment, you know it's just minor things but does that go on their record? I mean if they go to court and then determined to be guilty in court that goes on your record. If they just did the penalty assessment does that keep things off the record?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, it wouldn't go on their record per say, it's not a conviction. It's just an admission of guilt and a promise to remit those so that penalty, it would in turn still get points toward revocation, we would have to put that in rule to fishing without a license regardless of penalty assessment or not is seven points toward revocation but it wouldn't go on criminal record because it's not a conviction.

COMMISSIONER RYAN: Okay.

COMMISSIONER ESPINOZA: Bobby, you said 30 days, so there's a provision within statute that says if they don't make, don't send it in what happens next?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza, the way that process works is they do have 30 days to remit. If they don't, basically, we suspend all their license privileges until it's paid up. I would be similar to if we have a civil injunction against them. Until they pay that fine, they are no longer able to apply or have any licenses from the department and that's been a huge benefit to the online system where we're really able to control that as compared to the old way. But they don't get a warrant for their

arrest because it's not a court process. This is just a voluntary agreement to admission of guilt and to pay that. But administratively, we can suspend everything until they pay it.

COMMISSIONER ESPINOZA: Bu the actual assessment doesn't go up or anything like that after 30 days?

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza, no, it would not.

COMMISSIONER ESPINOZA: Thank you.

CHAIRMAN KIENZLE: So you like this?

COLONEL GRIEGO: Mr. Chairman I do. I think this is going to be huge in keeping our officers in the field. There's a lot times that we're going back and forth to court on violations and honestly, with certain magistrates that we know, we're not going to get anything out of the deal. We'll get court costs at best. So this is going to be hugely beneficial on that aspect but more importantly, on saving our officers time to keep them out in the field where we need them to be. So, yes, it's going to be a good thing.

COMMISSIONER ESPINOZA: Mr. Chairman, just one more question.

CHAIRMAN KIENZLE: Yes Sir.

COMMISSIONER ESPINOZA: Bobby, just off the top of your head, manner and method. Let's take manner and method.

COLONEL GRIEGO: Some examples?

COMMISSIONER ESPINOZA: A number of how many you guys write a year.

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza, on average what we're suspecting when we look back through our data base and we take some of those infractions that we believe would be good candidates, we're seeing around six to seven hundred violations a year that are probably going to fall into

that category. And then probably on the stamps, right now we're seeing about two to three hundred a year. But like Commissioner Salopek, as time over time has gone on, our officers don't write a lot of habitat stamp violations or habitat management access stamps. It's often verbal warnings. So we think there's going to be probably seven to twelve hundred total on these boat penalty assessments, additional.

COMMISSIONER ESPINOZA: This is a significant amount of time that the officers are going to not have to go to court.

COLONEL GRIEGO: Mr. Chairman, Commissioner Espinoza that is correct. A lot of time, a lot of effort with specific case reports per our law enforcement plan. They won't have to write a lot of additional case reports that they would have to otherwise and time in court. So yes, it will be significant.

COMMISSIONER ESPINOZA: Good job.

CHAIRMAN KIENZLE: Any other Commissioner comments? We have one public comment. Garret?

GARRET VENEKLASEN: Good morning Mr. Chairman, Members of the Commission, Garret VeneKlasen, New Mexico Wildlife Federation. We just wanted to tie this conversation in with a letter that our Board President John Crenshaw wanted to end to the Commission and to the Department. We the New Mexico Wildlife Federation are pleased that today's Commission Agenda includes follow-up actions to implement statutes enacted during the past Legislative Session. We're proud to say that our organization actively supported the Game and Fish Departments Legislative Package, coordinated our lobbying with agency leadership during the session and we believe we're instrumental in helping get four out of five agency bills passed through multiple committees in both houses and ultimately signed into law. Success has included Senate Bill 231 Volunteers, House Bill 201 Talipia as a Game Fish, House Bill 202 Penalty Assessments for Minor Infractions and House Bill 203 Consolidating Military and Veterans Reduced Fee Licenses. We regret that legislation to make Black Motte Market Trophy killing a felony. Senate Bill 254 failed again but it was not from lack of support from the hunting community. New Mexico Wildlife Federation also helped turn away legislation we felt damaged the agency, sportsman and scientific

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wildlife management. Among those were proposed raids on the Game Protection Fund of six million dollars for State Parks and in concert with five other sportsman organizations, a 297,000 misappropriation to the State Engineers Office. We also lobbied against legislation to remove cougar from the Protected Species List. Double Land Owner Elk Authorizations, thank you very much Commissioner Salopek for being in those committee hearings. And increased harvest beyond acceptable limits. We were also there to oppose the ban on trapping on public lands and unconstitutionally exclusive state sovereignty over lesser prairie chickens. Ours was the only sportsman organization with a full-time presence throughout the 60 day session acknowledging that the Federation Commission and Department cannot always agree on all issues. The New Mexico Wildlife Federation will continue to actively support the professional wildlife managers of the agency and defend against legislative attempts to circumvent commission authorities. Our thanks to the Commission and to the Department for the job that you all do. And I just wanted to note that as a volunteer, our board president was at almost every single commission hearing throughout the 60 day session and was very, very supportive of everything you guys were doing. But we just wanted to acknowledge you guys for that.

CHAIRMAN KIENZLE: Thank you for bringing all those items to our attention and thank you for your help. We appreciate it. Commissioners, any further comment or questions? This is a discussion Item. When we will see this again?

COLONEL GRIEGO: Mr. Chairman, I believe we'll bring a proposal for your concurrence probably at the next Commission Meeting.

CHAIRMAN KIENZLE: Is that still a discussion or is that a final action Item?

COLONEL GRIEGO: I believe it will be probably be an action Item if we can get it put together and post it for public comment.

CHAIRMAN KIENZLE: Thank you. Agenda Item No. 11: Final Proposal to Amend Miscellaneous Permit Fees including those....

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COLONEL GRIEGO: Are we going to go to 12?

CHAIRMAN KIENZLE: We're on 11 right?

COMMISSIONER: We tabled that. Remember?

CHAIRMAN KIENZLE: We tabled that, okay. We'll just skip 11 since we've tabled it. Agenda Item No. 12: Review of The Law Enforcement Reports or Cases in 2014-2015 Relating to Multiple Tagging and Illegal Game with One License.

COLONEL GRIEGO: Mr. Chairman, Commissioners, field operations on the direction of the Commission. I reached out to the field in regards to seeing what they were getting on the ground as far as reports of exceeding the bag limit, attempting to exceed the bag limit, dealing with our new printable license system and basically what I got back was, in reality what we're seeing is this past year we had about 15 to 20 cases reports that actually initiated an investigation into reports of individuals like I said, either exceeding the bag limit or attempting to exceed the bag limit by harvesting an animal, getting the additional licenses that they had printed off and going back into the field. You know, to put that into perspective, it is a small number compared to the 75,000 licenses that we're putting out there. We do have about 75 instances, reports of violations of this going on but it wasn't either good enough information or specific enough that we could really institute an investigation. We did have two cases that were made in regards to this one elk case and one deer case where one, the elk and the individual did just exceed and did just that where he killed a smaller bull and then a couple days later with an additional license came out and harvested a larger bull that they made and then a similar case with a deer where the individual had an archery tag that was valid in September and then if you don't harvest it's valid January 1 to 15. And where they harvested a deer in September and then were out in the field hunting again in January. We have two more cases that are in the process of prosecution right now that are deer cases. Again, where they were hunting in September and then caught or seen hunting again in January, those cases are coming close to prosecution. So really Mr. Chair, in the grand scheme I can bring you large numbers that we're

making. These are very difficult. Really I think the important thing to come out of this is that we do need to really push for the continued technology because the hard part about this is this scenario. Is that I can check an individual on Monday with his animal, on Tuesday another officer can check that same individual with a second animal and we have no way to communicate that I checked him on Monday with an animal. And that's where I think that technology is going to be imperative that we can start working on tying up those loop-holes that, and not even the loop-hole, the way it is now it's hard for us to communicate and it's not just in the license system. But I think it just puts that technology on the forefront on data bases that we can as an agency, access and have real-time information at our hands when we need it to go forward. And I think that's just the way it is in the world right now. We just need to continue working down that path.

CHAIRMAN KIENZLE: Maybe the two of you can refresh my memory. We've talked about this more than once I think now to years and so where are we at on real-time reporting and getting you the information that you need?

COLONEL GRIEGO: Mr. Chairman, I do believe that Assistant Director Chadwick and INE has worked and still getting closer with that app. I haven't heard the specifics on that. We have been in discussion with administration the last year on some record management programs that will also assist with this. It just with this it takes a lot of money and time at times but I'm sure someone can give you an update on the app a little more than I can.

DIRECTOR SANDOVAL: So Mr. Chair, we actually have the vendor on board and they are willing to come to New Mexico and come work with us and start that process. So we got a huge step for it in the procurement process. The procurement of that service is finished and so now they will be coming out and their actually very excited. They have a whole programming team that they want to come out. We would be the first state in the country to do what Colonel Griego is talking about. So we're very excited their on board and starting that process.

CHAIRMAN KIENZLE: So what do you think? A year out? Six months?

DIRECTOR SANDOVAL: I believe the prototype has already been built. So to adjust it to New Mexico it will probably take six months and then we'll have to do some testing. That's best case scenario at this point.

CHAIRMAN KIENZLE: That's pretty cool.

COMMISSIONER RYAN: I have just one follow-up. So, the app really doesn't help address the people just re-printing licenses at their leisure but it will help you guys will be able to enter the information quickly and in real-time when you check someone so that if an officer then checks them the next day that information is in some sort of data base communication network that you know what each other are doing and different hunters that you've checked and where you checked them and if they harvested or not?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, that's correct. And where it's going to be beneficial is just that but the limitation is, it's the individuals that we check on that aspect.

CHAIRMAN KIENZLE: So really the next step is take your license and check it in somewhere within some period of time to show that you've taken an animal or whatever.

COLONEL GRIEGO: Mr. Chairman that would definitely assist with that for sure.

CHAIRMAN KIENZLE: Okay. Any questions or comments? Any public comments? That is a discussion item. So I don't think, we're not going to see that again. I mean you've given me the information I needed so the next step is on implementation of. Agenda Item No. 13: Reserving Two Elk Licenses for Non-Profit Wish Granting Organizations. Colonel Griego.

COLONEL GRIEGO: Mr. Chairman, Commissioners, Statute 17.3.13.5 authorizes you all to issue two Elk Licenses to kids who have been certified by a physician to have a life-threatening illness and that are working in conjunction with a Non-Profit Wish Granting Organization. In last year we've got currently

four that have been approved by you all. Hunt of Lifetime, Safari Wish, Catch a Dream and The Outdoor Dream Foundation. Last year the authorizations went to Catch a Dream and The Outdoor Foundation. So this year, what we're proposing is to have one of the authorizations go to Hunt of s Lifetime and the second to Safari Wish. Each organization selects their own applicant. The kids have to purchase their license. Typically, it's not the kids themselves. It's not coming out of their pocket. It's these organizations that come forward. And purchase their license is paid for. Their airfare, often they get them a firearm for whatever hunt it is. I know some of the groups have worked with Cabela's and they come with new camouflage and a new blind. It's hugely successful venture and it's just really a fantastic deal. So basically, the recommendation is that we award these or that you all award these two authorizations to the two identified groups for this year. The hunt would be September 1st through December 31st and I know in previous years the Commission has asked, can we extend that further but the reality is with these kids, they are pretty sick and the vast majority like to come in that September time-frame when it's not so cold. The elk are bugle and it just makes for a really fantastic hunt. So this has been very sufficient time-frame and it works with the kids schedules. It's long enough that if a kid does encounter additional illness which often is the case, you know they try to get just healthy enough to make the flight and get down here and sometimes they have set-backs that you have to put the hunt off for a little bit or so. It does need to be for a lengthy time but it's been pretty sufficient. The licenses are valid anywhere in New Mexico that they can legally gain access to any of our game management units or private land that they have permission on, excluding obviously any reservations and it is in either sex hunt. It's fantastic. You know it's equivalent to what would be considered the Governor's Tag. These kids obviously aren't trophy hunting. I've seen them kill some pretty decent bulls but often it's just 300 inch bulls that come in within ten yards screaming. It's really a fantastic deal.

CHAIRMAN KIENZLE: Is it limited to just two by law?

COLONEL GRIEGO: Mr. Chairman, that is correct. By statute we only have two. Reality is we work, I've worked with a lot of these organizations most of my career and have reached out to a lot of land

owners. So reality is, there are probably four or five additional out there that land owners have ended up that other kids come on. But this one in particular is set in statute as two and same with having to purchase their license. That's also set in statute.

COMMISSIONER RYAN: I'd like to see, I love the long time frame from September to December but I would love to see the Director have some discretion to expand it on either end of it in special circumstances. Just because of the special circumstances of these kids if things were looking pretty dyer and it needed to happen the end of August and not September, I'd just like, I mean ideally September through December but in certain circumstances if the child for some reason needed it to be outside of those parameters that the Director would have the discretion to do that.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan that would be set in rules so we could definitely effect that change as far as the time frames.

COMMISSIONER RYAN: I'd like to add that because that would just be an easy administrative thing that could do within the Department right? Director is that true? If we granted you the discretion to do that?

DIRECTOR SANDOVAL: Commissioner Ryan, I do believe that that's actually in rule, the hunt dates. So that rule is not currently open. We can certainly look at updating that rule for the future. As of today, that motion wouldn't be a valid one because it's set already. But we can certainly entertain that moving forward.

COMMISSIONER RYAN: Right. I just think that would be a good thing.

CHAIRMAN KIENZLE: Any other questions or comments?

COMMISSIONER: Mr. Chairman, I'd like to move to accept the Departments recommendation and reserve two Elk Licenses for two yet to be determined applicants to be sponsored by the non-profit wish

granting organizations, Hunt of a Lifetime and Safari Wish, SCI or alternate applicants should the primary individuals not be able to participate in their elk hunt.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: Anything you want to add?

DIRECTOR SANDOVAL: Mr. Chairman, I was just having a discussion with Deputy. I actually do, I can do that discretion so if we can change that motion or have an additional motion? We can rescind that motion and have another.

CHAIRMAN KIENZLE: Motions are cheap.

DIRECTOR SANDOVAL: I apologize. I thought it was set in rule.

CHAIRMAN KIENZLE: Commissioner Ryan would you propose? So we have one motion, so what is it called....

COMMISSIONER RYAN: I would move to rescind our previous motion.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

COMMISSIONER RYAN: The new motion would be, I move to accept the departments recommendation and reserve two Elk Licenses for two, yet to be determined applicants to be sponsored by the non-profit wish granting organizations, Hunt of a Lifetime and Safari Wish, SCI or alternate

applicants should the primary individuals not be able to participate in their elk hunt and further grant the Director be discretionary authority to extend the terms of the rules to accommodate special circumstances.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Aye's have it. Agenda Item No. 14: A Review of Other States that Have Online or Licensing Restrictions For A Convicted Felon Prohibited the Taking of a Game Animal or Bird with a Firearm.

COLONEL GRIEGO: Mr. Chairman, Commissioners, once again, field operations took the direction from you all to go forward and ascertain from various agencies across the United States that had an online license system, how their combating the issue of Felons applying for a firearm type hunt. Of all the individuals we left messages with and or identified ourselves, 23 states responded back to us. Basically, through our research in those that responded back to us, just across the board it's felons are restricted from possessing a firearm across the United States, every State has that. And really as far as we could find in our research and those that got back to us including all of the West and well, 23 States additional. There is not any wildlife agencies that have a wildlife rule or statute that is particular to combating keeping felons from applying for hunts. There is one State, Utah, that is similar to us and that they do have a disclaimer and they make the applicant check a box saying, certifying or attesting that they can lawfully possess a firearm. Where, although we don't have you check a box we did have that disclaimer pop up letting the individual applicants know that if you're a felon, according to New Mexico State Law that you can only hunt with archery equipment on any legal type weapon type hunts and also if their purchasing private land authorization that's for muzzle loader or any legal weapon type that again, they are restricted to archery equipment and we also define by State Statute that a firearm includes any rifle, handgun or muzzle loader. So, we're ahead of the curve I guess per say on compared to the other States

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and right on par with what other States are doing. They just fall back on felon in possession statute. It's against the law to possess it but not simply to apply.

CHAIRMAN KIENZLE: Would you take the results of what the Colonels found out and turn it in to some sort of internal memorandum we can use sometime in the future? Because I think it's helpful what you found out and I don't really want to reinvent the wheel. So if can find a way to write that down and add that so we've got it in the future. On our online licensing system, can we do something similar to what Utah does that has an actual check box?

DIRECTOR SANDOVAL: Mr. Chairman absolutely and I actually like the way they phrase that question, Can you lawfully possess versus the issue that the legislatures taken up in the past about asking the question about being a felon. So, yes, we can absolutely.

CHAIRMAN KIENZLE: Does that require a rule?

DIRECTOR SANDOVAL: Mr. Chairman, it's flipping a few switches to make that happen.

COMMISSIONER RYAN: Would it, I'm sure though it would be we would need a rule if, I mean, it's already illegal for them to possess a firearm and I guess those laws would be enforced had they checked the box that they were, you know, they can possess a firearm, they hunt, say their checked by someone who then discovers their criminal background and would, I'm sure the laws on the books will be enforced to get them regarding possessing a firearm but as far as like increasing or having some sor of double damages or anything to people that are not candid on the application, that kind of thing?

COLONEL GRIEGO: Mr. Chairman, Commissioner Ryan, right now currently under our wildlife rule we have rules that make it unlawful to give false information to procure a license. The kicker in that scenario I that our, what we consider rifle hunts are really any legal weapon type. So we can have felons legally apply for them and hunt with archery equipment. On those D-1 or E-1 hunts, the only way to really combat that is if we made those hunts rifle only and then you're taking a segment of the hunting

population that they enjoy going on the legal weapon type but they just use an alternative weapon. They use archery equipment.

CHAIRMAN KIENZLE: So the easy flipping of switches we can do that?

DIRECTOR ANDOVAL: Yes. We will flip the switch.

CHAIRMAN KIENZLE: Flip the switch. I'm not sure that requires Commission.

DIRECTOR SANDOVAL: No.

COMMISSIONER: That's a question like Utah, check the box.

CHAIRMAN KIENZLE: So that, it's not a great tool but it's another deterrent.

COLONEL GRIEGO: Mr. Chairman, what it's going to be is good circumstantial evidence when you do have that felon in possession case to show that they had predisposition to.

CHAIRMAN KIENZLE: Have we made of any of those cases in your...

COLONEL GRIEGO: Felon in possession?

CHAIRMAN KIENZLE: Yes.

COLONEL GRIEGO: Oh yeah, we get them.

CHAIRMAN KIENZLE: So this will make them think twice.

COMMISSIONER RICKLEFS: Can you leave that question on the license printed so the officer in the field can see that this person checked, No, I'm not allowed to have a rifle and therefore he's hunting with a bow.

COLONEL GRIEGO: Mr. Chairman, Commissioner Ricklefs, I'm sure we can.

COMMISSIONER RICKLEFS: It seems like it would worthwhile for the officer on the field to know whether or not this person checked it. Otherwise they might just, I know you're not allowed to but sell them a license anyway because...

COLONEL GRIEGO: If their completely truthful. Yes Sir, that would be good information to know that your sitting there toe-toe with a felon.

CHAIRMAN KIENZLE: But that's part of your real-time. That's kind of what you want to know is when you get ahold of that persons license and flash it into your system you would pull up how they answered that question.

COLONEL GRIEGO: Mr. Chairman, yes that could easily be part of it. Typically though, we're not going to know if someone is a felon unless we do a triple lie and run them, we have to have an investigation going on at that point and to run them through dispatch and do that query on them to know that they are a convicted felon.

CHAIRMAN KIENZLE: I would recommend starting with the easy fix first and then we'll go from there I think. That work for everyone? Mona, does that cause any problems?

MONA: No, but I have to read the rules to be able to answer truthfully. But a question that says if your legally entitled to hold a weapon or not carry one would be a preferable way then asking if they've been convicted.

CHAIRMAN KIENZLE: I guess from a commission perspective we don't have an Open Meeting issue in terms of this?

MONA: No.

CHAIRMAN KIENZLE: Okay, that's all I want to know.

MONA: Then for disciplinary issues afterwards if they do lie then you know Colonel has the issue.

CHAIRMAN KIENZLE: So will you make a note, Director you can just report to us at our next meeting. That doesn't have to be an Agenda Item, just let us know that that switch got flipped.

COLONEL GRIEGO: And Director Sandoval I can get you that exact language so you can compare it.

DIRECTOR SANDOVAL: Is there any public comment on this or any further committee questions or comments? I was going to move Mr. Johnson up on public comment before we break for lunch. Mr. Johnson.

LARRY JOHNSON: Good afternoon Mr. Chairman, Commissioners and Miss Director. My name is Larry Johnson. I am the owner of Soaring Eagle Lodge. It's a fly fishing business on the San Juan River. Last April the Attorney General or former Attorney General, Gary King came out with this statement that said, "Any of the public can walk on private property as long as there's public water above it." This has never been the case in New Mexico. Basically we have two models if you would say in the United States. We call it the Montana Model where on your deed or title of your land it says, if there is public water above it, it's an easement or it states its private property. There's nothing that's not clear between that. The State of New Mexico is the reason I invested here was because you could have private property under the river. We don't own the water. We never impeded anybody from floating down the river. But they could not anchor or get out of the boat. And that had been the rule since in the proclamation since I've been coming here for twenty years and I think it's been on there for a long time before that. Luckily, in saving the taxpayers in New Mexico millions of dollars in law suits because people like myself would have had to sue my title company because they said my deed was private property and now it is no longer private property. If my bank actually uses that property as collateral and now it's not private property anymore, it would lower the value of that. I could have had my note called. I mean it could (indiscernible) the whole business. So, saving the taxpayers of New Mexico luckily our legislation, both sides of the aisle were able to work out and come up with SB-226 which defines it very clearly and will settle the issue once and for all. My question to the Commission is, because it wasn't an emergency act, it's going to

come into effect I think July 1st and what will the Council for the Commission be doing in preparation for that because there are going to be some people that are still going to walk around and say, “I want Gary King’s opinion.”

CHAIRMAN KIENZLE: That’s a good question and I’m not sure I have an answer for you but I’m sure it’s something I know the Commission will consider. I don’t know if will come up as a formal Agenda Item but I know the Department will have to sort it out as that law comes on line.

LARRY KOHNSON: Well that’s very acceptable and I know it does take some time. The good news is I think they are planning around the State. I know our local county Attorney General, Desyn O’Brian and the local sheriff’s office has called for a meeting between the land owners and the public to come in and set up their preparations for that and I think we’re going to do that on May 28th. So I would love to see someone from either the Commission or the Department if they could attend. I won’t put you on the spot and have you say your policy there but I think they should hear and see the process.

CHAIRMAN KIENZLE: What I would recommend is get contact information for the Director and keep her apprised on when that meeting is. We may very well have someone attend.

LARRY JOHNSON: Okay, thank you.

CHAIRMAN KIENZLE: Reluctantly I will entertain a motion to recess for lunch. Motion on the table to recess for lunch.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: “Aye”.

CHAIRMAN KIENZLE: The Aye’s have it. Be back here at 1:00.

STEWART LILEY: Mr. Chairman, Members of the Commission, I will be presenting, hopefully Elise will be in here in a minute to take over.

CHAIRMAN KIENZLE: She's right behind you.

STEWART LILEY: She is coming right here. So....

ELISE GOLDSTEIN: CHAIRMAN, Commissioners, thank you for waiting for me to get back. We're here to give you an update today about our Bear and Cougar Rule Development Process. As I'm sure you recall, you opened the rule at the last Game Commission Meeting and we have a process we follow so I'm going to give you an update as to where we are in the Public Input Process. What the background biologically is for these species and why we're making the recommendations that we're making and to ask for your guidance and input on some of the issues that we're looking at. So, as of today, we have completed two of our five public meetings. We had the first public meeting in Los Cruces on Monday. About 15 people attended. And we had our second public meeting on Tuesday in Albuquerque and there were 48 people in attendance there. Coming up at the end of the month we'll be having meetings in Rue Des and Silver City and in the first of June we'll be having them in (indiscernible). This is just a quick summary at the time-line for the rule development process so just so you know we're not looking for any kind of action today. This is an update. We'll be continuing with the public meetings this month as I mentioned. There's going to be another Game Commission Meeting in June in Taos and at that time we'll be presenting our initial recommendation to you and following that meeting we will incorporate your input and then post it on the website for more public input. We have a public input that is currently open. It's been open for about a week and a half. So that just continues throughout this entire time. In July we will finish incorporating all of the public input and we will be posting the final proposal on the website and we'll do that a month before the game Commission Meeting in August, at which time we will ask for your vote to approve the recommendation. So as of yesterday and this number has changed. It's changing very rapidly right now. We've received 103 electronic comments. So that's via our website. We've also

received plenty of comments during both public meetings. So the list here is the generally speaking what people are commenting on and they are in order with sort of the most commented being first. So lots of people are sending us their opinions on the use of traps and snares for cougar harvest. We are receiving comments both for and against that. Increasing bear harvest limits. Again, comments both for and against. We've been discussing modifying the season structure to keep the bear zones open longer and later. We've been receiving a lot of comments, not necessarily for or against, but just with different ideas on how that structure might look. There's been a lot of comments, there's been comments before and against the Spring Bear Hunt. Although, I would like to emphasize that right now the department is not proposing a Spring Bear Hunt. But just the same, we have been receiving no small amount of comment on it. And there was also a fair bit of discussion at the Los Cruces Meeting and this was not of department proposal but we did spend a bit of time talking about it. The idea to have a population reduction hunt to target the two bears. This is specifically a way to help with this nuisance bear problem that we get, especially in dry years which is a really big problem. So we're putting up periphery around some of the city centers and having some sort of hunt that would just target those bears that we would anticipate being a problem. So I'll start off talking a little bit about the bear biology, what we know about them and where those populations are. So currently we estimate bear population numbers based on a habitat model that was developed by Costello (indiscernible) in 2001. She went out and did an eight year study in which she radio collared bears in the Gila and the Northern Sangre de Cristo and did a lot, a lot of (indiscernible) for a long and collected an awful lot of data on them. And she then used what she learned about the areas in which they were residing to look at the state and say, well I've learned that bears have certain characteristics that are required for their habitat and if only some of those are present, then bears might still be there in lower numbers and if less of those characteristics are present, they might just pass through and in other areas, bears just never use that area. She created a habitat model and defined that about 13% of New Mexico was characterized as primary bear habitat. So this research as I mentioned was done in the mid-90s and one of the things that she talked about in her report was that the technology for GIS was fairly new at that time. And so one of the things GIS does is that it characterizes habitat types based on

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that. And so it says, well this area is this kind of habitat and this area over here is another kind of habitat. And usually it's right, except sometimes it's wrong. And as you might imagine, when GIS first came out, it was wrong perhaps more often because it was a new technology. In addition, there are approximately 40 habitat types to find which is not very many so they couldn't really do it on really fine scale. So as time has gone on, that accuracy of these maps has increased dramatically. They're correct a lot more often. There's also over 150 habitat types so you can do a much more refined model. And so we are in fact, re-doing this habitat model using the latest and greatest technology available to us. We are almost done with that, not quite. So I don't have the results to present to you today but I will have them in June. But our preliminary results are suggesting that there is more primary bear habitat in the state than we previously had thought. The reason for that is to some extent, the circles on the map are getting a little bit larger to include a slightly larger area. It also includes some areas that previously were not included. And we know that there are sustainable bear populations within those areas. The second part of what we need to look at, not only is where the bears live, but how many bears live within that. And that was a really difficult one to get at because bears do not come and say, hello, and let you count them. So, the data that we have that suggests that the densities are actually higher in general than we previously thought. But the bears are expanding into areas where they weren't found historically. So what's happening is that bear populations are growing. There's not really an area for the young ones to stay there so they disperse and they go find new areas and they're establishing new habitat. There's also been research in both Arizona and Colorado in mountain ranges that are adjacent to New Mexico and the densities that their coming up with are higher than the densities in the analogous New Mexico sides. And finally, we have this gem called the Ph.D. Student who is at New Mexico State University and he is studying bear densities in the State. So far, he has results back from the Northern and Southern Sangre de Cristo Mountains. He has sent samples to the lab and waiting for lab results to come back for the Sacramento and we are collaborating with him and to kind of doing it in conjunction with Sandia Mountains. We are hoping to expand this feature into other areas of the State in the future. So, I wish we had really great population data from you know, eighteen different places in the State. Perhaps before I retire we will but it's a long

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process to collect it and we're starting down that road. The techniques are really fabulous. He's doing things differently than the studies in the 90s. There's new technology that allows us to analyze genetic data to get some really good information. And there's really exciting development in statistical models that allow us to address some of the things that were lacking in the previous models. Statistics is my favorite thing and I was made to promise not to actually talk about it. But if you wanted to know more, just say. So, I've changed the colors like nine times on those, you can actually see it. That's good, okay. So this graph talks about the average age of Black Bears at harvest. So, those of you who are bear hunters know that when you bring your bear in to get pelt tagged, we take a tooth sample from that bear. And what happens is the lab takes a thin slice of that tooth. Bears act a little bit like trees in that as a tree grows in the summertime, it will put on some of the trunk and then in the wintertime it's dormant and you get the ring. So you can count the rings on a tree to get estimation for the age. Bear teeth work exactly the same way. So we can age those bears. And so what we're looking at here, the purple line, is the average age of female bears at harvest and the green line is the average age of male bears. This goes from 1999 to present. And we're looking at the average ages. So the females are essentially ranging from six to seven years old on average where the males are a little closer to that six year mark on average. And we'd expect is that with us we're over-harvesting the population then the bears wouldn't be surviving to become old. We'd be killing them off too soon. And so if we're over-harvesting, we would expect that over time, you'd start seeing that the average age of the bears would keep going down. Now this is not a one year to the next issue. This is a general trend. We're not seeing that. Essentially, obviously there is variation year to year but essentially the pattern is the same. So there's nothing to suggest from this data that we are over-harvesting the bear populations. So, we have several proposals for consideration and I'm going to list them and then I'm going to go back and discuss each one a little bit more. So the first one I pretty much already talked about that we're looking to increase harvest limits in some of the bear management zones. As I mentioned, I don't have the specific numbers yet. So I'll be presenting those to you next month. There's not a proposal to increase them in every single zone and certainly the percentage will vary place by place, depending on the data that we have. So that's forthcoming. We're looking to make two

changes to the boundaries of the bear management zones. The first one is to move game management Unit 48 from bear management Zone 3 to bear management Zone 4. And the second one is to add game managements Units 39 and 40 to bear management Zone 6. And I'll be showing this on a map in just a moment. We are looking at some ways potentially to modify the season structure. And we are also looking at some potential ways to modify the pelt tag reporting system that we currently have in place. So a little more on those. This map just shows you where these are just in case you don't have older bear management and game management Zones memorized. So on the top of the map, that first red circle shows where game management Unit 48 is and it makes the most sense to combine it with 4 because the topography and the habitat type are more similar. So bears that are using that game management Unit 48 are probably more likely to be part of the bear population that is centered in Unit 4 as opposed to 3. So we're really just looking to make a change to make the habitat a little bit more consistent.

The second proposal is to actually expand the management Unit 6 as to that second larger red oval shows you where Game Management Units 39 and 40 are. You guys can't see that very well but in the northern part of 39 and 40, you'll see that there are some mountainous kinds of areas and there are bears that live there year around. The densities are not going to be as high as in some of the other areas, but it is a high enough area that it can support a limited hunt, and so we are proposing to include that in with the management subsets. All right, so now we have this really complicated issue of season structure for the harvest season. So as you know, of course there is a little bit of variation in this. But in general, their harvest season opens on August 16th. It then closes to any weapon type and becomes bow only on September 1st. It remains bow only, so bow only and no dogs. No use of dogs is allowed during that September archery season which used to go until September 22nd and now goes to the 24th. And then, the bear season continues and is opened up again to rifle and dog use. So what happens with these Zones is, there is a maximum number that can be harvested. Anyone can buy licenses over the counter. Hunters are

required to find out if the Zone is open before they go harvest a bear. When the maximum number has been met, the Zone closes and they are no longer allowed to harvest. So the situation we are getting into is, a lot of these zones close really fast. So, there is not as much opportunity to go out and take a bear because everyone just runs out and harvests them all and it's done. And so, what this lovely graph shows you is the percent of the harvest that occurs per day. So this is an average from 2004 to 2014. But honestly, it's not very different year-to-year, so this is an average over that entire time frame. So, across the bottom, we have the hunting season starting in the middle of August and going on to November. And on the last set, we have the percent of the harvest that happened each day. The purple line represents people who are hunting without hounds, and the green line represents people who are hunting with hounds. So, basically what happens is, when the season opens, lots of people go and harvest lots of bears right away. And so, if you look for the first two weeks, those August dates, you are getting a lot of bears being harvested although less and less each day. And when the beginning of September hits, those numbers reach a low. Now that green line in the past few years should be at zero because you are not allowed to harvest bears with dogs during archery season. But there were some exceptions to that in some earlier years so those low numbers just represent some things that are no longer in place that used to be, so a few were taken. So numbers are low during that archery season. And interestingly, the day that people are allowed to use rifles and dogs again, the harvest shoots up and lots of people start taking bears again. Now things really taper off there in the middle of October. For the most part, because most of the Zones are closed by then. I would imagine that, if a zone stayed open, that take would continue but by then most of them are closed. So ultimately what we have is a big peak as soon as the season opens. People harvest bears really hard. A lot of those Zones start to close and you have another big peak as soon as the rifle season

opens again. And so, what is happening is that people are harvesting bears earlier in the season when the quality is not as high. And, there is a push to maintain those units to be open so that higher quality bears can be taken. Now, how to do that? So, on this table each of the columns represents a different year from 2011 to present. And what we have are the bear management zones. So, we only have a select few management zones here. One of the problems is that many of the zones do not have a very high female harvest limit. You are looking at single digits. So one option would be to somehow split the season up into multiple seasons and divide the total harvest. As an example, you could say well, we will only allow 30 percent of the harvest in an early season, 30 percent of the harvest in the middle season, and then 30 percent of the harvest in the late season. But at least there will be a late season and people could go. The problem is that, if your maximum female harvest is 7, it is a little hard to split that up between 3 seasons. You are going to put 2 into each time frame. They are going to close the same day they open. We are not going to be able to keep up with it. We are probably going to over-harvest. I think it would be not a way to go for those zones where the numbers are small. There are also some zones that don't close. So it is really a nonissue. So, when we take all of those out, what we are left with are these 5. And these zones have a large enough number that they could potentially be split amongst 2 or 3 seasons. What I wanted to show to you here is when they close. And you are going to see there is a lot of variety. So, for instance, in bear management Zone 1, it pretty consistently closes the second week of October every year. But in some of the other Zones, it is inconsistent. So, zone 10 closes at a different time each year. So we are trying to wrap our heads around some ideas that might work out. The current proposal that we are having is to divide this into 2 seasons, 1 season that would run from the middle of August until the end of the archery season, and a second one that would open in the beginning of, as soon as the archery season is over and

run until the zone closed or until the end of the season currently. In general, I think splitting numbers 50 percent and 50 percent would be reasonable. What I am not convinced of is, that is actually going to solve the problem because it also suggests that hunters' behaviors are going to stay the same as they are now. But if by doing that, people end up running out and harvesting the bear on the first day of the season anyway, we may not end up with a situation that is very much different. One proposal that I've heard is to shorten that first season so that fewer bears are harvested prior to the beginning of archery season. And I've heard everything from, we'll make it go from 2 weeks to 1 week; again, that would certainly have people harvesting fewer bears unless all the people who used to go on the second week just go on the first day now that it's shortened and you end up in the same place. I don't know. I've also heard a suggestion to simply start the season on September 1st and that way, basically all the rifle hunting would be occurring starting in late September when the bears are in better condition. So, this is what we are looking at for suggestions and ideas and inputs. I am taking public comment on this. There are as many ideas out there as there are people. For everybody who likes one suggestion, there is somebody else who doesn't. At the moment, like I said, we are looking at this sort of 50-50 sort of split with 2 seasons but we are certainly listening to what people are telling us to see if there isn't a better solution. So, we are looking at potential modifications to the way our pelt tagging system is occurring right now. As you are well aware, all bear pelts need to come in to be tagged by a Game and Fish official. This particular proposal applies to both bears and cougar. So, at the moment, either the hunter or a designee is allowed to bring in the pelt for tagging. And any New Mexico Game and Fish employee can tag that they have the hide. This is a really important opportunity for us to interact with the people who are out in the field. So we really collect a lot of biological data at this time. And one of the problems is that when the hunters bring the pelts in,

we have a lot of interactions. We can ask them what kinds of conditions they are seeing in the field, what kinds of numbers of animals, are they seeing a lot of deer. We really collect a lot of information because I can't be out statewide all the time. And, if I can't interact with that hunter, I lose an opportunity to gather data. So if the designee is coming in, they are just going to be bringing the exact answers to do exactly what is on that pelt tag sheet. We can't have that additional interaction. And, in addition, if there is something about those answers that seems like it might not be correct, I can't have further discussion to make sure there just wasn't an accidental mistake in what is being reported. So we are losing out on an opportunity to collect additional information. The other problem is those folks come in, and we are having people say well I will drive past 2 different game wardens to come to the Game and Fish Office to have a non-commissioned person to tag my pelts which is concerning. But in fact, the reality is that our law enforcement officials are well trained to talk to people and to make sure that people are following the rules and through their interactions with those people to find out when they may not be following everything the way they need to be. And so, if a noncommissioned officer is doing the tagging we lose an opportunity to look at law enforcement issues. So, again, like many of the things I am presenting, there are a whole lot of ways we might be able to address this. We certainly aren't looking to place an undue burden on folks who are trying to do the right thing and follow the rules. So, the way that we are currently proposing to look at this: As I mentioned previously, the hunter designee can bring the pelt and any Game and Fish employee may tag the pelt. So what we are proposing right now is that the hunter would be required to make contact with a law enforcement official, one of the game wardens, and it could be in person they can bring the pelt in. But they can also do it via telephone and have a phone conversation with them. OK, we'll move on to cougars. It's a lot shorter for cougars. So, what we're looking at with

cougars is this chart which shows us the past 3 years. And it looks at the sport harvest that is being taken each year relative to the maximum allowable harvest. What we can see is that we take approximately 31 percent of the maximum allowable harvest. Our depredation numbers are fairly constant year-to-year. So this isn't the number of depredation complaints or anything like that. This is just the number of cougars that the Department kills for depredation purposes. This also shows the number of road kills and the numbers of cougars that are killed each year for the desert bighorn sheep program. So, contrary to bears where over 80 percent of the zones tend to close each year, we close on the average 2 of the zones each year. I am sure the Commission is more familiar than I am with the fact that, in this past legislative session, a bill was introduced again to remove cougars from the management authority of this agency and to return it to varmint status. And although, as you know, that bill got tabled, the person who was sponsoring the bill did say that the Game and Fish is not doing its job by harvesting enough cougars and they told us that we needed to make that happen, that we needed to make that harvest go up. So this is just a graph that shows you the discrepancy between actual maximum harvest and what we are taking, so just a graphic representation of that so that you can see that . . .

CHAIRMAN KIENZLE: How did we arrive at 749?

ELISE GOLDSTEIN: So, the cougar harvest system is based on the same methods as the bear harvest system. So we also have a habitat model. It has been refined over time to include new data so there is a 10-year study done in the San Andreas Mountains in the 1980's that had a lot of data about cougars, how big an area they use, the kinds of densities they are in, to use that data. In the meantime, there have been some researchers in the state and we have been able to use their data that they have been using to look at densities to refine those models and depending on the quality of habitat we apply different densities to it, and that's what we come up with in the end.

CHAIRMAN KIENZLE: Maybe I'm jumping ahead, but what accounts for the low percentage of sport harvest.

ELISE GOLDSTEIN: Right, well, Chairman and Commissioners, there is of course more than 1 reason for everything. When you look at the low percentage of harvest, it is not uniform around the state. Harvest is concentrated in areas that have snow which probably is logical because people are using dogs and so it is easier for them to work in the snow country. And so, there is even less harvest in the part of the state that doesn't get much snow which is, in fact, most of the state. So, people actually aren't going out very often. There is only a handful of people who have dry land dogs. They are expensive. It is a dedication to keep those dogs trained. It is a really big investment to do that, and there is only a small portion of people who will do it. And even with the folks who do it, it is just very difficult to be successful. So I think most people just don't have that level of commitment to go. And so people aren't going. In the last rule cycle we liberalized some of the options to try and promote people harvesting more lions. We went from a 6 month season to a year round season. We went from a bag limit of 1 to 2. It didn't really make much difference in the take. People aren't going is a lot of the issue. And it is just extremely challenging.

CHAIRMAN KIENZLE: So if you were to legislate your changes into varmint status, does that make any difference, that people are going to take more of them? There are more people out there perhaps?

ELISE GOLDSTEIN: Well, if there were, we would not know about it because we would lose our ability to track what's happening. And the main change returning it to varmint status would make is, it would allow people to use traps and snares. So they would have an alternative manner and method. I don't know what the impact of that would be. It's not an easy thing to trap or snare

a lion, either. It is not something that someone might wake up some morning and decide it would be a nice thing to try. It takes a lot of expertise and experience. So you are still looking at a smaller number.

(indiscernible, multiple speakers)

CHAIRMAN KIENZLE: You don't just come out of the box and (indiscernible).

MALE SPEAKER: That's right.

ELISE GOLDSTEIN: You're still looking at sort of a fixed set of people. But it certainly provides additional opportunity. We haven't done it, so we don't know how it would happen. I would predict that those numbers would go up. Are they going to triple? I imagine not. But I don't know. It would certainly give, if the agency were to allow that as a legal method and manner of take while we have management authority over cougars, we could certainly track what the impact would be.

CHAIRMAN KIENZLE: Understood. I know there's no good answer to the question, but it needs to be asked. Anyway, I have interrupted you. My apologies.

ELISE GOLDSTEIN: So, you just stole my thunder, Chairman.

CHAIRMAN KIENZLE: I know.

(Laughter)

ELISE GOLDSTEIN: So the Department is proposing to allow use of traps and snares to harvest cougars to reach harvest limits. So we are only proposing to use traps within the same guidelines as fur bearer trapping. So there are restrictions on sizes, and lamination and those kinds of things on fur bearer traps. We would be using the same size lamination restrictions. We are not looking to allow the use the traps that are any larger than what we currently allow. And snares would only be foot hold snares. And this would only be allowed in zones where we are not reaching the

harvest limits on a consistent basis. So, in some of those nice mountainous areas with snow where we are coming close or reaching those limits on a regular basis, we are not looking to increase the harvest, we are not looking to have competition with houndsmen in those areas. It would just be in those areas where that doesn't happen. In addition, we would be looking to exclude cougar management zone L from this proposal; L is the boot heel region, and that is the area where jaguars have been observed. There are very few down there. They are observed once every 10 years. The probability of capturing one is extremely small. However, it would be a violation of the Federal Endangered Species Act and we are certainly not looking to put our hunters or our sportsmen and women in that situation. So we can avoid any troubles there, we are recommending excluding Zone L. We are also proposing prohibiting the use of hounds during the September deer and elk archery season. And in the first part of this talk, you saw that we currently prohibit use of hounds for bear hunting during that time period. When that management action was adopted, we sort of meant to do it for cougar also but it didn't happen. So, in deference to our archers in the state, we are looking to prohibit use of hounds during that time. So, we are also proposing to allow licensed deer and elk hunters on certain wildlife management areas to be allowed to hunt cougars during their hunt. So what this would mean is, for people who have a license to hunt deer and elk on these wildlife management areas, while they are out there during the season printed on their license and using the weapon type that is printed on their license, if a cougar happened to run across their paths and they had a license to hunt – a cougar license – they could harvest that cougar. No dogs would be allowed at that time. So, a list of areas we are proposing to allow this are the Sargent, the Humphries, Rio Chama, Urraca, Colin Neblett, Barker, Marquez wildlife management areas, and the Valle Vidal. So, this is an opportunity. But it is sort of like buying a lottery ticket. You buy a lottery ticket because it is

exciting and fun. You don't actually think you are going to win. The probability of having a lion walk across your path while you are out hunting is very small. I suspect we will take very few cougars during this time. But I think it would be a great opportunity that people could take advantage of when the right situation occurs. And, finally, we are recommending moving Game Management Unit 18 from Cougar Management Zone I to H. And, again, in case you don't have this memorized, this is the map of the Cougar Management Zones. The red circle there shows Game Management Unit 18. And for the same reasons that we are proposing moving the unit in the bear scenario, Unit 18, the habitat type and topography is more representative of H. If you have cougars running up and down the San Andreas into the Oscuros, they are likely to keep going into 18 to use that, so you are probably looking at the same animals using that area whereas over in the rest of I you are probably looking at different animals. So it just sort of makes more sense biologically to move it over there. And that is everything I know.

MALE SPEAKER: Somehow, I doubt it.

CHAIRMAN KIENZLE: I'm sure we have some questions. Do you want to go down the line? Robert, do you have a question?

COMMISSIONER ESPINOZA: Elise, have you done, I think the one thing I'm hearing the most of right now, is the snares. Do you have any data regarding maybe to address some of the concerns regarding, in other states that use snares for cougars?

ELISE GOLDSTEIN: Right. Chairman, Commissioner, the only state that allows use of snares is Texas. And I don't have data from them, although it seems like a good idea to have a conversation and talk to them about how it works there.

COMMISSIONER ESPINOZA: OK. Right now, that's the only question I really was concerned with right now.

CHAIRMAN KIENZLE: Commissioner Ramos.

COMMISSIONER RAMOS: I like a lot of your ideas and I was at the public input meeting at Las Cruces and I want to let you know you did a super job presenting with that, and seeing both sides of the people that were there. I really like the idea to really massage the zones again to kind of look at them from different angles. Unit 17, 12, the 13, the 15 may be away from the Gila, the core areas. I think that was a really good one. I know one of the things that people have approached me on as well is possibly with the houndmen receiving more tags especially with lions is mainly my main focus, not bear. But would kind of like a check out system. I know they are allowed two lions currently. But if they harvest those two possibly come up with an additional two to try to meet that quota. That might help out. But it was pretty interesting. And I think the more you dive into this topic, I am really looking forward to some of the other recommendations you are going to be presenting.

COMMISSIONER RYAN: Thank you for your presentation. It was really good. And I love your graphs and statistics, and I love knowing the averages. So I appreciate that. I do like the way you are reworking the zones. You know, that always needs to be updated depending on current circumstances, and so forth. So I really appreciate that. And I also like your idea of including a cougar license in conjunction with the deer and elk licenses. I mean, you never know. And I've been on deer and elk hunts where you see a cougar, and I didn't have a cougar tag. So I like that idea. I have a question about expanding the use of the hounds. So we see this peak period where we switch from archery into rifle and using hounds. And I guess I want to hear more ideas on expanding the use of hounds. And I am not an archery hunter. I'm a rifle gal. So what is the thought behind not using hounds with archery? I mean, because if you use hounds and you tree a cougar, and that's how I got mine, I could have shot it with a bow. I used by 270 instead and

brought him down. But I could really have just used a bow in my choice. So, why no hounds with archery. I'd like to know. Does anybody know?

MALE SPEAKER: I think the real reason behind that is when the elk hunts are going on during that archery season from September 1 through, say, the 24th, and the competition with dogs running, here's someone who drew out a coveted tag and you are calling in this big old bull and all of a sudden here come the hounds. And that has actually happened to me before. So I think that is the main reasoning behind that. One of the things, when you start looking at all those long seasons, because to me it almost makes sense that we are harvesting into August 23rd, and you have poor pelts with bear for example, it almost makes sense, let's start it September 1 and go into the late December hunt like we used to have. But on the other hand, you get the complaints with the houndsmen, you know, not being able to hunt and utilize their dogs at that time. I was just thinking outside of the box here. What if we looked at units without elk, of course not too many houndsmen run dogs probably in the desert. I don't know, I'm not an expert in that area. But, you know looking at some possible options for houndsmen still to run their dogs outside of maybe core units of elk hunting. Maybe out of the core might be another option to look at.

COMMISSIONER RYAN: Yes, that's exactly the creativity I was looking for. Because if that's what's working, I'd prefer to go get one. And that's why you'd see the success rate, so it just seems like, let's expand on what's working a little bit and look at zones where maybe we can expand using the hounds for a longer period of time that won't conflict with maybe elk hunters. How does this work? You were reporting on sportsman harvest. How do the tags work on like a farmer/rancher harvest for depredation of livestock on their ranch? Is that their own tag that they have to get every year? And if they have one and they take one, they just need to come report it to you? Is that included in your sportsman analogy or not?

ELISE GOLDSTEIN: Mr. Chairman and Commissioner Ryan, Commissioners. We have 2 separate systems. One is for the sports harvest. So if the rancher has a license and it is during the season and the zone in which they live is open and he has a depredation problem and he wants to harvest it and use it under his sport harvest license, then we will just consider that his sport harvest and we will count it against the maximum take allowable. However, if it is a nuisance bear and Game and Fish comes and kills it, or if it is a nuisance kill that the rancher goes through the proper channels and has the proper permits and the rancher kills, those kills do not count against the harvest limit. So the maximum number of bears allowed to be harvested is only for harvest number. Depredation bears are outside of that. Sport harvest is more or less consistent year-to-year, obviously some variation. The number of bears that are taken under depredation is exceptionally variable and it is completely related to food conditions plus precipitation in the mountains. So, in the years where we have a lot of rain at the right time and the bears stay away, and over the past 3 years in the wettest year we harvested we took I think about 50 bears in depredation. The year before that, which was one of the driest years, we took 170. So that's more than 3 times as much. So depredation is exceptionally variable. It turns out, based on studies people have done, that the bears that come into town and cause a problem or the ones that are depredating on livestock, they are not the same bears that live back in the mountains. So it turns out that simply increasing our harvest doesn't necessarily target the right bears. But that's a little bit of a digression. So, to answer your question, is that bears taken under nuisance bear complaints, depredation, are not counted on the same system and do not go against that maximum.

COMMISSIONER RYAN: What about for cougars?

ELISE GOLDSTEIN: That is the case also for cougars.

COMMISSIONER RYAN: If a farmer/rancher knows he has a cougar problem, and as a hunter I'd love to go get hounds and go on his ranch and take care of his cougar problem. So, I was just wondering how often the Department comes in and shoots that cougar or, also, well just let me limit that question to that. And so I know those numbers fluctuate with regard to how dry a year it is and so forth, but how have those numbers been and do we have, how much is that happening every year? I mean, on a high year versus a low year, there has got to be an average, taking a lot more or less. Should we be enabling those ranchers to making it easier for them to take care of these. And I'm specifically speaking of cougars right now, allow them and that would be increasing some harvest limit.

ELISE GOLDSTEIN: Chairman, Commissioner Ryan. So, let's see if I can address all parts of that. So, if a rancher has a problem with cougars, there are multiple ways they can deal with that. If they have a kill happen and they observe that right away and they know that that cougar is responsible, they can take action against that cougar and be in contact with Game and Fish. There is definitely an onus on that rancher to prove that it is that cougar. So perhaps a better way to go about it is to call Game and Fish first and say I have a fresh kill and we will send somebody out to take care of it. And again, any cougars killed under that system are counted or tallied up against or categorized as depredation kills and do not go against the total sport harvest limit. We also have an ability that, if there are re-occurring problems, not just sort of one occasionally, there is a system by which landowners, private landowners, can apply for permission from the Department to use alternative manner and method to address the problem. If there were a rancher who thought they were having a problem, you could go as a sportsman with permission, and go on that rancher's land, use your hounds. If you harvested a cougar, it would need to go against your 2-bag limit. If that rancher were interested in having somebody use traps or snares on his

property, there is 1 of 2 permits they can get. One is to allow sportsmen onto that landowner's property to use alternative manner in that way. So, if you knew that rancher and he would allow you to come onto his property, you could set traps or snares to try and remove those cougars. Again, you would still have, everything else would still apply with the license so you could only take a maximum of 2. There is also a program by which the Department issues a permit for that landowner or their designee to remove a certain number of cougars in that year, and they would not count against the 2-bag limit because it would be outside of that. We have issued several of these permits this year, and in general we have been issuing the permit for about a maximum of about 5 cougars.

COMMISSIONER RYAN: You've just described lots of different processes but they were all processes, I mean to me if you're driving around on a ranch and they see a cougar whether they have a fresh kill or not, that's a kill waiting to happen to them and that's money hitting their pocket book and, oh well, I have to call Game and Fish and I have to do this and that, and I mean, a dead cougar is a dead cougar whether you kill it under the 2-bag limit for sportsmen or whether you are trying to protect your sheep or your cattle or whatever. So that just seems really, if we are having these high numbers of cougar, we are not at all near reaching harvest limits, it seems like there might be an easier way for these farmers and ranchers to take-and-report, some kind of take-and-report system where the Department is aware of every kill that happens. It is a little bit of the cart before the horse but they should be able to take action and then inform the Department of what's happened. It seems like you have to have things die and hit your pocket book before you can get permission to do anything. And we're talking about, oh let's do traps and snares on these cougars, and let's make it real easy in the sportsman context. And it seems we can make it a lot easier for the guys that are trying, that have a business on their property

which is a huge portion of our land here in New Mexico. It may be on the grazing leases but it is affecting them. So, I love all the creativity that the Department, that you are coming up with on the sportsman's side. And it seems like the reasoning behind that would apply equally as much to your farmer and rancher situation. And it seems like we're not in anywhere in danger of taking too many. And if they are reporting to you, then you are knowing the numbers. It just seems it is easier to report, hey this is what I did and why I did it. They're not out there, you know, these guys are not out there to just kill cougars for the heck of it. They are protecting livestock for a reason and I just, I would like to see that kind of creativity on both sides. Because at the end of the day, it's a dead cougar either way. It is still affecting the limit. The reasoning seems to be the same for me.

ELISE GOLDSTEIN: Chairman and Commissioner Ryan, just to clarify that, under the current proposal by the Department, private landowners would also be able to use this alternative manner and method. And the way we are proposing it, it would still remain that they would be using their sportsman's licenses to do it. And so, they still have the ability to apply this alternative manner and method on their private land as well as on public land.

COMMISSIONER RYAN: I also had a question. What kind of data, and this is on cougars as well, the data you have on harvest of male versus female lions, what kind of data you have on that.

ELISE GOLDSTEIN: Chairman and Commissioner Ryan, we absolutely record the gender of each animal that is taken. And we have a harvest limit based on the total take as well as a harvest limit based on a female sub-harvest. And so, we have those numbers although I don't have them at my fingertips. For the most part, it is not an issue with the cougars because we don't come

anywhere close to hitting those totals. But in the areas where we come closer, it sometimes could close because we've reached the female limit as opposed to the total.

COMMISSIONER RYAN: I understand, as you just said, under the proposed rule is expanding this new method and manner of taking would apply to these farmers and ranchers. I'd like the Department to look at, and maybe it's not under this currently proposed rule but maybe in the future, making it easier for the farmer and rancher to conduct their business, and I just don't see any different reasoning and the reasoning behind the proposed rule and the reasoning behind updating the rules regarding the farmers and ranchers and their depredation kills of cougars and bears and so forth. It just seems like we are, it's all for the same purposes, so I just have trouble separating them. They are different intent but we still have somebody with a firearm shooting a lion at the end of the day, whatever reason they have for doing it, whether to pin it on their wall or to protect their livestock.

COMMISSIONER RAMOS: Chairman, Madam Commissioner, I'd like to add to that. And actually, she's making me think a little bit differently as well. But I just really don't want to target of course the rancher. I think our main goal is to meet the quota objective. We are not getting close to that. So, to me it only makes sense that if there is a houndsman, again kind of what I said earlier, a rancher, a trapper, a sportsman, you know, that can harvest 4 or 5, or whatever number we can come up with, on a check in basis, start out with 2 tags. If they fill those, why not have an opportunity to go out there to harvest some more? Because some people are going to be experts at it, and really good at it. And if that's our main objective, to fill these quotas, you know that's something that we really need to look at. And that's with the lion, of course. My other thing with the bear is a little bit different. I think with a bear you brought some awesome data with the closing dates and varied zones, especially those early zones. To me those

early zones may be, we may have to start looking at a drawing system for those particular zones to give more opportunity to, you know, someone who is going to be able to go in there and rely on some dates to actually go hunting. Because right now, I know one of them is myself. I have purchased bear license for the last 3 years and haven't been able to go because the quota is already met. Of course, I want to go to the Lincoln and hunt there and whatnot. But I think that would kind of maybe equal that out for everybody. On the other hand, I don't want to short change the zones that we still can't hit the goals there. So maybe leave that as over-the-counter options. I know it's more of a logistical nightmare for the agency but I think we've got to do what is right to try to meet these quotas and kind of balance that opportunity for people. Just my thoughts.

COMMISSIONER RYAN: Thank you. Commissioner Ramos, I concur in your thoughts. And this is just my last one comment. In that peak season, where rifle and hounds peak and you were talking about a 2-bag limit, increasing that limit, if someone is where they can, then I really don't want to hold them back just because of the bag limit since we are so far away from meeting our goals. And that seems to be the peak time when the most are taken. It seems like we could increase the harvest just be simply 3 or 4. If somebody has great hounds and is doing a good job in that area. Thank you so much for your presentation.

MALE SPEAKER: (Inaudible)

MALE SPEAKER: The only thing I might add at least is that if we are way below our quota of taking bears and lions in some of these particular units, combination hunts whether it be deer or elk or something like that might be one of the things that can help. My concern really is I live in Ruidoso and how do you take those trashcan bears out of there without having the Department do it? Those bears aren't there all the time and setting seasons during the times when there is

plenty of feed in the upper canyons or whatever it may be, those areas there we might try to hit pretty hard to keep those bears back when the food sources get tight, bringing them into the trash cans. But you know, it's a difficult thing but that's something that I might suggest. But those combination hunts with deer and elk or whatever it might be, and making licenses available during those parts of the year might be helpful. Taking more bears and more lions is a must but we're not getting that done. That's all I have.

CHAIRMAN KIENZLE: Yes, sir?

MALE SPEAKER: Notice that I didn't interfere with Beth and Ralph. I agreed in most part with both of them. I'm going to start with the hounds. When I was on this Commission 4 years ago when we were doing the bear, I thought we should not discriminate against the hunter. If he or she is a houndsman and is hunting, I thought they should be able to hunt while we're elk hunting. We've had a couple of instances where—this was 15, 18 years ago—where you know where the dogs were, it's like well, and we were working some elk and pretty funny, the elk ran up to where we thought that they thought we were elk. And we got a couple of elk because of the hounds. So it's kind of weird but I don't like to discriminate and where there are people who are trying to use hounds, I think if we stop hounds during the September for cougar it will probably be the stupidest thing we have ever done. It's starting to cool down. If we are trying to take more cougars, that's not what to do. Do not stop it during the bow season. And I would even advocate opening it up for bears and even archery. I'd kind of push rifle, too, and open it up for houndsmen to be able to hunt bears in September. That's just how I feel. The public snaring, you know if it's on public land I'm kind of, you are looking at issues. Right now, I guess, can I ask a question? To be able to snare on private property, do you have to get a permit?

ELISE GOLDSTEIN: Chairman, Commissioner, that is correct.

MALE SPEAKER: So, going with what Beth is saying, if we make it all private, snared, take any method of getting the cougars, I would be all in favor of that. I would really be looking at maybe not doing snares on public. That is just kind of what I'm looking at, to stay away from the issues of the dogs. I understand the snares, I'm just having a hard time with that one. I think, you know, going to bears, if we increase the take I think that's our problem. I do know the last time we voted on bears, Alexa (phonetic) was there, RJ, all of us, we were told this is what they wanted. Now it's 735 and 450. Before it was 450 (indiscernible) if I remember right. They wanted us at 1100 total take and females 700 to 750. If we had done that, I don't think we would have a problem to date. We are not here to get rid of bears, cougars, whatever. It's sustainability, and so I would like to see bear quotas increased and that's all I have.

CHAIRMAN KIENZLE: Thank you. Commissioner Ricklefs.

COMMISSIONER RICKLEFS: You mentioned perhaps a depredation hunt for town bears. How do you foresee that being structured? How would that work?

ELISE GOLDSTEIN: Chairman, Commissioner Ricklefs, so this is something that came up in discussion at the Las Cruces meeting . . .

COMMISSIONER RICKLEFS: And you haven't had enough time to think it over.

ELISE GOLDSTEIN: Well, subsequent to that, I mentioned it to one of our game wardens about this great idea. He was over the phone. He said, Huh, I wonder how that would look. So my answer to you is I have no idea and we would certainly need to discuss that to make sure that it was set up in a way that would work for law enforcement officials, that would be safe, and we really haven't talked about this detailed. This is not something the agency was proposing but we did spend enough time discussing it at that meeting in Las Cruces that I thought I would mention it to the Commission. If we sit down to discuss details about it, if perhaps I hope we will do, I

don't know if we will, if the agency will, think that there is a realistic way to implement it. At this time, I don't have those details for you.

COMMISSIONER RICKLEFS: It seems to many of those town bears are so active at night. You're not going to open the season from sundown to sunup. So I think it's going to be difficult. Also, I would definitely support the idea. I think those town bears are different sorts than those bears that are typically taken in the woods. Let's see, the other issue I just had in mind here, let me think. Go ahead.

MALE SPEAKER: Could I ask a question?

CHAIRMAN KIENZLE: I'll come back to you.

MALE SPEAKER: One more comment, and I just looked at my notes, I had lunch with Elise and I was thinking, my thinking has been like 20 percent the rifle hunt, 20 percent the bow, and then 60 for the rifle. And when she said, no, Dicky (phonetic), we probably need to go to split and that was the comment I was going to make. Besides increasing the bear take, I like a split of the first rifle and bow together, then the last rifle. So then even if a unit closes during the rifle hunt and bow hunters don't get it, you still get a second chance come September 25th. It opens up to everybody, because half the tags or whatever you decide, 40/60, 50/50 split. So you're still being able to hunt but more importantly you have better pelts which was the point I was going to try to make.

COMMISSIONER RICKLEFS: It seems like last time we went through this process, the Department had a goal for this zone of increase in the bear population, this zone maintain the population, this zone decrease. Are you still there with your population estimates. Were you able to do that zone by zone? We would like that population decreased especially in the zones where there is a lot of depredation.

ELISE GOLDSTEIN: Chairman, Commissioner Ricklefs, yes we are still looking at that. I think we are looking at giving the Department a little more flexibility in how we consider the zones. There are a lot of standard things that happen everywhere all the time, and it's a big state with a lot of different habitat and conditions, and allowing some more flexibilities so that we can meet our management goals is one thing we are hoping to look at this cycle. So, previously there were certain zones in this past rule cycle that were dedicated to increase the harvest so we could decrease the bear populations. We are certainly evaluating that, to look at if we think we actually achieved that goal or if we want to continue with that. We're looking, and so we are still thinking about it in that framework for this rule cycle.

COMMISSIONER RICKLEFS: Will we be able to see zone by zone what kind of your management goals are?

ELISE GOLDSTEIN: Chairman, Commissioner Ricklefs, my intent is, in the June meeting, to go through with you zone by zone what the proposal is, why, what the rationale behind it is, and if we are proposing an increasing how we are looking at the biologies so that biologically those areas can support an increase. If we are looking at a decrease, again biologically why would we be proposing that decrease. So my intent, with your permission, would be to present all that information to you in detail at the next meeting.

MALE SPEAKER: Pertaining to what Ralph said, we're in the Gila, those bear hunters (indiscernible) and I believe he asked if we could look at 13, 17, and 15. Those are mainly muzzle load areas, separating the bear. Are they killed generally across that whole Unit 10, or is there more in the Gila. There have been a lot of questions of maybe trying to split that unit because it pertains down to the boot heels, it pertains all the way to the freeway. It's just a huge unit that might be looked at as 1 unit, maybe split or put different units with different, I don't

know, I guess I'm asking you to look at Unit 10, maybe splitting it or something that way. That's all I have.

MALE SPEAKER: Mr. Chairman.

MALE SPEAKER: Well, it's not quite my turn, then. (Laughter). Go ahead.

COMMISSIONER ESPINOZA: Elise, I have a couple of questions and comments. One, understanding that our harvest goal is 700 and change, and our average is 221 over the last 3, 4, or 5 years, is it safe to say that our numbers have increased on cougars?

ELISE GOLDSTEIN: Chairman and Commissioner Espinoza, it is a difficult one to answer. I don't feel like it would be in my best interest, my safety to say that. Because what happens is, there is a maximum number that the habitat can support. So if we start out and say well, we believe we can harvest 750 but we're only harvesting 220, and the habitat can still support more cougars than are up there right now then the fact that we are not harvesting very many means the cougars that didn't get harvested are surviving and the population would be growing. But in a situation where the habitat already has basically all the cougars it can support the fact that we are not harvesting them all just means that the ones that we are not harvesting are probably dying from something else. So, it would just depend on whether or not the habitat is full and cannot support any more cougars or whether or not it is full. And we just don't know the answer to that.

COMMISSIONER ESPINOZA: OK. What led to my question is, do you feel comfortable that our harvest goal is sustainable now?

ELISE GOLDSTEIN: Oh . . .

COMMISSIONER ESPINOZA: Should we increase it?

ELISE GOLDSTEIN: Commissioner and Commissioner Espinoza, we just don't come, we are so far away from meeting it that, at the moment, we don't have any additional biological data to

support increasing it. We are planning to start a large scale Ph.D. study with NMSU in the same way we are doing the bear study. The methods won't be exactly the same but the objectives will be similar, to get better population estimates on cougars and so hopefully a few years from now we will have better data on that. For the moment, though, in a way, at least for the purposes of hunting management for cougars, it's a little bit of a moot point because we are so far away from meeting those numbers. You can raise the numbers, it is not going to change what is happening on the ground. Obviously there are the few exceptions with a couple of zones but you know even the zones that closed, they are closing pretty late and they don't always close, so it is a really different situation for the bear harvest and the cougar harvest, a really, really different scenario.

MALE SPEAKER: So, from what you're proposing from a Department standpoint on cougars, I'm talking just cougars, how good do you feel that over the next year or 2 years we're going to, I guess, how much of an increase, do you feel we are going to get closer or not only are we going to get closer but are we going to get as close as we want to be?

ELISE GOLDSTEIN: Chairman, Commissioner, Commissioners, I wish I had a crystal ball. Honestly I don't know the answer to that because we just don't have a situation in which we've done it before. So I am purely speculating. So if anyone wants to disagree with me, I have no data to back this up. But my speculation is that, by allowing additional manner and method, we will increase the take because there will be additional people out there and additional methods that are often effective in situations where hounds are not. How big will that increase be? You know, if we go from 200 to 400 as a take, we just doubled our take but we are still really far below that maximum number. So the issue still remains that it is extremely difficult to trap or snare a lion and it is not something that you just decide to try one day. You are looking to people who have experience and know how to do it. So there are still just a certain set of people who are

going to do it. It still is not as easy as some people might think to catch or capture a lion even with a lot of experience. So, what does that translate to in a number? Yes, I am fairly confident there will be an increase. I also think that we will not be knocking on the door of 750.

COMMISSIONER ESPINOZA: I guess that leads me to where we're at. You know, and not to take away from sports harvest. I think it is vital for our sportsmen to get out there. But we just don't see them. There's probably a handful of people in this room that actually have seen a cougar in the wild. And, probably less than 2 or 3 who have actually had a weapon in their hand and could have shot one at this time. And I haven't seen anything in your proposal about Department officials or hiring the old government trappers to come in and help us obtain that goal. Is that something that is on your radar? Or is that something that you would consider? I didn't see it in your proposal is the reason I am asking.

ELISE GOLDSTEIN: Chairman and Commissioner Espinoza, there is nothing in the proposal because the agency, Game and Fish, has the authority to do that at this time. There is nothing that would need to be changed regulatorily. In August the Department did hire a Department trapper so he is full time staff with the agency. He has been working in the Gallinas Mountains to capture mountain lions and actually radio collar them in conjunction with the master study we have going on over there. He's been doing some trapping around the state. So we do have somebody and our intent to . . .

CHAIRMAN KIENZLE: What's that person's name?

ELISE GOLDSTEIN: His name is Dave Wilkens (phonetic) and he works for me and he is doing a great job. He's a young man and he is a very experienced trapper and very knowledgeable about animals. He just finished a master's degree on mountain lions from South Dakota State University so he is a real asset to the agency and I am learning a lot working with him. So he is

on board. Our plan is to set him to work in areas to benefit ungulate populations. And since we already have people on contract to work with the bighorn sheep program, he is more oriented toward other ungulate species. So, he has only been on board since August but he is in the field today working. It is certainly an option for us to hire additional people under contract. We do have, as I mentioned, the people on contract to work for bighorn sheep and we have the ability to use them to do protection work for other ungulates as well. So that is something we already have the ability to use and are, to some extent, taking advantage of. It is certainly expensive but also has absolutely a return on it.

MALE SPEAKER: I think there is absolutely return on it because, if you're taking a cougar, I don't know how many deer that translates into. But deer in our state translate into licenses and the economic value regarding sportsmen in the field, et cetera, et cetera. You know, I don't think we should limit our focus and again, not to take away from sportsmen but if that's already in place I think we should utilize it more than we currently are. I don't think you can take the expense of what it is going to cost to hire that and not justify the return. I think the return is going to be far greater than the current expense. So I'd like to see that as part of the final rule of hiring more and maybe get us the numbers on what that is going to cost so we know. At the end of the day, you know I think the Commissioners (inaudible, cough) our goal is to get as close as we can to that sustainable number. And I don't think we need to limit ourselves with any one method or a combination of methods. Take everything we've got available to us. You know, as you said it, the legislators on that committee said we're not doing our job. Well, I think we should start doing our job and take everything we've got in our toolbox and go make it happen.

CHAIRMAN KIENZLE: All right. It's my turn. I have a few questions and a few requests. Do give a call to Texas and find out their experience on snares. If you haven't figured it out by now,

I care not necessarily what other states think but we don't need to re-invent the wheel on all these so I always think it's useful to call around and take the temperature of other states when they have experience in this area already. So give a call to Texas and see what's going on there. I can't give you any more directive other than that. But do get some information from them.

Colonel Griego, I see in this proposal that there's a call in proposal to the game wardens for pelt tagging. How do you see that playing out with your personnel, dedicated phone number, to put you on the spot when you're not prepared. But what's your sense of how that plays out?

COLONEL GRIEGO: On the pelt tagging, Mr. Chairman, I think right now we have, our officers are pretty good about reaching out to their constituents in their districts. So I don't think it's going to be an issue to get ahold of them. We may have to do that in conjunction with another phone line, but I think it's going to be pretty feasible.

CHAIRMAN KIENZLE: Why don't you two sort that out because it just seems to me that whether it's a dedicated phone line or something else, it is a pain in the butt, you make the call and the person is not there to take the call or something like that, and things slip through the cracks. So let's find a way to make it . .

MALE SPEAKER: Or, it's a weekend and the office is closed . . .

CHAIRMAN KIENZLE: If you're going to put a burden, and additional burden on folks so to speak, let's make it as painless as possible. So just figure out how you want to do it so we are not playing phone tag with people.

MALE SPEAKER: Sometimes a hunter needs to leave just right away.

COLONEL GRIEGO: But we do currently have 24 hour lines through our dispatch where they can get us. So we can work it out.

CHAIRMAN KIENZLE: Just sort it out. I just see that as being an issue. I think it's a great idea, though. We talked about the (indiscernible) right? I think it's just useful to have people visit with a game warden on these kinds of things. Because you are going to get the good information that you want and then you can figure out was it a legal take on your end. So I think it's a good idea. Let's just make it as easy as possible. So, that's number 2. Number 3, the policy issue. I want, whether it is the Director or someone else, visit with Representative Cook's office or him directly and see what ideas he has other than the legislation that he proposed. Because clearly when a policy thing like that follows up in the legislature, whether it's a real or perceived issue, it's an issue. So, let's try and be responsive to that, reach out to his office and say give us your ideas or your constituents ideas. Again, you don't have to put him on the spot, say take a week, but again, we'd like to get that information for our next meeting. So, I think it's useful, again, for all the stakeholders to visit with him and see what ideas they've got. And then, with Mr. Wilkens (phonetic) how big a territory is he operating in right now? Big? Small? I mean, what's his daily job look like.

ELISE GOLDSTEIN: Chairman, so we have him in the Gallinas in the entire mountain range and the surrounding areas when he was trying to put collars out on the mountain lions. He is currently working in the Parnada (phonetic) doing some work to try and protect the pronghorn population that was recently re-introduced in that area. I am not sure I can tell you exactly the area. Basically he is going to be working in as large an area as he can be effective. So he is still checking his traps every 24 hours.

CHAIRMAN KIENZLE: I would like to have him in our meeting in June, to show up because it is always useful to have people who are on the ground seeing things and then telling us what is going on. So he can say you're way off base, there's one cougar. Or I'm seeing sign or

something like that (indiscernible). So let's bring in someone who's been a little closer to the issue. And we'll put him on the spot and see how he holds up. Anyway, those are my comments. You've heard a lot of good ideas, a lot more questions, so it sounds like we have a lot of work to do in between now and our next meeting and then the end of summer. If I understood Commissioner Ryan correctly, when the opportunity presents itself and so you don't know that the cougar right there is a problem waiting to happen is what I think she was saying. And so if a rancher or a farmer or someone who is definitely impacted by these problem cougars or problem bears, it seems to me we want to make it as easy as possible for them to deal with the problems. I don't think it is always effective to call and get permission and this is one of those situations where maybe you ask for forgiveness instead of permission. But think along the lines of making it easier for people who are directly impacted by these animals to take them and solve that problem that they think they've got. And I know, as you said, the onus, the burden is on them to prove that it's that cougar that's causing the problem. But the one you see there, and we've talked to them, and Robert brought up how many of us have actually seen one and had the opportunity to take it. But if you do see one, I'm just thinking maybe we have to make it easier to take that animal, not if you're far out in the woods in public but more at home, your ranch. So be thinking along those lines as well.

MALE SPEAKER: (inaudible)

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: The Gallinas you're talking about, is that the Deer Corona?

ELISE GOLDSTEIN: Chairman, Commissioner, yes.

MALE SPEAKER: OK. Got you.

CHAIRMAN KIENZLE: Anything else? We haven't quite beaten this one to death but you'll get the opportunity to speak again. We've got a number of public comments. Garrett VeneKlasen.

GUEST SPEAKER: Mr. Chairman, members of the Commission. Garrett VeneKlasen, New Mexico Wildlife Federation. First, I just want to say the Department is doing a good job leading bear and cougar management with sound, data driven science. And we want to see that trend continue. We think it is essential that when you are assessing changes to annual harvest limits that you do it with good data and good science. And we also think it's imperative to keep especially cougars with the big game status. It justifies the Department closely monitoring cougar populations and their relation to prey and I think that's a really important point. You know, we have this mule deer decline riddle that we are trying to solve. And it's so important to know, is it cougars that are causing the decline, is it drought, is it habitat. And it is such an important part of the puzzle. If we don't allow the Department to have the tools to study these really, really important factors that are impacting mule deer decline, I think it would be a mistake to do that. So putting it on a varmint status I think would ultimately impact our studies on mule deer and I think that's an important consideration. I was at the legislature during Representative Cook's presentations. And there was no real agricultural data on an increase of predation on sheep and livestock. And I think it would be important to maybe take a look at that. I mean, has there been a marked increase in predation on livestock in the last 5 years and, if so, is that a legitimate complaint. Because we saw some pretty interesting legislation come out this year and I'm not so sure that there has been an increase in predation on livestock and I think that's an important consideration. Trapping and snaring, again, way back in the legislation and being in these committee hearings, and understanding public sentiment, you know we fought that anti-

trapping bill pretty hard. I think we're just throwing gasoline on the fire to introduce trapping and snaring on public land for cougars. We already have issues with that and the idea of taking, you know there's a lot of trappers out there in the public that do a good job, that know how to trap. But for every one trapper that does know that, I think that the general public trapper does not know how to trap cougars. And without mandatory reporting, without mandatory ethics courses, without greater setback, risks could increase public and trapper conflict and we are going to raise the bar on this. We are going to see more anti-trapping legislation. I think it's a mistake to push that any further. We would like to see increased individual opportunity to harvest cougars and I think those are some good suggestions. And just real quickly, with hounds and archery, last elk season during archery we had hounds that would come through our unit and blew the elk out of the area for three weeks. So it really does have an impact. I've seen that happen before. It's not just a daily occurrence but it really does impact the dynamic of the elk herds when you're hunting with archery. So thank you for your time.

CHAIRMAN KIENZLE: Thank you. (name indiscernible). I think we ran her out of time and interest. Matthew Simons (phonetic). Simmons? Could I ask which is the right way to say.

GUEST SPEAKER: The second try.

CHAIRMAN KIENZLE: Simmons (phonetic). All right. I know we met yesterday. It's nice to see you again.

GUEST SPEAKER: I'm Matthew Simmons. I live here in Farmington. My family and I hunt and fish. Lived here about 30 years. You know, New Mexico is sort of the fountainhead of scientific game management. Aldo Leopold, back in the first decade of the last century, really sort of got his thoughts around what makes good wildlife management and good habitat. You know, it's water, feed, cover, and it's a balanced ecosystem. And I'm sure not hearing that in

here. You know, you keep hearing about the 750 cougars that should be harvested each year. But there is very little information, and you've kind of admitted this, that you have no idea of how many cougars are in the state. We have kind of a rough idea of what the possible carrying capacity is and again there is a lot of disagreement on that. But the last figures I saw coming from this, and you know my career started in engineering. We had what we call imaginary numbers. They're quite useful for analyzing electric circuits and things like this. But imaginary numbers in wildlife and game management are not helpful at all. So the 3,000 to 42 or 43 hundred total cougar population is way above what most other people would estimate. The average they estimate is 1750. Colorado has about 2,000. Other western states generally have more habitat and lesser population numbers. So, you know, have we done any radio collar tagging recently?

CHAIRMAN KIENZLE: Mr. Simmons, make your comments, if there's any questions . . .

GUEST SPEAKER: Well, I'm asking rhetorically. Radio collars, capture and release, hair traps with DNA, camera traps—these are all methods that are actually getting better and more accessible for estimating the overall population. So, anyhow, based on just sort of the maps and the habitat, essentially a lot of the models that are used in other states give you about one adult cougar per township, 36 square miles, which is about 100 square kilometers. And using that, and mostly using the figure of about 7-tenths of a cougar per habitat of that sort, we get a population of 620 adults through the State of New Mexico. Then if you include the young that are dispersing and the kittens and travelers through, you get maybe 900 or 1000. I know in Zone A, which is us . . .

CHAIRMAN KIENZLE: Mr. Simmons, I ask you to wrap it up. Typically we have a time limit, and I'm sometimes lenient but I have a number of other people to speak.

GUEST SPEAKER: Well I appreciate it. I appreciate the opportunity to speak. You know, other states are using between 10 and 15 percent of the adult population as a harvest target. We are way above that. I think we have been for quite a while. For ten years we've been above that. You'd think perhaps we would see results in terms of better deer populations as a result of our aggressive harvesting of cougars. And I am not aware of anything that gives us that answer. So I think you very much for your time. And I think the real essence is to get down and see what the real actual number of cougars is. Now you could be hunting unicorns and have a quota on that and you wouldn't catch any.

CHAIRMAN KIENZLE: Ernie Current (phonetic)

(Inaudible)

GUEST SPEAKER: Thank you, Commissioners, for your time listening to me. I'm Ernie Current I am ex-president of New Mexico Trappers Association. I'm a lifelong trapper. I'm a lifelong mule deer hunter. And I'd just like to give you an example of what happens when the lions take over an area and wipe out all the deer. I've hunted the Navaho Reservation over here. It is a very, very big reservation. I've hunted it for probably for the last 20 years, mainly the southern part. But as you get over towards Arizona and the mountains there, they have a severe mountain lion problem. I know in Unit 1, which is Butte Cove I hunted it like five years ago. Every day I was out there, I would find a new lion track. And it has just devastated their deer herd over there to the point to where I don't know if it'll ever come back in our lifetime. I've also worked on—I live at Lybrook (phonetic)—and I've worked on the Jicarilla reservation for the last 35 years taking care of wells and I've also trapped that area. And they have a pretty aggressive plan over there, they have a lot of dogs and their trappers are allowed to catch lions, and they kept them under control. They have an excellent deer herd over there. And I'm afraid

there's parts of New Mexico, my primary trapping area is Unit 2C, you know, your quality unit down in Lybrook and that area, and I've trapped there for the last 25 years and we had a pretty good, you know back in the early 90's we had a pretty good handle on the coyotes in that area and I was trapping them pretty hard and killing a lot of resident coyotes and knocked those out. And then it seems like late 90's and through the 2000's, the last 10 years, we've had a big influx of lions in there. We have a lot of people come from town to hunt them out there. And that country is so rough, conditions have to be right for your dogs. You have to have snow and everything else. But our conditions are so rough out there they cannot take care of business unless it's right. And there's just a few of these guys I know that are successful in hunting that area. And the other think I've seen in there is we're getting a lot of females and kittens. I've seen herds of five lions running together and, you know, the guys don't want to kill the females and the kittens but this place has become a hatchery down there. And with trapping, the think I like about trapping is I can have that trap out there working 24 hours a day and my conditions don't have to be perfect. And I know, as Robert said earlier, I spend a lot of time, many, many hours, out in the woods hunting and trapping and everything else and I've been fortunate enough to cull one lion and then I tracked one down without dogs and killed it, too. But I think your opportunity to kill another lion while you're hunting is a good idea also. And one more thing. I know three of the trappers in Texas and I'll let you know their names and how to get ahold of them and how successful they've been in Texas, because Texas has always delisted the lion and it has become a predator and I know three guys and that's all they do in Texas. I'll pass that along to you. And thank you very much.

CHAIRMAN KIENZLE: Mr. Current thank you. Bill Lewellyn (phonetic). You're not putting your hat on for this? I don't hardly recognize you without your hat on. It's nice to see you, and I saw you at the charity dinner.

GUEST SPEAKER: Yes, sir. Commission, I wrote a little set of notes here I will probably go over. I will try to go through them as quick as I can. I wrote these notes with respect to what everybody said here. Originally I didn't have anything, so this young lady here is the gold standard. I've worked with her and she is going to do the best she can. I'll start with the lion. Just real quick, one reason I think you're not hitting the quotas, personally I just don't think you've got the lion population that it's maybe thought that there is. I think that's the reason you're hitting the same numbers continuously or within deviation. I'm not saying that I'm right, just saying it's a personal feeling. The areas that I hunt, I have a pretty good grasp of the numbers that are there, OK? Again, I don't know outside of that. But in relationship, I can come up with what I would think would be a pretty concrete number. With respect to the eastern part of the state, which I don't know much about, I'll just leave that out. But for the other two-thirds, I feel very firm on that. As far as depredation goes, that would be a big help. I've been called on many jobs to say we've got a problem lion. It's not always a lion. But when it is, a lot of times the rancher must go with you in order to keep from using your tag. I think it's a wonderful idea to keep from using that because they can't go with you all the time. And catching a lion is a continual process. You get closer and closer, and you get closer and catch him. I'm against the traps altogether. My father trapped lions. My grandfather trapped lions. We know how to catch them if need be. It's a very specialized trick and not everybody can do it. But a lion is easy to catch if done properly. Not everybody knows those and I think it would be a long learning curve. And I just don't like it. I think the Department will get a black eye over it with the anti-groups

and some other subjects have been brought up. The problem with the traps, my biggest problem is, they catch everything. If you have a lactating female or female that has a set of kittens stashed, you are going to have them, you are going to catch her, not everybody knows this, it's an illegal lion. They catch a spotted kitten, it's an illegal lion. And I'm not real fond of that idea. Jump into bears real quick. I don't know a whole lot about bears. I'm not a bear hunter. I've been around a lot of bear hunters but I'm not one myself. One thing I have noticed in the north central part of the state is people, once the quota is closed, they'll continue to bear hunt with a lion tag even though I know they are not dry ground hunters. So the September season I'm somewhat favoring, I do have a lot of friends who do hunt in September. One thing I have noticed is that late, very end of season, before they go into hibernation and in the early spring, I see a lot of bear sign. Most of the bear sign I notice is the large males. I don't so much see the female or young bears starting to come out. That's all I've got to say. I'll let you get busy.

CHAIRMAN KIENZLE: Thank you. Joe Ward (phonetic). No show? John Diamond (phonetic).

MALE SPEAKER: He's gone.

CHAIRMAN KIENZLE: Let's see. Rob Corvin.

GUEST SPEAKER: Chairman, members of the Commission. My name is Rob Corvin. I'm with the New Mexico Houndsman Association. I've got a couple things I'd like to talk about. One is, we are fully in favor of the increase on the amount of bears taken for the year. We think that's a good thing because there is so much, there are still problem bears out there. That means to us that the habitat is full and the bears have got to go someplace and I think that's what the Department is taking. But having said that, we are also in favor of a spring bear hunt. Another thing we are kind of leaning toward is splitting those zones up. I think you at least talked about that a little bit a while ago about 30, 30, and 40 maybe. Something really needs to be done to where, a

houndsman (indiscernible) real hard in August because they know they've got to kill as many as they can, the guy is an outfitter or whoever. Because then it goes into September where the houndsmen can't get out there in the woods. Bow hunters kill quite a few of them and the next time we can get back in the woods we've only got just a week or so and it's over for the year. Where if we could get it split up somehow, I think that would be a step in the right direction. Thank you, sir.

CHAIRMAN KIENZLE: Joel Alderete.

GUEST SPEAKER: Thank you, Mr. Chairman and Members of the Commission. I am Joel Alderete with the New Mexico Farm and Livestock Bureau. I guess I'll probably start with the bears, just some quick comments on that. Actually, just working within the industry, most of the time the biggest complaints we get are elk is the issue. Lately, it hasn't been the elk. It has been bears and lions. Their population in the Gila, that's the biggest complaints I'm getting is out of the Gila. Back to a spring bear hunt, I think you need to look at a spring bear hunt. I think the reason you did away with it before was because they were killing too many females. Maybe look at opening it up to the houndsmen and let them come in and take some of those males out of some of these areas where you are having issues at. Other than that, the bears maybe go back to the units where they're having more problems, and maybe just doing the spring bear hunts in those ones, where they are not filling the quotas. As far as lions are going, that's kind of the one I'm getting the biggest complaints from our people. Part of the issue is getting permits to go ahead and take care of those. I think there are some issues that we have that have been taken care of by some of the guys that I know that called you and that had been taken care of. I think maybe during the lions, back to the hunters, giving the opportunity for hunters is, I remember long, long time ago when you bought a deer permit you got a bear and a turkey license with it. Maybe in the

units they're having issues in, we can issue a blind tag to those elk and deer hunters. Try that for a couple of years to see what happens with that. I don't know if that would help increase that or not. But the biggest complaint, and this is the one that worries me, I have had probably in the last two years at least four different ranchers came up to me and said, I have seen lions running together. And I'm assuming that's probably mom and her cubs, but they're saying they are full grown adults that are running together. And that is mostly in the eastern part of the state where I'm getting those complaints. So to me, that tells me that those areas are saturated and those kittens have nowhere to go. They're sticking with the mom for longer. And so there go the issues. They have to go through a process to get at those. I've asked them, well did you call Game and Fish. And the answer from all of them was, well no, I didn't even think to do that. And so that tells me there's a disconnect between the Ag people and the Game and Fish. So, part of it was, of course, we always invite the Director to our meetings, the Farm Bureau, the cattle growers. Maybe we need to start bringing some of the biologists into those meetings and sit down with our folks and visit with them during lunch or something. But they'll sit down and tell you issues they're having. So, anyway, with that, thank you. Appreciate it.

CHAIRMAN KIENZLE: Thank you. Ms. Briggs.

GUEST SPEAKER: Mr. Chairman, Commissioners, New Mexico Cattle Growers Association and the New Mexico Wool Growers support the (indiscernible) proposals that our members have seen to this point. However, we believe that there could be some expansion and many of these items have already been talked about. On the subject of bears, we believe the population is adequate to allow for a spring bear hunt. We would like to see bear hunting during the deer and elk seasons. The Department's biology supports additional bear taking and we support the Department's improving biology. As for cougars, we appreciate the Game Department's

willingness to look into additional tools for managing the cougar population. As the Department's numbers, while over 750 cougars can be taken per year without harming the population, given that only about 30 percent of that number has been taken over the past three years, it is past time for trapping and snares to the tools available for controlling the lion population. As you probably know, cougar management has been a hot topic during the New Mexico legislature and we appreciate the way that the Department handled the issue. We were pleased to see that every group in the room and the Ag, Water, and Wildlife committee supported the Department science. We also would like to see the use of dogs for all of the cougar season, not like it is with the bears. Thank you.

CHAIRMAN KIENZLE: Thank you. Kerrie Romero

GUEST SPEAKER: Thank you, Mr. Chairman, Commissioners. Kerrie Romero, New Mexico Council of Outfitters and Guides. In regards to the bear rule, the most important item that we would like to see considered, which unfortunately is not in the initial proposal, is a spring bear hunt. When the spring bear hunt was established in the Valle Vidal, it was sort of implied that this hunt was going to be the first step in a study to a state-wide spring bear hunt. And now that there has been several years of data to show that the hunt in the Valle Vidal has been nothing but successful and does not negatively affect the bear population, then we think that a spring bear hunt state wide would be something the Department might want to take a look at, or at least in the heavily populated areas where there is a lot of heavy bear population. In absence of creating a spring bear hunt, the Department definitely needs to do something to alleviate the problems of the bear quota. There were a lot of different proposals run through today, and we will definitely look at all of them. I don't know what the answer is. But it is very hard for an outfitter to book a bear hunter in the fall when they don't know whether the unit is going to be open or closed. In

regards to the cougar, we generally as an industry oppose traps and snares. Now, we are supportive of contract trappers. We are supportive of government trappers. But using traps and snares on the public lands, and actually this was the first time in this proposal that I learned that you are not going to change the requirements for the fur bearer traps. But generally with our membership we are under the impression that, well I'm under the impression from the members of our organization, that to effectively trap a cougar you need to use a much larger sized trap and this is a fear of houndsmen for injury to their hounds. And a larger trap causes much more severe injuries and so that is generally the reason. We know that there is a problem and there definitely needs to be some expansion to sort of alleviate the cougar problem but maybe not traps and snares. Thanks.

CHAIRMAN KIENZLE: Thank you. Elise, I have a question. I think you said that a private landowner can use a trap or a snare if they get permission from the Department?

ELISE GOLDSTEIN: Yes, Chairman, that is correct.

CHAIRMAN KIENZLE: Do they get a straight up permit, or how does it work?

ELISE GOLDSTEIN: There are two different possibilities. One of them, and I guess ultimately they are both different forms of permits, so I guess the answer is yes.

CHAIRMAN KIENZLE: OK. So, if I've got, private landowner, I perceive I have a problem cougar on my property, I want to use a trap and a snare, what do I do?

ELISE GOLDSTEIN: Chairman, the landowner should write a letter addressed to the Chief of the Wildlife Management Division explaining what their concern is and why they are interested in taking additional cougars. So, it is interesting for us to know if this is an issue that is centered around livestock depredations or this is an issue that is more centered to protect wildlife and do enhancement for deer and other wildlife populations. It would be helpful to know the extent of

the problem, how many cougars they might be looking at, and if they are interested in having a designee who can do the trapping and snaring or if they are interested also in letting sportsman come in and using alternative manner and method. Send that letter to the Chief of the Wildlife Division, which as you know is vacant right now, and the agency will review that and work on getting permits to them.

CHAIRMAN KIENZLE: So, Joel, you can take that back and educate your membership.

Because it sounds cumbersome and maybe we can fix it and make it less cumbersome.

GUEST SPEAKER: And that's the issue. I think right now it's, like I said, a long drawn-out process and as a matter of fact one guy who had me shoot one before, had a permit already and then when Alexis came on for some reason that permit went away and he had to re-file again for that. So I don't understand how it was because I wasn't a part of it, but he was (indiscernible, off mike).

CHAIRMAN KIENZLE: And that permit is a count against the number of animals they can take, or is it a separate category? Is it a complaint of depredation type of thing or what?

ELISE GOLDSTEIN: Chairman, if they are taking it under the sport harvest then yes, it does count. And I'm going to need some help with the other.

CHAIRMAN KIENZLE: So, if it's a problem cougar and they go through the process you just described, does it count?

ELISE GOLDSTEIN: If we issued a D1. If it's issued through the permitting process, Mr. Chairman, it does not go toward the sport harvest limit.

CHAIRMAN KIENZLE: OK. So let me give you another scenario. So I'm sitting on my back porch, looking at the back 40. I see a cougar. Let me assume it's a problem. I shoot it. What do I

do now? Do I have a problem. Let's say I don't have a permit, I don't have a tag, whatever. Tell me do I have a problem and how do I fix it? If it can be fixed.

ELISE GOLDSTEIN: Chairman, I'd like to defer to somebody who works in the depredation (indiscernible).

MALE SPEAKER: Yes, Mr. Chairman, you would have a problem.

(laughter).

CHAIRMAN KIENZLE: So, if I have a problem, that's a concern to me then. Because I think it is what Commissioner Ryan brought up, that the cougar that's there, today's nice and friendly cougar is tomorrow's problem. I'm just wondering, is there a way to work in a proposal that doesn't put that person in that spot?

MALE SPEAKER: Yes. Let us look into that.

CHAIRMAN KIENZLE: I don't want it to be, I don't want to stretch the bounds of the hypothetical I just gave, but it seems to me that it's the person on the ground, the farmer, the rancher, that perceives these animals as a problem. And again, some of these things are ghosts, right? And we hear a lot of anecdotes and stories. I'd love to see game cameras pick some of these up or video or whatever. But it seems to me that for the farmer or rancher who is perceiving a problem or dealing with a problem, we ought to make it easier for them to solve that problem than go through a ton of paperwork.

MALE SPEAKER: There should be some paperwork.

CHAIRMAN KIENZLE: Maybe on the back end, maybe on the front end, I'm not sure which. But we might look at making it easier for them to solve that problem.

MALE SPEAKER: Yes, we can do that, Mr. Chairman, Commissioners. We need to look at the statute, some of the rules that are in place and then see where we can go with that. So let us work on that over the next month.

CHAIRMAN KIENZLE: Fair enough. Yes, sir?

MALE SPEAKER: Mr. Chairman, in just trying to look back, I know back with all the new rulings were coming out, it is kind of like the Department lumps everything in together and what I'd like to see when we go to voting, and I know it is a couple of meetings down the road, I would like to break it down. For example, I wrote down here cougars. We've got like four things to discuss—the zones, the snaring, the hunt time schedules, the hunt types, things like that. Same thing for bear. If we could kind of break it down to be able to vote on each individual hot topic or whatever you present that's new, you know to change the whole thing. It makes it really difficult as a Commissioner where, let's say I didn't want a snare but I do want the zone changes and to support that. You know, I would hope that it's broken down where it is easy to know exactly what we are going to be voting for versus them lumping it all together and one package doesn't fit all, especially with these two hunt topics. Does this make any sense?

CHAIRMAN KIENZLE: I'm sure you can do that.

FEMALE SPEAKER: Mr. Chairman, we absolutely can do that.

FEMALE SPEAKER: Mr. Chairman, we can do that in our deliberation and due a portion of the rule by portion of the rule by motion on each topic, too.

CHAIRMAN KIENZLE: I'm cool with that. Any other Commissioner questions or comments.

MALE SPEAKER: I'm good.

MALE SPEAKER: Mr. Chairman, may I speak on the subject?

CHAIRMAN KIENZLE: Sure. Keep your comments brief, please.

GUEST SPEAKER: I will. I'm Doug Aukland concerned citizen and hunter. I'd like to address this to Ms. Ryan. I've archery hunted for elk and deer for 40 years. I'm a member of the New Mexico Bow Hunter Hall of Fame, lifetime member San Juan Archers and Four Corner Bow Hunters. I've hunted Colorado and New Mexico. And the one thing I've noticed is that any activities in the area where I'm hunting affects the deer and the elk as far as what they do, how they react. An example, a number of years ago, not too many years ago, there was a Labor Day rally of motorcycles came to Ignacio, Colorado. They would come down the highway, 140 up in Colorado on the Dolores River three or four days before Labor Day. Blam, blam. You couldn't imagine the noise that would echo. The elk totally withdrew, totally quiet. Colorado also would host a muzzle loader hunt within the archery hunt. The minute the muzzle loaders would start banging their guns, clearing their guns at night, the elk would shut up and move out. Any time, in New Mexico, in Unit 52, any time a herd of elk would be working and here a pack of coyotes would move in and in the morning at 4 o'clock, 5 o'clock, the coyotes would just start raising Hell. The elk would move out of that area. The grouse hunters would come in on the first of September and start shooting at grouse. That would affect the elk. And the hounds I'm sure have that same effect. Any activity distracts from the activity. It is so elusive, we have to be so stealthful. Another thing I would like to bring up, your name is Lisie?

ELISE GOLDSTEIN: Elise.

GUEST SPEAKER: The number of mountain lions in the state we don't really know exactly. Is there an estimate?

CHAIRMAN KIENZLE: Director, do you want to field that one? I mean, it's come up a number of times. What's our best estimate?

DIRECTOR SANDOVAL: So, Chairman, Commissioners, we are estimating that, for cougars, I think the estimates are between 3,000 and 4,500. And I'd like to clarify. It is exceptionally difficult to count mountain lions and our estimate is not based on a guess. All right? There is a lot of data that was collected back in the 1980's. Obviously things change over time but I don't think that dramatically. And there is a model that is used based on the data that we have. So, it's not perfect, and we certainly can't say for certain that's how many there are. But it is certainly a reasonable approximation.

GUEST SPEAKER: OK. Then how many deer for their prey base would they kill a week per lion, or a year, or however that may be broken down?

CHAIRMAN KIENZLE: Mr. Aukland, let's wrap it up.

GUEST SPEAKER: OK.

CHAIRMAN KIENZLE: I respect that you want an answer to that question but I think it's time to wrap up.

GUEST SPEAKER: I understand that. Thank you, sir, for the time.

CHAIRMAN KIENZLE: I appreciate it. Thank you. OK. I think I would entertain a motion to take a short recess.

COMMISSIONER: You got it.

COMMISSIONER: So moved.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: That item was a discussion item. AGENDA ITEM NO. 16: Final Proposals for Reporting Requirements for Licensed Trappers and Furbearer Hunters – 19.30.10 NMAC for the 2015 – 2016 Seasons.

STUART LILEY: Mr. Chairman, members of the Commission. This is brought in front of you, in front of the Alma Gordo meeting. What we have here is, when we amended this rule in 2013 to include all the rest of our big game species for mandatory reporting where it doesn't have a mandatory check in, we had accidentally omitted the trappers in our penalty section as you'll see right there. So it discusses what the penalties for failure to report are. Again, all it was, was an accidental omission of the words trappers or trapping in there. What you have in front of you is putting that back in, which was originally in there in 2006 when we first created this rule. And with that, I would stand for questions.

(Multiple speakers, indiscernible).

MALE SPEAKER: I think you should discuss it longer, Stuart. That's way too short.

(Laughter, multiple speakers, indiscernible).

CHAIRMAN KIENZLE: If there are no questions from Commissioners, we will go to public comment. Garrett.

GUEST SPEAKER: I'll pass.

CHAIRMAN KIENZLE: Thank you. Mr. Aukland.

GUEST SPEAKER: I'm Doug Aukland, representing myself. Mr. Chairman and Commission, last year I applied for and got a trappers license. I have a problems with raccoons on my property. I did trap some. I live trapped them. I reported it. But I have a problem, and the problem is, I raise a very large garden. My garden starts coming on the 15th of May and ends about the 15th of September. Well, as the regulations state, I cannot trap a raccoon from the 15th of May until the 1st of September. That's the time of year it affects me the most. So I'm at a quandary as to what to do. Because, I guess that's the breeding season for raccoon and those raccoons can come through and really pick corn well.

STUART LILEY: Mr. Chairman, if I may, yes, that falls kind of under our depredation. We have avenues we can work with you. I would suggest getting in contact with the local officer up here and work through our depredation program to kind of help resolve those issue with the raccoons.

CHAIRMAN KIENZLE: We're flexible.

GUEST SPEAKER: Well, I like to adhere to the regulations. Last year I quit trapping on the 15th of May and went back after the 1st of September but it was nonproductive.

CHAIRMAN KIENZLE: Thank you. Mr. (indiscernible).

GUEST SPEAKER: I'll just be short on this. Last year and this year, too, I had to report my trapping survey before I could apply for my big game license and the trapping survey was not due until, I have it on that card there, April 7, and this happens every year and somehow, something got messed up on my application this year and I was ineligible and I never could find out why, and that's, you know, I don't see why I have to report that because it's not accurate because I'm still trapping until the 15th of March legally. And it says, when I'm putting in my application, it says, well you have to put in your trapper's survey before you can apply for big game license. This happened the last two years to me.

FEMALE SPEAKER: Mr. Chairman, Mr. Current, I believe what it states is that you have to submit your hunter harvest by the appropriate deadlines. It doesn't prevent you from submitting your application. What that notice states is that, if you are trapping, submit it by April 7.

GUEST SPEAKER: I tried both times and it would not take it.

FEMALE SPEAKER: We will certainly look into that.

GUEST SPEAKER: Thank you. That's my main problem. Thank you so much.

FEMALE SPEAKER: Yes, sir.

CHAIRMAN KIENZLE: If there aren't any further public comments, and no more questions or comments from Commissioners, I will entertain a motion.

COMMISSIONER: I move to adopt the proposed changes to 19.30.10.8 NMAC as presented by the Department and allow the Department to make minor corrections to comply with filing this rule with the State Records and Archives.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: Birds. **AGENDA ITEM NO. 17: Migratory Game Bird Rule Development.**

GUEST SPEAKER: Good afternoon, Mr. Chairman, Commissioners. Since this is also a discussion item and it is largely based on Federal frameworks that have not yet been published, I will also be very brief. Migratory game bird, we have three meetings scheduled. We have already completed two of them, one of them last night in Farmington and I am happy to say that we had double the attendance that we had last year which was awesome. Got some additional comments. We have had 21 comments as of the 5th, the vast majority of them are in support of the changes to the duck season. Some of them have been law enforcement or water delivery issues that I've either passed on to other people or there is really not much we can do especially in terms of when we get water. Proposed amendments: As usual, we are going to adjust the season dates according to calendar. Everything else will be in alignment with the Federal frameworks that will be published in August, so our dates and bag limits and possession limits will all fall within what they allow. I mentioned to you last time that the regulation schedule is changing to allow us to

finalize this rule earlier in the year. As you can see, back in recent memory, we've always done it immediately before the September season opened. That will hold true for this season again, and I will bring to you the final migratory game bird rule in August in the meeting. But then, immediately in September, we will begin a new regulatory schedule with the Fish and Wildlife Service. So that will be able to bring you the final rule in May.

CHAIRMAN KIENZLE: This never ends.

GUEST SPEAKER: I know. Into next year, I promise.

CHAIRMAN KIENZLE: It's just the rule development that never ends.

GUEST SPEAKER: And that means, gosh, not only will we not be up against the deadline of the impending season but it will allow us to develop our rules and information and get it out to our hunters far earlier than we have in the past which will be really fantastic.

CHAIRMAN KIENZLE: Who changed the schedule?

GUEST SPEAKER: Fish and Wildlife Service, under duress, from the flyway system.

CHAIRMAN KIENZLE: You mean, guys like me that don't like to vote on things at the last minute?

GUEST SPEAKER: As a result of constant whining from biologists. Quickly, the proposed amendments, most of these are honestly going to depend on what the Federal frameworks are. I do expect to increase the bag limit and possession limit for sandhill cranes in the Estancia Valley, however, that we've assumed has been about a 10% greater sandhill crane which is a population of concern. That's why the areas that have that subspecies are ahead of the draw hunts, and tightly regulated bag and possession limits. Last year I did a crane check station in the Estancia Valley for the duration of the hunt and I did not come up with one greater sandhill crane. So it appears that the mid-continent population that is on the eastern side of the state that

we just have the over-the-counter hunts, has moved into the Estancia Valley and I think we can increase that this year. I'll continue doing check stations and hopefully we can remove that in the future from the draw hunt system. Federal permits, free permits for band tail pigeon harvest, we brought that to you last month because of uncertainties and issues with the band tail pigeon declines. We have discussed it internally and we really do believe we can get at the same data by using our mandatory harvest reporting system that we already have in place. So I have a feeling when I bring you the final in August, the free permit will probably be off the table. We think we can get at that in a different way. I do fully, almost 100 percent, expect a decrease in the band tail pigeon. Our season length and bag limits based on discussions and modeling with the U.S. Fish and Wildlife Service, declines in the band tail pigeon populations. We've been getting some pressure to really cut it. Central flyway and Pacific flyway haven't played well together for the last couple of years and we were told in no uncertain terms by March of this year we had to come up with a unified harvest recommendation. I think this is probably going to be it, but you should be prepared that the season length may drop to (indiscernible number) days. And we are going to move the regular central flyway and after discussions last night, the Pacific flyway season duck season dates into late January. So, we get 107 exposure dates for ducks and geese based on inclusion of September teal, falconry, and Federal youth waterfowl dates. So, what I'm going to do for both the Pacific and central flyways, I am going to take it, the closing date out to the very last date we are allowed and just back up the start date to whatever that 107 exposure date is. And these are suggested based on last year's framework. Bernardo youth waterfowl hunts, last year almost all of them were completely full. I got some great comments from very happy parents who really want us to expand the program. We are not interested in expanding and removing more general waterfowl dates from the pond unit at Bernardo. So we discovered this

wonderful, I think it is 17 or 15 acre spot just south of the quagmire that we own. This is just a basic description and map of where the 4 blinds will be. One will be a handicapped accessible blind. I still believe this is a possibility for the upcoming season if we can get this online. We have already removed all of the trees and the blinds, you know, we've got the cultural clearances. If we can get this online, I will bring you this rather than those youth waterfowl dates at the pond unit as the option for the upcoming season. And I'll get that to you as soon as humanly possible. And with that, I will stand for questions.

CHAIRMAN KIENZLE: Commissioners, any questions? I've got one public comment. Mr. Stambaugh.

GUEST SPEAKER: Since she was restricted in time, if you would indulge me, I would just like to mention the youth area, Commissioners and Director Sandoval. Mr. Chairman, my name is David Stambaugh. I am with New Mexico Youth Conservation Foundation. In discovering those 15 acres, working with Mike Gustin (phonetic) and David Wilson (phonetic) our foundation has come along side the Department. We are helping to provide the non-Federal match. We have a portion of those funds already available. Like she said, we've already done the cultural clearances, the nesting surveys. U.S. Fish and Wildlife Service has designed the entire area including the blinds, mobility impaired blind, mobility impaired parking areas and general parking areas, so if you guys need any more information on this, I would be happy to address with you guys directly at a different time, or maybe send you an email on the designs and concepts that are ongoing, the scope of work that has already been developed. But I just wanted to let you know that it is going, it is a go. Crossing our fingers for youth waterfowl lease in October but otherwise we will keep you informed and again we will address it in August during the game bird rule.

CHAIRMAN KIENZLE: Could you tell us a little bit more about your organization?

GUEST SPEAKER: What we do is, we provide opportunities for youth to be outdoors. A couple of things we have done: We have facilitated a grant from NASP and the Department. We spearheaded getting the NASP program in 10 Native American Schools. It was one of our projects. We are doing fly fishing clinics during free fishing day. We work with Rocky Mountain Elk Foundation, Wild Sheep Foundation, and Bosque del Apache, and the Armendariz to do the small game classic back in December where we took some kids who had never hunted before, gave them an entire free weekend, mentored them, got them shooting, provided dogs, just the whole hunt experience. We do that with fishing and hunting. We teach shotgun clinics, you know, whatever it is we can do to provide an opportunity for kids that don't have that opportunity, that's what we do. We are actually reaching out into New Mexico Tech this fall and doing some other stuff with university students.

CHAIRMAN KIENZLE: Excellent. Thank you. Anything else on this one? This is a discussion item. All right. Number 18, Shooting ranges.

FEMALE SPEAKER: Thank you. We're going to try to be brief as well. First slide here we'll look at is a map of existing shooting ranges in the state of New Mexico. And I've categorized those into five categories: regional being a large range that is 3 to 600 acres; multipurpose facility; local community ranges 60 to 80 acres, it is also pretty multipurpose but on a smaller scale, doesn't serve quite as many folks; specialty shooting ranges are 10 to 50 acres and those are typically like a SASS range, cowboy action or something along that line or a shotgun/trap range; and then, a primitive site is 5 to 10 acres. So there are 50 of them on this map. Oh, and then, indoor ranges. There are 6 indoor ranges in the state. Looking at this, I did find out there is an archery range in 5 and 10, so I don't think all of our archery ranges in our state are identified

on this map. They are not as public, I guess, accessible. They are just not as easy to discover that they are out there. So, looking at this map, where there are existing ranges, did an informal survey of our conservation officers and took a lot of public outreach comments and such. We came up with these 10 locations to expand shooting opportunities in New Mexico. The yellow would be considered a local range or a shooting complex or something of that size, somewhere in the 60 to 80 acre range or larger. And then, 5 primitive ranges in the state. So, move on to where we're at with those 10 project. Roswell, we have identified a piece of property down there. We are working with the BLM to do a recreation/public purpose application. Same with Santa Fe. Clovis, we've approached the city. They have the Ned Houk Park. It is 3,600 acres and they are willing to work with us on putting a shooting range on that facility and so currently we are working on a conceptual design for that to present to the city commission. And then the primitive sites we have identified are Golden, (indiscernible), Cedro, Taos County, Tres Piedras, and then east side around Tucumcari, Santa Rosa, somewhere over there. And then, southwest corner, Deming. That's where we've looked, at those sites. I need to get out on the ground and review those properties. We've partnered with several organizations that have existing ranges or are in the process of trying to build a shooting range. And (indiscernible) County is one, the county is doing R and PP, and we are working with them to try to get that range up and running. So then our future projects, the Farmington area shooting complex, Las Cruces, the BLM and city have asked for a meeting. I have been down there. They have a public shooting range down there but they are really feeling the pressure and need another. And so, and then of course the primitive ranges, those sites that I mentioned. So, with that, we will take any questions.

MALE SPEAKER: That was short and sweet.

FEMALE SPEAKER: Short and sweet, sorry. I want to go home today.

(Laughter)

COMMISSIONER ESPINOZA: We can drag it on until tomorrow. I don't have far to drive so it's OK with me. As discussed yesterday, you know I'd like to see some numbers of what is going to take to do some of this stuff from the primitive all the way up to the complex. And you were saying you are working on those numbers. How soon could you get us some of those numbers? You know, as far as all the way from dead start from where there's nothing all the way to the partnerships. I know you've got some grant money that is available to you but you are still looking for some non-federal match on some of the others. That way, we can start initiating some of these discussions with these groups to get those non-federal portions of it. Like I told you yesterday, up here in Farmington, whatever we decide as soon as we can get it done as far as property acquisition, you know we've got non-federal portions ready to deliver but without having a number I think we're just guessing.

FEMALE SPEAKER: And we do have capital outlay funds. Chairman, Commissioner Espinoza, we do have some capital outlay funds as well but we can use this non-federal match. So we have some funds that we are working on trying to spend. I can tell you with the RPP application we are working on with Santa Fe, it is roughly \$130,000 for the application process and I did send an email down to Las Cruces if you are familiar with that range down there, the Butterfield. And I asked them what their annual budget is for operating that range. It is lumped in with their parks so he just gave me an estimate. He figured it to be 80 to 100,000 a year to operate that range.

COMMISSIONER ESPINOZA: What about construction?

FEMALE SPEAKER: Once we get, part of the construction is having a plan, architectural drawing, this is what we want to do so that we can get them to bid, get a bid on it. And we just

haven't reached that point with much of it. One of our partnerships with the City of Albuquerque is to build that archery range there and we are in the bidding process right now. I haven't gotten any numbers from the contractor on what it is going to take to build that particular range.

COMMISSIONER ESPINOZA: Again, back to Farmington, when we say we want to build something, and we have the non-federal portion of it, how soon could we get a plan together for that>

FEMALE SPEAKER: Chairman, Commissioner Espinoza, it could take a year or more to get to that point to where we are ready to even get some costs, bids, you know on having the plan and property identified because part of the design is based on the lay of the land. I mean, we could say everything is flat and equal and design the shooting range but when you get out there, if it's not flat and equal you can't actually build that on there. And so part of getting those construction costs is know the site first.

COMMISSIONER ESPINOZA: You were looking at a site based on comments yesterday up at (indiscernible) City.

FEMALE SPEAKER: Yes.

COMMISSIONER ESPINOZA: But that's just a site you've identified. You haven't really gotten into the process with the BLM?.

FEMALE SPEAKER: Yes, sir.

COMMISSIONER ESPINOZA: Is there anything that we, as a Commissioner or private, can do to help you speed that along?

FEMALE SPEAKER: I'm going to defer that one to Lance. And you're looking at me, so . . .

COMMISSIONER ESPINOZA: And I guess where I'm going with that, I would like to see something sooner than later, so anything that we can do. You know a year is a long time. But

being from private enterprise, you know, I'm used to pointing a finger and saying, "Get with it" type of thing. I understand the wheels of government but is there anything that we can do to help speed that along.

GUEST SPEAKER: Chairman, Commissioner Espinoza, certainly when it comes to the Department's portion of working through these projects, we will push very hard. But as you know, when we are talking about the Federal funds that are used to supply the funding for these programs, there are some set processes we have to go through: site surveys such as ARC (phonetic) and some of those types of things. And those time structures are fairly standard. You know, the reality is that Jessica and my staff within my division realize this is a high priority for the Commission to get these projects done. And so, we are at this point working very hard to try to figure out how we can streamline those processes and make a greater impact across the state.

FEMALE SPEAKER: Mr. Chairman, Commissioner Espinoza, Aiden (phonetic) and I have been trying to communicate on how we can best do the R and PP's and also the OHV's which is something we've talked about before. So, the State Director of the BLM and myself have been in communication about how we can move forward as quickly as we can. So, we recognize that is a priority and we will move forward as quickly as possible.

COMMISSIONER ESPINOZA: Is this a possibility, and again this is because I live here and you know, I can do this, familiar with construction. I've been in construction all my life. And I know this is putting the cart before the horse, but if we identified a piece of property and it got into the process, could we start with the process of design prior to actually acquiring the property?

FEMALE SPEAKER: Chairman, Commissioner Espinoza, the short answer to that is, I wouldn't do that because we actually have to go through an approval process with the Fish and Wildlife Service as well so we wouldn't want to be committed to a project where there is already money

being put in and then Fish and Wildlife Service then tells us, you can't do it. So I would be a little bit cautious in doing that first only because we want to make sure we have everything, our I's dotted and our T's crossed with the Fish and Wildlife Service for that granting program. That's not to say that we will try, we have an environmental consultant company on board now so that we can get these things done faster. That was the intent of that procurement. So we can certainly try and make that go as fast as we can. I did get a little nervous. I don't like to spend other people's money and then worry about another agency telling us, you can't go do that, because I would feel absolutely horrible if the agency committed to something and then we weren't able to actually follow through on it. So we can certainly get the plans ready and things to move forward. But we really do need that final approval from the Fish and Wildlife Service since we will be using their money before we take anything and have it go the wrong way.

Murphy does sometimes play into our business.

COMMISSIONER ESPINOZA: I understand.

CHAIRMAN KIENZLE: (indiscernible, cough) from a priority standpoint? I care most about the primitive ranges. So I'll say again, as I said the last time, keep directing your efforts towards the primitive ranges. If you can move all 10 of these or 15 or however many you take together as a cohort, that's great. But I am again most interested in the primitive ones, not to the exclusion of everything else but that is my primary goal. So, if we are not making progress on that at our next meeting, I am just going to keep beating the drum until I see demonstrated progress on that. I think you've identified some sites, that's great. But to me that bang for the buck comes to mind. I just think those are a wise expenditure of our dollars. I'm not sure, and Robert brought this up a little bit, what the annual maintenance cost would be for those kinds of facilities, but perhaps less

than a complex would be. But again, that's my goal, is to get some of these primitive ranges off the ground sooner than later.

FEMALE SPEAKER: That is what I was just about to say, is that we need to identify our priorities and OK, here's the money we do have, here's the properties we can bring up to meet our goals pretty easily. And let's scratch those off the list and do that. I mean, I know there are some properties that require a lot more approvals and ARC (phonetic) surveys but it seems like there is probably some that we can get there faster in conjunction with other organizations, private organizations, and just provide, we want the opportunity there, so let's just do, instead of trying to do the whole thing across the whole state at one time, I mean I don't want to bit off more than we can chew. Let's do one and see how we do it. Let's see if it works. Let's see what the maintenance problems are, what the staffing issues are. Let's just pick one that we think we can get our arms around and do that and then keep, move from there.

CHAIRMAN KIENZLE: I understand that you're still in the, we gave you a huge task, so I understand you're still in some of the fact gathering and all that. So I applaud your efforts there. But sooner or later, again, if you can't move all 10 of these forward at once, you're going to have to pick and choose which ones you can get done sooner rather than later. So be thinking that way as you go through the process.

FEMALE SPEAKER: (indiscernible)

COMMISSIONER ESPINOZA: One more comment. We had a little bit of discussion yesterday regarding unmanned and manned. I'd like to see some numbers again. You know, what it takes to maintain one, trash pickup, what it would cost to lock the gate at night, open it in the morning type of thing, et cetera, like that, whether it's feasible to contract that out or get a sportsman's group to adopt it so to speak or get conservation officers to do that. I'm a numbers guy. I want to

see numbers. I want to see what it's going to take. And I know that's another thing to check up on your list. You don't have anything to do, I know, Jessica, but in the scheme of things, I think it is vitally important to know what we are getting into so to speak.

CHAIRMAN KIENZLE: And you and I did a visit about, I think you said Iowa there was one range that was in a more populated area, was it 500 people on a weekend? So that probably does require some adult supervision to make sure that people aren't doing a circular firing squad and that requires more people, resources than my conception of a primitive range that maybe is not quite in the middle of nowhere but does require some effort to get there where you may not have 500 people on a weekend that would require adult supervision. The ones that are closer to metropolitan areas, if we have metropolitan areas, may actually require agency or Department personnel to man them. So I'm perhaps less enthusiastic about those than I am about unmanned ranges that just require less money on a yearly basis.

FEMALE SPEAKER: Chairman, just a follow up on that one. That particular range, the closest community was 14,000 people. So looking at that number, that's how I made the determination on what areas, where the primitive unmanned ranges, where there isn't that concentration of people.

CHAIRMAN KIENZLE: Sounds like they're going to the range instead of church.

(Laughter, multiple speakers)

CHAIRMAN KIENZLE: Any other comment? Two public comments. Frank Geiger

GUEST SPEAKER: Chairman, Commissioners, Frank Geiger, President, Albuquerque Trap Club. I just want to take this time to thanking you at Game and Fish for the support that we've gotten from them up to this point and we look forward to the Department (indiscernible). And that's really all I've got.

CHAIRMAN KIENZLE: Thank you. And thank you for sticking around. It's a long day. John Brenna (phonetic) Did I get that right?

GUEST SPEAKER: Yes, sir. Commissioners, Director. My name is John Brenna (phonetic) I'm the field manager for the Rio (indiscernible) Field Office in Albuquerque, New Mexico, the Albuquerque addition to the BLM. And basically, I'm here for the same reason, to thank Jessica and the New Mexico Game and Fish staff and the Commission for the opportunities that they have recently provided us for this wonderful program. We help manage the Albuquerque shooting park range and 80,000 people worldwide come there so we wanted some numbers, that's a pretty good range. One of the proposals is that the archery range, which I think is fantastic so we can have better stewards of the public land and wildlife out on public land, shoot a deer with arrows and miss or they hit them and they don't follow them up, so hopefully that range will help. We also have a project out in Grants, New Mexico that the BLM has been working on for quite a long time. But since I've taken the position back in January, I have made this a priority, and Jessica has come in and helped us. We are hoping within the next year or two, we are going to be able to complete that project for the Cebolla County folks. We have also proposed another primitive range out near the Ojito Wilderness as we are having problems with shooters who are shooting around the Wilderness itself and leaving trash everywhere. Game and Fish has had great partnership with New Mexico Game and Fish, and we will continue that. Our people have clean up days and those kinds of things to help cut the cost for state on those issues that you brought up earlier. So it's been a great deal. We also have a partnership with you guys on OHV and we are going to continue those partnerships. So, I can't speak for the Farmington area, just for my district in Albuquerque, but we are all for the projects as you guys are bringing them forth and I think we are going to continue it in a really positive manner. Thank you.

CHAIRMAN KIENZLE: Well, we can't get some of them done without you, so we appreciate your help.

GUEST SPEAKER: I also guess that land management issues are the same no matter who has them. At least that's what I'm hearing. So thank you again.

MALE SPEAKER: Mr. Chairman, one more question.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: When will we hear about an update again?

CHAIRMAN KIENZLE: June.

MALE SPEAKER: June?

CHAIRMAN KIENZLE: It's on the agenda every month. Every month until I am satisfied we are going to get the keys to the gate. So, we'll see you next month.

FEMALE SPEAKER: I'm going to cancel my vacation.

(Laughter, multiple speakers)

CHAIRMAN KIENZLE: It's a Saturday meeting. It's in Taos, it'll be like a vacation.

(Background speakers indiscernible/inaudible).

CHAIRMAN KIENZLE: AGENDA ITEM NO. 19: Fiscal year 2017 Initiation of Budget Development.

(Multiple speakers, background)

GUEST SPEAKER: I apologize, Mr. Chairman, Commissioners. Hopefully that's the longest part of my presentation. The attached slide is for the budget initiation for the fiscal year 2017 agency budget. We will be presenting a budget proposal to the Commission on August 15 for the August 20, 2015 Commission meeting. The slide is pretty self-explanatory, and that's all I have for this. Does anybody have any questions.

FEMALE SPEAKER: So, Mr. Chairman, Members of the Commission, I think this is the kick-off initiation of the budget process. If you have specific issues or concerns or items you'd like us to address during the budget development process, we would like to hear about them and certainly engage with you now or through this process.

CHAIRMAN KIENZLE: So, on this budget, this becomes a public document, goes out to the rest of the world, right?

FEMALE SPEAKER: Mr. Chairman, individuals do have the opportunity to come and review our budget. But basically it stays in-house until it goes public through the formal vetting process with the Governor's Executive Budget.

CHAIRMAN KIENZLE: So, we have this problem every legislative session where they want to take some of the funds that may be encumbered, allocated, or whatever else. Is there a way to footnote some of the budget, and I don't know if it has those pools of money even are out there or if it is just truly an operating budget, but is there some way to tell someone in this document that this money allocated and it's not a good idea to try and come and raid those funds.

FEMALE SPEAKER: Mr. Chairman, that's a great question. Technically the budget document itself does not have a place for that. It is strictly the numbers. But through our audit document and through our conversations, we do make that information public, that they are specifically tied to the administrative needs of the Game and Fish Department. But we can certainly develop a short white paper that we can insert with that budget document. We do that with the legislative council right now but we can expand that.

CHAIRMAN KIENZLE: Is that the diversion we've had, the diversion presentation a time or two. Is it a version of that?

FEMALE SPEAKER: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: Anywhere and everywhere you can get that document out, it's an education process, let's just inter-leaf it in whatever we've got so we play a little defense on that issue every opportunity we get.

FEMALE SPEAKER: Mr. Chairman, absolutely we will do that. And just for today, if there is a specific issue that you all would like to see us address in the next budget cycle, please feel free to reach out to Dave and or to myself and we can address that in the budget.

COMMISSIONER ESPINOZA: A quick question. Reading the second paragraph on capital outlay, understanding what happened with the legislature, how's that affect us now.

FEMALE SPEAKER: Mr. Chairman, Commissioner Espinoza, the capital outlay that the Department put forth for FY16 has not been approved. There have been multiple discussions about a special session for capital outlay. You know it impacts us, of course, because we won't have an approved set for FY16 but we do have previous years because capital projects are four years in length, that we can continue to work on. Hopefully the fiscal year 17 capital projects will be approved through the regular process. But that's a year out. Again, that will happen in February of next year.

COMMISSIONER ESPINOZA: It won't stop us in our tracks but this slows us down a little bit?

FEMALE SPEAKER: Mr. Chairman, Commissioner Espinoza, that's correct. It doesn't stop us in our tracks for our currently approved capital program that we have in place but for all of the projects that we have had slated to start in FY16, we don't have the authority, the budget authority, to go forward with that.

COMMISSIONER ESPINOZA: Thank you.

CHAIRMAN KIENZLE: This is a discussion item. So we will move on to AGENDA ITEM NO. 20: Request to Dispose of Vehicles and Other Assets.

GUEST SPEAKER: Thank you, Mr. Chairman. The Department is requesting Commission approval to dispose of capital assets that are worn out, obsolete, or have reached the end of their service life. First thing that the Department needs to do is get the Commission approval, and we take the meeting minutes and the approval to the Department of Finance Administration and the Office of the State Auditor and get their permission before we can dispose of these items. These items are capital assets such as vehicles, boats, trailers, and other equipment. We will dispose of them, we will actually send them to the State Police Auction in August in Santa Fe. And other items will be disposed of per statute. And, again, the first step is to ask the Commission for approval and from there we will obtain the approval from the other state agencies. Do you have any questions?

CHAIRMAN KIENZLE: I do believe this is an action item and we need a motion.

COMMISSIONER: I move to approve the Department request to dispose of the capital assets for the year 2015 that were presented to the Commission today that are worn out, obsolete, or have reached the end of their service life, either by sale at public auction or otherwise disposed of in accordance with state law.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

GUEST SPEAKER: Thank you, sir.

CHAIRMAN KIENZLE: AGENDA ITEM NO. 21: Update of the Aquatic Invasive Species (AIS) Program.

GUEST SPEAKER: Mr. Chairman, Commissioners, some of you have met James Dominguez, our AIS coordinator yesterday on aquatic invasive species. He is going to give a brief overview of what's happening with the aquatic invasive species program.

JAMES DOMINGUEZ: Thank you, Commissioners. And thank you Director Sandoval. Aquatic invasive species program is ongoing and very busy at the moment. Just a brief history on Zebra and quagga mussels. They are native to Eastern Europe and have slowly made their way across the United States, initially through the Great Lakes, believed through the ballast water of commercial shipping containers or shipping tanks. Once established, they attach to just about anything you can image. They clog infrastructure so it affects agriculture. It will affect water delivery. Fisheries are impacted as they are filter feeders and so some of the food bases in the water ponds are affected. So just about everybody is affected at some point once they are established. You see this map here, is pretty much the eastern side of the United States is covered with Zebra and quagga mussels, so numerous that anything east of New Mexico we pretty much could say they are positive and just go forward as that. I did circle these two area. Kansas, Oklahoma and Texas are real threats to New Mexico water bodies because they have a lot of water bodies that are positive for mussels and their AIS programs are not focused on containment but more just educating. And while education is important, it doesn't stop the spread completely. The other circle we have there is Lake Tao. It was listed positive for quagga mussels in early 2014 and that's a real threat to the Navajo reservoir. We have a lot of boats that travel back and forth between the two reservoirs and if they are not completely dry they have that potential to bring Zebra or quagga mussels. Primarily the larval stage, which is what we call veligers, they can persist in just any type of moisture. So if they leave a little bit of water on their boat, and they are on that boat, once it is released into Navajo, they have that ability to establish

themselves. We have statutes and regulations in place. That provides the Department's director the ability to designate positive water bodies, list species as invasive, and also set guidelines for decontamination. She works with (indiscernible) and the Department of Agriculture in getting some of those things passed if needed. The AIS program for the Department works on education, early detection monitoring and prevention. Education, we are trying a variety of different ways to reach all types of the public, whether it is the boaters, anglers, swimmers, agriculture, everybody involved is going to be impacted. So we try different ways. Billboards, highway billboards, ramp billboards. On your way back home, if you're going towards Albuquerque, you might see the alien billboard on the way back. So we're hoping it gets the message across. We send postcards and we get on the radio and TV as much as we can as well. Quick information on that picture on the upper right, those are license plates I sent out to Lake Mojave. They represent 3 months, 6 months, and 9 months. And you can see how quickly they start attaching to any surface once they are established. I have one more plate that will come out at a year and expect that to be significantly covered by that time. Monitoring, we go out regularly and the whole idea is to get an early jump on any introduction if it should occur. We want to know that it's there and start working towards containment so it doesn't spread to other New Mexico water bodies and/or other states. To date, we do not have any positive results for Zebra or quagga mussels.

CHAIRMAN KIENZLE: When, in the Great Lakes, did that start?

JAMES DOMINGUEZ: Late 1980's. I believe it was '88 in Lake Sinclair.

CHAIRMAN KIENZLE: So, they've been around forever. What got them cranked up? What's your best guess?

JAMES DOMINGUEZ: That's a good question, Chairman. I get asked that a lot. And I don't know if the commercial ships started picking up their ballast water in a different part of the sea,

or maybe when they got out to the open ocean they were initially doing it and then changed their habits. Maybe a water quality issue changed it in the Great Lakes. To be honest, I don't know. And I don't know if it's ever been discussed but something changed because we know ships were coming in long before that.

CHAIRMAN KIENZLE: Interesting. Thank you.

JAMES DOMINGUEZ: The last part of our program is prevention. We do watercraft inspections, and I should mention a lot of outreach on boat ramps. Currently we have staff at Ute Lake and Navajo Reservoir from Memorial Day to Labor Day. We can cover about 16 hour days, 14 hour days, depending on how we spread out their time. And between the last two years, we've inspected anywhere from 3,500 to 5,000 boats at each one of those reservoirs. Busy days, and I'd like to give kudos to those inspectors because they've done an excellent job at the education part. We've seen more and more boaters show up with their boats dry which helps the inspectors a lot but also prevents that introduction if it should be on the boat. Navaho Reservoir, you can see with the Lake Tao listing, as significantly increased high risk water craft that are showing up. We didn't decontaminate any more boats but you can see there are a lot more high risk.

CHAIRMAN KIENZLE: Do we charge for decontamination or do we make the boat owner do it?

JAMES DOMINGUEZ: Mr. Chairman, we do not charge for either one. My hope is that we don't have to do that, because I feel we can get more compliance when it's free. And, to date, I've already decontaminated five boats from Lake Tao just from the beginning of the year. So I expect that number to increase this year. One last thing before I go forward, one last thing with prevention is, recently the City of Farmington contacted New Mexico Game and Fish about Lake Farmington and we worked with them to provide guidance and some other tools they needed and

they are currently conducting water craft inspections on non-motor area watercraft. It is a great, great partnership that we're working with the City of Farmington and I look to use that as a model for other entities that want to get involved with this fight. A couple of last maps with the data that we've collected. I would have never guessed that we get boats from Pennsylvania, Minnesota, Florida to Ute Lake or Navajo Reservoir. But they do show up. So, as you can see the risk is there. The last part I'll mention is an incident rapid response plan. We recently put these together. And they are purely for decision making processes. We don't want to get a positive water body and then start scrambling to figure out what we want to do. This provides Director Sandoval with guidance the recommendations we've made for certain water bodies in particular there and then just a statewide plan for those water bodies we don't have a plan in place for yet. It's pretty important because, as you know, we don't own most of these water bodies that we're managing fish. We have recreational agencies that are running that portion. We have agencies that are running the dam. And then we have the water users that actually own the water, so it could get quite complicated if decisions need to be made rapidly. And the last part that I have, there is a little alien guy that was developed in-house by our information/education group. You'll see him quite often. We're working on a full body character and we are going to try to use him as much as we can so we can get the message out, AIS and this alien in New Mexico and continue to keep him out.

CHAIRMAN KIENZLE: Are there any tools, rules, regulations that we don't have yet that you need to do your job better or more effectively?

JAMES DOMINGUEZ: That's a good question, Mr. Chairman. And we are actually going to start reviewing some of the regulations and rules that were put in place. Some of those things were put in place early on when things were just getting going, just as it was spreading, and it

might be time to look at them a little deeper I guess and see if modifications need to be made or if we are good with the way they are now. But my guess is that we should probably.

CHAIRMAN KIENZLE: Let us know.

JAMES DOMINGUEZ: Thank you. I appreciate that.

CHAIRMAN KIENZLE: It looks to me like it's a big deal.

JAMES DOMINGUEZ: Big program, yes.

MALE SPEAKER: Mr. Chairman, I think there are kind of two that James has been talking about a little bit, what he calls a water tag program where, when you pull your boat out of the water, you put a tag on it. When you come back to that same water, you don't have to get inspected. So it's kind of a convenience to help people get through and help us identify which boats to focus on. And then, from a legislative perspective, if there is the potential that New Mexico is clean, could we get a law in place that would force people that are coming into the state to have inspection which might again facilitate in-state movement and prevent something from in.

CHAIRMAN KIENZLE: You mean by law, or can we do it by rules and regulations?

MALE SPEAKER: I think we've kind of come to the conclusion that it might be a law, but we need to dig a little deeper on that.

CHAIRMAN KIENZLE: I'm always enthusiastic about rules and regulations. If you feel like you're stuck, let us know. There are a few of us that are interested in these kinds of things, so we may be able to work on that.

MALE SPEAKER: OK. Wanted to add to that, one of the things the Western State coordinators have been working with, the National Sea Grant, to develop model laws and regulations as a

guide. Obviously we can't all follow the same program because we have such different statutes and regulations in place but it provides that guidance if people want to take those next steps.

CHAIRMAN KIENZLE: So, when are we going to see this again as an agenda item? I defer to you.

JAMES DOMINGUEZ: As often as you want me to come back, I'm more than happy.

CHAIRMAN KIENZLE: I won't keep you here until 5 o'clock all the time.

JAMES DOMINGUEZ: How about August?

CHAIRMAN KIENZLE: August, you think? OK.

JAMES DOMINGUEZ: And hopefully, I can report still no positive waters and more partnerships.

(Multiple speakers, indiscernible)

CHAIRMAN KIENZLE: But do give some thought to whatever tools we can give you that you don't have to get the job done.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: Kind of going back on the rules and regulations. I had a discussion with Mike and James, and first I want to commend their efforts. I had the privilege of spending some hours with both of them when we dedicated the inspection station at Farmington Lake and you know, these guys, James is dedicated to this. We have a first-class individual in this guy. Thank you for what you do. But we had a little bit of discussion about prevention and mike touched on it a little bit, about New Mexico is free right now. And if we could get them before they ever come to our shores, I don't know what that would entail. But we require livestock to be inspected at port of entries. If we could get boats to be inspected, same thing, as a requirement to haul a

boat into the state, and this of course would be the major arteries but everywhere that there's a way station, inspection station, if we could get that in place.

CHAIRMAN KIENZLE: That may be with what? With DoT or whoever . . .

MALE SPEAKER: I don't know, it would be adding burden to them, it would be something we'd have to do, compensate, whatever.

CHAIRMAN KIENZLE: What I'm saying is, I'm sure there is a law out there already that gives somebody, one of our agencies or departments, the ability to take care of these problems at borders.

MALE SPEAKER: Maybe look into that and see what that would entail and present it to us in August.

JAMES DOMINGUEZ: I can do that.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: I noticed from your map, in the infected states there was a big group in the Southeast that are highly populated, has a whole lot more water. Is it the environment there that is not good for the mussels, or do they do something different? We've only got very few water bodies here and few people, but those states, Florida, my goodness.

JAMES DOMINGUEZ: That's a great question. Mr. Chairman, Commissioner, it's the million dollar question, I think. Director Sandoval was in my office asking something similar and I don't have a great answer for it.

MALE SPEAKER: Maybe their regulatory system is different. Maybe that's how (indiscernible). If we knew that, it would be helpful.

JAMES DOMINGUEZ: It very well could be. My guess is that there is probably an environmental condition that is limiting whether it's natural predation, probably not, it's probably a predator of some sort or some gradient that just hasn't allowed them to establish as they have in others. It's hard to say, but I don't think some of those waters or even New Mexico waters are so different from a Lake Meade, a Lake Tao, Lake Superior. There are so many fluctuations in water temperatures and water chemistry. I don't think we're so unique. But there's got to be something that is a limiting factor and that's the key to figuring it out.

MALE SPEAKER: Chairman Kienzle.

CHAIRMAN KIENZLE: Yes, sir.

MALE SPEAKER: If I could say something. I attended a classroom at Las Cruces High School FFA, I think it was back in November, and they actually used this as a topic. And I know they probably got a lot of information from you as well. But I know they were also looking at public awareness and marketing, things like that. I am definitely going to forward them your name and see whatever they can help with. But I know they were really taking it seriously and trying to do something down there with Elephant Butte as well also.

MALE SPEAKER: Thank you, good job, and who knows, maybe the FFA Chapters here in Farmington, Bloomfield area, could possibly help us even over at Butte Lake and the communities down there.

JAMES DOMINGUEZ: And I think that's the key. Once you get people on board and they've just received a little bit of education, they start running with it because they understand the implications. And again, that's where I've said my inspectors have done an excellent job of educating and more and more people are beginning to understand what the problem is and why they want to help out.

CHAIRMAN KIENZLE: Joan. To the microphone please. Good early evening to you.

GUEST SPEAKER: My name is Joan Bell (phonetic). I come from Milwaukee and I moved here in 1992. If you look at that map, all of those things follow the rivers. And what happens is the ships, the ocean going ships came down the St. Lawrence Seaway. They started to dump their bilge water and in there is where, if you read a lot from the things that go on in Wisconsin, that's where they came from. And I started coming to New Mexico in like 1988 and then moved here in 1992. Lake Michigan in Milwaukee, you could walk on the beach and there were none of these things. But as I kept coming back and visiting my family back there, you can't walk on the beach anymore there are so many of the shells and the animals on beaches. You can't really go anyplace on Lake Michigan anymore and enjoy just beach. But the people come down and what they do is they go into Lake Michigan, they back trucks up or their vehicles that have the boats and then they get it, and nobody watches. OK, there is no one on the boat ramps. So they move from Lake Michigan. And then they go all over Wisconsin. There are very small lakes. And they go to all of those. If you go to (indiscernible), if you go to Illinois and Lake Michigan there, the same thing happens. But what happened many, many years ago is that Chicago, instead of putting all their waste water out into the lake, they suck their water in and across and into a canal through the whole of the state. And that's how things are moving. And through the rivers, they are getting to the Mississippi River down through there down to the Louisiana area and then across because people go to the rivers, they have these vehicles, they get the larvae on them and then they move around. And it's not dry there. Right now, my mother said last night it was foggy and it was raining. And it stays like that. Their vehicles do not dry off. And people are coming Wisconsin with this. So I think New Mexico really has to watch our waters because if we don't, it doesn't take that long. And our waters are so, we have such limited water compared to there,

and it only took maybe four years. So please do something because it's not going to stop unless that happens.

CHAIRMAN KIENZLE: Thank you. Appreciate your comments. Commissioners, anything else? All right. This is a discussion item. We will see you at the end of the summer then.

Number 22, Proposals for Importation and Possession of Tilapia and Other Fish. Tilapia. It's no joke.

GUEST SPEAKER: Mr. Chairman, Commissioners, as you know, Deputy Director Brooks brought forward a while back a proposal to add tilapia as a protected game species due to a large and ever increasing interest in the public in hydroponics and raising fish in their backyards and those kinds of things. As a result of that, we pursued House Bill 201 which did two things. It added tilapia as a protected species and corrected the scientific name on striped bass. That bill passed and was signed by the Governor which results in a need for us to review our regulations and figure out how it all fits together. In reviewing the regulations, we looked at the fishery rule, importation rule, and Class A lakes rule. It appears probably some minor modifications to the importation rule in terms of what types of fish and fish health requirement, and then something in the Class A lake rule setting out some standards for what kind of rearing conditions might be required. Some of the considerations we will have to go through as we develop the rules are, are we going to treat a commercial venture that has thousands of fish differently than somebody's backyard sustainable approach where they have 50 fish. There is definitely public interest in having a lesser permit for that kind of thing and potentially lesser scrutiny. What species of tilapia are we going to allow, and there are 38 species of tilapia, 3 that are primarily cultured. They have varying levels of risk Most of the tilapia species have a lethal temperature of 53 degrees so they can't survive everywhere in New Mexico but some places. Others have a lethal

temperature of 46. So, there are places we have found pacu which is a South American fish that's been released so that's a concern we have. The other concern is, you know, we could require just either triploid fish or all male or all female populations so you wouldn't have reproduction and the risk of reproduction. People apparently have expressed some concern about that in that they couldn't propagate their own fish, they'd have to keep buying them. So we will need to evaluate the risk there and determine whether we want to limit that. As I mentioned, we will have inspection requirements and then what kind of permitting. Are we going to have separate permits for different size facilities or just one, or how is that going to work. We have gotten feedback in the past. The only method we have right now for allowing people to hold game fish is a Class A lake permit which is about \$200, and if you just have your 50 fish in your back yard and your 55 gallon drum, that seems excessive to folks and that's hard to argue with. So, those are the considerations we are making. I expect to bring you something probably in August for adoption. I'll stand for any questions.

CHAIRMAN KIENZLE: Anyone? No? Thank you. Number 23: Rule Development for a Department Volunteer Program.

GUEST SPEAKER: Mr. Chairman, Commissioners, I come before you today to initiate the process to develop a new rule for the Department's volunteer program and to discuss the exciting changes and the great promise that this offers for the volunteer program and volunteer participation. During the past legislative session, Senator Benny Shendo passed an impact on conservation through his sponsorship of Senate Bill 231 which was the Outdoor Recreation and Wildlife Volunteers bill. As evidenced by my need to be here in front of you today, the bill passed with overwhelming success, clearing both the Senate and House without opposition. The Governor signed it and it is slated to take effect here June 19. Senate Bill 231 gives the

Commission the authority to allow the Department to develop a much more comprehensive volunteer program and is really focused on three areas which are recruitment of volunteers, training volunteers, and utilizing the volunteers' services. In addition to this, the bill outlined the types of activities volunteers in this program should engage in which are education and outreach activities, hunter and angler services, and wildlife conservation. The good news for the Department is that many of our volunteer programs, their primary intent covers all of these aspects and these are the types of volunteer services the Department has come to depend on. And so, you are all aware that our volunteer efforts are used by the Department as state match for some of our Federal aid, and represents a significant financial contribution to the Department and New Mexico. So moving forward, I'm preparing the new rule for the Commission. Some of the considerations that will take into effect will be establishing a policy and procedure to allow volunteers to travel with staff and Department vehicles, to use Department computers and equipment, and collect reimbursement for things like mileage and expenses. Now, additionally we will look at a consistent criteria for conducting background investigations on volunteers representing the Department and our many, many programs. We will reach out to our existing volunteer base to participate in development of this program and development of the rule and, of course, we will welcome any public comment that folks may have in this matter. So, the Department already has many dedicated volunteers for some of our programs such as a responsible hunter and shooter program, the off-highway vehicle program. We have archeologists and historians which support traditional hunting methods for our first hunters program, archery in the schools coaches, aquatic resource educators, and then really what is most visible is our hunter education instructors. This program will open doors to allow more volunteer opportunities for the Department and we are enthusiastic about the potential growth that these

opportunities present for our sportsmen and women to get more involved with the Department and the conservation work that we do and helping us to ensure that we will protect these resources for future generations. So, with that, I will stand for questions.

CHAIRMAN KIENZLE: Any questions?

COMMISSIONER ESPINOZA: I have one question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Timeline. I understand, when do you anticipate having the program up and running.

GUEST SPEAKER: Mr. Chairman, Commissioner Espinoza, I don't anticipate this taking us very long to pull together, as we had previously done a lot of work with our volunteer programs and even considered what that potential rule might look like moving forward. So my anticipation is to work through the standard process. So at the next Commission meeting we should have some type of proposal in front of you. And as long as we have enough opportunity to allow for adequate public comment, I could see having something for you either in June or something by August for you to approve.

CHAIRMAN KIENZLE: Lance's volunteer army. I like it. Awesome. That's good news. That's a lot of work ahead of you. But it's going to be a good program. Any other questions or comments? Can I get a motion to amend the agenda to remove Agenda Item 24, closed executive session?

COMMISSIONER: So moved.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it, 24 is off the agenda. General public comments, Agenda item number 25. Garret.

(Multiple speakers, off mike, indiscernible)

CHAIRMAN KIENZLE: We will be holding strictly to the time limit given the late hour in the day.

GUEST SPEAKER: Mr. Chairman, members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation wanted to present a letter to the Game and Fish Department regarding opening E-PLUS, New Mexico Wildlife Federation on behalf of thousands of New Mexican resident elk hunters respectfully request the State Game Commission formally open the E-PLUS rule and convene a task force composed of New Mexico Game and Fish staff, hunters, landowners, and outfitters to consider possible changes to the E-PLUS program. Our concern is that the current E-PLUS rule is outdated and no longer meets the needs of New Mexico hunters, outfitters, landowners, and the Department of Game and Fish. We believe the following: that it unnecessarily reduces hunting opportunity for resident New Mexico hunters, privatizes and commercializes wildlife resources held in the public trust, and promotes poor land and wildlife management practices. It rewards landowners who do little or nothing to improve elk habitat. It does little to get public draw hunters onto private land, skews hunter success rates on private versus public land, and it creates management problems for the New Mexico Department of Game and Fish. We understand that the Game Commission cannot please everyone who has a stake in the E-PLUS program and that any changes will likely create winners and losers. But the current system has already created winners and losers and New Mexico draw hunters overwhelmingly see themselves as losers. (indiscernible) legislature several years ago increased the resident big game quota giving New Mexico hunters a substantial increase in elk licenses. It

is past time for the Game Commission to do the same. First step is to open E-PLUS rule and listen to what the stakeholders have to say. Finally take modest to put a higher percentage of the elk licenses in the big game draw. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Joan Day (phonetic).

GUEST SPEAKER: I didn't get here for the thing on bear and cougar. So I'm not really sure what everybody said . . .

CHAIRMAN KIENZLE: We heard it all.

(Laughter).

GUEST SPEAKER: I realize that (indiscernible) I realize that there are bear that are going into much more populated areas because their areas are being taken over by humans so please don't allow the killing of bears and cougars because human beings are taking over their area. I live up in in La Plata. Sometimes it is actually a pleasure to be able to see these animals because you don't get to see them very often anymore. And where I live, there are people who will just go out and kill them and nothing is done about it. They kill them, they kill fox, they kill coyote, just because. So that's one. On the fish, in Illinois there is a flying fish that was brought in and deposited in the rivers there. And when you go on the rivers, all of a sudden these fish just come up and there's thousands of them. The problem with bringing in fish that don't have predators is that they take over. Nothing can kill them. The other thing is, if you only bring in one sex, a lot of times fish will develop into both sexes. And that happens a lot. It's kind of like a lot of frogs, a lot of amphibians will do that. And the other thing about bringing in fish for farming is, if you've heard anything about farming for salmon, basically you're told not to eat them because they live in pools or live in areas in the ocean in the Great Lakes where basically they are living in their own feces, they are living with antibiotics and all kinds of things. And then that gets into humans

and destroys our food chain. The other thing is, I would really wish that you had these meetings on a Saturday or Sunday . . .

CHAIRMAN KIENZLE: We have one.

GUEST SPEAKER: We have one in June 13.

GUEST SPEAKER: Here?

MALE SPEAKER: No, Taos. Not too far.

GUEST SPEAKER: Well, actually, I work on Saturday. But I don't see that many people who are just residents of the area here. I don't know, it may have been a lot of people who were just giving you information for their jobs, but I would appreciate in this area especially if the Game and Fish could come on Saturday or Sundays because then you could get a lot more information from a lot of the residents in the area.

CHAIRMAN KIENZLE: Brandon Wynn (phonetic).

GUEST SPEAKER: Thank you, Mr. Chairman, Commissioners, Director Sandoval. I have to admit, I think I've finally reached the point where I'm even embarrassed to be talking about the drawing again. To that end, I had some nice conversations and I appreciate Assistant Director Chadwick and Deputy Director Brooks, and Chief Rohrbach that spent some time with me on the phone talking about the drawing. And also Director Sandoval. I talked to her about the drawing, actually right before she was Director. I appreciate everyone's time. So, I think we are getting there on the drawings, the way the (indiscernible) is running, and just this year I'd like to see a little tweak to it. First time we read it, I think looking at the minutes from the meetings where you passed a new rule where the (indiscernible) added a permit, the one comment, there was really only one public comment. We dropped the ball. We didn't give you much to work with. We didn't say much about it. We asked that when they add permits that, if they add a permit, that

it doesn't push the resident under 84 percent of the number of permits that were issued and so this year what happened was, based on my math, there were about 150 additional permits and 147 of those hunt codes, residents ended up being under 84 percent on the number of permits that were issued. So I think there should be some tweaking to this. One thing, I think to possibly look at not issuing director's permits in any hunt codes below say, 30 permits total, because we had some like 20 hunt codes with 5 permits and there was an additional permit issued so that seems to be, most places you have kind of a (indiscernible) but there's only (indiscernible) you can't add one, that's too much of a percentage. That's it. Thank you. I'll try to go under the bell.

CHAIRMAN KIENZLE: Thank you. Mr. Aukland, you're it.

GUEST SPEAKER: Director, Mr. Chairman, Commissioners, thank you very much for bearing with me. I appreciate you guys coming up and conducting your meeting here with us in Farmington. I have a couple of proposals that are mine personally and one of them is, when a man reaches, or a hunter woman, reaches the age of 75 and apply for a permit to hunt deer or elk, they would get that permit. They would pay for it like anyone else. There could be certain exemptions in high use areas such as the Valle Vidal or Valle Caldera or in the Vermejo. But I feel when we don't draw, when we get to the age that some of us are, that may be the last time that we would ever have to have the opportunity to hunt. When I see people hunt private land with the allocation of landowner's permit, be it on ranch only or unit wide, they may have the resources in which to purchase a license. Some of us that are on fixed incomes don't have that opportunity. So I would appreciate your consideration to think about that particular option. And the other is, and I hope I don't go over my three minutes, I started fishing quality water at San Juan River in 1972. The bag limit was four fish, minimum 15 inches long. A few years later that changed to two fish 18 inches long. A few years later that changed to one fish 20 inches long.

And now, it's no fish that can be kept on that quality water. It's catch-release. I'm of the old school where you eat what you catch. I would like to make a recommendation of 1 fish of a minimum of 18 inches long. Thank you for your consideration.

CHAIRMAN KIENZLE: Thank you sir. I appreciate your comments today. How about a motion to adjourn?

MALE SPEAKER: Mr. Chairman, if I could bring up just one last thing, please, and it's dealing with hunter education and I just wanted to make sure that we still follow up with our meeting with Secretary Skandera on that course code. I know the principals are building master schedules, it is probably not going to happen this next year but I really want to make something happen this summer at least.

FEMALE SPEAKER: Mr. Chairman, Commissioner, we will definitely need your help. We have been engaging in that. So if there is another avenue that we might be able to engage in.

MALE SPEAKER: OK.

MALE SPEAKER: One last thank you for coming to Farmington, and I look forward to the Chairman's scheduling another one next year.

CHAIRMAN KIENZLE: Another long meeting.

MALE SPEAKER: Make it shorter (indiscernible) this year.

CHAIRMAN KIENZLE: How about a motion to adjourn.

COMMISSIONER: So moved.

COMMISSIONER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

In Re:

Game Commission Hearing

C E R T I F I C A T E

I, Cheryl J. Melgarejo and I, Rose A. Leonard, transcriptionist,
DO HEREBY CERTIFY that the
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APPROVAL OF MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

NEW MEXICO STATE GAME COMMISSION

Farmington Civic Center

200 West Arrington

Farmington, NM 87401

Thursday, May 7, 2015

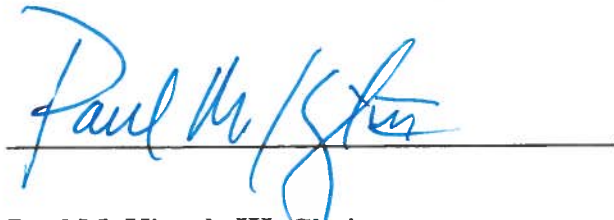
9:00 a.m. – 5:00 p.m



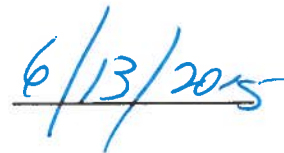
Alexandra Sandoval, Director and Secretary



Date



Paul M. Kienzle III, Chairman



Date

New Mexico State Game Commission

AS/scd

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