

**MEETING MINUTES**

**NEW MEXICO STATE GAME COMMISSION**  
**Kachina Lodge POW WOW Convention Center**  
413 Paseo del Pueblo Norte  
Taos, NM 87571

Saturday, June 13, 2015

9:00 a.m. – 5:00 p.m.

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

Game Commissioner Thomas Salopek

Chairman Paul Kienzle

Vice Chairman Bill Montoya

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

Game Commissioner Ryan

**A B S E N T**

None

CHAIRMAN KIENZLE: Roll call.

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. Let's do the Pledge of Allegiance. The flag is behind me.

(Pledge of Allegiance ends.)

DIRECTOR SANDOVAL: Mr. Chairman, I would respectfully make some changes to the Agenda for today's meeting. Agenda Item No. 11 is the final proposal to amend Permits and Licensing Rule this is in regards to the tilapia. We will be machining a final rule decision at the next commission meeting so rather than having one decision made today and one decision made next meeting, we'd like to remove this Agenda Item off and pair it back to the rule for next meeting and then additionally move up Agenda Item No.17, which is the Public Draw Success for Species up to right below Agenda Item No.8.

COMMISSIONER MONTOYA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER MONTOYA: I would move that we accept the Director's recommendations on the Agenda.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MAMBERS: "Aye".

CHAIRMAN KIENZLE: The "Aye's" have it. And then, let's just approve the Agenda as amended then.

COMMISSIONER MONTOYA: I make a motion to approve the Agenda as Amended.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: “Aye”.

CHAIRMAN KIENZLE: Okay. So we are moving up No.17 and we are omitting No.11. Okay, Introduction of Guests. Let’s go around the room and if you would introduce yourself that would be great. Who wants to start? Dan?

GUEST SPEAKER: Thank you Commissioners. Dan Brooks, Deputy Director of New Mexico Department of Game and Fish.

GUEST SPEAKER: I’m (indiscernible) Greenley. I’m just (Indiscernible) Community Center. I’m definitely against trapping animals.

CHAIRMAN KIENZLE: Thank you. Just introduce yourself is good enough. Thank you.

GUEST SPEAKER: Brian Fare with (indiscernible) Game and Fish.

GUEST SPEAKER: Good Morning Mr. Chairman, Commissioners. Chief of Wildlife Stewart Lyle, New Mexico Game and Fish.

CHAIRMAN KIENZLE: Congratulations.

GUEST SPEAKER: Good Morning. RJ Kirkpatrick, I’m Assistant Director for the Department of Game and Fish.

GUEST SPEAKER: Good Morning, Dan Wilken, Department of Game and Fish.

GUEST SPEAKER: Elise Goldstein, the carnivore and (indiscernible) Program Supervisor for Game and Fish.

GUEST SPEAKER: Donald Jones, private citizen.

GUEST SPEAKER: Jess Holmes.

GUEST SPEAKER: Good Morning Commissioners, Madam Director. My name is Michael Perry. I'm (indiscernible)

GUEST SPEAKER: Good Morning. I'm Robert Griego, Colonel of Field Operations New Mexico Game and Fish.

GUEST SPEAKER: Good Morning. Carl Abrams, just a sportsman.

GUEST SPEAKER: Good morning, Jason (indiscernible)

GUEST SPEAKKER: Good Morning. Joel Gage, New Mexico Wildlife Federation.

GUEST SPEAKER: Good Morning. Garret VeneKlasen, New Mexico Wildlife Federation.

GUEST SPEAKER: Jane Allen, concerned citizen.

GUEST SPEAKER: Good Morning Commissioners and Director. I'm Nancy Savage, long-time resident of New Mexico and a very concerned citizen.

GUEST SPEAKER: Good Morning, (indiscernible), I'm Chief Administrator of (indiscernible) New Mexico Game and Fish.

GUST SPEAKER: (indiscernible). I'm a private citizen.

GUEST SPEAKER: Master Chief of Utilizing Home Environmental Planning for New Mexico Department of Game and Fish.

GUEST SPEAKER: Good Morning. I'm Chuck Days with Ecological Environmental Planning for Game and Fish and Assistant Chief to Detective Griego.

GUEST SPEAKER: Good Morning. Virginia (indiscernible) Wildlife Coordinator with New Mexico Game and Fish.

GUEST SPEAKER: Jan Ravenwolf, I'm a citizen and concerned of all wildlife.

GUEST SPEAKER: Good Morning Adrienne (indiscernible) from Sandia Park.

GUEST SPEAKER: I'm Devon Mansfield, the Director of the Southwest Environmental Center in Las Cruces.

GUEST SPEAKER: Good Morning I'm Bill Carter, Wildlife Campaign Manager and Animal Protection, New Mexico.

GUEST SPEAKER: My name is Kim Jesser, I'm Camp Commissioner and Jazz Council for Taos.

GUEST SPEAKER: Good Morning. I'm Kurt Adkins representing the Safari Club International.

GUEST SPEAKER: I'm Margaret Brady with the Santa Fe (indiscernible)

GUEST SPEAKER: Paul (indiscernible), retired police officer.

GUEST SPEAKER: Good Morning. (indiscernible)

GUEST SPEAKER: Elizabeth Deshari, Valencia County and I'm a licensed angler and also founder of wildlife conservation (indiscernible)

GUEST SPEAKER: Good Morning. I'm (indiscernible) private citizen and (indiscernible)

GUEST SPEAKER: Lon (indiscernible) from Albuquerque.

GUEST SPEAKER: Ken Salibar, National Wildlife Federation and also a (indiscernible)

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

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: John Bradshaw President of New Mexico Wildlife Federation.

GUEST SPEAKER: Grace Kimball.

DIRECTOR SANDOVAL: Mr. Chairman if I may. I would like to recognize Grace, if you could stand up. She was with us for about a month. She did her senior project with the Agency. She's a graduate now I believe of Albuquerque Academy. So congratulations. She spent some time with us. It was nice. If all of the young people of the United States are anything like Grace, we're in good hands. So we really enjoyed having her intern with us for the time she was with us.

(Applause)

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Mr. Chairman, Commissioners, Greg Masters. I'm the Chief of Education Information and Education.

GUEST SPEAKER: Good Morning Mr. Chairman, Commissioners. Tom (indiscernible) New Mexico Department of Game and Fish and Field Operations.

GUEST SPEAKER:: Larry Lane, private citizen.

GUEST SPEAKER: Good Morning Mr. Chairman, Commissioners, Director. My name is Brandon Wade of Albuquerque.

GUEST SPEAKER: Tom Fisher Tierra Maria trapper.

GUEST SPEAKER: Claudine Fisher, Tierra Maria.

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Good Morning. I'm Bill Crawford, New Mexico rancher and hunter.

GUEST SPEAKER: Good Morning Chairman and Commissioners. I'm John Woods  
(indiscernible)

GUEST SPEAKER: My name is Marcus (indiscernible) I'm a sportsman, guide and outfitter.

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Kurt Kennedy (indiscernible)

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

GUEST SPEAKER: Good Morning everybody. Starcy Nolls with New Mexico Game and Fish  
(indiscernible)

CHAIRMAN KIENZLE: We got three folks standing up there. Did we get to them yet?

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Cindy (indiscernible)

GUEST SPEAKER: (indiscernible)

GUEST SPEAKER: Good Morning I'm Dan Williamson, Chief of Information for Department  
of Game and Fish.

GUEST SPEAKER: Good Morning. I'm Sandra (indiscernible) Director of Game and Fish.

GUEST SPEAKER: Good Morning. Carl (indiscernible)

GUEST SPEAKER: Good Morning Mr. Chairman, Commissioners. I'm Mark (indiscernible) Specialist and Information and Education Division for U.S. Game and Fish.

CHAIRMAN KIENZLE: Okay, I think that's good enough. I think we caught most everybody. Approval of the Minutes, May 07, 2015 Meeting in Farmington. Can I get a motion on that?

COMMISSIONER RYAN: So moved.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Ayes have it.

COMMISSIONER MONTOYA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER MONTOYA: We have a number of people that are interested and quite a group of people, I think it would be appropriate to limit our comments to maybe two minutes instead of three and maybe we can get through this in a timely manner. I'd make that motion Mr. Chairman.

CHAIRMAN KIENZLE: Okay. I would suggest that we further refine that to the traditional Agenda Items excluding public comment at the end and we'll pick up on that and consider that later on. Does that make sense?

COMMISSIONER MONTOYA: Yes.

CHAIRMAN KIENZLE: So Bill's motion is amended and then we have a second. Any discussion? All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Aye's have it. Dan, we're at two minutes then for public comment until public comment at the end. Then we'll pick up discussion of that later on. Agenda Item No.7: Revocations.

ROBERT GRIEGO: Good Morning Mr. Chairman, Commissioners. Today the department has presented you with a list of twenty-four individuals who have met the criteria for reciprocal revocation under the Wildlife Violators Compact. A little background on the Compact. It was started in the 1990s to provide a better deterrence and provide an opportunity for reciprocal revocation when members of the different states were members of the Compact. We currently have forty-four states who were involved or members of the Compact. And what the Compact does is it allows for reciprocal revocation. Revocation is a very effective tool when dealing with Wildlife violators but reciprocal revocation has been highly effective and what that does is it combats when individuals are revoked in a particular state; they can't simply go to another state and hunt. As long as that state is a member of the Compact it's a reciprocal revocation across almost the Nation now. The vast majority, all of the West is members of the Compact State. Like I said forty-four states now and that's been a very effective tool for combating just

simply going across the state line or to another state. So, that's been highly effective with that. The twenty-four individuals that are listed, all of those individuals have gone through the due process in the original state where they we're convicted. With the reciprocal revocation, if these violations were committed in New Mexico they would be at least a twenty point violation in New Mexico, so therefore we revoke or bring them in front of you for revocation. The recommendation is to reciprocate that revocation to match the end of the original date of the revocation of the state that they were revoked in previously. We also have some more Parental Responsibility Act individuals. You were provided with a list, 259 individuals who have been certified through Human Services as being out of compliance in April and May. So with that, I will take any questions.

CHAIRMAN KIENZLE: Commissioners, any questions?

COMMISSIONER ESPINOZA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER ESPINOZA: One point of clarification Bobby. These twenty are all out of state, they're not New Mexico residents?

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza, what they are is they were revoked in another member Compact State so yes, the original violation did not occur in New Mexico.

COMMISSIONER ESPINOZA: Do they now reside in New Mexico? Is that why your bringing it up?

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza, no not necessarily. What it is, is where the original state that they were revoked in is a member of the Compact State as is New Mexico. So all the members of the Compact State will do this reciprocal revocation to match as long the violation that occurred in the original state is something that we would revoke for here in New Mexico.

COMMISSIONER ESPINOZA: Okay.

ROBERT GRIEGO: There are some states that would revoke for example for littering which we would not revoke an individual for littering New Mexico so we would not reciprocate that but any violations that we would revoked for, we reciprocate.

COMMISSIONER ESPINOZA: Okay. Thank you.

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

COMMISSIONER RAMOS: Mr. Chairman, I move to authorize the Department to administer these revocations or suspensions as recommended on behalf of the Commission including the issuance and service of notice of revocation to the individuals listed under the Wildlife Violators Compact and a notice of contemplated action to each individual listed that is out of compliance with the Paerental Responsibility Act.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: "Aye".

CHAIRMAN KIENZLE: The Aye's have it. Thank you Colonel.

DIRECTOR SANDOVAL: Mr. Chairman, before the presentation begins, before concentrating on the other Agenda Items, I think we had a lady that had some comments on No.7.

GUEST SPEAKER: Good morning. My name is Elizabeth Cherry and the 259 people from (indiscernible) I do want to make their point that there's no license required for hunters to shoot unprotected non-game species. Those who are not in compliance and had their licenses revoked can still go out and hunt and shoot non-protected species and I think that's a real loophole that needs to be fixed. Thank you very much.

CHAIRMAN KIENZLE: Elise, Stewart.

DIRECTOR SANDOVAL: Mr. Chairman, before we begin this presentation I would just like to acknowledge Stewart Lyle is our new Wildlife Management Division Chief. He comes with an abundance of experience and we are very excited to have him on board as Chief. So please welcome him into his new position.

(Applause)

STEWART LYKLE: Mr. Chairman, Director, thank you very much. I appreciate that.

COMMISSIONER: Now the learning curve gets real steep.

STEWART LYLE: Mr. Chairman, Members of the Commission, I'm here before you today to discuss Bear and Cougar Rule Development. Rule 19.31.11 NMAC. Before we begin I'd like to give a little bit of background on the rule development process development and timeline. In April we put forth our initial ideas to the website for public comment. We held five public meetings throughout the State of New Mexico in the month of May. We also presented some Final Copy

initial proposals to you at the May 7<sup>th</sup> Commission Meeting in Farmington. We've kind of revised that and you'll see that here today. July, we will put our final proposed Rule on the website that we'll put forth for action at the August 27<sup>th</sup> meeting. So you guys have a little bit of background on our public meetings. Here are the locations, where we held the public meetings throughout the State, the dates and also the number of attendees. Some of these meetings were really well attended compared to some of what we've seen in the past. To date we've received 267 comments via email or mail. A lot of the comments have focused on these general topics as you see before you, both for and against on both of those sides. But again, those are the main topics where we have had public comment. I'd like to get right into the bear proposals that we are bringing in forth in front of you and we'll bring for you the final rule at the August 27<sup>th</sup> Meeting. First I would like to give a little bit of background history. We have a habitat model that depicts primary bear habitat across the State. This model was first developed by Costello et al under a big bear state that we completed in the late 90s, early 2000s. As part of that study they developed a model that looked at where bear habitat across the state is using GIF layers that are almost twenty years old. We have since revised that using new land fire, land status data that better reflects and depicts what the state looks like and what habitat looks like. You'll see where historically was when Costello et al did the study in 2000, approximately 13% of New Mexico was classified as primary bear habitat. With the new models, as suggested by Costello et al as we get more information, special information on habitats as technology improves we should update these models which we have done and now depicts 18% of the State of New Mexico as primary bear habitat. Given data collected on radio card bears and the numbers of over 200. So we have updated that model and in addition to updating the habitat model that depicts bear habitat across the state we have come to the end of a three-year bear study looking at densities across the State

of New Mexico select mountain ranges. This was a very intense study using non-invasive genetic techniques to estimate bears. What we're seeing is it's kind of collaborating with some data out of Arizona and Colorado where our densities are about the same. For example, in Arizona their finding in the Mogollon and the Gila, almost 21 bears per 100 square kilometers. In Colorado their finding from 33 to 44 in the Spanish Peak Area, Southern Sandras, bears to 100 square kilometers. The data we have collected and analyzed is looking at about, in the Northern Sandras, 25 bears per 100 per kilometers. So that's quite a significant increase from the previous estimates of the Costello et al study which was 17 per 100 square kilometers. So it kind of gets back to our speculations that we thought the last fifteen years, bear populations are growing in the sections of New Mexico expanding into new areas. We are in the process, the genetic data is still or the hair samples are at the lab in Canada for the Sacramento's and Sendia's. You'll see this here in a second where I'll get to the presentation on our harvest limits, our proposed harvest limits. We are waiting for that data to come back which should be about middle of July, middle to end of July and immediately post on the website so you have the newest, greatest data available before you make your decisions at the August 27<sup>th</sup> Meeting. What we have here is our bear management zones in New Mexico and the GMU's is broken out of that. Given some of the data from the hair snare data, the density information, we're looking at modifying a couple of GMU's within zones. What you'll see up here, right here at 48, this GMU is probably properly put with Bear Management Zone 4 rather than 3, so we proposed moving that GMU to Bear Management Zone 4. The other thing you have there that's circled is GMU 39 and GMU 40. These are areas where one, the bear habitat model has predicted some primary bear habitat in these areas and not only that, but its areas where we have been seeing increased instances of bears. Currently they are closed but we are going to bring those into, propose bringing those into

Bear Management Zone 6 and available for harvest. Before I move on, we had a discussion with Sugarite State Park here recently. Sugarite State Park would like in cooperation with the department that we agree, is to open Sugarite State Park to bear hunting on a limited basis. It would still fall within the harvest limits that we have in that Bear Management Zone, which is Bear Management Zone 7, but a draw hunt of five individuals is what is being proposed given the size, archery only as well. What we have here in front of you is our Bear Management Zones and our proposed harvest limits by each Bear Management Zone. I won't go into depth and detail of each one unless you guys have, the Commission has specific questions to them but what you have there is our parent versus proposed. The ones with asterisks, Bear Management Zone 8 and 14, again we are waiting the genetic results back from the lab in Canada. Those will be updated immediately and put on the website as soon as we get that information to give you the proposed harvest limits for those Zones. So this is the Northwest Area, Northeast, again, if you have any questions please stop me. The Southwest Area and the Southeast, the Southeast is again, currently we're waiting on all the genetic material from that. What we're looking at approximately, is from the 2014 Season, the last season that we just had, about a 20% increase in harvest limits across the State. One of the proposals that we brought forth to you at the May 7<sup>th</sup> Meeting was looking at season structure or maybe dividing harvest limits of bears across multiple seasons. After further analysis, what you see here is when bears are harvested, timeframes and when the peaks are. We believe, if we went into structuring that harvest limit across two seasons, what we're going to get is two peaks, basically, two very short seasons. We have dropped that proposal thinking that it would be better to keep it open across the entire one season. Harvest them across with the increased harvest limits that we are proposing. We think this might allow for harvest to stay open or those zones to stay open a little bit longer throughout

the season. One other modification that we're proposing is for both Bear and Cougar and that is when it pertains to tagging. Right now, bears and cougars must be tagged within five days of harvest. The hunter or the designee may present that pelt for tagging and any Game and Fish employee may tag it. Our proposal is a hunter or a designee still may present that pelt for tagging but the hunter must make contact, either in person at tagging the pelt or via a phone call to a commissioned officer before that pelt is tagged. The reason behind this is it's really important for us to get location information where that animal is harvested to ensure that we assign that harvest to the correct Bear Management or Cougar Management Zone. Sometimes when we have designees bringing these tags in they weren't present on the hunt, they didn't know exactly where it was. So we're trying to tighten that up to make sure that we really have a good understanding where that animal was taken from. Moving on to cougar proposals, a little bit of background, the top line there is what the current sports harvest limits are for cougar across the State of New Mexico. That bottom line is what harvest we've seen the past four seasons. So you'll see about 250 of the allowable 700, so we're not reaching harvest limits in many of the Cougar Management Zones across the state. We are not going to currently propose any increase of specific Cougar Management Zone harvest limits. We are just proposing methods that we think will help attain reaching the limits that are already set. One of those is eliminating the need for private landowners to obtain a permit prior to using traps or foot snares. And I want to make that clear with the foot snares, there's been a lot of misinformation on comments for receiving that their thinking we would allow neck snares, that is not the allowable. We're saying foot snares or foot traps. Foot snares are the same snares that we use for research animals when we're trying to capture these larger carnivores. We would allow the season to concur currently with the fur bear season November 1<sup>st</sup> through March 31<sup>st</sup> using the same restrictions on foothold

sizes we currently allow for fur bears. So we would not be proposing any larger trap sizes for the take of cougars. One of the other proposals we are bringing forth in front of you is allowing for increased bag limits in Cougar Management Zones where harvest has not been attained in two of the last three seasons. I know that sounds a little confusing but what we're doing, this is kind of a graphic, right there, those two Cougar Management Zones, N and B are the only two Cougar Management Zones in the State that have reached the harvest limits within two of the last three years. So if an individual wanted to, harvested two cougars under their current bag limit, came forth in front of the department and asked for an additional sport harvest on his license, we would allow it in those management zones that have not reached the harvest limit in two of the last three seasons, so all zones excluding B or N. one of the other proposals we're bringing in front of you is prohibit the use of hounds during the September deer and elk season for cougars and allowing license deer and elk hunters on certain wildlife management areas such as the Sargent, the Rio Chama, Humphrey, Marquez, Euroka, Colin Neblett and the Valla Vidal to be able to harvest a cougar if they have a license during their deer or elk hunt. The other proposal is to better match cougar habitat and habitat across the state is proposing to move GMU 18 out of Cougar Management Zone I to Cougar Management Zone H to better reflect habitat types across those zones. 36, 37 and 38 are more mountainous type habitats where 18 is kind of more dessert (indiscernible) dessert which is closer resemblance to GMU 19 and 20. With that, I will stand for any questions.

CHAIRMAN KIENZLE: This is still just a Discussion Item correct?

STEWART LYLE: Mr. Chairman, yes, this is still a discussion. Our final proposals we'll plan on putting on the website at the end of July for action at the August 27<sup>th</sup> Meeting.

CHAIRMAN KIENZLE: Thank you. Commissioners, any questions or comments at this time?  
Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Just one question. You omitted Barker Wildlife Area.

SREWART LYLE: Mr. Chairman, Commissioner Ricklefs, I did and I have it listed in front of me so that was an omission on my part. We are proposing opening up the Barker for deer and elk hunters. I apologize.

COMMISSIONER: Mr. Chairman I do want to make a comment. Elise, I want to go ahead and commend you for the great job that you did by going throughout the state and seeking public input on that and I see how you've compiled a lot of this information and we do appreciate that. Thank you very much. I do have one question and I know that we can't act on that, but I wonder if the department is looking at possibly making a recommendation possibly to legislation or something like that to reduce possibly the \$40 license fee for cougars and reducing that. Maybe a little bit smaller I think we'd get more sportsmen out there purchasing licenses and you know have that option to harvest a cougar while they're out there, just trying to meet that maximum allowable quota.

COMMISSIONER RYAN: I have a few questions. There's a lot of disagreement on how the data that you collect on cougars and bears is accurate and I'd like for you to go into detail on how you collect for instance, the bears and the density population. What is the process and how do you collect this data and how reliable is it?

SREWART LYLE: Mr. Chairman, Commissioner Ryan, yes. Specifically for bears, the department has invested a lot of time and money into trying to estimate bear populations in the state. One of the biggest studies ever done with bear biology was done in the late 90s in the State  
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of New Mexico. Basically, what their doing is a capture, re-capture, trying to get a density. So we go out and make a quick sample and then it captures some animals and then we go back and take another capture and see how many of those turned up from our original, were in there in the second hand and then we can get our densities through that. Since then the department as well as other Western States have genetic data or DNA has really become a viable tool and not only humans and criminology but it's even become a very viable tool in wildlife management. We now can set up grids. If people are very interested, we have a poster in the background looking at this multi-year study we just ran and we set up grids of these barbwire hair snares that we put a scent lure in the bottom of it. What we're trying to achieve is a bear to walk under there, not harm it. It basically just strips some hair off their back, we get a hair follicle and then we can type that back to the individual bear. So we can do our capture, re-capture without actually handling the bears. We don't have trap shy bears now like we did in the previous models and that's how were obtain our densities. So we applied those new obtained densities that we received from that across the zones where we did that study. So that's just coming to an end. Again, like I said earlier, we're just finishing off that three year study that's cost us over a million dollars. We've analyzed I think probably over 2,000 separate individual hairs from bears in the State of New Mexico.

CHAIRMAN KIENZLE: Stewart, are your recommendations through today that you've made made on the best available science and research you've got?

STEWART LYLE: Mr. Chairman, yes. That's exactly right. We've updated those densities in those zones where we specifically set out to get a better density. In addition like we stated earlier, we've updated that habitat model that was suggested by the original researchers at that time with the best available information through GIS Software.

CHAIRMAN KIENZLE: Commissioner Ryan, did you have any other questions?

COMMISSIONER RYAN: Yes. On follow-up, so I understand that there's been this big bear study, on the cougar side, how have you come up with those numbers?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, so that was also part of a large study that was conducted by the department some time ago. So we have not changed the densities on the cougar from that larger study. That was one of the most well-known studies. Mr. Logan conducted that study and really achieved cougar densities in the dessert, something that was very hard attainable. We also are kind of using the data we get from harvest animals, age of harvest, female-male ratios that are harvest as well as we have some new studies going on looking at cougar, not necessarily densities but cougar relationships with predator and prey. Specifically, we're putting real-time GPS collars on cougars so we can look at predations rates. How often their killing, what's the composition of the kills? We're seeing in some interesting things and there are specifically cougars in areas where we would expect you know, cougars preying on deer and elk, big horn sheep, we're actually seeing cougars sustaining themselves on small carnivores and even carp in some areas. We have one cougar living in the meadow Rio Grande wearing a real-time GPS collar that kills mainly ducks, carp and javalina.

COMMISSIONER RYAN: Okay. My next question pertains to the portion of the rules changing, regarding if your hunting if you have a license for a deer or elk, is it an automatic bear license or cougar license accompanied with that in special zones? Can you go into that further?

STEWART LYLE: Yes. Mr. Chairman, Commissioner Ryan, an individual that would harvest, we would allow the harvest of a cougar if they had a deer or elk hunt would also have to have in

their possession a bear or cougar license and those bear or cougar zones must also be open as well in order for that harvest to occur.

COMMISSIONER RYAN: Okay, so there's no automatic. You're out on an elk hunt and your permit can include taking a bear or cougar. I thought there was something discussed in the presentation about that.

STEWART LYKE: Mr. Chairman, Commissioner Ryan, by statute, cougars are a protected species which require a specific bear or cougar license in order to take harvest of it. So each individual would have to be in possession of those licenses.

COMMISSIONER RYAN: Okay, so there's no double license for tagalong.

STEWART LYLE: Mr. Chairman, Commissioner Ryan, no. That would take legislative action and legislative change in order for that to occur.

COMMISSIONER RYAN: Okay, and in that vein I would like to talk about, we had a lot of discussion at our last meeting about the more like a ranch owner depredation type permits or lack thereof, to take especially cougars who are devastating livestock and so forth on their property and the Chairman requested the department to address that issue and I think along the same vein as I understand it, we we're discussing the statutory authority for protected species and I'd like for you to go into that further on why the department has not or is not addressing that issue right now.

STEWART LYLE: Mr. Chairman, Commissioner Ryan, we do have provisions in the current rule and we'll continue to keep those or propose to keep those in the rule. For individuals experiencing depredations on livestock, that we have methods and means to help alleviate those

issues outside of sport harvest. So what we brought forth in front of you today is sport harvest specific on those but we can help and we will work with land owners that are losing livestock to help alleviate cougar issues.

COMMISSIONER RYAN: And is it correct that it's not a 30-60 day time period for those ranch owners to get help from the department on that? Is it a shorter timeframe?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, that could be very immediate. It takes a call to the department, if we have an action that we can get on there right away we will. We also sometimes will permit those landowners as fast a possible in order to try to alleviate those issues.

COMMISSIONER RYAN: You're saying because the cougar is a protected species under the statute it has to have a special permit before it can be harvested even in the depredation type situation?

STEWART LYLE: Yes. Mr. Chairman, Commissioner Ryan, any take of cougar unless it's in defensive life, will require some kind of permit or license before an individual can take it.

COMMISSIONER RYAN: And it's the departments position so that's the departments position on it?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, yes and again that is statutorily driven.

CHAIRMAN KIENZLE: Any further questions?

COMMISSIONER ESPINOZA: Mr. Chairman?

CHAIRMAN KIENZLE: Yes?

COMMISSIONER ESPINOZA: Just to clarify that Stewart that the department has been and will be continuing in the future the process to stream is streamline for a private landowner. Say I've got a problem, I think you told me one time 24-48 hours we got them a permit type thing. Is that correct?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza, that is correct.

COMMISSIONER ESPINOZA: Okay. Just one other question on the structured seasons that you proposed on bear, not proposing those actually, there's been a lot of discussion that that would help lengthen the season so to speak to where we would close some zones within one or two days. Maybe explain a little further your logic behind the peaks if you would?

STEWART LYLE: Yes. Mr. Chairman, Commissioner Espinoza, let me find this in my notes real quick. Mr. Chairman, Commissioner Espinoza, what the graph kind of shows here is really what you have is two peaks, two peaks of harvest. That's occurring from August 16<sup>th</sup> to basically September 1<sup>st</sup> when our archery season starts and August 24<sup>th</sup> to the first week of October when we don't have other seasons open. Basically, that's the only. Bear Season's the only season open is before the Deer and Elk Rifle Seasons. What we see there is the majority of those takes occurring in those two seasons, those two time-periods, excuse me, not seasons, this is one season across. And we feel if we split so the original proposal was to have harvest limits split from August 16<sup>th</sup> to September 1<sup>st</sup> and then from as soon as the archery season opens, to the end of the season. What we feel and given the data that we've analyzed is you will have two very short seasons. One season basically opening August 16<sup>th</sup> and closing August 30<sup>th</sup> before that archery and then one season opening right after the archery and closing by October 4<sup>th</sup>. We don't feel it will alleviate that issue of having two seasons will not keep it open longer. We believe that

the harvest limits that we proposed based on the newest data, the biological data we have will help keep those seasons open longer. The harvest is more consistent with what the bear densities on the landscape are.

COMMISSIONER ESPINOZA: I just wanted to make sure that I understood and I think there are some people in the public factor that were interested in that. And you'll closely monitor that in the future and future seasons and makes recommendations to adjustments if we need to?

STEWART LYLE: Mr. Chairman, Commissioner Espinoza that is correct. If our proposal does not go forth as we suspected with the seasons, we could always bring that back in front of the Commission for consideration of modifications.

COMMISSIONER ESPINOZA: Great. Thank you.

COMMISSIONER RYAN: I have another follow up. So you're expanding the rule to include trapping and snares for private land owners. Can you discuss that? We also have a comment from a letter from the State Land Office requesting the department to amend their rules to include not only private land but also State Trust Lands and I'd like to hear the department's position on considering opening it up to State Trust Lands as well. And Director, you may be better qualified to answer that?

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Ryan, we did just receive that letter yesterday in the afternoon from Commissioner Dunn so we're now assessing the ability to be able to do that on State Trust Land. That request came into us yesterday so we really haven't had time to take a full analysis of it but that request has come to us. It's certainly something that is up for discussion but we haven't fully vetted that haven't had an opportunity to really reach back out to the State Land Commissioner and visit with him on it.

COMMISSIONER RYAN: Okay. And can you go into further why the department is wanting to alleviate some of the (indiscernible) for private land owners in regards to trapping and snaring?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, the department is proposing no longer requiring the private land owner to submit a permit on their private land for cougar take. What we are doing is making that consistent with our Fur Bear Season. So what we're doing right now is making it more of a consistent season then what was previously available. There wasn't a consistent season under the old, we want to streamline that to where it's a specific season for that in structure to take and also coincide with specific trap sizes that we will or will not allow. That was not defined in rule previously. So it's defined now or will, we're proposing to define what trap sizes and seasons that that take may be allowed rather than not defining the rule currently.

COMMISSIONER RYAN: Is the statutory authority different for trapping and snaring as far as being able to take a cougar without a permit different than what we just spoke about with the taking a cougar with like a rifle without a permit for depredation purposes?

STEWART LYLE: Mr. Chairman, Commissioner Ryan, no. You still will need a license that the private land owner or their designee still will need to obtain a cougar license in order to use traps or snares on their private property and they will also have to follow the harvest limits. So if that zone is closed, they can no longer trap or snare in there.

ELISE GOLDSTEIN: Mr. Chairman, Commissioner Ryan, I think just to clarify a little bit more. If there is an issue, a depredation issue, yes. That is authorized under a different set of statutes for the department versus the sport harvest that we would be proposing for the month of November through, or to coincide with the Fur Bear Season. So handling an issue for a private

land owner who has a depredation problem is under a different set of statutes and rules versus the sport hunt.

COMMISSIONER RYAN: Thank you.

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER RICKLEFS: Under the bear, do you expect to have the genetic material before your July date for Southern Zones?

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs, yes. We just talked to the lab in Canada, their expecting the results to be back to us by the end of this month. The models that we run on those, their called Seeker Models. Basically, when we put that data into the computer to run one zone, it's going to take about six days of the computations on the computer but as soon as we get that we will post online and put up for public comment. You will have that before you vote on the final rule on August 27<sup>th</sup>.

COMMISSIONER RICKLEFS: Under the cougar, has it been possible in the past for a permittee to get a permit to trap one on his lot, on his federal lot or state land, State Trust Land?

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs, not under the sport harvest but outside of sport harvest yes, there has been provisions for a permittee or a designee of that private land owner or on....

COMMISSIONER RICKLEFS: Depredation.

STEWART LYLE: Yes, exactly.

COMMISSIONER RICKLEFS: And that can be done on Federal or State Trust Land?

STEWART LYLE: Mr. Chairman, Commissioner Ricklefs that is correct.

COMMISSIONER RAMOS: Mr. Chairman, just for clarification. Stewart, so basically a rancher will be able to trap, I'm sorry, to harvest any mountain lions during the trapping season on their private property but outside of that, trapping, it goes basically under our current system by seeking permission from the Director right? Which I know expedited that even as close as twelve hours, giving them that permit.

STEWART LYLE: Mr. Chairman, Commissioner Ramos that is correct.

COMMISSIONER RAMOS: Thank you.

CHAIRMAN KIENZLE: Any further questions or comments? This is a discussion Item, we'll take public comment. Garret VeneKlasen? One down, okay. Elizabeth DeShari? Did I say that right? Please step up to the microphone.

DIRECTOR SANDOVAL: For everybody who's making public comments please make your way up to the microphone please. Announce who you are, that would be fantastic.

CHAIRMAN KIENZLE: And let me just say I am going to hold strictly to the two minutes. We have a lot of people that want to speak today. So don't consider me rude if I cut you off but we're going to move through everyone today so thank you.

ELIZABETH DESHARI: Elizabeth DeShari, Valencia County but also a land owner up in Questa near Latir which is cougar habitat. I am coming to say just a couple of things. Obviously, I'm really concerned that except for Texas, New Mexico is one of the worst states. We have a yearlong season. We have a bag limit of two where most people in most states have a bag limit of one and we also are allowing possibly more trapping which the other states are not. So that is

a concern to me. The other concern to me is that I've read in the Arizona Wildlife Statute that cougar mothers basically take care of their pups for eighteen months to teach them skills and that cougars are specialized predators and their self-limiting and they will literally kill another cougar that gets into their territory. So given that, I also heard this gentleman here say that our cougar studies are not complete yet so given that our studies are not complete yet, I do not think we're ready to move forward with changing the cougar statutes and certainly not liberalizing them. So I'm asking you, please don't increase the bag limits. Reduce the season and also no trapping. And I will mention that we are looking at a checkerboard area here in New Mexico so we have state land, public land, private land and that could really make things very confusing. So I'm asking you to please reconsider your proposal today. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Guy DeShari? You all know each other?

GUY DESHARI: Good morning. I'm Guy DeShari and I'm from Valencia County. I'm a lawyer and I'm here as a board member of New Mexico Back Country Hunters and Anglers. I think we should reconsider this. I looked at the figures of fourteen years of data. It looks like the average sport harvest for cougars is about 177 a year. If you look at our last four years of harvest data we we're well above that. We'd really like to see more of the data that's being collected. I know it's on a board in the back of the room but we're not getting to see that sort of in advance to the meetings and things and it would be really helpful to do that. So I'd really like that. It was kind of interesting trying to follow things as we came to this meeting, follow what was on the website and then it's this proposal, it's that proposal, so if you could get a little more definite info out to the public that would be really important. We do need some data, more data on the cougar populations. And I'll just go back to one of the most telling figures is the fact that if our average over fourteen years is 177 and we harvested, sport harvested 230, the 201, the 256 and

198 going back to 2011, that tells me that we're doing fine with our harvesting right now and that's the average. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Brandon Winn?

BRANDON WINN: Mr. Chairman, Commissioners, Director, my name is Brandon Winn from Albuquerque. I just wanted to comment on some of the questions that Commissioner Ryan had about. You know in Nevada, I think it's Nevada when I applied in Nevada this year, if you were lucky enough to draw a big game permit for say, elk or sheep, you automatically get a cougar permit with that. And so maybe that's a way to get more permits into the big game hunters hand. I know most hunters, you know when you hunt you very rarely just bump into cougar. I mean this has happened just a handful of times in my life hunting in the field and so most hunters knowing that aren't going to just buy that cougar permit. So if you wanted hunters to have the ability to take the opportunity to take a cougar if you wanted to get your take increased, possibly just give them that tag with their big game permit through the draw otherwise and then if they just come across one and then you can reach your maximum quota or get closer to it. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Winn. Phil Carter?

PHIL CARTER: Members of the Commission, thank you for letting me speak today. My name is Phil Carter, I'm the Wildlife Campaign Manager for Animal Protection of New Mexico. I'd like to start by thanking Commissioner Ryan for giving voice to a lot of the concerns that the public has over what scientific basis these proposals for bear and changing the bear and cougar rule are being based upon. We find it very distressing that the bar for scientific accountability seems to have been lowered even further from where it was in 2010. The last time the Bear and Cougar Rule was up for review Mr. Lyle mentioned the work of Doctor Ken Logan in our state,

the so-called Hornocker Study. But I'm here to tell you in 2010 the majority of findings of that study were thrown out by the Department of Game and Fish in favor of a one year master's thesis, the so-called Turner Study that was not published nor peer reviewed and that was the basis of them, the department recommending to increase the cougar quotas from 490 to over 1100. It was ultimately backed down to about 750 as you saw. We currently are only making around a third of that every year and beyond to the so-called Hornocker Study, Doctor Ken Logan's work, all I'm really hearing from the department as far as justification for this is a few antidotal examples. This cougar is doing fine here, you know we GPS'd a few of them. That doesn't cut it for the public. We find this very distressing to further see this accountability of the department erode. The department also seems to be willing to throw out one management toll it already has which is issuance of permits to private land owners for trapping of cougar. That would be one way to at least have examples of where cougars exist, where they may be problem animals. So we strongly oppose the elimination of that permit requirement and we also oppose increases in back limits of cougar. Thank you.

CHARMAN KIENZLE: Thank you Mr. Carter and I appreciate your abiding by the time limit. Ken Bixby? And if I mispronounce anyone's name, I apologize. Bixby was easy though.

KEN BIXBY: Good morning Mr. Chairman, Commissioners. My name is Kevin Bixby. I'm the Director of the Southwest Environmental Center in Las Cruces. Our mission is to protect and restore New Mexico's wildlife and habitats. We're not an anti-hunting organization. However, we really question the need for increasing the take of cougars. You're not reaching your maximum harvest levels but those are limits. I don't really understand the need to take more and I'm curious where the impetus for these changes is coming from. And I'd like to echo what Phil said about the science. We really commend the department for the bear study which was a very

impressive effort to gather better science on which to base your management decisions. We don't see anything akin to that for cougars and so we really would oppose any changes to harvest levels in the absence of a study like that. So we recommend first, put the cart behind the horse and do a study like you did for the bear study, wait for the results of that. Finally, as far as cougars go, we are completely opposed to allowing for trapping and snaring on private land or anywhere. Trapping does not equal hunting and it's not the same thing. As far as bears go, it was a very good study that has been done, however, I've talked to one of the co-authors and one thing the study does not do is answer the question, "Is the take of bears by hunters compensatory or additive mortality?" If its additive, you are killing more bears then would die from other causes and you need to know that I think before you start changing the harvest levels. And finally I'd like to say even though the study cost a million dollars.....

CHAIRMAN KIENZLE: I've got to cut you off, my apologies. I'm having a hard time reading this one but I think the initials are BG? Did I get that part right? What is your last name? Thank you, it's either my poor eyesight or poor handwriting or both. Welcome, thank you.

BG: A long time ago there was a Walt Disney Movie called, Charlie the Cougar. It started from when Charlie was born until he became a mature cougar and the majority of his life was being chased by hunters and trappers. It was a really neat little movie and in the end his brother got caught by a trap. But the reason I'm here is I read in the newspaper where there's only 212 cougars in the whole state. I hope I'm wrong. And then issuing a license for \$40, I think it's \$22 to get a fishing license and there's millions of fish and we only have 212 cougars. The thing is, we're like moral backbone for the Nation in New Mexico. I mean there's a lot of concerned people here and everything and it just doesn't look good that there's 212 cougars in the whole state and we're only charging \$40 for the kill. I'm not a hunter, I rarely fish so I know there's

hard working ranchers that have a concern with cougars and the trappers, their hard workers also but the thing is, I'm confused. If there are only 212 cougars we should be saving them. Thank you.

CHAIRMAN KIENZLE: Thank you Sir. I appreciate your comments. Jan Ravenwolf?

JAN RAVENWOLF: Jan Ravenwolf, Sandia Park. I have some questions for you mainly. On the cougars, how do you decide, what is the basis for your estimate of how many to kill in each of the game management areas? Is it predator, prey or on your estimate of how many cougars there really are there or how many you need to keep the predator, prey balance going on? How do you do that?

CHAIRMAN KIENZLE: So I'll point out again this is public comment, not necessarily public question.

JAN RAVENWOLF: I'm sorry.

CHAIRMAN KIENZLE: That's okay, we'll note your questions and we may very well address them with the department.

JAN RAVENWOLF: I'm hoping that your cougar study will be done by August if that's when your going to be making your decision but if it's not, I'm hoping you'll postpone that decision for making changes and are the results of the studies going to be on your website so that we can all look at them and look at the data rather than just the results and see how you arrived at those data? Sorry, that was another question. I do appreciate Commissioner Ryan pointed questions. Those really helped clarify a lot of things. I guess I'll have other things to say in the next one so I'll just shut up for now.

CHAIRMAN KIENZLE: Thank you. I appreciate your comments. Ken Salizar (Phonetic)?  
Welcome back.

KEN SALIZAR: Hi Commissioners, Director. Thank you very much for allowing me to comment on this. I had a couple issues with the cougar hunts. One of them is running cougar hunts concurrently with the deer season. Twice now I've had trouble drawing and when I finally draw I have hounds coming through my camp and running out the herds and stuff like that. So I would like to see a little bit of separation in that. By the way, none of the dogs were accompanied, they were all GPS collared and I actually had to take one back at night that came into my camp. So I think that's a real issue. I really appreciate the departments work on the bears and the species identification, the individuals. I think that's great work and I wish we had more of it on cougars. I know how difficult it is with cougars and I appreciate that. I think that the cougar numbers are growing by the way but that's just my personal thing. Is there any studies going on about why there's a lack of success with cougar hunting? UIt seems to me that we're out there a lot and we're not taking the numbers that we should be taking and those are my only comments. Thank you very much.

CHAIRMAN KIENZLE: Thank you Mr. Salizar, nice to see you again. Charles Fox?

CHARLES FOX: Good morning Commissioners. Over the last ten years I've spent a lot of time in the back country of Northern New Mexico, seemingly good wildlife habitat for bear and cougar. I probably hiked thousands of miles during that time. And during this time, disturbingly, I've seen exactly one bear and zero cougars and I find that to be totally inadequate as far as simply viewing wildlife in good habitat. It would seem to me that too many bears and cougars are already being removed and the good habitat is being emptied of wildlife. That leads me to

believe that the quotas are already too high and should be reduced, not increased. Given the lack of data and clarity on bear and cougar populations, the proposed increased hunting appear to be poorly advised and making these proposals which are quite elaborate without first having all of the relevant data is premature I think. Thank you.

CHAIRMAN KIENZLE: Thank you. I appreciate your comments. April Lee?

APRIL LEE: Good morning. My name is April Lee. I'm from Silver City. I was present at the Game and Fish Commission Meeting in Silver City not long ago and I'd just like to make comment in this forum about the situation that took place there and how unacceptable it was. I attended the meeting as did many other people and the woman sitting before me, Elise, she decided to take comments and she only, she took a very selective amount of the comments from the public. Distinctly she only allowed one issuance of people opposed to trapping. Additionally, we had an anesthetist from the town stand up and beseech the board to please discontinue the use of traps because they are an extremely cruel form of punishment on any living thing and if an anesthetist doesn't understand pain, you really don't want to go to the Doctor. And he said it's an extreme thing, rather than have trapping, maybe you can open up a national hunt. All Miss Elise heard was, would like national hunt and that's what she included in the public comments. She didn't put anything about his opposition to trapping and I've heard it said that the reason trapping is still allowed is because it's a part of our heritage. Well so is slavery and child labor but we did away with them. So I really don't understand the basis for it. I mean I appreciate you guys holding these public comment periods but I also understand that you're required so to do. So I just would like you to actually take on board some of the comments. I asked Mr. Ramos after the meeting, you know why wasn't this public meeting actually recorded? He said well we'd have to have somebody, at first he said why didn't you volunteer, as if that was an option and then he

said, well we would have had somebody record it and then it could have been edited. Have you guys not ever heard of streamline videoing online? It's not a new technology okay? I'm really sorry but....

CHAIRMAN KIENZLE: Thank you. Warren Perry.

WARREN PERRY: Good morning. My name is Warren Perry. I'm a resident of Taos and been a resident of New Mexico since basically, 1973. From what I've heard there's been some excellent questions and information given out and I appreciate that a lot. I would echo the request for what could be called hard science and the real data behind the request to increase take levels of sport hunting or killing, whatever. Anyway, there was one part it was brought up earlier that if the limits are increased and the incidence of appearance of the animals does decrease, will that be considered in the next review? In my experience with government, I worked for government for quite a while and once you get something, you never want to give any of it back. Thank you very much.

CHAIRMAN KIENZLE: Thank you Mr. Perry. Kerry Thompson?

KERRY THOMPSON: Good morning. I'm Kerry Thompson from Tres Piedras. I've lived here for sixteen years. I love backpacking, hiking, mountain biking, bike touring, rafting, rock climbing, cross country skiing. I have a Resource Management Degree and I've lived and worked in the back country for over nine years. I've seen quite a few bears, zero mountain lion. Thank you for considering my comment on bear and cougar rule development. I support the proposal prohibiting the use of hounds as mentioned earlier. I oppose trapping and snaring on State Trust Lands. I oppose the proposal for no need for private land owners to get a permit to

trap public property on their private land. Having those permits required will help you keep track of where animals are. I just question, why kill more?

CHAIRMAN KIENZLE: Jane Allen?

JANE ALLEN: Hello Commissioners and Director. I'm actually a native New Mexican although I've worked in a lot of other states. And per project while there are approximately 150 mammal species, 500 bird species, 120 fish species of reptile and amphibians and around 55 native species of fish in New Mexico and unfortunately, many wildlife species are threatened or endangered and we've already lost many species. In 1975 we lost the Phantom Shiner. In 1964 the Blunt nose Shiner. In 1980 the Penhasco Chipmunk. In 1942 the Mongolian Mountain Wolf. In 1942 the Texas Grey Wolf. In 1935 the Southern Rocky Mountain Wolf and in 1906 we lost permanently the Meriams Elk. And per the New Mexico Game and Fish, it's a bi-annual report that you make in 2006. There was 118 endangered or threatened species and also in 2012 there was still 118 endangered species and on that list is the Puma Concolor Cougar. And so I'm wondering when there's a cougar hunt, even if this is a subsidy seize, how does one determine whether or not their shooting a subsidy seize? And per the New Mexico Wildlife Conservation Act, Section 17.2-39, if a species is endangered like the cougar, actually take is prohibited and also if a per the same section 17-239, if a species is threatened it should be managed to maintain and enhance the numbers. So I'm wondering why between 2006 and 2012 the number of species that are endangered is still the same. Thank you for your time.

CHAIRMAN KIENZLE: Thank you. Evelyn Bemus?

EVELYN BEMUS: Good morning. I'm just going to pretend that we're sitting around my kitchen table and that I can just tell you really truthfully my take on this because I attended the

legislation that was proposed for removing all protection from the cougar and it was going to take it out of the hands of the department. The Bill was tabled at the request of the sponsor, I know you know all this but at the time we we're thinking because it was a really bad Bill and it was going to go back to the department to come up with a better plan and now the plan that comes forth makes no sense to me except for the fact that at that hearing when the Bill was presented, Jim Lane was an advocate for huge increase in the hunting of cougars because he said their elusive and they hide out. There are all these places in the state where they can hide out. There was no proof given of that, it seemed like they would like to kill a bunch more. Now all of a sudden we have this happening and we have a request come in from the State Land Office where Jim Lane is now the advisor on this. So I'm feeling that this is at the best of a very few people that the department does have a means for managing and helping land owners if there's depredation problems. I don't see at all the reason for more killing of bears. I've never seen a bear and I would love to see a bear. Maybe I'm not out there far enough but especially understood there was going to allow a greater season for hunting of bears which might include the Spring Season when their very voluble. But that's been removed, great, I'm glad to hear that. So I think we need to support the carnivores, the predators and the prey and not harvest everything. Thank you.

CHAIRMAN KIENZLE: Thank you. David Koss?

DAVID KOSS: Mr. Chairman and members of the Commission, thanks for the opportunity. I'm David Koss, formerly the Mayor of Santa Fe and now I'm the Chair of the Rio Grande Chapter of the Sierra Club but also I want to let you know that I'm an Aggie, I graduated about the time that Mr. Montoya was a little boy I think. So I have a little familiarity with wildlife management and spent 25 years in Natural Resources Management with Surface Water Bureau and State Land

Office. I worked for both Ray Powell and Pat Lyons. And I just rose as a member of the community and a member of the Sierra Club to oppose these regulation changes right now. I would like to see better science behind all of this and as a previous speaker said, I think when there's a depredation problem, we have animal services and you have the leeway to help ranchers and farmers with those issues. But just upping the limits and pursuing trapping seems like the wrong way to go to me. And so I drove up here this morning to let you know that and I'll stand up on the next two also. I think your moving too fast without enough scientific data for reasons that are really not clear to rest of us that are citizens. And I'll finally say I've hunted and fished in New Mexico all my life. I've seen plenty of bears. I've never seen a cougar because I know I'm just not stealthy enough. Thank you.

CHAIRMAN KIENZLE: Thank you Sir. Donald Jones?

DONALD JONES: Good morning Commissioners and Director. I apologize for not addressing you directly when I introduced myself before instead turning my back to you and addressing the rest of the floor. I stand with almost everything that's been said so far so I'm not going to talk too long. I'll get a website about where the data is coming from so I can be up to date because my understanding from defenders is that we don't have adequate information. What I want to talk about is traps. Los Alamos County, oh, my name is Donald Jones. I'm retired. I live in White Rock, Los Alamos County. Okay, Los Alamos County now has a No Trap Law because pets in the company of humans have been trapped while they're on trails. My understanding is that these traps that these animals were caught in were not placed in a legal position relative to a trail. I believe its 20 feet or 20 yards which is inadequate. Fortunately, no children were maimed in any of these incidences. I say fortunately not because the pets are inconsiderable but because there would have been a huger outcry and probably a law suit if someone's child had been

caught or maimed. Since traps do not discriminate between species, while protected, domestic or human, they should not be allowed on public or private land. I understand that you take....

CHAIRMAN KIENZLE: Thank you Mr. Jones. Pete Brandow?

PEGGY BRANDOW: I'm Peggy Brandow. I live in Taos. I'm currently pursuing a degree in Natural Resource Management and I concur with what Mr. Carter said, how you raise the bag limits on somebody's master thesis that was unpublished and not peer reviewed. And obviously the numbers raise the numbers but you're still not increasing the quotas. So that indicates that we don't have a cougar overpopulation problem. I commend you on your bear studies. As far as trapping goes, just to paraphrase all Leopold, it is unethical to indiscriminate take out parts of the ecosystem when you don't know what parts those play. Thank you.

CHAIRMAN KIENZLE: Thank you. Peggy Nelson?

PEGGY NELSON: I don't think it's very common to have two Peggy's in a row. My name is Peggy Nelson. I'm a resident of Taos County and I am here both for myself and as a representative of Amigos Bravos which is a state-wide water advocacy and River Protection Organization here in New Mexico. We have been involved in the anti-trapping efforts since it really came to light and issues were presented to the Game Commission a number of years ago. What I really want to say though is that there's a direct water connection to large predators and large predators are very critical to an ecosystem balance. At the top of the food chain are those predators that are critical to a process known as The Trophic Cascade. You all may have seen some videos about the reintroduction of wolves in the Yellowstone area. When large predators are present, radical behavioral changes take place in the Ungulate. And what that basically means is that most of them stay out of the riparian areas. Our riparian areas at this point are quite

threatened and to take away more of those large predators are really a disservice to the entire ecosystem. When large predators are present and ungulates are staying away, river banks are stabilized, more vegetation returns. There's more water for the State of New Mexico. And this is a critical factor to realize and you should not be removing more of those large predators from the overall scheme of things here in New Mexico. Elk and other ungulates are already having a detrimental effect on the aquatic systems here in New Mexico. On the Vermejo Park Ranch alone there's a herd of 13,000 elk on 600,000 acres which is very unsustainable. Over the course of forest planning, many of the stake holders have commented at these revision meetings expressing their concerns about the impacts that elk herds are having. We need to have some natural means of taking those down and protect the interest of hunters as well as those go into the forest. I have some traps.....

CHAIRMAN KIENZLE: Thank you. Tom Fisher? If you've got something you can give it to the Director at the end.

COMMISSIONER: I think it's inappropriate to applaud or even Boo anybody when their through speaking and it's distracting. I wish tonight, I think it would be appropriate to say let's not do that. Thank you Mr. Chairman.

CHAIRMAN KIENZLE: Thank you.

TOM FISHER: Mr. Chairman, Members, my name is Tom Fisher. I'm a trapper from Cara Maria and every year that I've been here I've seen lion signs near the kills, the scratch upped toilets or tracks. I've had to let them out of my traps and I just think there's plenty of lions and I'd like to take a couple home rather than letting them go. My Great-Great Grandfather fought in the Civil War to abolish slavery and he was a trapper. Thank you.

CHAIRMAN KIENZLE: Thank you Sir. Adrienne Sultz?

ADRIANNE SULTZ: Good morning Mr. Chairman and Commission. I'm Adrienne, I live in Sandia Park, New Mexico. When I first moved there about six years ago I started watching each year as more and more seemed like bears were disappearing and I kind of jokingly said, what's going on? Is somebody trying to just kill them all? It appears that is the case. We just are losing a lot of our wildlife and I agree with a lot of what's been said so I'm not going to reiterate all of that but I am really, really adamant about just expressing the need for the trapping to be abolished just overall. Even on a private land. Trapping is indiscriminate, many other animals get caught up in that. There are other ways that we can work with these large animals and the cougars again, we don't have the studies and we don't have the information. It is premature. They are single solitary animals that defend their territory, they self-regulate and they do hide in those little holes that you said Jim Lang was talking about. They're elusive. They're not in our faces and yes, I do have compassion for ranchers and people dealing with them but we have to learn to deal with them. We need these animals here and I think that we're moving way too fast. Why do we have to meet these quotas? Why do we have to keep killing all these animals? You know I think it would be for money but if we're only charging \$40 for the permit, that doesn't even seem like we're trying to make money and we just need to stop killing all of our animals. They belong to everyone in the state, not just the special interests. Thank you.

CHAIRMAN KIENZLE: Thank you. Nancy Savage? You were the very concerned citizen as I recall?

NANCY SAVAGE: Yes, I'm very concerned. I've been before you before. Nancy Savage, I have lived in New Mexico since 1958. I am a retired scientist and mathematician from the

Department of Army. I want to thank the Director and the Commission to have the opportunity to provide this testimony. Basically, I oppose trapping on public land. Trapping is cruel, it's dangerous to all creatures including humans that use our public lands and this practice is inhumane. As I'm sure you know, traps can be legally placed as little as 25 yards, that's the statute from hiking trails and a quarter-mile from dwellings. As a citizen of this state, I have the right to walk across public lands without fear of being crippled and so does my dog. Arizona, Colorado, California and Washington have all banned trapping on public land. It past time New Mexico did so as well. The economics of the situation is not sound. According to the U.S. Fish and Wildlife Service Survey, wildlife watchers contribute \$97 million dollars annually in New Mexico. Trapping, \$671,000. That's an order of magnitude, practically. Regarding cougars, the Commission seems to have the cart before the horse as Kevin Bixby alluded to as well. While the new cougar population study is planned, it hasn't been started and you propose to increase the kill of cougars. I think it would be prudent to determine how many cougars we really do have and then determine what the appropriate take is. Thank you.

CHAIRMAN KIENZLE: Thank you. Larry Lane?

NANCY SAVAGE: I would like to submit to the, twenty pages of ...

CHAIRMAN KIENZLE: Larry Lane? You're welcome to give it to the Director. Thank you.

LARRY LANE: Good morning. My name is Larry Lane. I'm from Albuquerque. I'm a private citizen. Thank you Commissioners, Mr. Chairman and Director for letting me speak and thank you for having a Saturday meeting as well. I only have a couple of comments about mountain lion rule. There's the proposal to increase the take in some of the Cougar Management Zones and given that there's under harvesting, I'm wondering how many tag holders actually fill both

tags? And if you increase the take in these other zones, is that really going to have an effect as far as the number of animals taken? The other item is, there was a suggestion to reduce the resident license fee. It sounds like what we need are more hunters if you want to take more cougars. So what about reducing the non-resident fee and get more people from out of state? And then lastly, one of the components of the North American Wildlife Management Model is scientific based management and I think it would be prudent to put more science into population numbers for mountain lions. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Susan Citron? Did I get that right? Thank you.

SUSAN CITRON: Thank you Commissioners for taking the public comments. My name is Susan Citron and I'm a concerned citizen from Albuquerque, New Mexico. This is my first time at a public forum like this. I also want to reiterate others comments about biological diversity and ecological health. I'm concerned about the killing of predators, cougars and bear. I have a question which is an expression of my concern. How do you monitor the take of these large animals and how do monitor poaching in these areas? My other concern is why do we increase the potential for the population destruction of cougars and bear through hunting as their habitat becomes more and more restricted due to human expansion? My last concern is how can we as epical human beings, perpetrate the cruelty of trapping either on public or private lands? Thank you.

CHAIRMAN KIENZLE: Thank you. Jason Amouro?

JASON AMOURO: Mr. Lily? Mr. Lyle, could you please go back to that graph where you had about that harvest please? Again, my name is Jason Amouro, New Mexico sportsman. I grew up in New Mexico and hunted and fished all over the Gila. I probably spent about a hundred days a

year out there, just don't tell my wife. I hang cameras year-round so I actually have a lot of eyes out there all the time. This is an interesting graph and I think my point is a little different from everybody else's. If we look at this graph, you'll see that the season starts, they put down a lot of bears right away and it kind of goes on a lull and then you have your Archery Seasons right there, see, so that's where they spike back up. So my opinion, speaking for most sportsmen, I'm an archery hunter but you know, everyone's got an equal share. Maybe we push back the season a little bit so the rifle hunters have an opportunity to actually hunt. In many years, by the time the rifle hunt start, many units are closed or bear management areas are closed. So those guys never get an opportunity to actually hunt. So if we're talking about split seasons and that type of thing, you know maybe spread that out a little bit. So that's my first point if we're talk about two different seasons. The second thing is, please, when a unit or a bear area closes, can you please send us emails? Let the hunters know, hey, this unit has closed, no more hunting out there. You guys have our email addresses. It would be super easy. You just pull a data base and send out that email and let hunters know that that unit is closed. But most importantly, we can also send them an email when the units open back up. Because right now you have to go to the website and figure it out and we all have full time jobs and it's really hard to kind of manage that stuff. So as a sportsman, I would love to see when it closes and then it reopens. I also, with Commissioner Ramos I absolutely agree, we need to do cheaper lion tags or something. I know we'd have to go before the legislature and all that stuff but \$40 is a little steep but more importantly, if we're not hitting the quotas anyways and a lot of times lions are killed as a secondary species. You know their hunting elk or hunting deer and they happen to see a lion. So we're not hitting the scientifically based limit anyway. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Amouro. Laura Martinez?

LAURA MARTINEZ: Good morning. I'm Laura Martinez from Corrales. I'm a New Mexico native. Thank you for this opportunity. From what I understand, cougars and bears will regulate their own populations. I just ask you, please, these are our native species. Can we do more research so that we know better so that we can do better. Instead of trapping and killing, can we protect and live peacefully with our native species please? That's all.

CHAIRMAN KIENZLE: Thank you Miss Martinez. Mary Catherine Ray?

MARY CATHERINE RAY: Good morning Commissioners. My name is Mary Catherine Ray, I'm Wildlife Chair for the Rio Grande Chapter of the Sierra Club and I'm also an Aggie. In October of 2010, Albuquerque Journal ran an article about the bear and cougar rules that began with this, "Despite a wave of opposition the State Game Commission on Thursday voted to sharply increase the number of black bears and cougars that can be killed annually in New Mexico. The cougar quotas now are so high their not even being met. And here we are four years later again with proposals to kill even more. Why?" This is from Elise Goldstein in the minutes from the last Game Commission Meeting, "This past Legislative Session a Bill was introduced to removed cougars from the management authority of this agency and 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 we needed to make that happen." This need to kill ever more cougars is clearly borne of politics, not of biology or sound management. And I am disturbed that one person or even a small group of people could be dictating policy to the agency. I'd like to tell my story which is anecdotal but I think it is relevant. We live in remote Socorro County on the National Forest boundary and what your map shows is excellent cougar habitat and we've had a remote camera installed and pointed at a wildlife water trough. It's down away from the house in a travel corridor which is in the

bottom of the canyon, 24/7 for over seven years. The number of cougar that have come for water has been exactly one. And during all that time the number of bears that have come has been exactly zero. So I ask the question, if there are so many, where are they? I do not see the need to kill more of these animals. Thank you.

CHAIRMAN KIENZLE: Thank you Miss Ray. Miss Fancher Detusky? Did I get that right? Thank you that was a shot in the dark.

FANCHER DETUSKY: Good morning. I'd like to bring Aldo Leopold name back again. Aldo Leopold, a conservationist and hunter wrote the book called, *Wildlife Management*. It was a discipline he virtually created. He said, "Harmony with land is like harmony with a friend. You cannot cherish his right hand and chop off his left. That is to say, you cannot love game and hate predators." This push to kill ever more cougars and bears along with the Ladder Ranch wolf decision comes very close to looking like predator hatred. Please better protect carnivores and abandon these misguided proposals. Thank you.

CHAIRMAN KIENZLE: Thank you. Jeff Craig?

JEFF CRAIG: Howdy. I've served the public 33 years including part of that time a a Game Warden, Federal Game Warden. I worked Berry Search Fish and Wildlife. My Grandfather was one of the first State's Game Warden. I grew up in a ranching family Northern New Mexico, trapping, shooting, skinning. But I changed. I changed when I studied these animals in the field. I think what your trying to do is make decisions based on making more money and political expediency and backing it up with science. I have to wonder why we went to Canada when we have Ken Goddard's Forensic Lab in Ashland, Oregon. But then I thought, yeah, Game and Fish isn't even willing to work with fish and wildlife with the Wolf Preservation Program. So maybe

that's it. What point is this? I don't think anything we say is going to make a damn bit of difference but we're up here anyway and we're hoping like heck that somebody will listen. But until we get a representative commission that has environmentalists, conservationists, I don't think it's going to change. We're not in a position to need to kill more bears. I've been studying them here, did an eight year study, I offered that study to Game and Fish, they said, "We don't want it." When they went to quadruple the bear kill the first time, I offered 13,000 signatures to the Director of Game and Fish and he had to be ordered by the Governor to take it and when he took it, he jammed it back in my chest and said, "There I took it. Now take it because I don't want it." This type of thing is disconcerting to me. I know that each one of you guys is probably good folks with a good heart, you've got families and kids and I think that maybe you'd want your Grandkids and Great Grandkids to be able to go out camping and see a bear or cougar some day in the future. But they're not going to be able to do it if we keep going like this.. People go to Montana, Wyoming and Alaska to see wildlife. They don't come here to see wildlife. And I think that this move with bears is going to make some guides a lot of money.

CHAIRMAN KIENZLE: Thank you Mr. Craig. Annie Deegan?

ANNIE DEEEGAN: My name is Annie Deegan. I live in Lama, a few miles South of Questa in the hills. I've been there for 45 years. For the first many, many years we saw lots of bears in the neighborhood. For many years now, five, six, seven, eight, we have seen no bears or maybe one. I have seen none and to me there's no reason to kill them. I'm also really against trapping. I think it's very cruel. Thank you.

CHAIRMAN KIENZLE: Thank you. Jim, this is a tough one, Curroll? Crowell? That's my inability to read handwriting, my apologies.

JIM CROWELL: My name is Jim Crowell. I've been a resident in Taos County for 45 years and I have traipsed around here as a land surveyor, a forester and by the way, as a hunter. And I would like to reemphasize what Peggy Nelson had to say. How important our riparian areas are and important studies have been done to reinforce the idea that these predators keep the elk and the deer and in some cases cows out of the riparian areas to enough of an extent that the banks and the streams can flow in a productive manner. My other point is about the cougars. In the absence of any meaningful study and the fact that over time, the harvest rate has been continually going down. It would seem to be intuitive that that is a measure of the population of the cougars to begin with and that's the only thing we have. So it just doesn't seem to me to make sense to increase the bag limit on an animal that is apparently declining in numbers. Thank you very much.

CHAIRMAN KIENZLE: Thank you Sir. Roxanne George? Nancy Gilkison?

NANCY GILLKISON: My name is Nancy Gillkison. I'm a resident of Santa Fe. I'm a concerned citizen and I very much appreciate the opportunity to register my opposition to any so-called sport harvesting of bears and cougars in New Mexico. Thank you.

CHAIRMAN KIENZLE: Thank you. John Crenshaw? I got that one right.

JOHN CRENSHAW: Good morning Mr. Chairman and members of the Commission. John Crenshaw, President of New Mexico Wildlife Federation. I'd like to say up front the Federation, I'm personally very confident in the integrity and the abilities of Mr. Lyle and Miss Goldstein and all her colleagues. They do very, very good work as the professionals have in the many decades I've been associated with the Game and Fish Department. The Game department, I'm sorry, the Wildlife Federation is confident that the departments proposal for bear hunting is

based on the most recent and best scientific data available and that the proposals are based on the totality of the data as opposed to selected parts. So we would support an increased bear harvest. On cougar, I would point out that the Federation including me personally lobbied very hard against that Bill to take the cougar off the Protected Game Animal List and to take without authority away from the Commission. We've also supported very consistently trapping on public lands. It's not a particularly popular decision here today. That said, I would recommend and the federation recommends that the Game and Fish Department continue to require that a permit be required for trapping on private lands. Given that only a dozen or so or fewer ranches have signed up yet, as this program becomes better known I suspect that the number will increase and it's I think (indiscernible) to track that change as it happens instead of trying to figure it out later and especially if we stir in the State Land Office and another nine million acres. As for trapping cougar on public land, our feeling is that the goals of achieving a higher harvest is not worth the feedback and the political problems that that causes. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Crenshaw. Carol Lachinni? Bill Brockman?

BILL BROCKMAN: Director, Mr. Chairman, members of the Commission. My name is Bill Brockman. I'm a rancher from Northeastern New Mexico. I would like to as a land owner and a livestock owner who has experience sticking on the clauses due to depredation of both bear and lion, I would like to support anything that gives land owners more ability to protect their livestock. I support the department's proposal to increase the bear quotas as well as their proposal to allow trapping on private land and I would also support if they increased that to include on State Land. As far as people that have never seen a lion or bear, I have seen both lion and a bear within the last week on my private property. They're out there. I was raised on the property I live on now and their lion and bear numbers are both up very significantly, many

times over what they were when I was a child. I have no questions that the numbers are there and the populations are healthy and again, I encourage you to give land owners all the tools they need to protect their livestock. Thank You.

CHAIRMAN KIENZLE: Thank you Mr. Brockman. Cindy Roper?

CINDY ROPER: Members of the Commission, thank you for this time, I appreciate it. My name is Cindy Roper. I'm a citizen advocate and I have a very simple basic question. Why? Why do we need to loosen the restrictions? If you take the wants of the livestock industry out of the equation, there is no good answer. And the main reason that anybody is concerned with deer and Bighorn sheep in that predator prey relationship that was mentioned in the rule, is because their a game animal and people want more of them to shoot and the department makes money off of them. I find it consistently appalling that such a small industry, the livestock industry, maintains such a stronghold, choke hold I should say, on our states wildlife's management. It is my belief that the, I'm sorry, I hate doing this but I feel it's this important. It is my belief that the majority of citizens in our state prefer our wildlife alive and thriving. Therefore, I oppose any loosening of the regulations on either species. Thank you.

CHAIRMAN KIENZLE: Thank you Miss Roper. David Gregga?

DAVID GREGGA: Mt name is David Gregga and I'm concerned about the bears in the State of New Mexico and we've gotten out a lot of problems with, where New Mexico is not encouraging visitors to come and see our wildlife. They are going to Montana, Idaho, states like that that do have a good population of animals. We are trying to decrease those animals and we need to stop that. Also this is one of the only states that we have a want and waste law, meaning that you can actually kill a bear and let it sit there and rot and not take any part of it. The average kill rate of

bears in the State of New Mexico is about three years of age, whereas nationally, it's about twelve years of age. We need to increase that. We also need to see about stopping the kill of twelve-month-old bear cubs. This a tiny bear that you can basically hold in the palm of your hand, why are we allowing this? I would like to see the day that we are actually getting elected officials sitting up there in front of us and that are making these laws for us and helping our bears and our cougars. I would like to thank you for your time.

CHAIRMAN KIENZLE: Thank you. Chris Wells?

CHRIS WELLS: I'm Chris Wells. I live in the Arroyo Seco New Mexico. I've seen bears. I love to see bears. I would give a lot of money to see a cougar. I've never seen one. I'm against leg hole traps and most trapping in New Mexico for that matter. In my opinion we should not be increasing any limits or quotas on bears or cougars or wolves. As a matter of fact, as a last comment, I would just like to very strongly say, that wolves, bears and cougars belong here.

CHAIRMAN KIENZLE: Scott Smith?

SCOTT SMITH: I'm Scott Smith from Albuquerque, New Mexico. I'd like to comment that there's been a lot in the media about city people who don't know anything about what goes on in the wild and that only city folks would be ones who would be for having wolves. But city people spend much time out in the natural world and we have every much right to advocate for wildlife. Thank you.

CHAIRMAN KIENZLE: Thank you Sir. Rosemary Lowe?

ROSEMARY LOWE: my name is Rosemary Lowe. I've seen bear, I've seen cougar, I've seen even grisly which really isn't the issue here. You don't have to be out trapping and you don't

have to be out grazing and you don't have to be out hunting to appreciate what we have in the wild. When I go out in the wild I listen and I look and I don't have a special agenda, I'm just there because the animals are somewhere out there and if I don't see them it's good enough for me to know that there are there. The Game Department of New Mexico has had a long tradition. Unfortunately, it's a tradition of animal serial killing which is now out there on the web. By the way, the New Mexico game and fish department is now infamous. You're known in the Netherlands. You're known in Spain and your known all over the world. You're not the only department that has the medieval mentality. Most game departments still do. Somebody said to me the other day, well, gee, they should get out of the 21<sup>st</sup> century, the 20<sup>th</sup> century. I said, they've never been in the 20<sup>th</sup> century. They've been operating since the 1920s when you guys came into operation and it's never changed and were here to tell you today that we don't want this anymore. Were here, I don't care about the trappers except I want them gone. I don't want to see mountain lion in traps. I've taken coyote out of traps. It's not a nice picture, it's bloody.

CHAIRMAN KIENZLE: Thank you for your comment.

ROSEMARY LOWE: You need to be abolished. All of you.

CHAIRMAN KIENZLE: Janie Kadosse?

JANIE KODISH: Hello. Good morning. Thank you for letting me comment today. My name is Janie Kodish,...

CHAIRMAN KIENZLE: I'm sorry I got your name wrong.

JANIE KODISH: Oh no one gets it right, it's okay. I'm from Santa Fe. I'm a teacher. I've taught every grade from fifth grade through college. I currently teach at the Santa Fe Community

College where I teach Biology. I am against increased hunting of bears and cougars. I'm not anti-hunting but I'm pro wildlife and more than that I'm pro science. As many people have said, I feel very strongly that we need more data on cougars and bears and that it is unethical to go ahead without completed peer review studies. When we make wildlife decisions without adequate scientific data and information, the results have historically been catastrophic and in many cases irreversible. As a teacher, as a parent, as an avid outdoors person, I ask you, I plead with you for myself and for the next generation to not increase the bag limit. This is our future. This wildlife belongs to everybody. Thank you.

CHAIRMAN KIENZLE: Thank you. Andy Kaufin? Did I get that right? Thank you.

ANDY KAUFIN: In ways, I do not understand why an obvious laymen like myself has to be here to point out what appears painfully obvious versus an over three year, \$1 million incomplete study. With the hunt limit of mountain lions having been raised and now proposal for that of the bear, the black bear being our state animal, why are the numbers of all killed by hunters more ravenous for a trophy than their prey for their survival continuing to drop every year. Now we are thinking to relegate the majestic mountain lion to varmint species so that their numbers can be further declined by the archaic and cruel practice of trapping. As well with the bear, proposing spring bear hunting leaving mother bears vulnerable to be killed with their newborn cubs left to impossibly fend for themselves, dying of starvation and or at the hands of those charged to protect them because the cubs have now become a nuisance. There are four key words in the mission of the New Mexico Department of Game and Fish, Conservation, Stewardship, Recreation and Education. The definition of stewardship is an activity or job of protecting and being responsible for something. Perhaps the education should be internalized versus only the revenue. If this public hearing counted as votes, I could go home and go to bed.

CHAIRMAN KIENZLE: Thank you. Bob Nordstrom? Carl Abrams?

CARL ABRAHMS: Good morning Commission. I appreciate you first of all for having a meeting on Saturday where a lot of us can attend and give input. I appreciate your input. I'm a sportsman out of Albuquerque. My daughter is an avid sportsman as well. I'm not going to get into a lot of details because I want to compile my thoughts and submit in writing but just a few comments. You know I think a lot of people are missing here is that sportsman are really the number one conservationists. There's not a single hunter here that wants no more mountain lions. There's not a single hunter here that wants no more bears. That goes the same with elk, deer, everything. We build the water catchments. We do habitat improvement. Our money pays for these species, etc. I recognize that right now the best data we have suggest certain target levels for lions and bears. You do the best you can with the data you have. Better data will maybe provide better numbers but move forward with what you think is the best at the current time. Animals are a renewable resource as long as their managed which is what we're tasked to do. Put food on our tables. I notice a lot of people speaking up here talked about serial killing, etc. as they wore their leather shoes. You know slaughter houses are, give me a break. So we all work together to do the best we can for the wildlife and I appreciate what you guys do. I'll provide some written comments and thank you again for having Saturday meeting.

CHAIRMAN KIENZLE: Thank you. Kurt Kennedy?

KURT KENNEDY: Thank you. I was going to defer after listening to it but I wanted to even up a little bit when he said we can take the vote. You guys have done a good job, especially with the bear study. And I'd like to make a comment on this and some of the comments. The land owners, you know it's not all given to them but who takes care of this wildlife? And it's not all

about dollars but who has them out there on the ground so they should have some say on there. And then as far as sustainable animals that, predators will eliminate themselves, they will. If you don't have any hunting they'll all move to (indiscernible) and eventually they'll be dead. You don't keep them wild, you don't keep some pressure put on them, they'll move into the towns, they'll move into the areas and eventually they'll get into the wrong trash can and they will end up dead. They'll have to take care of them instead of the game and Fish taking care of them. No one gets any value, a rug or meat or whatever else. They'll dispose of them and their dead. Dead is dead so there is a value that way and I didn't say all the things I wanted say or thought of but I'll put them down later.

CHAIRMAN KIENZLE: Thank you. Star, are there anymore comment cards back there? Terry Romero and that's the close. I'm sorry that's the close, Kerry Romero is our last one.

KERRY ROMERO: Thank you Mr. Chairman, members of the Commission. Kerry Romero, New Mexico Council of Outfitters and Guides. Mr. Chairman, at the last Game Commission Meeting we spoke in opposition to the addition of traps and snares to the Cougar Rule. This was because at the time we were under the impression that the department would need to increase trap size regulations in order to effectively implement this change. It's now clear that the department does not intend to increase trap sizes and their also proposing to use foot snares only. Because there is no proposal to change the current Fur Bear Trap Regulations we do now support the department's proposals as presented. We've always supported and we will continue to support the use of traps and snares as a management tool for private land owners and also government entities to reduce predator populations. In regards to the bear proposals, we support the departments recommendations to increase harvest limits and we would also further support the department should they ever choose to entertain the idea of a Spring Bear Hunt. Thank you.

CHAIRMAN KIENZLE: Mark Casius, and you're the end of the line. Thank you.

MARK CASIUS: This might be a little different. Let me introduce, I'm Mark Casius. Thank you guys for hearing me. But part of this is, I'm going to go a little different direction where I started. I'd really like to thank you guys for the great job you guys have done on your management. I've been in the hunting world for about thirty years now and your data is right. Your harvests are right. You guys are doing a really good job. Sure, not everything is perfect. We all know that but what you guys have done with management and species, we have bears, we have lions, we have everything out there. I spend thousands of hours every year from September to December. Your data is good. Everything is good. What I see a lot here is there's kind of, and I don't want to say anything bad about anyone but there's a lot of lack of education on how the harvest works. If animals aren't harvested you have an unhealthy herd. If you don't trap, you have no more small animals. People like to go watch chipmunks and all this other stuff, if there is not a management on these animals and trapping is the only way to do it unless someone comes up with another way, these animals are going to get, you know predation is going to take effect on them and you're not going to see anything. So you guys have done a wonderful thing but another thing that I want to get out is the sportsmen want to make amends and get together with land owners and outfitters and do some I guess it would be a task force and kind of give you guys some ideas of what the people are thinking. This way you don't have to sit in these meetings and hear about the stuff we can give these to you and it would alleviate a lot of pressure from you guys. Believe me, hunters generate millions of dollars and we want to help you guys spend these millions of dollars because there's millions of dollars in the account and we want to be able to use these monies to better the habitat. You guys have an emblem on your truck that is perfect. It says something to the effect, if you want to protect animals, buy a hunting and fishing

license because it is the hunter dollar and the sportsman dollar, the outfitters, land owners that are generating the millions of dollars to benefit the habitat of these animals in New Mexico. You guys are doing a wonderful job. Thank you.

CHAIRMAN KIENZLE: Thank you Sir. I appreciate all the public comment on that. Any questions or comments from the Commissioners and I would ask even the Commissioners to be brief if that's possible.

COMMISSIONER: Just one comment Chairman. I do want go and recognize you and your effort to seek this public input. I know that we're not required to take in public input at this time. Especially when we go through Agenda Items, but I know there's people that traveled a long way and I do commend you for doing this positive thing. Both sides of the fence were definitely heard today. Again, we advise you to utilize our website, post up this information. Again, thank you people for coming out. Thanks for this Saturday.

CHAIRMAN KIENZLE: That was your idea. Thank you. Commissioner Ryan anything? Commissioner Montoya? Commissioner Salopek? Commissioner Ricklefs? Again, thank you. I appreciate hearing from, I don't think there's two sides of this issue, there's a hundred, there's a million sides to this. So I appreciate hearing from everyone. I know the department does and we'll digest this and then we'll have a final proposal for our meeting in August. Thank you and thank you to Stewart and Elise. We're going to take a quick break and we're going to back in five minutes. I'm going to gavel us back in. Thank you.

DAVE ROHRBACH: Mr. Chairman, Commissioners, I come before you to discuss the number of applicants per species utilizing the public draw. Statutory requirements require the department to award special hunt licenses 84% to residents, 10% to residents and non-residents through an

outfitter and 6% to non-residents. Prime Horn Antelope, approximately 15,561 applicants and we awarded 1,873 licenses. About 12% who applied drew and you can see we met our statutory obligation to our residents. Barber Sheep, 3,793 applicants and we awarded almost 1,300 licenses. Approximately 34% who applied drew and we met our residency requirement. Big Horn Sheep, 6,273 applicants, and we awarded 64 licenses, approximately 1% and as you can see, 90% of those licenses went to our residents. 55,537 applicants for Deer. The department awarded just over 29,000 licenses so for approximately 52% who applied drew.

GUEST SPEAKER: Can I ask a quick question is clarify applications and applicants. What do those mean?

CHAIRMAN KIENZLE: Go ahead. You can answer that.

DAVE ROHRBACH: So Mr. Chairman, Commissioners, so the difference between applications and applicants is hunters can apply together, up to four people for species, not all but most, up to four. So the difference between applicants and applications is usually number of applicants on an application. Deer, about 52% drew and we met our statutory requirement with residents. We had 45 under fulfilled hunt codes so basically what that means is we didn't have enough applicants for the number of tags in that particular code. That's the number and we have left over licenses in those hunt codes. Elk, 67,940 applied and we awarded 21,290 licenses, approximately 31%, about 89% went to residents and we had two under fulfilled hunt codes. Those particular hunts were one was under filled and one was for mobility impaired. Ibex, 5,565 applicants, 318 licenses were awarded for almost 6% who applied drew. Javelina, the department awarded 1,603 licenses out of 1,648 applicants. That's approximately 97% who drew a license. You'll see that the percentages are different and they don't meet the statutory obligation. That is because a

lot of the javelin hunts were under fulfilled and we did not have enough hunters. The supply exceeded the demand and the department has quite a few left over licenses for javelin. Borax, 4,285 applicants, we awarded 1,365 licenses, approximately 9%. Almost 89% went to our residents. We did have one under fulfilled hunt code and that was a military only hunt. Bear, we had 580 applicants, we awarded 78 licenses so approximately 13%. Over 90% of the bear went to our residents and all of our hunt codes were fulfilled. Turkey, over 1,000 applicants, we awarded 209 licenses for approximately 20%. 95% of the licenses awarded went to our residents.

DAN BROOKS: Can I just point out Commissioners if I could on the bear and the turkey, just as a reminder at least to the public is we also sell a lot of licenses over the counter but those are some of our special draw permits for turkey and bear which are slightly different then the elk and the deer.

CHAIRMAN KIENZLE: How did you get all the animals to pose for this photo?

DAVE ROHRBACH: We had our law enforcement ask them to stay.

CHAIRMAN KIENZLE: That's teamwork. Commissioners any questions or comments?

COMMISSIONER: Just one. Dave, those charts, do you mind sending all the Commissioners that same data in an email?

DAVE ROHRBACH: Absolutely.

CHAIRMAN KIENZLE: And this is available on the website?

COMMISSIONER RAMOS: Chairman I'm just happy to see that we've exceeded pretty much that resident 84% quota on that. And it's nice to have this data available to us and I appreciate your work on that and hopefully we can continue working on that. Thank you.

CHAIRMAN KIENZLE: Any other Commissioners? Commissioner Ryan? Commissioner Salopek?

COMMISSIONER SALOPEK: I guess my question is for the Big Horn Sheep. If we get hammered over one license and maybe 4% and 90% went to in state, how does that happen? I like it because at least it shows were more resident then non-resident.

DAVE: Mr. Chairman, Commissioner Salopek, the department has an algorithm and the algorithm draws the number of, I'm sorry, the algorithm determines randomly who is drawn. The algorithm considers the 84% so there could have not been as many non-residents or outfitters chasing those tags as there were residents.

COMMISSIONER SALOPEK: I guess when we looked at the Big Horn Rule when we switched it to how we have it now, there was a lot of opposition and we were getting hit pretty hard. I voted to change what we do to get it to make sure more residents get it than non-residents pertaining to maybe four, six and ten. Now if it's at 90 and I know includes the luhans, I'm glad it's in that favor that high for the Big Horn is all I'm saying. I just want to thank you.

COMMISSIONER RAMOS: Mr. Chairman?

CHAIRMAN KIENZLE: Yes Sir?

COMMISSIONER RAMOS: If I might add, this is the public draw correct?

DAVE: Yes Sir.

COMMISSIONER RAMOS: And it's only the public draw and what I would like to see and hopefully it's coming up and I'm sure if not this meeting, down the road. I'd like to see the land owner authorizations broken down because I know there's some people putting out stuff out in

the internet and I'd like to also break it down based on SCR, you know, the small contributing Ranch. The core and out of the core and with some explanation as far as the three different systems with that to kind of break down the data just like how you did. I know there's a lot of unused land owner authorizations out there and I think that's kind of skewing the numbers a little bit you know as far as how people look at it because they don't actually know like for example I know some ranches, their harvest objective is not to kill off the whole herd but to maybe take 3% of the animals that are there. But in order to attain that 3% harvest they need 25 tags when in some years they harvest the 3% within the first weekend of their hunt so therefore they don't use the rest of the tags. So it kind of, you know, shifts the way you look at these permits being used or not used. So that data would really help. Does that make sense?

DAN BROOKS: Yes. Mr. Chairman, Commissioner Ramos, we can send you that information if you would like. Obviously, it varies between land owners and their own hunting schemes and strategies.

CHAIRMAN KIENZLE: Roger will you put that on the to-do list? Thank you. Commissioner Ryan, any questions? Commissioner Montoya? Commissioner Ricklefs? Jeol Gay, public comment.

JOEL GAY: Thanks and thanks to Commissioner Ramos for bringing that issue up. A couple of things I think that would be helpful for everybody to think about here that this is really good information to get out and I think a lot of people, a lot of sportsmen in particular are hungry for good data on how tags are split up and that sort of thing. That was a great start and I'm glad to hear that it's on the internet or on the website. But it would be like Commissioner ramos suggested, it would be good to have some of those other data in there like how many tags go to

the (indiscernible) versus the draw so that we could see according to our figures, you know resident draw hunters are not getting 84% of the tags of elk tags, we're getting 42% of the tags through the draw. And then there's a , when we went through the whole Big Horn issue after the TURK decision and then the Game Department asked for and got the ability to add that one Directors permit in order to get through this whole thing of the internal consistency of the Quota Law. But if you look at the law it says, residents shall receive a minimum of 84% of every hunt code allocated through the draw. And one of the things that we asked when the Commission considered this back in Ruidoso a year ago was that when you add that extra tag, don't let the 84%, don't let our quota drop below 84%. Time and time again we've now found out that for instance, an extra tag was added in 19, for example 19 different hunt codes with five tags. They added a sixth tag. We're now at 83% and that's just not right. It's breaking the Statute Law.

CHAIRMAN KIENZLE: Thank you Mr. Gay. Brandon Winn? You're on a two minute timer.

BRANDON WINN: Hi, Brandon Winn. Chairman, Commissioners, Director. So I was just going to add to what Joel said there, what he was talking about. He kind of got cut off there at the end. The one public comment you received in Ruidoso when the Directors Permit Rule change came up with that you were asked to make sure that integrity of the 84% was maintained including that Directors Permit. So for instance, the departments math on any hunt code with five permits, you issued six permits and you said that residents received five in every one of those and you said that's 100% of the permits and then the outfitter pool received one of the six. What you're saying is 20%. Well that's some pretty funny math because five divided by six is 83.3%. Something and the outfitter where one divided by six is about 16.7%. So what I did is I counted all the hunt codes where there's a Directors Permit. You had 150 of those and 147 of those, so 98% the resident quota went under 84%. So all I'm asking of the Commission, it's a simple thing, is

that in that rule, make a change to that rule that you made, say under no conditions, if and or but, every single hunt code in New Mexico, 84% of the permits period, end of story. No wiggle room for the department to mess with these numbers. It's getting so old. Year after year, I've been asking this since the original Quota Law. What is it, twenty something years now and the department every single year breaks that quota on some hunt code and it needs to stop and it's of the Commission to stop it. It's so simple. Plug in 84% as the starting point for every hunt code in New Mexico and be done with it. Thank you.

CHAIRMAN KIENZLE: Mark Cassius (phonetic). Mark? I think that was the one that thought he was signing up for the other (indiscernible). Larry Lane (phonetic).

GUEST SPEAKER: I am not going to present.

CHAIRMAN KIENZLE: Bob Nordstrom.

GUEST SPEAKER: I'll pass.

CHAIRMAN KIENZLE: Kerrie Romero, you have the final word.

GUEST SPEAKER: I am going to try and read fast because I think I'm over. Thank you Mr. Chairman, members of the Commission. Kerrie Romero, New Mexico Council of Outfitters and Guides. Like any other sportsmen's organization, we also conduct analysis of the draw report. So I'd like to share with you some of our findings. When you are discussing resident opportunity it is important to realize that the quota is just one segment of the big game draw. By statute, nonresident hunters are not allowed to apply for cow, elk, permits, nor can they apply for any of the wild like management area hunts regardless of species. So, in fact, when you look at the draw on a total tag basis you find that resident hunters drew 89.3% of big game draw permits in 2015

which is consistent with 2014 at 89.46%, and 2013 at 90.67%. So, as you can see, resident hunters actually already have the 90% of permits that they say would make them happy. This is not really a resident versus nonresident allocation issue that's at stake here. It is the fact that nearly 3 times as many people apply for the draw to hunt in New Mexico as there are draw permits. So, even if you were to make 100% of draw permits available to resident only, you would only increase your odds as a hunter by 4%. This is a miniscule increase in resident hunter opportunity and it becomes even more insignificant when you consider the fact that non-resident hunters account for 41% of the Department's income generated by the draw. In 2015, the Department generated 3.6 million in non-resident license and non-refundable application fees. To cover this deficit, the Department would need to increase license costs by double or some species, triple. These statistics just scratch the surface. Non-resident hunters contribute significant amounts of money to conservation groups that conduct habitat efforts in New Mexico which benefits all hunters. For example, over the past 10 years Ducks Unlimited has spent 1.4 million in this state and only 270,000 of that, or 19% of that, was provided by New Mexico residents. Similarly, the Wild Sheep Foundation who was incidental in establishing New Mexico bighorn sheep population gave 4.7 million of which only 6% was generated by New Mexico residents.

CHAIRMAN KIENZLE: Wrap it up, thank you.

MALE SPEAKER: Mr. Chairman, Kerrie. Could you give me that data?

CHAIRMAN KIENZLE: Questions or comments on moved up agenda item number 17? OK, thank you. That was instructive.

CHAIRMAN KIENZLE: AGENDA ITEM NO. 9: New Mexico's State Wildlife Action Plan.

Matt Wunder.

GUEST SPEAKER: (indiscernible)

CHAIRMAN KIENZLE: We closed public comment on that. I'm sorry.

GUEST SPEAKER: Good morning, Mr. Chairman, Commissioners. I am here to present an update on the State Wildlife Action Plan, review and revision process that has been ongoing now for over a year. By way of background, the State Wildlife Grant Program was established by public law in 2002. That program provides funding to the states, tribes, and trust territories for at-risk wildlife, the goal being to try to prevent the potential for a listing of species. And in order to be eligible for this program, we had to provide the comprehensive wildlife strategy which we did in 2005. So, we prepared this CWCS in 2005. Since that time, we have received almost 14 million dollars in state wildlife grant funding which is about 1.5% of the national total. With those funds, we have supported over 55 grants. And one of those grants we used to match against our share with wildlife program and that has helped fund over 94 Share with Wildlife Projects. One of the requirements of the program is that this strategy has to be reviewed and revised every 10 years, so that's the process we've engaged in at this point. And we do have a deadline of providing this revision by the first of October of this year. There are 8 required elements in the SWAP. I presented these before when we initiated this process. I am not going to go through those. You know, I've highlighted some key terms in red. If you have any questions on those, we can touch base with that later. Regarding the SWAP, it must identify species with greatest conservation need. These are the species that the Department feels are in special need of conservation. We have to link threats to those species. We have to link conservation actions to

the species and their habitats because one of the requirements of seeking a grant under this program is that you link those conservation actions identified in your State Wildlife Action Plan to those species, and then those species in the grants. And, in this revision process, we were required to try to address climate change in some fashion or another. The Department's focus in this review and revision is to look at aquatic and riparian habitats in particular. They make up a very small portion of the state's area but they are disproportionately important to the state's wildlife. As I mentioned, look at the impacts of climate change. The Association of Fish and Wildlife Agencies has provided some documentation, best practices to allow states to more effectively address the revision process. In the selection, the review of species and selection, we didn't include species of economic and recreational importance this time around which they did when they drafted this initially. And as a result, deer and bear came off from the list of species of greatest conservation need. We are adopting some standardized classifications to make these more consistent with some of the other states' wildlife action plans and some of the terminology used in the Federal government. One of the issues that was required was that we try to prioritize the species. We've got a list of about 450 some-odd species. In an effort to prioritize and make sure we are focusing our conservation efforts, we've tried to prioritize some of those species so that we know that we are working on the ones that need the most help now. And, also, we are going to be identifying some conservation opportunity areas. Now the process that we've been going through, we initially established a core team that we sent out invitations to, a wide variety of state and federal agencies, tribes throughout New Mexico, inviting them to join us on this core team that helps provide guidance for the review and revision process and this is the list of the individuals and agencies that we requested participate in the process with us. And these logos represent those agencies and individuals that have been participating reasonably consistently in

the process. We reach out to the Department biologists to get an understanding of that they feel are some of the more important issues and species in the state are. We reassessed all the species that are identified, all the native species in the state. We did this process initially but we ran through the process again, re-looked at those, the criteria, and came up with a list that is pretty close to the same number wise, but about 60 species came off and about 60 new species came on. Last time around, we identified 8 key terrestrial habitat types and that left out a number of habitat types that cover a significant area of this state. And so this time around, we made the decision to look at all of the habitat types in the state and then identify those which are more crucial to wildlife than others. So all of the habitats are in there but some of them are singled out for more attention. We are required to identify and assess some of the threats, the full suite of threats, to species and habitats and then identifying some opportunities for conservation. We also need to identify some of the monitoring needs. We have contracted with a writer who is in the process of writing, rewriting, the document for us under our guidance. And then, as we get a more solid draft, we anticipate within mid-July probably to be able to have the document that we can go out and hold public meetings, make a presentation about the draft documents and get feedback from the public which then can come back to the Department and we can fold those comments and concerns into the revised document. We will provide that document to the Director for their review and consideration, do a final error check, formatting, and prepare a final document file that will need to be submitted to the Fish and Wildlife Service by October 1. As I mentioned earlier, there is a wide variety of guidance documents out there from Fish and Wildlife Service, AFWA, National Wildlife Federation. We are making the best use of this to the extent possible, the agencies that are participating on the core team with us. And with that, I would like to thank the Department staff that have been diligently and tirelessly working on this process with us and

the participating agencies that have been joining us in the core team. And with that, I would stand for any questions from the Commission.

CHAIRMAN KIENZLE: Thank you, Matt. Commissioners, any questions, comments?

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: How are the species placed on that list of species of greatest conservation needs? Is that from that lexicon that you mentioned? How do you decide which species and how did bear and mule deer, you know, in the last comprehensive plan.

GUEST SPEAKER: OK, if I could address the last question first, Mr. Chairman, Commissioner Ricklefs. The first time around, when they developed the list, they had a variety of criteria that they used, that they were assessing. And then they would come up with a score based on those different criteria. And one of those criteria was economic and recreational importance. And so, that was primarily deer and bear. Hence, we've got bighorn sheep on there as well. This time around, the core team, we had a discussion about that and the core team felt that economic and recreational importance was not necessarily an appropriate criteria given that the goal of the strategy is to identify species that are potentially or could be listed as threatened or endangered. And so, they felt that criteria should come off. That said, I would say that there are game species that are on the list. We retained bighorn sheep, both desert and Rocky Mountain bighorn. We've got Gould's Turkey, lesser prairie chicken which was a game species and remains on the list. So, there are some species, game species, that are still on the list but the deer and bear were primarily because of economic and recreational importance as opposed to the conservation status of those species. The guidance, in October of 2014, the Fish and Wildlife Service provided guidance for

the states in terms of how they do their revision, and it was in the frequently asked questions format. One of the questions is, 'Can you include species that are hunted or fished?' and the guidance was that you can include species are hunted and fished if they are in great need of conservation. And so, I guess, some of the species that are hunted and fished are in greater need of conservation. You know bighorn sheep in particular have a much more restricted range. Same thing with Gould's turkeys. So even though they might be doing well within the habitat, the extent of their habitat is fairly limited in the state and that was part of the reason the biologists felt there was potential concern for those species because the potential for changes in their habitat or limited distributions. But deer and bear are very widespread across New Mexico and so they didn't come up as being necessarily vulnerable or threatened which were the criteria that brought those other species on the list. Did that answer your question?

COMMISSIONER RICKLEFS: Yes, it did. How large is this document going to be? It seems like the last one was 400 pages, 200 pages of appendices.

GUEST SPEAKER: Yes, it's not going to be that (indiscernible).

COMMISSIONER RICKLEFS: How does the public have a chance to even comment on something that complex?

GUEST SPEAKER: Well, one of the things, we are doing somewhat of a reorganization. In the original draft or original document, we do address habitats and ecoregions. But much of that material related to those was in one large chapter. And it is hundreds of pages of basically solid text. This time, we are retaining the ecoregions but we are focusing, we are looking at each ecoregion on an individual basis. So when you open up this new document, you'll be able to open it up and you've got Southern Rockies ecoregion and you'll be able to look at the habitats

in there, the species that are found in those habitats in that ecoregion, what some of the threats and conservation actions are. So if you know where you are in the state, what you're interested in, you'll be able to fairly quickly get to focus in on the information that you're interested in. And we're going to try to avoid a lot of the repetition. Because the last time around, we would identify threats and conservation actions for each habitat and then we would repeat those each time the habitat was mentioned anywhere in the document. So we are trying to cut out some of that repetition and we definitely are going to make this a shorter, much more accessible document to both land managers and the public.

COMMISSIONER RICKLEFS: I'm glad to hear that. It does concern me, though, that the document is used by Federal agencies when they're preparing permits and regulatory ideas, and it is included in some of their permits and referenced in, and so forth, so it does affect the landowner out there when there is language in it that has to do with perhaps, grazing has had an impact on this species, instead of scientific facts that grazing actually does (inaudible, cough) on the species. So there's concern out there, how this document is used by the Federal agencies.

GUEST SPEAKER: We understand that, and that is part of the reason why we wanted to make sure that the Bureau of Land Management and Forest Service, in particular, were involved in the revision process. And, as I mentioned earlier, when we complete the draft and we fold in the public comments, we will then run that through the Director so we will have those discussions about any particular language and any concerns that might be raised as a result of that.

COMMISSIONER RICKLEFS: I was pleased to see the list of cooperating agencies and I hope they have lots of input. Thank you.

CHAIRMAN KIENZLE: Public comments. Janie Kadosh (phonetic). Phil Carter? (phonetic)  
Jan Ravenwolf? Hello, Jan.

GUEST SPEAKER: Jan Ravenwolf, from Sandia Park. And I moved to New Mexico in 1978. So I have been here a while. I would like to specifically address the point 3, Objective 14, that the Department retain its capacity to competently participate in the resolution of involving global, continental and (indiscernible) scale environment and ecological issues and trends that could have a significant impact on New Mexico's wildlife. And specifically, we are going through this routine. And I thank you so much for having a Saturday meeting, that was really very kind of you. But I know you see us coming, and you think 'Oh God, here they are again' and we come and think 'I wonder if they're, how it's going to go this time'. And so, we come and we pour out our hearts with our conviction that all life is connected and that every critter on this planet has a definite place and function and it is all part of one whole. And then we vote on the science to back up our convictions which is currently called trophic cascades and environmental ecology. But the body of knowledge has been around for quite a long time. And it does substantiate, especially when you dive into it, that wow, everything really does have a place including the apex predators. And keeping the whole system running. And then we go our separate ways and sometime later, you guys, you folks have your action and it seems like, wow, it's not clear that any of what we said had an impact on your decisions, pretty much like you did what you were going to do anyway. And it's kind of like, you only heard, 'Waw, waw, waw, waw, waw', you know, like in Charlie Brown.

CHAIRMAN KIENZLE: Thank you, Ms. Ravenwolf.

GUEST SPEAKER: Oh, I'm sorry.

CHAIRMAN KIENZLE: Elisabeth Dicharry.

GUEST SPEAKER: First of all, Elisabeth Dicharry Thank you very much for this comprehensive wildlife strategic plan. I think it is incredibly important and I applaud the Commission and Department for taking it on. I do want to say something about the species that will not be a part of this plan because they are unprotected. And by unprotected we mean species for which there is no hunting license required, species for which there are no bag limits, and species that are unrecognized and uncounted. Some of those species include, for example, coyotes, porcupines, and prairie dogs. And I wish and I hope that these other species will be included in this project. I do want to mention that the prairie dog specifically, in many parts of the state, are species of greatest conservation concern and I do want to mention that I was surprised to see that you had a burrowing owl up on one of your photos. Interestingly, as you all know, prairie dogs and burrowing owls go hand-in-hand, and burrowing owls are very important, too. And I noticed that you had a picture of snakes up there, too. And snakes are another species that are unprotected and are basically killed for fun and for target practice. So please, please, I ask you to consider these other species. Let's have a real comprehensive plan.

CHAIRMAN KIENZLE: Your other half, Guy Dicharry.

GUEST SPEAKER: Thanks for the Saturday meeting, and thanks for the opportunity to talk. And I'm looking forward to reading the draft documents and they are going to be online as I understand it, and it is going to be a format that is going to be less cumbersome also which is great. Does this come before us again, Director?

CHAIRMAN KIENZLE: Excuse me?

GUEST SPEAKER: Does this come before us again?

DIRECTOR SANDOVAL: Not specifically unless you want it.

CHAIRMAN KIENZLE: Not as an agenda item. So if you've got comments, make sure they go into the Department.

GUEST SPEAKER: Thank you.

CHAIRMAN KIENZLE: Thank you. David Coss. And you put in 2 cards, but I'm only going to hear you once. (indiscernible) (Laughter, multiple speakers).

GUEST SPEAKER: That person is very good. She helped me out a lot.

CHAIRMAN KIENZLE: You get to go once.

GUEST SPEAKER: I should start by thanking you for having a Saturday hearing, and I know all the Commissioners don't get paid for that. But as a mayor, when I see this many officers around, I know there's some overtime being spent. So I appreciate that. And I just had a couple of comments. And one of them is just really, language, semantics, rhetorical. But instead of focusing on preventing listing for species that the Fish and Wildlife is considering, you might want to focus on preventing the need for an animal to be listed. And I'm sure that's in the mindset of the Game and Fish. I know that Game and Fish doesn't really get to manage a lot of habitat themselves, so you're main tool is 'Can you shoot it or not or trap it or not' but I think if you want to think broadly you're going to have to be thinking about what are the land management agencies doing, what are the private land managers doing, those types of questions. So, I know you hate to see me bring it up again, but we'll have a little rally on the wolves again and it disturbs me that you've chosen to break with the Fish and Wildlife Service on wolf

management in New Mexico because I think all wildlife management is really people management. The animals take care of themselves if people leave them alone. It's really managing the people. And throughout my whole career and I was on the black-tailed prairie dog team trying to keep that from being listed when I was at the land office. I was on the lesser prairie chicken team and apparently that didn't turn out too good. We are trying to keep that from being listed. But they are all management issues and people management issues. And it was always done in conjunction with the Bureau of Land Management, the State Land Office, the U.S. Forest Service, the Fish and Wildlife Service. And now I see the Department breaking with Fish and Wildlife Service over wolves and possibly other species and I'm very concerned . . .

CHAIRMAN KIENZLE: Thank you, Mr. Coss. Roxanne George (phonetic).

GUEST SPEAKER: Hi. My name is Roxanne George. I live in Flagstaff, Arizona, where we also have Mexican gray wolves, so I wanted to come today to talk to you all about wolves and be at the rally at lunchtime. So, first of all, I just wanted to urge you to reverse your decision to deny the Ladder Ranch permit and to grant the U. S. Fish and Wildlife permits to release more wolves in New Mexico. And I wanted to point out that, in addition to the Mexican gray wolf, the Turner (indiscernible) support works for a lot of endangered species including tortoises, Chiricahua leopard frog, and other aquatic species, grassland species like the swift fox and the black-footed ferret, bighorn sheep, falcons. And they work with many western departments of game and fish and they are good partners in many programs. So I would ask if it is really responsible to insult them and all their contributions just in order to make a political point about wolves, and is it rational when they have done nothing wrong and have 17 years' standing, to deny their permit all of a sudden because you have, for the first time, granted yourselves the authority to do so. And Turner does, in spite of this, partner with New Mexico Game and Fish, it

will be because their commitment to the survival and recovery of New Mexico's wildlife is deeper than you've shown so far. Wolves and large mammals coexisted for thousands of years without state game agencies intervening and in fact they co-evolved in that history and long accepted science makes it clear that top carnivores do not require human control. Elk and deer can certainly increase to unsustainable levels in the absence of their natural predators but all the arguments for not wanting wolves boil down to wolves kill animals to survive that we want to kill ourselves either for food that isn't necessary to our survival or for sport or for money or for trophies. In other words, we are not willing to share or relinquish control . . .

CHAIRMAN KIENZLE: Thank you, Ms. George.

GUEST SPEAKER: I urge you to do that for the wolves and wildlife.

CHAIRMAN KIENZLE: Susan Cintron (phonetic). Susan Cintron, did I get that wrong? Perhaps she's gone. Mary Katherine Ray.

GUEST SPEAKER: Thank you Commissioners. Mary Katherine Ray, Wildlife Chair, Rio Grande Chapter, CR Club. And I just wanted to take this opportunity to remind the Commission that Mexican gray wolves are a species in great conservation need. They are also a state endangered species and you are required by state law to recover this species and also to enhance their populations to the extent possible. Your decision on the Ladder Ranch permit would appear to me to be very contrary to that requirement of state law and I would just urge that you reverse that decision. It has the appearance of petty politics, maybe you don't like Mexican gray wolves but I don't think as a Commission charged with managing wildlife for all New Mexicans and for the entirety of the state, that your personal preference should be something that takes precedence

over conservation, over state law, over the importance of carnivores in general. And I implore you to reconsider.

CHAIRMAN KIENZLE: Donald Jones (phonetic).

GUEST SPEAKER: Hi. Donald Jones, Los Alamos County. Thank you for having this thing. We the citizens of the United States and the wildlife with which we share this land deserve to have wildlife decisions based on science in the form of completed, peer reviewed and published studies. It is incomprehensible to me that New Mexico has denied Ladder Ranch their long-standing permit to assist in the lobo recovery program. The original plan for the lobo (indiscernible) program was to have 3 release areas and 3 quarters between those areas, one of them which would have passed through the Jemez Mountains, the perfect complement to the herds of elk in the Valles Caldera. We have a scientific community at Los Alamos which studies many other things than bombs. I can easily imagine dozens of studies springing up around a resident wolf pack or two. Unlike some others, I would love to have lobos in my backyard, literally, except for the fact that it is better for the lobos to be wary of humans as they are. We already have cougars, coyotes, bears, and occasionally bobcats. And why not wolves. Deer walk through the lab town, lab site areas like the place belongs to them and guess what? It does. They and their ancestors were here long before any humans walked this land. Quote: "A thing is right when it tends to preserve integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise," Aldo Leopold, said over a century ago. Thank you.

CHAIRMAN KIENZLE: Thank you Mr. Jones. (indiscernible) Beamis (phonetic).

GUEST SPEAKER: I am going to cheat and use my little notes here. I paid \$25 a year to have a Share with Wildlife license plate. That is not so I can have a tiny image of a quail on the back of

my car, but rather that the money go for the support and protection of wildlife in New Mexico. Yet, Game and Fish only gives a thousand dollars a year to the Wildlife Center of New Mexico for all the rehabilitation and education work that they do on behalf of the State's wildlife. We no longer seem to have a Share with Wildlife newsletter and we don't even have one true conservation member on the commission let alone a balance of interest that would be more reflective of New Mexicans concerns. My understanding is that the Commission was created to assure that there would be oversight on the policies and regulations of New Mexico Game and Fish on behalf of all the citizens of New Mexico. Now you seem to have become a hunter and rancher advocacy group at the expense of the wildlife part of the equation. When I came to your hearing last year, the proposal that the Commission be in charge of all permits for carnivore release programs on private property, you stressed how important it was for us to hear from the public. Yet you denied the massive number of emails you received in opposition to the proposal because they were addressed to Commissioners rather than the Department website. And, after strictly maintaining the 2 minutes per speaker time allowed, you closed discussion, moved to approve the proposal, and voted unanimously to do so. It felt to me like a mockery of public input and was. If you come to these hearings with closed minds, what is the point in our showing to share our concerns.

CHAIRMAN KIENZLE: And, at the time, the time was 3 minutes not 2. But thank you.

Charles Fox (phonetic).

GUEST SPEAKER: Commissioners,

CHAIRMAN KIENZLE: Are you cheating, too? You're using paper.

GUEST SPEAKER: I'm using paper, yes. I need it. Regarding the Ladder Ranch permit, the Ladder Ranch has provided a valuable service in Mexican wolf recovery, saving and enhancing a lot of tax dollars in that effort. This is the kind of public-private partnership that should be fostered, not abandoned. I urge the Commission to reverse its recent decision denying Ladder Ranch's permit to participate in Mexican wolf recovery.

CHAIRMAN KIENZLE: Thank you. Walter Matuska (phonetic).

GUEST SPEAKER: I am Walter Matuska. I have lived in New Mexico since 1967. I would also like to address the Ladder Ranch issue and echo the comments which have been made previously in the last half dozen or so comments. To me, it seems like the State of New Mexico is getting sort of a free ride on this. It is my understanding that the Ladder Ranch project does not a lot of money. Ted Turner supports a lot of it with his land and other resources. The Feds put in a good bit of money to this. So you all are getting a lot of credit for free. But now you all are going to take away the permit. And to me, that makes absolutely no sense. To me, it is counterproductive. You know, you are getting something good for free and you all want to take it away. That's being counterproductive to what we are trying to accomplish. Me, I will say right in front of you, I support the Mexican gray wolf re-introduction program in New Mexico, Arizona and anywhere else it may go. I support it. I will say it. Now, I am going to ask you the question. First I want you to rethink the vote and give the permit back. That would be the simple answer. But I assume you are probably not going to do that, but I hope you do. But I'm going to ask you to do the same thing as a Commission. Be bold like I am and say what you are trying to do. Are you trying to kill the wolf re-introduction program in New Mexico? Make a public statement on that: Yes we are trying to kill it, and if no we are not trying to kill it I want an explanation of how your actions are not working towards killing it. Thank you for listening to me.

CHAIRMAN KIENZLE: Nancy Savage. A very concerned citizen.

GUEST SPEAKER: I can see my watch, I can count my time. Incidentally, I am not opposed to sportsmen's like hunting. Just letting you know that. I do find it very interesting that the State Wildlife Action Plan was previously named the Wildlife Conservation Plan. This name change reflects the Commissioners' (indiscernible) regard for the concept of conservation which is one of your 4 basic tenets. Killing more bears, killing more cougars, obstructionist actions to impede wolf recovery. These actions, especially the wolves, is counter to the State Wildlife Conservation Act which expressly states that New Mexico is to assist in the management of endangered species, Section 17-2-39. And, assist means in a positive way. The Commission is clearly not abiding by the state law intent when it votes itself power to issue permits on wolves and then denies the permit to the Ladder Ranch who has had this permit for 17 years and it has been a good partner to New Mexico. Predators play a critical role in maintaining the health of game herds and the entire web of life of which we are a part. The denial of the Ladder Ranch permit demonstrates a clear bias against carnivores by the Commission, disregard of your legal obligation under state conservation law and political, not scientifically based, decision making. I urge the Commission to act in the laws of our state and issue the permit immediately because your denial is based on economic gain by the few as opposed to the social and environmental benefit to the many. And we are here and we want your responses.

CHAIRMAN KIENZLE: Thank you, Ms. Savage. Peggy Nelson (phonetic).

GUEST SPEAKER: Once again, thank you for the opportunity to speak. My name is Peggy Nelson and I am here not only on my own behalf but also for Amigos Bravos which takes a great interest in the Gila River and other aquatic systems in the southern part of the state. First I want

to commend you for having a plan which puts first and foremost the aquatic and riparian habitats within the state. But I do want to remind you that you need to take a very holistic approach and have that approach in front of you all that time. As people have said already, wolves and predators are a part of that. They are part of the whole. And on behalf of Amigos Bravos, I would urge you to reconsider the stance that you've taken in the pulling of the permit for the Ladder Ranch as one of the means by which wolves may have a better chance of surviving in the environment to which they are most accustomed as they are released into the wild. I also want to state, though, that for wolves to be a part of that ecological hole, to have good aquatic health they can be trapped among other things. And leg hold traps, as are allowed at this point, the trapping has many unintended consequences. I previously presented a run that was done by a retired wildlife biologist from the New Mexico Department of Game and Fish, a list of New Mexican species taken in leg hold traps that are completely unintended species, 90 of them overall, many of them endangered, and that can include wolves as well. So I would think that not only should the commission take seriously the prospect of putting that permit back in place but also putting back in place the moratorium that once was issued by the governor but somehow figure out a way to insure the survival of wolves and not having any trapping in that area and consider no trapping on public lands at all.

CHAIRMAN KIENZLE: Thank you, Ms. Nelson. Adrian Selks (phonetic).

GUEST SPEAKER: Hello and thank you for letting us speak today and having this on Saturday. It has really been a good experience. I want to start out with a quote by Neil deGrasse Tyson: "The best thing about science is that whether you believe it or not, it is still true." And we are not using best science here at all. The trapping of the cougars, the European Union has banned trapping of anything, that's just got to go. But yes, the wolves are going to get caught in it and I

am here to respectfully demand that you reverse that decision. It's insane. It is so political, it's crazy. So I'm not going to continue with my own words because they'll probably get not so nice. Instead I am bringing something here for you, a petition signed by many, many people that's going to be going to Governor Martinez, and I just want to read it then I'll give it to you: We the undersigned respectfully and urgently request that you (1) reverse the New Mexico Game Commission's 5/7/15 decision not to renew the permit for Ladder Ranch to assist in recovery of state and federally protected Mexican gray wolves through providing secure holding pens for the (indiscernible) to the wild; (2) insure the Game Commission rescind its rule promulgated on 11/13/14 which requires for the first time Commission approval for permits allowing private facilities to assist in recovery and re-introduction program for mammalian carnivores; (3) request of the Game Commission and New Mexico Department of Game and Fish that they act as good faith partners in the re-introduction of these endangered wolves, and nothing is more endangered in this state than the wolf, including by granting U. S. Fish and Wildlife Service permits to release wolves in New Mexico and cease misguided efforts to undermine the Mexican gray wolf program; and, (4) put an end to state persecution of large carnivores including proposals to allow cruel trapping of cougars and expand their hunting in New Mexico. The wolf is on our state endangered list and the Federal one as well. There is no more endangered mammal than the wolf in North America and our State Conservation Act mandates that wolves should be managed to enhance their numbers within the (indiscernible) of their habitat.

CHAIRMAN KIENZLE: Would you do me the courtesy of getting me a copy of those petitions to the Director, please. Thank you. Jane Allen (phonetic).

GUEST SPEAKER: Commissioner and Director, I am really glad to see the development of a conservation plan and hope the emphasis is on long-term results and is not developed based on

politics or special interests. And I wonder if this is in place of the 2014 (indiscernible, biannual vs biennial) report for Fish and Game or if this is separate, and I wanted to just refer again to the 5 page list of endangered species that I've given the Director which includes the cougar and the Mexican gray wolf and also refer again to the 2006-2012 (indiscernible, biannual vs biennial) by Fish and Game which list 118 endangered species. And then, I also want to refer again to the New Mexico Conservation Act which includes a legal obligation to protect endangered species, prohibits take of endangered species, and specifies that economic interests cannot be considered when listing and protecting species.

CHAIRMAN KIENZLE: Kevin Bixby.

GUEST SPEAKER: Kevin Bixby, Southwest Environmental Center. Thank you for allowing public comment after each of these agenda items. I would like to say, as someone involved with wildlife conservation, the Comprehensive Wildlife Action Plan is of great interest and I consider it one of the most important thing the Department does. New Mexico is a very bio-diverse state. We rank fourth among the states in the number of species of plants and animals within our borders. And this plan gives us hope and demonstrates that the Department is, in fact, interested in the conservation of the full range of biodiversity of wildlife in the state and not just the relatively small number of species that are hunted and fished. You know, it is an important document and I have to say I use it; almost every week I refer to it. I just want you to know that. I am curious, though, why NGO's, non-governmental organizations, have not been engaged in the process of revising the plan sooner because you know many of the recommendations in the current plan are that the Department partner with NGO's and other entities to accomplish the priority conservation actions. And I know that many NGO's, including ours, are involved with habitat restoration projects and so on. Finally, I would like to point out, as others have done, that

the Mexican gray wolf is currently on the list of species of greatest conservation need. In fact it ranked higher than any other mammalian species on the list in the current plan. It was chosen as such a species based on the fact that it is declining, it was vulnerable, it is a keystone species, and it is wide ranging. Thank you.

CHAIRMAN KIENZLE: Thank you, Mr. Bixby. Janie Kadosh (phonetic).

GUEST SPEAKER: I apologize for not being here when you called my name. Thank you for letting me come back. My name is Janie Kadosh. I spoke before. I came up from Santa Fe where I am a teacher. I currently teach biology at the Community College. I'll keep this short. I just find, it's hard for me to believe that I'm up here speaking, that I have to defend the wolves. Wolves are keystone species. We have learned this again and again throughout the West. They are critical to the ecosystem and I believe it is absurd to deny the permit to the Ladder Ranch. I believe that sound science and years of study, ecological peer review science shows that we need wolves. And this decision to me looks very politically biased and I hope you'll put the permit back in place. Thank you very much.

CHAIRMAN KIENZLE: Thank you. Jason Amaro.

GUEST SPEAKER: So, again, Jason Amaro, Silver City Trout Unlimited. I sometimes wish that my little trout were as warm and fuzzy as wolves because they would get a lot more attention. Anyways, I just wanted to say thanks for doing this. You guys do a lot of conservation work. Last week we were up in Lincoln National Park Forest trying to re-introduce Rio Grande cutthroat. I know the Game and Fish is devoting a ton of cash to create a barrier after the Little Bear fire. so you guys do a good job. So I want to say thank you on that. And also hopefully, with this new plan, I'd really like to be involved from the Trout Unlimited side, on the Gila trout

as we know literally all of their watersheds have been blown out with fires in the last couple years. So they really need help. And again Rio Grande cutthroats in Lincoln, as a kid growing up in Las Cruces, I never knew what the native trout species was in the Lincoln National Forest. But finally we are actually getting native Rio Grande cutthroats back in there. So again, thanks for everything, and I really hope we can get involved with this wildlife conservation plan. And one last thing, I hope these are in lockstep with the forest assessment planning that's going on right now, because the Carson is going on, the Santa Fe, Lincoln, and Gila. They are all going to go through that process over the next 2 or 3 years. So on the trout unlimited side, we will be involved and I hope you guys are also involved in that. Thank you.

CHAIRMAN KIENZLE: Carl Abrams. (phonetic) That concludes public comments. Any other questions or comments from commissioners? OK, then. Agenda Item Number 10: Penalty Assessment Violations for Manner and Method – 19.31.10 NMAC. Robert Griego.

ROBERT GRIEGO: Mr. Chairman, Commissioners, I am here to discuss potential penalty assessment violations. A little background: As you know, Representative Baldonado sponsored House Bill 202 this year at the Legislative Session which was to give us 2 additional penalty assessments and make amendments to 17.210.1. It passed the House and the Floor with a lot of support. We had 3 votes of opposition on the House side, and no votes of opposition on the Senate. What the bill did is, it amends 17.210.1 to give us those 2 additional penalty assessments, the first of which is the hunting or fishing or trapping without the appropriate stamps which is a \$50 penalty assessment plus the cost of the appropriate stamp. And the second was a \$120 penalty assessment for minor manner and method infractions as determined by the Game Commission. To give you a little explanation on the way the penalty assessments work, when we have a specific violation that we have a penalty assessment for, when we come across those

violations the officer gives the violator the option of either choosing to go to court or taking the option of the penalty assessment. But they always get that option. They have the option of their due process to go through court and try it in the court system or, if they choose the penalty assessment, their signature is an admission of guilt. They sign that and at that point they would have 30 days to remit the fine. If it is like the stamp violation it would be the \$50 penalty assessment plus the cost of whatever stamp they were lacking, whether it was the habitat stamp, the habitat management and access stamp, or the (indiscernible) stamp, or a combination of the 3, but it would just be the one penalty assessment and they would just add the cost of whatever stamps they were lacking. We currently, with our fishing penalty assessments, which would be the same with the stamp violations, they do have the 30 days and the copy of the citation they would receive serves as their fishing license for 15 days. With the stamp violation it would serve as their stamps for 15 days even though they have 30 days to submit the full penalty assessment. So they can continue on with the activity they are doing and that serves as their habitat stamp. If they are checked again, that copy of the penalty assessment serves as that stamp that they're missing. The first additional penalty assessment was the stamp violation and those again are lack of fishing with 2 poles, or the habitat stamp, or the habitat management. It's unlawful to angle with any more than 2 poles, but to angle with at least 2 poles you have to have that stamp. The habitat stamp is required of any hunter, fisherman, or trapper that is doing those activities on BLM or Forest Service Lands, Federal lands basically. The habitat management and access stamp is required of all adults that are hunting, fishing, or trapping. Anyone 17 or younger is not required of it and obviously any of our free licenses, free fishing licenses, it is not required and same with the habitat stamp. The next regulations I want to discuss are recommendations from the Department for your consideration and review, the first of which, I am going to go through

them individually so I can explain each violation. But I'll be pretty brief with them. The first is the possession of game or animal parts found in the field. Basically what it is, is it's unlawful to pick up any antlers that are attached to the skull of an animal when it is found in the field except obviously shed antlers. So these violations, these are our recommendations for your review. We are not saying they are insignificant but what we feel is that these violations, \$125 penalty would be a reasonable deterrent to these crimes and also violations that with these as penalty assessments would make us a little more effective and efficient in the field and keep our officers in the field versus having to go to magistrate court for some of these minor violations. The second of which, the road hunting: basically it is unlawful to shoot at any protected species from the road or within the right-of-way fence. We would still keep it like that but what we would like to do is add an additional road hunting regulation, maybe a (indiscernible) that says it's unlawful to shoot at artificial wildlife from the road, make that the penalty assessment so if you are shooting at a live animal that would still be something we would take you through the court system and not have the penalty assessment option and that way we are avoiding any confusion down the way or having to give a penalty assessment for a pretty significant crime if they are shooting at a trophy class elk or mule deer from the road. We'd hate to have to give a penalty assessment in that situation. Those are situations we would like to go through the court. So we would in that instance potentially, with your recommendation go forward with the same wording but only for artificial wildlife which would help us when we are doing those artificial wildlife operations. Often times, unfortunately, we will have multiple shooters and we have to stop at about 10 or 12 because the paperwork gets so significant that's all our officers would be doing the rest of the hunt, is doing case reports. So that would help us a lot also with that penalty assessment. Any documentation would be on the back of the citation and we could continue

down the road out in the field. The third, harassing protected wildlife: what it is, is it's unlawful to harass, rally, drive any protected wildlife by use of a motor vehicle or aircraft. And that would be the only portion of that aircraft rule, harassing wildlife rule, that we would have as a penalty assessment using information from aircraft or anything dealing with an aircraft we would still do through the criminal court system and not have as a penalty assessment, just the simple harassment is something we would recommend as a potential penalty assessment. Driving off road or driving on closed roads, the vast, vast majority in my experience in the field, 18 years, the vast majority of these driving off road are typically during antelope season, during the antelope hunts, on private property, and it would just be a good opportunity with a penalty assessment like that. Again they would still have the option to go to court but it would be very helpful. Also, now with the travel management plans going on in the various forests it would just give us the opportunity again for a \$125 fine if they were driving on a road that appeared to be open but was closed on a map. Again we think that would be a significant fine for those violations. The third, or the last, on this, on the general manner and method is violation of provisions of posted signs. This is on our Department properties and on our Department properties we will often post prohibitions whether it's no parking on the boat ramp, no swimming, no rock climbing, maybe boat restrictions, size of boats, or even motor restrictions, electric motors only, violations like that, as we post them would be a pretty good option for a penalty assessment again to keep us out there in the field doing what we need to be doing. The next potential penalty assessments are dealing with the fishing manner and method, the first of which on there you see is trotlines. With trotlines, every angler can only have one trotline. It can only have 25 hooks, they need to inspect it every day, and they need to have their identification on there, their name, address, fishing license number. Again, pretty minor stuff. These are

licensed individuals but they may have 2 trotlines 10 hooks and they may not realize that even though they have not exceeded the 25 hooks they still can only have one, so we often run into these violations where there might be some confusion. We do run into individuals who run multiple trotlines so it is not like it's all accidental but again we feel that \$125 fine would be a reasonable deterrent for those violations. The bait fish, basically it's unlawful to use any protected species as bait fish. It is unlawful to use bait fish in any trout waters, and it is unlawful to release bait fish. That's where we often get into the issues with goldfish and stuff like that. But again, it would be a decent penalty assessment. The snagging, pretty obvious. You can't snag any protected species except during (indiscernible), disturbing the bottom on the San Juan. Spear fishing, bow fishing: You can only do that in lakes and reservoirs, not in streams. Exceeding the bag limit on fish, this is another one that we would want to put some stipulations on. It may be exceeding the bag limit by 2 versus like we had the individual who exceeded the bag limit by about 1400. That is something, obviously, that we want to go to court. (Indiscernible, coughing) whether it's the bass or trout in special trout waters, waters with age or disability restrictions. We have waters across the state where it's 12 and under or, sometimes it is 12 or under or 65 and older, or with mobility impaired restrictions so that would be another opportunity where if we had individuals who were over those ages or under those ages fishing, this would be a decent penalty assessment. The species specific manner and method suggestions, this is for all whether it is deer, antelope, they will each have their own specific manner and method type stuff. It is unlawful to use live animals as blinds or decoys. Use of electronic calling devices, it is unlawful to use those except for fur bears and cougars. Bullets, that has to deal with full metal jacket and tracer ammunition. We don't have a big issue with people using tracer ammunition much but we do run across full metal jacket and that's just not an effective way to take big game. The weapon

type, centerfire, caliber size, use of dogs in hunting, nontoxic shot on our Commission-owned lands, or shooting hours for migratory birds. This is another one we would separate; currently it says it is unlawful to take migratory birds out of season or outside of shooting hours. We would still like the out of season portion something that would go through the criminal system, separate outside of shooting hours particularly during duck season, that would be a decent penalty assessment for shooting at the migratory birds after shooting hours only not out of season. And with that I will take any questions.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER MONTOYA: Bobby, on these penalty assessments, this penalty assessment goes into the State general fund and not the Game Department general fund?

ROBERT GRIEGO: Chairman, Commissioner Montoya, those do go into the Game Protection. We do get that penalty assessment.

COMMISSIONER MONTOYA: Different than the regular fines. OK.

FEMALE SPEAKER: I'd just like to give the Department kudos for lessening the burden on some of these manner and method type violations. I think it is appropriate to keep you guys doing what you are really being paid to do. And you know, dealing with some of these other violations in this manner, I really liked this proposal and I just want to say that.

MALE SPEAKER: Good examples, too.

CHAIRMAN KIENZLE: Yes, Commissioner (indiscernible).

COMMISSIONER ESPINOZA: Bobby, real quick, give me a run down on how many violations that you'll end up writing or typically have written in the past. To keep you in the field now, what's that translate into, more hours in the field because of this.

ROBERT GRIEGO: Mr. Commissioner, Commissioner Espinoza, currently right now we know that we average about 600 to 800 fishing without a license penalty assessments throughout the year. Looking at the information on our data basis, what we are recommending for those minor infractions, we are probably looking anywhere from close to 1500 to 2000 violations that potentially will be penalty assessment violations counting the stamps and minor manner and method infraction which equates to thousands of hours that won't be spent in the court system or writing case reports. So it's going to be pretty significant in keeping officers in the field.

CHAIRMAN KIENZLE: I recommend avoiding the court system as it's largely inefficient.

COMMISSIONER RYAN: I do have one follow up. If someone is getting multiple penalty violations during that 30-day period, I would think the Department would want that moved to the court or would want to cut a limitation in the rule regarding how many penalty assessments would be allowed before ultimate.

ROBERT GRIEGO: Mr. Chairman, Commissioner Ryan, that's the downside to penalty assessment and misdemeanors. Once you have a penalty assessment/misdemeanor, by statute we are required to offer that penalty assessment. The bright side of it is, if they are not paying their penalty assessment, it is an automatic revocation. They cannot purchase any of our licenses until all of that is paid up. Now often with a lot of these violations of manner and method, we have put a lot of thought into them where, similar to the fishing without a license, you often have multiple violations dealing with the same contact. You have an individual who is fishing without a license

but he's got 4 or 5 trout. So, although we would issue the penalty assessment for the fishing without, we still have the option of going unlawful possession of those fish. So there are ways that we could, even though we have to issue a penalty assessment, that we would have other ways to address if we have a flagrant violator and each of these penalty assessments does come with a point system that goes towards revocation anyway. So even if they are paying them, and they get 2 or 3 or 4, they would end up in front of you all anyways.

COMMISSIONER RYAN: OK. That sounds good.

COMMISSIONER RAMOS: One last comment on this, and I know I've harped on this for several meetings, but so these people would also hopefully get posted online that they got cited and things like that. Would that . . .

ROBERT GRIEGO: Mr. Chairman, Commissioner Ramos, I know this is near and dear to you. That's why I chuckle. (laughter). We are working on a draft policy right now. It is in writing, and is with the Director right now and we are all reviewing it. And one thing we want to do with the posting of violators is we want to insure that when we are posting individuals that those are significant violations or flagrant violators who deserve to be posted and have their face up there known as a violator. A lot of this is what we would consider our minor infraction where that lesser fine or that lesser burden would be warranted so it would, right now our recommendation on the field (indiscernible) side is not necessarily to post someone like this that we would issue a penalty assessment. But without a doubt if we had someone doing flagrant violations regardless of penalty assessment status, they potentially could be on there. But we are way closer on posting.

CHAIRMAN KIENZLE: Basically a speeding ticket versus a DWI.

ROBERT GRIEGO: Exactly.

CHAIRMAN KIENZLE: OK. Thanks for staying on that as well. I know it is taking a process but we want to roll it out when it's right rather than having to go back and redo it. Thank you.

ROBERT GRIEGO: We just want to make sure we do it right.

CHAIRMAN KIENZLE: Yes, sir. Public comment? Elisabeth Dicharry.

GUEST SPEAKER: This is an amazing meeting, I have to admit. And I'm so glad I came. I am the founder of the Wildlife Conservation Advocacy Southwest. I'm from Valencia County. And our job, and I don't know how I got this job but I did, was to advocate for unprotected and underprotected species and this is an entirely volunteer effort, by the way. This is really important and you can tell by the way my voice is sounding. He's talked about the manner and method of take of protected game species. The species I'm most concerned about are the non-game, unprotected and underprotected species. The manner and method rules do not apply to them. So they can be, all those things that he just mentioned, that are mentioned in page 16, such shoot at, pursue, harass, harry, drive, rally, any protected species by use or from a motor driven vehicle, power boat, aircraft. They can do that. Spotighting, they can do that. Shooting from the roads, they can do that. I realize that the Game Commission and the Department have not been given the legislative authority to start taking care of some of our other species. We need to change the statutes. I understand that. But I think we need to start collecting data and I hope we can all start thinking about it and thinking about how to apply these rules fairly. I am a licensed angler, I do really fish, I'm the wife of a hunter. I have lived in New Mexico most of my life. I love this state, and I love our wildlife. Thank you very much.

CHAIRMAN KIENZLE: John Crenshaw.

GUEST SPEAKER: Thank you, Mr. Chairman, members of the Commission. I'm John Crenshaw, president of New Mexico Wildlife Federation. This was a very good piece of legislation. I'm glad to say that the Federation was helpful in getting it jarred loose out of the bottom of the pile and Senate and getting it through Committee and especially to the floor. Very proud to have been part of that. Also, very proud to see the breadth that the Department has gone to, to apply this legislation. This is a great list to start with. It'll be a great boon to the public. We shouldn't be asking people from say, Albuquerque, to go back to Farmington or Silver City over a stamp violation or some of these other very minor things that happened. We also shouldn't be asking our officers to have to drive a long distance to be in court and take that time. And it is also going to take some burden out of the magistrate court system which is a very good deal. Thank you very much. We support it fully and look forward to seeing it implemented.

CHAIRMAN KIENZLE: Thank you for your comments. That concludes Number 10 and 11 is off. Agenda Item No. 12: Valles Caldera National Preserve Management Strategies. Stuart Liley.

STEWART LILEY: Mr. Chairman, members of the Commission, today I am in front of you to discuss the Valles Caldera National Preserve and its management strategies since the transfer to the National Park Service. So, a little bit of background history on this transition. On December 19, 2014, Congress established the Valles Caldera National Preserve, (indiscernible) Preserve and instead of park it is a preserve as a unit of the National Park System. They, as part of this legislation, the new National Preserve has 3 years to complete a management plan. Until this management plan is completed, the National Park Service may administer activities that were currently ongoing throughout the trust, what the trust did, so elk hunting, turkey hunting, fishing, etc. What you have here is language that was specifically written into the legislation with emphasis added by myself: Hunting, fishing, and trapping shall be permitted on the preserve and

any limitations shall be in consultation with the Department. The Secretary of the Interior does, and may, designate areas in which they could establish closures, no hunting, no fishing, nor trapping. But again, it shall be in consultation with the Department. Officially the National Park Service will take over management of the Valles Caldera Preserve which it still is today but under the Park Service management on October 1, 2015, so coming up this fall. This year, we drew hunters through using the Caldera Trust, the Trust lottery system so basically what that was, was a raffle ticket to enter a chance to be in their lottery. Those hunters will still be afforded hunting opportunity, those elk hunters on the preserve this fall after the Trust takes over. The only difference in the hunt management this year is that there will no longer be this management or distribution of hunters to select areas. The Trust and the Preserve have set open roads and access points for hunters this fall. We have sat down with the National Park Service in our Mountain West Region to discuss the future of hunting, trapping, and fishing on the preserve for the upcoming seasons especially. Those ones that you amended last year for elk, turkey, etc., we are working with them to discuss proposals that we will be bringing in front of the Commission for the 2016 to 2018 season. Our initial ideas have been accepted or well received by the National Park Service in terms of elk and turkey hunting. One of the big things, and I'm a little bit remiss if I don't mention fishing, we are working with the National Park Service on fishing regulations and working towards consistency of regulations on and off the Preserve. So currently we have different hunt season structures, dates, bag limits, that are a little bit different than what's on the preserve versus off the preserve. We are trying again to work towards consistency there. The future of hunting and trapping and fishing on the Valles Caldera National Preserve, again the Preserve is willing to discuss expanded hunting of other species but they are assessing

right now what statutory obligations they may have in order to allow hunting, fishing, or trapping of species not currently permitted under the trust. And with that, I would stand for any questions.

CHAIRMAN KIENZLE: Is trapping specifically in the legislation?

STEWART LILEY: Mr. Chairman, yes. Trapping is specifically written into the legislation.

CHAIRMAN KIENZLE: Do you recall which of our Representatives and Senators voted in favor of that? Anyone?

MALE SPEAKER: (Inaudible, too far from microphone)

CHAIRMAN KIENZLE: And then, Representatives? Who voted in favor? Does anyone know?

MALE SPEAKER: (Inaudible, too far from microphone).

CHAIRMAN KIENZLE: Thank you. Any questions or comments from Commissioners?  
Garrett.

GARRETT VENEKLASEN: Mr. Chairman, members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation. New Mexico Wildlife Federation very much supported the transition of management into the hands of the National Park Service. We have been attending all the Park Service's meetings. They've held statewide meetings on management decisions ranging from hunting and fishing to recreation. We have submitted written comments to the Caldera and are working with the Caldara staff especially on hunting and fishing related mandate for the park, for the preserve. We have very much recommended that the Game and Fish Department obviously control the game and fish in the preserve. And we have also supported expanding hunting and fishing and trapping opportunities for other species. Just wanted to make that known. Thank you.

CHAIRMAN KIENZLE: Thank you for your comments. Brandon Wynn (phonetic).

GUEST SPEAKER: (indiscernible)

CHAIRMAN KIENZLE: We're good?

GUEST SPEAKER: We're good.

CHAIRMAN KIENZLE: That's surprising. It's going to get quiet. Like we need a math guy. He's usually our math and I feel like I've had my right arm cut off. Guy Dicharry

GUEST SPEAKER: Thank you. I am Guy Dicharry and I am New Mexico back country hunters and anglers. And as far as the Valles Caldera goes, I would like to see a lot of the current management maintained. Really look at the Valle Vidal model of management for fish and wildlife and how that works. This is a very, a much smaller area. For example, thinking about creeks like San Antonio, that's a catch and release, and all of these things I would really like the Commission to look at all of what's in place right now, how well it's working, and (indiscernible). Thank you.

CHAIRMAN KIENZLE: We're happy to help out, but you may need to talk to the Park Service as much as you need to talk to us. Thank you. Kerry Thompson. Kerry Thompson? (phonetic). Bob Nordstrom.

GUEST SPEAKER: (indiscernible), I gave back 4 minutes so I ought to talk more. My basic problem is the limitations that the Park Service has already imposed on hunters come this fall.

CHAIRMAN KIENZLE: Can I stop you right there? I think the Commission can say, I told you so.

GUEST SPEAKER: I know I'm speaking to the choir, alright?

MALE SPEAKER: But a lot of folks we say . . .

GUEST SPEAKER: 369 acres has been restricted to public access. The best hunt unit on the Caldera is closed to hunters. They have closed half. They've opened 2 roads, main roads, the 2 road and the 9 road, but only half of those roads are open. Eleven other major roads, 5 minor roads are all closed. These roads, most of them are in pretty good shape, better than the Forest Service Roads. It greatly limits access to the far west side and east side of the Caldera.

CHAIRMAN KIENZLE: I'm sorry to interrupt you, but where does that information come from?

GUEST SPEAKER: What information would you like?

CHAIRMAN KIENZLE: That you just, the road closures?

GUEST SPEAKER: I have the restricted map. I can give you a copy of it if you'd like.

CHAIRMAN KIENZLE: That would be helpful.

GUEST SPEAKER: I brought the big map. It came out of a document that's dated 3/2/15 by the Park Service, I can't even pronounce, but it's Superintendent's regulations that took over when the Forest Service regulations went off.

CHAIRMAN KIENZLE: Well, that's good for us to know.

GUEST SPEAKER: Basically, mobility impaired hunters, and after somebody talking with one of the Commissioners, I consider myself at least at least semi mobility impaired. And I am a hunter this fall on the Caldera. And it is really going to impact those hunters. A lot of these areas,

you are going to have to walk 4 or 5 miles to get into even an area to hunt. I got maps back if you'd like to look at them. I can give you those documents. But this is my concern. Thank you.

CHAIRMAN KIENZLE: Thank you. I appreciate your comments. Mick Trujillo. Or Michael?

GUEST SPEAKER: Howdy. Mick Trujillo from ABS. Mr. Chairman, Commissioners, Director Sandoval. Thank you for the opportunity to visit with you. I want to thank the Department employees who met with the Park Service leaders to prepare for this year's, and future, elk hunts. Hopefully these discussions and others like them will keep hunting from suffering the same ill-fated doomed cattle grazing program on the preserves. There are hunt related challenges and issues that need further attention. As Bob mentioned, access, road closures, hunt area closures, impact on mobility impaired hunters, just to name a few. I know a little bit about that landscape and I know a little bit about the wildlife that's on it. I've got some thoughts on how the Department, the pueblos, Rio Arriba County and others can partner. Anyway we can help for this place to succeed and be there for sportsmen in a maintained and balanced way, I am available to you and the Department to help in any way I can. And thank you for your time.

CHAIRMAN KIENZLE: Thank you. Stan Gaged (phonetic). Ken Salazar, you are the final public comment on this and I bet you have more than a passing familiarity with the place.

GUEST SPEAKER: Mr. Chairman, Commissioners, thank you, and Director, thank you for the opportunity to speak to this. I am a member of the advisory board of the trust right now as we move this, and I just wanted to thank the Department staff for working with us on the regulations. Contrary to what some people think, we are continuing hunting, we are continuing grazing, and both programs are successful. You won't have the same type of hunting where people are road hunting and driving around. We are going to close some roads but the area is still

going to be accessible to people to hunt. And if you know, we have had a number of forest fires in there so we have had ongoing road issues and sure we may be better than the Forest Service on some things but it is still an ongoing issue maintaining our roads. So we will have hunting, we will have grazing contrary to what you are hearing from some of these people, and I'm looking forward to a very successful program on the National Park Preserves. Thank you.

CHAIRMAN KIENZLE: Thank you for your comments.

GUEST SPEAKER: And thank your staff for all the work, too.

CHAIRMAN KIENZLE: A pat on the back. Thank you. That concludes Number 12, unless the Commissioners have any questions or comments. Agenda Item No. 13: Proposed Reporting Program for Citizens and Trappers. I understood the trappers are having a convention or something this weekend, so I will not infer anything from them not being here today. But I did want to start the process of discussion on this because I think it is an important issue, and this will not be the last time we talk about it. Stuart?

STEWART LILEY: Yes, Mr. Chairman, members of the Commission. Mr. Chairman, you are correct that the trappers are having their annual rendezvous this weekend so, as you stated, they did voice their opinions that we would like to hear, and they were engaged during discussions before this proposal.

CHAIRMAN KIENZLE: They will get the opportunity to speak at another public meeting for sure. Thank you.

STEWART LILEY: So, I am in front to you to discuss a potential to create a reporting program for citizens and trappers for unintentional capture of pets, livestock, or humans. First a little bit

of background on where we stand. On average, across the State of New Mexico, right now we receive approximately 10 calls per year of livestock, pets, and no reports of humans being unintentionally being captured in traps. Our highest reporting areas are in Albuquerque, Santa Fe, and Los Alamos, those districts, with some districts in the state receiving 1 call every 8 years. Right now, as to date, I can't find a specific state that has this kind of reporting program but there are some states that do different things to address the potential or perceived issue. One that I think is a very interesting one is that Alaska has a 30 minute video posted on their website, titled 'Sharing Alaskan Trails' when it comes to trapping, specifically addressing a little bit of this issue, the notion and the disputes around it. Idaho encourages trappers to place warning signs in areas where traps are set. It is a voluntary system but it is an encouragement by Idaho. Oregon has the requirement of any vet that treats an animal, excuse me, a domestic animal that was caught in a trap, that if they treat it they must report it to the State Veterinary Board. My understanding is they receive less than, in the neighborhood of 10 or less calls annually on that reporting. So a couple of initial options that we have discussed and that we are presenting for you today, is maybe creating a selection so, right now trappers must mandatorily report their trapping activities from the previous season. One of that would potentially create a new question basically on that mandatory trapper reporting that requires trappers to report unintentional capture of pets or livestock. And then the other one is, potentially for the citizens' portion of that don't have a trapping license, would potentially create a link in the Department website to facilitate citizen reporting of unintentional capture of pets and livestock or humans. And I stand before you for kind of guidance and questions.

CHAIRMAN KIENZLE: Sure. I'll confess, this is my idea. So in defense of the Department, I'm the one that's driving this. So, in terms of visiting with the trappers and trapping community,

tell me how that went. Did you have meetings with them, 1 guy, 10 people? Tell me what you went through just in this initial cut.

STEWART LILEY: Mr. Chairman, I spoke with Mr. McDowell who is the president of the Trappers Association for New Mexico to discuss kind of some of these options that were presented, those 2 options, and more of an interest of his was how often do we receive those calls. So some of that background information I gave to you stem from conversations from him, questions that he had, questions that I needed to get more information on myself that I wasn't currently aware of. So it was more of a perceived issue, is it a bigger issue out there. So he was kind of more on that, curiosity. He would like, or his group would like to have, some input back into it. They wanted to hear kind of maybe what Commission direction might be after this meeting and be able to provide some specific information back as to what that might be.

CHAIRMAN KIENZLE: This may not make it onto the August agenda, since it is something of a large change. It may take 90 days to continue to visit with them. Because I want to do it the right way. I don't want to make it unduly burdensome for them to report but I do think, we get a lot of anecdotal evidence that all manner of things are getting caught in traps or getting snared and I think it would be useful to start building a data base as to whether that's accurate or not. So, continue to visit with them. I don't know if this will make it on the August agenda but it may make it on the one after that. I will visit with the director about the timing of that and I do expect, when this does make it onto the agenda the next time, it will be just a discussion item and it would include, I don't know if Mr. McDowell will be here, but certainly some of the trapping community would be here, so they can speak their piece on it and I think more (indiscernible, background noise) is better than one on this. So I think there are going to be a lot of different

viewpoints and let's take them all in and make sure we get hopefully a rule that makes sense and is workable. Commissioners, questions?

COMMISSIONER ESPINOZA: Stewart, when you visited with Tom, did he give any hesitation or concerns that this would be burdensome or did he like the idea or what were his comments.

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, one of the concerns is under regulation on our mandatory hunter harvest reporting it is punishable by revocation so if a trapper falsifies a report they can be revoked on a falsification. One of his concerns is about potential false reporting of citizens and how that would potentially be punishable. So that was one of his concerns.

COMMISSIONER ESPINOZA: But not so much from the trapper's side?

STEWART LILEY: Mr. Chairman, Commissioner Espinoza, he again hasn't seen more of a flushed out proposal so he hasn't made comments really of substance or anything until he sees something come through.

CHAIRMAN KIENZLE: I don't think we're there yet. I think this is truly in the very early stages of development. Commissioners, any other questions or comments at this time? We'll get to pick this up again. Public comment, David (indiscernible).

GUEST SPEAKER: Well, Mr. Chairman, I just came and stayed around to thank you for this idea. There's an old saying, 'In God we trust, all other bring data' and I know that last year when I applied for turkey I had submitted my turkey license, my last year's hunting, and I hadn't shot anything. But I couldn't get my license until I submitted that data and I understand the need for that data. And I think this is a good step to start getting some of this data. We just heard

testimony this morning from a trapper that he'd snared 2 mountain lions so we know unintentional species are being caught and I think you're on the right track and understandably it'll take some time to figure out what is an accurate reporting method that gives you good data.

CHAIRMAN KIENZLE: Thank you. Bill Brockman (phonetic). Evelyn Beamis? (phonetic).

Mary Katherine Ray, she will not take a pass.

GUEST SPEAKER: I am passionate about trapping. My dogs were nearly caught in a trap that I could not have opened. I was hiking. Had my dog been caught it would have been a search and rescue operation when I had not turned up at home because I would not have left my dog alone in the forest. I was an hour and a half from my vehicle by foot. I later found a coyote in a trap that was grossly injured. It was an horrific experience. I don't like traps. I do like this proposal. Thank you. I would encourage, especially when it comes to citizen reporting, it's only going to work if citizens know about it so it would require that the different Department's make an effort to publicize that this option is available and if people find a trap they should let the Department of Game and Fish know, find an animal in a trap that is a nontarget animal or even if their dog gets caught or livestock or anything like that. Signs at trail heads perhaps. I think one reason the Department might not be hearing about these incidents is, I know the way I felt when I nearly had a really bad encounter with it, the trap, was incredible anger that someone could do this to me, the public, which I was walking on public land. There may be some instances of the public just taking the trap. You never hear about it, the trappers never hear about it, and destroying them because they are so angry. I'm also somewhat concerned that the way this was presented that with only 10 incidents a year, it's not important. If you, your dog is injured, and you have veterinarian bills, and your dog bites you because you're getting your dog out of the trap and you have medical expenses, which we know have exceeded for individuals \$500 and more a year. It's

important to you. So I think that's part of where our problem stems and I hope this will help us learn more about what's going on. So, thank you making that proposal and I hope we can get it done. Elisabeth Dicharry. I'll bet I can guess what you're going to say. (multiple speakers, laughter).

GUEST SPEAKER: Maybe it'll be a surprise. And like the others I want to thank you for putting this on the table. I am a registered nurse and I have been an emergency room nurse for many years. I am not currently practicing ER nursing but I've seen my share. I will say we have a mandatory dog report we have to do when there is a dog bit and it comes into the ER. We have to report that. We have a form we fill out and that gets filed, and there are 10's of thousands of dog bites. I can't tell you how many there are all in New Mexico and all across America. This is going to be a complex task that you guys are going to embark on. And I am really glad that you are doing it. Because we have to look at enforcement and if a human is injured, it is a health care problem, it really is. Also if a human is bitten by somebody, which is like some of what I've seen, like if you're bit, is that also not just the trap itself but if you get bit taking an animal out of a trap. And here's where the trappers come in. How are we going to enforce their reporting of trapping accidents, and also veterinarians, that's an excellent idea, too. I offer my help if you need any help with ideas. Also I do think we should include nontarget animals on that. So again, thank you very much, and I look forward to hearing more about this proposal.

CHAIRMAN KIENZLE: Guy Dicharry. Did I hear pass? (Multiple speakers, laughter).

GUEST SPEAKER: I better get there fast. Thank you for introducing this. This is creating incentives for trappers to report nontarget catches. Also, making sure that citizen reports are accurate. And I think one way of doing that is maybe vet reporting as I am also a former

emergency room nurse and I've seen, we had dog bit forms in the middle of stitching people up, or you know, you're getting wounds. Those kinds of things, if they're getting seen in the ED for that, that's another good source of data. Warnings to the public as they were talking about, it's very helpful to have mandatory warnings for the public. If we're going up in the woods, there's just, it's nice to see there's danger in some areas. We warn people about underground gas lines, steep cliffs ahead. We could put up, we should start requiring warnings for there is a trap set here. Thank you for the proposal. Garrett.

GUEST SPEAKER: Mr. Chairman, members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation. We would like to pat you all on the back for taking an issue on this. It's great to see you guys doing this. We'd like to see this go a few steps further. We would love to see, sooner than later, a mandatory online ethics course. And I think that the problem is that the bad actors typically are not members of associations or organizations so they are not getting the training that needs to happen, and we just want to see conflict reduce and we think that a mandatory online ethics course would go a long way into solving that problem. Greater setbacks, not extreme setbacks but just some reasonable setbacks would also reduce conflict considerably. So we'd love for you guys to consider that. We also support increased fines for illegal sets and illegal trapping activity. I think accountability and fines tend to make people behave themselves a little bit better. And lastly, trapping reporting should coincide with big game reporting. And I think if people had to do their trapping reporting, this sort of reporting, before they got their big game licenses it would encourage them to do so.

CHAIRMAN KIENZLE: It's like a silent movie.

MALE SPEAKER: Don't we already do that?

MALE SPEAKER: Yeah, because I had my fur bearers and did my report and I got kicked out of the, I know it's (indiscernible) and I didn't like it because the 2 were on the top anyway.

CHAIRMAN KIENZLE: Terry Thompson. Terry Thompson? (phonetic) Cindy Roper (phonetic)

GUEST SPEAKER: Thank you. Cindy Roper. I'll try not to be as shaky this time. I too want to thank you for introducing this. It's a great step forward. I would like to encourage the Department a little bit even more, at some point take it forward even more by mandating the reporting of all bycatch as well as all the target animals. Thank you. Carl Abrams. (phonetic) Carl? Here's to (indiscernible) on us. OK. That's all the public comment. Any Commissioner questions or comments?

MALE SPEAKER: That's very dramatic, right.

MALE SPEAKER: It's a move in the right direction.

CHAIRMAN KIENZLE: Agenda Item Number 14: Update on Developing Shooting Ranges in New Mexico. Lance Cherry.

FEMALE SPEAKER: Chairman, before we get started, again we have another individual in front of you, who has just promoted to the Assistant Chief in the I and E Division so we are very excited to have him on board.

CHAIRMAN KIENZLE: Congratulations.

CRAIG SANCHEZ: You're welcome.

LANCE CHERRY: Chairman Kienzle, Commissioners, I come before you today to present an update on the Department's progress over the past month in developing shooting ranges in New

Mexico. I'll begin first with the Cibola County shooting range as this project is truly on the fast track and things are happening daily. Beginning immediately after the last commission meeting, we met with the County Commissioner, Chair, and Commissioner and County Sheriff to discuss expediting a plan to develop this shooting range. On May 20, we went before the County Commission and presented the plan and an MOU to push the project through. The Commission unanimously passed that resolution to enter into the agreement and proceed with the purchase of the Milan property from BLM. Since that time, the Department has made really tremendous strides in pushing this project forward. And right now, we're working on completing the cadastral survey, getting the ARK survey complete, and also we have plans underway and this is a piece that comes right off of initial planning process to get this range developed. This is the actual footprint that we're looking at for this piece of property. We are anticipating that this project will be completed sometime around October or November which is a pretty quick turn around and, Mr. Chairman, I do look forward to handing you the keys to the property in the very near future.

CHAIRMAN KIENZLE: A very big key, yes. Thank you.

LANCE CHERRY: The next one, we've also been working on the Clovis shooting complex. This one, this is a project that can be expedited drastically and we are expecting the designs for that project sometime here around June 30th. The next step for us will be to take those plans before the City Commissioners for approval. And once they have approved those plans, we can begin construction on this project. And so, we're looking at somewhat of a target date of having this thing finished before the end of the calendar year and believe me, on a regular basis, we are pushing, asking them if it would be possible to finish it next month. They're still thinking end of calendar year.

CHAIRMAN KIENZLE: Thank you.

LANCE CHERRY: The development of the youth archery range at the Albuquerque Shooting Range Park is also on track and we are continuing to have good progress with that. We've been working with the contractor to finalize the plans and develop that site and you can see we actually have plans for this property. At this stage what we are waiting for is the city's approval of the MOU. And once they have approved that MOU, we will be able to begin breaking ground. We are hopeful we can get dirt work done before the New Mexico Expo which is August 15th and 16th, and then we would complete the balance of the project immediately following that expo. I think this would be a really good opportunity for our youth in Albuquerque and surrounding communities to have a place to go out and shoot and practice, and also for our education programs to continue to flourish in those communities. SWCA is currently at the Santa Fe Camel Tracks property and they are working on the natural resource survey as part of that R and PP process. For sake of just public awareness here, R and PP is the Recreation and Public Purpose Act and it was enacted by Congress essentially to allow for state agencies, nonprofits, a variety of qualifying individuals to be able to manage portions of properties BLM administers at law, and you have to kind of go through this process in order to take ownership of the properties so that we can put these kinds of things together. We are anticipating at this point that the R and PP will be completed by April 29 of 2016, and then construction on that can begin immediately after, hopefully by around June and at this time next year we will have a shooting range in Santa Fe and something that the folks out there have long desired. And so I'll close at this point by saying these are just some of the most immediate projects that we have been working on but there are many that we are working on concurrently and it hasn't stopped there. The Department has also been working on potential primitive shooting sites here in Taos, and Guadalupe and

Quay Counties, and we are also pursuing more developed ranges in Farmington, Deming, Roswell, and Las Cruces. I'll bring you updates on those as those progress. And with that I stand for questions.

CHAIRMAN KIENZLE: Thank you, Lance. You and your team have made great progress. So all of this is really encouraging. Commissioners, any questions or comments.

MALE SPEAKER: Keep up the good work. I know Las Cruces is working on their plan as well, both the firearms and the Butterfield range as well as the city of Las Cruces did adopt and are currently working on an archery range you know, in town. So I know they are getting their plan to see how we can also support them on that. Thanks for all your work, Lance. And welcome aboard, Craig.

CHAIRMAN KIENZLE: Commissioner Espinoza.

COMMISSIONER ESPINOZA: Welcome, Craig. (indiscernible) you decided to fill me in on some of the exciting things that you were doing right out of the gate, I guess, from Day 1. Thank you, Lance, for pushing this through. We've been at it a while and it seems the last 30 days, you've got more accomplished and more progress than in the last 3 months. Kudus, and keep it up. We're excited. The one question I had just prior to is some specific plans and some stuff I'd (indiscernible) in Houston there, so I'm presuming they are putting together some site plans with design, etc.

LANCE CHERRY: Mr. Chairman, Commissioner Espinoza, that is correct. That is one of the contractors we have been working with and they're fantastic. They really do help expedite the process for us. And in fact, the footprint that I showed you literally came to our hands yesterday

because they recognized the importance of putting that in our hands so that I could show you where we were in that project.

COMMISSIONER ESPINOZA: Their design stuff (indiscernible) cost us as much (indiscernible).

LANCE CHERRY: Mr. Chairman, Commissioner Espinoza, yes it does.

COMMISSIONER ESPINOZA: For just one type of shooting range or are they going to prepare some various types or something.

LANCE CHERRY: Mr. Chairman, Commissioner Espinoza, at this point, it is very specific to that Cibola County Range. However, we have been doing some extremely diligent work pulling up pricing for primitive ranges all the way up to man-developed ranges and so we have a really good understanding of the types of costs that those are.

COMMISSIONER ESPINOZA: I would really like to see kind of different types of ranges cost estimates, footprints, plans, etc., so when you have those, present them to us individually, however that comes about. Again, keep it up. We're excited.

LANCE CHERRY: Mr. Chairman, Commissioner Espinoza, we would be happy to do that and we can depending on the Commission's desires, we would be happy to provide a breakdown of what those were and look like.

COMMISSIONER SALOPEK: You know, Lance, I want to thank you. You have been on the Commission I think 6 years, and we've always had presentations and it was always like OK, oh yeah, then you get to the next year. The strides you've made, what gets exciting is when you involve the cities we have across the state. And that's not about just going out to shoot and learn

how to hunt. It's an activity that gets these kids off the streets. It gives us another means to participate in something exciting. It usually teaches them, kind of like hunter education, muzzle control where you're not going to point it at a person. But I like where we're going and where we are heading to. Thank you.

CHAIRMAN KIENZLE: Commissioner Montoya.

COMMISSIONER MONTOYA: Yeah, I'd like to echo that because it had rolled and lots of things haven't happened. What's the location of that Cibola range in relation to Grant's, Milan, where ever?

LANCE CHERRY: Mr. Chairman, Commissioner Montoya, to be really specific to that, I'll defer it over to Craig, because he's from there.

MALE SPEAKER: Mr. Chairman, Commissioner Montoya, you're familiar with the Village of Milan which is west side of Grants, it is approximately 5 miles to the west where there's a waste transfer station. It's just on the boundaries of a National Forest but it is currently on BML land. So that's west of Milan and little bit south of the interstate.

CHAIRMAN KIENZLE: Well, I'm not going to let this one die, so I'm going to keep after the Director and her team to get these done. So I really appreciate the progress in the last month. Any other questions or comments?

COMMISSIONER RAMOS: Just one last comment, Mr. Chairman, also Lance. Thank you for the communication that's going on with the New Mexico Department of Education with Hunter Education and what not. I know we are making some leaps and bounds on that and hopefully we will get something going pretty quick, as soon as August.

MALE SPEAKER: Mr. Chairman, Commissioner Ramos, we will.

CHAIRMAN KIENZLE: I don't know if we have any public comment on this one. That's a discussion item, thank you. Agenda Item No. 15: State Land Easement Agreement. Mike Perry.

MIKE PERRY: Good afternoon Chairman Kienzle, members of the Commission. Today I am here to discuss with you Number 15. I'll be brief with Agenda Item 15. Basically I'll give you the background of a state land easement. The Department has historically and annually negotiated a fee for the easement of the state lands. The purpose of this easement is to gain access for licensed hunters, anglers, and trappers on state lands. As you guys know, you signed or helped us negotiate the process we are currently in and all the Department doing at this time is respectfully requesting to begin the initial phases of this involvement for the next season which would start 2016. Any public comment received by the Department will be summarized to the Commission at a later presentation. And with that I'll close.

MALE SPEAKER: He gets an award today. Shortest presentation.

CHAIRMAN KIENZLE: Brevity is the soul of wit. (inaudible, multiple speakers). Any comments or questions from any of the commissioners?

COMMISSIONER SALOPEK: I have one questions.

CHAIRMAN KIENZLE: Yes sir.

MALE SPEAKER: Are we still on the year-by-year basis, Mike?

MIKE PERRY: Chairman Kienzle, Mr. Salopek, yes we are. At this point and junction we are still on a year-to-year basis, correct. So this one is in effect through March 31st (indiscernible)

COMMISSIONER SALOPEK: Have we tried to do a 3 or 4 year or is that just not really doable. Do we know?

MIKE PERRY: That is something we could approach.

COMMISSIONER SALOPEK: It just seems it would make life easy, not that we don't like looking at you.

MIKE PERRY: I think that is something the Department would gladly and gratefully entertain because it would greatly reduce the yearly process. That is usually up to the State Land Office which is why we have proposed that in the past so we will approach that if you would like to with this new process.

CHAIRMAN KIENZLE: I'd recommend that. Just helps. There are plans to be made and it's just rough to go back because you are constantly painting the battleship, you are always going back so I'd rather get a longer term deal if we could. But we'll work within the bounds of what's possible. Thank you.

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Mike, what are we looking at? Are we looking at retaining the same fee, what's kind of happening with that discussion? Also, you know, with access points and things like that.

MIKE PERRY: Chairman Kienzle, Commissioner Ramos, at this point we are just asking if we can start those negotiation processes. If those conversations have happened they have been above my level at this point. We are just asking to open that conversation. The easement has been

working fairly well. It is GPS waypoints that we established last year through the (indiscernible) Mountains system is up and running. It's fully functional at this point and is working very well. Now we haven't gone through a hunting season yet, so I think still a lot of people haven't looked and downloaded those carry maps to look at those way points but they are currently there.

CHAIRMAN KIENZLE: Thank you. Questions or comments, Commissioner. Elisabeth Dicharry, public comments?

GUEST SPEAKER: I own land by a state land easement and I'm really happy about that because I am an angler and I am a recreational user so I am really concerned about state land easements. We've had some really interesting things happen with them in the last few years and what I'm most interested in for your strategic plan is when you identify and implement methods by which hunting and fishing opportunity and participation might be increased, I want to recommend that you do not loosen the requirements for hunting of unprotected species on state lands, leave it as it is which is where a license is required if you are going to take an unprotected species, a license for whatever you have. Also I want to make sure that there are no animal killing contests on state lands, I'll just spit it right out, no wildlife killing contests for commercial and competitive reasons on state lands. And I want to thank everyone who helped with that in the last couple of years and I'm glad that people can recognize excellent hunting and excellent fishing opportunities and I hope state lands will preserve what they've already done. Thank you very much.

CHAIRMAN KIENZLE: Guy?

GUEST SPEAKER: Ditto. And basically if it's been working well, it just seems it has, ask everybody to keep the same kind of language in the easement.

CHAIRMAN KIENZLE: Garrett?

GUEST SPEAKER: Mr. Chairman, members of the Commission. Garrett VeneKlasen, just wanted to also think it would be a good idea to have a multiple year contract with the Game and Fish Department, so if there's any way to do that, that would be fantastic. Just to say that Mr. Perry did a wonderful job with increasing access onto state land and we'd just love to see that trend continue. Thank you very much.

CHAIRMAN KIENZLE: I do want to say, as a Commission, I believe we are committed to Sportsman to paying for this access to state land. So we're not looking to do this necessarily on the cheap. By the same token, we want to spend your dollars wisely. So it is a negotiation. And I don't think as a Commission we like to be told, well this is the price and you're stuck with that number. So we do try to negotiate that and to go into a hunting season year after year with these easements not being certain has just been painful for us because you know we may be in a position to tell hunters, we don't have access for this year, where we tell you at the last minute. So we really would like to get this longer term if we could. I know the Director is committed to making that happen, so we'll work hard at getting that done. Brandon Winn, who I don't believe is here. Kurt Kennedy (phonetic). Pass? OK. Thank you for your comments on that everyone. I really appreciate it. Any other Commissioner questions or comments? Agenda Item No. 16 Fiscal year 2017 Capital Project Plan Approval. This is an action item.

GUEST SPEAKER: Mr. Chairman, Commissioners, I come before you to discuss the fiscal Year 2017 Capital Project Plan. The Project Plan is different from the operating budget. Money is appropriated for specific projects and it is appropriated on 4 year cycles. The money not spent will go back to the Game Protection Fund. This request focuses on dam safety, hatchery

improvements and renovations, off-highway vehicle recreational parks, habitat restoration or habitat protection, shooting ranges, and area offices design and construction. The first step in this process as we are doing today is to request commission approval for fiscal year 17 through the 21 capital project plan. You'll notice in your binders that you do have the capital plan for fiscal year 17 through 21 and the reason presentation is at 17 is that is because that is what the legislature is acting upon and fiscal years 18 through 21 can be revised yearly. Next, if the Commission were to grant approval, the Department would present the capital request to DFA by July 1. The Finance Administration and Legislative Finance Committee will schedule a capital project plan hearing. The Department of Finance and Administration and Legislative Finance Committee will make a recommendation and then there will be state legislature and governor action upon that. If it's approved, then the Department can spend that money. Now, Director Sandoval has instructed us that we are going to handle our capital projects differently than we have in the past. The Department's new capital approach, once we receive State Game Commission Approval, we'll begin work on compliance which can take quite a bit of time, so the goal is to complete that design and compliance work out of our operating budget and then the projects will be shovel ready and once the money is available, we can start getting those projects done. And with that I will be happy to take you appeals or question.

CHAIRMAN KIENZLE: Any questions or comments from Commissioners.

COMMISSIONER RYAN: How do you determine priority in these capital projects?

GUEST SPEAKER: Mr. Chairman, Commissioner Ryan, Director, we get guidance and input from the Game Commission and the Director.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioner Ryan, a lot of what we do is driven statutorily especially with dam compliance. That is something that is statutorily required of actually you all since you're actually the State Game Commission and owners of those dam. So that's why that always sits on top because we have a statutory requirement. So we look at what our requirements are and what that does to meet our mission statement as well. So that's how those are prioritized.

COMMISSIONER RYAN: Thank you.

FEMALE SPEAKER: I like that you guys are looking at relocating and updating the Roswell District office. That affects my part of the world and I think it's timely and very much appreciated.

CHAIRMAN KIENZLE: What's that office look like today?

FEMALE SPEAKER: It's small and think they've outgrown it. I actually visited it, gosh, about a month ago, and you know their meeting room could not accommodate very many people and as many training sessions and the trainees I saw down there, it was pretty packed.

CHAIRMAN KIENZLE: That's a common problem. We've got them and we've really moved as much an educational component of what we do as anything and we need more multi-media, bigger spaces, you know better equipped and all that.

MALE SPEAKER: (indiscernible)

CHAIRMAN KIENZLE: Yes.

MALE SPEAKER: Mr. Chairman, Commissioner Ryan, we totally agree. We are looking more at destination type facilities now that will allow for opportunity in education instead of just

sterile buildings where you come to. So that's exactly what we're looking at in the Roswell area and we're actually looking at some property closer to the river so we can provide other opportunities from shooting to maybe even some fishing opportunities, maybe some limited waterfowl. So I think we are onboard with you all.

CHAIRMAN KIENZLE: This is an action, sorry.

COMMISSIONER RAMOS: Just one other comment. Do we own the Roswell Office or are we leasing it? Because I know in Las Cruces we are fixing to finish that lease that we have so we're kind of in the same boat with that.

GUEST SPEAKER: Mr. Chairman, Commissioner Ramos, we do rent the Roswell Office currently as well.

CHAIRMAN KIENZLE: Any other questions or comments? Anything from the public on this? I don't think I have any public comment cards. This is an action item.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: I move to approve the Fiscal Year 17 through Fiscal Year 21 capital plan as presented by the Department.

COMMISSIONER MONTOYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: 17, we have already completed. Tilapia.

GUEST SPEAKER: Mr. Chairman, Commissioners, I am before you today to again discuss tilapia. We have gone through the rules and determined that, in order to accommodate your new authority, we need to make some changes to the importation rule and the Class A lake rule. Those rules are pretty straight forward. We are restricting species to only tilapia nilotica and tilapia mossambicus which are both species that are commonly raised in aquaculture and have the highest to lowest temperature tolerance so they are a lower risk species for escape and surviving in the environment. We placed recent requirements on facilities that they be covered, that if you are allowed to have (indiscernible) fish that are capable of reproduction, you have a bio security plan in place. We have put some disease testing in there and also revised the disease testing for all species so that we have a specific reference that we changed to the general documents so that each year we don't have to update it. And then, for those want to get tilapia that are capable of reproduction, we have put in that they need to be qualified experts so they will have to prove either their training or education and then potentially pass in the form of a test. And so it's a pretty straightforward thing and we've put enough restrictions and requirements in place to protect the environment while still facilitating development of an industry.

CHAIRMAN KIENZLE: With that I'll stand for any questions.

COMMISSIONER RYAN: I have some. Actually, in your proposals I want to just discuss specifically for that, I which I could give you a page number, it's 19.35.7.15, under approved suppliers of fish or fish eggs for importation into New Mexico. You added 'or meet OIE standard' which I think is a good (indiscernible) change but I read through and didn't see where

that was a defined term and thought you guys might want to look at, I mean, I don't personally know that is, what standard that is.

GUEST SPEAKER: Chairman, Commissioner, that's a good suggestion. OIE is an abbreviation for an international standard that's used for importing fish and wildlife across state borders. It turns out, I think that it's a French name that I guess I can put in there and maybe that'll help folks out but that's why I left it as OIE.

COMMISSIONER RYAN: I assumed it was a common standard but I figured people reading the regulation it would be helpful. So, in the next set of proposed rule changes to Part 9, I see that subsection (d), let's see, 9.14, you inserted 'aquaculture recirculating water systems operated by a qualified expert' which totally made sense but then (e) is just regarding the systems and I'm just wondering kind of the point of (e) and do some systems not have qualified experts, are there some nonqualified? I think that probably needs to be clarified. It's also not defined, you know, there's some ambiguity there that I think could be tightened up on the final rule.

GUEST SPEAKER: Chairman, Commissioner, we can certainly do that. The distinction between the system with the qualified expert and another system is that the qualified is allowed to have fish that are capable of reproduction whereas just a plain system be only fish that are either all male or sterile.

COMMISSIONER RYAN: OK. Well, let's put that in there. And I just wanted to make sure, I don't know, in subsection (f), you've 'and aquaculture in circulating facilities' which is a different (indiscernible) term than systems maybe possibly defining the facility other than the system itself as it seems like the facility would be a much larger scale operation of some type.

GUEST SPEAKER: Chairman, Commissioner, another good catch thank you.

COMMISSIONER RYAN: Thank you, I just

GUEST SPEAKER: Thank you. Perfect.

CHAIRMAN KIENZLE: Any other questions or comments at this time. This is just a discussion item. Anything from the public. Dan, what do you think about tilapia. (laughter)

MALE SPEAKER: You ate some last night.

CHAIRMAN KIENZLE: As you visited this on my doorstep. I think we are ready for executive session. I need a need a motion.

COMMISSIONER RAMOS: I move to adjourn into Executive Session closed to the public, pursuant to, Section 10-15-1(H)(2) to discuss limited personnel matters relating to complaints and discipline, and pursuant to Section 10-15-1(H)(7) on matters subject to the attorney-client privilege relating to threatened or pending litigation regarding the Mexican Wolf, State of Oklahoma, et al. v. US Dept. of the Interior et al., Defenders of Wildlife, et al. v. Sally Jewel et al., WildEarth Guardians v. Kirkpatrick, and State of New Mexico et al. v. United States et al. (D-1116-CV—7500184), in which the Commission and/or Department is or may become a participant.

CHAIRMAN KIENZLE: We need a second.

COMMISSIONER MONTOYA: Second.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: Vice President Montoya?

VICE PRESIDENT MONTOYA: Yes.

DIRECTOR SANDOVAL: Commissioner Espinosa?

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Ryan?

COMMISSIONER RYAN: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: We are in this room.

MALE SPEAKER: Mr. Chairman?

CHAIRMAN KIENZLE: This Commission had adjourned into Executive Section closed to the public. And during the session, the objective session, the session discussed only those matters specified in its motion to adjourn and took no action as to any matter.

CHAIRMAN KIENZLE: The chair would entertain a motion to limit public comment to 2 minutes.

MALE SPEAKER: I would so move, Mr. Chairman.

MALE SPEAKER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: Penny Wardlaw. Penny? (phonetic). Garrett.

GUEST SPEAKER: Mr. Chairman, members of the Commission, Garrett VeneKlasen, New Mexico Wildlife Federation. Last August we had our sportsman's summit in Socorro and one of the issues we talked about was the E-Plus system. The New Mexico Wildlife system has lots of concerns which you all know

with the E-Plus system being chronically broken. And it wasn't just the New Mexico Wildlife Federation that has issues with this. And so we have sent you a series of correspondence in the last few months asking to reopen the rule. One of the things we would really like you to do is form a task force and this Thursday I sat down with landowners, guides, hunting retail business owners to talk about E-Plus and what we can do about it. It was a really civilized discussion about how it can be tweaked and how it can be fixed. And we would just very much urge you all to form this task force. And I think if we form this task force with the right people and didn't have some kind of kangaroo court where we could all come to some very (indiscernible) ideas and conclusions on E-Plus. And so, we just urge you to immediately form that task force and perhaps have it on the agenda in the next meeting. And with correspondence, we have reached out to the email, very cordial correspondence with you all. We've had an absolute nonresponse with you all. And I followed up the correspondence with a phone call to you Mr. Chairman, and did not get a response. Quite frankly it is unprofessional. We would like to have, we don't expect concurrence, we don't expect you to agree with us, but we do respectfully request that you respond in some way to our correspondence.

CHAIRMAN KIENZLE: Herb Atkinson.

GUEST SPEAKER: Director, members of the Commission. Thank you for this opportunity to speak. I represent Safari Club International and our thousands of members in the United States and Worldwide and the 2 chapters here in New Mexico. First off, I'd like to commend you for the vote that you took on the wolf permit from the Ladder Ranch. We are opposed to wolf reintroductions, not only in New Mexico and Arizona, but also in the Yellowstone ecosystem and the Great Lakes. Some of those are different wolves but nevertheless but they have gone a long way to deteriorating the undulant herds. A lot of our people who have spoken today are very concerned about lions and bears but I heard no comments at all about the depredation they cause to our elk herds and our deer herds. One of the biggest problems we have with our deer herd in New Mexico, I think, is due to the lion population. So I also want to commend you for our lion

and bear rule that you are considering and keeping those tag numbers up so that we keep that population under control. We have no desire to see those populations eliminated but we do need to keep them under control so that there is a balance. The very definition of conservation is the wise sustainable use of a renewable resource. Preservation is non-use of a renewable resource. And I fear that we have too many preservationists, residents aren't real conservationists. So I commend you with the decisions that you've made and those you are working on.

CHAIRMAN KIENZLE: Guy Dicharry.

GUEST SPEAKER: Thank you. I would like to echo what Garrett was talking about, about the E-Plus program on behalf of the New Mexico back country hunters and anglers. The ranch sizes for the E-Plus program can go down to ridiculously small amounts of property so you can start setting a minimum ranch size or you can limit to ranch property and there are a bunch of ways to address this problem. I also want to thank the Commission for this meeting on a Saturday.

CHAIRMAN KIENZLE: Matt Palatier (phonetic). Then, David Goodrich (phonetic) is next, both on the same card.

GUEST SPEAKER: I'd also like to thank you guys for giving us an opportunity to speak out here. My name is Matt Palatier. This is David Goodrich. We are here to just speak on behalf of Blue Water Lake and the Tiger Muskie fishery as well. We understand that they have fish issues affecting the lake that are very complex. We would need obviously need more than 2 minutes (indiscernible) plan moving forward, but we would like to bring this forth in hopes of getting it on the August agenda so we can speak in a little more detail about it. In the meantime, we are hoping we can get a little bit of help from the Commission regarding some of those issues. We know that densities of fish are too thick, too heaving in the lake right now. We understand that the goal is actually (indiscernible) 15 fish breaker. What we are hoping to do, instead of

angling, use, and attrition to decrease those populations, one of the questions we are asking is, is it possible we could move these fish to other lakes instead of just watching them just die and be wasted. An additional problem that coincides with those populations is that the food, the prey basis, is very low right now so they don't have a food source to keep them healthy. The state surveys indicate that only 5% of the fish in there as of this year, indicate that only 5% of the fish are healthy. What we are worried about is moving forward. If we don't act now and provide a food source to sustain a small portion of that 5% or potentially even more, that we will end up with zero fish come 2016. So we know there is opportunity of bringing in perch potentially from Eagle Nest, our Chapter New Mexico Muskies, Inc. has also offered. We are more than willing to try to pay for these fish if need be if the Department doesn't feel it's possible to do that. I have kind of a gist of what I've spoken about here, but according to Game and Fish Surveys, this year we only have 5% of fish that are 100% relative (indiscernible), 100 is the nationwide average. This fishery has brought in people from all across the nation and has allowed new businesses to start popping up and it's just a huge asset to us and a big time (indiscernible). We thank you for that fishery but certainly would like to see a little more attention given to it, to sustain or keep that going.

CHAIRMAN KIENZLE: Mr. Goodrich? (phonetic)

GUEST SPEAKER: Pretty much seconding what he's saying.

CHAIRMAN KIENZLE: And before you all leave, do visit with Director. I know we are interested in the issue and without you kind of driving the issue, it doesn't necessarily go anywhere. So do stay engaged with the Director and we will see if there is anything to be done. OK?

GUEST SPEAKER: Mr. Chairman, if I may make a comment. Matt, did you bring a plan that you had?

CHAIRMAN KIENZLE: Just give it to the Director. I am happy to take a copy, but make sure you give a copy to the Director.

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GUEST SPEAKER: And I echo the Chairman's sentiment, Matt. If you're working with the Director, bringing some issues, not so much issues but recommendations and solutions, then I stress the recommendations or where we're at. I think we all recognize it is a treasure here in New Mexico and we want to make it succeed.

GUEST SPEAKER: It's amazing just in the last 2 or 3 years, something like Walmart for instance, they sold \$25,000 worth of Muskie related items in Grant's Walmart alone, and another \$23,00 has been sold in those stores statewide as well and all that is product that was never on the shelves before that time. So it's a major economic impact and as David was stating earlier and I did not know this, we are in top 10 in Muskie lure sales because of these are in the East Coast as well, a lot of the people that distribute to us are putting us in the top 5 to 10. We sell more of that stuff.

CHAIRMAN KIENZLE: I don't mean to cut you off, but stay engaged with the Director because it is your kind of participation that helps drive those kinds of things. I will say, on the E-Plus system, I will visit with the Director about those issues and see where we end up on it. So I am mindful that people are concerned about it and we will see where it goes in the future. We will try not to ignore that issue. So thank.

GUEST SPEAKER: I might ask one question. Is it something we can get on the Agenda come August?

CHAIRMAN KIENZLE: Perhaps. I will visit with the Director and that's how we typically get engaged in those. Unfortunately, the Constitution and the laws do not give me much of a status, so I rely on the Director to get that done. So, please work through her. Any other questions or comments from the Commission? I will entertain a motion to adjourn.

CHAIRMAN KIENZLE: Moved.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

In Re:

Game Commission Hearing

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APPROVAL OF MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

NEW MEXICO STATE GAME COMMISSION

Kachina Lodge Pow Wow Convention Center

413 Paseo del Pueblo Norte

Taos, NM 87571

Saturday, June 13, 2015

9:00 a.m. – 5:00 p.m.

  
\_\_\_\_\_  
Alexandra Sandoval, Director and Secretary

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Paul M. Kienzle III, Chairman  
New Mexico State Game Commission

  
\_\_\_\_\_  
Date

AS/scd