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STATE GAME COMMISSION

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Tucumcari, NM

THOMAS "DICK" SALOPEK  
Vice-Chairman  
Las Cruces, NM

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Albuquerque, NM

ROBERT ESPINOZA, SR.  
Farmington, NM

PAUL M. KIENZLE III  
Albuquerque, NM

BILL MONTOYA  
Alto, NM

RALPH RAMOS  
Las Cruces, NM

Daniel E. Brooks, Deputy Director

**MINUTES**  
**REGULAR MEETING**  
**NEW MEXICO STATE GAME COMMISSION**  
Daniels Leadership Center Auditorium, New Mexico Military Institute, 101 W. College  
Blvd., Roswell, NM 88201  
Thursday, May 23, 2013, 9:00 a.m. – 5:00 p.m.

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**AGENDA ITEM NO. 1: Meeting Called to Order.**

Meeting called to order at 9:03 a.m. by Chairman Bidegain.

**AGENDA ITEM NO. 2: Roll Call**

Secretary Director Lane called the roll:

**Present:** Commissioner Tom Arvas  
Chairman Scott Bidegain  
Vice Chairman Thomas Salopek  
Commissioner Bill Montoya  
Commissioner Paul Kienzle  
Commissioner Robert Espinoza  
Commissioner Ralph Ramos

**Absent:** None

**Quorum:** Yes

**AGENDA ITEM NO. 3: Approval of Agenda.**

Chairman Bidegain asked the Commission to approve the agenda.

**MOTION:** Vice Chairman Salopek so moved.

**SECOND:** Commissioner Espinoza.

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya,  
Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 4: Introduction of Guests.**

Chairman Bidegain welcomed attendees and gave a special welcome to newly appointed Commissioner Ralph Ramos.

**AGENDA ITEM NO. 5: Approval of Minutes (March 21, 2013, Albuquerque, NM).**

**MOTION:** Commissioner Montoya moved to approve the agenda minutes from the March 21, 2013 State Game Commission meeting in Albuquerque.

**SECOND:** Vice Chairman Salopek.

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya,  
Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 6: Revocations.**

The Department presented a list of 964 individuals that meet the established criteria to initiate the suspension process for hunting, fishing and trapping license privileges. The list of individuals was certified by the Human Services Department as being out of compliance with the Parental Responsibility Act. A motion was requested to suspend the license privileges of obligors not in compliance with their court order to pay child support. No public comment was heard and discussion centered on Senate Bill 73 which amended the revocation time period of obligors. The motion to approve the suspension process for individuals out of compliance with the Parent Responsibility Act as presented by the Department was so moved by Vice Chairman Salopek, seconded by Commissioner Ramos and carried unanimously.

**MOTION:** Vice Chairman Salopek moved to approve the suspension process for individuals out of compliance with the Parent Responsibility Act as presented by the Department

**SECOND:** Commissioner Ramos.

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 7: Final Recommendation Regarding the Use of Hunter Orange.**

The Department presented a final recommendation of no change to the manner and method rule regarding mandatory hunter orange requirements. The Department will inform and educate hunters on the benefits of wearing hunter orange during certain hunting seasons. No motion was required. No public comment was heard and discussion was supportive, all appreciative of the Department's work on this issue. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 8: Revocation Timeframes for Violators.**

The Department presented proposed changes to revocation timeframes that provide greater consistency with the Wildlife Violator Compact, the Parental Responsibilities Act and consider increasing revocation periods for certain severe violations. No motion was required. No public comment was heard and discussion was centered on statutory consistency with the Parent Responsibility Act and the Wildlife Violator Compact, and the proposed progressive revocation timeframe. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 9: Bighorn Sheep Management Update.**

The Department presented an update regarding current status of Desert Bighorn Sheep populations and potential release sites including the Sacramento Mountains of GMU 34. No motion was required. Public comment included a brief award ceremony given by Dick Weaver of the Desert Bighorn Council to honor the NM Game Commission for their strong support and aggressive restoration and management program for the endangered Desert Bighorn Sheep in New Mexico. Chairman Bidegain received the award on behalf of the Commission.

Commissioner Bill Montoya was recognized in a second award for his long involvement with Desert Bighorn and the Council. Discussion was supportive and centered on logistics of release sites, as well as potential interference with 2012-2013 hunting season. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 10: Final Proposed Amendment to Upland Game 19.31.5 NMAC.**

The Department presented the proposed Upland Game Rule (19.31.5 NMAC) for the 2014 through 2017 hunting seasons. Included in the rule was a proposed single hunt period statewide (September through November) for both grouse and squirrel hunting seasons. No public comment was heard and discussion centered on the clarification of the proposed Upland Game Rule.

**MOTION:** Commissioner Ramos moved to approve the proposed Upland Game Rule (19.31.5 NMAC) as presented by the Department.

**SECOND:** Commissioner Montoya.

**Vote:** 6-0  
**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos  
**No:** None  
**Abstained:** None  
**Absent:** None  
**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 11: Wild Turkey Management Update and Objectives. 19.31.10 NMAC.**

The Department presented proposed changes to improve turkey management by addressing hybridization of wild turkey subspecies by restricting importation, propagation, and possession. No motion was required. Public comment was heard and expressed concern to possess specially named wild turkey species and requested an exemption for projects such as 4-H. Discussion centered on the necessity to clarify the rule. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 12: Final Proposed Amendment to the Hunting and Fishing License Application Rule 19.31.3 NMAC.**

The Department presented a final proposal the Commission regarding prospective amendments to the rule to allow unitization agreements to be considered for additional species. No public comments were heard. Discussion supported the proposal and requested for information regarding the amendment for unitization agreements.

**MOTION:** Commissioner Montoya moved to approve the proposed amendment to the hunting and fishing license application rule 19.31.3, 19.31.12, and 19.31.13 NMAC as presented by the Department

**SECOND:** Commissioner Espinoza.

**Vote:** 6-0  
**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos  
**No:** None  
**Abstained:** None  
**Absent:** None  
**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 13: Update on Recovery Efforts for the Texas Hornshell Mussel and the Gray Redhorse.**

The Fisheries Management Division presented an update on the generally positive recovery efforts for the Texas hornshell mussel and the gray redhorse in the Black and Delaware rivers in

the lower Pecos drainage. No motion was required. No public comment was offered and no discussion. This being a discussion item, no motion was heard.

**AGENDA ITEM NO. 14: Proposed Amendments to the Fisheries Rule, 19.31.4 and Manner and Method Rule 19.31.10 NMAC.**

The Department presented proposed changes to the fisheries rule and manner and method to accommodate the next 4-year rule cycle. The Department plans to have a draft rule prepared for the next Commission meeting. No motion was required. No public comment was offered and discussion focused on Gila Trout Cut Throat restoration and fishery management in the Gila basin. This being a discussion item, no motion was required. Director Lane recognized Kirk Patten for his tremendous work after the fire.

**AGENDA ITEM NO. 15: Update the Game and Fish Licenses/Permits Rule 19.30.9 NMAC.**

The Department presented proposed amendment to the game and fish licenses/permits rule to reflect new vendor requirements for selling licenses through the Department's web-based sales program. No motion was required. No public comment was offered, and discussion focused on vendor concerns and addressing vendor resistance. This being a discussion item, no motion was required.

**AGENDA ITEM NO. 16: State Land Easement Agreement.**

The Department presented a final draft State Land Easement that would be effective through March 31, 2014 upon signature of the Director and the Commissioner of Public Lands. The Department is seeking Commission approval for the Director to sign the easement and present it to the State Land Commissioner for his full execution. No public comment was offered and discussion was supportive and centered on allocation of funds to carry forth this process, land lock easements, and the Department obligations to carry forth this agreement. Commissioner Arvas so moved to approve full execution of State Land Easement agreement as presented by the Department, seconded by Vice Chairman Salopek, motion carried unanimously. Director Lane commended R.J. Kirkpatrick for the hard work on this directive.

**MOTION:** Commissioner Arvas moved to approve full execution of State Land Easement agreement as presented by the Department.

**SECOND:** Vice Chairman Salopek.

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 17: Public Information and Outreach Division Update.**

The Department provided an update regarding the Mentored-Youth Hunting Program, recap of the National Archery in The Schools Program State Tournament and the teams representing New Mexico in the national tournament, and the continuing outreach successes of the GovDelivery mass email system. No motion was required. No public comment was offered and

discussion centered on support of this effort. This being a discussion item, no motion was required.

**AGENDA ITEM NO. 18: Off-Highway Vehicle Program Update.**

The Department provided an update on the Off-Highway Vehicle Program, including the implementation of hands-on youth safety training and establishing training sites around the state, the Trail Ambassador Volunteer Program, and the development of the Route 66 OHV Park west of Albuquerque. No motion was required. No public comment was offered and discussion centered on support of this effort. This being a discussion item, no motion was required. Director Lane thankfully appreciated David Chester for his service to NM Department of Game and Fish, as he is soon to retire.

**Valles Caldera Possibly Moving to Management by National Park Service.**

The Department was made aware of pending legislation to transfer the Valles Caldera National Preserve to the National Park Service. Public comment was heard and largely expressed opposition to a change in management. Discussion centered on the Commission's opposition of moving the Valles Caldera National Preserve to the National Park Service. Following discussion of adherence to the Open Meetings Act, a motion was made to oppose via letter any change of management for the Valles Caldera National Preserve as presented by the Department.

**MOTION:** Commissioner Arvas moved to oppose via letter any change of management for the Valles Caldera National Preserve as presented by the Department

**SECOND:** Commissioner Montoya

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 19: Closed Executive Session.**

The State Game Commission voted unanimously to adjourn into Executive Session closed to the public, pursuant to Section 10-15-1(H)(7) NMSA 1978, to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Commission and/or Department is or may become a participant.

**MOTION:** Vice Chairman Salopek moved to adjourn into Executive Session.

Secretary Director Lane called the roll call vote:

**Vote:** 7-0

**Yes:** Commissioner Tom Arvas  
Chairman Scott Bidegain  
Vice Chairman Thomas Salopek  
Commissioner Bill Montoya  
Commissioner Paul Kienzle  
Commissioner Robert Espinoza  
Commissioner Ralph Ramos

**No:** None

**Abstained:** None

Absent: None  
Result: Motion UNANIMOUS. PASSED.

**AGENDA ITEM NO. 20: General Public Comments (Comments Limited to 3 Minutes).**

J.H. Rhea, Roswell, NM: NRA member, Safari Club member, avid hunter, gave his sincere thanks to the Department and the Commission on challenging the Terk case again regarding resident licenses.

Secretary Director Jim Lane: in response to Mr. Rhea's comment and offer of assistance from the sportsmen's group, Director Lane asked for an amicus brief from the sportsmen and sportsmen's organizations in support of the Department and Commission's stance directed to the court.

Commissioner Kienzle: the briefs need to be filed by mid-August.

**AGENDA ITEM NO. 21: Adjourn.**

**MOTION:** Vice Chairman Salopek moved to adjourn.

**SECOND:** Commissioner Montoya

**Vote:** 6-0

**Yes:** Commissioner Arvas, Vice Chairman Salopek, Commissioner Montoya, Commissioner Kienzle, Commissioner Espinoza and Commissioner Ramos

**No:** None

**Abstained:** None

**Absent:** None

**Result:** Motion UNANIMOUS. PASSED.

NOTE: The meeting will be adjourned upon completion of the agenda or up to those items that time allows. Any items not discussed will be on the following meeting's agenda. The Agenda is subject to change up to 24 hours prior to the scheduled meeting date and time as deemed necessary by the Chairman. To inquire about agenda changes, please contact the Office of the Director at (505) 476-8008. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Ms. Sonya Quintana at (505) 476-8029 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Quintana if a summary or other type of accessible form is needed.



James S. Lane, Jr., Secretary  
New Mexico State Game Commission

August 22, 2013

Date



Scott Bidegain, Chairman  
New Mexico State Game Commission

August 22, 2013

Date

JSL/avg