

MEETING MINUTES

NEW MEXICO STATE GAME COMMISSION

Macey Conference Center

New Mexico Tech

801 Leroy Place

Socorro, NM 87801

Thursday, October 2, 2014

9:00 a.m. – 5:00 p.m.

A P P E A R A N C E S

Game Commissioner Tom Arvas

Game Commissioner Thomas Salopek

Vice Chairman Bill Montoya

Chairman Paul Kienzle

Game Commissioner Robert Espinoza

Game Commissioner Ralph Ramos

Game Commissioner Bob Ricklefs

A B S E N T None

A L S O P R E S E N T Mona Valencenti, AG Office

Alexandra Sandoval, Secretary to Commission

MALE SPEAKER: Good morning.

MALE SPEAKER: Good morning. Roll call.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Here.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE CHAIRMAN MONTROYA: Here.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Here.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Here.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Here.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Here.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Here.

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

CHAIRMAN KIENZLE: Thank you. Do we have a flag anywhere by chance?

DIRECTOR SANDOVAL: Do we have a flag?

MALE SPEAKER: We'll pretend we have one, right?

MEMBERS: (Pledge of allegiance recited.)

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

CHAIRMAN KIENZLE: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: Let's go around the room and introduce ourselves. Somebody want to start over here?

GUEST SPEAKER: My name is Cal Baca, Chief of Wildlife for New Mexico Game and Fish.

GUEST SPEAKER: Good morning. My name is Bob Osborne, New Mexico Game and Fish.

GUEST SPEAKER: Good morning, Commissioners. Stuart Liley, Big Game Program Supervisor, New Mexico Game and Fish.

GUEST SPEAKER: Good morning. R J Kirkpatrick, Assistant Director New Mexico Game and Fish.

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

GUEST SPEAKER: Robert Griego, Colonel of Field Operations.

GUEST SPEAKER: Good morning, Commissioner. Jennifer Morgan, New Hunter Education Program Coordinator for the Department of Game and Fish.

GUEST SPEAKER: Good Morning. Mike Szylagyi (phonetic).

GUEST SPEAKER: Good Morning, Commissioners. Rhonda Holderman, Licensing.

GUEST SPEAKER: Andrew Gray, Captain of the Southwest area.

GUEST SPEAKER: Good morning, Chairman and Commissioners (inaudible) Operations.

GUEST SPEAKER: Earl Conway, Conservation Director for New Mexico B.A.S.S. Conservation.

GUEST SPEAKER:

Star Gonzales, Marketing Director, New Mexico Game and Fish.

GUEST SPEAKER: Martin Perea, videographer, New Mexico Game and Fish.

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

CHAIRMAN KIENZLE: Welcome. All right. I think we got everybody. Let's see, we can do approval of the minutes. Can I get a motion on that?

COMMISSIONER SALOPEK: So moved, Mr. Chairman.

COMMISSIONER RICKLEFS: Second.

COMMISSIONER ARVAS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 7: Revocations**. Robert Griego.

MALE SPEAKER: You have to get up close and personal.

(Multiple speakers, laughter)

ROBERT GRIEGO: Good morning.

VICE CHAIRMAN MONTOYA: Good morning. (We can throw rocks at him this close.)

MALE SPEAKER: I'll get two sharp pencils, two shots.

(Inaudible)

ROBERT GRIEGO: Mr. Chairman, Commissioners. I am here to present the Hunting and Fishing License Revocation. The Department will present a list of individuals that meet the established criteria for initiation of the suspension process for the hunting, fishing, and trapping license privileges. Currently we have 119 obligors that Human Services Department has reported as being out of compliance in August and September. And you all have that list. I will take any questions.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: Bobby, how many license revocations have we had? It seems like the list keeps growing every Commission meeting. Do we have a thousand?

ROBERT GRIEGO: Mr. Chairman, Commissioner Montoya. Yes, I'm sure we do. I don't know the exact number. I can get that for you fairly easily. With this new online system, we are very effective on catching those individuals that are out of compliance who, in recent years, were able just to go to Wal-Mart and purchase their fishing license and we had no check and balance against that. So now we are catching those guys as soon as they're getting on their online system. So, yes, that list unfortunately continues. Every few months, we get probably this 100 to 150 individuals out of compliance every two months. That is a pretty steady number.

COMMISSIONER RAMOS: Why don't you give us a ballpark figure in our next meeting . . .

ROBERT GRIEGO: Yes, sir.

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COMMISSIONER RAMOS: . . . just so we have a sense, because I'm curious, too. Because it seems like the list is pretty big every time.

VICE CHAIRMAN MONTOYA: I hate to even ask the question of how many license dollars this is costing us, but it's a bunch.

ROBERT GRIEGO: Mr. Chairman, Commissioner Montoya. Again, these are the individuals who are out of compliance with their child support and then every other Commission meeting it seems like I bring you the list of individuals who are out of compliance with paying their penalty assessments and that has stayed about the same. We've about a 55 percent compliance rate on those individuals that accept a penalty assessment for fishing without a license or hunting small game without a license. That has stayed the same over the years. But this Parental Responsibility Act seems pretty steady also in that they just fail to pay their child support and this new system is aiding us with Human Services. So, about 150 every few months but I'll get you the exact numbers for the next Commission meeting.

VICE CHAIRMAN MONTOYA: Thank you.

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Colonel Griego, and I know this kind of relates to it, where are we at with possibly doing like a monthly report on people that have been cited out in the state through our website or newspaper type of thing, kind of like the police department does with citations, DWI's, things like that, arrests, et cetera?

ROBERT GRIEGO: Mr. Chairman, Commissioner Ramos. We have had discussions amongst some of the department personnel in regards to doing that. It can be done. We are still in discussion phase with the administration as we go forward with revamping our website, where to include it or if to include it. But we are in discussions with that. So, timeline, I couldn't give you an exact timeline but it is on the table.

COMMISSIONER RAMOS: Appreciate it. Thank you, sir.

CHAIRMAN KIENZLE: Any other questions?

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Bobby, this list that you gave us, is it a new list every time you bring it to us, or is it some of the same individuals that get back on the list?

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza. No, it is a new list of obligors that are out of compliance.

COMMISSIONER ESPINOZA: Oh, so that's why the number is so big that you are going to give to us, because it is last month's list, this month's list, next month's list, keep adding up all those lists together then.

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza, that's correct. And some come into compliance for a month or two and then fall right out of compliance with their child support and then they get right back on that list. Human Service contacts us. Our Revocation Manager really, just this Parental Responsibility Act, has turned into pretty much a full-time job for that individual not to include having revocation hearings or our penalty assessment. This has turned

into a pretty full-time job even with this automated system. It's continuous, an unfortunate product of society right now.

COMMISSIONER ESPINOZA: All right. Thank you.

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

COMMISSIONER ARVAS: So moved, Mr. Chairman.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: Go ahead.

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

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: Moving on to **AGENDA ITEM NO. 8: Van Horn Creek Land and Cattle Company Inc. Shooting Preserve Application.**

CHAIRMAN KIENZLE: Captain Andrew Gray will be presenting this agenda item.

CHAIRMAN KIENZLE: Good morning.

CAPTAIN ANDREW GRAY: Good morning Mr. Chairman, Commissioners. This morning I will be presenting to you the Van Horn Creek Land and Cattle Shooting Preserve Application. The State Game Commission may issue licenses authorizing the establishment and operation of regulated propagated game birds shooting preserves on private lands when, in the judgment of the Commission, such areas will not conflict with any reasonable prior interests. (Indiscernible) Henry Bacon (phonetic) plan will release some propagated pheasants, chukars, bob white quails. Game species that occur naturally on the property are mule deer, antelope, quail, and dove. The Van Horn Creek Land and Cattle Incorporated shooting preserve is located south of Fort Sumner in De Baca County, New Mexico. The proposed shooting preserve would consist of approximately 4,162 contiguous deeded acres. Conservation officers have inspected and found the property to be a suitable temporary holding habitat for the propagated game birds. The shooting preserve, if approved, would provide increased hunting opportunities to State trust lands west and southeast of the preserve. Any questions?

VICE CHAIRMAN MONTROYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTROYA: Andy, it looks like that property, if it was the one that was outlined in red, those pivots are to the, looks like to the east, of it. Next slide, right there.

CAPTAIN ANDREW GRAY: Yes, sir.

VICE CHAIRMAN MONTROYA: We are going to gain a lot of game birds on that east side from where that preserve is, it looks to me like.

CAPTAIN ANDREW GRAY: Yes, sir.

VICE CHAIRMAN MONTOYA: That's where the green is.

CAPTAIN ANDREW GRAY: Yes. I mean, they will naturally kind of head that way, the ones that do survive.

VICE CHAIRMAN MONTOYA: I guess he understands that.

CAPTIAN ANDREW GRAY: Yes, he does. We had a little bit of a talk about it and he's pretty aware that they will probably leave his place, the ones that do survive.

VICE CHAIRMAN MONTOYA: Thank you.

CAPTAIN ANDREW GRAY: Mr. Chairman, Commissioner Montoya. I know our officers have also contacted the surrounding neighbors and none of the neighbors have an issue with it, either. So everyone is aware of that potential and are OK with it.

CHAIRMAN KIENZLE: Any other questions or comments?

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

VICE CHAIRMAN MONTOYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: I move to approve a 4,162 acres shooting preserve on the Van Horn Creek Land and Cattle Company in De Baca County as presented by the Department.

CHAIRMAN KIENZLE: Can I get a second?

MALE SPEAKER: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 9: Blue Canyon Hunting Preserve-Shooting Preserve Application.**

ROBERT GRIEGO: Going to share the wealth here, and Captain Ray Aaltonen will be presenting this particular agenda item.

CHAIRMAN KIENZLE: Good morning.

CAPTAIN RAY AALTONEN: Good morning Mr. Chairman, Commissioners. Again, Captain Ray Aaltonen, Captain, Southwest Area. At this moment, I'd also like to introduce Mr. and Mrs. Loren Horten (phonetic) (indiscernible) area and everything there, the ones that are petitioning us to have this regulated shooting preserve, so again this will be the proposed shooting preserve for Blue Canyon Hunting Preserve. The same background that was just presented to you with the Commission's authorities over approving this so we won't re-visit that too much. (Indiscernible) plan on releasing propagated pheasant, chukar, bob white quail, Gamble's quail, and scale quail. Game species that occur naturally on the property are mule deer, antelope, quail, dove, and water fowl. Blue Canyon Hunting Preserve is located west of Hatch on the Dona Ana and Sierra County line. This is on the road heading towards Deming on the cutoff there if you are familiar with that. The proposed shooting preserve would consist of approximately 4,614 contiguous deeded acres. Conservation officers have inspected and found the property will hold these birds temporarily. Long term, may not get too much survival in there. We've contacted the adjoining landowners and nobody has expressed any objections to the shooting preserve. There was one grazing lessee to the north that we could not track down but there is no privately owned right to

them or anything on that north end. So we had the wrong phone number from the BLM office.

Any questions?

CHAIRMAN KIENZLE: Commissioners, any questions, comments?

CHAIRMAN KIENZLE: Commissioner Salopek, a motion please.

COMMISSIONER SALOPEK: I'll make the motion. I move to accept the 4,614 acre shooting preserve on the Blue Canyon property in Dona Ana and Sierra Counties as presented by the Department.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Congratulations. Good luck.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 10: In-the-Field Hunter Assistance.**

ROBERT GRIEGO: Mr. Chairman, Commissioners. I am here to discuss agenda item No. 10, In-the-Field Hunter Assistance, known as buddy hunting. The Department will present a summary of state programs that allows for others to assist in the hunting of game, to seek Commission input for future assisted hunting opportunities in New Mexico. We had some of our field operations staff contact the other 49 states and inquired if they had any programs for non-licensed hunters to assist licensed hunters in the taking of game species. This did not include any assistance to mobility impaired hunters. Six states currently allowed licensed hunters to designate a sub-permittee to assist them with certain species. All of these states were back east.

The licensees and sub-permittees must hunt together. They may shoot game to reduce it to possession of the license. Currently, Main, New Hampshire, Vermont, and Minnesota allow assistant sub-permittees for moose hunting and moose hunting only. The permits are by draw only, and the successful applicants may designate one sub-permittee prior to their hunt. The other seven states with moose hunting do not allow this buddy hunting system. Maryland allows the designation of two sub-permittees for licensed bear hunters. With the moose hunters, they must stay within visual contact of each other. In Maryland, they do not have that requirement for the bear hunting, but it is good to be noted that in Maryland, they are aggressively trying to reduce their bear population so this was a way to increase the success rate by having two individuals targeting an animal under that one license which seems to be effective. In Louisiana, they do allow assistance with their alligator hunting. You can have as many sub-permittees as you want but what they do there is, they control the amount of alligator tags that they put out. For example, they give no more than 100 alligator tags so it is almost irrelevant to who's doing the hunting. You must have them tagged with those specific tags to bring them in, and that is the way they combat any excess take. Some of the potential advantages are, you know you get an increased hunting opportunity for limited resources. Sub-permittee would get to hunt without drawing a limited license, may maintain a high success rate. What they've shown in Maryland with those bears is it does maintain a high success rate. Again, you have two individuals, four sets of eyes, hunting that one species, so it does seem to increase the take. Disadvantages, obviously, potential to kill two animals under one tag. The vast majority of the states that allowed it with the moose hunting, even though you had to stay within that visual distance, they said annually they were having the issue of multiple moose getting killed because the one sub-permittee didn't see the other one go down, so they were having that issue. A lot of them were

having issues, conflicts between the sub-permittees and the license drawer. They were friends last month, they're not now, and now they don't want them to go, but they are listed as a sub-permittee so they were having that issue. Obviously you are going to have increased agency effort with more complex rules to manage this type of system but some of those disadvantages. You know, increased numbers in the field, most individuals depending on the species may have a friend out there, could decrease the odds of being drawn for a hunt by encouraging non-hunters to apply. But again, all of it is just potential. So with that, I will take any questions in regards to this agenda item.

CHAIRMAN KIENZLE: Commissioners, any questions, comments?

COMMISSIONER RAMOS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RAMOS: Colonel Griego, have you looked at, if we were to do this in New Mexico, limiting that to residents only and where does it also stand, draw versus over-the-counter purchase of a license.

ROBERT GRIEGO: Commissioner Ramos, Mr. Chairman. Really this was just really an attempt to see, just trying to gather some information to start the discussion. OK? So really I think it would behoove us, if we did this, to stick with only the draw species and maybe certain draw species. But, yes, this is just in its infancy to start the discussion if we want to go down that road potentially.

COMMISSIONER RAMOS: So we're looking at, let's say, mule deer and elk, something like that, or mule deer only to start out to see how it would work?

ROBERT GRIEGO: Mr. Chairman, Commissioner Ramos, really I don't even think the discussion has gone that far, on where to apply it. There has been some discussion on, you know, would it be feasible on White Sands Missile Range where you have more of a controlled situation and do it only for a Oryx. But again it is very much still in the infancy discussion on this program.

COMMISSIONER RAMOS: Right. And I am just kind of looking and have brainstormed this item, just of course thinking and looking at it as for residents only. And I think that would almost alleviate maybe somebody wanting to illegally guide someone. So if it was a buddy for nonresidents somebody could possibly invite a nonresident and then under the table exchange funds or whatever especially on these big hunts like elk, what not. And again, we always have to look at all different angles but I think if we're going to try it, I would like to just propose it just for residents. And to me, it's all about an extra opportunity for people that aren't drawing and to get more people in the field with that one party. It may be something to consider. But I do appreciate you looking at the various angles and discussing it.

ROBERT GRIEGO: Mr. Chairman, Commissioner Ramos. Yes, that's a very valid point. I think that would go a long way in combatting that type of situation with illegal outfitting. So, yes, we will definitely take that into consideration.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Go ahead. Yes, sir.

COMMISSIONER ESPINOZA: Yes, sir. Robbie, are you looking from the Commission today as far as direction and then if we wanted to go down this road, is that kind of what you are looking for today?

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza. Yes, sir. It's looking for direction, if we want to continue down this path, to looking further into it or addressing what potential species, what hunts, over-the-counter draw, resident versus nonresident. I think that is all questions that we would want to have answered for sure before we would implement anything like this. This is definitely outside of the box.

COMMISSIONER ESPINOZA: Yes.

ROBERT GRIEGO: So, yes, looking for some guidance on that to see, do we want to continue down this road or not.

COMMISSIONER ESPINOZA: Well, for me, I think it's an opportunity like Commissioner Ramos said that, you know, we can provide more, some other people to get in there. You know, I can see lots of benefits, you know, with say an older gentleman type thing. And I'd like to see it more controlled where, you know, if it's in the draw those two people have to draw together so to speak, it's just one license, special hunt code for this type thing. And, I'd like to have you put some thoughts together. You know, and I know, it's going to take some Department time but sometime in the near future, early next year, bring us another proposal and show us what you guys have come up with. I'd like to move down the road if that's the direction you'd like to see, or hear rather.

ROBERT GRIEGO: Mr. Chairman, Commissioner Espinoza, I will ultimately ask Director Sandoval and yes, we'll go from there. But I think they are all valid points.

COMMISSIONER SALOPEK: You know, Bobby, thank you for presenting this. I know we get to sit here and talk and visit and probably you all get (indiscernible) and me and Ralph's driving together wherever we go, and the way this started was he said he'd gone to Maine, I think it was

Maine, and did the buddy system. And I said, "What do you mean, the buddy system?" I would never vote for a point system. I mean, I've stated that and I'll state that as long as I am on this Commission. I like the system we have right now. I think it is the most fair. The thing you throw in this buddy system, I would maybe probably to apply it just to rifle hunts and maybe draw only. But it was interesting to see that. You know you hear from everybody, we didn't draw, we didn't draw. But if this came into play, and worked out right, my mind was, OK, I can get Bill over here who hasn't drawn, or Ralph hasn't drawn. You know Ralph hasn't drawn for ten years, so I could get him and go hunting and he could kill it and I could get him off my back about not hunting. So it's thinking outside the box completely. Whether we go anywhere with it or not, I don't know, but I think it's interesting.

ROBERT GRIEGO: Mr. Chairman, Commissioner Salopek. Again, it would create an opportunity depending on who your hunting partners are. I know if I draw, I don't care if Ralph is my hunting partner or not, he is not going to use my tag.

(Laughter, background speakers)

COMMISSIONER SALOPEK: You got to be careful who your hunting partners are. So yes, I think there is potential, depending on how it's used.

ROBERT GRIEGO: I think we keep looking at it. I would keep it simple. At first I wouldn't, if we ever go down this trail, I wouldn't make it broad to begin with because that is certainly outside the box and all the disadvantages you mentioned there, I think those are all real. They are not imaginary or could happen. I think those things are going to happen and we need to balance whether it is worth it or not. So just keep looking at it, as Commissioner Espinoza said.

Sometime next year, you will have been able to give it some more thought and we will bring it again as a discussion item and go from there I think.

COMMISSIONER SALOPEK: Well, I think it is going to create a lot of nightmares for you guys.

ROBERT GRIEGO: It would be interesting to look at. It would be interesting to see just what has come of these states that allow it. But, wow, you are opening the door, and I would really have to look at it real, real close to see what extra effort it is going to cause law enforcement and the people in the field and I still have to be convinced that's the thing we want to do. So, right now I'm about half negative about it.

COMMISSIONER SALOPEK: And to be fair to the colonel, this started up here.

ROBERT GRIEGO: Yes.

COMMISSIONER SALOPEK: It's not like the colonel's coming to us, I've got this great idea. So I appreciate your rolling the rock up the hill. But we are going to keep looking at it, and this is really just the first time we've had a chance to see the contours of what the thing could look like.

MALE SPEAKER: Mr. Chairman and Colonel Griego, the idea actually came out, I know one of the candidates had mentioned buddy hunting in the interviews for the Director position. And, you know what, I think it got us all kind of thinking a little bit different. But I do appreciate your research and questioning. But that's kind of where that came to the table.

MALE SPEAKER: And, I'm sure Garrett's organization will have something to say here in a second. But why don't we carry this over until sometime next year, and then we've got a

number of stakeholders who are interested in this. So I'd say reach out to them as you start to develop any other discussion items on this and we'll all put our heads together.

CHAIRMAN KIENZLE: Garrett, did you have any comment? And then we'll get some more Commissioners' comments.

GARRETT VANEKLASEN: Good Morning, Mr. Chairman, members of the Commission. Garrett VaneKlasen from the New Mexico Wildlife Federation. I think we do need to tread very carefully on this one. And I think Commissioner Montoya's comments sort of mirrored what sort of what immediately came to mind. I was on an elk hunt in Unit 50 several years ago and there was a group of folks, it was a bull and mixed cow tag hunt, and there was a group of folks on a hillside and a herd of elk, and they had multiple tags and there were multiple hunters. And they started shooting. And I don't think there was any communication among them as to who was shooting at what. And in the end, it turned out to be pretty ugly. So the idea of multiple shooters times two. I think the other issue is the idea of enforcement and trying to herd all this together and people get excited and do some pretty crazy things at the heat of the moment. I think we are going to see some pretty bad results from this. So I just would kindly request that this is publicly vetted throughout the state and that we think very carefully about this one before we proceed. Thank you very much.

CHAIRMAN KIENZLE: Anything else?

GARRETT VENEKLASEN: Sometimes it's better not to say anything else.

GARRETT VENEKLASEN: You know what? Just one last minor comment. I was kind of looking at that 80 year man who hasn't drawn a tag, that youth hunter that hasn't drawn a tag and wants that opportunity. Man, what a great buddy hunt for a father to have that opportunity to

share either with his dad, the 80 year old, or that youth hunter, and looking at that perspective. I mean, when you have some type. And of course, anything you throw out, it can go, you know there's pros and cons to it all. But anyway, thanks for listening.

COMMISSIONER ARVAS: Commissioner, I take real offence at that comment that 80 year olds, so let that be noted.

(Laughter)

CHAIRMAN KIENZLE: As you develop it, keep it tight. I mean, I think if anything were to get in front of us, if it's real broad I think it's dead on arrival. So, simpler and fewer moving parts is probably better.

COMMISSIONER SALOPEK: And I agree, Bobby. Might be pretty interesting though if it did start up here. But you know, if down the road if we get to where like everybody is against it at least we put it on the table. I looked at it as an opportunity, because as I said earlier, I am never going to vote for a point system and this just kind of opened it up a little bit. I'm sure we won't go anywhere with it and I'm fine with that. But thank you for the (indiscernible).

CHAIRMAN ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes.

CHAIRMAN ESPINOZA: Bobby, I want to first echo Commissioner Salopek on the point system. I would never go down that road either. But I want to thank you for taking the time to look at this. Again I want to say that I think it is an opportunity and I am with everybody else. Keep it narrow at first. You know, if you keep it narrow and I like your idea like on the missile range. It is a controlled environment, a lot easier to control than the Gila, say, whatever it is.

With that, bring us a proposal with a bid and then we can go from there. But I wouldn't spend a tremendous amount of time, but do bring us something. And I appreciate your effort. Thank you.

ROBERT GRIEGO: Mr. Chairman, Commissioners. I can do that.

CHAIRMAN KIENZLE: Thank you.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 11: Final Proposals to the Deer Rule.**

DIRECTOR SANDOVAL: Now you can come up, Cal.

COMMISSIONER SALOPEK: What, are you wanting to leave early or what, Cal?

CAL BACA: No, I'm just working. Always working.

(Laughter)

VICE CHAIRMAN MONTOYA: And your boss is here, so that means always working.

CAL BACA: Good Morning, Commissioners. Cal Baca, Chief of Wildlife for New Mexico Game and Fish. Stuart Liley and I, mostly Stuart, will be presenting to you our final proposed amendments to the deer rule 91.31.13 NMAC. I'll let Stuart drive this ship.

STUART LILEY: Good morning, Commissioners. Again, as Cal stated, this is the final amendments to the deer rule. Today will actually be our last one for the big game rules since January, so I appreciate the time and effort that everyone has put into these rules. I do want to go through like we have historically on all these rules since January and give a little bit of an update on what we've done for public involvement on these rules. We have had public meetings in several locations. I want to note a meeting we just had in Raton on, I believe it was Tuesday

night. We had 25 people in attendance roughly at that meeting. That was specifically to a rule change we proposed and will get to in a second. But you can see we had a varying attendance in public meetings this rule development. Public comments received to date through those public meetings and also through our website on the deer rule specifically, specific to deer, 293 public comments. What you see here is kind of a ranking in order of what was the most common comments heard. The majority, vast majority, on reducing deer harvest and license numbers overall. Some predator control, other measures to try to increase deer populations and hunter success, antler point restricts both for and against. Some people wanting doe increase, too many does, too few bucks. Kind of comments all over the board. Archery season dates, one thing I would like to state, our original proposals consisted of eliminating the September and January bow hunts. From the public comments received on that, we have gone back to allowing the September and/or January on most of those hunts because of the vast majority of those comments did come back stating that they liked that option. Given what we've gone through—data analysis, public comments, et cetera—our final proposals are to reduce deer licenses state wide by 11.5 percent beyond the 2014 current license year. We did do a 20 percent reduction in many units this license year to get ahead of the curve on some of these deer populations. One of the other things is to extend all the archery hunts in September to September 1 to 24 to match our recommendations with elk. You will see here in a minute on the 2-season structure for elk. Also, adjusting muzzle loader hunts that followed the first archery hunt. They historically started September 24. Now we are pushing them back again three days because of that extended archery to start on September 27 now. One thing that historically we have only hunted four days over that Thanksgiving holiday. Most of those are youth hunts. We are extending that to five days to allow a little bit more opportunity there. Again, like I just stated, continuing to allow

archery hunters to hunt both either September or January, have that option to choose that rather than to force them into one or the other. And then, adjusting the season dates for the calendar shift that was common in all the rules. And then the other thing was to adjust the seasons to minimize overlap in deer and elk hunters, those hunts occurring at the same time. We are able to do that in most units. Some units just because of the number of hunts that occur within those units, there were some where we just couldn't completely get rid of that overlap. Anywhere we could we tried to adjust that. Going by region, more or less by the regions of the specific units where we're going in proposing the reductions, in the northwest our only proposed reduction is in GMU 2A of 18 percent reduction. Specific to the GMU, northwest excuse me, we are also adding or proposing to add private land archery hunt in GMU (indiscernible). Currently there is a public archery hunt in there but there is no opportunity for private deeded landowners to hunt with archery equipment there. Northeast area reductions, you will see the specific units where we are proposing reductions. About 50 percent of those do have reductions, and 57 is just specific to Sugar Creek State Park that is only, wouldn't be on the unit as a whole, but just on Sugar Creek. Some specifics to the northeast is an attempt to increase hunter success and reduce overlap by shifting some of those GMU hunts around like we stated before, what we were trying to do. You'll see those specifics there for 43, 45, and 51. In addition some of the public comments that we had were to create a new hunt, a muzzle loader hunt, in GMU 48. That's a redistribution of licenses. That's not an increase in licenses. So what we did was take some rifle licenses and make them into a muzzle loader hunt so it wasn't an increase in total licenses in that unit. Also in the northeast area was creating a GMU 54 and 55, private land hunt, that occurs over that holiday, that Thanksgiving holiday, to allow youth hunters to take advantage of the break and go out and hunt and, like I stated a little bit ago, reducing the Sugar Creek State

Canyon archery deer hunt in there. That was a recommendation from the park and we went out there and analyzed that and we do agree. It looks like a little bit of an overcrowding issue.

Southeast area, this is the region where we had the majority of the reductions in the state. Again, you will see most of these GMU's do have reductions in them. These are on top of a lot of our 2014 season reductions with 20 percent happened in these units. But these are on top of this season so you'll see those reductions there. Specific to the southeast is some specific wording in there that allows deer hunting on our prairie chicken areas. The other thing is working with McGregor Range with their operations. They felt the best, the original proposal we had was to combine, or have the start dates of GMU 28 and 29. Working with McGregor they felt with military operations and risk of having to shut down a hunt because of a military operation, the Thanksgiving holiday or the weekend preceding the Thanksgiving holiday is the best. They don't see operations that would close down a hunt. So that's why that proposal had been changed. Changing the rack limit on the Brantley, Seven Rivers, change it from antlerless to either sex for kind of more of opportunity, more of a management opportunity there. And then GMU 34, we did, at the request of the Commission, looking at separating the mobility, impaired, and youth hunters from the general rifle hunts. We were able to do that but we had some overlap with a little bit of an elk hunt but overall there are much less hunters at any one period of time by doing that. Southwest area, you will see there basically reductions in all GMU's except for the main Gila region and White Sands Missile Range. So, overall, again reduction of licenses by 11.5 percent state wide. That's approximately 4,100 licenses. The purpose again is to increase hunter satisfaction ratings and increase hopefully hunter success. Like we've stated all along through the rule development process, we don't necessarily think this is going to increase deer populations as a whole. We don't think it's going to provide more does or fawns on the ground.

But we hope that it will improve hunter success and satisfaction. We're working at those issues and we're trying to help or trying to better understand factors limiting our deer populations around the state and trying to get a better understanding and hopefully to help populations through time and maybe be able to increase some of these licenses back. And with that, I will take any questions.

COMMISSIONER ARVAS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Stuart, is there any one area that we have that would be appropriate to hold an experimental type situation or hypothetical thing where we could find out. Because as you stated there, you don't think this is going to help the number of deer. So is there any area that we could run a study of some sort to where we could find out if habitat is really the problem instead of what we keep hearing in terms of problems.

STUART LILEY: Mr. Chairman, Commissioner Arvas, in fact we're in the process of doing that right now. We've worked with Mexico State University. We just hired a graduate student that starts in January. We are looking at a specific mountain range to test a lot of different variables and what is impacting our deer populations, from predation to habitat quality to reproduction, et cetera. In addition to collaring deer, we are hoping to collar mountain lions, the main predator of deer in the region to really look at what is, and assess the impact of lions on the deer population on top of nutrition. So yes, we are going to be starting that in January of this year.

COMMISSIONER ARVAS: Which area is that?

STUART LILEY: Specifically we are looking, leaning more towards the southeast, either in the Gallinas Mountains or maybe the Jicarilla's, Capitans. We're out there assessing now. First of all, we have to be able to capture enough sample size of deer and maintain a sample size that's adequate, and then also be able to capture enough of our predators, lions, in order to maintain. But leaning towards the Gallinas, Capitans, Carizozo area.

COMMISSIONER ARVAS: I think that's great that you're doing that because that'll ease the concerns of many of the hunters that we have, sportsmen in the state, about that. And it will answer a lot of questions that we haven't answered to date. It doesn't look like that project that we had up there in Woodington, with the, that we had some sort of study up there. The deer foundation did a study up there, didn't they?

STUARY LILEY: Mr. Chairman, Commissioner Arvas, Texas Tech University has been working on a mule deer study up at the Woodington Center. We have received some results from that study. It is looking more predation limited up there as well. They do currently have probably a density of deer that is higher than most in the state so even then, with the densities, they are seeing it is not nutritionally limited but more probably predation limited. That population, however, probably isn't really limited in the aspect of some of our other desert mule deer populations where we really want to focus more of our work.

COMMISSIONER ARVAS: Thank you.

VICE CHAIRMAN MONTROYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: Stuart, I have a little bit of a problem in that we are starting these bow seasons fairly early, either sex of course. Our fawns basically are dropped, in your opinion, what time of year?

STUART LILEY: Mr. Chairman, Commissioner Montoya. The majority of fawns in the state are going to be dropped around the first of July period, give or take, north probably a little bit sooner, south maybe a little bit later, but I would say July. July is going to be the majority of when we are going to see our fawn drop.

VICE CHAIRMAN MONTOYA: Then we're starting those bow seasons 8, 9 weeks after that. I think we're crowding it a little bit. But anyway that's one of my concerns that I'd like you to kind of give some attention to.

STUARY LILEY: Mr. Chairman, Commissioner Montoya, both seasons for deer are fork antler deer as well, so we are not targeting those females. So it would be more of a disturbance issue potentially than a harvest of the females.

VICE CHAIRMAN MONTOYA: But aren't a number of our early bow seasons either sex? Am I reading this wrong?

CAL BACA: Not for deer.

STUART LILEY: Mr. Chairman, Commissioner Montoya, for deer it is a fork antler deer only bag limit only on our archery hunts. There are no either sex deer archery hunts.

VICE CHAIRMAN MONTOYA: OK. That takes some of my concern off. The other thing is, if you want to catch deer and lions and put a tag on them, you can come to my yard because they're there. But in that area of 38, it would be interesting to see what's happened there. My

property butts up against the forest and I do a lot of running around on that back side of the forest and there's a lot of lion kills in there, and where there's deer there's going to be lions. And of course, some of them are fresh and some of them are old. But I'm concerned about that, too. And they are fairly in close to the housing areas, too.

STUART LILEY: Mr. Chairman, Commissioner Montoya, we agree. And part of the reason why we are looking at the Gallinas is recent burns, recent being in the last ten years as it has produced a nice browse, and early cereal stage for deer, palatable, really should put better growth on deer populations, et cetera. But at least we can test some of that, too.

VICE CHAIRMAN MONTROYA: When I look this over, I looked at the bow seasons, and I assumed it was either sex, but I see where you're at now so that concern is over. I haven't got a concern there. Thank you.

COMMISSIONER SALOPEK: Mr. Chairman.

COMMISSIONER SALOPEK: Stuart and Cal, thank you in moving the mobility impaired in 34. But I'm looking at the youth hunts and all of them, and all of them. Are we making it, we used to have a three weekend hunt for the youth and deer. Have we now made it, am I reading it right, it is just one 5-day hunt?

STUART LILEY: Mr. Chairman, Commissioner Espinoza, no that is not correct. Oh, excuse me. Commissioner Salopek, we have not done that. Those units that have those three separate weekend hunts are three different hunts. We have kept that the same. For example, if you look at Unit 13, youth only, deer 1170, you will see the three weekend structure is still there. What it was, we had many hunts in the state that just occurred over the Thanksgiving weekend. That was a four day hunt, and that was it. What we have done is now extend that to a five day hunt.

So those three hunt structures for youth only, or three different weekend hunt structure, has remained.

COMMISSIONER SALOPEK: Oh. OK. Thank you.

COMMISSIONER RICKLEFS: I like the idea of the youth only hunts over the Thanksgiving in the northeast. That's really nice. Could you tell me what the definition of "youth only"? What was the age range for those?

STUART LILEY: Mr. Chairman, Commissioner Ricklefs, that would be under the age of 18 when the hunt date starts.

COMMISSIONER RICKLEFS: Before 18?

STUART LILEY: Yes.

COMMISSIONER RICKLEFS: Thank you. Oh, I was just reading it wrong. There was three drawings on it. I was just reading one. Sorry, Cal. Sorry, Stuart. Now I see that's right.

(Laughter)

COMMISSIONER RICKLEFS: Now that I see that, it's like, well that's common sense.

COMMISSIONER ARVAS: (indiscernible) Mr. Chairman, I have one more question.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Stuart, our deer license sales are still going down, aren't they?

STUART LILEY: Mr. Chairman, Commissioner Arvas, part of that is because we have been reducing licenses to address population declines, hunter success, et cetera. In terms of when we

went to the draw, since we've gone to the draw system, it's all driven by how many are allocated. We don't really have an issue with, we will have some fire sale licenses, but the number of fire sale licenses through time hasn't, per se, increased to where we have left overs at the end of the year more and more. And private land only is currently over-the-counter. Those license sales have basically remained steady at about 5,000 state wide for the last five years.

COMMISSIONER ARVAS: That's good.

CHAIRMAN KIENZLE: Robert? Anybody else? This is an action item. But we have a couple of public comments. Joel Gray and Mr. Rankin.

JOEL GRAY: Mr. Chairman, Commission Members, I'm Joel Gray, New Mexico Wildlife Federation. Overall, we'd like to thank the Department for this deer rule. We think it is clearly science driven but obviously responsive to the public comment you've received. So we appreciate that. We especially appreciate the delineation of how many comments were received, on what subjects, and that sort of thing. Hat's off to the Department for continuing that. So we have a good understanding of where the public really stands on these issues. And thanks to Commissioner Arvas for bringing up that issue about the research. We're really glad to hear about that research effort as well and look forward to seeing the results of that. Our only real concern with the deer rule is really just an extension of what I talked about the last time about the bighorn rule which is the sale of these raffle and auction tags that is contained in the deer rule. The State of New Mexico gets a certain amount of funding for big game habitat management through the sale of these raffle and auction tags but then we allow the sale by the winner of those auction and raffle tags to the highest bidder and we are now hearing reports that some of these tags, elk tags going for 40,000 bucks. We are the only state in the West at least that allows the

sale of these tags. Rocky Mountain Elk Foundation may raffle a tag in New Mexico and we allow the sale. Elk Foundation raffles the tag in Arizona; they do not. It's a black eye for New Mexico and we just think that the sale of those raffle tags should be stopped. And obviously it is within the Commission's purview to change that. If you wanted to allow a transfer of those licenses, say for instance from a grandfather to a granddaughter, or a father to a son, or a mother to whatever, great. Go ahead and do that. But the sale just flies in the face of reason. Thank you.

CHAIRMAN KIENZLE: Mr. Rankin.

FEMALE SPEAKER: Jess?

CHAIRMAN KIENZLE: Mr. Rankin.

VICE CHAIRMAN MONTROYA: Get up here, Jess.

MALE SPEAKER: He'll tell us to get more deer in the (indiscernible).

JESS RANKIN: Mr. Chairman, Gentleman of the Commission, Director Sandoval. I am Jess Rankin. I am a hunting outfitter in southern New Mexico. I have a couple of questions first off. When does the Department propose to have the youth and mobility impaired hunts in Unit 34? And also, if I'm not mistaken, I don't believe you all have plans for a deer hunt on the Sargent and the Valle Vidal and those are two places that friends of mine have hunted elk in there and clients of mine tell me they see some tremendous mule deer on occasion. Why are we not hunting those two areas? Looks to me like we're losing out on an opportunity to utilize a resource. But also I'd like to know when the youth and mobility impaired hunts are in Unit 34.

CHAIRMAN KIENZLE: Let's start with Unit 34.

STUART LILEY: Mr. Chairman, the youth and mobility hunt, impaired hunts, in Unit 34 for the 2015 season would be 10/24 through 10/28.

CAL BACA: And that's also on the website, and if he didn't hear that or didn't understand that he can always go to the website and double check that.

CHAIRMAN KIENZLE: While you may not be prepared to answer the other part of this question, can you tell us generally at the same time what is going on?

STUART LILEY: Mr. Chairman, yes. In terms of the Sargents and the Valle Vidal, we don't feel that deer population is such that maybe hunting would be, it was really focused on elk when that was donated to the Forest Service back in the early 80's. The focus is being centered towards elk. The deer population is there but it is not at levels that we would suspect high numbers where we could take a lot. In terms of the Sargents, that is a migratory deer population for sure. We do have harvest on the Humphries Rio Chama when those deer potentially migrate through but it is a very migratory population that is not residing there. During the bow hunts we do have it, but harvest does occur on those deer throughout the rest of those units so we don't pressure harvest in one part portion as they start moving.

CHAIRMAN KIENZLE: So, someday maybe.

COMMISSIOENR ESPINOZA: Mr. Chairman . . .

CHAIRMAN KIENZLE: I think that's what I'm hearing.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER ESPINOZA: Stuart, I talked to Cal a little bit about this on the Valle. A couple of years ago, I was up there on a hunt and took pictures. He was right at 200 inches, big

typical deer. Later that year I got a picture of that same deer being harvested on private land down below. So you know he migrated down and somebody harvested that deer so I'd think there'd be limited opportunity and I'd ask the Department to look at that. You know, I know the population isn't big but I think, you know, we could harvest a few. That could give our sportsmen an opportunity, not a big hunt but a few of them, there's a possibility. I'd like you to look at that.

STUART LILEY: Chairman, Commissioner Espinoza, as we spoke, that is something we wouldn't be able to consider over this next four years with the existing. That gives us time to be able to evaluate that deer herd to see if a recommendation can come forward. We just didn't feel at this stage of that deer population we had the ability to put that into this CURRENT four year rule and we are more than willing to consider looking at that and then bring back recommendations for or against appropriately hunting that herd in limited numbers later on.

COMMISSIONER ESPINOZA: Thank you for looking at that and bringing it to us in the future.

CHAIRMAN KIENZLE: Anything else, Commissioners? This is an action item. Can I get a motion?

COMMISSIONER RAMOS: Mr. Chairman, I move to adopt the proposed changes to 19.31.13 NMAC as amended by the Department and allow the Department to make minor corrections to comply with filing this rule with State Records and Archives.

COMMISSIONER ESPINOZA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

CAL BACA: Thank you, Commissioners. The next rule that we have up for your consideration today are the final proposed amendments to Elk 19.31.14 NMAC.

STUART LILEY: As Cal just stated, this is elk, public comments for the elk. Public comments for elk were the most of any of our species at 386 public comments received. Again, here are the public comments as you would see that were the majority of what we saw. We started receiving elk comments before really any of the rule. We had a big front loading of the comments coming in in early January, March. So what you are seeing here is kind of a lot of these specific comments early on. GMU 9 licenses coming, reducing GMU early on, et cetera. Then on the late end, this restructuring of the archery hunts, we did start receiving quite a few comments, the restructuring of overlapping hunts, et cetera, the transferability of private land tags. You'll see in a second where we discussed that specific to northeast area units, some point system, draw structure, and there was for some reason a flush of comments on allowing seniors to hunt with crossbows. Some more comments were, decreasing female harvest in the Jemez, adding an archery hunt in 56, a lot of comments on people wanting to hunt during the rut. One of the big things why we don't hunt in the rut is so we could offer more licenses. As our success rates go, we would have to decrease licenses if we did hunt in the peak of the rut. Antler point restrictions, some people for or against, and then like the Wildlife Federation states, some transferability of enhancement authorization comments did come in. Our proposed final amendments to the elk rule is to adjust the season dates to the calendar shift as we do with all these rules, addressing the overlap of deer and elk hunts. As the rule you just passed with deer, that does solve some of these overlapping hunt issues. We also reassess every time we do rule development. We assess our core occupied elk range and decide if our elk distribution has

changed and therefore we need to re-address some of those core boundaries and if it is correct or not. We did change some core boundary in those following units there. These were all very minor changes resulting in about a 1 percent to 2 percent difference in the public/private land, one way or the other. So it wasn't large differences in the public/private in the core.

Transferability and non-transferability of units: this is so in the northeast area we have some specific units where those authorizations can be transferred to another piece of property with written permission. What we have done here in these units is to include GMU 55B as transferable and then remove GMU 54, 57, and 58. We initially proposed 55A into our proposals. After public comment received, a lot of public comments specific to 55B, excuse me 55A, that has been removed as a proposal we're putting and you'll see there is a viable alternative. What we also have done is standardized the archery seasons from September 1 to 14, and 15 to 24 state wide. Specific to some of our herd units, Mount Taylor herd unit in GMU 9, we are proposing that 60 percent reduction in the antlerless licenses to address the low calf-to-cow ratios and population decline. I would like to report they just flew that unit two days ago, three days ago excuse me, and the calf-to-cow ratio this year again was suppressed at 11-to-100 where in the rest of the state we are looking at the mid-40's. So we still have an issue going on there. We hope to get another, maybe looking at research on calf mortality in there, what's going on, and try to help that population out. North central unit, one of the big things that we have done here is redistribute elk licenses to account for elk distribution across the landscape. What that is, it's really elk distribution in 51 may be a little bit higher than some of those other units so what you'll see is some decreases in antlerless licenses in GMU 55B and 52, and moving those to 51. So the whole herd, that is not a net increase in licenses, just a redistribution of licenses in there for antlerless. Also in the north central units, GMU 5B used to only have a hunt in October

and then a hunt in December. We have now done a total of 4 hunts, same number of licenses but more hunts, spread out the hunter density across time rather than 2 hunts of a lot of hunters. We did that with antlerless hunts as well to create a new hunt in November. Ute Mountain (indiscernible) San Cristobal herd, that is the northern, it is a high elevation herd. What we see there is a late winter migration either from Colorado or from New Mexico down onto the Taos plateau near Ute Mountain. We see a lot of elk in there. They are not really available for harvest during the fall hunts but during the winter we have a lot of concentration there. So what you will see there is specific portions of that GMU to address that migrating herd. And there are long periods, 16 day hunt, basically so we get three weekends to target that herd. Again, those elk are unavailable really to harvest during the fall hunts and there may be some migration out of Colorado as well. The Ruidoso Sacramento herd units specifically unit 34, increase in the antlerless licenses by 17 percent. What we saw during the last four year rule cycle, we expected about a high 30's to low 40's calf-to-cow ratio. What we saw in there in fact was a mean of 47-to-100, so a really productive herd even during the drought years. Population has been increasing. We saw another high calf-to-cow ratio just 2 weeks ago in the fall. It is just shy of 54-to-100 on the calf-to-cow ratio. GMU 36, we are proposing increasing archery licenses by 15 percent and mature bulls by 9 percent. Again another high calf-to-cow ratio, and the highest of all the cow ratio in the state at 60-to-100. We are above 60-to-100 again this fall in the ratios. The percent of mature bulls that we are seeing in the survey has been increasing as well, and our bull mortality rate that we measure has been, is low, one of the lower ones in the state at less than 30 percent. The Jemez herd, this is specifically the Valles Caldera. We always work through rule cycles to help develop hunts on the Valles Caldera. The main thing to note here is the actual changes in the licenses where mature bulls are increasing by 11 percent and antlerless are

increasing by 3 percent and no change in archery. A lot of this is restructuring their hunt dates and hunt structures rather than again a total change in licenses, that bottom bullet point. The Jemez herd units, specifically GMU 6C, we are proposing a reduction in cow licenses of 15 percent. The hope is to get that herd back to more levels earlier 2000's to hope to recombine GMU A and C back together maybe hopefully by the next rule cycle. That historically was a very sought after elk unit in that eastern portion but we have seen much suppressed elk populations in there in the last seven years. The southwest, 2 things here are adding a new antlerless hunt of 30 licenses in GMU 2 and 21A, and a new antlerless hunt of 20 licenses in GMU 23. A new late antlerless-only hunt on Fort Bayard of five licenses or, excuse me, in GMU 24 and including Fort Bayard and then allow all youth hunters in 24 to be able to hunt Fort Bayard as well. The northeast area, Yuroka (phonetic) is moving that third mature bull rifle hunt and creating a new September archery hunt, so we are just taking ten licenses out of that. License numbers aren't changing but redistribution to an archery hunt. We had a lot of public comments on trying to create new archery hunts where we could. And then, GMU 56, a new archery hunt and that is incorrect, it should be 1 through 14, and 15 through 24 on the slide, I apologize there. The Valle Vidal given our efforts that we did on that, the calf mortality there over the last few years, we have seen an increase in calf production on the Valle Vidal. We said from the start if we could increase calf productivity we would increase bull licenses. Through time, we have seen it. We are increasing mature bull by 10 percent and archery by 25 percent. In addition, we are moving 20 antlerless hunts out of the youth only hunt period, so those youth only hunters have a little bit less density in that hunt and hopefully have more enjoyable experiences. GMU 43, it is not particularly an elk unit historically. We managed to decrease that elk herd as much as possible. I think we were very successful. Low success rates, most elk

in that unit are harvested. What we do want to do, though, is decrease the numbers. We still think we can attain the same harvest with less people and still be able to manage that herd. Again, limited opportunity encounter that will come in, just lengthen that hunt for 10 days for those new hunters. We think this success will still stay there. GMU 12, after analysis of the data, we have looked a little bit harder. We think we can create some new hunts but also the other thing is the public and private hunts start at a different time period. We will make it now where the public hunts start the same period as the private and then again you will see there is adding opportunities of 30 mature bulls and 30 antlerless hunts there. In the southeast area in GMU 30, what we are doing here is currently we have 30 either-sex rifle licenses. We want to increase that and again we are going to create 20 archery licenses and those would be either sex, and then 20 rifle either sex. A little bit more opportunity and addressing the public comments to create more bow hunts where applicable. In your books, Commissioners, we have the final recommendation and we were one day short with posting any changes to that final recommendation, so we have provided you with a viable alternative. That viable alternative is what Stuart spoke about early in the presentation in the northeast area where we spoke of those private lands transferrable authorizations. Those authorizations, when they are converted to a license can be hunted across any other ranch within those GMU's with written permission. We had some public comment from those northeastern units. They wanted to restrict that availability and originally we included 55A as one of those proposed units in the original proposal. After public comment, after a public meeting and visiting specifically with the folks in Amalia and Costilla, we had overwhelming support to leave it as it is. As you know GMU 55A has some very, very large ranches in it. But it does have some smaller areas like Amalia and Costilla where the transferability of those authorizations has been working well. They work together.

They have entered into different cooperatives amongst those small land owners to allow for them to hunt across those smaller ranches in those valleys where the elk are during the hunting season. So the viable alternative that we proposed to you is the first set of briefing in rule that you have in your book, and that is removing 55A from the transferability restrictions and leaving it as is, and continuing to allow that transferability across private ranches with written permission.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: Mr. Chairman, Stuart I am just wondering on both units that have got low calf-cow ratios versus units that have high cow-calf ratios like 36 versus the northern units, bear populations and the amount, the number of bears that are taking it are reaching the limit in those units would be interesting to look at. Because obviously you know that bear populations and cow-calf ratios are one with the other and that's where a lot of your calf depredations come through. I'd like to, and maybe the other members would like to, see those units that were collecting, that were meeting our bear quota, and what their relationship is to the cow-calf ratio in that unit versus some of our southern units. You know, in 36 and 34, we've got lots of bears and we've got a pretty good elk cow-calf ratio. So there's something going on there that we can't associate it with what's going on. I'd like to see what that looks like.

STUART LILEY: Mr. Chairman, Commissioner Montoya, we have just completed a 3-year study that did include the southern mountain ranges, Sacramento's, to determine bear densities so that we have a better idea of those population densities within those bear populations, within those specific mountain ranges so that we can use that information to answer that exact question. If we have a high bear density population, is that a factor in these areas where we see increasing

populations or is it not a factor. So, yes, we will have that information and be able to answer those questions in the near future once we get the final report from New Mexico State University and the graduate student to where we can compare that and see if, in those areas, bears do have an impact where we know in the northern units, based on the elk calf mortality studies that Stuart completed along with Nicole Kitana (phonetic spelling) we could demonstrate direct correlation between bears and predation on elk calves. Yes, that is part of why we wanted to do that so we knew where the numbers were so that we can answer that question and see if it is a factor or not.

VICE CHAIRMAN MONTROYA: Perfect. Thank you.

CHAIRMAN KIENZLE: Tom?

COMMISSIONER ARVAS: Stuart, are archery license sales going up?

STUART LILEY: Mr. Chairman, Commissioner Arvas, again that is a function of the numbers and licenses you set in rule. So if we increase our archery licenses by rule, then yes. There are no left over archery licenses for elk so I guess it's all what is approved by rule, they all get sold.

COMMISSIONER ARVAS: But they are all subscribed, then? I guess all the licenses we have out there are all sold.

STUART LILEY: Mr. Chairman, Commissioner Arvas, that is correct.

CHAIRMAN KIENZLE: That would apply to all elk, wouldn't it?

COMMISSIONER SALOPEK: Even muzzle loader and rifle? Right?

STUART LILEY: Mr. Chairman, Commissioner Salopek, yes that is correct. We do not have any under-subscribed elk hunts in this state.

COMMISSIONER ARVAS: So, if you wanted to have a special hunt for whatever the reason in any area, whichever area you wanted to, would you prefer to have that be archery, muzzle loader, or rifle?

STUART LILEY: Mr. Chairman, Commissioner Arvas, my personal choice is archery because I'm a bow hunter. But the desire of the public is, I think, a little bit different. If we are going to do a specific hunt, it is going to be determined by management strategies: Can we get rifles in there, is it more conducive to an archery hunt, or is it more open areas where an archery hunt is going to be a little more difficult. When we determine those population management hunts, we do assess what type for safety concerns as well as what is going to be the most effective in harvesting the desired number of animals.

COMMISSIONER ARVAS: Yes, you'll kind of have to kind of go back a bit. But didn't we do something like that in Unit 34 four or five years ago?

STUART LILEY: Mr. Chairman, Commissioner Arvas, are you referring to the APRE's, those specific late season bow hunts? What we did there, and those are still in this current rule, is that it is kind of a lower success rate, and no it's not going to have a big impact on the population but will allow opportunity. Those hunts have been in rule for about six years now, six, seven years. We're continuing to propose to continue forward with those because they are sought after. They sell out, I think in some years, in less than two seconds in some units.

COMMISSIONER SALOPEK: Stuart, on the T-Bow hunts now, (indiscernible) 3, it's been good. I hunted it when it was two. I personally liked it better. What I heard, most everybody, is can we get consistent across the state. Is it going to create headache and heartache for some people? The ones that have one unit, one's a three, (indiscernible). I'd personally like it if it

were consistent because it's so confusing. Look at it now, 1 through 24, 1 through 14, 15 through 24. I personally like it. And then unit 30 where the units that you have added archery where it hasn't been, thank you because it's given opportunity to hunters and if you listen to the bow shops there are more people coming in buying bows and get more interest, so I personally like it.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Stuart, first I want to thank you. I think you addressed a lot of the public comments and incorporated them and I see several of the things I discussed with you and Cal incorporated in this so I want to thank you for that. But my question is, on the Valle, you know with the bears that have been up there and I am elated to see that we have been increasing. Could you maybe give us a quick rundown on what's happened up there with less deer?

STUART LILEY: Mr. Chairman, Commissioner Espinoza. So, in 2009, the Valle Vidal was at the lowest in the state in terms of calf-to-cow ratios. It was hovering in the teens. We went out there for two years and radio marked elk calves to look at what survivals with elk calves were. We are seeing about a 20 to 25 percent survival of those elk calves with 80 percent of mortality due to bear predation. In addition to looking at elk calf survival through radio marking, we looked at female condition of cows harvested on the adjacent Vermejo Park Ranch to assess body condition and its role into calf production or survival. What we found there was elk productivity, elk fat was high, higher than most western states at about 11 percent late winter. What we were then able to conclude that really, calf-to-cow ratios or recruitment was limited by

survival mainly due to bears. In 2011, we implemented a spring bear hunt in the Valle Vidal to address specifically that, the high density of bears. Historically, Valle Vidal was only available to bear harvest by those licensed to hunt elk and not specifically any bear hunts in there. We created a new fall hunt and a spring hunt and increased their harvest. In the first year we took, I believe, and again I don't know the exact, but it was roughly 22 bears out of a 25,000 acre area. We saw an immediate response the following year in calf survival and recruitment. We followed through with an additional harvest in 2012 and saw that response continue forward. Right now, this year's calf-to-cow ratio on the Valle Vidal portion, especially on the west, was hovering right in the mid to low 30's.

COMMISSIONER ESPINOZA: Pretty good evidence.

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: Please clarify the transferability in 55A and B. As you have it printed here, 55A is removed from transferability and 55B is included. And your alternative is both of those remain transferable?

STUART LILEY: Right. Chairman, Commissioner Ricklefs, if you look at, there are two sets of rules in your book. The first one, the one, the second one in order in your book, is the original final proposal that did keep 55A into those units where we removed the transferability option to there. The first one in order in your book is our proposal with the viable alternative and if you look at the viable alternative, it indicates it right after the motion portion, right before the rule language, it shows the subsection 19.31, whatever, b, where it removes, where it shows the current of having 55A as a nontransferable and showing the proposed viable alternative of 55A

being struck from there and allowed to be transferable once again. The viable alternative is what Wildlife Management Division is asking for approval today, not the final proposal that was on the website for public comment because we missed that change by one day.

COMMISSIONER RICKLEFS: I would agree with proposal B, no problem with removing 54 and 57, 58. But (indiscernible) 55A and B is fine.

CHAIRMAN SALOPEK: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

CHAIRMAN SALOPEK: In response to the comments on the crossbow for seniors, I had a few people ask me, basically what do you think. And I said, in about eight years maybe we can change that rule.

(Laughter)

CHAIRMAN SALOPEK: What about crossbow for seniors, Stuart? I mean, because the archery population, all of us, are getting older as hunters and I don't know if I would vote for that but it is pretty interesting to talk about it.

(Multiple speakers)

CAL BACA: Chairman, Commissioner Salopek, a lot of the information we've heard is a lot of fear, doom and gloom, regarding crossbows because they feel that the limbs are 150 pounds or 175 pounds, that they have somewhat of an advantage over a traditional bow with a 75 pound or 80 pound limb weight. In looking at, because I had a hunter education instructor teach my daughter that crossbows were the tools of the poachers, I wanted to do a little bit of research to figure out what the concern was regarding that because my father-in-law owns a farm in Ohio

and I hunt with a crossbow there. And I'm not very good at it, so I don't know if there's an advantage there or not. So I wanted to look at the differences in ballistics on those and from a lot of what has been put out there about it, there's not a lot of differences in how far or how fast a crossbow versus a modern compound bow works. So, yes, those are things we are looking at now to see if crossbows give slight advantage or not. If we restrict some of the certain things and are sure that we can answer those questions or myths that are out there before we propose any of those types of changes so that we have the best information available from both organizations like the Archery Trade Association and manufacturers so that we understand the differences between a modern crossbow and a modern compound bow to be able to say yes, we can include these as an archery equipment or not based on these things and try to get to the root of the concerns of being able to shoot a crossbow 200 yards and be successful. You know that those are the types of things we hear out there so we have to be able to understand that dynamic of what those things can or cannot do to be able to say, yes, it's a viable tool to allow for that. But for allowing seniors, we will allow for those who are mobility impaired to do that. There are a lot of seniors who cannot pull their bows back due to aging and deterioration of those shoulder joints and muscles. So yes, it is something we would be willing to consider looking at and determining if it's a viable legal weapon type, working with field operations and having their consult on it when it comes to impacts.

COMMISIONER SALOPEK: Thank you, Cal, because that is exactly what we have been talking about. It's nice seeing that you all are researching because if it gets to, we are aging, and if we can continue to bow hunt and it's within the realm of what we do, I would be excited about it. So thank you for looking.

CHAIRMAN KIENZLE: So, I have a question on your viable alternative. So, in GMU's 4, 5A, 46, are we striking then 54 and 55A or are we including 55A?

CAL BACA: B and B are different.

STUART LILEY: Mr. Chairman, let me look at this real quick.

(Multiple speakers, background noise)

STUART LILEY: I printed mine from the web, not the one I printed to put in your book.

CHAIRMAN KIENZLE: So, there's two B's that I see.

CAL BACA: Right. So when you look at the viable alternative as presented to you, Mr. Chairman, the changes are: The first B is the (indiscernible) license or permit. That was the original proposal that is in the second set of rule and briefing that you have in your book today. That is what was posted on the website for public comment as a final proposed rule. So you are looking at where we had, everything is still going to be transferable except for units 54, 55A, 57, and 58.

CHAIRMAN KIENZLE: OK, that was the original one.

CAL BACA: That was the original. What we are proposing changing it to is the second subsection B which identifies GMU's 4, 5A, 46, 55A as where those private land authorizations or licenses may be transferable to other private properties with written permission.

CHAIRMAN KIENZLE: And 55B.

CAL BACA: And 55B. And to include 55B, correct.

CHAIRMAN KIENZLE: But this was not put on the website?

CAL BACA: This was not put on the website because we missed the final by one day. We had 20 days when we put this out there. As per your policy, we can propose a viable alternative up to 24 hours before the Commission meeting, which we actually proposed this 20 days and put it on the website as a viable alternative as well, under the proposals for consideration.

CHAIRMAN KIENZLE: So, it's been out there some time for the public?

CAL BACA: It's been out there for 20 days.

CHAIRMAN KIENZLE: OK.

CHAIRMAN KIENZLE: Mona, any issue with that, that you see?

MONA VALENCENTI: No. If you followed due policy, you're fine.

CHAIRMAN KIENZLE: You fellows understand? (Multiple background) Alright, I think I get it now.

(Laughter)

CHAIRMAN KIENZLE: Any more Commissioner questions or comment? We do have some public comment as well. If you've got any, we'll pick it up here in a minute. Mr. Rankin.

JESS RANKIN: Mr. Chairman, gentleman, Commission. I just want to say I like most of what you've done. But I know you all been hearing this from me for years. I don't understand why we can't have some later hunts in December in Units like 12 and 2. We used to have a December hunt in Unit 12, and that was one of the best hunts I ever had to offer to my clients. And also, there's just a lot of people out there, for whatever reason, cannot hunt in October. It

seems like anybody that's a farmer is either planting something or harvesting something in October. And in 2005, we had a rifle hunt in December in Unit 12. I had six or seven hunters on that hunt, and one had to leave early. Those other six, in three days, had killed trophy bulls. The reason that hunt got shut down was because the Jicarilla said we were killing, quote, their elk, unquote. I was at a mule deer seminar that Purina Chow put on in Ruidoso a couple years ago and Tom Watts (phonetic) came and gave a presentation on what the Jicarilla did to make their elk and deer hunting as good as they could make it. And one thing he emphasized was they lobbied the Game Department, the governor, et cetera to greatly reduce hunting opportunities on the public land surrounding their area. Well, it looks to me like they've done a pretty good job, because we still don't have a December hunt in Unit 12, I mean in Unit 2, and that's when most of the elk are in there. I don't understand why, when we have Colorado elk, supposedly Jicarilla elk, southern Ute elk, we're wintering them. Why can't we hunt them? I would like to see a December hunt in Unit 12, Unit 2, and even Unit 7. Thank you.

CHAIRMAN KIENZLE: Any comment on that?

STUART LILEY: Mr. Chairman. Yes. I would say we do have an MOU with the Jicarilla to discuss rule regulation changes of greater than 20 percent but it is not a dictation on your authority to not change that. One of those things I would like to discuss is, we don't typically hunt late season elk unless it's for management purposes of cows. Bulls, we do have a couple of bull hunts in a few units but it is more on a cow management rather than a trophy management. A lot of times you will get broken antler bulls post-rut, et cetera. But a lot of it is more driven towards antlerless harvest in December rather than bull harvest. Also, we try to give elk a reprieve during their winter range. Those big wintering herds we don't like to hunt in deep snow, et cetera. It has more of a nutritional stress on a mixed herd.

CHAIRMAN KIENZLE: So, you've got a reason.

STUART LILEY: And it's biological. Understood.

CHAIRMAN KIENZLE: Tom Clumker (Phonetic)

GUEST SPEAKER: Mr. Chairman, Commissioners, and Director. I'm going to talk a little bit about keeping a three season structure, especially in the Gila region on the archery elk hunts. First of all, I would like to thank Cal and Stuart for an excellent job with our elk herd management in this state and especially the Gila region. I know it's hard to refute or counter the Department recommendations. You've got a nice, neat form to accept or not accept. Jack Diamond and I worked very hard to institute the three season archery elk season with Luis Rios (phonetic) and Kevin Rodins (phonetic) several years ago and it has worked really well in the Gila region. This was done to spread out the hunting pressure and to make for a higher quality hunting experience for our clients. In this modern day of improved equipment and new designs, archery hunters don't need two weeks to kill an elk. This year we had a great season in the Gila. Eleven of my 15 fully guided hunters took their bulls; that's a 75 percent success rate almost. In this day and age, the bow hunters don't need two weeks to kill an elk. The residents will have two full weekends and a lot more hunting pressure on our herds in the Gila. I don't know about the rest of the state. I am speaking for the Gila. The Gila region is a world class destination for trophy elk and currently the Gila National Forest has 83 hunting outfitters permitted on the Gila. And they come from all over the U.S., primarily to hunt the trophy quality bulls in the Gila. To change the structure, and I understand Dickie's desire to make it even across the state, well I suggest to make it a three season structure statewide. And I know it's hard to change the Department recommendations. Once they put it in print, it's almost impossible it seems over the

years. Anyway, I just think the Gila is too important to open it up to a two week and a ten day season. The ten day season is during the prime rut, and then you put added pressure on the elk herds not only on the first and second. The three season structure spreads it out and makes it a higher quality hunting experience for everybody. And I just hope that you can maybe reconsider the Department recommendations to go to a three season statewide structure.

CHAIRMAN KIENZLE: Gerald Chacon.

GERALD CHACON: Thank you, Mr. Chairman and members of the Commissioner. My name is Gerald Chacon. I am representing here the Cibola Livestock Association today, and also the Cibola-Nutrius Watershed Group that we have that is a volunteer organization of landowners and ranchers in the Cibola and Nutrius area in Rio Arriba County that is just south of (indiscernible) Maria. For a number of years we have had a severe concern about the amount of elk that we have in the area and the damage that they are causing to the range resource. I want thank Director Sandoval and staff for having a meeting with us here a few weeks back in order to discuss this concern that we have. And today I am here in support of the proposed rule change that would allow for some hunts to take place, borrowing tags from Unit 4 and another Unit near us there, hopefully to reduce some of the numbers of elk that we have in the area that are causing significant range resource damage. We have, in our community, a herd of about 1,000 mother cows that are in the Cibola area. Over the years, because of the drought, we have reduced the herd to approximately about 500, about half of what is normally there. The land is primarily Federal Forest Service land, some BLM, some State, and private land. And we have not seen a significant reduction in the number of elk to adjust for the amount of drought that we have had in the area and it is causing a tremendous amount of damage to our private lands and to the Federal lands that are there. We still are in a drought in that particular area. On the east side of Unit 51,

there has been some significant rainfall and the high mountain country looks good. But if you go to the west towards the Jicarilla and towards the Rio Chama and toward the rim of the canyon where we're at, it's very, very dry still and we are very concerned still that if we do get snow that we will have a lot of problems. I did some clipping and showed it to staff to show the utilization by elk alone, not the cattle but just the elk, in the area where our summer range is. Before we go into our summer range we are seeing 80 percent utilization by elk alone and we are supposed to survive off the rest of it. And we need some help from staff and from the Commission to take a look at those particular areas in order to help us manage that elk herd. And I appreciate what they are trying to do at this particular time, and I come here in support of this at this time but I think it's a long term sort of a question and I hope we can find some answers because it is putting us out of business. You asked for a while for people to share, for ranchers to share, with the wildlife. Wildlife needs to share with ranchers also. Thank you.

CHAIRMAN KIENZLE: Stu, what can we say about that for this part?

STUART LILEY: Mr. Chairman, Commissioners, we have met with them for multiple years on this issue. This is not new to this North Central herd region, specifically the Cibola and Nutrius area. We've been looking at strategies and ways to do that. As you know, we have a balancing act in the number of elk that we kill based on either one or some other group's perspective. So we have to balance that. We are cognizant of the fact that we may be having some higher densities of elk in those areas because they are valley bottoms where the water is, and where the green is, and where the farming actually occurs and where active management of those lands does happen by these public land and private land ranchers in the area. So, we have done this through the rule by redistributing those licensing out of those other units in the North Central herd to allow for a higher harvest of cow elk because that is what is going to help reduce that

population in those high density areas. The other portion of the rule that allows us a lot of flexibility in working with these folks is through the population management hunt structures system. That is something that Stuart and I and the regional biologists and local officers did designate an area where we want to conduct some population management hunting opportunities. We proposed that to the Assistant Director and Director for their concurrence and then we are able to be very flexible in when, how, and how many we can hunt to specifically address population densities. We propose that, and we have talked with the concerned ranchers in that area, that this may be the first step to see if we can use the population management hunt structures to be able to address the densities that they are experiencing at the appropriate times. Many times, as he mentioned, the elk aren't present during the hunting season. Then they are moving toward their winter ranges and migrating into other areas. Where they see the highest pressure is in the spring prior to when they put their cattle out. And so we want to look at ways to hunt in those early months of the year to be able to address when those animals are present and causing the most use of that forage from their perception. So that's what we propose to work with them to do. This would offer opportunities for both the private land interests within those zones that we designate as well as increased public opportunity for those folks that choose Option 5 on their application every year to say if we have an elk hunt for population management they would like to be called. So, that's the direction we would like to head into. I think it will be successful. We have used that in the southern herds, specifically in Hayne's Canyon and Unit 34 in the last few years where we found that it is very successful when we designate that area because does, one, reduce some of those numbers by harvest, but it also does another thing by having that hunter pressure and hunter activity helps to redistribute those animals across the landscape so that they are not in such high concentrations in specific areas.

CHAIRMAN KIENZLE: So there is a continuing dialogue going on.

STUART LILEY: Mr. Chairman, yes sir.

CHAIRMAN KIENZLE: That's the most important thing. Mr. Chacon I the telephone, the e-mail, the door is always open, so keep at it. Thank you.

CHAIRMAN KIENZLE: Joel Gay.

JOEL GRAY: Thank you, Mr. Chairman. Joel Gay, New Mexico Wildlife Federation. Sorry to be a broken record here but the New Mexico Wildlife Federation supports the rule as written and hats off again to the Department staff for putting together a science based management plan. It looks good from our perspective. Clearly, you're not going to do anything about the sale of these transferable permits. But I would ask you to maybe put that on the agenda for a future meeting to talk about the whole big game enhancement program. Commissioner Espinoza mentioned that earlier to me in conversation. He said that he has some concerns about it. I suspect you all may have as well. The size, the benefit, the transferability issue is just an issue that I think is being discussed all over the West, and probably it would be worthwhile for you all to make sure that you're happy with the program as it stands and then, you know, see if you want to make any changes or not. At this point, all we can figure is that you like the idea of selling these transferrable tags. Otherwise, you would have brought it up. Thank you.

CHAIRMAN KIENZLE: Commissioners, any further questions or comment?

COMMISSIONER ARVAS: Mr. Chairman, I would like to make a motion that we move to adopt the proposed changes to 19.31.14 NMAC as presented by the Department to include the

viable alternative to 19.31.14.9 subsection B and allow the Department to make minor corrections to comply with filing this rule with State Records and Archives.

CHAIRMAN KIENZLE: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: Aye's have it.

DIRECTOR SANDOVAL: Mr. Chairman

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: I just want to express my thanks for everybody in the Department. It's been a long road during these last few months for rule development, and to all the Commissioners for all your pertinent questions for this particular deer and elk. I know it is kind of lengthy to get through. And then, lastly to all the public who participated in this process. We appreciate everybody's concerns and questions that came to the Agency and again all the work that our staff did to put this together. So thank you all very much.

CHAIRMAN KIENZLE: Can we take a quick break. Can I get a motion to break for a few minutes?

CHAIRMAN SALOPEK: So moved, Mr. Chairman.

CHAIRMAN KIENZLE: All in favor?

MEMBERS: Aye.

(Recording pauses here)

CHAIRMAN KIENZLE: All right. Call this back to order.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 13: Update on Efforts to Establish a Program to Donate Game Meat to the Needy.** Cal Baca. Thank you.

CAL BACA: I am still up at the table, Commissioners, and this is just a quick update as to where we are with our game meat donation program, or Hunters for the Hungry Program, whatever moniker you want to give it. There is legislation right now that does allow for, that did direct the New Mexico Department of Game and Fish, through House Memorial Number 78, in 2013 Legislative Session. It directed the Department and New Mexico Environment Department to start working together to figure out a way for hunters to donate legally harvested wild game to needy individuals or those organizations that serve needy individuals. There are some existing laws out there that do protect hunters that want to donate their legally harvested meat to the needy folks or organizations. One is the Federal Phil Emerson Good Samaritan Food Donation Act and also the New Mexico Food Donors Liability Act. This does allow for some good faith donations if a hunter wants to take their processed game meat to a food pantry or something. We have been told by New Mexico Environment Department that this does provide them some level of liability protection if they do that. So there are some existing laws out there. What we were asked to look into is the over-arching big program that allows for legally harvested game meat to go into a Hunters for the Hungry Program where hunters just take them to a processor, they get processed, and then transferred over to those needy organizations identified who want to be recipients of that source of protein. Right now, we have identified the different participant responsibilities to participate in the program. Hunter's responsibility would be to legally harvest

the game meat and then transport it to the processor. We would be identifying processors in the State of New Mexico who are wanting to participate in the program and receive, based on a payment schedule, some funding to process the animal for consumption by a needy organization. The processor's responsibility were identified as, of course, processing it appropriately. Also the packaging and labeling requirements of that pursuant to the New Mexico Environment Department regulations regarding labeling and packaging of game meat for distribution to the public. And then, storage prior to distribution. Being able to have the facility big enough to freeze it and hold it until an organization can pick it up to get it to their food pantry or food distribution system. Progress to date: We have established working with the New Mexico Environment, the labeling requirements, the storage requirements, so they have put out a little pamphlet that they are developing to give to the participating processors to identify what those labeling certification requirements are as well as storage requirements. We have established a process for enrolling those with the New Mexico Environment Department. Many of these have already the necessary permits to process wild game meat for consumption by the public. There are a few out there that they consider exempt in their regulations which are those smaller processors that are like private treaty, like my buddy that cuts up my antelope for me. I pay him a little bit or give him a hindquarter or something. Because it is just going from the meat of the processor and back to me, he doesn't necessarily need to have all the necessary inspections. But, if he wanted to participate in this program, he would need to carry that certificate from the New Mexico Environment Department which is a very simple process from their estimation and their information. And then, we have established the processing fee schedule, working with a group of processors who initially came and met with us concerning this program so that they have an agreed to price. It is the same price for whoever or whatever processor participates in the

program. So, if that processor decides they want to charge a little bit more they won't be able to do that through the funding source that the program offers. They would have to accept whatever fee schedule we have identified and they have agreed to. Next step, we are currently looking for a banker, someone to hold the money for this processing fees, and distribute it to those processors as they receive invoices. We would prefer it to be a nonprofit organization. That just basically gives some level of tax incentives to be able to do that. Also we need to identify, are identifying, some distribution networks, how do we get that to those needy individuals? Is it through food pantries, is it through specific homeless shelters, how do we go about doing that? Who's going to pick it up, do they have the facilities to pick it up and store it, and can we give them just partials like just a couple of pounds of elk meat rather than a whole elk? Those kinds of things are being looked at now. We are in the process of recruiting those processors to participate, identifying who they are, get them to sign an agreement that they understand the fee schedule and are willing to participate under those terms. The big issue right now, because of the majority of the population of New Mexico as well as the biggest homeless and needy population in New Mexico based on the size of that city is from the city of Albuquerque in Bernalillo County. They have their own specific inspection divisions for food distribution. It is above and beyond what the New Mexico Environment Department does, so we would need to get their buy-in and also get their approval and inspections done for those local Albuquerque processors that want to participate as well as facilitating a Roadrunner food bank for participating which is a very large food distributor to needy people and food pantries. So being able to get that taken care of through those processes for which we are currently trying to schedule meetings. We have identified 2 of our employees to be the leads on this and that is what they have been doing, trying to get this meeting with the city of Albuquerque in Bernalillo

County as well as the Environment Department so we can figure out all those steps. And I'll pass it on for any questions.

VICE CHAIRMAN MONTOYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: Cal, what are we doing presently with, when our guys take an elk off some depredation complaint, what are we doing with it presently?

CAL BACA: Currently from my experience and other field operations officers may be able to address this more, but for example for specific areas where we have culled deer in the Roswell area or Hagerman, and then when we did the culling some of the deer on the Bosque del Apache, what we asked the local officers to do was to reach out to the local human services agency in that area, Socorro or in Roswell, Artesia, those areas where that culling was occurring and reach out to them and get a list of those people that might be interested in receiving that meat. Then that meat would then be transferred over to that individual specifically and then it was that individual's responsibility for the processing or however they got it cut up to put it into the freezer.

VICE CHAIRMAN MONTOYA: A follow up. We have people, and I get calls, but we have people that can't eat beef or pork or whatever and they are on a list somewhere, maybe at the area offices for donations or purchase of deer meat and I am sure we give them priorities but I don't know how we were doing it in the past, so thank you.

CHAIRMAN KIENZLE: If you run into any problems with the city of Albuquerque, let me know. That's my backyard and I can help out there.

CAL BACA: Thank you, Chairman. It's just been a scheduling issuing. The person we needed to speak to was on vacation.

CHAIRMAN KIENZLE: All right. Let me know if I can help.

COMMISSIONER ARVAS: Cal, as you probably know, NRA has an organizational effort there, a Hunters for the Needy. And if you need any help in talking to them, I can give you a hand with that. And they're nationwide now, so they can give you a lot of advice as to what not to do and how to go about it.

CAL BACA: Chairman, Commissioner Arvas, that would be great. That's part of what the issue we're running into, is finding those organizations that are large enough to kick the ball off.

COMMISSIONER ARVAS: Well, we've got 35,000 NRA members in the State of New Mexico and I'm sure they could help.

CAL BACA: A buck apiece would be perfect.

(Laughter)

COMMISSIONER ARVAS: Well, if that's all, I'll just get you a check.

CHAIRMAN KIENZLE: Public Comment. David Reese.

DAVID REESE: Chairman, Commissioners, I'd like to thank you for this opportunity that we have to direct a comment to this subject. We currently, with the Sportsmen for Fish and Wildlife, I'm currently the president. We have a place or a program already in place. We've already donated over 1,800 of meat to the hungry. We've got a couple of partners with us including the New Mexico Junior Livestock Association that's donated the pigs and what have

you, so that we can already feed the hungry. I guess my biggest concern and biggest question is, why do we need to spend the sportsman's dollars to put together a program that's already in existence. We already have the people, the resources, the money gathered in order to do this. You know, during the Bosque del Apache elk harvest, we were called on a day's notice. We had 8 men out there and we stayed, didn't drop the meat off until 4:30 in the morning, all donated dollars, donated hours, to make this happen. The SFW's net cost to that was only \$200, because the rest was donated money which in turn, for that amount of meat, was a great benefit to New Mexico's Boys and Girls Ranch, and also to St. Vincent DePaul and four needy families that were in Socorro County. So, I think we have a program that's already in place that work in conjunction with the Game and Fish Department without having to spend additional dollars to make this happen. The day after the harvest, and we put this together, I received a phone call that we probably wouldn't be getting any more meat from the Game and Fish Department for a while because they were going to put together their own program which I felt like was probably duplicating something that was already in place. Thank you for your time.

CAL BACA: Mr. Chairman, would you like me to address those questions?

CHAIRMAN KIENZLE: Yes, sir.

CAL BACA: Well, first, we aren't spending any sportsman's dollars to do this program. We are just coordinating the effort as we were asked to help coordinate the effort. Working with sportsmen's organizations like Sportsmen's Fish and Wildlife, we recognize that there are groups out there, there are groups out of Las Cruces, I think it's (indiscernible) group, that has a Hunters for the Hungry program. So there are programs out there and we know that they are successful. What we wanted to do was use those models and bring them in to help build a state wide

program where we have multiple organizations contributing to the cause just like he explained. They already have successful models. They already have the processors in place. We just want to use them as the first step in trying to make it a state wide coordinated program where we are all working together to feed as many needy people as we can. Now I lost my train of thought on the second question. What was the second question?

COMMISSIONER ARVAS: Age does that.

DAVID REESE: I think you answered it.

CAL BACA: OK.

CHAIRMAN KIENZLE: Garrett.

GARRETT VENEKLASEN: Garret VaneKlasen for the New Mexico Wildlife Federation. Mr. Chair, members of the Commission, first we wanted to thank you guys for taking the initiative to do this. We are really excited to hear that you guys are facilitating this. And again, anything our organization can do to help facilitate this, we've got lots of volunteers I think that would be interested in helping out. So thank you guys for the initiative.

CHAIRMAN KIENZLE: Commissioners, anything else?

COMMISSIONER ESPINOZA: Cal, explain a couple of questions in the comments. When you said you've met with organizations, have you actually had a scheduled coordinated meeting or are you looking to do one again with SFW, Wildlife Federation, NRA, to bring them in, like you said a coordinated effort state wide and give them kind of the ground rules of what they need to make sure they have in place, the proper labeling, et cetera, with the processors and stuff. And

then, explain banker; where are you getting funds? If you're getting funds, and we're not expending sportsman's dollars from the wildlife fund, why do you need a banker?

CAL BACA: Well, to answer your first question, yes, Chairman, Commissioner Espinoza. Yes, we are going to have another meeting once we've figured out necessary regulatory requirements that the Environment Department has for processors and distribution and setting up those basic grounds, basic framework to be able to say we are now able to move the program forward. We didn't want to have another meeting without a lot of these questions answered because these were the questions we had coming from the sportsman's organizations that have reached out to us. And so, we wanted to make sure we have all those questions answered as much as possible before we go to the entire group of all those sportsman's groups that want to participate so we can alleviate a lot of the conversation and be able to say, here's where we're at, now what. The reason we need a banker is because we need someone to be able to hold the funds that organizations like Sportsman's Fish and Wildlife, the Wildlife Federation, other organizations have already tentatively committed to us. They all said, Yeah, we could bring in 5,000 or we could bring in a 100 bucks, but we have no place to hold that money. So, we need to find someone who's willing to hold that money as the quote-unquote banker, and then be able to be the one to which those processors invoice for payment based on that fee schedule. That is not something the New Mexico Department of Game and Fish can, or is willing to, do. So we wanted to be able to have that nonprofit organization be the one receiving the invoices and then processing the payments to the processors so that we can move this program forward. We need someone as a central clearinghouse for all the money to go into to be able to be held for payment and then also handle the administrative process of paying the invoices from processors.

CHAIRMAN KIENZLE: Basically, you need an NGO that's willing to take the lead.

CAL BACA: And be the banker.

CHAIRMAN KIENZLE: Not necessarily be the lead, but be the one that holds the money and processes the administrative paperwork.

COMMISSIONER ESPINOZA: So, are you looking at saying some NGO's or individuals would say, I want to contribute 10 bucks or 5,000 and the Department to some degree legally can't even hold that money so you are looking for somebody to do that as well as process the paperwork for payment.

CAL BACA: Chairman, Commissioner Espinoza, that's correct. When myself or any other general hunter says: You know what, I want to give 20 bucks a month to this program, who do I send it to, and how do I get that certificate, or 1000 bucks because I want to write off 1000 bucks on my taxes for a charitable donation. How do I go about doing that? So that NGO would be the one to receive my donation and then provide me with a receipt for my donation, and then hold the money for processing due payments to processors.

COMMISSIONER ESPINOZA: Now, you mentioned a fee schedule with processors. What have you determined being fair and equitable?

CAL BACA: Chairman, Commissioner Espinoza, I don't have that information for you today but I can provide it to you.

COMMISSIONER ESPINOZA: And also, you said that you have already talked to some processors that are willing. I'm presuming in the Santa Fe-Albuquerque area at best.

CAL BACA: Chairman, Commissioner Espinoza, we actually coordinated a meeting of processors from around the state that wanted to participate. It was not involved in that meeting

at that time. We had 2 individuals who worked for the Department and no longer work for the Department, so I don't have that list of processors available for you, but we can show you who was initially invited and who actually participated in the input that we got from them.

COMMISSIONER ESPINOZA: If you would, please. Are you going to bring us an update sometime next year again?

CAL BACA: Chairman, Commissioner Espinoza, we very well can. We will request it to be an agenda item when we have more information in which to where the program is, and more information. I would hesitate to set a date because we don't know what those dates would look like. But yes, we can bring that to a future Commission meeting as more updates or at least a further explanation of the program itself.

COMMISSIONER RAMOS: You know, I want to applaud the Department and yourself for the effort. Obviously it's a program that's going to do a lot of good for a lot of people and I encourage you to let this Commission know what is going on and move forward in a hurry because I know a lot of hunters out there are willing to donate their harvest or a portion of, so we just need the network in place. Thank you.

CHAIRMAN KIENZLE: That's a discussion item. We'll move on to **AGENDA ITEM NO. 14: Fiscal year 2014 Depredation and Nuisance Abatement Report.**

CAL BACA: Mr. Chairman, Commissioners, Bob Osborne and I are here to present to you the depredation report. Go easy on him, this is his first time.

MULTIPLE SPEAKERS: Oh, oh. Good luck. (Laughter)

BOB OSBORNE: Mr. Chairman, Commissioners. Good morning. Today, we are going to be discussing the Depredation and Nuisance Abatement Report. This is the report for the fiscal, 2014. This year we had a total of 732 complaints, and 691 of those were resolved for a resolution rate of 94 percent. The top five species that showed up in those complaints were bear at 63 percent, raccoon at 7 percent, and elk, cougar, and beaver at 6 percent. Just a breakdown the numbers for each of those species: Bear, we had 464 complaints; raccoon, we had 52 complaints; elk, we had 47 complaints; cougar and beaver were both at 44 complaints. And then, we are just trailing down, fox, bobcat, badger. So just in descending order. (Inaudible). And with that, if you have any questions, I will be happy to try to address those.

COMMISSIONER SALOPEK: Bob, it's pretty interesting. You know, you look at elk at 47 and deer at 16. This is for the whole state? It just seems like that would be higher.

CAL BACA: Commissioner Salopek, I'll be able to answer that. You assume it would be higher, but we have been working proactively with a lot of our folks to be able to figure out what those issues are. Many times, these folks have not understood our hunting programs and the flexibility of those hunting programs, so when we initially go out there and have a visit, and a District Officer goes out there and visits with them and is able to explain all the things that we can do and work with them on, sometimes it doesn't generate a complaint any longer. The only reason, what you see here, are those complaints that are actually filed with a wildlife complaint process. That's when we determine we have to provide some level of intervention and start working through the process to try to get it resolved. Many times, we can have a conversation with the landowner or somebody else, and it doesn't result in an actual filing of a complaint and we come to an agreement as to how we can provide them with some type of resolution. And that has been in an effort by our officers in the field and our private land specialists trying to be more

proactive in identifying those areas where we have traditionally had issues and trying to work with those guys trying to figure out what we can do to alleviate some of the damages elk or other animals can cause.

COMMISSIONER SALOPEK: Thank you, Cal. The reason I asked was to get your answer. Because when I first got on this Commission, elk was around 250, 280. And to watch it drop this low and we're being proactive, I think it's great. Thank you to the whole Department.

COMMISSIONER ARVAS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ARVAS: Cal, do we still have the fencing program in place?

CAL BACA: Chairman, Commissioner Arvas, yes we do. It is not a fencing program per se. We do get money from the depredation damage stamp that every big game hunter purchases. That money goes into a fund that we use one, to provide fencing and materials to those that we determine as valuable. But it also helps us to pay for other interventions like fertilizer, feed, cost share on fencing, I mean on high fencing and also on elk crossings and all those other types of things that we identify, or the officer identifies, as a viable alternative to the complaint itself.

COMMISSIONER ARVAS: Now, that fund is supplemented every year with license sales, isn't that right, the damage fund?

CAL BACA: Yes. Chairman, Commissioner Arvas. Yes, we do get some game protection fund money. And that money is actually to pay for salary, benefits, and also other types of interventions for other species, and also other tools in the tool box for our private land specialists and officers to be able to use. So specifically, you know, a total of about 1.8 million is what we

have for the depredation and nuisance payment program, and 500 thousand or 550 thousand of that is actually the depredation damage tap fund that we are appropriated and we use to fund the actual big, long-term intervention type of process.

CHAIRMAN KIENZLE: From your report, we are not utilizing all those monies, I wouldn't think, are we?

CAL BACA: Chairman, Commissioner Kienzle, it goes, it ebbs and flows. Some years we expend about 300 to 400 thousand dollars on projects across the state. Some years we only spend 180 to 200 thousand. So we spend a majority of it. But we don't ever, in my tenure, I have never, and I tried hard, and I never got it to the 550 thousand.

CHAIRMAN KIENZLE: OK. So thank you very much.

COMMISSOINER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: Cal, I have one question, more of curiosity. How do you get an ibex predation complaint?

CAL BACA: That's one thing I told Bob at 5:30 last night (indiscernible) because we always have these different, Chairman and Commissioner Espinoza, these head scratchers I call them, where we go through this report and we are like, "Why do we have a turkey complaint," or "Why do we have an ibex complaint". The ibex complaint that you are seeing in there is actually a complaint that I filed to be able to start the D1 process for us to be able to use our population management hunters on the Florida Mountains for that overpopulation of ibex on there. So it really wasn't a complaint that was generated by a land owner. Our system, the way I built the

system a couple of years ago, was that we have to go through a process to justify and put background information into why we have kill permits out there, D1's, or why we have requests for population management hunts out there, so that we had some (indiscernible). So for lack of a better name we called the system the wildlife complaint system. In reality, what this system is designed to be able to do is to allow for the Department to document those instances where we have to address wildlife issues that are out of the ordinary. So, in this ibex situation, for us, for me to be able to issue the population management licenses, I had to file a wildlife complaint on the Florida Mountains for those animals so that I can create the licenses and the population management system. So it wasn't really, I mean I did the same thing, oh, heck, ibex. So I went into the system and as I logged into myself, the ibex complaint came up as active under my name and I was like, "Oh, that's right. I forgot. That's what I did."

COMMISSIONER ESPINOZA: I thought maybe we had one going to downtown Deming or something.

CHAIRMAN KIENZLE: Thank you. And you survived your first one.

(Multiple background speakers)

CHAIRMAN KIENZLE: AGENDA ITEM NO. 15: **Update on the Department's Information Technology System Relating to License Sales.** Rhonda Holderman.

RHONDA HOLDERMAN: Mr. Chairman and Commissioners. OK, today I am here to talk about an update on the Department's information technology and how it relates to license sales. I would like to discuss future improvements that we are looking at. We have 4. We have 2 that entertain additional sites, 1 within State government and 1 outside in the private sector. We are proposing an improved onsite facility, and finally a call support center. The additional site in

State government would be to locate our servers to the Department of Information Technology as an alternative site. So this would be locating additional servers so that our systems can move to that area should there be a shutdown at our agency, something happens at New Mexico Game and Fish Santa Fe office. This does not address what would happen if there were a state wide shut down of information systems. The projected completion for this could be as early as the end of the year with equipment. The second proposal is to utilize the private sector and addressing any concerns with information security. So this would be to utilize an outside entity as an alternative and that are using alternative internet service providers and a different domain name that is independent from the Department of Information Technology. The benefits of this would be reliability, security, redundancy, and connectivity. Basically it would be utilizing a data storage center to point our systems so that that could be more robust in times of stress. This would allow us to have continued access if there were an outage at our office or state wide. This is pretty important. However, for this to happen, we need permission from the Cabinet Secretary at the Department of Information Technology. We are working on that. We have sent a letter over for that and then once that happens, we would have to move forward planning, equipment, and utilization. Information Services Division is also proposing a new onsite server facility at the Santa Fe office. This would be located in a separate building with efficient climate control, enhanced security features, and generator power in case there is a power outage at Game and Fish. Preliminary plans are to begin building this as early as January 2015. This is part of the whole warehouse project, so if we can start building as early as January 15, we may be able to finish this by January, not January but 2016, rather. And finally, we are looking at a 24/7 call center to support the Department. The requirements are a local company that has coverage, obviously 24/7, but we are interested in nights, weekends, and holidays. They must have the

ability to make calls and send emails to the Department per our instructions. We can also utilize them as a 24/7 vendor with the ability to sell licenses and hopefully make big game applications through that critical time overnight. We have sent out a preliminary Scope of Work, and then it is just a matter of pending bids and a selection process for that. This could be implemented by this December. We have had no comments to date on this agenda item. We know that the vendors, however, and the public as a whole expect us to deliver the service and to have our systems available all the time. We got everybody hooked online, and now we have to stand up to the other side of it. So, questions and concerns?

COMMISSIOENR SALOPEK: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIOENR SALOPEK: On the 24/7 service, to me I really like that. It seems on the big game, the hunters have figured out what to do, how to do it. It seems like the fishing people just quite haven't figured out how to do it. And we'll get some comment later on, we have some people in the audience. But that being said, how do we simplify it when I'm in Florida, I got on my phone, I would hope that when you call in, if they have a smart phone and they call back it came on my smart phone in Florida, so that was my license, I didn't have a printer, all I had to do, actually the gentleman gave me a number in my (inaudible) that I wrote down. He said if you get checked just give the Game Warden this number, you don't even have to have it on your phone and you're free to go. Is that what we're headed to, to simplify?

RHONDA HOLDERMAN: We're there now. We have temporary authorization numbers that are valid for fishing or game hunting that can be utilized now. And I think our call center, that is currently 8 to 5 at the Department, does distribute those numbers right now. And our officers

will accept the licenses over the phones, they will do that. So, yes, we are there with that. And as far as the 24/7 call centers goes with issuing licenses, you know one of the issues at our call center currently has is, how do you want to receive this license. We can mail it to you. We can e-mail it to you. Or, you can log into your account and print it yourself. We e-mail a lot of them, and that is one of the reasons why we wanted this service to be able to email licenses. People are, they've got e-mail and they know how to print or they have access to a printer at some point and so that's easy. The big game population, the big game constituent base is more comfortable, I think you are right, with logging into their accounts and then taking care of what they need to, while we are still working on that with some of the angler base, as far as how do you get into your account, and what do you do then. So it's still an ongoing process.

COMMISSIONER SALOPEK: Actually, and we all indeed thank you for the big game because you can call the offices during the day but if it's after 5 o'clock, 6 o'clock, whatever, then you can't. So it works out great. I really don't want to go back to the old system of how we did it. I would hope we can figure it out, and we are. We're getting to a better place. And thank you, Rhonda, because it is a better place. Thank you.

RHONDA HOLDERMAN: Thank you.

COMMISSIONER RAMOS: So, we've all heard call center nightmare stories. I'm hopeful that we choose a reputable call center company, preferably one that's based here in the United States.

RHONDA HOLDERMAN: Right, well, yes, by local we do mean local.

COMMISSIONER RAMOS: OK. That would be my preference. Obviously, I don't make the decisions but I think that would be best.

VICE CHAIRMAN MONTTOYA: Chairman, Director, also Madam Holderman, I really want to thank your thinking on that because I think these are the type of issues you explained today that kind of got on the back burner but I think that's really good future protection for accountability and assuring us that we are going to have this type of service down the road. But, gosh, if you have a committee that's working on that internally, that is super brain power right there, and I am glad that you're watching out setting up those protections out there for us.

RHONDA HOLDERMAN: Yes, Mr. Chairman and Commissioners. Yes, we know that we have some room to improve in this area. And I think we're all concerned about it and realize the importance of it and we're all really proud of the licensing system that we've developed and we don't want to compromise that in any way. So thank you, sir.

COMMISSIONER SALOPEK: Another question. Give me a scenario. Say Elephant Butte, so if you go in to buy your food, whatever, gas, and by the way they don't sell the licenses anymore. Some of the stores have it. How would we do it, say if you're going down to the lake, do we have something where, could we put up signs that say, because there was a question of, are people, if they can't buy their fishing license over the counter that are used to it, are they going to elect to not fish, excuse me, to not buy a license where they would if they could see the information. You understand my question?

RHONDA HOLDERMAN: Mr. Chairman, Commissioner Salopek. Yes. So what Rhonda and I have talked about several times, many times actually, is working with state parks to do something very similar to that, where we have that kind of kiosk set up where they are directed to. Hey, if you don't have your license, here's where you can go, and this is how you can go do it. So yes, absolutely, that's a very valid point because some folks don't want to be vendors

anymore. But we do recognize folks show up to the lake and go, “Oh, I need a license”. So we are looking at the possibilities of getting those kiosks out there at the state parks. Yes. Thank you.

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: I commend you. These are very good steps and very necessary I’m sure. I find it interesting, after the outcry when you were down this summer, that there were no public comments to this agenda item. That interests me.

RHONDA HOLDERMAN: Mr. Chairman, Commissioners. The outcry tends to be just directly after events and then it goes away.

COMMISSIONER ESPINOZA: Well, keep it up. Thank you.

RHONDA HOLDERMAN: Thank you.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER SALOPEK: Rhonda, again I want to commend you. We definitely are in a way better place and you know, just moving forward and what I’m seeing here is more exciting as well. But quick question. It’s appearing that you’re tending, you’re leaning towards outsourcing this to private sector more so than keeping it in-house. Is that a fair statement?

RHONDA HOLDERMAN: Mr. Chairman and Commissioners. Yes, I think so, given our current resources, holidays, and things like that. We think we can probably do a better job if we

work closely with a local company and really develop them. There are some companies that are already in place that already have this structure for the 24/7 type of work schedules. And so, especially starting out, not knowing really what our call volume is going to be, it just allows us a little bit of flexibility to go through some growing pains, I think.

COMMISSIONER SALOPEK: Thank you.

RHONDA HOLDERMAN: Thank you.

CHAIRMAN KIENZLE: Anything else? This is a discussion item.

CHAIRMAN KIENZLE: Moving on to closed executive session. Can I get a motion, please?

COMMISSIONER ARVAS: Yes, Mr. Chairman. At this time, I would like to move that the State Game Commission go into Executive Session, closed to the public pursuant to Section 10-15-1(H)(2) to discuss limited personnel matters of key department personnel. Section 10-15-1(H)(8) NMSA 1978 to discuss Commission owned property acquisition and disposal, and pursuant to Section 10-15-1(H)(7) NMSA 1978, to discuss pending or threatened litigation including State of Oklahoma, et al. v. US Dept of the Interior et al., 4.14-CV-00123-JHP-PJC Dkt. #84; Defenders of Wildlife, et al. v. Sally Jewel et al., 1:14-CV-1025; WildEarth Guardians v. Kirkpatrick, 1:12-CV-00118-LFG-KBM; and, Soaring Eagle Lodge, LLC, et al. v. Gary K. King, NM AGO, et al. D-504-CV -2014-00417.

CHAIRMAN KIENZLE: Thank you for volunteering for that.

CHAIRMAN KIENZLE: Second.

DIRECTOR SANDOVAL: Roll call. It's a roll call vote.

DIRECTOR SANDOVAL: Chairman Kienzle?

CHAIRMAN KIENZLE: Yes.

DIRECTOR SANDOVAL: Vice Chairman Montoya?

VICE PRESIDENT MONTOYA: Yes.

DIRECTOR SANDOVAL: Commissioner Arvas?

COMMISSIONER ARVAS: Yes.

DIRECTOR SANDOVAL: Commissioner Espinoza?

COMMISSIONER ESPINOZA: Yes.

DIRECTOR SANDOVAL: Commissioner Ramos?

COMMISSIONER RAMOS: Yes.

DIRECTOR SANDOVAL: Commissioner Ricklefs?

COMMISSIONER RICKLEFS: Yes.

DIRECTOR SANDOVAL: Commissioner Salopek?

COMMISSIONER SALOPEK: Yes.

DIRECTOR SANDOVAL: Everybody can stay here. We are going to go and we have a separate meeting room.

CHAIRMAN KIENZLE: And I do not expect we will break for lunch. I think we're just going to pull through. We don't have that many items left. Thank you.

CHAIRMAN KIENZLE: For the record, the only matters discussed in Executive Session were limited to those matters listed in the motion to close, Mr. Chairman.

VICE CHAIRMAN MONTOYA: It doesn't require anything else current.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 17: Rio Abajo Property Disposal.**

CAL BACA: Chairman, Commissioner, my name is Cal Baca and I am here to discuss with you the Rio Abajo property split ownership and also potential disposal of this property. Just to give you a little bit of history on the Rio Abajo property, it was purchased in 2009. The property was approximately 192 acres. Then, we own it in conjunction with the Valencia County Soil and Water Conservation District. We own approximately half, they own approximately half. And, this property was purchased with state funds under the authority of the Natural Lands Protection Act. If you will look at your computer screens, you will see this is the blue boundary, is the actual boundary of the Rio Abajo property that we own in conjunction with the Valencia Soil and Water Conservation District. This is the Rio Grande here in that Belen-Los Lunas area. The issues with the Rio Abajo property, we do have some cultural resources. This is a Piro-era pueblo, artifacts that are contained on that property in a significant amount. There is very limited wildlife habitat potential in that property. Access to the Rio Grande is problematic. There are properties in between us and the river so it doesn't provide readily appropriate access to the Rio Grande. Water rights issues are an issue of course, in that valley. There is a utility right-of-way which has a PNM high voltage line on it. And it also, because of its proximity to Los Lunas and Belen a threat of urban encroachment onto the property which makes it less suitable for us to

manage for wildlife and wildlife habitat without some of the necessary requirements that some of our properties in that area have, like water rights and access to the river. What we are seeking to move forward with, with your concurrence, is to terminate the ownership of the property and our portion. We are proposing to split ownership of the property with Soil and Water Conservation District. State Game Commission would retain 47.41 percent of the property, or about 92 acres, and then we would retain all the cultural resources pursuant to the 18-6-1 NMSA which is the ability for an executive agency to maintain cultural resources. So the split, as negotiated with the Soil and Water Conservation District looks as such: The blue on the map which is a little bit difficult to see is the portion that would be, that is the current boundary. The pink boundary is the portion that you, as a State Game Commission, would retain ownership, and then the white blocked out areas are where those artifacts and archeological resources exist on the portion that you would retain. The rest of it, the remaining portion within the blue would then be transferred to ownership solely to the Valencia Soil and Water Conservation District. And with that, I can answer any questions maybe.

CHAIRMAN KIENZLE: So, I get to keep the problems?

CAL BACA: Actually, no. We have some interests from the cultural resources expressed by the (indiscernible), so they would be willing, we would be asked to also go into being able to negotiate the disposal of the property. So one of those would be to see if the (indiscernible) is still interested because they do have some ancestral affiliation with those archeological sites. We could look at the archeological conservancy to acquire the property because of their role in preserving archeological properties. Talk to Valencia Campus of the University of New Mexico to see if they would like to take possession of the property for their future educational efforts. So there are options out there to dispose of the property that we've already kind of tested the water

with to see if there are opportunities for us, for you as the State Game Commission, to not own any of it anymore.

CHAIRMAN KIENZLE: So, you're still working on that?

CAL BACA: We are.

CHAIRMAN KIENZLE: OK.

CAL BACA: What we are asking for today is for you to give . . .

CHAIRMAN KIENZLE: There's hope.

CAL BACA: There is . . .

CHAIRMAN KIENZLE: You know, it's very positive.

CAL BACA: So there's hope that the Commission won't own this seemingly not good for any of our real purposes property?

VICE CHAIRMAN MONTOYA: There are no dams on it, apparently.

CAL BACA: But the cultural issue is the big thing.

CHAIRMAN KIENZLE: OK. Any questions from . . .

CHAIRMAN ARVAS: Just one . . .

CHAIRMAN KIENZLE: Yes, sir.

CHAIRMAN ARVAS: One question, Mr. Chairman. Cal, has that property retained any of the value at all that we thought it would, as far as the actual value of the property.

CAL BACA: The problem with it, there's multiple issues of property. Yes, it's retained some of its value. But when we talk about value, we look at the wildlife habitat value or . . .

COMMISSIONER ARVAS: No, just the dollar value.

CAL BACA: The dollar value. Mr. Chairman, Commissioner Arvas, I don't know what the current appraisal value is. I'd have to get that for you. But for wildlife habitat benefit, there really is not much too it that we can work on.

CHAIRMAN KIENZLE: Any other questions or comment?

COMMISSIONER RICKLEFS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER RICKLEFS: Cal, you mentioned water rights was an issue. What are those issues? And what was the original intent when this was purchased?

CAL BACA: Mr. Chairman, Commissioner Ricklefs, give me a second. I think I do have that information. I don't have the information on the water rights specifically but I can get that information to you later. But I do, what was the other question?

COMMISSIONER RICKLEFS: What was the original intent when it was purchased in 2009? What was the Game Department going to do with it?

CAL BACA: They did look at it as potential for a wildlife management area type of focus. We did work with the Valencia Soil and Water Conservation District. They were supposed to, as part of their ownership, partial ownership of the property, provide us with a management plan for that property to determine what the uses are going to be. Part of what they wanted to do, they

wanted to create an outdoor education experience property where they could bring in folks to learn about the biology of the Bosque and the wildlife habitat and wildlife that are endemic to that area. But they could never draft up a management plan to meet our requirements under our agreement, so that's another problem with this property, is that we have never come to an agreement as to what they want to do with it in an appropriate manner.

CHAIRMAN KIENZLE: Any further questions or comments? This is an action item. Can I get a motion, please?

COMMISSIONER RAMOS: Mr. Chairman, I move to allow the Chairman, on behalf of the State Game Commission, to finalize and sign the necessary real estate documents to split ownership of the Rio Abajo property.

COMMISSIONER RICKLEFS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it. Do you have something for me to sign now, or is that still in . . .

CAL BACA: No, sir. Chairman, we will be working now that we have your concurrence to move forward. We will then start the process with Valencia Soil and Water Conservation District to do that and then I will finalize our split.

CHAIRMAN KIENZLE: I am eager to get rid of it. Thank you.

CAL BACA: The sooner the better, I hear.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 18: Pecos Volunteer Fire Department Lease for a Portion of Lisboa Property.** Mike Sloane.

MIKE SLOANE: Mr. Chairman, Members of the Commission. If I could I would like to invite Eric Roybal. He's the chief of the Pecos Canyon Station.

ERIC ROYBAL: Mr. Chairman, Commissioners. The proposal before you today is to enter into negotiations for a lease for approximately three-quarters of an acre of property on which the San Miguel County and Pecos Canyon Station Department would construct a 4-bay garage fire station with an office. The Department would allow them to connect to Department water for limited use. Otherwise they would pay their own utilities and maintain their own building. The structure, as you can see from the picture, would be just off the highway right at the entry to the facility. And so what we are looking for from you today is concurrence in going ahead and negotiating that and allowing the Chairman to sign off on that.

CHAIRMAN KIENZLE: Didn't I sign off on a lease for another firefighting use.

MIKE SLOANE: That was the Richards Avenue property for the veterans' program.

CHAIRMAN KIENZLE: Probably a good model for whatever lease you are going to do on this one. Any questions or comments?

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

COMMISSIONER ESPINOZA: When you said "Department will construct", that doesn't mean the Game Department, that means the fire department, correct.

MIKE SLOANE: Correct.

CHAIRMAN ESPINOZA: Ok. Thank you.

VICE CHAIRMAN MONTROYA: Go make a motion.

CHAIRMAN KIENZLE: This is an action item. If there's no further discussion, I'll take a motion.

COMMISSIONER SALOPEK: I'll make it. I move to direct the Department to negotiate a 99-year lease for approximately three-quarters of an acre portion of the Lisboa Springs hatchery property for use as a fire station and allow the Chairman final authority to approve all terms and conditions and sign the lease. No construction or development of the site shall begin until the lease is fully executed by all parties.

CHAIRMAN KIENZLE: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 19: Exchange of Rosa Properties for Bureau of Land Management (BLM) Properties adjacent to Jackson Lake Wildlife Management Area (WMA).** Cal Baca.

CAL BACA: Commissioners, I am here to present to you our proposal for beginning the negotiations with Bureau of Land Management trade some lands in the northwestern part of the state to be able to get some land that is a little more contiguous to the property we own at

Jackson Lake. To just give you some history, these ones have a lot of history because the archeologists helped put these together for me. The res allotments are about 4,104 acres. The Department acquired this land in the 1960's due to loss of mule deer habitat when the reservoir, lake reservoir was constructed and filled. So they gave us these lands as mitigation for that. These areas are fragmented parcels within that Unit 2 area. It is mostly native pasture and desert scrub savannah with pinion and juniper woodlands. Here's kind of an aerial photo of the properties we talk about when we talk about the Rosa properties. Here's Navaho Dam, they have a reservoir, here's the different partials of properties that you currently own in that Rosa area. Here it is in relation to the area, Bloomfield, Farmington, Aztec. Here's Jackson Lake itself, highway 170. Here's where they are. This is Unit 2B in that area over there (indiscernible) Colorado farms. Jackson Lake, to give you some history on that, it was constructed early, the Jackson Lake itself, the lake, it was an irrigation lake. There are also five irrigation ponds that are located on Jackson Lake. It was traditionally used for tradition truck crops like vegetables and grains that were farmed in the area until 1938. The other parts of it, upland parts, were used for pasture for grazing, in that upper bench next to New Mexico 170. And this was acquired by the State Game Commission in the early 1940's. So here's actually Jackson Lake itself. You can see the lake in the picture. This is the area where we farm currently. This is actually a partial BLM land that we control now through an agreement, an MOU with BLM to restrict access in here and allow for us to manage it in conjunction with our management activities of Jackson Lake proper. It's producing some tremendous deer habitat.

CHAIRMAN KIENZLE: So, which one of these three do we own right now?

CAL BACA: You own this one and this one, this is the BLM land.

CAL BACA: You'll see a better map here in a second.

CAL BACA: So this is producing some tremendous mule deer habitat. And also, because of the farms, farmland and food plots that we are putting in here are also increasing the ability for migratory waterfowl to be in there as well as stocking this lake as a good fishery for the Farmington, Bloomfield, Aztec area fishery as well for folks to go day fish or whatever. The lands that we are interested in are what we call Pinion Mesa. These lands are contiguous with the Jackson Lake WMA. It significantly increases the size of the WMA and provides some improved mule deer habitat because of the area that it's located in, in that unit. It also allows for us to regulate the activities that impact wildlife and wildlife habitat. There is lot of OHV use on those BLM lands that surround Jackson Lake and our concern is that now it will spill off onto lands, BLM lands close to Jackson Lake could deteriorate the wildlife value there. But we would basically transfer to State Game Commission approximately 13,000 acres which includes the (indiscernible) 320 acres that we have in the Jackson Lake MOU. So, what we are talking about here is, here is Jackson Lake. Here's the State Game Commission lands. Here's the State land lease that we have now. That's not LMU owned but that's the big block up there. That's the section of land we have a grazing lease on with the State Land Office. Here's the BLM portion, that is, the current 320 acres that are under the MOU. We are proposing to work with the BLM to acquire all these sections of BLM land here, and then this is the mesa itself, and then all the contiguous accessible lands in here for us to manage for mule deer habitat and then improved access to these areas as well as restricting OHV use that could impact the wildlife habitat of Jackson Lake. There are some good benefits to getting rid of the Rosa properties and acquiring these BLM lands. Again, they are fragmented, they are intermixed with other jurisdictions. As you remember, it's kind of split into that BLM area out there. The mineral rights are federally

owned, and so we don't have the ability to restrict drilling on our properties and so that's an impact to mule deer and mule deer habitat. They are highly impacted by natural gas extraction and exploration. They also have problems with wild horse or feral horse grazing, I should have changed that to feral horse grazing, over grazing and use which we are trying to, and the BLM is trying to, figure out how to mitigate that. Jackson Lake itself, you know we always have that fear of urban encroachment onto our wildlife management areas so by acquiring some surrounding lands, that helps to protect that wildlife and wildlife habitat from urban interface. And then, you know the (indiscernible) I mentioned before has pull over effect from those BLM public use lands on OHV use that could impact our wildlife area. And then, Jackson Lake offers a wide range of wildlife habitat access to water and forage. But because of its size, we are limited on what we can do there. And so, because of the increase in size and the amount of mule deer that are starting to appear on that property, this would just make it a better high quality area to manage for high quality mule deer in a high quality area. Any questions?

VICE CHAIRMAN MONTOYA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

VICE CHAIRMAN MONTOYA: Any of that property, other than what's here, but on Jackson Lake, et cetera, do we have mineral rights on any of it?

CAL BACA: Chairman, Commissioner Montoya, I don't know. I'd have to find out that for you.

VICE CHAIRMAN MONTOYA: On the new acquisition, obviously it's Federal. But on the Jackson Lake property, no.

CAL BACA: Well, we've been told by Bureau of Land Management, Commissioner Montoya, what we've been told by the Bureau of Land Management is they've already kind of scoped this area out for potential future build out for oil and gas development, and they've already pretty much, it has limited potential in their opinion, so it's not as highly impacted as the Rosa properties that have high natural gas and oil gas exploration of value. So that's part of why we think it's a good trade, because we're getting a place where they've already kind of said the build out is not going to be as significant as it would be on the Rosa properties.

CHAIRMAN KIENZLE: Any other questions? Yes, sir.

COMMISSIONER ESPINOZA: Cal, while you've got that map up, the property on the east, and you were saying OHV encroachment, in that part of the world for a long time but does that glade property that the BLM currently has an OHV designated area. You know we get a lot of events up there. Does it go up that far?

CAL BACA: Chairman, Commissioner Espinoza, what we are most concerned with, OHV spill off is on the west side properties where we were seeing some trails starting to develop that we were worried they were going to fall off onto our wildlife management area on the west side primarily. I don't know how far they move into the C side and how many roads and how many trails are actually established in there. We'd have to look into that.

COMMISSIONER ESPINOZA: Now as a long term objective on this, are you going to look at something long term, farming, mule deer habitat enhancement, et cetera.

CAL BACA: Chairman, Commissioner Espinoza, yes. What this does is allows for us to have the State Game Commission to own this property and be able to restrict and implement management activities specifically for what we want to do. So there's lots of potential for mule

deer. Of course, you have that migratory herd out of Colorado plus some resident deer coming up from the south plus turkey habitat plus, you know, managing the uplands for potential, you know, upland habitat and game bird activities and also using this as our core area for food plots and wildlife farming activities and wildlife friendly farming activities, to be able to enhance that.

COMMISSIONER ESPINOZA: But you mentioned mule deer. We've got some good mule deer on the property as we speak.

CAL BACA: Chairman, Commissioner Espinoza, that is a fact.

COMMISSIONER ESPINOZA: That is a fact. I've laid eyes on them. I think it's a great deal. Perfect. Thank you.

CHAIRMAN KIENZLE: Any further questions or comments? It is an action item. Can I get a motion, please?

COMMISSIONER ESPINOZA: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

CHAIRMAN ESPINOZA: I move to allow the Chairman, on behalf of the State Game Commission, to finalize transferring the Rosa Commission-owned properties for the BLM properties adjacent to Jackson Lake Wildlife Management Area as presented by the Department.

COMMISSIONER RAMOS: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 20: Review of Gaining Access into Nature (GAIN) Program.** RJ.

R J KIRKPATRICK: Mr. Chairman, members of the Commission. Some quick background on this program. Back in about 2005, Legislature enacted some statutes initially creating this Gaining Access Into Nature Program. And the statutory language gave the State Game Commission some powers. You can read the policy. It is the policy of the state that we encourage and promote wildlife associated recreation, provide for public participation in the use of natural resources, benefit the public, and join in the public assets and ultimately potentially increase economic development in those places where those properties exist. It also gave the Game Commission some more authority. It gave the Commission the ability to develop and administer the program, issue permits, special use licenses, et cetera, et cetera, and charge fees for those, collect revenue for those, adopt rules as it felt necessary to ensure the program happened, and extend the game protection, all the fees go back in the game protection fund, and spend some of that money if it is appropriated by the legislature for the reasonable cost and maintenance repair of habitat on these properties where this stuff is going on. So subsequent to statutes being put in place, State Game Commission put in a rule. And this rule has been amended over time, but currently here's basically some critical pieces of the rule that everybody probably needs to try and understand. The Director has the authority to designate what kind of wildlife associated recreational activities occur on State Game Commission properties outside of hunting, fishing, trapping, et cetera, that the Commission in adopting this rule has granted the Director that authority. The Director can also specify restrictions for these activities. So, that leads us to, let me back up a little bit. The rule also has a provision, and this is where the

controversy arose especially over the last couple of years where our law enforcement guys have more and more moved from, we've always strived for voluntary compliance, but in over some amount of time you expect people to read the signs and comply with what the requirements are. Well, a component of accessing these properties requires that anybody over 18 has to have a current hunting, fishing, or trapping license, or a game permit and, in addition, have a Habitat Management and Access Validation Stamp. Got to have those things to be on these properties. That's created a lot of confusion and frustration with folks that we'll recognize here. Here is the current game matrix that's approved by the Director, and you can see it's extremely complex. There are a variety of things that are allowed outside of hunting and fishing: Wildlife viewing, photography, hiking, biking. There's limitations in each property. This took the Department of Game and Fish a couple of years to develop this matrix. It's a complex thing. So this isn't all of it. There's a page two. So you can see, from the public's perspective, it's complex and it's confusing. What can I do on Game Commission properties. Well, signage is specifically how we inform people what they can and can't do on them but that's difficult to maintain and let me go on. Just about 2008, this is some licensing history, the number of game permits that the Department's actually sold in the upper left hand corner has fallen off significantly since 2008 and subsequently the revenue as well. The kinds of game permits we initially sold quite a few of early on, and actually keep in mind the perspective we are talking a little under 2,000 total game permits in the top left hand graph. The majority of these were nonresident temporary game permits. Probably a lot of this had to do with folks riding the train in Chama, that would go up and spend the afternoon on the Sargent Wildlife Area. If you will recall, some of you were on the Commission at the time, that's the state's elk herd and we put in a variety of trail, and a board that talks about the elk herd and that sort of stuff. But you can see that the interest in and the

purchasing of game permits has fallen off over time and of course the revenue has as well. So, today, 2014, you know we are selling under a thousand game permits all together. The majority of those today are probably being purchased by resident folks. Revenues today, a little over 8 thousand dollars, not a heck of a lot of money to implement the program. It costs a heck of a lot more than that to maintain and manage those properties. So some of the concerns I've talked about as we've gone through this, a lot of visitors, you probably recognize this, you go up to Pecos Canyon, then you go to Cimarron, you go to a variety of places, you go to Chama. But most folks don't recognize the game properties as much different that forest service or BLM campgrounds and they have the same expectations that they can go on there, they have a permit, they can do what they want, the bathrooms are clean, the parking lots are neat and nice, all those sorts of things. There is also a level of frustration that's been in place and our field officers deal with it all the time, having to do with, you know, you have a guy that wants to go fishing on the Sargent or up in Pecos and his wife is just there sitting in a lawn chair reading a book. By rule she has to have a game permit or another kind of a license and they get real frustrated with it; what are you talking about, I'm just sitting here reading a book, do I really have to have a permit. So, a lot of the places we've sought voluntary compliance but they get real frustrated with the reality that they do have to have something. As I mentioned, facility maintenance is challenging and expensive, especially in Pecos. That's probably the one that's caused us the greatest amount of grief and it's one of the most attended Game Commission properties in the state for sure. But you can imagine maintaining restroom facilities, trash collection, fencing, you know, monitoring and regulating where people can park and can't. It's a 24/7 kind of a project, very expensive, very challenging. As we talked about in the big game matrix, it's complex and often times, and we get this quite a bit in an increasing amount, is the point of the GAIN statute was to encourage

folks to participate in outdoor wildlife related kinds of activities but the complexity of GAIN and the restrictions for each of those properties as you try to interface public access with wildlife habitat protection, wildlife conservation, and benefits to wildlife, they're not so inviting in a lot of instances. We're not really encouraging people to do what the intent of the legislature was. And, as you can see, from license, permit sales and revenues, the novelty of the program has obviously worn off to some degree with the public. So that's kind of it in a nutshell. It is quite a bit more complex and in depth than that but I'd be happy to answer any questions that you've got.

CHAIRMAN KIENZLE: So, what's the next step?

R J KIRKPATRICK: I believe your books have a motion. I think the Department would be tickled to death if the Commission would direct us to go do a real thorough financial evaluation, economic evaluation of it, and probably social evaluation of it and come back to the Commission at some point in time next year with some potential recommendations to amending the rule or the different approaches to meeting the legislative intent of this, but it will take us a while to put all that together.

CHAIRMAN KIENZLE: That is what your purview is?

R J KIRKPATRICK: Yes, sir.

COMMISSIONER SALOPEK: So are we looking at just getting rid of it? Would that be the simplest thing?

R J KIRKPATRICK: Mr. Chairman, Commissioner Salopek, I don't know that the Commission can get rid of the GAIN program in that it is statutorily required, so to speak, but I think the

Commission could sure direct the Department to do a pretty good review of it and rethink our approach to the legislative intent and maybe modify the rule and modify some things, getting closer to what it was intended to do than what it is today.

COMMISSIONER RAMOS: Maybe that buddy system would work for this.

(Laughter)

COMMISSIONER RAMOS: Thinking outside the box.

(Multiple speakers)

R J KIRKPATRICK: So we could possibly massage it, make it more user friendly, you know to accommodate people like that wife who's just there watching, reading a book, that type of issue. That seems pretty common. The other thing that I've seen in some of these places, was vandalism with all these signs that we put up, and we continue to replace and go that route. So maybe if we do massage it and make it more user friendly it would be a good option.

COMMISSIOENR ARVAS: Mr. Chairman.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER ARVAS: I would move to direct the Department to conduct a review and evaluation of the GAIN program and present its initial findings and any potential draft rule amendments to the Commission for discussion at a future State Game Commission Meeting in 2015.

VICE CHAIRMAN MONTROYA: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

CHAIRMAN KIENZLE: The Aye's have it.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 21: Review of the Mentored-Youth Hunt Program.**

JENNIFER MORGAN: Good afternoon, Mr. Chairman, Commissioners. My name is Jennifer Morgan, and this afternoon I am going to be giving you a brief overview on our mentored-youth hunting program. OK, since implementation of the mentored-youth hunting program back in license year 2013, it's been very successful so far. And as we work through the slides you'll see how many participants we have thus far. So, right now, currently, we are working through the second year of implementations. We are about a year-and-a-half into it, and it will wrap up on March 31st, 2015 for this two year cycle. So, if you want to look at the two years at a glance, we have had a total of 2,680 mentored-youth participants who have registered. With this opportunity, the majority of these registered mentored-youth hunters have been from our larger metropolitan areas as you can see, from Bernalillo, Dona Ana, Eddy, Grant, San Juan County, Valencia, and Sandoval was just right in there as well. So it's our larger communities. So if you look at the graph there, you can see the distribution of the ages that we have who have registered as the total. Our largest lump distribution was our 11 through 17 at 1,796. And then the second block of age groups that we have participating in this program is eight to ten years of age with 770 for the two years. We will also kind of look at the gender distribution. It is typical to see that it is a higher male-to-female ratio there. And then the other bit of information is 19 percent of the total mentored-youth registered, that have signed up, they have signed up hunter education course, 77 percent of them were 11 years of age and over. And what the program has done with

the Department, through the Govdelivery system we send out e-mail blasts to everybody who is a mentored-youth registrant to remind them that over the next two years that they need to get themselves registered into hunter education course so they can continue their hunting opportunities with the Department. We'd like for them to get through that before it expires. So here's some licensing statistics: 50 percent of the licensed year 13 MY hunters 10 and under drew for both years; 25 percent drew only in the first year that they registered; and, 10 percent only drew in this year's license draw; 77 percent of the newly registered, so this year, youth that registered this year, drew for a hunt and of those of this year's mentored-youth hunters, 72 percent drew out. So a total for both license years was 2,633 for purchase of game hunting license, 991 junior game hunting/fishing license combos, and the biggest number of hunts that were put in for were the elk and deer hunts. So what we would like to recommend at this time, that the Committee consider amending the Hunter Education Rule 19.36.3.9 to place a minimum participation age on the mentored-youth program to 8 years of age. Conservation officers have observed unsafe firearms handling in the field by participants under the age of 8. We also have data that indicates very young hunters are participating in hunts inappropriate for their age. We have had 5 year olds successfully draw an Oryx hunt, 6 year olds draw bull elk licenses. So it is something to look at. Twenty-one of the 36 states have minimum hunting age limits so this is something very simple to what we have right now where we either have no age or a minimum age classification, or they also have something more complex that is species specific as per age. So basically the goal of the mentored-youth program is to make sure it is a safe viable program for all of its participants, not only the youth but the mentor and the other hunters and sportsmen out there. We want to make sure it's a method of introducing the first time hunters and retaining

them as a good option to getting them out there prior to hunter education. So with that, I would like to open it up to any questions or concerns that you might have.

COMMISSIONER SALOPEK: You know, Jennifer, and thank you for your presentation, it took me a while to vote for this one when we were done. I'm glad we did. We've looked at minimum ages and have questioned and we wondered. When I hear 5, it really gives me heartache (indiscernible). Our rule, the Salopek rule, was that you had to be 12. Well, I changed it from my daughter and two sons to 10. I would personally like to change that to 9 years old. In that thinking, my thinking is, OK, once they get to 10 can do their youth mentor, they have 10 and 11, and then their usually smart enough to pass for 12. I'm not saying children 9, 10 or 11 are not competent. But 8 to me is still too young. I would like to see 9 in place instead of 8.

CHAIRMAN KIENZLE: I brought a 10 year old with me today, right there.

COMMISSIONER SALOPEK: The only one in attendance.

CHAIRMAN KIENZLE: Yes, the only one in attendance. But I think I agree with Commissioner Salopek, even 8 may be a little young. But that having been said, I'm glad in some respects that we really didn't have an age limit so we got some information as to what was going on so we didn't pick anything that was arbitrary right out of the box. But I think we've got some information now to work with and we probably need to tinker with the age limit.

COMMISSIONER SALOPEK: And, Mr. Chairman, I wouldn't even have a problem putting 10 in there, to be honest with you.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER RAMOS: If that's what the Commission wants, but 8 is still too young. I believe we need 9 or 10.

CHAIRMAN KIENZLE: You need to get an age limit in front of us at some point, sooner rather than later, I think, and we will sort it out in a public meeting.

COMMISSIONER ARVAS: Mr. Chairman, what is the minimum age limit in some of the other states?

JENNIFER MORGAN: It varies across the board . . .

CHAIRMAN ARVAS: What's the lowest one?

JENNIFER MORGAN: Many states, it's the one that don't even have one . . .

COMMISSIONER ARVAS: The ones that have one.

JENNIFER MORGAN: It varies from age, from 8. Some states have a minimum age of 8 to 10 for small game, or 8 to 12 for small game. Then it goes from 12 to up for the larger game (inaudible speaker in background), specific species so Chairman Kienzle, Commissioner Arvas, so it is just a wide gamut of what states want to do and we are primarily a big game state. Also if you look at a lot of the eastern states where it is mostly a ground, blinds, and tree stands, the dynamics are different out west as they are back in the Midwest and the east. But if you look at just species specific, there are some limitations on ages for large game and small game, or it's just all over.

CHAIRMAN ARVAS: Commissioner Ramos, our resident educator.

COMMISSIONER RAMOS: Yes, I'll definitely stir the pot. Number one is that I know you want a safe, visible program, and I hear you on that. And I do ditto the age limit. I know we need to come up with something on that. But with that regards, I would also like, with the mentor program, and this is just my opinion, I'd like to remove the elk and the deer from that because I think we have such a variety of opportunities with small game, turkey, (indiscernible0, other smaller, you know, not as popular game to go out and hunt. On the other hand, these mentored kids are competing with these other youth hunters that put in and have earned their hunter education certification. And to me, I value that hunter ed program. And with that being said, you showed some data a little bit ago, something about 19 percent and 77 percent. I guess 19 are registered and the thing that I question is if we continue with this same pattern, you know we're going to get to a point where there are going to be so many hunter education kids that need, what is it, a 2-year program that they have to get certified?

JENNIFER MORGAN: Correct.

COMMISSIONER RAMOS: And to me, my concern is do we have enough volunteers and I mean it's so hard to register, even kids that want to be in hunter ed, they can't even get in you know. So, to me, we really need to look at that and massage that a little bit as well. Other than that, I mean I'm all about youth and giving that experience. But to me, elk and deer especially, now that we have limited the caliber size to be used on elk hunts, things like that, those are things we really need to consider and I'm glad that we have monitored this now for two years and hopefully wrap our brain around that. You know, make it a little bit better for everyone.

COMMISSIONER ARVAS: So, when we see this again, I echo what Commissioner Ramos has said. I want to see something on hunter education. I mean, we have talked about it ever since I

got on the Commission which isn't all that long ago, but I'm tired of talking about it. I would like to see some action on it. And I know it requires volunteers and a lot of other stuff. But kids are the future of this whole enterprise, so you know now is the time to do it. Too tired of talking about it.

CHAIRMAN ESPINOZA: Mr. Chairman, you know, looking at Ralph's perspective, you know pulling deer and elk out of it, if we went that route, I would almost have to agree with that because you still have antelope and you know there's still opportunity and/or maybe raise age up to 10 or 11 overall for everything.

CHAIRMAN SALOPEK: I like the ideas that, I'm glad you brought it up, and I like what I'm hearing. You know, where ever we get to, I see a change and we need a change.

CHAIRMAN KIENZLE: We need to revisit it, I agree.

CHAIRMAN SALOPEK: Well, even with the air rifles, we changed that to use that for squirrel hunting, rabbit hunting, you know. So I think those are some other true mentor type of avenues to follow.

JENNIFER MORGAN: Mr. Chairman, Commissioners, these are very viable concerns and definitely things to look into. This was a good discussion for today, for sure, to look at these things, and I've got some notes here so we can sit down and consider moving this forward in the way the Commission would like to see it go, and look into. And the second, one of the largest licenses, were purchased for spring turkeys so that's encouraging. But elk and deer were by far the largest and then antelope and the small game. Unfortunately we weren't able to track a lot of that small game because it was over the counter at the time. So we do know how many game hunting licenses were sold, but we just don't know how many of these mentored youth actually

participated in dove hunting, or duck hunting, or squirrel hunting. We just have no mechanism of actually tracking that. So it's not to say that these people are not also going out there and doing that as well.

COMMISSIONER SALOPEK: I've got one question. Is there any way that we can pull this off within our 30 days or whatever, and have it implemented for the 15 and 16 year, or are we too late.

JENNIFER MORGAN: Mr. Chairman, Commissioner Salopek, that's why we have it in front of you now, so that we can have an action item in November so that it will be put in place for the next license year.

COMMISSIONER SALOPEK: I would really hope that, whatever it is, we do this . Let's get to it . .

CHAIRMAN KIENZLE: Stop the nonsense.

(Multiple speakers)

COMMISSIONER ARVAS: I just have one question. Mr. Chairman.

CHAIRMAN KIENZLE: Yes.

COMMISSIONER ARVAS: Jennifer, did you get any reports from any of the field officers about how these 6 year olds did on the Oryx hunt?

JENNIFER MORGAN: Chairman, Commissioner Arvas, no.

COMMISSIONER ARVAS: It's hard for me to believe that they could do that.

JENNIFER MORGAN: At this point, I did look into the licensing system. Some of these younger hunters had drawn out for off-range Oryx hunts, and one of them had drawn one for an on-range hunt but has not yet submitted their harvest report. And then some of the other statistics that I found, the individual was unsuccessful. But most of the hunts, you know, they are still up and coming, so . . .

MALE SPEAKER: What would be interesting . . .

(Multiple speakers, inaudible)

COMMISSIONER ESPINOZA: Mr. Chairman, look, I'm excited that we're getting it done for next year.

(Multiple speakers, inaudible)

CHAIRMAN KIENZLE: We had a comment down here? Yes, sir.

COMMISSIONER ESPINOZA: Jennifer, you know I looked at this for a long time, seen a lot of reports. Director Sandoval has gotten me tons of information and I've talked to you quite a bit about it. You know, I like that, I'm interested in that 77 percent, kind of echoes Commissioner Ramos' concern. But I think, and you know, the Chairman's concern, as far as hunter education. I'd really like to see if we issue a mentor license, you know, that it's mandatory that they go on a hunt, get a hunter education certification prior to the hunt. And I know that's going to be tough because we, and you, have had that discussion as far as classes and it's echoed here today. But I think if we go down that road, it kind of forces . . .

MALE SPEAKER: I can't imagine . . . (inaudible)

COMMISSIONER ESPINOZA: . . . the Department for lack of better words to kind of step up hunter education somehow or another, either go to private vendors or outsource or something to where we get more classes in place because these kids, they are going to have to, and I think all of us are tired of hearing, getting the calls, I can't get my kid in. So I think we all understand and want and know that there is a need to uptick hunter education to some degree. I know that's frustrating to some degree, working with volunteers who are just helping out there. But I know there is something that needs to be done, and I think if we went with a mandatory, it would kind of cut out some of the nonsense and create a safer environment because there are some of these kids that just aren't proficient and will never be and we all know what's going on with those kids and why they are there. So if we make it mandatory that they do it, I think we get a two-fold benefit added in. It's something to look into and bring back to us.

(Background speaker, inaudible)

JENNIFER MORGAN: Chairman, Commissioner Espinoza, that is something that we have bounced back and forth for sure to try to solve some of the dilemma of public demand based on our supply with volunteers. And we have kind of looked at the private sector and, you know, how can we go about doing this, by paying somebody to teach hunter ed classes when we have got 500 volunteers that aren't getting paid to do a Department service. So it is kind of a touch and go there, but I think we are almost to the point where it needs to be seriously considered so we can meet the demands of these mentored-youth hunters that are up and coming that they will not be able to put in for this year's next draw if we don't have enough classes so they can do so. So we are definitely looking into a lot of these other options to increase the demand so we don't lose them as hunters and keep them going on their hunting careers.

COMMISSIONER RAMOS: Ma'am, I think one of the things that I'd really like to consider, and I think it could be possible, but it's going to take some articulating and planning with our State Department of Education, and that's, I remember my first meeting I brought this up, we have got to get a course code that will allow administrators to offer this course, hunter education course, through the public schools. And I think if we got it imbedded into the classroom, let's say a semester elective course, you could hook so many kids that way. Not only is it all about hunting and harvesting animals but to me it's going to be about just safety awareness with firearms, muzzle control, all the ethics, you know, that are started out at that age. And also, if you're really wanting to reach out to, you know, those challenging students, that's the place to do it, by embedding it in there. You have a great archery program through the schools. I know one of the things I personally got shot down in our Las Cruz public district on not offering the course because I was going to have Officer McDonald (phonetic) and help teach the course. But I think the way we do the archery program, we could also train some certified teachers to teach that elective course and work on that. But again, I think with the Department of Education and working that out and having a curriculum and everything set up for them, I think that's the best way to really meet this need.

JENNIFER MORGAN. Yes, Chairman, Commissioner Ramos, we definitely have started doing that with a lot of our charter and private schools. We had actually hunter ed class earlier this year in Santa Fe which was really exciting.

COMMISSIONER RAMOS: I would love to support you if you need my input, present anything on my perspective.

JENNIFER MORGAN: Yes, sir. It's getting it through the zero tolerance of having firearms on a campus right now that is the biggest issue. So, if we can work together on getting through that barrier in a lot of our school systems, then it is definitely something that would be very exciting.

COMMISSIONER SALOPEK: Jennifer, one more comment. Echoing Ralph, if we're going to remove the youth mentor from the elk and deer, I would also include Oryx in that.

COMMISSIONER RAMOS: Chairman, one last comment on that. And I'm not all about removing things although I think this is a great place to do that. On the other end, you know possibly having opening dove season weekend free to mentored kids with a licensed adult hunter. You know that might be something, and I don't know if legislation allows something like that, or if there are any other holdbacks on that but I think that is a great way to reach out to kids. Just thinking.

JENNIFER MORGAN: Chairman, Commissioner Ramos, we can certainly look at that. There are some restrictions on time. But we can certainly figure out something.

VICE CHAIRMAN MONTOYA: Got some work to do.

CHAIRMAN KIENZLE: Garrett, did you have any questions or comments from wildlife service?

GARRETT VENEKLASEN: Garrett VaneKlasen from Mexico Wildlife Federation. Mr. Chairman, members of the Commission. First off, thanks for addressing this. We really appreciate you guys taking the time to talk about this. That age requirement, I've got a 9 year old and she's a big, tall 9-year-old girl, and she's definitely not ready to pick up a rifle for sure. She's just starting to shoot a shotgun. I'm very concerned about her safety issues. She's

certainly got the eagerness but she certainly just doesn't have the judgment. I don't think 8 or 9, to tell you the truth, I'd like the idea of maybe 10. Also, it's somewhat troubling to see that 19 percent transition rate into hunter safety. I mean, what we want to do is see our kids transition into being safe hunters and taking that course and I think that really points out some glaring challenges that you all have trying to transition these mentored kids into taking the hunters ed course and becoming truly educated young hunters. So first off, thanks for addressing this. Again, I think we need to take a really careful look at what age kids are able to do what sort of activities, and what size and type of firearms that those children can actually handle. So, I mean she's 9 years old, she's 4-10, that's still a lot of gun for her. That may not be true for some other kids, but I think we just need to walk into this very carefully and think through it very carefully. Thank you very much.

CHAIRMAN KIENZLE: That was a discussion item, thank you. Like I said, you've got some work to do.

CHAIRMAN KIENZLE: **AGENDA ITEM NO. 22: General Public Comments**. And, Garrett, I'm sorry to make you sit down. Do you have any general comments?

GARRETT VENEKLASEN: I was not quick enough. Again, Garrett VaneKlasen, New Mexico Wildlife Federation. Mr. Chairman, members of the Commission. On August 22nd of this year, Gary King (phonetic) submitted a letter to you all regarding stream transfer, encouraging you all to actually have a directive on where this stands. And it has now been 6 months since that opinion has been submitted. And we're, I think that private land owners are very anxious about this. I know the public is very anxious about this. I don't think that we have seen the trespass, I don't believe, and I think maybe Mr. Griego could tell us, I don't know if there has been a

recorded incident of trespass yet. I don't think the sky is falling. And now we see this this complaint for Declaratory Judgment that has been submitted. If the content of this, I'm not an attorney, but if the content of this complaint has any merit, there doesn't seem to be any law base in this complaint. And so, it just doesn't seem very substantive in that argument. But I think we are all very anxious just to see the Department move into someplace of leadership and decision making. It's been 6 months. I think we're all very anxious to see where this goes. I think if the Department has substantive information from the Attorney General's Office to move in one direction or another, I think that six months is time enough to maybe move in one direction or another and we're all anxious to see some resolution here. So, that is just my comment.

CHAIRMAN KIENZLE: Thank you. Ron Gillworth.

RON GILLWORTH: Thank you Mr. Chairman, Commissioners. After watching you today, I know your brains are scrambled. So I hope that what I have to say is important. I'm not a stranger to Game and Fish Commission meetings. Once upon a time, I was in attendance when we got the first lake limit for black bass and the first license plate called Fish New Mexico, and the first warm water hatchery. So I am familiar. What I've also noted in looking back in time, and I'm an old guy now, I'm the oldest guy in the house, but I look back and remember a warm water hatchery employer called Jack Kelly (phonetic). And I was at one of your Commission meetings and he had a pencil presentation on the wall and he said to the New Mexico Game Commission that he had New Mexico Game and Fish Department. So that is what I'm here for is fish. It's a very important thing. The city of Elephant Butte is suffering, the city of (indiscernible) is suffering. The community down there is suffering. The lake is broke. It started many, many years ago. It's been over a period of time. The fix will not be fast. If you dumped a million fish in there tomorrow, it'd probably be five years from now. I may not be

able to go fishing then. But as you've been talking about your youth for hunting, think about your youth for fishing. If you put fishing in the top 500 companies, they rank 48th in the nation for income. I (indiscernible) with the young lady, Chairman, and other members, Mr. Salopek has one. It's called "Moving New Mexico Forward". Mr. Gerald LaFont at the Elephant Butte would send all of you Commissioners a tape should you like to have one down the line. I'm sorry he didn't get up here today so we could give you more. It has been reported to me that in the pipeline you have 250 thousand dollars for capital outlay for the hatchery at Santa Rosa, for offices and education. It's in a Phase 2. So what is the timeline for the start-completion? Was it funded, and if funded, who is leading the charge to make sure that happens. The hatchery was broken ground in 1996, so I'm just curious where we stand. It seems like the hatchery isn't being used properly or fast enough for what we need. So I don't know where we spend that 250 thousand dollars. And, if that is true, I learned today from a friend of mine who will be speaking later, Mr. Earl Conway (phonetic), that there's possibly matching funds for that 250 thousand dollars for the sport fish and wildlife, so you might be able to double that 250 thousand out there. But nobody seems to know where that's at. I had our representative, Don Tripp, look into it, and he hasn't had the complete answer at this time either. Gentleman, the Butte is broke. (Indiscernible) anglers all suffered. Our lake down there once was listed as Top 10 in the United States. Today, it's at the bottom. That's where it's at. It's broke. The Butte decline started many years ago.

CHAIRMAN KIENZLE: I don't want to cut you off necessarily, but I'd ask you to wrap it up.

RON GILLWORTH: I'll wrap it up, and thank you very much for your presentation. Thank you.

CHAIRMAN KIENZLE: Director, is Mr. Sloane able to address some of these questions at the end of public comment?

DIRECTOR SANDOVAL: Yes, he can do that at the end of public comment. Thank you.

CHAIRMAN KIENZLE: Mr. Gillworth, we will have Mr. Sloane address those issues at the end of public comment. Thank you. Shawn Gifford (phonetic).

SHAWN GIFFORD: Mr. Chairman, Commissioners, thanks for this opportunity to address you. I'm a member of the (indiscernible) Kayak Pro Staff. I am also a member of the (indiscernible) Kayak National Fishing Team as well as a member of the Elephant Butte Bass Angler Society. As Mr. Gillworth stated, the lake appears to be broken. We fished a tournament yesterday. Ten boats, used to be somewhere in the neighborhood of 20 to 30. We managed to catch a total of nine fish. Those folks that fished that tournament fish that lake multiple times a week. There was probably 250 years of experience on that lake yesterday. It was quite disappointing. That's what we continue to see. We would like to see a long term stocking program, whether that involves a program like a (indiscernible) that Texas uses to build brood stock, something in that neighborhood. In addition, we currently understand there is an assigned game warden in our district. What we'd really like to see is some stronger enforcement and some more game wardens to monitor the lake and the fish that are being taken out of the lake. In my own observation, I've seen anything that comes in some of those boats leaves the lake and they're not long enough. It's hurting our population. We, as anglers, are willing to do whatever it takes to work with the Department to improve all the fisheries in New Mexico, not just the Butte. I had an opportunity to talk to Commissioner Salopek about some of the licensing concerns and I am very pleased with that discussion. I think the kiosk would be a wonderful idea. What we see is

folks come into the store, you tell them that they need to purchase a license online, they buy their bait and then they leave. I don't know what the numbers this year will show as far as money wise the difference between last year and this year, but all those discussions were excellent. We'd also like to develop a forum where we, as anglers on the lake, can communicate to the biologists what we're seeing. They can communicate to us what their plans are, what their focus is, so we can communicate better what we see every day on the lake, and they can communicate to us what their plans are. We have a good understanding that biologists and anglers don't always see eye-to-eye, but I think it would be great to have that open discussion where we can provide information to the Department and the Department could work with us. Thank you.

CHAIRMAN KIENZLE: Thank you. Mr. Larson.

PERRY LARSON: Perry Larson (phonetic). Oh, sorry.

PERRY LARSON: Thank you again for this opportunity. I have initiated a self-driven beginning campaign to deal with the total firearms discharge closure in the entire Sandia Ranger district. I began a week or two ago by talking, I thought this was an NRA New Mexico shooting sports association type of issue and as I talked to Mr. Arvas and Mr. (indiscernible) to NRA National Board of Directors members, and of course Mr. Arvas being here on the Commission, and he suggested that I might come to this meeting and just make a brief introductory comment where the issue I think is and where it might go and if at some point if this gets driven far enough and seems to have some promise to curtail this total closure that we might again come before the Commission for your support. Basically, being raised in Albuquerque and spending a lot of time in the Sandia Mountains as a kid and many years as a wildlife biologist in the Sandia Mountains before moving on to Colorado, being an avid sports shooter, and so forth, when I moved back

here to Elephant Butte 20 years ago or so, and now looking at property moved back in the west Sandia Mountain foothills area somewhere, I became aware that the forest there has had an annual order, I could give you the number and read the details but that's not necessary, closing the entire the Sandia Mountain Range district for at least the last eight years that I know of. This lady ranger has been the ranger for eight years and they sign an annual order "prohibiting discharging a firearm, air rifle, or gas gun" in the entire Sandia ranger district which they tell me includes some 100,000 acres, more or less the entire Forest Service portion of the Sandia Mountains and the northern eight miles or so in that district of the (indiscernible) Mountains. I view this as a dangerous precedent, bureaucratic Federal over reach for administrative convenience. The purpose is to provide for public safety which we all agree with, no problem with that. But if a district ranger annually can promulgate this document signed only by the forest supervisor, can close these entire one ranger district to discharge your firearms, that's a dangerous precedent. Any district ranger anywhere in the United States could conceive of the same proposal. While I was dealing with the Sandia ranger district, a very professional law enforcement officer gave me this document and his rationale and explanation and he said, "I don't make the laws, I just enforce them". But he was very professional. It came out that he was on temporary duty from the Tonto Forest north of Phoenix. And when I asked him if they had such closures in that heavily populated area or my knowledge of the Coronado Forest surrounding Tucson, heavily populated urban areas and recreation areas much comparable or bigger than Albuquerque, he said no, he could never get away with that in Arizona. And my knowledge of Colorado was the same thing. I hunted and fished all over the White River National Forests and several national forests and ranger districts in Colorado, forest service lands

close to Boulder, Golden, Denver, Colorado Springs, on and on. None of those areas have a district ranger closing.

CHAIRMAN KIENZLE: Mr. Larson, let . . .

PERRY LARSON: I just be brief . . .

(Multiple speakers)

CHAIRMAN KIENZLE: Hold on one second, just hold on a second. Director, who at the Department can Mr. Larson visit with?

PERRY LARSON: I can't hear you over the mike.

CHAIRMAN KIENZLE: I'm not asking you a question.

DIRECTOR SANDOVAL: Mr. Chairman, actually I can speak directly with Mr. Larson. It would be Deputy Director (inaudible)

PERRY LARSON: If you are asking me to wind up, can I just read the briefly . . .

CHAIRMAN KIENZLE: Mr. Larson, I understand your concern. I am trying to find you someone at the Department to visit with. So I don't need any further comment from you.

PERRY LARSON: Ok. You just need to know that the penalty for discharging a BB gun or . .

CHAIRMAN KIENZLE: Mr. Larson, I am aware . . .

PERRY LARSON: . . . five thousand dollars . . .

CHAIRMAN KIENZLE: You're not helping your cause, Mr. Larson.

DIRECTOR SANDOVAL: Mr. Chairman, he can work directly with Colonel Griego and we can figure out where we are with the Forest Service in that MOU or that order and we can take it from there.

CHAIRMAN KIENZLE: Thank you.

ROBERT GRIEGO: I will give you my card and have you work with me, we'll get you answers with that MOU.

PERRY LARSON: OK. Great.

CHAIRMAN KIENZLE: Thank you, Colonel. Earl Conway (phonetic).

PERRY LARSON: I may ask to come back at some future date if I may.

CHAIRMAN KIENZLE: You're always welcome to come back, thank you.

EARL CONWAY: Mr. Chairman, thank you for the opportunity to speak. I have asked for a few additional minutes to try to cover this copy well. I've tried to get it down to five minutes if you can accept that. My name is Earl Conway and I've bought about 40 annual resident fishing licenses in New Mexico. I'd like to inform the Commission of a grass roots volunteer effort to improve the Game and Fish habitat at Elephant Butte. It's called the Southwest (Indiscernible) Project. I am only asking for your moral support, no money. And I am asking for technical advice from the Department. I do appreciate the Department's effort to study this situation at Elephant Butte, the drought situation, and within budgets and reason to do what they think might help, okay? We still need the Department to keep doing good science and good fisheries management. But in my opinion, my observations, the fishing in the Butte is about the worst it's been since about 20000 with the exception of blue catfish. That particular species is doing

exceptionally well. More water would be good, but the water levels now are not that different than they were in the 70's, and this very well could be the new normal. Elephant Butte's lake level has been below 4,360 feet since 2001. I don't think we can wait another 13 years to see if things will change. We need a new and innovative approach if we are ever going to improve fishing at the Butte. There is a natural phenomenon known as the new lake effect that occurs when water inundates shoreline vegetation. It's known to provide excellent conditions to rapidly create a quality fishery. Food will become more abundant and fish flourish. Angling becomes easier and more enjoyable. OK. If you look carefully, very carefully, at the annual water elevation cycles at Elephant Butte, there is a way to mimic this new lake effect every year. OK. Instead of complaining about how the water drops every year in the spring, we must start looking at this as an opportunity. It is an opportunity to do something radically innovative. OK. In 1881, territorial Governor Lou (phonetic) Wallace said, "All calculations based on our experience elsewhere fail in New Mexico." Well, maybe we have been complacent in thinking that because other states have also been impacted by the drought that it has to be that way here. OK. Instead we should use our experience and start anew with an open mind to trying something that isn't being done elsewhere. If we can create the new lake effect at Elephant Butte we will be the envy of many states and will bring attention to this unique resource. To that end, I have been getting the Southwest (indiscernible) Project approved through State and Federal channels. Within weeks, volunteers will be attempting to improve fishing at Elephant Butte in ways that others have not tried. Some methods have been proven elsewhere but many of these ideas are new, untested, and highly experimental. But we are going to try something new because we see the new normal as a real possibility. Water is scarcer than ever, demand is growing, and nature just can't cope with the drastic water elevation changes every year. We intend to give nature a

hand by establishing shoreline vegetation, deploying floating wetlands, installing artificial habitats, and continuing our experiments with extended spawning beds. May remember my presentation on a project using floating wetlands to curb golden algae in the Spring River Pond at Roswell. The pond is now a very productive (indiscernible) fishery and we have learned from both our successes and failures. The (indiscernible) in Roswell and Ruidoso have helped us develop the viable vegetation strategy that should work at the Butte. The NRCS and other experts including fisheries experts from other states continue to help us refine our plans. The Roswell project helped sharpen our knowledge of floating wetlands, their quirks, vulnerabilities, and the phenomenal ability to improve the food web. We now know how to build floating islands that can withstand deployment on a large public lake. We expect some more failures and criticism from some people but we can't fail if we try and learn. We can only fail by not trying. So I ask the Game Commission for your support as volunteers to go to the task of creating this new lake effect and improving the fishing experience of the Butte. Tomorrow, on the behalf of the Albuquerque (indiscernible) hunters, New Mexico Bass Nation, and all anglers, I will sign a Memorandum of Understanding with the Bureau of Reclamation that will finalize the approval process. We look forward to working with the Elephant Butte community, anglers and sportsmen of New Mexico, Bureau of Reclamation, New Mexico State Parks, and of course New Mexico Game and Fish Department to make Elephant Butte better one cove at a time. Thank you.

CHAIRMAN KIENZLE: Thank you. Mr. Sloane (phonetic), can you give us some assistance here?

MIKE SLOANE: Mr. Chairman, Commissioners. I think that we can all agree that fishing at Elephant Butte is not what it's been. The lake is approximately 6700 surface acres down from its

full capacity of 40,000 surface acres. And if you look at, I can pull up a graph if you'd like, but basically as the water storage goes down, so does our ability to catch bass. The habitat in that smaller lake is just not as good. It is much older. There is no vegetation to rot. As Mr. Conway pointed out, it's an old reservoir now. We did support that grant for central (indiscernible) support and offered technical assistance, so we do support that project and are willing to participate. In reference to Mr. Gillworth's (phonetic) inquiries, the warm water hatchery I believe broke ground in 2006, with the first fish coming out in 2007. We do have 250 thousand dollars for a watershed education center. We previously spent money dedicated to that on finishing the first phase of the hatchery. But in addition to that 250 thousand, we have approximately 4 million in capital outlay money to build a hatchery building and the remaining seven ponds for the facility. We need to update the plans on that. They were ready to go in 2009 but time has passed. We tried to get bids on those. The bids came in much higher than we anticipated so we went through a (indiscernible) bureaucratic process to get to a point where we can contract to get that done. Hopefully this spring we will be able to put it out to bid and build it over the course of summer of 2015. Relative to enforcement, I think James Campenella (phonetic) just left in the last four or five months, and so it takes us time to get folks trained up.

DIRECTOR SANDOVAL: Mr. Chairman, Commissioners, we actually have a personnel action pending that will fill that position for the game warden in (indiscernible). It's just a matter, again, of the bureaucratic dance that we do to make that happen.

CHAIRMAN KIENZLE: Director, if Mr. Conway has any questions or needs someone to visit with in the Department, is that Mr. Sloane we would visit with.

DIRECTOR SANDOVAL: Mr. Chairman, that is correct.

CHAIRMAN KIENZLE: Your door is always open, right?

MIEK SLOANE: It is. And as mentioned earlier we have had forums in the past at Elephant Butte. The interest died down but clearly it's back up and we're happy to go down there and meet with folks.

CHAIRMAN KIENZLE: And so, Mr. Conway and your organization, take advantage of this opportunity. I think that Vice-Chairman Montoya said it best, pray for rain. I think that's certainly something that will solve all problems. But I know the Commission and I know the Department are committed to helping work through this. It's a tough problem, though, so we'll keep at it.

MALE SPEAKER: Mr. Chairman.

CHAIRMAN KIENZLE: Yes, sir.

EARL CONWAY: One question. Where the warm water fishery hatchery, is it in a good location? Could there be a lot better place of New Mexico, or are we wasting our time here.

MIKE SLOANE: It's in a good place in terms of available space and staff and water. The water temperature is not as good as we would like for raising warm water fishes but I think we can do a good job there. It's just going to be a matter of getting folks trained, getting the full facility built. And we've also had a pretty bad bird problem which we've got the equipment to fix that now.

EARL CONWAY: The birds come in and take them out of where you're raising them, right.

MALE SPEAKER: Correct.

MALE SPEAKER: Well, that's interesting.

CHAIRMAN KIENZLE: If there are no further questions or comments, can I get a motion to adjourn . . .

DIRECTOR SANDOVAL: Wait, we'll just send it to him.

CHAIRMAN KIENZLE: Oh, does he have a number for us?

CHAIRMAN KIENZLE: Why don't you give it to us, yep, he got your complaint.

ROBERT GRIEGO: Now we're under.

CHAIRMAN KIENZLE: Well, you took the time to get the information, so I want to hear it. Thank you for putting a hurry up on that.

ROBERT GRIEGO: Mr. Chairman, Commissioners, you asked about the total number of revokees last year. And for last year, we had 1,830 parental responsibility act revokees. Keep in mind that because of the act we are obligated to suspend those licenses. We really don't have much of an option, or no option. We also re-instated 338 that were out of compliance and came back into compliance either because, and some of those have been out of compliance since 2000. So, because of the online license sales and not knowing about the 25 dollar fee to get reinstated, so we got 338 of those back. We also suspended 931 individuals for failure to pay the penalty assessment. That's up to three years or until they come into compliance any time in that three years. Currently today we have 6,428 individuals revoked because of Parental Responsibility Act, and 919 because of penalty assessments.

COMMISSIONER ESPINOZA: So, 73 hundred. That's a lot of people. That's a lot of people to keep track of.

CHAIRMAN KIENZLE: Thank you for getting that information on the fly.

CHAIRMAN KIENZLE: Motion to adjourn?

CHAIRMAN KIENZLE: So moved.

COMMISSIONER SALOPEK: Second.

CHAIRMAN KIENZLE: All in favor?

ALL MEMBERS: Aye.

In Re:

Game Commission Hearing

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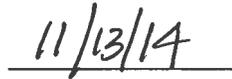
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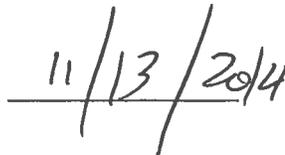
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Paul M. Kienzle III, Chairman



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