

**Final Adopted Rule**

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2018 MAY 31 PM 1:20

**TITLE 19 NATURAL RESOURCES AND WILDLIFE  
CHAPTER 31 HUNTING AND FISHING  
PART 21 JAVELINA**

**19.31.21.1 ISSUING AGENCY:** New Mexico Department of Game and Fish.  
[19.31.21.1 NMAC - Rp, 19.31.21.1 NMAC, 4-1-19]

**19.31.21.2 SCOPE:** Sportspersons interested in javelina hunting and management. Additional requirements may be found in Chapter 17, NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19 NMAC.  
[19.31.21.2 NMAC - Rp, 19.31.21.2 NMAC, 4-1-19]

**19.31.21.3 STATUTORY AUTHORITY:** 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds, and fish.  
[19.31.21.3 NMAC - Rp, 19.31.21.3 NMAC, 4-1-19]

**19.31.21.4 DURATION:** April 1, 2019 through March 31, 2023.  
[19.31.21.4 NMAC - Rp, 19.31.21.4 NMAC, 4-1-19]

**19.31.21.5 EFFECTIVE DATE:** April 1, 2019, unless a later date is cited at the end of a section.  
[19.31.21.5 NMAC - Rp, 19.31.21.5 NMAC, 4-1-19]

**19.31.21.6 OBJECTIVE:** Establishing open hunting seasons and regulation, rules, and procedures governing the distribution and issuance of javelina licenses by the department.  
[19.31.21.6 NMAC - Rp, 19.31.21.6 NMAC, 4-1-19]

**19.31.21.7 DEFINITIONS:**

- A. **“Department”** shall mean the New Mexico department of game and fish.
  - B. **“Director”** shall mean the director of the New Mexico department of game and fish.
  - C. **“Either sex” or “ES”** shall mean any one animal of the species.
  - D. **“Game management unit” or “GMU”** shall mean those areas as described in 19.30.4 NMAC, Boundary Descriptions for Game Management Units.
  - E. **“Web sale”** shall refer to accessing the department’s internet address to initiate the process to purchase specific javelina hunting licenses as designated by the director annually.
  - F. **“Wildlife management areas” or “WMAs”** shall mean those areas as described in 19.34.5 NMAC, Wildlife Management Areas.
- [19.31.21.7 NMAC - Rp, 19.31.21.7 NMAC, 4-1-19]

**19.31.21.8 ADJUSTMENT OF LICENSES, AUTHORIZATIONS AND HARVEST LIMITS:** The director, with the verbal concurrence of the chairperson or their designee, may adjust the number of licenses for javelina up or down by no more than twenty percent of the total licenses available in the area or GMU to address significant changes in population levels or habitat availability. The director may consider requests from organizations or private landowners working with children suffering from terminal illness or disease to change season dates, weapon types or bag limits to provide for special hunting situations on a case by case basis. The director may change or cancel all hunts on military lands to accommodate closures on those lands; if changed, the season length and bag limit shall remain the same as assigned on the original hunt code.  
[19.31.21.8 NMAC - Rp, 19.31.21.8 NMAC, 4-1-19]

**19.31.21.9 JAVELINA HUNTING SEASONS:** Javelina hunts for the 2019-2020 through the 2022-2023 hunt seasons shall be as indicated below, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, sporting arms, number of licenses, and bag limit. All WMAs shall remain closed to javelina hunting, except the prairie-chicken, Heart Bar, and Socorro-Escondida WMAs are open to javelina hunting.

**A. Entry hunts:**

open GMUs or areas	2019-2020 hunt dates	2020-2021 hunt dates	2021-2022 hunt dates	2022-2023 hunt dates	hunt code	licenses	bag limit
Statewide except	1/1-3/31	1/1-3/31	1/1-3/31	1/1-3/31	JAV-1-100	150	ES

GMU 28, youth only							
GMUs 19, 23, 24, 25, 26 and 27	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	JAV-2-101	300	ES
	2/1-3/1	2/1-3/1	2/1-3/1	2/1-3/1	JAV-1-102	1000	ES
GMU 28 McGregor range, military only	12/28- 12/29	1/2-1/3	1/1-1/2	12/31/2022 -1/1/2023	JAV-1-105	5	ES
GMU 28 McGregor range	12/28- 12/29	1/2-1/3	1/1-1/2	12/31/2022 -1/1/2023	JAV-1-106	5	ES

**B. Over-the-counter hunts:** The hunt area shall be statewide except GMUs 19, 23, 24, 25, 26, 27 and 28.

open GMUs or areas	2019-2020 hunt dates	2020-2021 hunt dates	2021-2022 hunt dates	2022-2023 hunt dates	hunt code	licenses	bag limit
Statewide except GMUs 19, 23, 24, 25, 26, 27 and 28	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31	JAV-2-103	300	ES
	1/16-3/31	1/16-3/31	1/16-3/31	1/16-3/31	JAV-1-104	1000	ES

**C.** Properly licensed youth deer or elk hunters that possess JAV-1-100 may hunt javelina outside of the published javelina hunt dates but only during the same dates and in the same area as their deer or elk hunt. Properly licensed deer or elk hunters that possess JAV-2-103 and JAV-1-104 may hunt javelina outside of the published javelina hunt dates but only during the same dates and in the same area as their deer or elk hunt, except in GMUs 19, 23, 24, 25, 26, 27 and 28. Hunters must use the same weapon type listed on their respective deer or elk license.

[19.31.21.9 NMAC - Rp, 19.31.21.11 NMAC, 4-1-19]

**HISTORY OF 19.31.21 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:

- Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/67;
- Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/67;
- Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/68;
- Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/68;
- Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/68;
- Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/68;
- Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/68;
- Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/69;
- Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/69;
- Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/69;
- Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/69;
- Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/70;
- Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/70;
- Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/70;
- Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/71;
- Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/71;
- Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/71;
- Regulation No. 531, Establishing A Season On Javelina, filed 12/17/71;
- Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/72;

Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/72;

Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/72;

Regulation No. 542, Establishing A Season On Javelina, filed 12/1/72;

Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/73;

Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/73;

Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/73;

Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/74;

Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/74;

Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/74;

Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/75;

Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/75;

Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/75;

Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/76;

Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/77;

Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/78;

Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/79;

Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/80;

Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/81;

Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/82;

Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/83;

Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/84;

Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/85;

Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/86;

Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/87;

Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/87;

Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/89;

Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/89;

Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/89;

Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/91;

Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/92;

Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/93.

**History of Repealed Material:**

19.31.8 NMAC, Big Game, filed 3-1-2001 - duration expired 3-31-2003.

19.31.8 NMAC, Big Game and Turkey, filed 3-3-2003 - duration expired 3-31-2005.

19.31.8 NMAC, Big Game and Turkey, filed 12-15-2004 - duration expired 3-31-2007.

19.31.15 NMAC, Pronghorn Antelope and Javelina, filed 12-1-2006 - duration expired 3-31-2009.

19.31.15 NMAC, Pronghorn Antelope and Javelina, filed 3-13-2009 - duration expired 3-31-2011.

19.31.21 NMAC, Javelina, filed 8-15-2010 - duration expired 3-31-2015.

19.31.21 NMAC, Javelina, filed 3-17-2015 - duration expired 3-31-2019.

# NMAC

## Transmittal Form



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Your Access to Public Information:

Volume:  Issue:  Publication Date:  Number of pages:  (ALD Use Only) Sequence No.

Issuing agency name and address:  Agency DFA code:

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Type of rule action: (ALD Use Only) Most Recent Filing Date:   
New  Amendment  Repeal  Emergency  Renumber

Title number:  Title name:

Chapter number:  Chapter name:

Part number:  Part name:

Amendment Description (If filing an Amendment):  Amendment's NMAC Citation (If filing an Amendment):

Are there any materials incorporated by reference? Please list attachments or Internet sites if applicable.  
Yes  No

If materials are attached, has copyright permission been received? Yes  No  Public domain

### Concise Explanatory Statement for rulemaking adoption:

Specific statutory or other authority authorizing rulemaking:

Notice date(s):  Hearing date(s):  Rule Adoption date:  Rule Effective date:

### Findings required for rulemaking adoption.

#### Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

The rulemaking was undertaken to adopt a new Javelina rule, 19.31.21 NMAC, which will become effective April 1, 2019. The current Javelina rule is set to expire on March 31, 2019. The new rule will include adjusting hunting seasons for calendar dates. For example, if a 5-day hunt typically starts on a Saturday, this date shifts earlier during each year of the 4-year rule. To avoid having these hunts occur earlier and earlier, the dates need to be "reset" during each new 4-year rule cycle. We removed manner and method references from the Javelina rule and include it in the manner and method rule to open later in 2018. No changes to number of licenses or open areas were made. There have been no changes between the published proposed rule and the final rule. There were no substantive arguments made through public comment that were not accepted. To view public comments, please visit [www.wildlife.state.nm.us/commission/meeting-agendas/](http://www.wildlife.state.nm.us/commission/meeting-agendas/) and click on the Hearing Archive tab. The resulting rule was based on what

Continued on reverse side

**Findings required for rulemaking adoption  
continued**

was best for the resource and overall hunter satisfaction.

**Issuing authority (If delegated, authority letter must be on file with ALD):**

**Name:**

Alexandra Sandoval

**Check if authority has been delegated**

**Title:**

Director, NMDGF

**Signature: (BLACK ink only)**

*Alexandra Sandoval*

**Date signed:**

5/25/18