

AGENDA

NEW MEXICO STATE GAME COMMISSION

June 22, 2017

Inn of the Mountain Gods
287 Carrizo Canyon Rd
Mescalero, NM 88340
9:00 a.m. – 5:00 p.m.

(updated June 14, 2017)

Public testimony and comment: All those interested in providing oral comments are encouraged to prepare a "Speaker's Card" for each item on which they will comment. These cards assist the Commission Chair to manage more effective public communication. Comments may be allowed on each item at the Commission Chair's discretion, regardless of card completion. Those who desire to address the Commission and who claim to represent an organization must provide the following information: the number of members in the organization, frequency of the organization's meeting and either a signed statement from that organization's president that states the organization has discussed the topic and approved the position that the representative is presenting, or proof that they are a registered lobbyist for the organization.

AT THEIR DISCRETION, THE COMMISSION MAY TAKE ACTION ON ANY AGENDA ITEM

AGENDA ITEM NO. 1: Meeting Called to Order

AGENDA ITEM NO. 2: Roll Call

AGENDA ITEM NO. 3: Pledge of Allegiance

AGENDA ITEM NO. 4: Approval of Agenda

AGENDA ITEM NO. 5: Introduction of Guests

AGENDA ITEM NO. 6: Approval of Minutes May 11, 2017 Clayton, NM

NEW BUSINESS:

AGENDA ITEM NO. 7: United States Fish and Wildlife Service Appeal of the Denial of Application to Release Certain Mexican Gray Wolves.

Presented by United States Fish and Wildlife Service (USFWS) or their Designee(s) – The USFWS or their designee will present an appeal of the Department's denial of the Service's application to release Mexican Gray Wolves. No public comment shall be allowed on appeals before the Commission as those matters are quasi-judicial in nature.

AGENDA ITEM NO. 8: Update on the USFWS Wolf Recovery Plan.

Presented by Stewart Liley – The Department will give a presentation to the Commission on the Mexican Wolf Recovery Plan. Public comment on this agenda item will be limited to a total of 30 minutes.

AGENDA ITEM NO. 9: Awards of Excellence and Dedication to Wildlife Management

Presented by Alexa Sandoval et al. – The Department will recognize a Department employee for outstanding contributions made in furtherance of its mission.

AGENDA ITEM NO. 10: Revocations

Presented by Darrell Cole / Ty Jackson – The Department will present a list of individuals that meet established criteria for initiation of the revocation/suspension process for license privileges.

AGENDA ITEM NO. 11: Initiation of Manner and Method Rule Amendments; 19.31.10 NMAC and Associated Species Rules, to allow for the Use of Magnification / Clarification Devices on Archery Equipment.

Presented by Ty Jackson – The Department will initiate rule amendments on the use of magnification or clarification devices on archery equipment as it pertains to existing rules when hunting protected species (19.31.10 NMAC and associated species rules).

AGENDA ITEM NO. 12: Initiation of Manner and Method Rule Amendments; 19.31.10 NMAC, to prohibit the Use of Aircraft for Locating Protected Wildlife for Hunting Purposes.

Presented by Ty Jackson – The Department will initiate rule amendments on the use of aircraft for locating wildlife for

hunting purposes (19.31.10 NMAC).

AGENDA ITEM NO. 13: Final Upland Game Rule Development – 19.31.5 NMAC 2018-2021 seasons.

Presented by Stewart Liley – The Department will present to the Commission a final rule for Upland Game (19.31.5 NMAC).

AGENDA ITEM NO. 14: Final Aquatic Invasive Species Rule 19.30.14 NMAC.

Presented by Michael Sloane–The Department will present final rule to Aquatic Invasive Species Rule 19.30.14 NMAC. The amendments will clarify the existing rule and assist with enforcement by Conservation Officers.

AGENDA ITEM NO. 15: Initiation of Fisheries rule Development – 19.31.4 NMAC for the 2018-2021 seasons.

Presented by Mike Sloane – The Department will initiate rule development for the Fisheries Rule (19.31.4 NMAC) which has a 4 year cycle and is expiring March 31, 2018.

AGENDA ITEM NO. 16: Approval of Fiscal Year 2019 Capital Outlay Request

Presented by Paul Varela – The Department is seeking Commission approval for the capital outlay request for Fiscal Year 2019.

AGENDA ITEM NO. 17: Commission Rule regarding Trespass

Presented by Chairman Kienzle - Rules and Regulations promulgated under NMSA 17-4-6, NMSA 30-14-1, and NMSA 30-14-6, (and related rules, regulations, and law) concerning trespass, no trespass signs, certification of property under NMSA 17-4-6, and signage issued under NMSA 17-4-6. This is a Commission agenda item and has not been proposed by the Department.

AGENDA ITEM NO. 18: Draft Rule Presentation of the Commission’s Appeal Process 19.30.16 NMAC.

Presented by Chairman Kienzle – A draft rule of a newly defined appeal process to be presented to the Commission for consideration. A standardized procedure to address certain Department/Director decisions that, by rule, are appealable to the Commission.

AGENDA ITEM NO. 19: New Rule Development Process

Presented by Alexa Sandoval – The Department will provide a brief description of the new State statute for the rule development process. The new statute standardizes rule development for all State Agencies, Boards, Commissions, and Departments except the judicial and legislative branches of government.

AGENDA ITEM NO. 20: Closed Executive Session

The State Game Commission will vote as to whether it will adjourn into Executive Session closed to the public; pursuant to 10-15-1(H)(2) NMSA 1978, to discuss limited personnel matters relating to complaints and discipline; pursuant to Section 10-15-1(H)(8) NMSA 1978, to discuss the property acquisition; and pursuant to Section 10-15-1(H)(7); on matters subject to the attorney-client privilege relating to threatened or pending litigation.

A. Personnel Matters

B. Property

1. Discussion of properties owned by the Commission in Santa Fe County

C. Attorney-Client Privilege/Litigation

1. State of Arizona v. Sally Jewell, No. 4:15-CV-245-JGZ, U.S. District Court for the District of Arizona
2. State of Oklahoma et al v. U.S. Department of Interior, Docket No. 1:15-CV-00252-EGS.
3. New Mexico Department of Game and Fish v. United States Department of Interior et. Al., Case Number: CV-16-00462-WJ/KBM.
4. APNM v. N.M. Game Commission No. D-101-CV-2016-01227 (First Judicial Court).

5. APNM v. N.M. Game Commission No. 35441 (N.M. Court of Appeals).
6. A. Dunn v. New Mexico Department of Game and Fish No. D-722-CV-2017-00104.

AGENDA ITEM NO. 21: General Public Comments (Comments Limited to 2 Minutes per speaker and overall General Public Comments limited to a total of 30 minutes. At the conclusion of 30 minutes, General Public Comment will end.)

AGENDA ITEM NO. 22: Adjourn.

NOTE: The meeting will be adjourned upon completion of the agenda or up to those items that time allows. Any items not discussed will be on the following meeting's agenda. The Agenda is subject to change up to 72 hours prior to the scheduled meeting date and time as deemed necessary by the Chairman. To inquire about agenda changes, please contact the Office of the Director at (505) 476-8000. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Ms. Angelica Ruiz at (505) 476-8027 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Ruiz if a summary or other type of accessible form is needed.

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