

Comments on draft Pronghorn Rule, 19.30.15

On behalf of the New Mexico Wildlife Federation (NMWF) membership, staff and board of directors, here are our organization's comments and recommendations on proposed rule 19.30.15 NMAC (Pronghorn Rule) scheduled for review and vote by the State Game Commission on May 22, 2018.

First, NMWF commends the New Mexico Department of Game and Fish (NMDGF) for its innovative and effective approach to public involvement during the months-long development of this rule as a replacement for the existing Antelope Private Land Use System (A-PLUS). It is apparent the staff listened to stakeholders' suggestions and concerns, as reflected in the final proposal. NMWF believes the agency worked diligently to develop an equitable, biologically driven rule.

We recommend and support passage of this rule. NMDGF's commitment to flexibility as the new system is implemented is greatly appreciated and was a major selling point in gaining support. We're counting on the agency to thoroughly monitor and evaluate the system as it develops, during the hunts and post-season, to determine what is working, identify any flaws and formulate corrections to policies or rules as needed.

There are several elements to the new rule that NMWF is especially pleased to see. We also have some suggestions for its implementation, and for a possible amendment to the rule as proposed, for your consideration.

The core constructive features: The rule will increase hunter opportunity and more fully utilize the pronghorn resource while removing what many public-land hunters and some ranchers perceive as inherent imbalances in A-PLUS.

It achieves the latter by opening currently un-hunted pronghorn habitat on public lands, thereby increasing the number of public draw licenses, and by offering opportunities for additional ranchers to allow pronghorn hunting on their deeded properties.

It addresses the former by removing grazing permittees' ability to veto pronghorn hunting on public lands, and keeps land-locked public lands from being private hunting preserves for surrounding landowners. It also takes the agency a big step away from issuing landowner license authorizations; establishes concurrent public-private hunting seasons; makes allowance for equitable reduction in both private-land and public licenses if harvest reductions are warranted; and assures that public hunters will receive half the permits for population management hunts on private land. Its "pronghorn hunting ranch" clause, with ranch-wide hunting for public- and

private-land license holders, offers a promising solution to the challenges of hunting access on complex “checkerboard” mixes of public and private land status.

Suggestions for a possible amendment to the proposed rule, and for implementation after the rule’s adoption:

The possibility that some private-land ranches would allow too many hunters and over-harvest the pronghorn herds, to the detriment of the resource and to adjacent public- and private-land hunters, was the most consistent and strongly voiced concern we heard as the rule was being developed. NMDGF staff offered persuasive evidence that ranchers generally tend to be conservative, both in terms of hunter numbers and harvest, but not all hunters or ranchers fully accept that as yet.

NMWF recommends, therefore, that the Department and Commission establish a system of monitoring private-land hunter numbers in something approaching real time, preferably by policy but by rule if necessary. NMWF would like for private property owners/managers to be required to report to the agency their name, the name and address of their ranch and the number of private-property-only pronghorn hunters allowed to hunt on their properties, by hunt code, within a reasonable time frame. This would allow the agency, it is hoped, to allay sportsmen’s and ranchers’ concerns about over-hunting or to detect and address problem areas if they develop. As landowners already give written permission to license holders to trespass onto their lands for hunting, it would appear that information is readily available to them and compiling it would not create an undue burden.

Another particularly irksome issue for many public-land licensees is the extended seasons on private lands. The new rule addresses that in great part, but leaves the possibility open for its continuance under the “alternative season dates” for ranches certified as eligible under the Pronghorn Conservation Management Program. We recommend that the agency require those ranches to first hunt concurrently with public-private seasons in the ranches’ respective GMU, and then add one or more three-day hunt periods as justified to achieve agency and ranch management objectives. We recommend the agency discontinue extended, open-ended alternatives such as currently exist.

NMWF also recommends that, as it implements this new system of public-, private- and mixed public-private land licenses, that NMDGF require landowners and lessees to grant conservation officers access to their ranches lands during open season when hunters are or may be present on the private land or public lease. This would further allay concerns about hunter/landowner misbehavior behind locked gates, whether game law violations, or hunting on public lands with private-land-only licenses (or vice-versa), for example.

We recommend that NMDGF vigorously pursue opening private and land-locked public lands to pronghorn hunting, utilizing the Open Gate program. Our members have frequently remarked that ranches open to public-land licensees under unit-

wide elk agreements are difficult to locate and often poorly marked. To begin addressing that under the new pronghorn hunting system, we'd like to see that "pronghorn hunting ranch" addresses, access points, and boundaries are available on the NMDGF website and GPS mapping systems to assure equitable utilization, with standardized signage required at access points.

While perhaps not perfect, this new rule is a major step forward in removing administrative headaches and addressing many hunters' judgment that the current system is inequitable. NMWF's assessment is that it deserves to be implemented.

Thank you for the opportunity to comment.