

NEW MEXICO
LEGISLATIVE
FINANCE
COMMITTEE

Program
Evaluation
Unit

Program Evaluation: Performance of the
Department of Game and Fish

October 28, 2020

Report #20-04

LEGISLATIVE FINANCE COMMITTEE

Senator John Arthur Smith, Chairman
Representative Patricia A. Lundstrom, Vice-Chairwoman
Representative Gail Armstrong
Senator William F. Burt
Senator Pete Campos
Senator Carlos. R Cisneros
Representative Randal S. Crowder
Representative Roberto “Bobby” J. Gonzales
Representative Jason C. Harper
Representative Javier Martinez
Representative Rodolpho “Rudy” S. Martinez
Senator George K. Muñoz
Senator Steven P. Neville
Senator Clemente Sanchez
Representative Candie G. Sweetser
Representative James P. White

DIRECTOR

David Abbey

DEPUTY DIRECTOR FOR PROGRAM EVALUATION

Jon Courtney, Ph.D.

PROGRAM EVALUATION TEAM

Cally Carswell
Sarah M. Dinces, Ph.D.
Katie Dry
Nathan Eckberg, Esq.
Micaela Fischer
Brian Hoffmeister
Mitchel Latimer
Clayton Lobaugh
Jacob Rowberry
Janelle Taylor Garcia, Ph.D.
Ryan Tolman, Ph.D.

Senator John Arthur Smith
Chairman

Senator William F. Burt
Senator Pete Campos
Senator Carlos R. Cisneros
Senator George K. Munoz
Senator Steven P. Neville
Senator Clemente Sanchez
Senator James P. White

State of New Mexico
**LEGISLATIVE FINANCE
COMMITTEE**

325 Don Gaspar, Suite 101 • Santa Fe, NM 87501
Phone: (505) 986-4550 • Fax (505) 986-4545

David Abbey
Director

Representative Patricia A. Lundstrom
Vice-Chairwoman

Representative Gail Armstrong
Representative Randal S. Crowder
Representative Roberto "Bobby" J. Gonzales
Representative Jason C. Harper
Representative Javier Martinez
Representative Rodolpho "Rudy" S. Martinez
Representative Candie G. Sweetser



October 28, 2020

Mr. Michael Sloane, Director
Department of Game and Fish
PO Box 25112
Santa Fe, NM 87504

Dear Mr. Sloane:

The Legislative Finance Committee (Committee) is pleased to transmit the evaluation, *Performance of the Department of Game and Fish*. The evaluation examined the department's operations, the department's collaboration with the Legislature and other natural resource agencies, and the department's wildlife management performance. An exit conference was conducted with the Department of Game and Fish on October 22, 2020, to review the contents of the report.

The report will be released to the Committee on October 28, 2020. The Committee would like plans to address the recommendations within this report from the Department of Game and Fish within 30 days from the date of release.

I believe this report addresses issues the Committee asked us to review and hope your department will benefit from our efforts. We very much appreciate the cooperation and assistance we received from your staff.

Sincerely,

A handwritten signature in cursive script that reads "David Abbey".

David Abbey, Director

Cc: Senator John Arthur Smith, Chair, Legislative Finance Committee
Representative Patricia A. Lundstrom, Vice-Chair, Legislative Finance Committee
Ms. Sharon Salazar Hickey, Chair, State Game Commission
Ms. Roberta Salazar-Henry, Vice-Chair, State Game Commission
Ms. Debbie Romero, Acting Secretary, Department of Finance and Administration
Mr. John Bingaman, Chief of Staff, Office of the Governor

Table of Contents



Performance of the Department of Game and Fish	1
Background	4
Findings and Recommendations	11
Aligning Priorities Between Game and Fish and the Legislature Could Benefit Wildlife	11
Performance and Activity Reporting by the Department Could be Improved.....	15
Agency Response	21
Appendices	23
Appendix A: Evaluation Scope and Methodology	23
Appendix B: Game Commission Authority.....	24
Appendix C: Department Programs.....	25
Appendix D: Pittman-Robinson Revenue Sources and Apportionement.....	26
Appendix E: Digell-Johnson Sources and Apportionment	27
Appendix F: License Fees and Special Licenses.....	28
Appendix G: Violations and Penalties.....	31
Appendix H: Capital Outlay.....	32
Appendix I: Special Appropriations.....	34
Appendix J: Performance Measures.....	35
Appendix K: Game and Fish Internal Fund Description.....	36





Aligning Game and Fish and Other Natural Resource Agency Operations Would Result in Better Use of Public Resources for Land and Wildlife Management

The New Mexico Department of Game and Fish collects significant revenues from federal taxes and permit fees for land, water, habitat, and wildlife management. Similarly, the state appropriates millions of dollars every year to other state natural resources agencies for similar activities. These assorted funding streams and structural silos between Game and Fish, the Legislature, and other natural resource agencies illuminate that public resources could be more efficiently used, and potentially to greater effect.

While the state department of Game and Fish receives no direct appropriation of state funds, the department often leverages state general fund dollars from other state agencies as a required nonfederal match for land management projects of common interest. Because Game and Fish has federal funds that could be leveraged for a number of land management projects under different state agencies, and because state agencies are already using some Legislatively appropriated state funds to support Game and Fish projects, the state would likely benefit from increased collaboration between the Legislature and Game and Fish.

To increase this type of collaboration, some states have reorganized their game departments under a single natural resources agency along with state parks and other state land-management entities. This integration, if it were to be Legislated in New Mexico would have the Director of Game and Fish report to a cabinet-level secretary who had broader responsibilities to manage land not just for the benefit of wildlife, but also for larger recreation, ecological, and resource-uses. Past bills in New Mexico have proposed a similar reorganization, and Legislators may want to consider reviving those proposals moving ahead.

No matter the structure of the Game and Fish in New Mexico, the department should rethink how it reports performance to the Legislature and its citizen stakeholders. Though the department's statutory mission is to “provide an adequate and flexible system for the protection of the game and fish and ... to provide and maintain an adequate supply of game and fish within the state of New Mexico,” (Section 17-1-1 NMSA 1978), the department does not report on the wild population levels of any of the species it manages. Further, Game and Fish takes great effort to set hunt levels for big game in a way that sustains herds; however, landowners and out-of-state hunters, not New Mexicans and public land hunters, are the beneficiaries of department policies. These policies directly impact Legislator's local constituents, and Game and Fish could be more transparent in reporting those social outcomes to the Legislature.

Key Findings

Legislative transfers to other agencies should be the product of collaborations between the Legislature and other natural resources agencies.

Game and Fish, in effect, uses state general fund resources as nonfederal match for hunting and fishing projects by partnering with the State Forestry and State Parks divisions.

Greater collaboration or restructuring of the state's natural resource agencies could reduce duplication and enhance public benefits.

The department oversees activities of interest to many New Mexicans but does not report on basic outcomes, like species population levels, to the Legislature.

Key Recommendations

The Legislature may want to reconsider the merits of consolidating the Department of Game and Fish with other state land-management agencies into a comprehensive natural resources department.

However, if the Legislature does not act on consolidation, the Legislature may consider creating a working group comprising secretaries from applicable state agencies, LFC, and Department of Finance and Administration to help align priorities between the Legislature and Game and Fish.

The State Game Commission should consider amending its system for licensing elk hunting on private land, the Elk Private Land Use System (EPLUS), to be more in line with neighboring states.

The Department of Game and Fish should work with LFC and the Department of Finance and Administration to add Accountability in Government Act measures to report

- Population levels of big game species,
- The ultimate beneficiaries (resident or nonresident) of EPLUS elk tags,
- The number of species down-listed from the state and federal threatened and endangered species list.



The Department of Game and Fish Maintains State Wildlife and Fish

The New Mexico Legislature created the State Game Commission in 1921 with the statutory authority “to provide an adequate and flexible system for the protection of the game and fish of New Mexico and for their use and development for public recreation and food supply, and to provide for their propagation, planting, protection, regulation, and conservation to the extent necessary to provide and maintain an adequate supply of game and fish within the state of New Mexico” (Section 17-1-1 NMSA 1978.)

Today, the Game Commission consists of seven appointed commissioners with no more than four of the same political party at the time of their appointment. Five of the seven members must live in one of five different state regions, and the remaining two are appointed at-large. One commissioner must be a farmer or landowning rancher, and another commissioner must "have a demonstrated history of involvement in wildlife and habitat protection issues." Commissioners are appointed for staggered four-year terms and serve in a volunteer capacity but are allowed per diem and mileage reimbursements. A summary of Game Commission authority can be found in Appendix B.

The New Mexico Department of Game and Fish serves as the implementing staff of the Game Commission, with the department director selected by, and serving as the secretary of the commission as well as "state game warden." The department has 317 FTE employees in four different budget-program areas: field operations, conservation programs, program support, and wildlife depredations and nuisance abatement. Descriptions of the four program areas can be found in Appendix C.

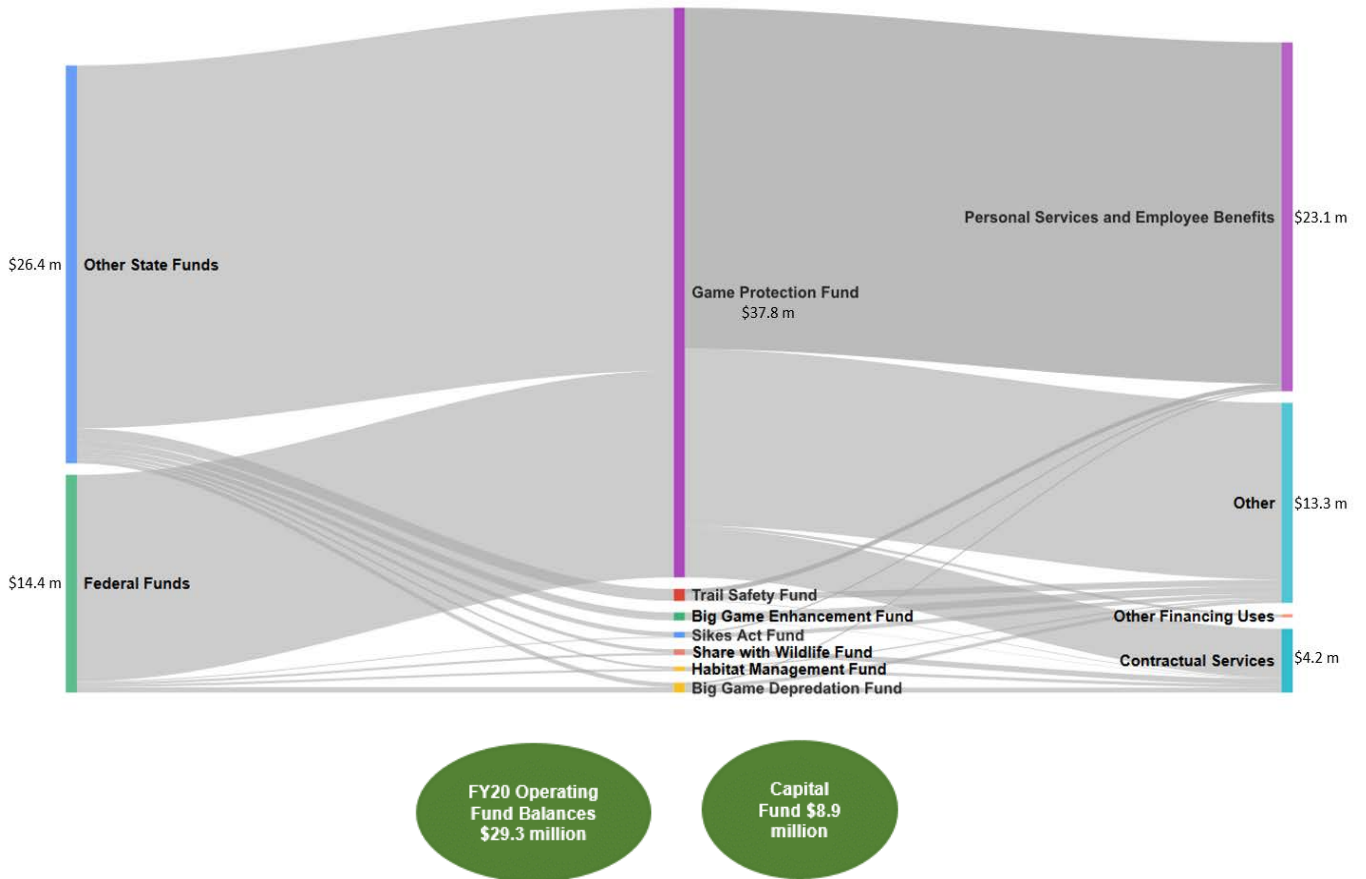
Major Revenue Sources

The Department of Game and Fish receives no support from the state general fund. Instead, the department receives two main types of revenue, (1) from federal excise taxes on hunting and fishing equipment (the Sport Fish Restoration and Wildlife Restoration funds in Table 1 below); and (2) permit and licensing fees for hunting, fishing, and other outdoor recreational activities. The fees are often used to provide the 25 percent required match for habitat restoration projects using the federal excise tax revenue. The state must reserve the use of all hunting and fishing fees exclusively for the administration of the Department of Game and Fish as a condition of receiving the federal funds.

Department of Game and Fish Overview (317 Total FTE):

- Agency Director,
Agency Legal Counsel
Deputy Director
- Field Operations Division, 102 FTE, \$9.4 million
- Conservation Programs, 155 FTE, \$22.8 million
 - Wildlife Management Division
 - Fisheries Management Division
 - Environmental and Ecological Planning
- Program Support, 56 FTE, \$7.6 million
 - Administrative Services Division
 - Human Resources Division
 - Information and Education Division
 - Information Services Division
- Wildlife Depredation and Nuisance Abatement, 4 FTE \$1 million

Chart 1. Department of Game and Fish's FY20 Operating Budget



Source: LFC Files

Since the 1930s, most state wildlife agencies have operated as enterprises, wherein hunters and anglers provide the majority of funding for a state agency. In turn, the agency dedicates the majority of their resources to support healthy populations of game and fish species. In New Mexico, federal revenues from hunting and fishing equipment excise taxes and other federal grants are the source of 36 percent, or \$15 million of the department's annual operating budget and between \$2.1 million and \$14.5 million to the department's capital budget each year since FY14. Three of the major sources of federal grants are described below, but these are not the only federal funds the department receives, nor are they the only opportunities the department has to use federal funds for its operations and activities.

Table 1. Department of Game and Fish Revenue, FY19

U.S. Fish and Wildlife Service	Sport Fish Restoration	\$6,484,759
	Wildlife Restoration and Basic Hunter Education	\$21,184,210
	Fish and Wildlife Management Assistance	\$38,813
	Cooperative Endangered Species Conservation Fund	\$233,676
	Enhanced Hunter Education and Safety	\$85,000
	State Wildlife Grants	\$1,131,268
U.S. Bureau of Reclamation	Endangered Fishery Recovery	\$151,586
National Fish and Wildlife Foundation	William S. Huey Stream & Riparian Habitat	\$250,000
	Pecos Pupfish Habitat in Pecos Watershed	\$63,817
Interest	Interest earned on fund balances	\$991,099
Enterprise Revenue	Fees from stamps, licenses, and other enterprise revenue	\$29,318,030
	Penalties	\$90,521
Total Game and Fish Revenue, FY19		\$60,642,382

Source: Department of Game and Fish FY19 financial audit

Fees from licenses and permits are the department's largest revenue source at approximately \$29.3 million annually. Revenues from hunting and fishing licenses, permits, and other non-federal revenue make up approximately \$29.3 million or 64 percent of Game and Fish's annual operating budget. The department's 2019 audit noted that for the first year, the game-hunting license and stamp purchases made through the big game draw were no longer refundable to applicants. In FY19, this generated approximately \$1.5 million in additional license revenue.

Hunting and fishing licenses are valid from April 1 through March 31 of the following calendar year. Generally, there are provisions for resident and nonresident licenses. Residents are people who have lived in New Mexico for at least 90 days, attended college or university in-state for at least one term, or are permanently assigned to a military installation or reserve in the state (Section 17-3-4 NMSA 1978). Fees for licenses are set in statute in Section 17-3-13 NMSA 1978. All fees last increased in 2005. The department also has a number of statutory obligations to provide discounts for military members and veterans, "make-a-wish" children, and handicapped and mentally ill persons. See Appendix F for a breakdown of fees.

Chart 2. Number of Hunting Licenses Sold and Revenue, Resident vs. Nonresident (2020)

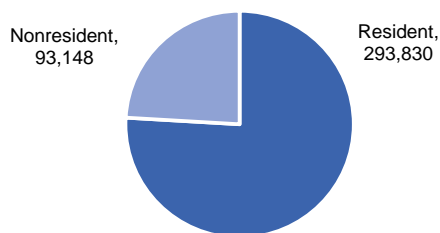


Chart 3. Revenue from Hunting Licenses Sold, Resident vs. Nonresident (2020)

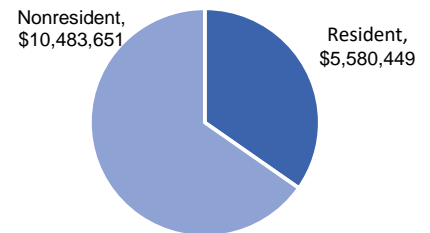


Chart 4. Number of Fishing Licenses Sold Resident vs. Nonresident (2020)

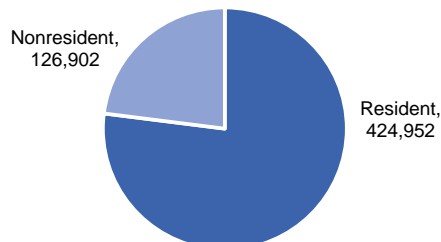
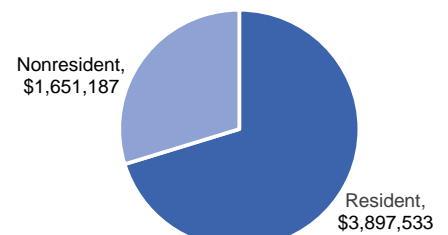


Chart 5. Revenue from Fishing Licenses Sold Resident vs. Nonresident (2020)



Source: U.S. Fish and Wildlife Service

Federal Pittman-Robertson and Dingell-Johnson funds from excise taxes on guns, bullets and fishing equipment are granted to states on a cost-reimbursement basis, where the state covers the full amount of an approved project and then applies for federal reimbursement up to 75 percent of the project expenses. The state must provide at least 25 percent of the project costs from a non-federal source. For both sources, states must submit project work plans for approval by the Department of Interior.

“Gun, ammo sales surge in Santa Fe”

-March 17th headline from the *Albuquerque Journal*

The limited ability of people to safely congregate in groups due to covid-19 has increased outdoor activity in both the state and nationwide.

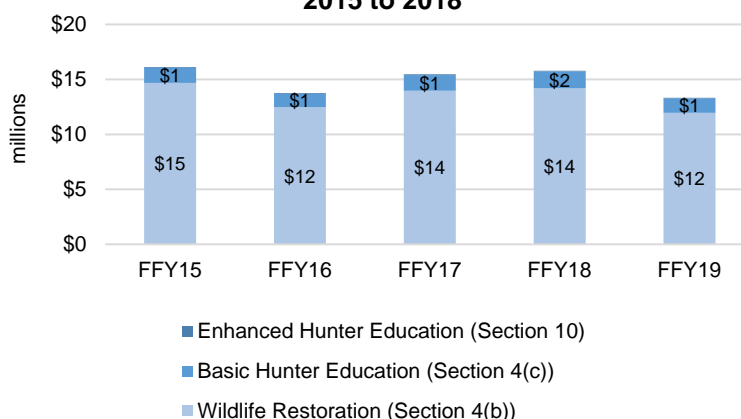
For Game and Fish, this likely means an increase in local hunting and fishing licenses. However, mandated quarantines for some out-of-state travelers could impact the number of nonresidents hunting and fishing in New Mexico.

While the impact on license fees is still unknown, most expect federal Pittman-Robertson and Dingell-Johnson excise tax revenues from guns, ammunition and fishing equipment to grow significantly. One telling point of information: The FBI reported conducting record numbers of background checks for gun purchases in March 2020.

Federal Pittman-Robertson funds for game conservation and hunter education are the department's second largest revenue source, between \$14 million and \$20 million annually. In 1937, Congress passed the Federal Aid in Wildlife Restoration Act. The act, colloquially named for its sponsors, Nevada Senator Key Pittman and Virginia Representative Absalom Willis Robertson, dedicates an 11 percent excise tax on rifles, shotguns, and ammunition to states to conserve bird and mammal game species through wildlife research, habitat restoration, and hunter education. Subsequent amendments to Pittman-Roberson extended the 11 percent tax to archery equipment and a 10 percent tax to handguns.

Each year, Pittman-Robertson funds from these taxes are apportioned to states for wildlife restoration projects, and hunter education and safety. The funds can be used for up to 75 percent of project costs for up to two years. Apportioned funds not obligated by the state within two years are no longer available.

Chart 6. New Mexico's Direct Apportionment of Pittman-Robertson Funds, Federal Fiscal Years 2015 to 2018



Source: Congressional Research Service, 2019

Federal Dingell-Johnson funds for sport fish restoration and boating access provide the department approximately \$6.5 million annually. In 1950, the Federal Aid in Sport Fish Restoration Act, better known as the Dingell-Johnson Act, instituted a 10 percent tax on fishing equipment to fund fisheries research, habitat restoration, fish stocking, and public access to fishing.

Like Pittman-Robertson, the fishing-related tax revenues are apportioned for a number of uses. Because New Mexico is an inland state with relatively few wetlands, Dingell-Johnson revenues directed to New Mexico are mainly from the sport fish restoration fund. Those funds are allocated to states via a formula based on the number of licensed anglers in the state, and the state's land and water area.

Projects that Game and Fish can use sport fish restoration funds for include land acquisition, boating access development (at least 15 percent of the apportionment), research projects, operations and maintenance of public fishing areas, hatchery and lake construction, and maintenance, sport fish population management, fishing habitat improvements, coordination projects, and aquatic resource education (only up to 15 percent of apportionment).

The department receives slightly more than \$1 million annually in federal Wildlife and Cooperative Endangered Species grants for the conservation of non-game wildlife. While Pittman-Robertson and Dingell-Johnson funds are generally restricted to game and sport fish restoration and hunting and fishing activities, a condition of receiving both is that the state have a comprehensive strategic plan for its wildlife conservation, recreation, and education projects, “giving appropriate consideration to all wildlife.” The state must base the plan on the best available science, receive public input, and revise it at least once every 10 years.

To help fund planning and implementation of the conservation activities for non-game species, the U.S. Fish and Wildlife Service grants states annual funds under their State Wildlife Grant program. Over the past five federal fiscal years, New Mexico was apportioned an annual average of \$838 thousand in State Wildlife Grant funding. In turn, Game and Fish could use their State Wildlife Grant funding for conservation planning or implementation activities that directly relate to its wildlife strategic plan. Also, as part of the federal Endangered Species Act, states are able to apply to the U.S. Fish and Wildlife Service for grants to support conservation projects for species listed as candidates, proposed for, and listed on the federal endangered species list. States must contribute a minimum non-federal match of 25 percent of the estimated program costs of approved projects, or 10 percent when two or more states or territories implement a joint project.

Revenues from Sikes Act fund stamps and habitat management stamps add another approximately \$2 million annually to department revenues.

State law requires the purchase of most adult hunting and fishing licenses include a mandatory \$4 state habitat management stamp, the proceeds of which can only be expended for the improvement, maintenance, development and operation of property for fish and wildlife habitat management. Further, hunters and fishers wishing to hunt or fish on national forest or U.S. Bureau of Land Management properties are also required to buy an additional \$5 stamp. Funds from each stamp programs are approximately \$1 million annually. The \$1 million from the federal lands stamp is spent according to cooperative plans developed between Game and Fish and the U.S. Department of Agriculture (for Forest Service lands) and the U.S. Department of Interior (for Bureau of Land Management lands) and under the guidance of a local volunteer citizen advisory committee.

The department collects approximately \$100 thousand from penalties annually. Violations of the state's game and fish laws and departmental regulations are usually classified as misdemeanors, except in the case of unlawful (out of season or without a license) and wasteful (leaving the meat of the animal behind) hunting of bighorn sheep, ibex, oryx, Barbary sheep, elk, or deer. Unlawful and wasteful hunting of these big game animals is a fourth-degree felony, punishable by a sentence of up to 18 months' imprisonment and a fine of \$5,000. The felony classification is relatively new – adopted in the 2017 legislative session – and its impact on the level of poaching is unclear. Fines for other illegal activities outlines in Section 17-2-10 NMSA 1978 can be found in Appendix G. In addition, the department may bring an additional civil action against any person unlawfully wounding, killing, or possessing any game or fish to compensate the state for the loss of its wildlife.

As with Pittman-Robertson and Dingell-Johnson funds, states are apportioned a certain amount of State Wildlife Grant funds each year, but states only receive these funds on a per-project basis, with grant funding available to cover up to 75 percent of planning projects and 65 percent of implementation projects.

Table 2. Minimum Civil Penalties in 17-2-26 NMSA 1978

Species	Penalty
Fish	\$5
Bird	\$20
Beaver	\$65
Javelina	\$100
Turkey	\$150
Raptor	\$200
Deer	\$250
Antelope	\$250
Barbary sheep	\$250
Elk	\$500
Black bear	\$500
Cougar	\$500
Endangered species	\$500
Bison	\$600
Mountain sheep	\$1,000
Ibex	\$1,000
Oryx	\$1,000
Jaguar	\$2,000

Source: 17-2-26 NMSA 1978

The Department of Game and Fish could have expended an additional almost \$2 million in federal funding on fishing projects in New Mexico but the funding is no longer available. Over the last four federal fiscal years, the Department of Game and Fish received approximately 90 percent of the major federal funds apportioned to it, but the department has a better track record of using some federal funding sources than others. To receive the federal funds apportioned to it, the department must submit individual projects to the Department of Interior for approval and reimbursement. In the case of Pittman-Robertson and Dingell-Johnson, Game and Fish has up to two years to obligate the funds apportioned to it, making it difficult to track dollars apportioned to dollars granted to dollars expended during a state or federal fiscal year. However, when looking at a four-year average, the department appears to be receiving most of the total of the Pittman-Robertson and State Wildlife Grant funds apportioned to it but receiving less, about 73 percent, of the Dingell-Johnson (fishing) funds apportioned to it.

Table 3. U.S. Department of Interior Federal Funds Apportioned Versus Granted to the New Mexico Department of Game and Fish

Federal Funds Apportioned	Source	Use	FFY16 to FFY19 Annual Avg.
	Pitman-Robertson	Wildlife Restoration and Basic Hunter Education	\$14,507,506
	Pitman-Robertson	Enhanced Hunter Education	\$80,220
	Dingell-Johnson	Sport Fish Restoration	\$6,285,563
	State Wildlife Grants	State Wildlife Grants	\$853,514
Subtotal Apportioned:			\$21,726,804

Federal Funds Granted	Source	Use	FFY16 to FFY19 Annual Avg.
	Pitman-Robertson	Wildlife Restoration and Basic Hunter Education	\$14,381,754
	Pitman-Robertson	Enhanced Hunter Education	\$45,133
	Dingell-Johnson	Sport Fish Restoration	\$4,573,834
	State Wildlife Grants	State Wildlife Grants	\$819,996
Subtotal Granted:			\$19,820,717

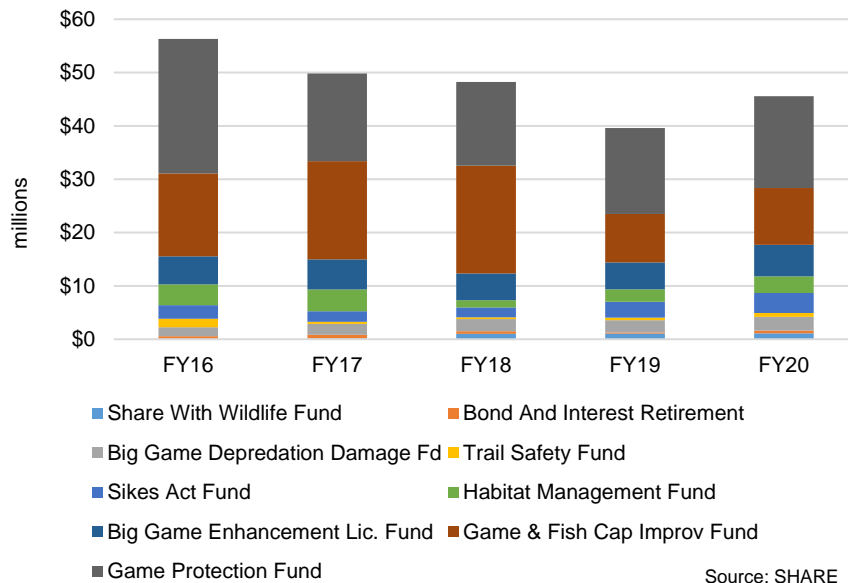
Source: <https://www.usaspending.gov> from Jan. 22, 2020

Department Cash Balances Have Fallen Since FY16 but Remain Over 100 Percent of Annual Revenues and Earn the Department Nearly \$1 Million Annually in Interest

The department's FY18 financial audit noted, "Since the department generates all of its revenues via dedicated, nonreverting funds, there is less incentive to spend all available funds to justify higher future budgets or to minimize reversions to other funds." In the last quarter for FY16, the department was carrying fund balances of \$56.3 million – or approximately 140 percent of its \$40 million annual revenues. Since that time, the department has reduced its cash balances to \$45 million – mainly from increasing expenditures from the department's operating game protection fund and capital fund. State statute notes interest gained from each of these funds must be credited back to these funds, resulting in an additional \$1 million in revenue for the department annually. The financial audit also noted these healthy cash balances have allowed the department to forgo increasing hunting and fishing license fees – the major source of revenue for the game protection and big game enhancement funds.

In addition to the department's \$40 million operating budget, it has spent \$29.5 million in capital outlay in the past four years, including \$22.5 million on habitat restoration and \$7 million on administrative buildings. This money is composed primarily of federal grants revenue appropriated via the legislative capital outlay process. The department plans to spend another \$20 million on habitat restoration in the next five years, as well as \$8 million on two new office buildings – in the northeast and southwest parts of the state. The department recently completed an office building in Roswell.

Chart 7. Department of Game and Fish June Fund Balances



The Department of Game and Fish keeps federal grants, license, and permit revenues and other funds in one of eight operating funds or its one capital fund. The department's two major operating funds are the game protection fund and the big game enhancement fund. The two comprise approximately 80 percent of the department's funds. Game and Fish's capital projects fund is primarily composed of federal grants revenue, appropriated via the state legislative process.

In the department's FY21 operating budget (submitted to LFC in 2020), the department planned to receive \$41.9 million in federal funds and other revenues while carrying approximately \$43 million in fund balances (most fiscal year records in SHARE show the actual fund balances closer to \$45 million.) Most of the funds are directed to the department's game protection fund, a nonreverting fund with statutory restrictions limiting transfers out of the fund. See Appendix K for details on the department's funds.

Aligning Priorities Between Game and Fish and the Legislature Could Benefit Wildlife

Legislative Transfers to Other Agencies Should be the Products of Collaborations Between the Legislature and Other Natural Resources Agencies

Federal and state law provide that the collection and disbursement of license fees must stay in control of Game and Fish and that those fees may not be diverted for any other purpose than administration of the fish and wildlife agency (Section 17-1-14 NMSA 1978 and 50 CFR 80). However, transfers away from Game and Fish are not prohibited, but they also cannot be made at the behest of the Legislature without agreement from the Game Commission.

Despite the separation, there are potential benefits from increased collaboration between the Legislature and the department. The Legislature is the appropriating body under state law, and expenditures from the state general fund shall be made only in accordance with appropriations authorized by the Legislature (Section 6-4-2 NMSA 1978). While the Department of Game and Fish receives no direct appropriations of state funds, the department does often leverage state general fund dollars from other state agencies as a required nonfederal match for land management projects of common interest. The Legislature might consider more global initiatives when making appropriation decisions than the Game Commission potentially creating differing priorities.

Because Game and Fish has federal funds that could be leveraged for a number of land management projects under different state agencies and because state agencies are already using some Legislatively appropriated state funds to support Game and Fish projects, the state likely would benefit from increased collaboration between the Legislature and Game and Fish. The advantages of collaboration between the Legislature and the department would include long-term planning for the state as a whole, as opposed to a more siloed approach.

In 2019, the governor vetoed language in the General Appropriation Act, that transferred game protection funds from the Department of Game and Fish to State Parks. From FY17 to FY19, \$500 thousand a year was transferred from the game protection fund to the Energy, Minerals and Natural Resources Department to support hunting, fishing, trapping and wildlife conservation work on state park properties. In developing the FY20 budget, the Legislature again attempted to transfer money from the game protection fund to State Parks. This time, however, sportsmen's groups and the department opposed the transfer, arguing it represented an unlawful diversion that could jeopardize the state's continued access to Pittman-Robertson and Dingell-Johnson funds. According to federal statute, a diversion consists of "any use of revenue from hunting and fishing licenses for a purpose other than the administration of the state fish and wildlife agency."

To avoid this diversion issue, the 2019 General Appropriation Act passed the Legislature with language for the Department of Game and Fish that said "the

other state funds appropriations to the conservation services program of the department of game and fish include five hundred thousand dollars (\$500,000) from the game protection fund for the management, enhancement and conservation of public wildlife habitat pursuant to Section 17-1-5.1 NMSA 1978 and the federal Pittman-Robertson Wildlife Restoration Act and the federal Dingell-Johnson Sport Fish Restoration Act at New Mexico state park properties.” The governor however again subsequently vetoed the language, noting that the language attempted to control federal funds that were allocated pursuant to federal laws.

The executive does not consider transfers from the game protection fund to support the operations of two dams as unlawful. The long-standing transfers to the Office of the State Engineer provide \$100 thousand to operate Ute Dam and \$82.3 thousand for Eagle Nest Dam. According to the Interstate Stream Commission (ISC), the commission entered an agreement with the Department of Game and Fish in 1962 under which the department provides funds to support the ongoing operation and maintenance of Ute Dam and ISC transferred jurisdiction over recreation in Ute Reservoir to the department. The state purchased Eagle Nest Dam in 2002 to provide public recreation and to settle water rights disputes related to the reservoir. The department has since managed recreation at Eagle Nest Lake, while ISC operates the dam and administers the reservoir's water rights.

This sort of collaboration between the Legislature, Game and Fish, and other natural resources agencies shows there are good models for the three entities to work together for public benefit. Game and Fish and other Natural Resources agencies should explore new ways to collaborate that might elevate the work of all partners and eliminate potential duplication of work, as illustrated by the capital outlay request examples in the side bar.

Game and Fish uses state general fund resources as non-federal match for hunting and fishing projects by partnering with State Forestry and State Parks. To fulfill its duty to provide and maintain an adequate supply of game and fish within the state of New Mexico, the department must manage land and habitat. To do so, the department must also often partner with other state entities. State Parks and State Forestry divisions of the Energy, Minerals, and Natural Resources Department (EMNRD) have similar missions to manage land and wildlife habitat and the Department of Game and Fish benefits from relationships with each of these divisions. Some examples:

In exchange for State Forestry providing the 25 percent non-federal match, Game and Fish lends some of its annual federal Pittman-Robertson funds to the division for thinning and other projects, mainly on U.S. Forest Service Land. In a similar arrangement, for several years, Game and Fish has provided the 75 percent federal Dingell-Johnson funding for boating access projects at reservoirs run by State Parks.

Combined, Game and Fish provided \$4.4 million to EMNRD between FY17 and FY20. These partnerships, a good financial deal for EMNRD, benefits Game and Fish because these projects are ultimately good for keeping hunters and anglers satisfied and continuing to purchase licenses year after year – thus maintaining the department's largest source of revenue. In these cases, Game and Fish is also getting EMNRD to foot the bill for the required 25 percent state share of their federal Pittman-Robertson and Dingell-Johnson revenues, thus freeing the department's use of hunting and fishing license revenues for other projects.

Multiple capital outlay requests from different agencies for habitat restoration for FY22 highlight opportunities for collaboration

For FY22, New Mexico's natural resource agencies submitted several request for capital outlay funding that were either duplicative in nature (NMED and Game and Fish) or were directly looking to leverage or subsidize Game and Fish's resources (EMNRD and OSE)

These requests included:

\$2.5 million request from Game and Fish for general habitat restoration.

\$10 million request from the State Forestry division of EMNRD for forest thinning – work which the division specifically mentioned leveraging Pittman-Robertson funds for.

\$1.5 million request from the Environment Department for river habitat restoration.

\$11.75 million request from the Office of the State Engineer for dam rehabilitation, including on five dams owned by Game and Fish (Fenton Lake, Eagle Nest, Bear Canyon, McGaffey Lake, and Laguna del Campo.)

Greater Collaboration or Restructuring of the State's Natural Resource Agencies Could Reduce Duplication and Enhance Public Benefits

At least 17 states have combined the work of a state parks, state lands, and game management agencies because of the close alignment of their functions. Within the region, both Colorado and Utah have single state natural resources agencies. Colorado combined its parks and wildlife management into a single division under the state's consolidated Department of Natural Resources in 2011. The merger was made to increase efficiencies and save money, with the governor at the time estimating the state would save \$3 million to \$4 million annually.

Excerpt from Colorado Parks and Wildlife's "2014 Path Forward" regarding the 2011 merger of the Colorado State Parks and Colorado Division of Wildlife:

Even before the merger, the two former divisions shared similar values and objectives. ... Today, there are more commonalities between the two former divisions than there are differences. The existing 2010 strategic plans for both agencies highlighted the importance of conservation and management of natural resources and the importance of outdoor recreation. As a merged agency, CPW has an opportunity to provide a multitude of essential functions for the state of Colorado and its visitors in an even more effective manner.

Source: <https://cpw.state.co.us/aboutus/Pages/PathForward.aspx>

States with a Single State Natural Resources Agency

- Colorado
- Connecticut
- Georgia
- Hawaii
- Illinois
- Iowa
- Maryland
- Minnesota
- Missouri
- Nevada
- New Jersey
- New York
- North Carolina
- Ohio
- Rhode Island
- Utah
- Wisconsin

House Bill 80, introduced in 2011, would have combined the Department of Game and Fish and EMNRD in New Mexico. The bill proposed a Game and Fish Division with EMNRD and would have dissolved the State Game Commission and transferred those duties to the new division. EMNRD provided the following agency response for the fiscal impact report related to the bill: "On the policy level, there are advantages to housing the state's wildlife management programs within a larger natural resources agency. There is currently considerable interaction between existing EMNRD programs and Game & Fish, and such interaction would ultimately be enhanced by unified agency."

Combining the work of Game and Fish and EMNRD under a single cabinet-level agency would inherently give the Legislature more comprehensive oversight of the expenditures and activities of its natural resources agencies in the absence of collaboration between Game and Fish and the Legislature.

A similar bill introduced that same year would have merged EMNRD, the Environment Department, and the Department of Game and Fish, however it would not have dissolved the State Game Commission. The Government Reorganization Task Force at the time estimated long-term savings from the merger likely would not reach into the millions of dollars, but would likely be closer to \$200 thousand.

Recommendations

The Legislature may want to reconsider the merits of consolidating the Department of Game and Fish with other state land-management agencies into a comprehensive natural resources department.

However, if the Legislature does not act on consolidation, the Legislature may consider creating a working group comprising secretaries from applicable state agencies, LFC, and Department of Finance and Administration to help align priorities between the Legislature and Game and Fish.

Performance and Activity Reporting by the Department Could be Improved

No Performance Measures Reflect Game or Fish Populations Despite This Being the Primary Mission of the Department

Department of Game and Fish Mission Statement

“To provide and maintain an adequate supply of wildlife and fish within the state of New Mexico by utilizing flexible management system that provides for their protection, propagation, regulation, conservation, and for their use as public recreation and food supply. “

Between allocating hunting licenses, managing and maintaining threatened and endangered wildlife, and prioritizing land management projects, the department oversees activities of interest to most, if not all New Mexicans. However, basic metrics like animal populations and allocation of elk tags to private land owners – issues of interest to many hunters and conservationists – are not regularly reported by the department.

The Department of Game and Fish does report 19 quarterly performance measures to LFC and the Department of Finance and Administration as part of its obligation under the state Accountability in Government Act. Many of the measures provide an interesting insight into the department's operations, (e.g., the percent of state-threatened, endangered species or candidate species studied and conserved, or the percent of anglers satisfied with opportunity and success.) However, none of the measures directly show the population levels of fish or game animals populations, even though the statutory mission of the department is to provide and maintain an adequate supply of game and fish within the state of New Mexico. (See Appendix J for most recent performance measures.) Monitoring game and fish populations is important in preventing the depletion of wildlife resources and determining usage of species and their ecosystems, setting harvest limits and methods, protecting wildlife habitat, educating the public, enforcing game laws, researching wildlife ecology, and mitigating human-wildlife conflict.

Despite the popularity of elk hunting and proportionally high revenue to the department from elk hunting, Game and Fish does not report on elk population levels. Direct reporting of the size of big game herds and populations of nonstocked native fish would be a more obvious way of measuring if Game and Fish is accomplishing its mission. The department already must make these population estimates on a semi-regular basis to set hunt levels and make fish stocking decisions. There is no performance measure on elk populations.

Department of Game and Fish's FY21 Accountability in Government Act Performance Measures

1. Number of conservation officer hours spent in the field checking for compliance
2. Number of hunter and conservation education programs delivered by field staff
3. Number of special field operations to deter, detect and apprehend off-highway vehicle and game and fish violators
4. Number of citations issued per one hundred contacts
5. Number of elk licenses offered on an annual basis in New Mexico
6. Percent of public hunting licenses drawn by New Mexico resident hunters
7. Annual output of fish from the department's hatchery system, in pounds
8. Percent of anglers satisfied with opportunity and success
9. Acres of accessible sportsperson opportunity through the open gate program
10. Percent of state-threatened, endangered species or candidate species studied and conserved through the state wildlife action plan and other state programs
11. Percent of New Mexico youth participating annually in education and outreach programs
12. Percent of noncompliance with wildlife laws.
13. Number of mentored and youth hunting opportunities.
14. Number of youth hunting opportunities.
15. Percent of depredation complaints resolved within the mandated one-year timeframe
16. Number of educational publications viewed or distributed with a message about minimizing potentially dangerous encounters with wildlife
17. Percent of wildlife complaints responded to
18. Number of working days between expenditure of federal funds and request for reimbursement from federal treasury from the close of the accounting period
19. Average department-wide vacancy rate for the fiscal year

The department should also report on how it prioritizes spending to maintain and manage different game and fish species populations. This is especially true as license revenue differentials create a baked-in incentive for the department to manage for elk herd growth over deer or other big game. In response, the department could begin reporting on all big game population numbers, as well as expenditures targeted at specific big-game species to ensure stakeholders that management decisions are inclusive of scientific information regarding trends and concentration of species.

The Department of Game and Fish has an incentive to manage species and habitats in a way that grows the numbers of game animals. When that happens, the department can sell more licenses to both directly fund the department and indirectly increase the federal funds the department receives. However, the outsized proportion of fees the department receives for elk creates an incentive to prioritize elk herd expansion, potentially over other game species. For example, a 1 percent increase in the number of elk permits from 2019 levels would yield the department over \$80 thousand in revenue, while the same increase for deer only yields about \$20 thousand.

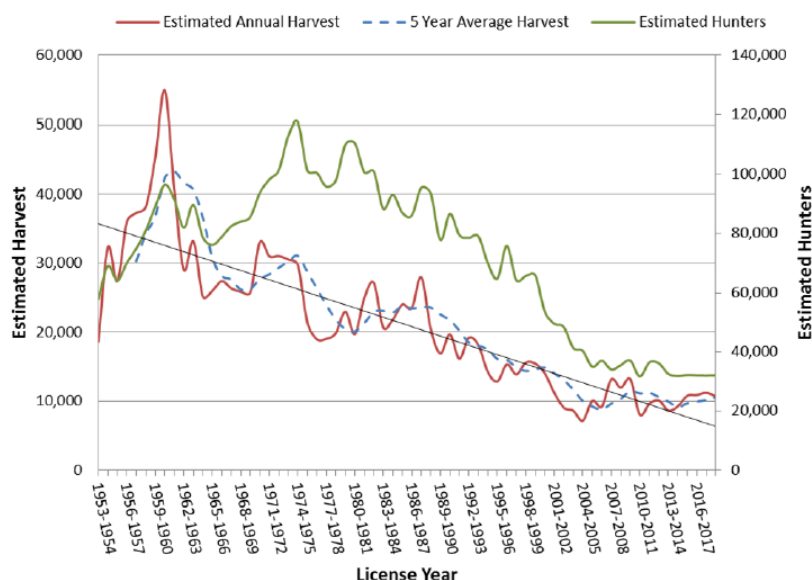
This is notable because elk and deer often occupy similar habitats and sometimes compete for forage, water, and habitat. As a result, if the department wanted to manage for a larger mule deer herd, it might need to shrink the elk herd, which would, over time, lead to fewer elk licenses and lower revenues. In other cases, the department may need to prioritize habitat restoration that benefits mule deer specifically, even though the finances of the department do not incentivize that directly.

Table 4. Potential Revenue from Increasing Permit Sales by 1 Percent

Tag	Resident/Non	1% more tags from 2019	Revenue from 1% more tags
Elk	Nonresident	119	\$65,212
	Resident	251	\$15,087
	Total Elk	370	\$80,299
Deer	Nonresident	31	\$8,892
	Resident	280	\$11,484
	Total Deer	312	\$20,376
Oryx	Nonresident	3	\$4,837
	Resident	19	\$2,995
	Total Oryx	22	\$7,832
Barbary Sheep	Nonresident	3	\$1,007
	Resident	15	\$1,676
	Total Bar. Sheep	18	\$2,684
Pronghorn	Nonresident	4	\$1,177
	Resident	24	\$1,436
	Total Pronghorn	28	\$2,614
Ibex	Nonresident	1	\$1,380
	Resident	5	\$540
	Total Ibex	6	\$1,920
Javelina	Nonresident	1	\$171
	Resident	14	\$887
	Total Javelina	15	\$1,058
Bighorn Sheep	Nonresident*	0	
	Resident	1	\$98
	Total BH Sheep	1	\$98

* Only 19 bighorn sheep tags were sold to nonresidents in 2019, so the increase would need to be 6% or more to add an additional \$3,173 tag.
Source: NMDGF

Chart 8. Estimated Annual Deer Hunters and Harvest in New Mexico 1953 through 2018



Source: Western Association of Fish and Wildlife Agencies' 2019 Range-wide Status of Black-tailed and Mule Deer

Of course, revenue is not the only factor in how the department makes game management decisions. The department reports management objectives to the Western Association of Fish and Wildlife Agencies for ratios for mule deer fawns to does and bucks to does (both of which have held steady since 2001) but does not report objectives for deer herd populations size, making it difficult to understand the success of the department's deer management efforts.

The Department Receives Federal Funding for Nongame Species Habitat Management and Restoration but Does not Account for how Those Investments Affect Endangered Species

The department receives over \$1 million annually in federal grants to support habitat management and restoration for nongame species and should account for how those investments affect endangered species populations, especially those that are federally listed as threatened or endangered.

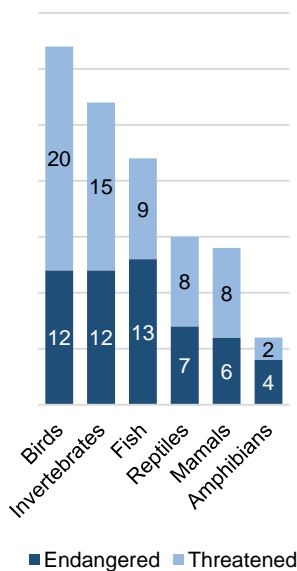
The department is tasked with managing and maintaining threatened and endangered wildlife but does not report on the effectiveness of its investments in recovering endangered species. In the early 1920s, Game and Fish was established with a statutory purview to maintain adequate populations of hunted and fished animals. However, subsequent state and federal laws have tasked the department with monitoring and maintaining all wildlife populations, with specific focus on those that are threatened or endangered, regardless of their status as hunted or fished species. The state threatened and endangered species lists are distinct from the federal endangered species list, except that state statute makes it is unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship any species of wildlife on either the federal or state endangered list.

As of 2018, the state considered 54 species endangered, though the federal Endangered Species Act listed only 23 of those species as such. The major differences between the state Wildlife Conservation Act and the federal Endangered Species Act (ESA) is that the ESA provides that land necessary for the survival of the species should be designated as critical habitat and the prohibition against "taking" a listed species includes the destruction of critical habitat. This further restriction is not in place at the state level, and therefore, a listing of a species as endangered federally bears much more consequence than it does being listed at the state level. At the state level, habitat protection of endangered species is voluntary, with statute only dictating the director "establish such programs, including programs for research and the acquisition of land or aquatic habitat, as authorized and deemed necessary by the commission for the management of endangered species."

The Existing License System in New Mexico Favors Landowners and Nonresidents Compared With Systems in Some Neighboring States

Wildlife are a publicly owned resource managed by states in trust for their citizens. Sportsmen obtain licenses to hunt through state wildlife agencies, whether they intend to hunt on state, federal, or private land. When there is more demand than supply – such as for elk licenses in New Mexico – agencies distribute licenses through a lottery in a "public draw" that gives preference to state residents over out-of-state hunters and allows state residents to pay lower fees for their tags. However, New Mexico programs to incentivize private landowners to manage their lands to benefit wildlife counteract that preference.

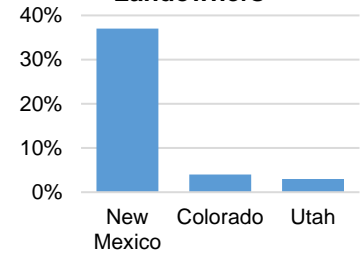
Chart 9. New Mexico Threatened and Endangered Species



Source: Department of Game and Fish
Threatened and Endangered
Species Biennial Review Reports.

New Mexico's landowner incentive program for elk habitat, known as the elk private land use system (EPLUS), grants hunting vouchers to landowners enrolled in the program, which they may use themselves or sell on the private market. The requirements for enrollment in the New Mexico program are far more permissive than similar programs in Colorado and Utah. Additionally, New Mexico allocates a much greater proportion of its overall license quota to private landowners. This decreases the number of licenses available to the public at large through the already highly competitive lottery. In 2019, 78 thousand hunters applied for 22 thousand elk licenses. New Mexico residents are most impacted because most landowner vouchers are bought by out-of-state hunters. In 2019, 76 percent of landowner vouchers in the state's primary elk management zone were converted into nonresident licenses.

Chart 10. Percentage of 2019 Licenses Allocated to Private Landowners



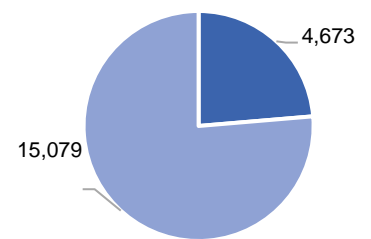
Sources: NMDGF, Colorado Parks & Wildlife, Utah Division of Wildlife Resources

Table 5. Requirements for Participation in the Landowner Incentive Program

New Mexico	No minimum acreage. Properties must receive a minimum score of 7 in a Game and Fish assessment of qualities that contribute to "meaningful elk habitat."
Colorado	Minimum 160 acres, and the number of tags landowners are eligible for is proportional to their acreage. In addition, the private lands must be occupied by the game species in significant numbers throughout the year; must provide winter range, transitional habitat, calving areas, solitude, migration corridors or forage; have a history of game damage of a huntable population of the species; be within a unit for which rifle licenses are limited.
Utah	Minimum 10,000 contiguous acres. Private landowner tags may only be used on private land, and at least 10% of the tags allotted to a private unit go into the public draw.

The EPLUS program overwhelmingly benefits out-of-state hunters. The Department of Game and Fish is required by statute to offer at least 84 percent of licenses available through the public draw to residents and at least 10 percent to hunters using the services of New Mexico outfitters. That typically leaves 5 percent to 6 percent for nonresident hunters. The same restrictions do not apply to authorizations issued to landowners through the EPLUS system, however, and out-of-state hunters utilize the private system at far greater rates than New Mexico hunters, accounting for 76 percent of authorizations converted into licenses from 2017 to 2019. The high utilization of EPLUS by nonresidents is financially beneficial to the department because they pay significantly higher license fees, but that same private system likely creates opportunity for wealthier, out-of-state hunters at the expense New Mexico residents. Accounting for both the public and private systems, in-state residents purchased 74 percent of the elk licenses issued from 2017 to 2019, nonresidents purchased 21 percent, and hunters with outfitter contracts purchased 5 percent. This seems to go against the legislative intent that 84 percent of available licenses be offered to New Mexico residents and puts the state in contract with some its other western neighbors that cap the number of non-resident tags at 10 percent (including Montana and Arizona.)

Chart 11. Subsequent Sales of EPLUS Authorizations Overwhelmingly go to Out-of-State Hunters



■ Resident EPLUS Licenses, 2017-19
 ■ Non-Resident EPLUS Licenses, 2017-19

Source: Department of Game and Fish

Hunters buying elk licenses from private landowners are less likely to submit a hunting report to the Department than hunters participating in the public draw. For the 2018 hunt, only 7,843 of the 13,274 hunters (66 percent) who purchased private lands elk licenses reported back to the department on if they were successful in killing an elk, and what kind of elk they killed. This is in comparison to the 23,575 public draw hunters who reported back to the department 92 percent of the time. This higher reporting from the public draw reporters makes sense because the department clearly states on its website that any applicant who fails to file a mandatory harvest report will have all future draw applications rejected. However, departmental

rules go farther, noting that "licensed or permitted hunters or trappers who fail to report the results of their hunting or trapping activities prior to the annual specified deadlines for any trapping license, special entry hunt application(s) [draw], population management authorization(s) or private land authorization(s), submitted for the following license year, will have their purchase or applications rejected" (19.30.10.8.G. NMAC.) It is unclear if the department is failing to enforce this rule for the private land licenses, or if those licenses are being used by nonresidents or others unlikely to hunt in New Mexico in the future.

The department uses information from the hunt reports to set sustainable hunt levels in future years. As private landowner authorizations constitute approximately half of the available licenses for elk in a given year, increased reporting information from this group would likely help the elk managers at the department make better decisions to manage the herd.

Recommendations

The State Game Commission should consider amending EPLUS system to be more in line with neighboring states.

The Department of Game and Fish should work with LFC and Department of Finance and Administration to add Accountability in Government Act measures to report

- Population levels of big game species
- The ultimate beneficiaries (resident or non) of EPLUS elk tags.
- The number of species down-listed from the state and federal threatened and endangered species list

GOVERNOR
Michelle Lujan Grisham



DIRECTOR AND SECRETARY
TO THE COMMISSION
Michael B. Sloane

STATE OF NEW MEXICO DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507
Post Office Box 25112, Santa Fe, NM 87504
Tel: (505) 476-8000 | Fax: (505) 476-8123
For information call: (888) 248-6865

www.wildlife.state.nm.us

STATE GAME COMMISSION
SHARON SALAZAR HICKEY
Chair
Santa Fe
ROBERTA SALAZAR-HENRY
Vice-Chair
Las Cruces
JIMMY RAY BATES, SR.
Albuquerque
GAIL CRAMER
Mayhill
THOMAS J. LOPEZ
Cebolla
DAVID SOULES
Las Cruces
JEREMY VESBACH
Placitas

October 27, 2020

The Honorable Senator John Arthur Smith
Chair, Legislative Finance Committee
New Mexico State Capital Building
325 Don Gaspar, Suite 101
Santa Fe, NM 87501

RE: Report #20-04 – Performance of the Department of Game and Fish

Dear Senator Smith:

The Department appreciates the time and energy LFC staff put into the program evaluation of our Agency, especially given the challenges we all are facing. The report highlights the collaboration the Department undertakes to further legislatively approved projects and identifies areas for further discussion to improve performance reporting.

Specifically, the report recognizes the collaboration between the Department and the State Forestry and State Parks Divisions as examples of the means by which the Department assists other Agencies in extending the funds appropriated to them by the legislature. The Department works diligently with other State Agencies through many channels including formal legislatively directed participation on the Water Trust Board, Water Quality Control Commission, Forest and Watershed Restoration Advisory Board, and the Mining Commission as well as informally through participation on the River Stewardship Application Review Team, and weekly meetings with the Secretaries of EMNRD and Environment Departments, State Engineer, and the Office of the Natural Resources Trustee. The Department seeks opportunities to collaborate with these entities and others such as Soil and Water Conservation Districts through use of available Federal funds that might otherwise not be spent in New Mexico (i.e., as noted in the report, Federal funds are only made available for a finite period before they are no longer available to the State). We will continue to look for and take advantage of opportunities to collaborate that benefit the wildlife, wild lands, and citizens of New Mexico.

Regarding Performance Measures, the report highlights measures the analysts believe may be more appropriate measure of performance. The Department recognizes that the current Performance Measures have remained essentially unchanged since they were developed after the passage of the Accountability in Government Act. We are open to discussion of mutually agreeable measures that might better reflect the outstanding work our Agency does across the vast landscapes of our State.

Senator John Arthur Smith
October 27, 2020
Page -2-

Finally, the Department recognizes the report touches on several other policy areas that may be worthy of further exploration by the State Game Commission. The Department will ensure that the State Game Commission is copied with the report.

Again, thank you for dedicating staff time to evaluating the Department. We very much appreciate the perspective and look forward to continuing to work to better New Mexico.

Sincerely,



Michael B. Sloane
Director

Appendix A. Evaluation Scope and Methodology

Evaluation Objectives.

- Review the mission, revenues, expenditures, and activities of the department and its governing Game Commission. Examine how they compare with game and wildlife agencies in other states.
- Determine how the expenditures of Game and Fish are related to the health and population levels of the wildlife species they manage.
- Assess current partnerships between the department and other state and federal land and natural resource agencies, as well as with the state-funded economic development activities.

Scope and Methodology.

- Reviewed:
 - Applicable statute and administrative code.
 - LFC file documents.
 - SHARE purchase orders and contract data.
 - Agency policies and procedures, and data.
 - National and local best practices.
 - Relevant performance measures, administrative data, and related documents.
- Interviewed appropriate staff and stakeholders.
- Researched evaluation reports from other states and national groups as well as academic literature.

Evaluation Team.

Micaela Fischer, Program Evaluation Manager
 Nathan Eckberg, Esq., Program Evaluator
 Mitch Latimer, Program Evaluator
 Cally Carswell, Program Evaluator

Authority for Evaluation. LFC is authorized under the provisions of Section 2-5-3 NMSA 1978 to examine laws governing the finances and operations of departments, agencies, and institutions of New Mexico and all of its political subdivisions; the effects of laws on the proper functioning of these governmental units; and the policies and costs. LFC is also authorized to make recommendations for change to the Legislature. In furtherance of its statutory responsibility, LFC may conduct inquiries into specific transactions affecting the operating policies and cost of governmental units and their compliance with state laws.

Exit Conferences. The contents of this report were discussed with Department of Game and Fish Director and staff, and State Game Commission Chair and Vice-Chair on October 22, 2020.

Report Distribution. This report is intended for the information of the Office of the Governor, Department of Finance and Administration, Office of the State Auditor, and the Legislative Finance Committee. This restriction is not intended to limit distribution of this report, which is a matter of public record.



Jon Courtney, Ph.D.
 Deputy Director for Program Evaluation

Appendix B. Game Commission Authority

The authority of the Game Commission is, in summary:

- 1) **To define** game birds, game animals, and game fish;
- 2) **To authorize or prohibit the killing or taking** of any game animals, game birds or game fish of any kind or sex;
- 3) **To establish bag limits, seasons, methods, vehicles, and devices** that may be used in hunting, fishing, capturing, or killing game birds, animals, and fish;
- 4) **To close seasons** in any locality and on any species of game or fish threatened with undue depletion from any cause – with specific authority to limit hunting and fishing in specially designated areas for migratory birds, streams or lakes, or in areas under extreme forest fire danger;
- 5) **To establish hunting and fishing licenses, permits, and certificates** and charge and collect just and reasonable fees for them; provided the fees shall not exceed the costs of administration associated with the licenses, permits or certificates;
- 6) **To suspend or revoke any license or permit** and withhold license privileges from any person procuring a license through misrepresentation, violating any provisions of Chapter 17 NMSA 1978 or hunting without a proper license;
- 7) **To permit and regulate hunting guides and outfitters;**
- 8) **To authorize the establishment and operation of regulated propagated game bird shooting preserves on private lands;**
- 9) **To license private parks, lakes, and preserves to keep and propagate game and fish animals;**
- 10) **To establish "small" public game refuges** for the purpose of providing safe sanctuaries in which game may breed and replenish adjacent hunting ranges;
- 11) **To purchase and receive lands** for fish hatcheries, game, and those to be maintained perpetually as public hunting grounds, particularly lands suitable for waterfowl hunting;¹
- 12) **To apply for and accept any grants or donations** from state, federal or private sources for game and fish programs and projects;
- 13) **To issue and sell up to \$2 million in state bonds** for fish hatcheries, game and fish habitat acquisition, development and improvement projects, or other similar capital outlay projects;
- 14) **To restock game and fish** by propagating, capturing, purchasing, transporting or selling any species;
- 15) **To establish and operate fish hatcheries** for stocking public state waters, and for a fee, to stock private waters;²
- 16) **To close or restrict lands to vehicle operation,** in consultation with the landowner or land management agency;
- 17) **To conduct studies** of programs for the management of endangered and nongame species of wildlife;
- 18) **To permit, regulate, or prohibit the commercial taking or capturing of native amphibians or reptiles** not specifically protected by law, except for rattlesnake roundups, collection of fish bait and lizard races;
- 19) **To control, eradicate or prevent the spread of contagious diseases and aquatic invasive species,** including parasites and chronic wasting disease;
- 20) **To designate areas of the state in which bear-proof garbage containers are required** on public and private lands to reduce potential human-bear interactions;
- 21) **To expend money from the game protection fund and the habitat management fund** for the improvement, maintenance, development, and operation of property for fish and wildlife habitat management;
- 22) **To recruit, train and accept the services of volunteers** for education and outreach activities, hunter and angler services and wildlife conservation activities administered by the department; and
- 23) **To appoint advisory committees** for wildlife management projects utilizing revenue derived from the sale of public land management stamps.

¹ All such lands to be paid for from the game protection fund 17-1-14. B.4 NMSA 1978

² Receipts go into the game protection fund 17-1-14. B.1 NMSA 1978

Appendix C. Department Programs

Conservation Services: 155 FTE, \$22.8 million. The conservation services program manages and conserves New Mexico's public wildlife resources and associated habitats for the benefit of wildlife, hunters, anglers, and other wildlife users. The program procures and manages wildlife habitat, provides technical assistance services and public and private landowner consultation regarding wildlife management, and works to educate all public sectors about the wildlife resources of the State. Four divisions are housed under conservation services.

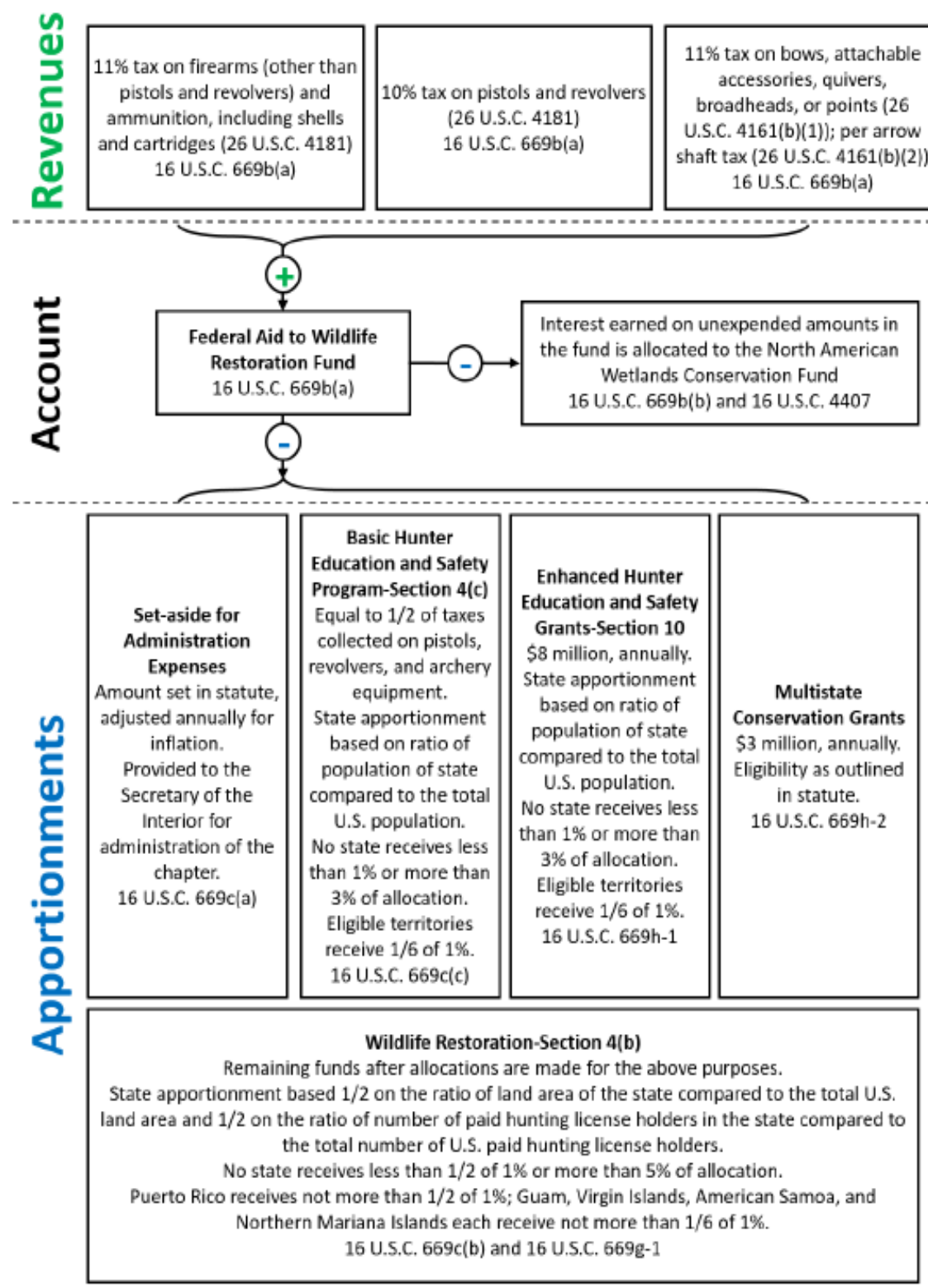
- The Wildlife Management Division maintains healthy game populations to provide for hunter opportunity and to increase and stabilize "species of greatest conservation need."
- The Fisheries Management Division manages six state fish hatcheries, producing approximately 13,000,000 and works to restore native trout to historically occupied habitats in several large watersheds, and restore or enhance aquatic habitats to improve angling opportunities in large rivers and small reservoirs.
- The Ecological and Environmental Planning Division provides technical guidance to avoid, reduce, or mitigate project impacts to wildlife and wildlife habitats.

Field Operations: 102 FTE, \$9.4 million. The field operations program promotes and assists in the implementation of the department's supported law enforcement, resource management, habitat and public outreach throughout New Mexico. Clients served include those who hunt, fish, trap, and other stakeholders. According to the Department's 2021 appropriations request, Field operations currently has 102 employees (an approximate 20 percent vacancy rate), including 80 conservation officers. In the past year, conservation officers have contacted over 64 thousand hunters, anglers, and trappers in the field for compliance checks and public safety and have contacted thousands more citizens during patrols, public safety requests or assisting other agencies and have issued over 2,500 citations for wildlife violations.

Program Support: 56 FTE, \$7.6 million. Program support provides functional and administrative support to direct service divisions through fiscal, human resources, information technology, legal, management, and administrative support in the areas of personnel, budget, procurement, contracting, capital projects, system support and counsel services.

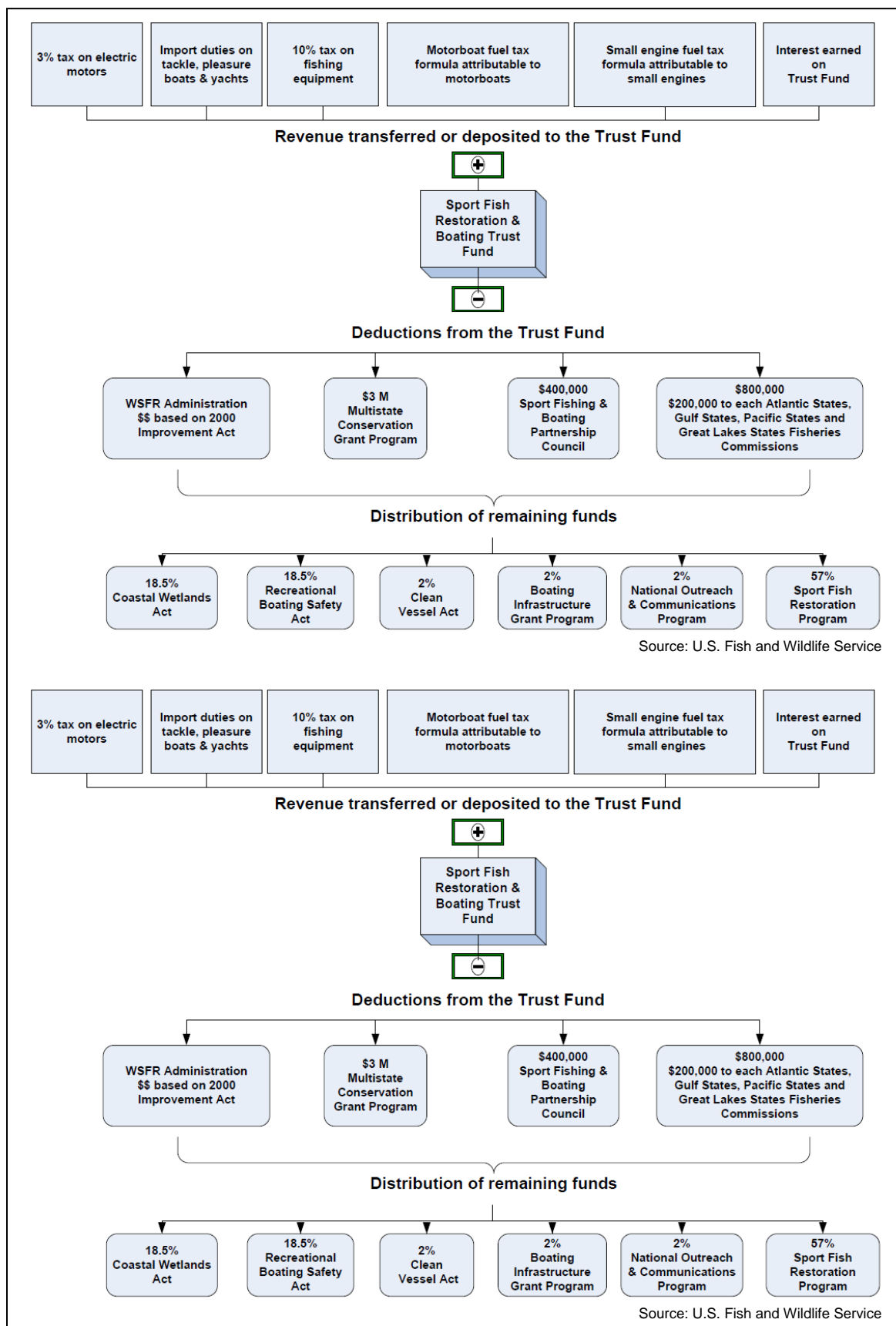
Wildlife Depredation and Nuisance Abatement: 4 FTE, \$1 million. The wildlife depredation and nuisance abatement program provides complaint administration and interventions to private landowners, leaseholders, and other New Mexicans to relieve them of and preclude property damage, annoyances, or risks to public safety caused by protected wildlife.

Appendix D. Pittman-Robertson Revenue Sources and Apportionments



Source: Congressional Research Service (CRS), with information from 16 U.S.C. §§669 et seq.

Appendix E. Dingell-Johnson Revenue Sources and Apportionments



Appendix F. Department of Game and Fish License Fees and Special Licenses

Type	Resident	Nonresident
Bighorn sheep ram	\$150	\$3,150
Oryx	\$150	\$1,600
Barbary sheep	\$100	\$350
Ibex	\$100	\$1,600
Elk bull or either sex	\$80	\$525
Bighorn sheep ewe	\$75	\$3,150
Javelina	\$55	\$155
Antelope	\$50	\$260
Elk cow	\$50	\$315
Junior-senior elk	\$48	Not Issued
Bear	\$44	\$250
Cougar	\$40	\$280
Deer	\$31	\$260
Fishing and game hunting combo	\$30	Not Issued
Fishing	\$25	\$56
Turkey	\$25	\$100
Temporary fishing, five days	\$24	\$24
Senior and handicapped game hunting and fishing	\$20	Not Issued
Trapper	\$20	\$345
Junior-senior deer	\$19	Not Issued
Fur dealer	\$15	\$125
Game hunting (squirrel and game birds except turkey)	\$15	\$65
Junior fishing and game hunting comb.	\$15	Not Issued
Senior and handicapped game hunting	\$15	Not Issued
Temporary fishing, one day	\$12	\$12
Less than 100% disabled veteran fishing and game hunting comb.	\$10	Not Issued
Junior game hunting	\$10	\$15
Junior trapper	\$9	Not Issued
Senior and handicapped fishing*	\$8	Not Issued
Junior fishing	\$5	\$15
Second rod validation	\$4	\$4
Temporary fishing, ten days, junior, Boy Scouts property	\$2	\$2
100% disabled veteran fishing, deer, and game hunting card (lifetime)	\$0	Not Issued
Quality deer	Not Issued	\$345
Quality elk	Not Issued	\$750
Temporary game hunting, four days	Not Issued	\$33
Nongame Hunting License (prairie dogs, ground squirrels, Himalayan tahr, porcupine, rabbits, coyotes, and skunks)	Not Issued	\$65

‡ Prices for big game and turkey are as listed in Section 17-3-13 NMSA 1978 or elsewhere in Section 17. Prices listed in the department's website and 2020-21 handbook are between \$3 and \$23 dollars more each for big game.

* Section 17-3-13 NMSA 1978 lists the \$8 fee as for "Resident, senior, handicapped, fishing" while the department fishing handbook for 2019-20 lists the \$8 fee as for seniors age 65-69, and fishing licenses for seniors over 70 as free.

Some other special licenses include:

- **Landowner permits:** Under Section 17-3-14.2 NMSA 1978, the Game and Fish director can authorize permits to landowners for elk, antelope, oryx, and deer to effectively reduce conflicts between humans and wildlife and provide sport-hunting opportunities. The most common version of these permits are awarded through the department's "EPLUS" system for elk. The director is also authorized under Section 17-3-31 to grant permits to owners or lessees of land for the capture or destruction on their lands of any protected game doing damage to their cultivated crops or property. However, Section 17-5-4 notes that livestock producers do not need a permit to take bobcats that are damaging livestock. The director can also grant permits, "preferably to owners or lessees of land," to trap beaver that interferes with the operation of any lawful canal, ditch or dam, or cause or threaten the destruction of private property. The beaver can either be transferred to a different stream or killed, provided the skins of beaver killed are turned in to the director, to be sold, and half the proceeds of the sale are returned to the permit holder.

-
- Special permits to fund species-specific management: As with most other western states, the New Mexico Department of Game and Fish can authorize that revenues from some permits be directed to specifically benefit the species the permit is for. These permits are often for high-demand permits, like a bull elk permit in the Valles Caldera, and auctioned off for a fee by a third party such as the Rocky Mountain Elk Foundation. Statute allows for the following permits to be dedicated in this manner 1) up to four of the existing bighorn ram permits, 2) two special "enhancement" permits for bull elk, one auctioned and one granted by lottery, 3) two special "lieutenant governor's" permits for deer, one auctioned and one granted by lottery, 4) as many permits for Gould's turkey for auction or lottery as determined by the department, 5) up to 12 big game and 12 game bird or trophy fish to the governor to auction off to raise fish and wildlife conservation funds, and 6) as many enhancement "packages" (with one each of elk, deer, oryx, ibex, and antelope) to be auctioned to fund big game habitat enhancement as determined by the department.

Big game permits remaining after permits are granted to landowners, special governor's, lieutenant governor's, and other enhancement packages are granted via lottery ("the draw"). As per 17-3-16 NMSA 1978 enacted in 2011, 84 percent of all these remaining permits must go to New Mexico residents, with the remaining 16 percent allocated for nonresidents and hunters that contract with registered hunting outfitters.

**Auction Price for 2019
Governor's Special Hunt
Auction Packages**

Elk Hunt - Unit 34 or 36	\$11,000
Turkey Package - two person	\$1,250
Mule Deer Hunt - Unit 2	\$20,000
Desert Hunt Package: Javelina, Quail	\$450
Rio Grande Cutthroat Trout	\$550
Elk Hunt - Unit 16A-E	\$42,000
Coues Deer Hunt	\$5,500
Warm Water Fishing Trip	\$300
Elk Hunt - Unit 55	\$10,500
Exotics Hunt Package: Oryx, Barbary Sheep	\$7,500
Mule Deer Hunt - Units 4 or 5	\$12,000
Turkey Package - one person	\$700
Pronghorn Hunt	\$21,000
Ibex Hunt	\$17,000
Total	\$149,750

Source: New Mexico Department of Game and Fish

**Auction Price for 2019
Governor's Special Hunt
Auction Packages**

Elk Hunt - Unit 34 or 36	\$11,000
Turkey Package - two person	\$1,250
Mule Deer Hunt - Unit 2	\$20,000
Desert Hunt Package: Javelina, Quail	\$450
Rio Grande Cutthroat Trout	\$550
Elk Hunt - Unit 16A-E	\$42,000
Coues Deer Hunt	\$5,500
Warm Water Fishing Trip	\$300
Elk Hunt - Unit 55	\$10,500
Exotics Hunt Package: Oryx, Barbary Sheep	\$7,500
Mule Deer Hunt - Units 4 or 5	\$12,000
Turkey Package - one person	\$700
Pronghorn Hunt	\$21,000
Ibex Hunt	\$17,000
Total	\$149,750

Source: New Mexico Department of Game and Fish

Appendix G. Violations and Penalties

Activity	First Violation	Second Violation	Third Violation: At least 90 days in county jail and...
Illegally taking, attempting to take, capturing, or possessing a jaguar (each)	\$2,000	\$4,000	\$6,000
Illegally taking, attempting to take, capturing, or possessing an elk, bighorn sheep, oryx, ibex or Barbary sheep (each)	\$1,000	\$1,500	\$3,000
Selling, offering for sale, offering to purchase or purchasing any big game animal	\$1,000	\$1,500	\$3,000
Take, possess, transport, export, process, sell or offer for sale or ship endangered species	\$1,000 and between 30 days and one year prison		
Acting as a hunting guide or outfitter without registering as such	\$500	\$1,000	\$2,000
Illegally taking, attempting to take, capturing, or possessing a deer, antelope, javelina, bear, or cougar (each)	\$400	\$600	\$1,200
Exceeding the bag limit of any big game species	\$400	\$600	\$1,200
Falsifying in-state residency	\$400	\$600	\$1,200
Using artificial light while hunting	\$300	\$500	\$1,000
Attempting to exceed the bag limit of any big game species	\$200	\$600	\$1,000
Manner and method rule infraction	\$125		
Shooting at, flying at, or otherwise menacing fish or wildlife from an aircraft.	\$100 to \$500 and between six months and one year prison		
Hunting small game without a license	\$100		
Hunting big game without a proper and valid license	\$100	\$400	\$1,000
Using a license issued to another person	\$100	\$250	\$1,000
Fishing without a license	\$75		
Fishing, hunting or trapping without the proper stamp or validation	\$50		
Violating a permit to take, possess, transport, export or ship endangered or threatened species	\$50 to \$300 and up to 90 days prison		

Source: Section 17-2-10, 17-2-10.1, 17-2-45, 17-3-45 NMSA 1978

Appendix H. Capital Outlay

Fund	Amount	Description	Year	For Expenditure
Game and fish bond retirement	\$100.0	For improvements to facilities statewide	2012	FY12 through FY16
Game protection	\$547.5	For improvements to facilities statewide	2012	FY12 through FY16
	\$150.0	Plan, design, construct, equip and landscape a cold water fish production facility in Santa Rosa	2013	
Game and fish bond retirement	\$1,475.0	For designing and constructing Bear Canyon Dam	2013	FY13 through FY17
Game protection	\$8,725.0	Facility Renovations	2013	FY13 through FY17
Habitat Management	\$2,100.0	Design and construction of Bear Canyon Dam, replace pipeline at Seven Springs Hatchery, construct and renovate Lake Roberts Dam and Improve wildlife management areas statewide	2013	FY13 through FY17
Game protection	\$400.0	To restore degraded landscapes and wildlife habitats	2014	FY14 through FY18
Game and fish bond retirement	\$250.0	to replace irrigation ditch with new pipeline at the Rock Lake warm water hatchery in Santa Rosa	2014	FY14 through FY18
Game and fish bond retirement	\$350.0	Design and improvements related to safety rules compliance at Laguna del Campo Lake dam in Rio Arriba County	2014	FY14 through FY18
Game and fish bond retirement	\$150.0	Plan design and construct a watershed education center in the Pecos watershed in San Miguel County	2014	FY14 through FY18
Game and fish bond retirement	\$100.0	Demolition of condemned buildings, silos and clarifier at Seven Springs hatchery in Sandoval County	2014	FY14 through FY18
Game and fish bond retirement	\$125.0	To purchase and install alternative energy systems at state game commission-owned properties	2014	FY14 through FY18
Game and fish bond retirement	\$250.0	To improve existing shooting ranges and to plan, design, and construct new shooting ranges statewide	2014	FY14 through FY18
Game and fish bond retirement	\$300.0	Design and installation of a fish migration barrier at Costilla creek located within Valle Vidal unit of Carson National Forest in Taos County to protect Rio Grande cutthroat trout	2014	FY14 through FY18
Game and fish bond retirement	\$150.0	Laguna del Campo Lake Dam safety	2014	FY14 through FY18
Habitat Management	\$200.0	Design and installation of a fish migration barrier at Costilla creek located within Valle Vidal unit of Carson National Forest in Taos County to protect Rio Grande cutthroat trout	2014	FY14 through FY18
Game and fish bond retirement	\$200.0	Improvements related to safety compliance at state-game-commission-owned dams and lakes and associated dams and spillways statewide	2015	FY15 through FY19
Game and fish bond retirement	\$500.0	Wildlife and fisheries renovation and riparian habitat restoration statewide	2015	FY15 through FY19
Game protection	\$4,500.0	To acquire land for and to plan, design, construct, equip, and furnish a northwest area office in Bernalillo County	2015	FY15 through FY19
Game protection	\$1,800.0	Improvements related to safety compliance at state-game-commission-owned dams and lakes and associated dams and spillways statewide	2015	FY15 through FY19
Game protection	\$2,000.0	Wildlife and fisheries renovation and riparian habitat restoration statewide	2015	FY15 through FY19
Trail Safety	\$200.0	Build off-highway vehicle recreation parks statewide	2015	FY15 through FY19
Game protection	\$7,000.0	To acquire land for and to plan, design, construct, equip, and furnish area offices in Albuquerque and Roswell	2016	FY16 through FY20
Game protection	\$5,500.0	To plan, design and construct improvements related to safety compliance at state-game-commission-owned dams and lakes and associated dams and spillways statewide	2016	FY16 through FY20
Game protection	\$1,000.0	To plan, design, construct and improve new and existing shooting ranges statewide	2016	FY16 through FY20
Big Game Enhancement	\$500.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2016	FY16 through FY20
Game protection	\$1,000.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2016	FY16 through FY20
Habitat Management	\$500.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2016	FY16 through FY20
Trail Safety	\$600.0	Construct off-highway vehicle recreation parks statewide	2016	FY16 through FY20
Game protection	\$1,000.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2018	FY18 through FY22
Habitat Management	\$1,000.0	Plan design and construct improvements related to safety compliance at dams owned by state game commission and at publicly owned lakes associated dams and spillways statewide	2018	FY18 through FY22
Habitat Management	\$2,000.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2018	FY18 through FY22

Game protection	\$3,000.0	Renovate hatcheries	2018	FY18 through FY22
Game protection	\$1,000.0	Plan design and construct improvements related to safety compliance at dams owned by state game commission and at publicly owned lakes associated dams and spillways statewide	2018	FY18 through FY22
Game protection	\$1,200.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2018	FY18 through FY22
Game protection	\$500.0	Plan, design, construct and improve new and existing shooting ranges statewide	2018	FY18 through FY22
Bond retirement	\$1,000.0	Renovate and make improvements at hatcheries owned by the state game commission statewide	2018	FY18 through FY22
Game protection	\$1,750.0	Fisheries renovation and wildlife and riparian habitat restoration statewide	2018	FY18 through FY22
Game protection	\$1,000.0	For wildlife and riparian habitat restoration and for improvements at properties owned by state game commission	2019	FY19 through FY23
Total FY12 through FY19:	\$54,122.5			

Appendix I. Special Appropriations

Department of Game & Fish Special Appropriations

Category	Amount	Description	GAA
Other state funds	\$200,000	To replace law enforcement vehicles	2012
Other state funds	\$250,000	From game protection fund to remove feral swine from state trust land	2013
Other state funds	\$250,000	From game protection fund for legal expenses	2014
Other state funds	\$460,000	From game protection fund for vehicle and equipment replacement	2014
Other state funds	\$150,000	From game protection fund to contract for grant module	2014
Other state funds	\$525,000	From the game protection fund for radios and other equipment to upgrade law enforcement vehicles	2015
Other state funds	\$350,000	From game protection fund for hardware and software	2015
Other state funds*	\$500,000	From the game protection fund to support hunting, fishing and trapping activities and wildlife conservation measures on state park properties	2015
Other state funds*	\$500,000	From the trail safety for the state parks program of the energy, minerals and natural resources department	2015
Other state funds*	\$500,000	From the game protection fund to support hunting, fishing and trapping activities and wildlife conservation measures on state park properties	2016
Other state funds*	\$500,000	From the trail safety for the state parks program of the energy, minerals and natural resources department	2016
Other state funds*	\$500,000	From the game protection fund to support hunting, fishing and trapping activities and wildlife conservation measures on state park properties	2017
Other state funds*	\$500,000	From the trail safety for the state parks program of the energy, minerals and natural resources department	2017
Other state funds	\$500,000	From big game enhancement fund to determine the impacts of the Mexican wolf population on elk population	2018
Other state funds	\$500,000	From habitat management fund to rehabilitate a concrete flood irrigation system at Bernardo waterfowl management area	2018
Other state funds	\$500,000	From game protection fund to replace boats and other off-highway vehicles for law enforcement	2018
Other state funds*	\$500,000	From the game protection fund to support hunting, fishing and trapping activities and wildlife conservation measures on state park properties	2018
Other state funds*	\$100,000	From the game protection fund for Ute dam operations	2018
Other state funds	\$82,300	From the game protection fund for Eagle Nest dam operations	2018
Other state funds*	\$100,000	From the game protection fund for Ute dam operations	2019
Other state funds*	\$82,300	From the game protection fund for Eagle Nest dam operations	2019
Total FY12 through FY19:	\$3,658,000		

Source: LFC Files, GAAs

*Other state funds transfers authorized in GAA language, not special appropriations

Appendix J. Performance Measures

TABLE 2

Department of Game and Fish Performance Measures Summary

51600

Purpose/Measure		FY19 Actual	FY20 Actual	FY21 Budget	FY22 Request	FY22 Recomm
P716	Field Operations					
	The purpose of the field operations program is to promote and assist the implementation of law enforcement, habitat and public outreach programs throughout the state.					
* Output	Number of conservation officer hours spent in the field checking for compliance	48,056	47,230	56,000	56,000	
Output	Number of hunter and conservation education programs delivered by field staff	810	493	800	800	
Output	Number of special field operations to deter, detect and apprehend off-highway vehicle and game and fish violators	229	135	300	300	
Explanatory	Number of citations issued per 100 contacts	2.58:100				
P717	Conservation Services					
	The purpose of the conservation services program is to provide information and technical guidance to any person wishing to conserve and enhance wildlife habitat and recover indigenous species of threatened and endangered wildlife.					
* Outcome	Number of elk licenses offered on an annual basis in New Mexico	36,877	37,045	35,000	35,000	
* Outcome	Percent of public hunting licenses drawn by New Mexico resident hunters	88%	84%	84%	84%	
Outcome	Percent of anglers satisfied with opportunity and success	89.1%	92.8%	90%	90%	
* Output	Annual output of fish from the department's hatchery system, in pounds	670,851	666,738	660,000	660,000	
Output	Acres of accessible sportsperson opportunity through the open gate program	208,488	209,990	210,000	210,000	
Output	Percent of state-threatened, endangered species or candidate species studied and conserved through the state wildlife action plan and other state programs	48%	51%	48%	48%	
Output	Percent of New Mexico youth participation annually through education and outreach programs	11%	5.5%	12%	12%	
Explanatory	Percent of noncompliance with wildlife laws					
Output	Number of mentored and youth hunting opportunities					
Output	Number of youth hunting opportunities					
P718	Wildlife Depredation and Nuisance Abatement					
	The purpose of the wildlife depredation and nuisance abatement program is to provide complaint administration and intervention processes to private landowners, leaseholders and other New Mexicans so they may be relieved of, and precluded from, property damage and annoyances or risks to public safety caused by protected wildlife.					
* Outcome	Percent of depredation complaints resolved within the mandated one-year timeframe	90%	92%	98%	96%	
Outcome	Percent of wildlife complaints responded to	100%	100%	99%	99%	
Output	Number of educational publications viewed or distributed with a message about minimizing potentially dangerous encounters with wildlife	891,050	785,800	850,000	850,000	
P719	Program Support					
	The purpose of program support is to provide an adequate and flexible system of direction, oversight, accountability and support to all divisions so they may successfully attain planned outcomes for all department programs.					
Outcome	Number of working days between expenditure of federal funds and request for reimbursement from federal treasury from the close of the accounting period	10	10	18	20	
Outcome	Average department-wide vacancy rate for the fiscal year	15%	15%	9%	9%	

* - recommended for General Appropriation Act

Friday, August 28, 2020

Appendix K. Game and Fish Internal Fund Description

Funds at the Department of Game and Fish

Fund	Revenue Source	Use	FY19 Revenue	End of FY19 Balance
Game Protection Fund	Federal grants (primarily Pittman-Robertson and Dingell-Johnson), license fees, court fines and forfeitures, other penalties, crop sales, interest on investments, and land rental or lease income.	The Department's general operating fund.	\$39,155,857	\$15,955,887
Capital Projects Fund	Legislative appropriations and surplus funds from the Bond Retirement Fund.	For Commission- approved fish hatcheries, as well as game and fish habitat acquisition, development and improvements and other similar capital projects	\$14,484,533	\$8,917,604
Big Game Enhancement Fund	A subsidiary account under the game protection fund that receives revenues from enhancement hunting permits for elk, deer, bighorn sheep, and Gould's turkey, as well as from federal grants	Revenues are earmarked exclusively for the preservation, restoration, and management of those species	\$2,522,213	\$5,055,652
Habitat Management Fund	The sale of required \$4 habitat management stamps for anyone purchasing a hunting or fishing license or wildlife-associated recreation permit	For the improvement, maintenance, development and operation of property for fish and wildlife habitat management	\$1,289,014	\$2,473,935
Sikes Act Fund	The sale of required \$5 Sikes Act stamps on licenses of people intending to hunt or fish on federal public lands	For projects outlined in management plans between the Commission and the federal Forest Service and Bureau of Land Management	\$1,253,052	\$3,124,028
Trail Safety Fund	Revenues from off-highway motor vehicle registration and user fees, grants and donations	No more than thirty percent of the fund for administrative overhead, and at least fifty percent devoted to law enforcement and education. Other uses include information system development and management, resource monitoring and protection, and trail building, maintenance and restoration	\$843,036	\$619,325
Big Game Depredation Fund	The sale of required \$5 (resident) or \$10 (nonresident) big game depredation damage stamps for anyone purchasing a big game hunting license	To correct damage to federal, state or private land caused by big game and to prevent such damage in the future	\$579,295	\$2,307,705
Bond Interest and Retirement Fund	One dollar from every resident fishing, hunting, or trapper license, and every non-resident fishing, temporary fishing, small game, and deer license.	For the payment of principal and interest on all state game commission bonds which have been issued and are outstanding	\$277,962	\$254,450
Share with Wildlife Fund	A subsidiary account under the game protection fund that receives federal grants, gifts, hunting and fishing licenses, and various other sources, including donations through a state income tax form check-off and fees from specialty license plates	Supplemental funds to support nongame wildlife projects	\$237,420	\$1,070,218

*Earnings from investment of each of these funds is credited to the fund

Source: NMDGF FY19 Financial Audit, NMSA Chapter 17 and LFC files