

AWF Newsletter

NOVEMBER 2008

Founded by Aldo Leopold in 1914 to protect and perpetuate our wildlife and natural resources

GENERAL MEETING

WHEN: Thursday, November 13, 2008 — 7:30 pm
WHERE: Manzano Mesa Center (map p4)
PROGRAM: — Depredation in New Mexico —
How and Why to Change the Statute

The current New Mexico depredation statute, known as the Jennings Law, allows landowners to remove wildlife which threatens their life, property, or crops. AWF's Wildlife Issues Committee has been researching this law and related NMDG&F Rule since March, when the killing of dozens of antelope using decidedly inhumane methods brought the statute into question. The law provides no recourse against the landowner for the deplorable fashion in which he carried out his "right" to protect his fields.

AWF is hosting a program about the Jennings Law. **Brian Gleadle**, Chief of Northwest Area Operations for the NM Dept of Game & Fish (and the newest AWF Board Member), will present the Department's take on the depredation issue and the Rule which governs their authority, and where things stand toward developing statute revision recommendations for the upcoming 2009 Legislative Session.

We will share with you the analysis and comments developed by our Wildlife Issues Committee and efforts to date, and you'll have an opportunity to participate in discussion and a question/answer session. **We encourage you to attend and be part of this important meeting**, which will help us all understand the legislative process and

Occasionally, landowners will kill depredating game eating their pasture or crop. This can be a conflict as a landowner may kill or want others to kill the game...yet still receive landowner permits he can sell or give away....This creates inconsistency or conflict because, on one hand, the game should be removed, and on the other, it should be present for hunting opportunities.

Department of Game & Fish, Fiscal Impact Report in Support of Proposed Amendments to Jennings Law, 2003

how AWF members may influence an amendment to this statute to define standards of behavior for those who benefit from it.



*With more than 21 years of experience with NMDG&F, **Brian Gleadle** is responsible for the coordination, management and leadership of field staff throughout the Northwest quadrant, including the Albuquerque field office. He was born and raised in the Gallup and Grants area, and graduated from New Mexico State University with a BS in Wildlife Science.*

Jim Hubert's NOTABLE QUOTE of the month

"The sole purpose of this Federation (Wildlife) is to get word down to the voters and have them do the speaking directly to their elected official of government."

—Jay Norwood "Ding" Darling
First president of the National Wildlife Federation
(circa 1938)

PRESIDENT'S MESSAGE

Many of you have likely forgotten about the foraging antelope that were killed by a Cimarron area landowner this last winter. The **Albuquerque Journal** has a video displaying how gruesome and cruel the slaughter was. In total, 48 antelope were killed, most with a shotgun using small shot; many were chased with an ATV to a fenced area where escape was not possible

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and then shot. As the **Journal** video shows, many animals were left wounded on the ground to die a slow painful death. This person did not have the decency to put the animals out of their misery. Perhaps he anticipated not being able to afford the shells because of the crop loss caused by the antelope.

The Department of Game and Fish (G&F) tried to intervene on the public's (our) behalf to stop the slaughter. They repaired a section of the landowner's fence to demonstrate that improvement to his existing fence would suffice to keep the antelope off his land. The landowner refused repair to the rest of the fence surrounding his land. It seems he did not believe that fence repairs would solve the problem.

But being of a logical mind he herded the next group of trespassing antelope, using his ATV, toward the recently repaired fence. Just as predicted by G&F, the antelope would not cross. A reasonable person would have repaired the rest of the fence. That is not what happened; instead this person used his trusty old shotgun and slaughtered those stupid animals that didn't have the brains to jump the fence and escape his wrath.



As the killing continued G&F informed the public, but they were powerless to take action because of the constraints of the "Depredation Assistance Rule (DAR)". At the April Game Commission meeting in Santa Rosa, G&F initiated

discussion about revising the DAR. After months of deliberation, at the October Game Commission meeting G&F released its revised rule—which **still** provides no limits on how many animals may be killed for trespassing on private land, or by what means.

Obviously this "revision" was a disappointment to those of us who hoped the change would establish a "rule of reason" regarding killing of wildlife to prevent crop losses. The G&F and Commission's response to the problem was that the law needs to be changed. This statute, referred to as the Jennings Law, was sponsored by powerful NM State Senator Tim Jennings from Roswell. Does Senator Jennings perhaps receive economic benefit from his law?

I hope Mr. Jennings did not intend unrestricted slaughter of wildlife as a reasonable means to prevent crop loss. If this is so, he ought to support change to prevent wanton, abhorrent, inhumane killing of wildlife. One solution might be to hold private landowners responsible for fencing their own property to prevent wildlife access.

At the October Game Commission meeting, Mr. Jennings stated how proud he was of his law. Knowing this, we realize change probably will not come easily. Which means we have no choice but to become involved in the political process. We will be asking for your help in a campaign to get this law changed. Come to our November meeting and become more informed.

— Gene Tatum

ANTELOPE MANAGEMENT PLAN

The New Mexico Department of Game and Fish is proposing a much-needed overhaul of its antelope management system. Currently only about 31% of pronghorn antelope permits are made available in the public draw, while approximately 69% of permits are handed out as subsidy permits for landowners to resell to the highest bidder (most often non-residents). Of the 30% of permits available in the drawing, only 78% are designated for resident hunters—with the end result that fewer than one-quarter of all antelope permits are designated for resident hunters in the drawing.

Wildlife is publicly owned by all of us and we cannot pass on the future of our hunting heritage with only 24 percent of the hunting opportunity in New Mexico designated to resident hunters in the drawing, and only 5 percent odds of drawing an antelope permit.

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VALLES CALDERA WITHDRAWS PLAN TO CHARGE \$7,500 FOR PUBLIC LAND ELK HUNTING

Hundreds of well-written letters from New Mexico Wildlife Federation members have paid off. The Board of Trustees for the Valles Caldera National Preserve has decided to withdraw a misguided proposal to charge exorbitant prices for the public to hunt on our own public land, and key decision-makers are listening to the need for a new management system at Valles Caldera. The experimental system of management at Valles Caldera was modeled after the land management system at the Presidio, an historic military post in urban San Francisco with almost no commonalities with "New Mexico's Yellowstone." The result is that currently the future of the Valles Caldera is almost totally reliant on federal earmarks. The long-term security of this public lands jewel depends on finding a new management system.

Although this plan has been withdrawn under public pressure, the Valles Caldera Board of Trustees still feels obligated to charge higher and higher fees for the public elk hunting opportunities at Valles Caldera. Currently the Board of Trustees is considering another avenue to maximize access fees.

OCTOBER PROJECT AT CEBOLLA CANYON

AWF hosted a second 2008 outing, over the third October weekend, to Cebolla Canyon on BLM land south of Grants. This time we created structures in a wetlands area not far from Cebolla Springs, to keep the water from draining into the creek and drying out the soil. Many, many sandbags were filled and transported to the necessary locations, where they were precisely placed, then covered with filter cloth, and finally adorned with dead brush and such to dissuade large animals from trampling on and destroying the dams. Thanks to all the sand scavengers, bag fillers, and dam builders for their strong muscles and backs!

On Sunday, some people trekked across Lobo Canyon to view the petroglyphs on the far side, while others walked from the campsite down into the huge arroyo where we have been working for several years, to install additional rock structures for stream channel modification. Hamish Thomson tells us he has seen fresh beaver sign, so we are hopeful that the creature still survives.

THANKS TO ALL
THESE GREAT
CEBOLLA CANYON
VOLUNTEERS!

Vincent, Marcie, Marco,
Eli, and Alec Amendolagine

Howard & Misako Bradley
Ian Ford

Bill & Connie Green

Patricia Hester

Glenda Muirhead

Karen Reagan

Toby Rosenblatt

Matt Schultz

Michael Scialdone

Jesse Slocum

Gene Tatum

Hamish Thomson

Bob Tilley

Jim Wilson

Both Friday and Saturday evenings, we all enjoyed the warmth and camaraderie provided by a well-tended campfire (plenty of dead branches around to collect), frosty temperatures for sleeping, and clear, rainless skies. The days were pretty exceptional, too.

Dale Hall, from the NMDG&F, was there in an official capacity with a photographer on Saturday to capture the project and participants on film for the Department's television program. Gene Tatum was interviewed extensively...watch for it!

Except for another one-day outing this Saturday (*see below*), that wraps up a remarkably productive and convivial 2008 project season. Join us again in 2009 for much more of the same!

PHOTO BY HAMISH THOMSON



Putting the finishing touches on one of the dams. Notice water already pooling behind...instant gratification. Bea the dog was an enormous help as well.

ONE MORE PROJECT!

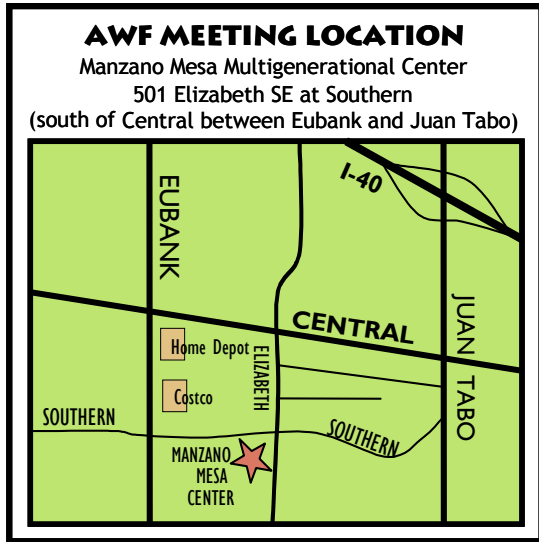
This Saturday, November 8, there will be a trail project at Placitas Open Space. As the name implies, it is near the town of Placitas, just 20 miles north of ABQ. If the forecast holds, it will be a perfect day to get out and do some trail maintenance and see a section of the ABQ Open Space system you are likely not familiar with. We could use some more people so please join us. Bill Velasquez will be heading up the project. To get details and more info, contact him at bvelasquez@gardnerzemke.com.

Afterwards from 3:30 to 5:30 or so, we will gather at the Anasazi Fields Winery in Placitas. This will also be the meeting spot for the car pool out to the project site. We will celebrate of year of great projects and discuss conservation issues in the greater Sandia region. You are welcome to participate in either the project, the Winery gathering, or both.

Michael Scialdone ("Scial")
AWF Volunteer Coordinator

Directions to Anasazi Fields Winery:

Drive north on I-25 from Albuquerque. Take Placitas exit #242 and go east on NM165. Drive 6.1 miles to Camino de Los Pueblitos Road and turn north. Look for the winery on the west side of the road.



AWF OFFICERS AND BOARD

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MEMBERSHIP APPLICATION

ALBUQUERQUE WILDLIFE FEDERATION, PO BOX 1234, ALBUQUERQUE, NM 87103

An affiliate of New Mexico Wildlife Federation

Please choose between **AWF MEMBERSHIP ONLY** or **AWF + NMWF MEMBERSHIP**. **AWF MEMBERSHIP ONLY** does **not** include membership in NMWF. **AWF + NMWF MEMBERSHIP** includes **one** voting membership in NMWF, for which \$10 of your dues payment goes to NMWF. For Family Membership, if a second person* desires NMWF voting rights, an additional \$10 payment is required.

➔ **PLEASE ✓ ONE :** **AWF MEMBERSHIP ONLY** **AWF + NMWF MEMBERSHIP** ↴

Designate NMWF member(s*) _____

name(s) _____

address _____

city, state, zip _____

phone _____ email _____

Gift membership from: _____

✓ **MEMBERSHIP CATEGORIES**

- Student [under 18].....\$10 ← [AWF Membership Only]
- Individual.....\$25
- Family\$35
- Sustaining..... \$50-\$99
- Patron.....\$100
- Lifetime.....\$500 ← [One-time Payment]

Dues \$ _____
 *Second NMWF Member \$10 _____
 Contribution \$ _____
TOTAL ENCLOSED \$ _____