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For immediate release

Game Commissioner benefits, public loses in bighorn sheep move

A member of the State Game Commission and major donor to Gov. Bill Richardson helped steer the relocation of 61 Rocky Mountain bighorn sheep to state land adjacent to his family's ranch in northeast New Mexico and now plans to establish a private wildlife viewing and hunting operation there.

Leo V. Sims II, a commission member from 2003 to 2010 and its chairman in 2006, traded his year-old business lease on more than 1,000 acres of State Trust Land in the sheep relocation area for a custom lease that eliminates hunting and other public recreational access for the next 50 years.

The bighorn sheep were transferred in 2007 and 2008 to state lands near tracts owned by Sims' family. There is no mention in Commission meeting minutes that Sims or the Department of Game and Fish informed other Game Commission members or the public that the sheep were heading toward Sims' family property. There was also no mention that Sims wanted to eliminate public hunting on the family leased state land.

(This information comes from open-records requests filed by the New Mexico Wildlife Federation.)

There is nothing wrong with wildlife transplants that benefit private landowners – if the decisions are made by those without a personal or family interest and when decisions are conducted with full knowledge of the public and stakeholders. But in this case, Game Commission minutes do not disclose that the transplants were planned on or near the family ranch of a Game Commission member. Furthermore, the current Commission chairman and the Department director failed to alert the public about the loss of access to public land, even though they were notified months ago.

The Transplants

Leo Sims, a Hobbs businessman who contributed $25,000 to Richardson's 2002 campaign for governor, was named by Richardson to the seven-member State Game Commission when Richardson took office in January 2003. He remained a commissioner until early 2010.

Sims' family is from southeast New Mexico, but his aunt and uncle, Winnie and Tom Kennann, own several thousand acres of land on the Dry Cimarron River near Clayton. They also held grazing leases on State Trust Land totaling more than 1,000 acres in the area. Together the Kennanns' deeded and leased land creates a block of several square miles that straddles State

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Highway 456 and the Dry Cimarron River. The Kennanns, through a corporation they operated, Leo V. Sims LLC, contributed $50,000 to Richardson in 2006.

In 2004, the Department of Game and Fish began working on a long-range plan for the state's Rocky Mountain bighorn sheep, including plans to transplant animals from the Pecos Wilderness and Wheeler Peak areas to other parts of the state. In the draft plan, only three potential relocation sites were named – the Rio Grande Gorge, the Bandelier National Monument area and the Sandia Mountains; the Dry Cimarron River was not on the list.

However, when the final bighorn plan was presented to the commission in 2005, Dry Cimarron had been added to the list of possible transfer sites. Department staff explained the addition by saying a small bighorn herd had been transplanted nearby in southeastern Colorado in 1980. They also wrote that, "Bighorn sheep, primarily rams, have been sighted in the Dry Cimarron country in New Mexico on numerous occasions." Recently acquired documents show the sources of that anecdotal information were a department staffer and personal communication with "L. Sims, rancher."

By the time the Game Commission approved the bighorn transplant plan in May 2006, the Dry Cimarron had risen to the top of the list. In approving the program, the commission instructed the department "to designate a Dry Cimarron River Bighorn Restoration Project, *the boundaries of which will be defined by the Department working with the Commission Chairman*, local citizens, landowners and sportsmen…." (emphasis added.)

Sims had become commission chairman several months earlier. But nowhere in the meeting minutes does it say his family owns and leases land in the transplant area, or that he had a personal or business interest in the transplant. The plan passed unanimously.

Likewise, when staff updated the Commission a year later, in May 2007, on the bighorn program and the department's upcoming plans to transplant animals to the Dry Cimarron, there is no mention in the minutes that Sims' family had land in the area.

The transplants occurred in August 2007 and August 2008. In the first, 34 sheep from the Pecos Wilderness were transplanted to State Trust Land near the Dry Cimarron. The following summer, another 27 bighorns were brought in to join the Dry Cimarron herd.

In a follow-up report in 2009, department staff estimated the cost of both transplants at $114,000, which included the salaries and benefits for approximately 70 employees for one week each. Annual monitoring costs of the herd are estimated at $20,000.

A 2009 survey found the herd had grown to about 70 animals, 55 of which were spotted on Sims' Wedding Cake Ranch.

Bighorn sheep are long-lived, slow-growing animals and hunting pressure in intentionally kept low to ensure a supply of trophy-sized rams. One New Mexico bighorn license recently sold for $210,000 as a fundraiser.

The Lease

Sims' aunt and uncle, the Kennanns, had grazing leases on several parcels of State Trust Land intermingled with their deeded land in the Wedding Cake Butte area. Winnie Kennann reassigned those state leases to Leo Sims in 2009. They were set to expire in 2014.

In 2010, however, Sims applied for a new lease on those lands – a business lease. According to his proposal to the State Land Office (attached), he plans to incorporate his State Trust Lands with his deeded lands, and then make the property available to groups such as Make a Wish and Chase a Dream "to allow challenged children an opportunity to hunt the private lands…."

The public would never know the details from the legal advertisement posted by the State Land Office, however. Although the ad (attached) ran for 10 weeks, it does not mention bighorn sheep, hunting or challenged children. The purpose of the lease, according to the public notice, is "enhancing the biological and ecological condition of the land through conservation efforts and low-intensity, non-consumptive recreational and guest ranching business."

According to Sims' business plan, lodging will be available on the leased land for "challenged children," and hunts for those children are planned on adjacent private lands. But the lease does not eliminate the possibility of offering lodging and paid hunts for antelope or other species on Sims' private lands now, nor on bighorn sheep should the Dry Cimarron bighorn herd become large enough to sustain a hunt – at perhaps tens of thousands of dollars apiece.

The State Land Office approved Sims' business lease in September 2010. In doing so, it extended the term from five to 50 years "to ensure long-term protection for the bighorn sheep population," office staff said in a Sept. 9, 2010, letter (attached) to Game and Fish Director Tod Stevenson and Commission Chairman Jim McClintic.

The new agreement also withdraws Sims' leased state lands from a statewide easement with Game and Fish that allows recreational access to State Trust Lands. Now, these public lands are off-limits to all hunters, anglers, wildlife viewers and other recreational users.

At the Game Commission's most recent meeting, held Oct. 28 near Ruidoso, neither Stevenson nor McClintic informed the State Game Commission or the public about the loss of hunting opportunity on more than 1,000 acres of state land in Dry Cimarron River area, or about Sims' plans to turn his family holdings into a hunting park for challenged children and perhaps others. Sims was present at the meeting to receive a special award from the Director and Chairman thanking him for his contributions to fish and wildlife management in New Mexico.