

**From:** [James O'Neill](#)  
**To:** [Austin, Carmelita, EMNRD](#)  
**Subject:** [EXTERNAL] Comments regarding 3.13.20 NMAC  
**Date:** Thursday, October 19, 2023 8:54:22 AM  
**Attachments:** [3.13.20, land conserv credit, 10-5-2023.docx](#)

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See attached.

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October 18, 2023

Carmen Austin  
EMNRD Forestry Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Dear Carmen Austin:

This is a comment for the record regarding the proposed amendments of Sections 7 through 15 of 3.13.20 NMAC.

The English language is more flexible than the politically-forward usually give it credit. Some simple revisions to your proposal will avoid having to get all twisted up with personal pronouns. Don't use them.

1. 3.13.20.7, Subsection U, definition of "Secretary". Strike "his or her" if you need to but replace that phrase with "the Secretary's". Using "their" is awkward and creates ambiguity. Besides, suppose "their" is not the Secretary 's personal pronoun of choice?
2. 3.13.20.8, Subsection H, references to married individuals: "their" substitutes for "his or her" four times. It is my understanding that in all marriages, each of the partners may be referred to as a spouse. Using "their" creates ambiguity, especially here when the married couple could be referenced. Substitute "the spouse's".

Sincerely,

James P. O'Neill