

From: [Duke Sheppard](#)
To: [Mason, Wendy, EMNRD](#)
Subject: [EXTERNAL] NM State Endangered Plant Law
Date: Thursday, October 28, 2021 10:00:25 AM

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I am writing to state my support for the Rule Change to the NM State Endangered Plant Law to strengthen the law and give native and endangered plants similar protections afforded to animals.

EMNRD proposes to amend the definition of "take" to include harm, kill, and destroy because the current rule does not reflect the intent of NMSA 1978, Section 75-6-1 to protect and conserve endangered plant species as it only regulates the removal of endangered plants with the intent to possess, transport, export, sell, or offer for sale. The current rule does not regulate the harm, killing, or destruction of endangered plants from other activities or the intentional destruction of endangered plants. The proposed amendments are in response to a decline in New Mexico's endangered plant species over recent decades which indicates that stronger efforts are needed to protect and conserve New Mexico's endangered plant species. The new definition of take more closely tracks the statute but exempts certain agricultural and tribal religious practices.

Thank you,

Phillip Sheppard
Truth or Consequences, NM