

NOTICE OF CHANGE OF PROPOSED RULEMAKING HEARING TO VIRTUAL FORMAT

The State of New Mexico, Energy, Minerals and Natural Resources Department (EMNRD), Forestry Division hereby gives notice of a change in the format of the public hearing scheduled for June 24, 2020, for the following proposed rulemaking from in person to virtual. EMNRD proposes to amend its rule, 19.21.2 NMAC, Endangered Plant Species List and Collection Permits, by removing *Mammillaria wrightii* var. *wilcoxii* (*Wilcox nipple cactus*) from the list of state endangered plants in 19.21.2.9 NMAC and adding *Townsendia gypsophila* (Gypsum Townsend's aster), *Sclerocactus cloverae* (Clover's cactus), *Agalinis calycina* (Leoncita false-foxglove), *Hexalectris colemanii* (Coleman's coral-root), *Scrophularia macrantha* (Mimbres figwort), *Castilleja ornata* (Swale paintbrush), *Castilleja tomentosa* (Tomentose paintbrush), *Penstemon metcalfei* (Metcalf's beardtongue), *Linum allredii* (Allred's flax), and *Cymopterus spellenbergii* (Spellenberg's springparsley).

In addition, EMNRD proposes the following name changes: *Coryphantha robustispina* ssp. *scheeri* replaces *Coryphantha scheeri* var. *scheerii*; *Argemone pinnatisecta* replaces *Argemone pleiacantha* ssp. *pinnatisecta*; and *Hexalectris arizonica* replaces *Hexalectris spicata*. EMNRD also proposes to add definitions of "department" and "state forester" in 19.21.2.7 NMAC; revise 19.21.2.2 NMAC, Scope, 19.21.2.3 NMAC, Statutory Authority, 19.21.2.6 NMAC, Objective, and 19.21.2.15, Protection and Penalties, to reflect NMSA 1978, Section 75-6-1; and make style changes in 19.21.2.8 NMAC and 19.21.2.10 through 19.21.2.14 NMAC.

Public Hearing and Comment. Instead of being held at Porter Hall in the Wendell Chino Building at 1220 S. St. Francis Drive, Santa Fe, NM 87505, the public hearing scheduled for June 24, 2020 from 9:00 am to 11:00 am will be held via Webex online and via telephone. Written comments will be accepted via email or mail through until 5:00 pm, June 24, 2020.

The hearing is being held via internet, email, and telephonic means due to the concerns surrounding COVID-19 and in accord with Governor Michelle Lujan Grisham's Executive Order 2020-004, Declaration of a Public Health Emergency, and the March 12, 2020 Public Health Emergency Order to Limit Mass Gatherings Due to COVID-19. Any interested member of the public may attend the Public Hearing and offer public comments on the proposed rule amendments during the hearing.

A Public Hearing Agenda and Participant Information Guide will be posted to the Forestry Division website contemporaneously with this Notice. If you wish to provide oral comments at the Public Hearing you will be required to provide your name during the comment portion of the Public Hearing. Your oral comments will be recorded.

When it's time, join your Webex meeting here.

Meeting number (access code): 965 541 091

Meeting password: Qk7GYSTmM94

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All interested persons may participate in the hearing and will be given an opportunity to submit relevant evidence, data, views, and arguments, orally or in writing as explained in the following paragraph.

Those wishing to comment on the proposed rule amendment may make oral or written comments or submit information at the hearing or may submit written comments by June 24, 2020 by 5 pm by mail or email. Please mail written comments to Daniela Roth, EMNRD, Forestry Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505 or submit comments by email to Daniela.Roth@state.nm.us.