

Gila River Indian Community

Department of Land Use Planning and Zoning

*Main Location:
291 W. Casa Blanca Rd, Bldg. #2
Post Office Box E
Sacaton, Arizona 85147
Phone: 520-562-6003*



*Realty Services:
64 East Pima Street
Sacaton, AZ 85147
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Native Plant Review Request Packet FY 2026

Revised September 16, 2025

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Native Plant Review Guidelines

FY 2026

Section 1: Introduction

In efforts to protect cacti, shrubs and trees indigenous to the Gila River area, the Gila River Indian Community has a Native Plant Ordinance (Title 15, Chapter 3). This ordinance lists the types and names of plants protected in the Community, which includes by reference plants listed in the Arizona State Native Plant Law. A provision of the administrative procedures established to carry out the intent of Title 15, Chapter 3 is, NO protected or harvest-restricted plant material is to be relocated, removed, or destroyed without a prior documented Native Plant Review, Native Plant Salvage Plan and a Native Plant Salvage Plan Concurrence Memorandum or a Native Plant Permit approved by the Natural Resources Standing Committee.

Section 2: Overview

In all cases dealing with the Native Plants of the Gila River Indian Community, the process starts with the Department of Land Use Planning and Zoning (LUPZ). The LUPZ – Ordinance Team is available to assist and answer any questions pertaining to the Native Plant Ordinance, its associated processes and can be contacted at the following location:

LUPZ Ordinance Team
Department of Land Use Planning and Zoning
291 W. Casa Blanca Road, Building 2 (Physical Address)
P.O. Box E (Mailing Address)
Sacaton, AZ 85147
E-mail: the LUPZ Support Group at LUPZSupportGroup@gric.nsn.us and copy the Ordinance Team at OrdinanceTeam@gric.nsn.us to expedite processing.
Office: 520-562-6003

1. Native Plant Reviews

All development projects or activity that may affect protected native plants and/or trees require a Native Plant review before any work may commence. Furthermore, the Land Use Action Review and/or the Certificate of Compliance processes may also be required if the project involves a “New Use” or “sub-surface disturbance” of Community Lands pursuant to the Land Development Procedures authorized by Resolution GR-027-20. An Ordinance Team Member will explain this during the initial inquiry and submittal process and refer you to the appropriate staff as necessary.

The Native Plant Review is used to determine the extent of impact on any native plants within a proposed, approved or active project site and help indicate what methods are to be utilized to protect these plants.

In no instance will Native Plants or Harvest Restricted Material be removed and/or sold for use off the Gila River Indian Community except as outlined in the Native Plant Ordinance.

Section 3: Native Plant Reviews

1. Starting at LUPZ, the applicant is to fill out an LUPZ Request Form Ordinance/Livestock which will serve as the initial request to proceed with a Native Plant Review of the project.
 - A. On the document request form (or as attachments) please include the following information:
 1. Name / Organization of applicant or Name / Enrollment Number of applicant if applicable
 2. Address, phone number, fax number and email address of applicant
 3. A valid contact number for the on-site primary contact.
 4. Site map (8 1/2" x 11") of the Project location - including District, Section, Township and Range
 5. Written narrative (addressed to the Ordinance Team) detailing the type of project and outlining the proposed land use activity (i.e. grading entire site for installation of building structures)
 6. Vesting documents authorizing entry and activities.
 7. Expected time frame required to perform the salvage operation
2. Applicant will need to arrange for the boundaries of the project site to be properly identified with all corners and perimeter staking installed if applicable (see LUPZ Survey Department for assistance with their requirements). It is desired that the perimeter staking be placed at intervals of approximately two hundred feet (dependant on terrain and vegetation) or less as appropriate for smaller parcels, allowing visual site of the proceeding boundary staking. This survey staking will then assure that the Native Plant Review is being performed within the correct boundary lines of the project site and accurately identify what plants/trees will be affected.
3. The requesting party will direct their documents to the LUPZ Support Group and copy the Ordinance Team at the addresses on Page 1 of these guidelines to expedite required administrative processes. The requesting party may at their discretion submit their Native Plant Salvage Plan with their Native Plant Review documents thereby shortening the completion time of the pre-tagging process if necessary as referenced in Step 8 below.
4. Upon receipt of the LUPZ Request Form (and supporting documents if applicable) by our Support Group, the request packet will be logged in and assigned an LUPZ Number. The LUPZ Number will be used to identify the project and its associated request form for tracking purposes and expedite answers to inquiries about the coinciding project.
5. The LUPZ Support Group will forward the request documents to the Ordinance Team with the assigned number. The Ordinance Team Project Manager or his designate will initial off on the new request and place it in the queue for follow up.
6. A Member of the Ordinance Team will create a file for this matter then conduct a Native Plant Review on the identified parcel of land and document the presence of all potentially-impacted native plants and create a Native Plant inventory of protected plants and trees (*noting type and count*). The information collected will be used to compose a Native Plant Review (NPR) report. The NPR report will then be submitted to LUPZ Director Kimberly Cooper for review and concurrence.

7. If the request is received from another LUPZ Section or is part of a Land Use Action Review process or a Certificate of Compliance process, the LUPZ Number initially assigned that matter will be used. The resulting report and associated material is returned to the Support Group for updating LUPZ Files then forwarded to the responsible Program Manager or Planner at LUPZ. The Native Plant Review process is then suspended until the responsible party outside LUPZ continues with step 8.
8. If the requesting party submitted the request directly to LUPZ, the approved NPR report is then sent back to the applicant for preparation of a Native Plant Salvage Plan (*description of where the native plants are currently located and where the native plants are going to be permanently planted, methods of transport, what native plants can not be salvaged, what mitigation measure will be taken to replace damaged or destroyed plant materials, etc.*) unless the plan was submitted along with the NPR Request Documents. This plan is prepared by the applicant and is to outline the intended methods that will be used to protect all tagged native plants (a template that meets all requirements is available upon request). The prepared Salvage Plan is then submitted back to the Ordinance Team for processing and routed to Director Kimberly Cooper for review, concurrence and approval to proceed if not already completed due to being submitted with the initial request.
9. Once the Salvage Plan is approved, the applicant and Ordinance Team Member are to arrange a time that the salvage operation is to start, thereby allowing the Ordinance Team Member time to tag all affected protected plants identified in the Salvage Plan and schedule oversight of the process for compliance monitoring.
10. The Ordinance Team Member will record the final placement of all tagged plants and remove the tags to complete the process.
11. Any deviation from the Native Plant Ordinance, its administrative procedures and processes or the approved Native Plant Salvage Plan will result in a Violation Notice. The Violation Notice will be issued to the Party which initiated and oversees the project. It will then be that Party's responsibility to rectify the violation to avoid formal follow-up measures.

CHAPTER 3. NATIVE PLANT LAW

15.301. Protected Groups of Plants; Botanical Names to Govern; Power to Add or Remove Plants.

A. The botanical (Latin binomial) names of the plants referred to in this article shall in all cases govern in the interpretation of this article. Protected native plants shall be any plant or part thereof, to include fruit, but not seeds, of plants in the named protected groups, which is growing wild on trust land of the Gila River Indian Reservation, to include Community trust and allotted land, without being propagated or cultivated by human beings.

B. The following shall constitute certain named protected native plants that are prohibited from being dug up, collected and/or removed from their original growing sites, or destroyed or mutilated, except by permit approved by the Natural Resources Standing Committee of the Gila River Indian Community Council:

<i>Bursera microphylla</i> :	elephant tree;
<i>Peniocereus greggii</i> :	night blooming cereus;
<i>Tumamoca mcdougalli</i> :	tumamoc globe berry;
<i>Neolloydia erectocentra</i> var. <i>acunensis</i> :	Acuna Valley pineapple cactus;
<i>Cheilanthes pringlei</i> :	pringle lip fern;
<i>Bacopa rotundifolia</i> :	disk water hyssop;
<i>Castela emoryi</i> (<i>Holocantha emoryi</i>):	crucifixion thorn;
<i>Atriplex hymenelytra</i> :	desert holly;
<i>Fouquieria splendens</i> :	ocotillo;
<i>Mammillaria thornberi</i> :	thornber fishhook cactus;
<i>Colubrina californica</i> :	California snakewood;
<i>Euphorbia trachysperma</i> :	roughseed spurge;
<i>Selaginella eremophilla</i> :	desert spikemoss;
<i>Dalea spinosa</i> :	smoke tree;
<i>Cereus giganteus</i> :	saguaro cactus;
<i>Ferrocactus acanthodes eastwoodiae</i> :	golden barrel cactus;
<i>Olneya tesota</i> :	ironwood tree;
<i>Juniperus monosperma</i> :	one seeded juniper;
<i>Cercidium microphyllum</i> :	little leaf paloverde;
<i>Cercidium floridum</i> :	blue paloverde;

C. The following shall constitute the protected group of plants, whose member species, whether named or not, shall be prohibited from being dug up, collected and/or removed from their original growing sites except by permit:

1. All species of the following families:
 - Liliaceae (lilies, including yucca and sotol);
 - Agavaceae (agaves);
 - Orchidaceae (orchids);

Crassulaceae (orpines);

Cactaceae (cactus).

2. All species of the following genera:

Lobelia (lobelia);

Aquilegia (columbine).

3. The following plant assemblages, whether or not their individual component species are in the protected group:

Rare, unique or sensitive plant assemblages of scientific value, to include relict or undisturbed natural areas, and plant assemblages which provide essential habitat for rare, threatened or endangered wildlife species.

Mesquite bosques, considered "sensitive" habitat necessary to the survival of a number of wildlife species, the white winged dove among them.

4. All plants protected under the Arizona Native Plant Law are included in the protected group under this chapter, whether named in this chapter or not.

5. Plant species and critical habitats protected under the Federal Endangered Species Act are protected on trust lands, and are included in the protected group under this chapter, whether named in this chapter or not.

6. Plant species and assemblages may be added to or deleted from protected status by the Community Council.

D. Fuelwood cutting/gathering is a right reserved exclusively for Community members. Cutting/gathering of fuelwood by persons other than Community members is a violation of this chapter. In particular, mesquite (*Prosopis* spp.) is protected under Subsection 15.301.C.4. Fuelwood cutting/gathering by persons other than Community members is also a violation of the GRIC Code, Title 8, Chapter 2.

The sale of fuelwood to non-tribal members off the Reservation of the Gila River Indian Community is hereby prohibited; non-resident Community members are given the privilege to obtain fuelwood for domestic purposes only, and shall be required to obtain a special permit to transport wood off the Reservation, from the Land Use Planning and Zoning Department office, located at Sacaton. Proof of residence must be supported by both a utility bill and a current tribal identification card.

No permit is required for the sale of domestic wood to other members of the Gila River Indian Community, however, the sold wood shall not be allowed to leave the boundaries of the Gila River Indian Reservation. Only the non-resident Community member shall be allowed to transport wood to his/her place of residence provided that the above special permit is obtained. Resale of domestic wood by non-resident tribal members shall be considered a violation of this chapter, Section 15.308.

The amount of fuelwood which may be cut by non-resident Community members as set forth in this chapter shall be one cord per month. One cord of wood shall measure four feet by four feet by eight feet; an eight-foot bed pickup load with side boards is accepted to be approximately one cord of wood.

No amount limit shall be set for the domestic use of mesquite wood for Community members.

15.302. Delegation of Community Council Authority; Permits, Tags and Fees.

A. The Community Council shall delegate to the Natural Resources Standing Committee the authority to approve requests for permits to collect protected native plants, or parts thereof.

1. The fee for a collection permit shall be \$500.00. The Natural Resources Standing Committee shall have the right to waive the fee if collection of plants is to be performed by a non-profit organization for scientific and/or educational purposes. Permit fees are non-refundable. No permits shall be issued to non-members of the Gila River Indian Community for the purpose of collecting plants for resale.
2. Members of the Gila River Indian Community wishing to collect plant parts for their personal use and Community groups wishing to collect plants for non-commercial beautification projects are exempt from the \$500.00 permit fee, and are exempt from all other fees specified in this chapter; however, members of the Community and Community groups wishing to collect native plants protected by this chapter must abide by all other provisions of this chapter, including application to the Natural Resources Standing Committee for permission to collect.
3. The Community lease compliance officer shall issue collection permits and tags and shall collect fees as applicable. The permits will specify the name or business name of the permittee, the kind(s) and numbers(s) of plant(s) to be collected, will define as precisely as possible the geographic area from which they are to be removed, and will specify the term for which the permit is valid. A permit is invalid unless it bears on its face the tag identification numbers of the plant(s) to be collected legally. A permit to take, transport, or possess protected native plants is non-transferrable.
4. Plant identification tags for each plant to be removed will be issued by the Community lease compliance officer and affixed to plants. The non-refundable fee for each tag will be \$3.00. Tags will identify the permittee, project (if applicable), date of issue, location of collection site, plant species to which they will be affixed, and place(s) to which the plant will be moved. Each tagged plant will be assigned an identification number. It will be the responsibility of the Community lease compliance officer to issue, record and affix the tags to the plants to be removed from their original growing sites.

No tag is valid unless it is issued under a valid permit, and no plant may be moved from its natural growing site until the Community lease compliance officer has affixed a tag to the plant. It is unlawful to alter or deface any permit or tag.

5. No person, except as provided in this article, shall take, transport or have in his possession any protected native plant removed from its original growing site on the Gila River Indian Reservation unless he has a valid permit on his person at the time of taking, and unless each plant in his possession has a valid collection tag affixed to it.
6. Permits and/or tags shall be made available for inspection upon request of any member of the Gila River Indian Community or any of its authorized agents, or federal or State of Arizona peace officers or agents charged with enforcing laws and statutes protecting native flora of Arizona, as provided in cooperative agreements between local police agencies and the Gila River Indian Community.
7. After any protected native plant has been taken legally as provided by this chapter, it shall be unlawful to remove the affixed tag until the plant has been replanted in its permanent site.

If the permanent site is within the boundaries of the Gila River Indian Reservation, the tag shall be removed only by the Community lease compliance officer, who shall record the permanent site of the tagged plant(s) by tag identification number(s), and will store the tags as proof of legal taking under the provisions of this chapter.

If the permanent site of the plant(s) is outside the boundaries of the Gila River Indian Reservation, State of Arizona or federal agents, as appropriate, shall have authority to inspect the plants in their permanent location, and shall remove the tags and return them to the Community lease compliance officer, who shall then issue a letter of ownership itemizing the plants in the legal possession of the ultimate owner. The fee for issuing a letter of ownership is \$10.00.

8. No permit or tag is transferable by the permittee or his agents, nor shall it be used by anyone except the person or institution to which permit and tags were issued, nor shall permit and tags be applicable to any more native plants than indicated by species and number on the permit.
9. Any permittee shall be responsible for the acts of any other person or persons acting under any authority expressed or implied by the permittee.
10. It is unlawful for any person or institution to misuse a permit or tag in any manner, or to falsify any paper or document issued to any person to take native plants of the protected group or to take more native plants than authorized by the permit. Misuse of a permit or tag or falsification of documents will result in forfeiture of the right to collect native plants on the Gila River Indian Reservation both for the time remaining before expiration of a permit (if any) and at any future time.

11. The portion of the permit authorizing collection of native plants shall expire when the Community lease compliance officer completes affixing tag(s) with identification number(s) to the plant(s) to be removed from their natural growing site(s), or on the date of expiration, whichever comes first.

After the time the affixing of tags is complete, no further collection shall occur, and the Community enforcement official shall stamp EXPIRED on that portion of the permit authorizing collection. Portions of the permit authorizing storage and transportation shall remain valid until the expiration date of the permit.

Any permit to collect plants shall become null and void when the land on which the plants are growing, as described in the permit, changes ownership, unless the new owner certifies in writing that the permittee may continue taking such plants as are specified in the permit.

12. Plants which are to be transported on the Reservation, except within the boundaries of an allotment, must be issued a permit to ship issued by the Community enforcement official, and an accompanying certificate of inspection identifying by permit number and tag identification number the plants to be shipped. No fee will be charged to Community members.
13. Native plants imported onto the Reservation which are under the protection of federal and/or State of Arizona law must be cleared for compliance with applicable non-Community regulations by the Community enforcement official before they can be planted in their permanent installation site. The Community enforcement official shall reinspect the plants after permanent installation and shall at that time record the tag identification numbers, remove any non-Community tags and return them to the issuing agency, and shall issue a letter of clearance certifying that the plants itemized by species and tag identification number were permanently installed on the Gila River Indian Reservation, giving date and location. The fee for issuing a letter of clearance will be \$10.00.
14. Fees are to be collected by the Community lease compliance officer and deposited in the Community permits and business license account.

B. When any power or authority is given by any provision of this chapter to any person or institution, it may be exercised by a deputy, inspector or agent duly authorized by such person. Persons charged with enforcing this chapter must be commissioned by the Community. Persons duly commissioned by the Community shall have the power to enforce any provision of this chapter.

C. Application for permits, payment of fees, and compliance with inspection which may be required by the State of Arizona for collection and/or transport of native plants protected under State of Arizona statutes shall be the responsibility of the individual permittees. Compliance with applicable Gila River Indian Community regulations regarding collection of native plants protected in this chapter does not imply compliance with applicable State of Arizona regulations.

Application for permits, payment of fees, and compliance with the Federal Endangered Species Act which lists protected species and critical habitats, some of which may occur on the trust lands of the Reservation, shall be the responsibility of the permittee. Compliance with applicable Gila River Indian Community regulations regarding collection of native plants protected in this chapter does not imply compliance with applicable federal regulations.

15.303. Permit Required for Native Plant Activities on Allotted Lands; Exceptions.

A. No person or institution shall dig up, destroy, mutilate, or remove plants from allotted land without obtaining written permission from the allottee and a permit authorized by the Natural Resources Standing Committee and tags issued by the Community enforcement official.

B. Nothing in this chapter pertaining to collection of plants on Community land shall be construed to prevent an allottee or his agent from taking the following actions on his allotment: clearing land, or clearing or removing protected native plants from a canal, lateral, ditch, survey line, building site, road or other right-of-way, unless such protected native plants are to be transported from the allotted land and/or offered for sale, or if the allotted land is to be developed for any purpose other than residential use by the allottee or agricultural use.

1. Community entities, lessees of Community lands and non-Indian lessees of allotted land are specifically excluded from this exemption, and must follow the permit procedures prescribed in this chapter when clearing land, or clearing or removing protected native plants from a canal, lateral, ditch, survey line, building site, road, or other right-of-way.
2. If plants are to be transported from allotted land or offered for sale, the person or institution who transports or purchases the plants from the allottee must have a valid permit and tags obtained through the procedures specified in this chapter. The permit fee and tag fees may be waived at the discretion of the Natural Resources Standing Committee. An allottee moving protected plants from one of his properties to another must obtain a valid permit and tags, transportation permit and certificate of inspection, but is exempt from fees for the permits, tags, and certificate of inspection provided no protected plants are to be offered for sale.

C. Protected native plants may be moved from their natural growing sites to remove them from the path of construction projects which cannot be designed to allow them to remain in place. Protected plants may also be moved to allow necessary pre-construction activities including survey lines, access roads and other rights-of-way. Permits and tags must be obtained as prescribed by this chapter. Plants which must be moved out of the path of construction or construction-related activities shall be salvaged to the greatest extent feasible and relocated to other growing sites on Community lands, or salvaged and used to revegetate disturbed areas after construction is completed, insofar as such salvage and relocation or reuse is feasible.

If salvage and relocation or reuse on Community lands is not feasible, the Governor or Lieutenant Governor, or his designee, is authorized to arrange for disposal of protected plants by either of the following methods:

1. Allow Community members or Community groups to remove such plants as they may use beneficially to beautify their homes, buildings or recreation areas, provided the plants are not to be transported from the Reservation or offered for sale;
2. Allow non-profit institutions to remove plants that can be used for educational or scientific purposes, provided the plants will not be offered for sale.

If relocation to Community lands, reuse, or beneficial use by Community members or non-profit organizations is not feasible, the Governor, Lieutenant Governor, or his designee is authorized to dispose of protected plants growing in the path of construction by accepting bids for sale of the protected plants to dealers in native plants, who shall remove only those plants specified by the Governor, Lieutenant Governor, or his designee. Plants to be salvaged or sold must be collected under the direction and supervision of the Community lease compliance officer.

In the event of an emergency which requires removal of protected plants from their growing sites, the Governor, Lieutenant Governor, or his designee may authorize disposal of the protected plants as appropriate to the circumstances.

15.304. Disposal of Confiscated Plants.

Confiscated plants become the property of the Gila River Indian Community, and may be disposed of as appropriate to circumstances by the Governor, Lieutenant Governor or his designee.

15.305. Use of Plants by Community Members.

A. Community members may collect seeds, plant parts and fruit for personal use if such collection does not cause the death of the plant, or so severely deplete its reproductive parts that it cannot generate replacement plants necessary to the perpetuation of its species, with the exception of wood cut for fuelwood.

B. If a Community member wishes to collect protected plant parts, seeds, or fruit for resale to non-members in any form, except woven baskets and other such traditional artifacts, such collection will require authorization by the Natural Resources Standing Committee, which shall specify areas of the Reservation to which such collection shall be confined, and shall set limits to the quantity of seeds, plant parts or fruit which can be collected.

C. The Natural Resources Standing Committee may issue a permit to a person or scientific or educational institution to take seeds, fruit or plant parts to be used for plant propagation, provided that collection of propagation materials will not cause the death of the plant, or so severely deplete its reproductive parts that it cannot generate replacement plants necessary to the perpetuation of its species.

15.306. Shipment of Plants; Transportation Permit; Certificate of Inspection.

No person or common carrier shall transport a plant, or any part thereof, belonging to the protected group, nor receive or possess a protected native plant for transportation within or without the Gila River Indian Reservation unless the person offering the plant for shipment exhibits to the person or common carrier a valid written permit for the transportation of the plant or parts thereof, and has securely and properly attached thereto a valid plant tag. If the plant or plant parts are for transport to places outside the Reservation boundaries, the carrier shall be required to bear a certificate of inspection issued by the Community lease compliance officer.

15.307. Enforcement; Arrest; Confiscation of Plants.

A. Law enforcement officers duly authorized to enforce the laws and regulations of the Community may in the enforcement of this chapter make arrests without warrant for a violation of this chapter which he may witness, and may confiscate plants or parts thereof belonging to the protected group when unlawfully taken, transported, possessed, sold, or otherwise in violation of this chapter, and may confiscate archaeological and other specimens or objects if unlawfully excavated or collected. Possession of such archaeological or other artifacts is a separate offense punishable under the GRIC Code.

B. Duly authorized law enforcement officers are empowered and directed to enter in or upon any premises or other place, train, vehicle, or other means of transportation within or entering the Reservation which is suspected of containing or having present therein or thereon protected native plants in violation, or suspected to be in violation, of this chapter.

C. The Arizona Commission of Agriculture and Horticulture may, upon request of Community officials and upon being duly empowered, assist in enforcing any provision in this article.

15.308. Violations; Criminal Penalty; Forfeiture; Revocation of Permit.

A. A person subject to the criminal jurisdiction of the Community violating any provision of this chapter is guilty of a public offense punishable by a fine of not less than \$50.00, nor more than \$500.00 and/or six months imprisonment. Each violation constitutes a separate offense; each and every protected plant found in the illegal possession of a person or persons violating any provision of this chapter shall be counted as a separate punishable offense. Persons who are not Community members who violate any provision of this chapter are also subject to prosecution under Title 8, Chapter 2, of the GRIC Code. Unauthorized use of Community member status to benefit non-Community members, or collusion by Community members to violate or assist in violation of any provision of this chapter will be punishable by a maximum fine of \$500.00 and/or six months imprisonment, and forfeiture of privileges to collect native plants as a Community member.

B. Vehicles and equipment used to commit acts which violate any provision of this chapter are subject to confiscation, impoundment, and forfeiture pending appearance to answer a complaint or citation, and may be used to satisfy fines or penalties which may be assessed by the Community Court.

C. Upon conviction of a violation of this article, all permits issued to the person convicted shall be revoked and the permittee shall become ineligible for future permits and prohibited from acting as an agent for any other permittee. Any member of the Community who is convicted of falsely applying for a permit to enable a non-member to collect plants protected in this chapter without paying fees applicable to non-members shall be subject to penalties as applicable, and shall forfeit the right to collect protected native plants, and shall be ineligible to apply for a permit to collect native plants. Moreover, any Community member found guilty of acting as an accomplice to any person found guilty of violating the provisions of this chapter shall be subject to the maximum applicable penalties, and shall forfeit the right to collect protected native plants and shall be ineligible to apply for a permit to collect protected native plants.