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6 May 2026

Wade Salverson
Forestry Lead
Division of Forest
Rangeland and Vegetation Resources
Idaho State Office
1387 S Vinnell Way
Boise, ID 83709

RE: National Environmental Policy Act (NEPA) Implementing Procedures for the Bureau of Land Management (BLM), DOI-BLM-HQ-2000-2026-0001-OTHER-NEPA; NMDOW No. NMERT-5838

Dear Mr. Salverson,

The Department of the Interior (DOI) proposes to add a new Categorical Exclusion (CE) to their DOI Handbook of NEPA Implementing Procedures (Proposed Action). Overall, the New Mexico Department of Wildlife (Department) strongly encourages the BLM to revise the proposed new CE to reduce the likelihood of associated projects to negatively affect the environment, including wildlife and habitat, especially as pertinent to its application in New Mexico. As currently written, the CE lacks sufficient detail to protect species that rely on forest and woodland habitats and the important microclimates they provide.

New Mexico contains approximately 23 million acres of forests and woodlands. This represents roughly 30% of the state's total land area. About 2.3 million acres of these forests and woodlands are managed by the BLM. Thus, this Proposed Action would apply to roughly 10% of our state's forests and woodlands. If the U.S. Forest Service (USFS) were also to adopt this proposed CE, which is a reasonably foreseeable action given the guidelines on adopting CEs from other Federal agencies presented in 7 Code of Federal Regulations (CFR) 1b.3(c) ([CFR 2026d](#)), the Proposed Action has the potential to effect almost 44% of all forests and woodlands in the state of New Mexico. While one 5,000-acre density management sale may represent 0.01% of the total forest and woodland area managed by the BLM throughout the United States, this same

treatment area represents a significantly higher 0.22% of BLM-managed forests and woodlands within New Mexico.

The Department strongly encourages the BLM to revise the CE's current language to include the guidelines detailed below.

Comments to Minimize Impacts on Wildlife and Terrestrial Habitat

1. Selective thinning in pinyon-juniper woodlands to create fuelbreaks will be more efficient and effective than large scale thinning. Large scale thinning in persistent pinyon-juniper woodlands may impact species that rely on this habitat. The gray vireo (*Vireo vicinior*) and pinyon jay (*Gymnorhinus cyanocephalus*) are both classified as Species of Greatest Conservation Need (SGCN) by the Department ([NMDOW 2025](#)). Both species require intact and mature pinyon-juniper woodlands to breed. Research has also shown that thinning can impact these species. For example, [Magee et al. \(2019\)](#) found that pinyon jay occupancy decreased locally in pinyon-juniper woodland treated to reduce canopy cover from 36% to 5%. The average territory size for the gray vireo is roughly 6 acres ([Malcom et al. 2020](#)) and an average nesting colony containing 11 pinyon jay pairs ([Marzluff and Balda 1992](#)) requires approximately 124 acres of nesting habitat ([Johnson et al. 2018](#)). Thus, the Department recommends the CE stipulate that firebreaks be used to protect infrastructure from wildfire in lieu of thinning large tracts of persistent pinyon-juniper woodland.
2. Thinning should prioritize retention and protection of mature old growth tree stands. While forest thinning can increase forest resiliency, there are impacts on forest microclimatic conditions and the health of the local soil community ([Tomao et al. 2020](#), [Lesmeister et al. 2021](#)). In addition, many forest-dwelling species, including the federally threatened Mexican spotted owl (*Strix occidentalis lucida*), require high canopy closure, high stand diversity, a multi-layered canopy, which results from an uneven-aged stand, large mature trees, and the presence of downed logs and snags ([Hathcock et al. 2017](#)). Thinning treatments that remove these key habitat features can be detrimental to these species ([Jones et al. 2016](#)). The Department recommends the CE include language stipulating that actions, to the maximum amount possible, must prioritize the retention of tree clumps, trees with interlocking canopies, large and mature trees, and the percentage of canopy cover remaining post-treatment.
3. Manage debris or slash piles in a wildlife-friendly manner. Wildlife including small mammals ([Goquen et al. 2015](#)), snakes ([Sperry and Weatherhead 2010](#)), and birds ([Aigner et al. 1998](#)) are known to use brush piles for habitat and cover. To avoid unintended wildlife mortality, the Department recommends the CE stipulates chipping or masticating all mechanically removed woody plant material or, if burning is necessary, burning either immediately after piles are constructed or during the winter.
4. Reduce the total miles of new roads which may be created per action. As currently written, the proposed CE would allow for the creation of up to 17.5 miles

of road per treatment area (5 miles of permanent road and up to 12.5 miles of temporary road). Assuming a 12-foot road width, this would result in the conversion of up to roughly 25 acres of forest or woodland to road per treatment. If only one treatment per 5,000-acre unit took place on all BLM-managed forests within New Mexico, this would mean over 11,500 acres of forest could be converted to roads. If this CE were later adopted as-is by the USFS, this number could rise to over 50,000 acres. The scientific literature very clearly indicates the threat to biodiversity as a whole (e.g., [Findlay and Bourdages 2000](#)) and to different taxonomic groups (e.g., birds, [Holbrook and Vaughan 1985](#); fishes, [Franklin et al. 2024](#); insects, [Muñoz et al. 2015](#); mammals, [Oxley et al. 1974](#), [Lyon 1979](#); reptiles and amphibians, [Fahrig et al. 1995](#), [USFWS 2013](#), [Andrews et al. 2015](#)) from roads. There is also mixed evidence regarding the relationship between road presence and wildfire occurrence. For example, there is evidence that the presence of roads, even minor roads, and increased road density can increase fire ignition frequency ([Faivre et al. 2014](#)) and most wildfires are human caused and occur within 0.5 miles of a road; only 3% of fires start in wilderness or backcountry areas far from roads ([Morrison 2007](#)). There are also factors other than tree density driving changes in fire occurrence; while wildfires have become increasingly large (i.e., burn area has increased), more severe (i.e., area burned at high severity has increased), more frequent, and last longer in the western U.S. than they did historically, these changes have been documented to be associated with warmer temperatures, earlier spring snowmelt, and drought ([Westerling et al. 2006](#), [Westerling 2016](#), [Parks and Abatzoglou 2020](#)). Even if roads that are constructed to allow for forest treatments are temporary, it is often hard to close roads and maintain them as closed ([DGF comments in USDA 2000](#)). Whenever feasible, the Department suggests limiting the total miles of roads that can be created under the CE and encouraging the use of less invasive approaches to implementing forest treatments to reduce wildfire risk (e.g., hand thinning) in currently undisturbed or less disturbed areas, as opposed to the more invasive approaches associated with the large equipment for which roads provide access. In order to better protect wildlife and their habitats, the Department suggests limiting the miles of new road allowed per treatment area to a maximum of 5 miles of temporary road. This limit allows for temporary access in otherwise hard to reach areas but ensures only 0.01% of all state forests and woodlands (assuming the CE is only applied on BLM lands) could be disturbed by roadmaking.

Thank you for the opportunity to review and comment on the Proposed Action and for BLM's consideration of these comments. If you have any questions regarding terrestrial habitat or species, please contact Meredith Dalton, Terrestrial Habitat Specialist, at (505) 709-0671 or meredith.dalton@dqf.nm.gov.

Sincerely,

Stewart Liley
Chief of Wildlife

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