

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Ben Shelton
Deputy Secretary

Office of the Secretary



Brook Rollins
U.S. Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.,
Washington, DC
20250

Erin Taylor
Acting Secretary
Energy, Minerals and Natural Resources Department
State of New Mexico
1220 S St Francis Dr,
Santa Fe, NM
87505

Public Comment of the State of New Mexico on the USDA Notice of Intent to Revise Travel Management Regulations

Department of Agriculture
Forest Service
36 CFR Parts 212 and 261
2026-17211 (91 FR 54686)

Submitted: September 23, 2026

Dear Secretary Rollins,

The State of New Mexico appreciates the opportunity to comment on the U.S. Department of Agriculture's Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) and undertake rulemaking to revise the U.S. Forest Service's travel management regulations at 36 CFR part 212. New Mexico's agencies, including the Energy, Minerals and Natural Resources Department Forestry Division (FD) and the New Mexico Department of Wildlife (NMDOW), have reviewed the NOI and jointly submit the following consolidated comment.

New Mexico respectfully urges USDA to retain the existing travel management framework and not pursue broad expansion of off-route motorized access or annual reopening of closed routes.

Increased motorized access presents substantial risks to forest health, wildlife, watershed resilience, cultural resources, and ongoing fuels-reduction work across the state.

1. Introduction: New Mexico's Interest in Travel Management

New Mexico's five National Forests contain diverse landscapes that support:

- High-integrity wildlife habitat, including Endangered Species Act (ESA) listed species
- Watersheds that supply drinking water to downstream communities
- Forests undergoing active fuels-reduction treatments
- Cultural and traditional-use areas of significance to Tribes and local communities

New Mexico's agencies have extensive experience implementing fuels treatments, wildlife conservation actions, and forest restoration projects in partnership with the U.S. Forest Service. Through long-standing collaborative frameworks such as Shared Stewardship and other joint forest-management agreements, New Mexico works directly with the Forest Service across all five National Forests. These partnerships ground our on-the-ground understanding of travel-management needs and inform our perspective on the NOI.

2. Existing Travel Management Regulations Already Provide Adequate Flexibility

NMDOW notes that current regulations already allow off-route motorized travel for game retrieval and certain recreational uses. The NMDOW appreciates the existing allowance under 36 CFR 212.51(b) for the use of motor vehicles off-route to retrieve game that has been lawfully taken. NMDOW believes this allowance is sufficient for public needs and does not feel there is sufficient support for any increased access for motor vehicles on National Forest Service lands. Of New Mexico's 24 Ranger Districts, motorized game retrieval is already allowed on all but approximately seven. This level of access is adequate and well-used.

The NOI does not demonstrate that expanded off-route access is needed to meet public demand or management objectives.

3. Annual Review of Closed Routes Is Unnecessary, Inefficient, and Risky

EMNRD-Forestry expresses significant concern with the NOI's proposal to require annual review of all closed or restricted routes. The Division is concerned these reviews may be duplicative and inefficient and that the policy will force managers to allow motorized use in new areas without appropriate consideration of impacts to environmental and cultural resources, community preferences, and user conflicts.

Annual reopening of closed routes would:

- Divert limited federal and state staff time, including already constrained federal capacity for travel-management planning and monitoring
- Increase administrative burden without improving management outcomes
- Create pressure to reopen routes regardless of ecological or cultural sensitivity
- Reduce the ability of managers to maintain long-term closures needed for habitat protection, watershed stability, or post-treatment recovery

The NOI does not provide evidence that annual review would improve travel management or public safety.

4. Expanded Off-Route Motorized Access Would Harm Wildlife, Habitat, and Biodiversity

NMDOW's review highlights extensive scientific literature documenting the ecological impacts of roads and off-route travel. Overwhelmingly, the literature 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.

Documented impacts include:

- Wildlife-vehicle collisions
- Increased poaching and human disturbance
- Spread of invasive species
- Habitat fragmentation and loss of connectivity
- Increased wildfire ignition risk near roads

These impacts are well-established and would be exacerbated by expanding off-route access or reopening closed routes annually.

5. Impacts to Fuels-Reduction Projects and Forest Health

New Mexico is implementing large-scale hazardous-fuels treatments across all five National Forests. EMNRD Forestry notes that fuels mitigation projects result in open understories that invite overland travel where it was previously impractical. Allowing motorized access to such areas by default, without annually renewed restrictions, would be exceptionally unwise.

Expanded motorized access would:

- Damage erosion-control structures
- Create social trails in newly treated areas
- Increase access to slash piles before they can be safely burned
- Reduce seeding success and post-treatment recovery
- Increase safety risks for forestry crews and equipment

The NOI does not address these likely impacts.

6. Firewood Collection and Dispersed Camping Require Caution, Not Expansion

NMDOW notes that nearly all Ranger Districts already allow limited off-route access (140–300 feet) for firewood collection and dispersed camping. However, NMDOW generally does not support the proposed expansion of off-route motorized use for dispersed camping and firewood collection purposes because of the following adverse effects:

- Disturb wildlife
- Spread forest pests
- Alter fire regimes
- Affect nutrient cycling and water quality

Additionally, dispersed camping expansion via off-route motorized use could increase:

- Habitat disturbance

- Trash and sanitation impacts
- Fire ignition risk

New Mexico supports retaining current allowances and limiting any temporary expansions to post-treatment areas where ecological impacts would be minimal.

7. Cultural Resource Risks and Tribal Concerns

Although the NOI does not directly authorize ground disturbance, expanded motorized access increases risk to cultural resources. EMNRD-Forestry notes that increased access can increase encounters between recreators and sensitive cultural sites. Moreover, it could also heighten risks of vandalism, looting, and inadvertent damage. Increased access would also require additional monitoring and protection resources from USFS. Because many of these areas contain culturally sensitive sites, traditional-use locations, and lands of shared concern, expanded motorized access raises issues that directly affect Tribal and Pueblo interests. New Mexico emphasizes the need for early and meaningful Tribal consultation before any changes to travel management policy.

8. Public Interest Does Not Support Expanded Motorized Access

The Forestry Division states that of the many concerns that interest holders share, increased motorized access is not among them. New Mexico's first-hand experience indicates that communities prioritize forest health, wildfire resilience, watershed protection, and safe recreation. The NOI's proposed expansions do not align with public priorities or state management needs.

9. Recommendations

New Mexico respectfully recommends that USDA retain the existing travel-management framework and avoid any broad expansion of off-route motorized access. The State further recommends removing the proposed requirement for annual review of closed routes, as such a mandate would be unnecessary, inefficient, and ultimately counterproductive. New Mexico also urges USDA to protect areas undergoing fuels-reduction treatments by maintaining or strengthening motorized-access restrictions to ensure that restoration work is not compromised. Any expansion of firewood-collection allowances should remain limited to temporary, post-treatment areas located near existing roads and only where ecological impacts would be minimal. The State additionally recommends that USDA engage Tribes early and meaningfully in any future development of travel-management policy. Finally, New Mexico encourages USDA to increase federal investment in road maintenance, environmental planning, and forest-management workforce capacity.

10. Conclusion

The Proposed Action would increase risks to wildlife, habitat, and biodiversity across New Mexico's National Forests. It would undermine ongoing fuels-reduction and forest-restoration projects that are essential to protecting communities and improving forest resilience. The proposal would also elevate wildfire-ignition risk by encouraging additional motorized activity in sensitive areas. Expanding motorized access where it is neither needed nor requested would

create new pressures on landscapes already experiencing ecological stress. Furthermore, the Proposed Action would heighten risks to cultural resources and Tribal traditional-use areas by increasing public access to sensitive sites. Finally, it would divert limited federal and state staff resources away from critical forest-health priorities at a time when capacity is already strained.

For these reasons, the State of New Mexico strongly urges USDA to retain the current travel management framework and not pursue broad expansion of off-route motorized access or annual reopening of closed routes.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Taylor". The signature is stylized with a large "E" and a long horizontal line extending to the right, followed by "Taylor" in a cursive script.

Erin Taylor
Acting Cabinet Secretary
Energy, Minerals and Natural Resources Department