



August 7, 2019

Mr. Sonny Perdue
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Ms. Vicki Christensen
Chief
United States Forest Service
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

**BEFORE THE SECRETARY OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE AND THE CHIEF OF
THE UNITED STATES FOREST SERVICE**

New Mexico 4 Wheelers

Petitioners,

and

**SECRETARY OF THE UNITED STATES DEPARTMENT OF
AGRICULTURE AND CHIEF OF THE UNITED STATES FOREST
SERVICE,**

Responsible Officials.

ADMINISTRATIVE PETITION SEEKING REVISION OF
THE 2005 TRAVEL MANAGEMENT RULE

Pursuant to the Right to Petition Government Clause of the First Amendment of the United States Constitution and the Administrative Procedures Act (“APA”), the New Mexico 4 Wheelers files this petition in support of Amy Granat et. al.’s petition dated December 12, 2018, concerning the United States Forest Service (“Forest Service”) 2005 Travel Management Rule and Designated Routes and Areas for Motor Vehicle Use, codified at 36 CFR Parts 212, 251, 261, and 295 (“Travel Management Rule”). The purpose of the requested revision to the Travel Management Rule is to ensure that decisions on motorized travel are made in accordance with the requirements of law and years of multi-use policy that once afforded the people a better opportunity to visit their public lands. A previous administration has utilized the Travel Management Rule to effectively removed our opportunity to visit and enjoy public lands by significantly reducing the possibility of motorized travel.

We represent 154 members in the State of New Mexico. Our members have a keen interest in preserving and increasing motorized access to national forests. The Forest Service’s Travel Management Rule severely restricts motorized vehicle access to national forests. The current rule denies access to many groups of people and its implementation requires an inordinate amount of time, energy, and resources on the part of the Forest Service.

In order to improve access to the national forests and better the current Forest Service road and trail system, we respectfully request that the United States Department of Agriculture and the Forest Service grant the petition filed by Amy Granat et. al. on December 12, 2018.

The petition requests that the Travel Management Rule be replaced or amended. By replacing the current rule, a new rule can be implemented that would provide a balanced approach to access while allocating resources more effectively. The proposed new rule would create a presumption that user-created routes would be open to motorized use. However, the government and public could take action to have them closed for conservation purposes. By amending the rule, changes to motor vehicle access could be made to balance recreational and conservation interests as set forth in the petition.

As Amy Granat's petition demonstrates, the Forest Service does not currently have the ability to implement the 2005 rule in an effective manner. Furthermore, disabled individuals are disproportionately impacted by this rule. This presents serious legal problems under the Americans with Disabilities Act. The current implementation of the Travel Management Rule denies meaningful access to a variety of individuals across the country, and as such, the rule must be amended to address these issues.

The New Mexico 4 Wheelers are comprised of many individuals who have, for over sixty years, used and continue to use the Santa Fe National Forest by driving our 4WD vehicles on Forest roads for pleasure, driving to trailheads to go hiking, camping, exploring new places in the Forest, and enjoying viewing wildlife, historical sites, and scenic forest areas. The action of the Forest Service deprives us of the ability to access areas of the Santa Fe National Forest which we have accessed in the past solely by motor vehicle, and we have concrete plans to access the Forest by motor vehicle using the routes closed by the Forest Service should they be made legal in the future. If the rule was more favorable to public access via motor vehicles, then we would be able to better visit and enjoy the national forests. Granting Amy

Granat's petition will help ensure that access to public lands is balanced favorably with conservation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank G. Whiston".

Frank G. Whiston
President
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