



Dear Members of the New Mexico Off-Highway Vehicle Board,

I apologize for not appearing in person and appreciate your acceptance of this letter in my stead. I would like to ensure that the OHV Board is aware of an incident of vandalism and illegal ORV use in the Jemez Ranger District of the Santa Fe National Forest and ask for your assistance in resolving this problem.

In the Santa Fe National Forest, Forest Road 288 has been the site of repeated vandalism and illegal motorized uses for many years. This road is currently being illegally used by members of the ORV community and I am asking the New Mexico OHV Board to take immediate steps, in cooperation with New Mexico Department of Game and Fish law enforcement officers and the Forest Service, to effectively close both access points of this road and this area to illegal ORV uses.

Forest Road 288 is within the Dome Inventoried Roadless Area, providing access to important heritage sites and a population of Rio Grand cutthroat trout in Capulin Canyon. This road crosses the canyon 4 times.

According to the New Mexico Endemic Salamander Team, this road is within occupied Jemez mountain salamander habitat and is causing habitat fragmentation, loss and degradation.

According to the Terrestrial Ecosystem Survey, this road is on unstable soils and off-road vehicle uses have caused significant loss of soil productivity in the Los Utes area.

According to the New Mexico Department of Game and Fish, this road creates a 604 acre wildlife effect zone and a high degree of fragmentation, reducing habitat effectiveness for elk, deer, black bear and turkey.

In the fall of 2009, Sam Hitt, Kevin Stillman and I communicated with the Forest Service about the need to effectively close Forest Road 288 and to modify the sign on this road to reflect the current management decision to limit motorized uses to vehicles under 40 inches in width. At that time, Sam Hitt notified the Forest Service that despite a closed gate, there was a well-worn path around the gate that was clearly being used by vehicles larger than 40 inches wide.

Mike Dechter, then the Project Planner for the Jemez and Cuba Ranger Districts of the Santa Fe National Forest, let us know that the Forest Service modified the sign and installed a post in the ground to block vehicles over 40 inches wide. This is a picture of the sign, as modified by the Forest Service.

The modification consists of a small piece of paper, apparently stapled to the sign:

# DOMESTIC WATERSHED DEAD/DOWN FUELWOOD AREA PERMIT REQUIRED

Only dead/down fuelwood collection is permitted throughout the watershed.

DO NOT cut standing dead trees (snags).

Vehicle travel is restricted to the following Forest Service roads: 287, 288, 289, and 142.

Vehicle traffic is prohibited behind closed gates, except for forest road 288 where ATV's and motorcycles are permitted.

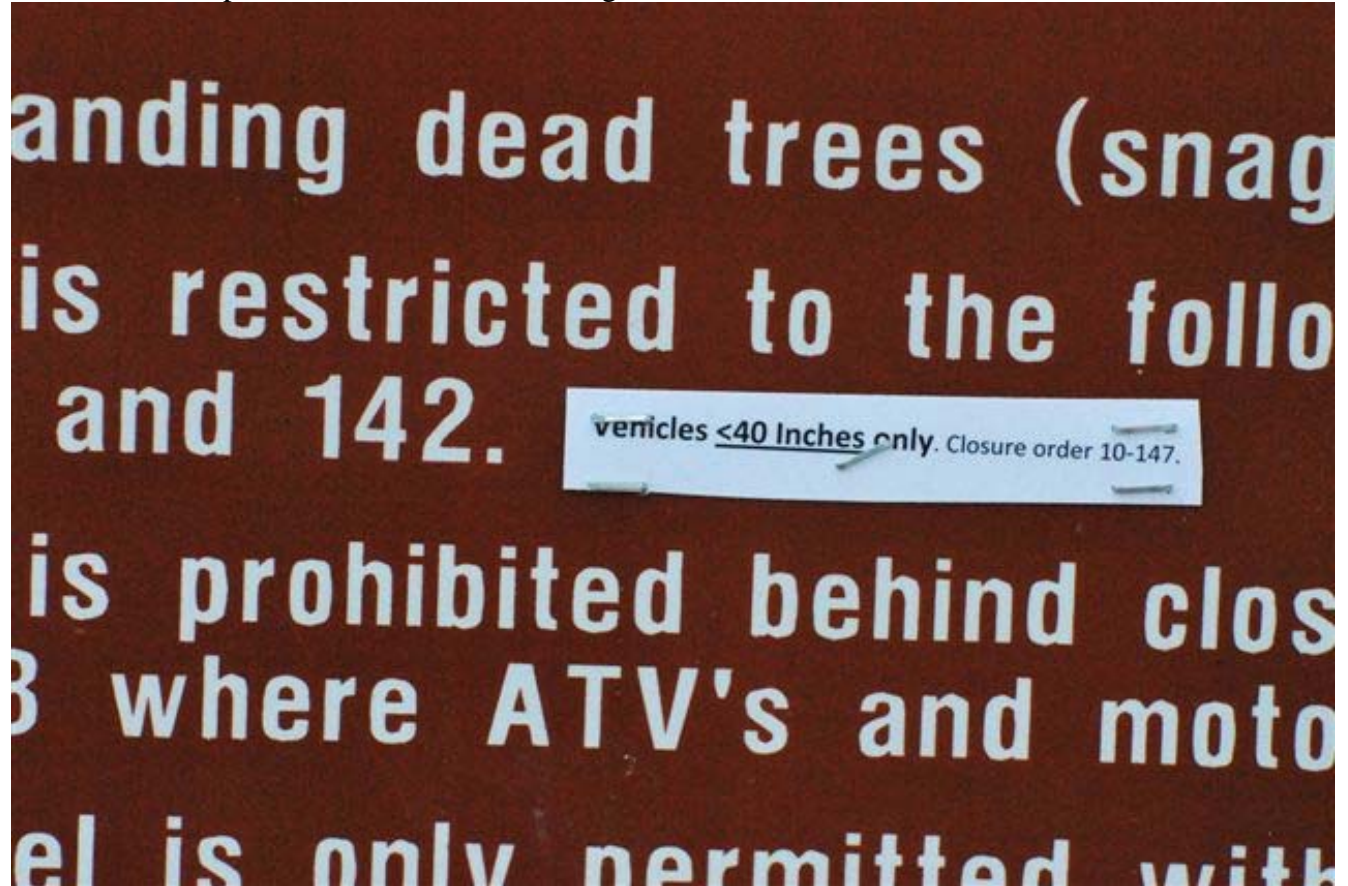
OFF-ROAD travel is only permitted within 300 feet off restricted road surfaces to camp, collect fuelwood or retrieve game.

Please do not litter: U PACK IT IN U PACK IT OUT.

Foot and horse travel is permitted anywhere in this area. For information please call Jemez Ranger District office, 829-3535.

THANK YOU FOR YOUR COOPERATION

Here is a close up of the modification to the sign



In the winter months, Forest Road 289 is closed with a gate at the intersection of State Road 4, which serves to protect Forest Road 288 from illegal motorized uses and vandalism. However, as of May 2010, the gate at Forest Road 289 is open as a result of the winter travel restrictions being lifted. This has resulted in vandalism of the posts installed by the Forest Service in late 2009 and current, ongoing illegal ORV uses of Forest Road 288.

Here are two pictures of the recent vandalism:





I would like to suggest that the OHV Board, New Mexico Game and Fish and the Forest Service work cooperatively to implement a law enforcement strategy for this area. Part of this strategy should include a media campaign highlighting the need to comply with the few restrictions on ORVs that currently exist on Forest Service lands. This is especially important given the upcoming decision regarding travel management planning that will finally protect large areas of the Santa Fe National Forest from cross-country motorized uses. Voluntary compliance with the new rules will be key to successful implementation of the Travel Management Rule.

One of the first steps that can be taken is to install a Forest Service sign that includes the information on the “40 inches or less” restriction and meets Forest Service regulations. Clearly the piece of paper stapled to the existing sign is not effective.

Another suggestion I would like to offer is that if the motorized recreation community does not immediately begin to comply with the order restricting Forest Road 288 to vehicles 40 inches wide or less, or if vandalism of this gate or sign continues, the Forest Service implement a closure order for Forest Road 289 to all ATVs. In addition, the where Forest Road 288 comes out on FR 142 needs additional monitoring. Further, a regular schedule of monitoring and enforcement should be implemented to ensure the continued success of the closure.

Thank you for your time and consideration of this matter. It is extremely important to the Center for Biological Diversity and our more than 220,000 members and activists.

Sincerely,

Cyndi Tuell  
Southwest Conservation Advocate  
Center for Biological Diversity  
[ctuell@biologicaldiversity.org](mailto:ctuell@biologicaldiversity.org)  
520-444-6603

cc: Forest Service – Julie Bain, Linda Riddle, Ruth Doyle, Corbin Newman,  
Aban Lucero  
Raul Grijalva, Jeff Bingaman, Tom Udall, Ben Ray Lujan, Dede Feldman, Phil Griego,  
Jeanette Wallace