PRAIRIE HILLS AUDUBON SOCIETY — ACTION ALERT

LAST CALL: Comments Due Tonight

Scoping comments on the Forest Service's plan to rewrite the Travel Management Rule

DEADLINE: TONIGHT, Wednesday, September 23, 2026

The Federal Register notice gives no time of day. Regulations.gov normally closes at 11:59 pm Eastern, which is **10:59 pm Central / 9:59 pm Mountain**. Please don't cut it close; aim to submit by 9:30 pm Mountain.

Submit online: https://www.regulations.gov/commenton/FS-2026-0100-0001

Docket FS-2026-0100 · 91 Fed. Reg. 54,686 (Aug. 24, 2026) · 36 CFR parts 212 and 261

What this comment period is (and isn't)

This is the **scoping period** for an Environmental Impact Statement (EIS). The Forest Service published a Notice of Intent to prepare an EIS; it has **not** yet published proposed rule language. The agency is asking what alternatives and impacts the EIS should study, and for input on "further development of the policies underlying this action." So you can object to the policy direction itself, not just ask for better analysis.

- No public scoping meetings are planned. Written comments are the only way in.
- The proposed rule and draft EIS are expected in spring 2027 (another comment period then); the final rule and Record of Decision in early 2028.
- This action is not subject to the Forest Service's objection process, which makes getting concerns on the record now more important.

What the Forest Service is proposing

Following Executive Order 14408 (May 29, 2026), which rescinded the Nixon and Carter executive orders on off-road vehicles (E.O. 11644 and 11989) that the current rule implements, USDA proposes to:

- **Drop the national "minimization criteria"** that now require the agency, when designating motorized routes and areas, to minimize damage to soil, watershed, vegetation, and wildlife and habitat, and to minimize conflicts among uses.
- **Presume existing roads, trails, airfields, trailheads and access points are open** unless the agency documents specific reasons (law, valid rights, resource conditions, safety, conflicts, or capacity) to close or restrict them.
- **Review every closed or highly restricted route every year** to see whether it should be reopened.
- Require consideration of **new** roads, trails, airfields and access points to increase access.
- Allow limited **off-route motor vehicle use** for downed big-game retrieval, firewood collection, and dispersed camping, and designate areas for over-snow and other motorized recreation.
- Exempt **class 1 e-bikes** from motor vehicle designation on trails where bicycles are allowed.
- Replace the "minimum road system" requirement and scale back public-involvement and coordination steps for "minor" map revisions.

Existing Motor Vehicle Use Maps stay in effect until local officials revise them under the new rules — but the new rules would push those revisions toward more motorized access.

Why it matters to our region

Our members live in and around the Black Hills, surrounded by national forests and grasslands governed by this rule. In South Dakota: the **Black Hills National Forest** (which also reaches into Wyoming); the **Custer**

Gallatin National Forest's units in the northwest corner of the state (Slim Buttes, the Cave Hills, and the Short Pine Hills); **Buffalo Gap** and **Fort Pierre National Grasslands** (managed by the Nebraska National Forest); and the **Grand River** and **Cedar River National Grasslands** (part of the Dakota Prairie Grasslands; Cedar River lies mostly in North Dakota & is near the Standing Rock Reservation). Just across our borders are **Thunder Basin National Grassland** in Wyoming, the **Little Missouri National Grassland** in North Dakota, and the **Nebraska National Forest**, which includes the **Oglala National Grassland** & Pine Ridge in Nebraska. Spearfish is only about 10 miles from the Wyoming line and Hot Springs about 30 miles from Nebraska, so our members use these neighboring lands too.

These units operate under motor vehicle use maps adopted through travel management planning. The proposed open-unless-closed presumption, annual pressure to reopen closed routes, and new off-route allowances for game retrieval, firewood, and camping would mean more erosion and sediment in streams, more weed spread, more disturbance to elk, deer, grassland birds, and sensitive species, more damage to cultural resources and sites sacred to the Lakota and other tribes, and more conflict with hikers, horseback riders, and hunters seeking quiet. The notice also singles out section-line access in certain North Dakota national grasslands.

Points to make in your comment

The Forest Service asks that long comments begin with a brief, plain summary of the main points. Personal experience on the forests or the grasslands carries weight — add a sentence or two about places you know.

- **Keep the minimization criteria.** Oppose the open-unless-closed presumption and ask that the EIS include a full alternative retaining the minimization criteria in their entirety (the listed alternatives only retain "selected" requirements).
- **Don't dodge the effects.** The notice calls site-specific effects "highly speculative." Ask the EIS to model realistic scenarios of routes reopened under the presumption and annual review, and the cumulative effects on soils, water, wildlife, and weeds.
- **Analyze the exemptions directly.** Off-route game retrieval, firewood, dispersed-camping travel, and e-bike exemptions would take effect on their own; their impacts must be analyzed now, not deferred.
- **Threatened, endangered, and sensitive species; cultural resources and sacred sites.** Require full analysis and meaningful Tribal consultation.
- **Keep public involvement.** Retain the public-involvement and government-coordination requirements for designation changes, including so-called minor revisions.
- **Count the costs.** An annual review of every closure, plus more routes to maintain and patrol, strains a Forest Service that already lacks staff and maintenance funding. The EIS should disclose these costs.

Other ways to act

- Earthjustice pre-written comment: earthjustice.org/action/tell-the-administration-keep-our-forest-protections
- WildEarth Guardians petition: action.wildearthguardians.org. Their sign-on letter explains how the proposal would weaken protections and expand cross-country motorized use: read the letter (PDF)
- Mail is no longer an option tonight (comments must be received by today). For the record: Director, Public Benefits, 201 14th Street SW, Public Benefits Office, Washington, DC 20250.
- Federal Register notice: federalregister.gov/d/2026-17211
- Forest Service project page: fs.usda.gov/visit/recreation/programs/off-highway-vehicle-program

Prairie Hills Audubon Society · P.O. Box 788, Black Hawk, SD 57718 · phas.wsd@rapidnet.com · 605-787-6466 · phas-wsd.org
Permission is granted to reproduce and distribute this alert for non-commercial advocacy purposes.