When a Project Ends, the Land Should Begin Again.

TO SENATOR MARTIN HEINRICH AND MEMBERS OF THE NEW MEXICO DELEGATION AND LEGISLATURE
FROM MIKE ISAACS, FOUNDER, TYMMBER OUTDOOR, SIERRA COUNTY, NM · TYMMBEROUTDOOR.COM
DATE OCTOBER 2026 · **RE** RESTORATION AS A BENEFICIARY OF PUBLIC LAND PROJECTS (MEMO 023)

THE ASK

1. **Add a recreation field to the Permitting Tracker in §1132** using location data it already collects, such as nearby access points, trails and waterways [1].
2. **Consider a reuse-plan provision** in the permit, so that every closure, abandonment or non-start produces a plan for a recreation or wildlife end state, along with a short wildlife statement prepared by a regional university and paid for by the sponsor, for every project type.
3. **Request a Government Accountability Office (GAO) review** of the bill's effects on public-land uses, including recreation.

THE PROBLEM

The bill gives sponsors permit stability (§1401) and faster review [1]. We found no restoration duty, financial assurance or build-by date for wind, solar, storage or transmission in the draft reviewed, and the Abandoned Hardrock Mine Fund in §2215(d) sets no restoration standard [1]. Federal oil and gas bond minimums date from the 1950s and 1960s, and GAO found 84 percent of sampled bonds likely too small [21]. Meanwhile 183.2 million Americans took part in outdoor recreation in 2025 [5], the National Park Service carries a $24.2 billion maintenance backlog [45], and about 71 percent of Roadless Rule docket entries came from 49 organizations [4]. Recreation users have no formal role in the permit or the end-of-life plan.

THE PROPOSAL: THREE FUNDING LAYERS, DEDICATED RECEIPTS

LAYER	PAYS FOR	WHO PAYS
1. Restoration to baseline	Returning the disturbed site to a stable, safe condition	Sponsor, through assurance posted at permit time and released in stages
2. New recreation or wildlife area	Trailhead, wetland or habitat work above baseline	Sponsor and public, in a ratio set by statute
3. Orphaned sites	Sites where the sponsor fails or cannot be found	Public, from the same dedicated receipts

The public share comes from a fixed portion of receipts the government already collects on that project type, such as royalties, rents and fees, and not from annual appropriations. Sponsors receive a known end-of-life cost, permit protection tied to the plan and staged release of assurance. A project is approved for its economic return, and the proposal asks that the site's next use be judged the same way: the reuse plan estimates the local spending and jobs the site could support. The proposal takes no position on any project.

PRECEDENT

Dedicated, user-linked funding has lasted: Pittman-Robertson (1937; more than $15.3 billion to states) [50] and the Duck Stamp (1934; more than 6 million acres protected) [14]. Elk grew from about 41,000 in 1907 to over a million [7]. The coal reclamation fee (1977) funds cleanup after the harm and was cut 20 percent and extended to 2034 [15][16]. The Great American Outdoors Act's Legacy Restoration Fund targets maintenance on existing sites [18]. This proposal would add new places when projects end. The Superfund tax lapsed in 1995 and was reinstated by a 2021 law, which is why the source must not lapse [20]. The New Mexico Mining Act already pairs a closeout plan with financial assurance and allows an approved post-mining land use [23].

OPEN DESIGN QUESTIONS

What share should the public carry in layer 2? Should the duty cover private land with federal approvals? How should assurance be indexed? Dedicated spending is scored in the federal budget and may need an offset, and we ask who should test that first. Who may serve as steward, and who holds the steward accountable? How does the duty fit with existing federal and state requirements? A Tribal consultation role is included in the proposal.

A NEW MEXICO TEST CASE

Sierra County, where the Copper Flat mine near Hillsboro has been proposed for reopening and a state water-rights transfer for it was denied in August 2025 [24][25], could host a first meeting of ranchers, growers, recreation users, hunters, conservation groups, Tribal governments, county government and land managers, with BlueRibbon Coalition and More Than Just Parks invited. The aim is a shared set of facts and a reuse-plan template, and it is not a funding request [33].

Disclosure. *Tymmber Outdoor sells outdoor products and advocates for more people spending time outdoors. Bracketed numbers refer to the numbered source list in Memo 023 (tymmberoutdoor.com/advocacy/sc-memo-023.html), which also lists open items to confirm. Section numbers refer to a Legislative Counsel draft of the bill and may differ from the introduced text.*