



Date: 08/10/2026

To: Energy, Minerals and Natural Resources Department Forestry Division
1220 South St. Francis Drive Santa Fe, NM 87505

Subject: [Public Comment on Proposed Rule 19.20.7 NMAC](#)
Timber Grading Certification Program

To Whom It May Concern:

The Forest Stewards Guild is writing in support of the Energy, Minerals and Natural Resources Department's proposed adoption of [Rule 19.20.7 NMAC, Timber Grading Certification Program](#), as described in the [public notice](#) issued by the State Forestry Division. The proposed rule appropriately implements the Timber Grading Act (NMSA 1978, Sections 68-6-1 through 68-6-4) by establishing a state system for obtaining certification to grade wood products made in New Mexico.

Adopting this rule aligns with the Guild's mission to increase the pace and scale of restoration activities, including timber harvest, while adding value to locally harvested New Mexico wood products. Creating higher-value uses for wood removed through wildfire mitigation and forest restoration—often small-diameter material—helps reduce forest-thinning costs, allowing us to protect and restore more forest with the same resources.

The Guild supports the adoption of the proposed rule and appreciates the Division's work to create a clear, accessible, and state-specific certification program. Thank you for the opportunity to comment and for EMNRD's continued leadership in supporting New Mexico's forest sector and rural communities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angie Krall", on a light-colored rectangular background.

Angie Krall
Southwest Director
Forest Stewards Guild
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Lincoln County Home Builders Association

Testimony in Support of the Timber Grading Certification Program
Proposed 19.20.7 NMAC

Good morning, and thank you for the opportunity to provide testimony today.

My name is Taryn Benavidez, and I serve as the Executive Officer of the Lincoln County Home Builders Association.

I am here today to express our support for the proposed Timber Grading Certification Program under 19.20.7 NMAC.

I want to approach this from the perspective of a rural home builders association and from the perspective of communities that are actively thinking about rebuilding, housing availability, wildfire resilience and the future of our local economies.

In rural New Mexico, the availability and cost of building materials matters.

We have communities where transportation costs are significant, where building materials can be difficult to source, and where our local economies depend heavily on small businesses and local trades.

At the same time, we have an incredible resource in the forests and timberlands of our state.

The Timber Grading Act gives us an opportunity to connect those two realities.

I believe this certification program can create a responsible pathway for locally milled timber to be used in structural construction while maintaining the standards that builders, building officials and homeowners depend upon.

And I want to emphasize that distinction.

We are not asking for lower standards for locally produced lumber.

We are asking for a clear and accountable process by which locally produced lumber can meet a recognized structural standard.

As builders, we understand the importance of knowing what is going into the structure of a home. We need confidence in the materials we use, and building officials and homeowners need that same confidence.

That is why I support the proposed certification framework.

Training requirements, qualified instructors, certification, documentation, and a process for suspension or revocation when standards are not followed are all important pieces of a credible program.

I also believe this program has the potential to benefit rural New Mexico economically.

A local tree can potentially become a local building product.

It can be harvested, transported, milled, graded and ultimately incorporated into a home or other structure here in New Mexico.

That creates opportunities for small sawmills, timber operators, truckers, graders, contractors and builders.

It keeps more of that economic activity in our communities.

For Lincoln County, this is particularly meaningful.

We have experienced firsthand the devastation that wildfire can cause, as well as the challenges that follow when communities are trying to recover and rebuild.

When we talk about resilience, we should not only be talking about how we respond after a disaster.

We should also be talking about building resilient local economies, resilient supply chains and resilient communities.

A responsible timber grading program can be one piece of that larger effort.

I also appreciate that the program creates accountability. A certification should mean something. The public, builders and building officials should be able to trust that the person grading structural timber has received appropriate training and that there are consequences when the requirements are not followed.

That balance—creating opportunity while maintaining accountability—is what I believe makes this program valuable.

On behalf of the Lincoln County Home Builders Association, I encourage the Forestry Division to move forward with the proposed Timber Grading Certification Program.

We support a program that is practical for rural sawmills, rigorous enough to protect the integrity of structural construction, and accessible enough that small New Mexico operators have a real opportunity to participate.

Thank you for the opportunity to testify, and thank you for the work that has gone into developing this program.



Executive Officer, Lincoln County Home Builders Association
P.O. Box 2769, Ruidoso, NM, 88355

W. H. MOORE CASH LUMBER LLC

OWNER: William Moore



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August 12, 2026

Erin McElroy
New Mexico Energy, Minerals & Natural Resources Department
Forestry Division

Re: Timber Grading Certification Program

Erin,

We are willing to stay open minded and become certified. We will do our best to participate in the program.

Sincerely,

William H. Moore

Owner/Sole Manager

American Lumber Standard Committee, Incorporated®

J.A. Brochu, Chairman
L.C. Goodloe, Vice Chairman
E.T. Treasurer
D.E. Kretschmann, President

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August 11, 2026

Erin McElroy
EMNRD, Forest Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Email: Erin.mcelroy@emnrd.nm.gov

Re: EMNRD Proposed Rule 19.20.7 NMAC, Timber Grading Certification Program

Dear Erin,

The American Lumber Standard Committee (ALSC) appreciates the opportunity to offer comments on the EMNRD Proposed Rule 19.20.7 NMAC, Timber Grading Certification Program (the "Proposed Rule").

ALSC administers the national accreditation program for grade marking of lumber produced under the U.S. Department of Commerce PS 20 system and is the basis for the acceptance of lumber and lumber design values by the U.S. building codes and other government agencies. This program has rigorous quality control and quality assurance program ensures the integrity of the lumber stamped with an ALSC grade mark. The Proposed Rule includes multiple troubling aspects that, if implemented as written, could place the safety of New Mexico residents at risk.

We have certain specific recommendations for changes, set forth below:

a) Section 19.20.7.7 F. Change the language to read:

"Employee" means any individual who performs work for or on behalf of a sawmill and who is an employee of the applicable sawmill.

Reason: The statutory language is clear and unambiguous in three separate instances--§§ 68-6-2(B), 68-6-3(A)(1), and 68-6-4(B)--that a grader may only be an owner or employee of a New Mexico sawmill. The proposed rule would expand the breadth of applicability of the statute far beyond what is permitted by also including independent contractors. New Mexico statutes in other circumstances (see, e.g., NMSA § 60-13-3.1(A), related specifically to construction work) make a clear distinction between independent contractors and employees. If the legislature had intended to allow independent contractors to also qualify to be certificate holders, it would have included such language in the statute. It did not do so.

b) Section 19.20.7.10 B. Change the language to read:

The X-week program shall include a written examination and shall include a practical examination. An applicant shall pass each examination with a minimum score established by the division before a certificate may be issued.

Reason: This proposed revision recommends adding a program duration length and replaces "may" with "shall" with regard to the practical examination. There is no indication of how much time the course work requires before the test is given. A minimum amount of instruction time should be stated. It is also our opinion that that a practical examination is mandatory. It would be very concerning that a grading certificate would be issued solely on the basis of a written examination without demonstrating any competency with regard to grading pieces of lumber.

c) Section 19.20.7.13 D. Change the language to read:

All grades and sizes shall be in accordance with product- and species-specific requirements-recognized in the version of the National Design Specification for Wood Construction adopted under applicable building codes.

Reason: The National Design Specification (NDS) for Wood Construction does not describe how grading is to be performed. Instead, the NDS recognizes requirements for grade and size of structural wood products by reference to other criteria.

d) Section 19.20.7.13 E. Change the language to read:

Structural timber milled in New Mexico shall be graded and labeled in-state by a certified grader at the sawmill where the timber was processed. Timber milled in New Mexico that is graded or labeled outside the state shall not be represented as structural timber under the New Mexico timber grading certificate program. Timber originating from outside New Mexico may be milled, graded, and labeled in-state by a certified grader at the sawmill where the timber was processed.

Reason: Revisions clarify that the criteria apply to timber originating outside the state, provided it is milled, graded, and labeled in-state.

e) Section 19.20.7.14 A(1). Change the language to read:

The division shall maintain records relating to the program in accordance with the State Records Retention and Disposition Schedule, 1.21.2 NMAC, including:

- (1) records relating to individual grader certificates including applicable grade(s), size(s), and species for which grader certification applies, which shall be retained for 10 years from the date the individual is no longer certified, pursuant to 1.21.2.667 NMAC;

Reason: It is unlikely that the state certification training program will establish grader competency over the full range of species, grades, and sizes of lumber. This revision recognizes a specific scope of competency based on the training provided and accounts for possible changes in the training program over time. Maintaining the scope of certification in the required documentation will help support state building code officials who inquire about materials labeled by a state-certified grader.

f) **Section 19.20.7.14 C.** Change the language to read:

The division or its authorized qualified representative shall perform unannounced site visits annually and "check-grading" of labeled inventory to verify the accuracy and adherence to state-specific standards.
[19.20.7.14 NMAC – N, XX/XX/XXXX]

Reason: Equivalency with structural timber graded in accordance with the adopted building code is not achievable without regular oversight. "May" is changed to "shall" to ensure implementation of unannounced visits to confirm adherence to state-specific standards as required by this rule. Annually is a minimum that is thought necessary.

Thank you for the opportunity to comment. ALSC is available to assist with review of any training materials and any additional implementation criteria needed.

Sincerely,

A handwritten signature in black ink, appearing to read "David E. Kretschmann". The signature is fluid and cursive, with a large loop at the end.

David E. Kretschmann
President American Lumber Standard Committee, Inc.



August 12, 2026

Erin McElroy
EMNRD, Forest Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Email: Erin.mcelroy@emnrd.nm.gov

Re: EMNRD Proposed Rule 19.20.7 NMAC, Timber Grading Certification Program

Dear Erin,

The American Wood Council (AWC) appreciates the opportunity to offer comments on the EMNRD Proposed Rule 19.20.7 NMAC, Timber Grading Certification Program.

AWC is the voice of North American wood products manufacturing representing 87 percent of the structural wood products industry. Our staff experts develop state-of-the-art engineering data, technology, and standards to assure the safe and efficient design of wood products, and they provide information on wood design, green building, and environmental regulations.

We suggest the following revisions:

- a) **Section 19.20.7.13 D.** All grading grades and sizes shall be performed in accordance with product and species-specific requirements ~~the species-specific design values as recognized in the most recent version of the National Design Specification for Wood Construction~~ adopted under applicable building codes.

Reason: The National Design Specification (NDS) for Wood Construction does not describe how grading is to be performed. Instead, the NDS recognizes requirements for grade and size of structural wood products by reference to other criteria.

- b) **Section 19.20.7.13 E.** Structural timber milled in New Mexico shall be graded and labeled in-state by a certified grader at the sawmill where the timber was processed. Timber milled in New Mexico that is graded or labeled outside the state shall not be represented as structural timber under the New Mexico timber grading certificate program. Timber originating from outside New Mexico may be milled, graded, and labeled in-state by a certified grader at the sawmill where the timber was processed. ~~and sold within the state, provided it meets New Mexico's applicable grading and sales requirements.~~

Reason: Revisions clarify that the criteria apply to timber originating outside the state, provided it is milled, graded, and labeled in-state.



- c) **Section 19.20.7.14 A(1).** The division shall maintain records relating to the program in accordance with the State Records Retention and Disposition Schedule, 1.21.2 NMAC, including:

- (1) records relating to individual grader certificates including applicable grade(s), size(s), and species for which grader certification applies, which shall be retained for 10 years from the date the individual is no longer certified, pursuant to 1.21.2.667 NMAC;

Reason: It is unlikely that the state certification training program will establish grader competency over the full range of species, grades, and sizes of lumber. This revision recognizes a specific scope of competency based on the training provided and accounts for possible changes in the training program over time. Maintaining the scope of certification in the required documentation will help support state building code officials who inquire about materials labeled by a state-certified grader.

- d) **Section 19.20.7.14 C.** The division or its authorized qualified representative ~~may~~ shall perform unannounced site visits annually and "check-grading" of labeled inventory to verify the accuracy and adherence to state-specific standards. [19.20.7.14 NMAC – N, XX/XX/XXXX]

Reason: Equivalency with structural timber graded in accordance with the adopted building code is not achievable without regular oversight. "May" is changed to "shall" to ensure implementation of unannounced visits to confirm adherence to state-specific standards as required by this rule. Annually is a minimum that is thought necessary.

Thank you for the opportunity to comment. AWC is available to assist with review of any training materials and any additional implementation criteria needed so that structural timber under the state's certified grader program meets the same rigor prescribed for structural timber in the applicable building code.

Sincerely,

Philip Line, P.E.
VP, Codes and Regulations
50 Catocin Circle NE, Suite 201
Leesburg, VA 20176

August 13, 2026

[Public Comment on Proposed Rule 19.20.7 NMAC](#) – Timber Grading Certification Program Energy, Minerals and Natural Resources Department Forestry Division 1220 South St. Francis Drive Santa Fe, NM 87505

To Whom It May Concern:

I am writing in strong support of the Energy, Minerals and Natural Resources Department's proposed adoption of [Rule 19.20.7 NMAC, Timber Grading Certification Program](#), as described in the [public notice](#) issued by the State Forestry Division. The proposed rule appropriately implements the Timber Grading Act (NMSA 1978, Sections 68-6-1 through 68-6-4) by establishing a state system for obtaining certification to grade wood products made in New Mexico. This framework will enable NM-graded timber to be used in residential and commercial construction consistent with state building codes and will strengthen the state's capacity to support local timber markets and ensure quality, safety, and consistency in structural wood products.

I support the adoption of the proposed rule and appreciate the Division's work to create a clear, accessible, and state-specific certification program. However, I respectfully recommend removing or changing the application requirement in Section 19.20.7.9(C). This section requires applicants to submit a completed application form, provide personal and sawmill information, document successful completion of the program, and pay the certification fee. While these elements are reasonable on their own, they are duplicative of information required in other sections.

Information about program participants is sufficiently collected through implementation of Section 19.20.7.8(B), which directs the Division to create a training program and requires the maintenance of records of participants, and Section 19.20.7.12 which addresses certificate requirements and renewals. Because the Rule already maintains records of program participants under 19.20.7.8(B)(5) and requires graders to retain and provide records under 19.20.7.14, the application step in 19.20.7.9(C) becomes redundant. The participation in training and documentation of training completion to support the issuance of certificates under 19.20.7.8(B)(3) provides sufficient information for program administration, compliance tracking, and accountability.

Removing the application requirement would streamline the program, reduce administrative burden for program participants and the Division, and maintain the clarity and efficiency that the Timber Grading Certification Program is designed to achieve. The steps of the training process are adequate to ensure that only qualified individuals participate in the program and receive certificates.

Thank you for the opportunity to comment and for EMNRD's continued leadership in supporting New Mexico's forest sector and rural communities.

Respectfully submitted by,

Rachel Wood

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