

Desert River Guides, LLC

As employers and stakeholders in the diverse outdoor recreation industry—which includes guided adventure tours, outdoor education programs, hunting and fishing outfitters, rafting companies, mountain biking operators, wilderness therapy programs, and more—we are concerned that the proposed heat rule would have serious unintended consequences for our businesses and the communities we serve. While we fully support the goal of protecting workers from heat-related injuries, we believe that a rigid, one-size-fits-all regulation could undermine the very safety and adaptability that are central to our industry's success.

Outdoor professionals are uniquely trained to monitor environmental conditions, including temperature, humidity, terrain, and individual client well-being. Guides, instructors, and outdoor leaders are trained not only in First Aid and CPR, but also in risk management strategies specific to working in extreme weather. Many companies voluntarily incorporate advanced wilderness medical certifications and ongoing scenario-based training for heat-related illness, dehydration, and exertion. These are essential parts of existing best practices across the industry.

Our businesses operate in dynamic, natural environments where flexibility and situational awareness are critical. A prescriptive regulation that imposes static thresholds for work stoppage or mandatory rest breaks—without accounting for regional climate variations, terrain, seasonal fluctuations, and individual fitness levels—would be difficult to implement in the field, difficult to enforce, and could even introduce new risks by forcing premature changes in itinerary or supervision ratios. For example, stopping a guided rafting trip mid-river due to a mandated rest interval could create greater exposure to sun and heat than continuing to a shaded takeout point.

Rather than impose uniform rules that may not account for the complex realities of outdoor work, we urge the New Mexico Environment Department (NMED) to work with industry professionals to develop flexible, evidence-based guidelines tailored to the operational demands of different outdoor recreation sectors. Collaborative efforts that promote education, training, and proactive heat mitigation planning will be more effective than rigid mandates.

The outdoor recreation industry contributes significantly to New Mexico's economy, tourism, and public health. Overregulation could jeopardize the viability of small businesses, limit client access to guided outdoor experiences, and ultimately reduce opportunities for people to engage with the outdoors safely and meaningfully. We respectfully request that the state prioritize partnerships with industry experts to craft policies that enhance safety while preserving operational feasibility and client access.

Regards,

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