

Trails at Risk:
**The Impacts of Unmanaged Motorized
Recreation and Off-Road Vehicle Use on
Hiking Trails and the Hiking Experience**



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Prepared by: American Hiking Society, February 2005

Cover photo: Evidence of ORV use on wetlands along the Florida National Scenic Trail

American Hiking thanks the Deer Creek Foundation for its generous support of this project.

Executive Summary

Every year, more than 72 million hikers visit our nation's outstanding trail lands to escape the fast pace of modern society, to observe flora and fauna, and to experience solitude, fresh air, and quiet, natural sounds while slowly exploring and enjoying the outdoors on foot. Unfortunately, these experiences are increasingly at risk in many areas due to the proliferation and uncontrolled use of off-road vehicles on public lands.

Trails at Risk: The Impacts of Unmanaged Motorized Recreation and Off-Road Vehicle Use on Hiking Trails and the Hiking Experience offers compelling evidence that uncontrolled off-road motorized recreation affects hikers and hiking clubs throughout the nation and requires immediate action as well as long term solutions before additional hiking trails are lost or destroyed. Anything less than real and comprehensive reform poses a serious threat to the natural experiences sought by hikers on our precious parks, forests, and public lands.

Many studies of the impacts of off-road vehicles have focused on resource damage and the impacts to wildlife. The impacts of motorized recreation on hikers are often overlooked as hikers flee a motorized area in search of quiet, natural experiences and as volunteer groups repeatedly repair off-road vehicle damage and try to discourage illegal use. The end result is the de facto loss of hundreds of miles of prime hiking trails throughout the country—all during a time when hiking continues to be one of the fastest-growing outdoor pursuits in the country.

The increased popularity of off-road vehicles (ORVs) over the past decades has coincided with technological advances enabling these machines to penetrate deeper into the backcountry than ever before. More and more, machines are being used in places that were once thought of as pristine and wild—and beyond the reach of such mechanized intrusion. While the use on federal lands grows and the range of ORVs increases, agencies have largely ignored resulting resource damage to soils, vegetation, wildlife, and escalating user conflicts.

For the purposes of the report, the term off-road vehicle includes motorcycles, all-terrain vehicles, swamp buggies, dune buggies, air boats, snowmobiles, four-wheel drive vehicles when used off-road and any other vehicle designed for and/or capable of off-road travel. All-terrain vehicles (ATVs) are a subset of ORVs. Although the impacts of motorized recreation on hiking are prevalent on both federal and state lands, *Trails at Risk* focuses on federal lands and federal land management policy issues pertaining to off-road vehicles.

Impacts on Hikers and Other Human-Powered Recreationists

- User conflicts and resource damage leading to hiker displacement.
- Safety & health threats due to pollution, damage to trails and routes, speed of travel, and unexpected encounters in the same area.
- Motorized recreation causes severe and lasting damage to the natural environment that hikers depend on.
- The sight, smells, and sounds of off-road vehicles alter the remote, wild character of the backcountry and deny other users the quiet, pristine, natural experience they seek.

Resource Impacts

- Pollution: engines discharge 25-30% of fuel mixture directly into environment, adversely affecting quality of air, soil, water, snow, and human health.
- Plants & Soils: soil erosion and compaction, stripping/crushing vegetation, sedimentation of streams.
- Wildlife: disturbance, harassment, habitat destruction/fragmentation, displacement, mortality.

Our findings reveal that off-road vehicle use is affecting or displacing hikers in all regions of the country. Responses from hiking and trail organizations indicate the widespread impacts of unchecked motorized recreation adversely affect the land, environment, and wildlife that are important to hikers. Hiking clubs have reported numerous examples of severe ORV damage and incursions on hiking trails.

Ill-managed off-road vehicle use does more than damage the land and displace hikers, it costs the American taxpayers millions of dollars annually for emergency trail/route repairs, to mitigate future damage, and to rehabilitate critical resources. Volunteers on hiking trails, who donate hundreds of thousands of hours of labor on public lands each year, have to spend more and more time repairing the damage to hiking trails impacted or wrecked by off-road vehicles.

In general, federal agencies have clear authority to control off-road vehicle use; however, they have generally failed to effectively enforce stated policies, and, in the case of Forest Service and Bureau of Land Management lands, agencies have allowed this use over the vast amount of land under their jurisdiction. Or, in the case of national parks, efforts to protect parks from the damage caused by off-road vehicles, especially snowmobiles, have been undermined during various rulemakings combined with lawsuits brought by the powerful off-road vehicle industry.

This document provides a snapshot of motorized recreation-related issues hikers and hiking organizations are facing and complements numerous other studies and reports that focus on the resource damage and environmental damage caused by ORVs. To review additional resources and a searchable database on the ecological impacts of ORVs and roads, visit:

www.wildlandscpr.org/bibliographies.htm

www.naturaltrails.org/ActivistTools/grassroots/scientific_resources.html.

Regional Case Studies

The following summarized regional case studies illustrate the impacts of unmanaged motorized recreation on trails, hikers, and the hiker's experience in ten areas across the country.

Washington: Motorized recreation displaces hikers from roadless and backcountry areas such as the venerable Dark Divide in the Gifford Pinchot National Forest. Trail tread damage, soil erosion, wildlife disturbance, meadow damage, and noise, air and water pollution are also associated with motorized use.

California: Motorized recreation has impinged on hiking trails in Sierra National Forest including Miami Mountain, Bald Mountain, and Spanish Mountain. Impacts include trash, dry and wet soil erosion, noise pollution, oil dumps and fuel exhaust.

Montana: Abused trails have been transformed from tranquil single-track footpaths to fifteen-foot-wide dusty, rocky, rutted roads devoid of vegetation. Two main areas threatened by motorized recreation use are the Albro Lake Trail in the Beaverhead-Deerlodge National Forest and the Tobacco Roots.

New Mexico: Motorized use is encroaching on wilderness areas including the Pecos and San Pedro Parks Wilderness. The noise, pollution, and speed all discourage hikers, and volunteer organizations must now work on erecting barriers for motorized vehicles instead of much needed trail maintenance.

Colorado: Motorized use greatly increases maintenance needs on the Colorado Trail, creating challenges for volunteers who end up repairing motorized damage. The Colorado Trail Foundation abandoned the 50-mile Gunnison spur as a result of extensive ORV damage.

Minnesota: ATV and snowmobile use has damaged sections of the Superior Hiking Trail, requiring tread repair.

Wisconsin: Unauthorized or illegal ATV use affects segments of the Ice Age National Scenic Trail which is administered primarily as a footpath.

Georgia: Illegal ORV use affects the Benton MacKaye Trail, causing increased maintenance needs on abused trail beds, sediment runoff problems, and disturbance to the backcountry experience.

Texas: Unlawful ORV use degrades the Lone Star Hiking Trail (LSHT), resulting in deep rutting of the trail within wilderness, and motorized bike noise disturbs the hiking experience where a sanctioned ORV trail crosses near the LSHT.

Florida: The Florida National Scenic Trail, a renowned footpath, has been abused by ORVs in Ocala National Forest for years. ORV use has caused the Florida Trail Association to change the way it constructs and maintains the Trail in order to create obstacles or hindrances to ORV use.

Recommendations

Despite the seriousness of the threats, off-road vehicle management by the federal land managing agencies has been inconsistent and lax across national forests, parks, and public lands. This has exacerbated illegal trespass, unauthorized route creation, safety concerns and user conflicts; caused undue damage and disturbance to sensitive habitat and resources; and strained already woefully short-handed law enforcement officers.

Addressing this problem requires, at a minimum:

- 1) regulations that facilitate effective enforcement on the ground;
- 2) real agency commitment to addressing the serious threats caused by off-road vehicles in a timely and consistent way; and
- 3) significantly higher agency budget requests to Congress to boost the number of full-time law enforcement officers nationwide.

Real reform requires establishing deadlines for route designations and implementing broad programs in visitor education, resource monitoring, route maintenance, recreation planning, and enforcement. Land management agency reforms must be accompanied by environmental regulations that strengthen ORV emission performance standards and include a timely phase-out of the dirty two-stroke engine in favor of the more efficient four-stroke engine to reduce air and noise pollution. Hikers indicate a strong preference for separated areas for motorized and nonmotorized use, given the significant disturbance, noise, pollution, resource impacts, and safety and health threats.

Recommendations for Federal Land Management Agency Reform:

➤ *Designate and Map Legal Routes/Determine Where Use is Appropriate*

Agencies must designate roads and routes for off-road vehicle travel through a site-specific and public process under the National Environmental Policy Act. Renegade roads/routes created by users without authorization must be closed until full analysis is completed. Off-road vehicle use must be authorized only in a manner that protects natural resources, environmental values (e.g. quiet, landscape character), public safety and the experience of other forest users.

➤ *Authorize Use Only on Roads and Routes Designated as Open*

Agencies must prohibit cross-country travel, and restrict ORV use to system roads and routes specifically designated, mapped, and posted as open for ORV use. ORV use must be confined to appropriate routes in order to avoid unlawful environmental degradation and prevent user conflicts. Failure to prevent use of unauthorized renegade routes will cause more damage and displacement and effectively reward unauthorized and illegal actions.

➤ *Conserve Nonmotorized Recreation Opportunities & Retain Quiet Use Areas*

Agencies must protect traditional foot trails from motorized use: motorized vehicles may only travel on roads and off-road vehicle routes designated in a public planning process and specifically engineered and constructed for motorized travel. Land managing agencies should set aside "quiet use areas" to enable nonmotorized recreationists to observe flora and fauna and travel through the backcountry without risking encounters with motorized vehicles or experiencing the adverse impacts of motorized vehicles.

➤ *Protect Wilderness Quality Lands*

Agencies must prohibit the use of off-road vehicles in wilderness quality lands such as roadless areas, wilderness study areas, and other ecologically sensitive areas. These areas must be managed to ensure their ecological integrity and wild character are preserved. ORV use in wilderness quality lands can result in permanent or irreparable damage to resources. Even if restricted to authorized trails, ORV use in these areas can alter their long-term ecological health. For nonmotorized recreationists who prefer recreating in pristine, unaltered landscapes, the sight, sound, and smell of an ORV or evidence of ORV destruction can detract from the recreational experience.

➤ *Prioritize Monitoring and Enforcement*

Agencies should authorize off-road vehicle use only to the extent that effective monitoring and enforcement are annually funded, implemented and used to determine appropriate levels of continued off-road vehicle use. Agencies should also create a consistent set of minimum off-road vehicle regulations, and enforcement and monitoring standards that all parks/forests/public lands must meet, while allowing individual units/areas to develop or maintain more protective measures. Prioritizing enforcement also entails: expanding field presence to monitor use and educate users and assessing significant fines for violations of existing off-road vehicle laws and regulations when such violations cause egregious damage to natural resources. Such fines may be used to restore damage, enforce existing regulations and educate the public about appropriate off-road vehicle use on public lands.

Introduction

Across the nation, millions of people visit our public lands for recreation, inspiration, and renewal. In recent years, the means by which people recreate on public lands has gained increasing attention. Nearly two-thirds of Americans (146 million) aged sixteen and over participate in human-powered outdoor recreation activities. Of that, approximately 72 million Americans participate in hiking and 14 million in backpacking (Outdoor Industry Association, 2004). These millions of hikers and backpackers visit our nation's outstanding trail lands to observe flora and fauna and experience solitude, fresh air, and quiet, natural sounds.

Unfortunately, these experiences are increasingly at risk in many areas due to the proliferation and uncontrolled use of off-road vehicles on public lands. More than 11 million off-road vehicles (ORVs) are in use in the United States, and according to the USDA Forest Service, almost 36 million Americans use ORVs. However, this seemingly small activity compared to other forms of recreation creates enormous management challenges.

The increased popularity of ORVs has coincided with technological advances enabling these machines to penetrate deeper into the backcountry and pristine areas of parks, forests, and public lands. While the use on federal lands grows and the range of ORVs increases, agencies have largely ignored resulting resource damage to soils, vegetation, wildlife, and escalating user conflicts. The presence and impacts of motorized recreation are also multiplying on state lands, where they are often prohibited and enforcement is lax.

Many studies of the impacts of off-road vehicles have focused on resource damage and the impacts to wildlife. The impacts of motorized recreation on hikers are often overlooked as hikers flee a motorized area in search of quiet, natural experiences and as volunteer groups repeatedly repair off-road vehicle damage and try to discourage illegal use. The end result is the de facto loss of hundreds of miles of prime hiking trails throughout the country—all during a time when hiking continues to be one of the fastest-growing outdoor pursuits in the country.

This report outlines the impacts of unmanaged motorized recreation and off-road vehicle use specifically on hiking trails and the hiking experience. For the purposes of this report, the term off-road vehicle includes motorcycles, all-terrain vehicles, swamp buggies, dune buggies, air boats, snowmobiles, four-wheel drive vehicles when used off-road and any other vehicle designed for and/or capable of off-road travel. All-terrain vehicles (ATVs) are a subset of ORVs. Although the impacts of motorized recreation on hiking are prevalent on both federal and state lands, this report focuses on federal lands and federal land management policy issues pertaining to off-road vehicles.

American Hiking Society: History and Mission

As the national voice for America's hikers, American Hiking Society promotes and protects foot trails and the hiking experience. Founded in 1976, American Hiking Society is the *only* national organization dedicated to establishing, protecting, and maintaining America's footpaths and trail lands. As a conservation-based recreation organization, American Hiking champions hiking conservation issues, builds partnerships, and provides critical resources to enable trail advocates to plan, fund, and develop trails in their communities.

With headquarters just outside Washington, DC, American Hiking has consistently led the charge to protect national scenic and trail corridors; awarded grants to grassroots trail organizations for trail protection and capacity-building; motivated millions of individuals to learn about trails at

annual National Trails Day events; and sent thousands of volunteers to national parks and forests to repair foot trails through Volunteer Vacations. With thousands of individual members and more than 170 member organizations, American Hiking Society represents more than half a million outdoors people.

ORV damage on Pine Mountain Trail, Jefferson National Forest



Project Justification

Off-road vehicles pose one of the fastest growing threats to the integrity of our public lands, damaging soil, vegetation, and wildlife and polluting the air and water. The proliferation of ORVs also leads to user conflicts, safety risks, and diminishes the recreational experiences of other users of public lands, particularly nonmotorized recreationists such as hikers. ORV use and sales have increased sharply in the last decade. At the same time, the motorized community has gained a receptive Administration and Congress. In recent years, funding for enforcement is inadequate or decreasing, and American Hiking is hearing from our member organizations more and more about the issue.

Motorized recreation is a relatively new issue for American Hiking Society, receiving higher priority among our policy issues only in the last few years. In order to better gauge the extent of the threat, determine the appropriate level of response and better engage in current policies such as the new Forest Service ORV regulations or other Forest Service, Bureau of Land Management, or National Park Service planning efforts, American Hiking required more focused research and outreach to its member organizations. This project entailed producing a report summarizing the effects of unmanaged motorized recreation on hiking and hiking trails, highlighting regional examples of impacts and including policy recommendations. The report and/or executive summary will be distributed to member organizations, interested individual members, partner organizations, and congressional and federal agency staff as appropriate.

Methodology

In the spring of 2004, American Hiking Society identified research gaps concerning motorized recreation and its impacts on hiking and prepared a needs analysis including background information, the current research required on the topic, and a tentative timeline for the research process. In order to gain an understanding of motorized recreation impacts on hiking, American Hiking developed research issues and electronically sent out a questionnaire to all American Hiking Alliance member organizations and American Hiking board members in late May. Simultaneously, staff made phone calls to all Alliance and board members to ensure they received the questions and to discuss related issues.

In early summer, a second email and set of phone calls were made to all organizations and individuals who had not yet responded to the ORV questionnaire. During this time, American Hiking organized all in-house and newly compiled ORV materials and created a bibliography regarding ORV impacts on hiking and hiking trails. Questionnaire responses and photos were compiled throughout the summer.

The questionnaires/responses were then analyzed and put into different geographical categories. The strongest regional examples received from our member organizations of motorized recreation impacts on hiking and the hiking experience were added to our final report, and all other responses and photos were added to American Hiking's ORV files. These case studies and regional examples provide a snapshot of the motorized recreation-related issues hikers and hiking organizations currently face. Combined, these case studies offer a unique perspective from the hiking community that has not been presented before on this important issue. By late summer/early fall, the draft report and summary were completed, revisions continued through the fall, and preparations were made for publication and distribution by early 2005.

ORV tracks in Big Cypress National Preserve, Florida



Off-Road Vehicle Impacts

Our research findings reveal that off-road vehicle use is affecting or displacing hikers in all regions of the country. Responses from hiking and trail organizations indicate that widespread impacts of unchecked motorized recreation adversely affect land, environment, and wildlife that are important to hikers. Hiking clubs have reported numerous examples of severe ORV damage on hiking trails, including those in California, Florida, Kentucky, Minnesota, Montana, New Mexico, Texas, Washington, Wisconsin, and many others.

Incursions on non-motorized and hiking-only trails lead to user conflicts, and the sight, smells, and sounds of ORVs disrupt the solitude, remoteness, and wild character of the backcountry that hikers seek when they go to natural areas. Motorized recreation monopolizes the outdoor resource by denying other users a quiet, pristine, backcountry experience. ORVs also present safety and health threats to both motorized and nonmotorized recreationists through air and water pollution, speed of travel, damage to trails and routes, and unexpected encounters.

Many dirt bikes, ATVs, and snowmobiles are powered by inefficient two-stroke engines which are highly polluting. According to the U.S. Environmental Protection Agency, the average two-stroke engine, which burns a combination of gas and oil, dumps 25 to 30 percent of its fuel mixture unburned into the air and water. Unburned fuel contains a host of toxic chemicals, including benzene, formaldehyde and methyl tertiary butyl ether.

The environmental and resource impacts of motorized recreation are well documented and include trampled vegetation, collapsed stream banks, eroded soils, sediment loaded waters, and deep, lasting scars in the landscape. ORV management problems include trespass into areas in which ORV use is not authorized, trail widening/braiding and erosion, wildlife habitat fragmentation and disturbance, the spread of invasive species, unauthorized trail creation, and increased vandalism.

Tens of thousands of miles of renegade routes criss-cross our public lands and forests nationwide. ORVs can cover long distances in remote areas, furthering pollution and wildlife harassment, displacing other recreationists, and disrupting solitude across a vast area. Many former hiking trails have been transformed into wide, rutted roads in the backcountry, while other hiking trails have become unenjoyable and dangerous for those on foot.

Ill-managed off-road vehicle use does more than damage the land and harm wildlife, it costs the American taxpayers millions of dollars annually for emergency trail/route repairs, to mitigate future damage, and rehabilitate critical resources. Volunteers on hiking trails, who donate hundreds of thousands of hours of labor on public lands each year, have to spend more and more time repairing the damage to hiking trails impacted or wrecked by off-road vehicles.

All of these impacts directly or indirectly affect hikers and hiking trails across the nation and require immediate action before additional hiking trails are lost or destroyed. To ignore this problem is to put at risk the high-quality, natural experiences sought by millions of hikers on our precious parks, forests, and public lands.

This document complements numerous other studies and reports that focus on the resource damage and environmental damage caused by ORVs. To review additional resources and a searchable database on the ecological impacts of ORVs and roads, visit:

www.wildlandscpr.org/bibliographies.htm

www.naturaltrails.org/ActivistTools/grassroots/scientific_resources.html.

ORV damage on Pine Mountain Trail



Regional Case Studies

The regional case studies illustrate the impacts of motorized recreation on trails, hikers, and the hiking experience in ten areas across the country. They also include comments on enforcement and mitigation, policy recommendations, designations, and willingness to pay for nonmotorized experiences or land acquisition for motorized recreation. (See Appendix A for more information on survey questions).

Washington:

Washington Trails Association (WTA) works on hiking trails throughout the Cascades and Olympic ranges. WTA maintains several hundred miles of trail each year, and many of the trails are open to livestock and mountain bikes. Elizabeth Lunney, WTA's executive director, describes the problems with hiker displacement in the region, stating, "Motorized recreation has displaced hikers from roadless and backcountry areas that were once places one could go for a wilderness-like experience. The Forest Service has developed the Dark Divide, Mad River/Entiat, Teanaway and Taneum areas of Washington for concentrated motorized recreation. In addition to displacing hikers to other, already crowded wilderness areas, these motorized trails have also hindered local efforts to seek stronger protections for these places, such as wilderness designation."

Trails that become open to motorized recreation come off WTA's members' inventory of places to hike. In member surveys, WTA concluded that more than 99% of its members will not hike on a trail where there is motorized use, as motorized use is incompatible with the quiet, natural experience sought by most hikers. Trail tread damage, soil erosion, wildlife disturbance, meadow damage, and noise, air and water pollution are other problems associated with motorized use.

WTA asserts that a forest should be closed to motorized recreation unless posted open, including all off-trail areas, and the Forest Service needs to re-evaluate the appropriateness of motorized recreation for all of the trails it currently has designated as such. Many trails were opened to motorized recreation without any study or planning and are not constructed to motorized standards.

WTA also believes motorized and nonmotorized trail users cannot share the same trail or geographic area because even within a single area, the noise and disturbance motorized recreation generates is akin to having a road through a hiking area – something undesirable and incompatible with the hiking experience. Hikers would not be willing to pay for the acquisition of land for motorized use; they already contribute immensely to stewardship of existing hiking areas as well as some areas that include ORV trails. Lunney adds, “Unfortunately, hikers do wind up paying to subsidize motorized recreation. Motorized trails are expensive to maintain and enforce, and the precedent in Washington has been that hikers and other tax-payers shoulder some of the burden.”

Source:

Elizabeth Lunney, Executive Director
Washington Trails Association

California:

Motorized recreation has impinged on hiking trails in Sierra National Forest including Miami Mountain, Bald Mountain, and Spanish Mountain. Impacts include trash, dry and wet soil erosion, noise pollution, oil dumps, and fuel exhaust.

Scott Kruse, biophysical geographer, volunteer trail maintainer, and former national park and forest ranger and fisheries biologist, has witnessed ORV damage in numerous areas, especially in the Sierra National Forest. He asserts motorized recreation “disrupts the entire setting, provenance, and purpose of hiking or doing trail maintenance work. What can take hours or days to stabilize soils and trail tread can be totally undone and set back in an instant.”

Motorized recreation in the Sequoia and Sierra National Forests has created many places where hikers and Nordic skiers no longer go. “Motorized vehicles have taken over, with USFS encouragement,” according to Kruse, with negative impacts in Giant Sequoia National Monument and other areas. Snowmobiles displace Nordic skiers and hikers in Huntington Lake, Cold Creek, Kaiser Pass and Mono Hot Springs areas. The hiking experience is adversely altered by hearing motorized vehicles nearby, seeing the lights of vehicles at night, smelling diesel and gasoline exhaust, encountering and retrieving vehicle parts and refuse on trails and at trailheads, and observing vehicle impacts on soil and vegetation.

Kruse suggests the enforcement, mitigation, and restoration needed in the area includes restoring the *Watershed Protection Area* status that previously existed throughout the Sierra and Sequoia National Forests, emphasizing human transport rather than fossil-fueled motor transport, posting clear standardized signs at all trailheads, and regular observation and maintenance near

campgrounds Kruse also believes motorized transportation should only be allowed on paved roads, adding motorized and nonmotorized recreation users cannot share the same trail or geographic regions “if the goal is long-term, cost-effective management and ecosystem sustainability.”

Source:

Scott Kruse, Biophysical Geographer, Trail Maintainer

Montana:

While re-hiking more than a hundred routes in Montana during the past four years, Bill Schneider, author and publishing consultant, has found what he considers many “sickening” examples of motorized recreation abuse. Entire trails have been transformed from tranquil single-track footpaths to fifteen-foot-wide dusty, rocky, rutted roads devoid of vegetation. Several of these roads, which were formerly known as trails, have had to be removed from the encyclopedia of hiking trails in Montana. Schneider has stood along a trail in the process of becoming a road and waited for packs of motorized vehicles to noisily pass. Two main trails in Montana threatened by motorized recreation use are the Albro Lake Trail in the Beaverhead-Deerlodge National Forest and the Tobacco Roots.

Once a trail becomes an ATV road, it is no longer a hiking trail. From Schneider’s hiker perspective, this trail may as well be taken off the map and should definitely be designated as a road instead of a trail. He says, “Why volunteer to do trail work if the trail is destined to become a road for motorized recreation? Motorized recreation displaces hikers on any trail they use and the social conflict is irresolvable.”

Schneider contends there are too many trails open to motorized recreation in Montana, and unfortunately all trails are open except wilderness, national parks, and a few special cases. He asserts, “There is essentially no enforcement for motorized recreation, but enforcement isn’t the problem. Regulation and designation are the main issues. There needs to be a national standard that limits the percentage of trails open to motorized and nonmotorized recreation on the same trail. The government can mix all kinds of nonmotorized and all kinds of motorized recreation, but the two groups should never be allowed on the same trail. Also, there needs to be a re-designation of motorized recreation routes as roads, no longer calling them trails.”

Source:

Bill Schneider, Publishing Consultant

New Mexico:

Bill Velazquez, founder of Friends of Piedra Lisa has seen an alarming increase in motorized vehicle encroachment on wilderness areas. Specifically, he has seen motorbike tracks on the Hamilton Mesa Trail in the Pecos Wilderness and the Vacas Trail in the San Pedro Parks Wilderness. Additionally, he was told by the Espanola Ranger District that motorized recreation vehicles are working their way into the wilderness from Borrego Mesa to Joe Vigil Lake, and the Pecos Ranger District has seen evidence of motorbikes as deep as Trailriders Wall in the Pecos Wilderness. Trailriders Wall and Joe Vigil Lake lie more than ten miles into the wilderness. Additionally, the Questa Ranger District is trying to establish barriers in the Latir Wilderness to keep ATVs out. The BLM is also battling with this problem in the southern part of New Mexico.

Because of motorized recreation, volunteer organizations “must now concentrate valuable resources on erecting barriers for motorized vehicles instead of doing much needed trail maintenance,” says Velazquez, adding that off-road vehicles definitely alter the hiking experience—“the noise, the pollution, the speed, all discourage hikers.”

Velazquez believes “this will be a growing problem and we are fighting growing numbers,” and he expresses concerns about the lack of funding and manpower available, ineffective laws and policies, and the reality of a cost effective permanent solution.

Source:

Bill Velasquez, Friends of Piedra Lisa

Colorado:

The Colorado Trail (CT) is almost exclusively on Forest Service land, with some miles on BLM lands; in a few places the Colorado Trail crosses public roads for a short distance. Most users of the CT seek a nonmotorized experience. Of the 486 miles of CT, approximately 130 miles are open to motorized vehicles. Merle McDonald, past president and long-time volunteer for the Colorado Trail Foundation explains, “It appears practical over the long term to separate about 100 of the 130 miles from motorized traffic through reroutes or changed regulations.”

Volunteers maintain the Colorado Trail, and motorized traffic greatly increases the maintenance requirements. Most volunteer maintainers are hikers or backpackers and strongly object to repairing motorized damage. The Colorado Trail Foundation has abandoned the 50-mile long Gunnison spur as a result of extensive motorcycle damage. Motorcycle encounters tend to be the most objectionable since they involve noise and speed on the trail. Signs stating ‘Prohibited to Motorized Use’ tend to be vandalized or disappear. Since most of the CT is in remote areas there is very little policing.

According to McDonald, “The Colorado Trail Foundation’s objective is to have the maximum amount practical of the CT separated from motorized traffic” and he believes there is a need for set-aside, separated, designated areas for motorized and nonmotorized recreation.

Source:

Merle McDonald, Past President, Volunteer, and Board Member
Colorado Trail Foundation

Minnesota:

The Kekekabic Trail Club maintains a number of trails within Superior National Forest in and around the Boundary Waters Canoe Area Wilderness, including the namesake Kekekabic Trail. Trail lengths range from three miles to thirty-eight miles, and they are hiking-only trails, although sections may also be used as canoe portages.

Kekekabic Trail Club board member Terry Serres witnessed “terrible” ATV traffic and damage on the Superior Hiking Trail, at the Penn Boulevard parking lot and trail access, going east on the trail toward Bear and Bean Lakes. The Superior Hiking Trail also crosses snowmobile trails in many places; on hikes in early spring through fall, he notes, the snowmobile shelters on wide corridors on the shared sections are covered with trash, and there is visible damage from the tread of the motorized vehicles caused by studs. Tread repair is needed on sections of the Superior Hiking Trail crossing or running along snowmobile corridors. Serres asserts that stud use on

snowmobiles should also be banned or at least more highly taxed and there should be snowmobile rangers who patrol the trails.

Serres considers the noise the worst impact: “It instantly changes the mood of the hike – it’s really sort of stomach-turning when you come upon ATV riders and you have to be careful not to get in their way and yet want to hustle away from the noise as fast as possible. A hike is a contemplative activity, and I favor wilderness or near-wilderness settings. Connecting with the land, water, and sky is a much more restorative experience without motorized recreationists nearby whose goals are so different.”

Source:
Terry Serres, Board Member
Kekekabic Trail Club

Wisconsin:

The Ice Age Park and Trail Foundation is responsible for the Ice Age National Scenic Trail which crosses federal, state, county, local, and private lands. The Ice Age Trail is intended to be a footpath, and most of it is administered as such. Some sections, mainly where it utilizes rail-trails, are managed under “multiple use” principles. Less than one three-mile segment is officially open to ATVs; local volunteers are working to reroute around this segment. Christine Thisted, executive director of the Ice Age Park and Trail Foundation explains that unauthorized or illegal use of ATVs affects tens if not more than a hundred miles of the Ice Age National Scenic Trail, estimating that half of this use is light and done by hunters leading up to and during the gun deer season, while the other half is recreational ATV use that is of far more concern.

According to Thisted, “Where recreational ATV use becomes regular, hikers begin to avoid the area. In some of these areas, Ice Age Trail volunteers have rallied to try to halt illegal and unauthorized ATV use. Unfortunately, law enforcement tends to side with ATV users by turning an eye and citing lack of funding for such enforcement.”

ATV damage on the Ice Age Trail



Thisted observes that the ATV industry appears to have a great deal of money to fund ATV clubs and in one instance to fund the “buy out” of a rail-trail that was surfaced for bicycles/pedestrians but is now coveted by ATV users. She believes solutions include a higher tax on ATV registrations that funds repair and restoration of areas damaged by illegal/unauthorized ATV abuse (not just damage to designated ATV trails) and to fund additional law enforcement on ATVs.

Thisted asserts only a small portion of public money should go to land protection for ATV use, given the small percentage of riders, and public money that does go toward land acquisition for ATV right-of-ways (that is, where land is acquired to connect one ATV area/spot to another) should come out of transportation or public utility sources, since ATV users in the area often ride for transportation, not recreation. She adds, “Public utilities acquire rights-of-ways for pipelines which would be very useful and popular ATV routes if the programs were set up properly – a major effort to pull all the pieces together but worth it when you understand the threat to footpaths and conservation lands posed by ATVs.”

Source:

Christine Thisted, Executive Director
Ice Age Park and Trail Foundation

Georgia:

The Benton MacKaye Trail Association (BMTA) is in charge of construction, maintenance, and protection of the Benton MacKaye Trail (BMT) along its entire route from Springer Mountain in Georgia to Davenport Gap in North Carolina. Most of the three main segments lie on National Forest or National Park System lands. Trail sections are maintained by volunteers.

The BMTA has seen damage directly attributable to illegal ORV use on the Benton MacKaye Trail. Bill Ross, BMTA conservation director, categorizes the major negative impacts to the BMT, in descending order of impact, as: increased maintenance required to remedy abused trail beds; sediment runoff problems; and noise and aesthetic impacts on the backcountry experience.

The Fowler Mountain area of the BMT has been hardest hit by illegal ORV use, where sediment runoff has greatly increased. At some BMT trailheads, passive barriers have been bypassed or otherwise removed to provide illegal access for ORVs. Trail beds are directly impacted, requiring increased maintenance; and sediment runoff problems result from bypass routes that remove the leaf cover of the forest floor.

Ross would summarize the currently available solutions to illegal ORV use as:

- Increased law enforcement.
- Improvement of passive barriers to vehicle passage.
- Provision of alternatives (ORV-specific trails).
- Organization of ORV users into trail construction and maintenance groups.

Illegal ORV trail on Benton MacKaye Trail



With virtually all of BMT's Segments One and Two on national forests, the BMTA has developed a close working relationship with the Forest Service over the years. At a recent annual meeting with Forest Service staff, they discussed ways in which the BMTA could help with the enforcement efforts directed toward illegal ORV use. The consensus was that BMTA can best assist by reporting violations and damage to the Forest Service, with the understanding that continuing abuse in a specific location could build the case for action. Consequently, the group instituted a program whereby the trail maintainers are asked to specifically report damage caused by ORV use on the sections they maintain.

State and federal budget issues drive the ability to focus law enforcement activities. Ross declares that with few officers or rangers in the area, the improvement and maintenance of passive barriers becomes more important, adding that, "In addition to the fact that few personnel are available for law enforcement, we must contend with two other issues: illegal use is not terribly predictable, and ORVs are not restricted to entering the National Forest on established routes. All in all, our national forest partners have shown their willingness to curb illegal ORV activity, but constraints beyond their immediate control—specifically funding and availability of personnel—have prevented action."

Source:

Bill Ross, Conservation Director
Benton MacKaye Trail Association

Texas:

The Lone Star Hiking Trail Club maintains and hikes 150 miles of trail in the Sam Houston National Forest. The Lone Star Hiking Trail (LSHT) is designated for hikers only. On the Little Lake Creek Loop Wilderness section of the trail, there is unlawful off-road vehicle use, resulting in deep rutting of the trail in the Caney Creek bottoms. This causes the trail to degrade into a mud bog; hiking becomes difficult as hikers cannot follow the trail and must hike through deep mud. Trail volunteers have become disgruntled, according to Cathy Murphy with the Lone Star Hiking Club. "It seems that we are spending hundreds of volunteer hours maintaining the trail for others to destroy. Illegal use causes obliteration and degradation of the trail, and [motorized] bike noise disturbs the hiking experience where the sanctioned ORV trail crosses near the LSHT," says Murphy.

Murphy believes the Forest Service should enforce the law and keep ORVs off of the LSHT by ticketing any occurrences and ticketing ORV trailers illegally parked at the LSHT trailheads. "LSHT Club volunteers have clearly marked the hiking trail. The USFS (or user volunteers) should clearly mark the multi-use trails" and "enforce existing ORV regulations," notes Murphy.

Source:

Cathy Murphy, Board Member, Volunteer, and Trail Guide
Lone Star Hiking Trail Club

Florida:

The Florida Trail Association (FTA) maintains nearly 1000 miles of the Florida National Scenic Trail, its side trails and trails eligible to be certified as hiking trails, and nearly 300 miles of loop trails of the Florida Trail System. The trails are on approximately two dozen federal, state, regional, and local government lands and lands of private land owners. FTA maintains its trails as hiking trails, but some segments overlap with other nonmotorized trails.

The Florida National Scenic Trail (FNST) has been abused by ORVs in Ocala National Forest for many years. On the vast majority of the Florida Trail, the trail bed is a very thin (less than 1/2 inch) layer of topsoil or forest litter on top of hard sand. Tread churning has destroyed the firm underlying sand into soft and deep sand that is not only difficult to walk on but leads to increased erosion. ORVs have widened trails making them more attractive to additional ORV use. Other sections have also been abused including trail in Withlacoochee State Forest, Blackwater River State Forest, J.W. Corbett Wildlife Management Area and Big Cypress National Preserve. In fact, few sections of the Florida Trail have escaped the damaging effects of unrestrained ORV usage.

ORV use has caused FTA to change the way it constructs and maintains the trail in order to create obstacles or hindrances to ORV use. These changes in practices have resulted in trails that do not meet the overall trail standards for clearances and obstructions. Bridges and trails that are built to Americans with Disabilities Act standards become ready-made trails for ORV use because they do not have obstacles to prevent and dissuade ORV use. Also, ORV usage had led to increased maintenance hours, trail relocations, and increased signage on the trail. FTA staff note, "All of these have a cost in terms of both real dollars and volunteer time. In some areas we have probably reached a saturation point on signage. How many signs can you have along a one-mile stretch of trail before you create a 'billboard' effect? Ideally one sign on each side of an

intersecting road/trail would suffice, but in some areas we have posted 10-12 signs near road crossings and the illegal ORV usage continues.”

The hiking experience has been compromised in these areas. Hikers have to walk on unstable and soft treads, the trail is worn into wide road-like paths, and hikers feel unsafe around out-of-control ORVs. For many years the Ocala National Forest was known as the “crown jewel” of the Florida Trail. Exploding and unregulated ORV usage has led many people to seek other areas for hiking. Sections of the FNST in the Ocala National Forest near Lake Delancy have had to be abandoned and relocated because ORV use had become excessive and uncontrollable. FTA states that hikers interviewed repeatedly specify that the two main reasons they hike are wildlife viewing and seeking peace and quiet, yet ORVs scare away wildlife and disturb the quiet.

FTA asserts that it is critical to change from a policy where ORV use is allowed everywhere except where specifically excluded to a policy where ORV use is restricted to designated routes or areas. They add that signing and enforcement will be key to this successful transition, and a mandatory safety and education course for ORV users, licensing of ORV drivers, and permitting of ORVs are also needed.

FTA believes that “hikers and ORV users are not compatible on the same tread, and from a hiker’s perspective, they are not compatible within audible range. Mixing ORVs doing 10-30 mph with hikers doing 1-3 mph on twisting, narrow trails is simply unsafe.”

Source:
Kent Wimmer, Bob Woods, and Deb Blick
Florida Trail Association

Trail damage in Florida



Regulations and Management Policies

Numerous Executive Orders, federal statutes, regulations, and federal agency policies pertain to the management of ORVs on national parks, forests, and public lands, including the National Environmental Policy Act, Endangered Species Act, National Trails System Act, and the Wilderness Act, among others. In general, federal agencies have clear authority to control off-road vehicle use; however, they have generally failed to effectively enforce stated policies, and, in the case of Forest Service and Bureau of Land Management lands, agencies have allowed this use over the vast amount of land under their jurisdiction. Or, in the case of national parks, efforts to protect parks from the damage caused by off-road vehicles, especially snowmobiles, have been undermined during various rulemakings combined with lawsuits brought by the powerful off-road vehicle industry.

Presidential Executive Orders 11644 and 11989

In response to growing ORV use in the 1960s and early 1970s, President Richard Nixon signed Executive Order 11644 in 1972 in an effort to protect federal lands from the impacts of ORVs. In 1977, President Jimmy Carter issued Executive Order 11989 which amended and strengthened President Nixon's measure.

These Executive Orders (EOs) require public land managers "to establish policies and procedures that will ensure that the use of off-road vehicles on public lands will be controlled and directed to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands." These EOs also require federal land managers to designate specific routes and areas where ORV use may and may not be permitted. When considering where ORV use may be appropriate, federal land managers must minimize damage to soil, watershed, vegetation, and other land resources, minimize wildlife harassment and impacts to wildlife habitat, and minimize conflicts between ORV use and other uses of the land.

In addition, the EOs mandate that agencies must annually monitor ORV use and its impacts and immediately close routes and areas to off-road vehicle use where such use is causing "considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources."

These management mandates are codified in the Code of Federal Regulations for the Forest Service, Bureau of Land Management, and National Park Service.

USDA Forest Service

National forests cover 192 million acres in 42 states and provide immeasurable benefits, including clean air and drinking water, wildlife habitat, and outstanding recreational opportunities for millions of visitors every year. More than 90% of the 177 national forests and grasslands have routes and areas open to dirt bikes, all-terrain vehicles, snowmobiles, and other off-road vehicles, but unauthorized ORV use and the proliferation of unplanned, renegade routes places many forests at risk. In many forests today, off-road vehicles can go almost anywhere.

The Forest Service reports that more than 273,000 miles of roads and other routes are open to various off-road vehicles, and forests nationwide are scarred with at least 60,000 miles of

unauthorized roads, many blazed by off-road vehicles. On some forests, ATVs and dirt bikes can travel virtually without limit across hundreds of thousands -- even millions -- of acres.

The Forest Service has the authority and responsibility to control off-road vehicle use on public lands, as provided for by existing policies, regulations, statutes, and Executive Orders including:

- Executive Orders 11644 and 11989, Code of Federal Regulations 36 CFR 295 - Use of Motor Vehicles Off Forest Roads.
- General Forest Service regulations prohibit activities and uses which damage natural features, imperiled, sensitive, or unique species, or which disturb, injure, or destroy prehistoric, historic, or archeological resources.

In 1990, the Forest Service opted to drop the long-standing "40-inch rule," which had restricted motorized use of trails to vehicles 40 inches or narrower in width. The decision effectively opened many national forest trails, including foot and horse trails, to all-terrain vehicles and wider, more powerful snowmobiles. The previous standard was designed as the maximum width of motorcycle handlebars.

2004 Forest Service Off-Road Vehicle Rulemaking

In July 2004, the Forest Service issued draft rules to manage off-road vehicle use on national forests and grasslands, proposing to restrict ORVs to designated roads and routes. The draft rules were published in the Federal Register and open for a 60-day public comment period, ending September 13, 2004. The proposed changes are well intentioned but not strong enough to truly rein in uncontrolled off-road vehicle use, which Forest Service Chief Dale Bosworth has identified as one of the greatest threats to our national forests. It is critical that the Forest Service include additional measures in the final rule, such as a two-year deadline for designations and immediately prohibiting use of unauthorized, renegade routes, to protect public lands, wildlife, and other types of recreation. The final rule is expected in mid-2005.

Although the draft rule issued by the Forest Service falls short of what is needed to respond to the growing threat, the proposal does include some policy changes that would be beneficial if effectively implemented on the ground, including:

- Generally prohibiting cross-country motorized travel across entire forests;
- Authorizing ATV and dirt bike use only on roads and off-road vehicle routes specifically designated as open for such use; and
- Concluding that forests do not have to inventory and/or map unauthorized renegade routes prior to commencing the designation process.

However, the draft rule does not address some of most critical problems and fails to reflect the urgency highlighted by Chief Bosworth. For example, the proposal: does not include a timeframe for starting or completing the process of studying and designating roads and routes appropriate for ATVs and dirt bikes; is almost silent about how to address the problem with unauthorized renegade routes; does not clearly require the Forest Service to study the negative impacts of specific roads or routes that could be opened to ATVs, dirt bikes and other vehicles; and does nothing to boost on-the-ground management and enforcement capability. Although some of these issues may be addressed in the implementation manual for this rule, the absence of these issues in the draft proposal makes the rules changes largely ineffective.

Bureau of Land Management

The Bureau of Land Management (BLM) manages 262 million acres of public lands mostly in the American West. The BLM manages public lands for multiple uses, including outdoor recreation, and has a responsibility to conserve many unique natural, historical, and cultural resources. In 2000 BLM created the National Landscape Conservation System to conserve, protect and restore the “crown jewels” of BLM lands including national monuments, conservation, and wilderness areas, national scenic and historic trails, and wild and scenic rivers - nationally significant landscapes that have outstanding cultural, ecological, and scientific values. Unfortunately, BLM lands are increasingly threatened by all-terrain vehicles, dirt bikes, dune buggies and other off-road vehicles. Approximately 93% of BLM land in the continental United States is open in some form to off-road vehicles, and the growing popularity of this use is taking its toll on the land and experiences of other recreationists.

BLM has authority to control off-road vehicle use on public lands under a number of existing statutes, regulations and orders, including:

- Executive Orders 11644 and 11989, Code of Federal regulations 43 CFR 8340 et seq. to protect the resources of the public lands, promote the safety of all users of those lands, and minimize conflicts among the various uses of those lands.
- The Federal Land Policy and Management Act requires BLM to minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands and make planning decisions (including designation of roads and routes with respect to motorized vehicles) accordingly. 43CFR § 1601.0-5(f); 43USC § 1732(d)(2)(a).

As required by the Executive Orders, BLM promulgated regulations that require the agency to “designate all public lands as open, limited or closed to off road vehicles.” BLM is obligated to make such designations in its planning process with public participation. In making designations, BLM is obligated by both the EOs and its regulations to ensure that areas and trails are located to minimize damage to resources; prevent impairment of wilderness suitability; minimize harassment/disruption of wildlife or habitats; minimize conflicts between uses; and avoid adverse effects on natural, esthetic, scenic, or other values for which areas are established. BLM is also compelled to immediately close an area or route if ORV use is causing “considerable adverse effects” on soil, plants, wildlife, habitat, or cultural/historic resources. It is required to maintain that closure until the effects are eliminated.

BLM National OHV Management Strategy

In an effort to address increasing motorized off-highway vehicle (OHV) use on public lands while protecting natural resources, BLM developed a National Management Strategy (Strategy) on motorized OHV use in 2000. The final Strategy, released in 2001, takes into account more than 14,000 comments received during a 30-day public comment period and is aimed at promoting environmentally sound motorized OHV use on BLM-administered lands which suffer from some of the greatest abuses from motorized use.

The final Strategy offers only general guidance to land managers and recommends numerous actions aimed at creating a framework for reviewing and resolving motorized OHV issues, including designations; signs, maps, and other public information; existing motorized off-road regulations; monitoring and inventory data; resource impacts; road and trail design, maintenance, and restoration; management of special areas; education; law enforcement; and budgetary needs.

The Strategy makes clear that it cannot: revise existing regulations (which can occur only in the formal rulemaking process); change any legislation or existing Executive Orders; provide the additional funds and staffing needed for effective motorized OHV management; or increase any fines or penalties for violations of motorized OHV rules and regulations (which the BLM can do only through coordination with the U.S. District Courts). While the Strategy highlights the need for stronger OHV management, including greater resources to protect public lands, minimize user conflicts, and boost enforcement, it lacks sufficient specific guidelines or meaningful actions to adequately protect BLM lands and resources, especially wilderness quality lands, as well as the experiences of other recreationists including hikers.

National Park Service

The National Park Service (NPS) preserves natural, cultural, historic and recreational resources for the enjoyment, education, and inspiration of current and future generations. The National Park System comprises 388 units covering 88 million acres in 49 States and features spectacular landscapes and iconic geologic features, treasured by citizens and visitors from around the world.

Currently, ORV use occurs in nearly 60 national parks, causing significant damage in many of these parks and disturbing other visitors and recreationists. At Big Cypress National Preserve in Florida, ORV use has produced more than 28,000 miles of user-created routes, devastating the land and threatening the long-term survival of the endangered Florida Panther. NPS adopted a management plan that should greatly reduce ORV impacts in the park; however, the plan is subject to legal challenge, and enforcement may be difficult. Off-road vehicles are also used at several national seashores, some of which have no management plans in place. Illegal ORV use also occurs around the park system. Snowmobile use threatens sensitive park resources and diminishes visitor experiences in a number of parks, including world renowned Yellowstone National Park, where a phase-out and winter use limits have undergone a lengthy series of rulemakings and lawsuits.

The National Park Service has the authority and responsibility to control off-road vehicle use as provided for by existing policies, regulations, statutes, and Executive Orders including:

- Executive Orders 11644 and 11989, Code of Federal Regulations, 36 CFR 4.10 - Travel on Park Roads and Designated routes. These regulations state that routes and areas designated for off-road vehicle use shall be promulgated as special regulations. Routes and areas may be designated only in national recreation areas, national seashores, national lakeshores and national preserves. Additional regulations governing snowmobile use can be found in 36 CFR 2.18
- 1916 NPS Organic Act and 2001 NPS Management Policies

The most important statutory directive for the National Park Service is provided by the NPS Organic Act of 1916, which states the NPS shall “promote and regulate the use of the...national parks... to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (16 USC 1). Courts have consistently ruled that the Organic Act requires the Park Service to prohibit activities that cause the degradation of resources and wildlife. Moreover, the courts have stated that the Park Service has wide latitude to determine which activities and what level of use, including prohibitions, are appropriate for the parks.

The 2001 NPS Management Policies is the basic Service-wide policy document of the National Park Service. It applies to management of the national park system, and adherence to policy is mandatory unless specifically waived or modified by the Secretary or Assistant Secretary of the Interior or the Director of NPS. Section 8.2.3.1 Off-Road Vehicle Use states that such use in national park units is governed by Executive Orders 11644 and 11989.

Within the National Park System, routes and areas may be designated for off-road motor vehicle use only by special regulation, and only when it would be consistent with the purposes for which the park unit was established. Routes and areas may be designated only in locations in which there will be no adverse impacts on the area's natural, cultural, scenic, and aesthetic values, and in consideration of other visitor uses. As required by the EOs and Organic Act, superintendents must immediately close a designated off-road vehicle route whenever the use is causing, or will cause, considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat, or cultural or historic resources.

Environmental Protection Agency

The Environmental Protection Agency (EPA), charged with protecting human health and the environment, works to develop and enforce regulations that implement environmental laws enacted by Congress. The severity of the pollution caused by off-road vehicles triggered a provision in the Clean Air Act that required the EPA to develop and issue air pollution limits for dirt bikes, ATVs and snowmobiles. In September 2002 the EPA announced new rules, but instead of issuing stronger standards as conservation groups had urged, EPA bowed to White House and industry pressure, issuing weaker rules, particularly for snowmobiles. The final rule gives snowmobile manufacturers two additional years, until 2012, to achieve emissions reduction targets, plus more flexibility in how much of each pollutant they reduce.

The standards apply only to newly manufactured engines and do not affect existing engines. The final standards for snowmobiles are particularly troubling because they fail to encourage greater use of four-stroke engines that are already available today. The two-stroke engines found in most ORVs and snowmobiles are significant sources of air pollution nationwide—pollution that poses a serious threat to public health and has been linked to respiratory disease, cancer and premature death. A two-stroke ORV or motorcycle can emit as much pollution in one hour as more than 30 automobiles operating for one hour; similarly, a snowmobile can emit as much as nearly 100 automobiles. Despite the weaknesses of the final rules, they nonetheless represent the first time pollutants from ORVs and snowmobiles will be regulated.

Recommendations

Incorporating a comprehensive set of common-sense policy reforms is critical to more effectively controlling off-road vehicle use on federal lands, protecting natural resources, and ensuring continued and varied opportunities for hiking and all other forms of recreation. Land management agency reforms must be accompanied by environmental regulations that strengthen ORV emission performance standards and include a timely phase-out of the dirty two-stroke engine in favor of the more efficient four-stroke engine to reduce air and noise pollution.

Recommendations for Federal Land Management Agency Reform:

Forest Service Rulemaking: American Hiking Society, its members, member clubs, and many partner organizations are working diligently to strengthen the Forest Service ORV rules, urging the Forest Service to ensure that any final rule requires each national forest to:

- Complete off-road vehicle route designations within 2 years; at the end of this period, such use could only occur on designated roads and routes;
- Determine when and where off-road vehicle use is appropriate through public participation and site-specific analysis of impacts on the environment and other users;
- Immediately end use of all unauthorized, renegade routes;
- Ensure that it can afford, maintain and manage any system of roads and routes designated for off-road vehicle use;
- Include snowmobiles in the rulemaking so that other users and wildlife are protected.

The following recommendations are discussed further and apply to other public lands in addition to national forests:

➤ *Designate and Map Legal Routes/Determine Where Use is Appropriate*

Agencies must designate roads and routes for off-road vehicle travel through a site-specific and public process under the National Environmental Policy Act. Renegade roads/routes created by users without authorization must be closed until full analysis is completed. Unauthorized use of these renegade routes significantly damages quiet recreation experiences and threatens the safety of other users who are confronted by dirt bikes, ATVs, and other motorized vehicles in areas where they are not expected. Unauthorized routes also often occur in areas with sensitive resources and/or that are inappropriate for motorized use such steep slopes or wetlands. Off-road vehicle use must be authorized only in a manner that protects natural resources, environmental values (e.g. quiet, landscape character), public safety and the experience of other forest users. The agencies have a positive obligation to analyze new recreational technologies/activities before they are allowed to determine whether or not they are compatible with this goal and, if they are, at what levels and where. The agencies do not have an obligation to allow all forms of recreation to occur on all lands.

➤ *Authorize Use Only on Roads and Routes Designated as Open*

Agencies must prohibit cross-country travel and restrict ORV use to system roads and routes specifically designated, mapped, and posted as open for ORV use. ORV use must be confined to appropriate routes in order to avoid unlawful environmental degradation and prevent user conflicts. The Executive Orders on ORVs provide the authority for agencies to authorize areas to ORV use on routes and in areas that are suitable and designated as open to ORVs. Closed unless mapped and signed open policies improve compliance with route closures and help in

discouraging sign vandalism. This approach also facilitates more effective off-road vehicle management by informing riders which roads and routes are open and can reduce costs associated with vandalism and sign maintenance. Failure to prevent use of unauthorized renegade routes will cause more damage and displacement and effectively reward unauthorized and illegal actions.

➤ *Conserve Nonmotorized Recreation Opportunities & Retain Quiet Use Areas*

Agencies must protect traditional foot trails from motorized use: motorized vehicles may only travel on roads and off-road vehicle routes designated in a public planning process and specifically engineered and constructed for motorized travel. Off-road vehicles are incompatible with hiking trails, including national scenic trails and trails on which travel by foot is a primary pursuit.

Hikers and other nonmotorized recreationists indicate a preference for separate use areas for numerous reasons related to the myriad impacts of motorized recreation, including noise pollution, and disturbance. Land managing agencies should set aside "quiet use areas" to enable nonmotorized recreationists to observe flora and fauna and travel through the backcountry without risking encounters with motorized vehicles or experiencing the adverse impacts of motorized vehicles. In general, the proposed quiet areas would encompass specific watersheds or trails and would comprise smaller zones than nationally designated wilderness areas.

➤ *Protect Wilderness Quality Lands*

Agencies must prohibit the use of off-road vehicles in wilderness quality lands such as roadless areas, wilderness study areas, and other ecologically sensitive areas. Many of these areas receive special designation because they retain the attributes to qualify them as wilderness areas, harbor unique or significant natural resources, and provide remote, pristine backcountry recreation experiences. These areas must be managed to ensure their ecological integrity and wild character are preserved. Potential wilderness areas should not be subjected to uses that may disqualify the area from receiving wilderness designation, particularly when so much land that is not suitable for wilderness designation is available for ORV use.

ORV use in wilderness quality lands can result in permanent or irreparable damage to resources. Even if restricted to authorized trails, ORV use in these areas can alter their long-term ecological health. For nonmotorized recreationists who prefer recreating in pristine, unaltered landscapes, the sight, sound, and smell of an ORV or evidence of ORV destruction can adversely impact and detract from the recreational experience.

➤ *Prioritize Monitoring and Enforcement*

Agencies should authorize off-road vehicle use only to the extent that effective monitoring and enforcement are annually funded, implemented and used to determine appropriate levels of continued off-road vehicle use. Agencies should also create a consistent set of minimum off-road vehicle regulations, and enforcement and monitoring standards that all parks/forests/public lands must meet, while allowing individual units/areas to develop or maintain more protective measures. Deficient monitoring and enforcement are partially responsible for the sustained damage and impacts caused by ORVs throughout parks, forests, and public lands.

Having enough people and other resources to monitor impacts and enforce basic rules is critical to successful management and implementation of ORV rules and policies and preventing

widespread degradation of the environment and experiences of other recreation. Prioritizing enforcement also entails: expanding field presence to monitor use and educate users and assessing significant fines for violations of existing off-road vehicle laws and regulations when such violations cause egregious damage to natural resources. Such fines may be used to restore damage, enforce existing regulations and educate the public about appropriate off-road vehicle use on public lands.

Conclusion

Tens of millions of hikers and other human-powered recreationists visit national parks, forests, and public lands for their inspiration, clean air and water, wild plants and animals, and quiet, natural sounds. However, uncontrolled off-road vehicle use is adversely affecting that experience across the country through resource damage, air and water pollution, noise, and incursions on nonmotorized and hiking-only trails, leading to user conflicts and safety and health threats. Many hikers have been forced to find new areas to enjoy and explore free from motorized recreation, and volunteers express growing resentment toward repairing off-road vehicle damage to hiking and nonmotorized trails. Trail beds are being destroyed and widened to appear more like roads. As off-road vehicle use has exploded and vehicles become capable of traversing almost any terrain, the federal agencies have failed to effectively manage this use or consistently enforce even its most basic rules on off-road use.

Despite the seriousness of the threats, off-road vehicle management by the federal land managing agencies has been inconsistent and lax across national forests, parks, and public lands. This has exacerbated illegal trespass, unauthorized route creation, safety concerns and user conflicts; caused undue damage and disturbance to sensitive habitat and resources; and strained already woefully short-handed law enforcement officers. Addressing this problem requires, at a minimum: 1) regulations that facilitate effective enforcement on the ground; 2) real agency commitment to addressing the serious threats caused by off-road vehicles in a timely and consistent way; and 3) significantly higher agency budget requests to Congress to boost the number of full-time law enforcement officers nationwide.

Real reform requires establishing deadlines for route designations and implementing broad programs in visitor education, resource monitoring, route maintenance, recreation planning, and enforcement. Land management agency reforms must be accompanied by environmental regulations that strengthen ORV emission performance standards and include a timely phase-out of the dirty two-stroke engine in favor of the more efficient four-stroke engine to reduce air and noise pollution. Hikers indicate a strong preference for separated areas for motorized and nonmotorized use, given the significant disturbance, noise, pollution, resource impacts, and safety and health threats.

All forms of recreation leave some impact, but the effects of motorized recreation are farther-reaching and much more severe. Land managers and policy makers agree that off-road vehicle use has become a critical and urgent public lands issue. Unmanaged off-road motorized recreation is impacting hikers and hiking trails from coast to coast, and hikers express a strong desire to address this prominent issue. Hiking and other recreation organizations are currently working jointly with land managers and legislators on addressing motorized vehicle use and abuse on our public lands and together strive to effect meaningful change to protect trail lands, natural resources, and the experiences for all recreationists.

Appendix A

Distributed ORV Questionnaire

American Hiking Society is in the process of compiling more focused information on the impacts of motorized recreation on hiking trails and the hiking experience and we need your help. We are contacting our Alliance members to find out their experiences and obtain their input on this issue. This information will greatly assist us in our policy work, especially as the issue of motorized recreation receives increased attention at the state and federal levels. We will use this information to produce a report summarizing the effects motorized recreation has on hiking and hiking trails, highlighting some regional examples of adverse impacts, and including policy recommendations.

Research Issues and Questions

1. What are the effects you or your organization have seen motorized recreation have on hiking trails in your area? Please describe and give specific trail names, if possible.
2. What are the effects you have seen motorized recreation have on hikers and trail volunteers?
3. Does motorized recreation alter the hiking experience? Please explain how. If you answered yes, have hikers been displaced by motorized recreation? Where and how?
4. What trails are under your stewardship, if applicable; or where do you lead hikes? Are they on federal or state lands? How big is the area under your stewardship and how long are the trails? Are they hiking-only trails or for multiple use?
5. Do you know what percent of the affected area or unit allows motorized versus non-motorized use?
6. What kind of enforcement, mitigation, and restoration is needed for your area?
7. What measures or policy recommendations do you believe are necessary to address motorized recreation at the state or federal level or in your area in particular?
8. Do you believe motorized and non-motorized recreation users can share the same trail or geographic area?
9. Is there a need for set-aside, separated, designated areas for motorized and non-motorized recreation?
10. Do you believe hikers are willing to pay to ensure an experience without motorized recreation? Should there be money set-aside for acquisition of lands for motorized recreation?
11. Do you have any photos of damage on or near hiking trails or any other materials you are willing to share?

- If you can't answer these questions directly, but you know of members or board members who have encountered ORVs, may we contact them?

Appendix B

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Other Useful Organization Websites with ORV Information

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Colorado Mountain Club: www.cmc.org

National Parks Conservation Association: www.npca.org

Sierra Club: www.sierraclub.org

The Wilderness Society: www.wilderness.org

Wildlands Center for Preventing Roads: www.wildlandscpr.org
Searchable database on ecological impacts of ORVs and roads:
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