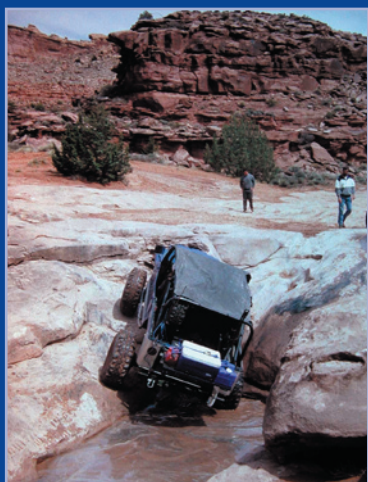


Six Strategies for Success

Effective Enforcement of Off-Road Vehicle Use on Public Lands



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Cover photos

Front cover, clockwise from top right—Off-road vehicle tracks surrounding Factory Butte, Utah (Ray Bloxham/Southern Utah Wilderness Alliance); Snowmobile incursion into closed area, California (Jeff Erdoes); Muddy ruts, Utah (Dan Schroeder); Unauthorized route, Big Cypress National Preserve, Florida (Brian F. Call Photography); Jeep emerging from desert water hole, Pritchett Canyon, Utah (Kevin Walker/Southern Utah Wilderness Alliance); Snowmobiler showing off behind wilderness sign, California (Jeff Erdoes).

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**Writer, researcher,
and publication designer:** Michele L. Archie, The Harbinger Institute

Research Assistant: Noah Jackson

Editors: Howard D Terry, The Harbinger Institute
Bethanie Walder, Wildlands CPR

Reviewers: Kristen Brengel and Vera Smith, The Wilderness Society;
Anya Schoolman, Wyss Foundation; Jason Kiely, Wildlands CPR

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Please note: The information contained in this report was collected through telephone interviews and other correspondence with multiple parties. While numerous efforts were made to verify the information collected, that verification did not include on-the-ground field checking. For that reason, it is possible that some of the examples and case studies included here may not be exactly indicative of conditions on the ground.

The **Natural Trails and Waters Coalition** works to protect and restore all public lands and waters from the damage caused by dirt bikes, jet skis and all other off-road vehicles. It uses a variety of legislative, administrative, legal, media, and grassroots strategies targeted at those who manage or make decisions or policies regarding our state and federal public lands.



Wildlands CPR works to revive and protect wild places by promoting watershed restoration through road removal, preventing new road construction, and stopping off-road vehicle abuse.

Wildlands CPR
Post Office Box 7516
Missoula, Montana 59807
Telephone: 406.543.9551
info@wildlandscpr.org
www.wildlandscpr.org



Six Strategies for Success: Effective Enforcement for Off-Road Vehicle Use on Public Lands

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Executive Summary

Over the past two decades, advances in off-road vehicle technology have enabled riders to drive on nearly any type of terrain, up steep slopes, and onto lands that once were accessible only on foot. At the same time, the popularity of off-road vehicle recreation has soared.

Together, these forces have overwhelmed the regulatory and enforcement efforts of public lands agencies. The results: An extensive network of unauthorized, user-created routes that criss-cross the landscape and a legacy of damage to environmental and cultural resources. Safety concerns for humans and wildlife and conflicts among motorized and non-motorized recreationists have escalated.

Public land management agencies are facing these challenges with inadequate enforcement funding and staff. This leaves them unable to protect the lands under their stewardship, and at a loss to turn around the attitude of lawlessness that is alarmingly common among off-road riders. The common perception among

off-road riders is that breaking the rules some of the time is all right, especially if someone else has ridden off-route before and cut a visible trail. This has become a significant public problem because of the destructive capabilities of off-road vehicles.

A strong commitment and effective approaches to enforcement are critically important for land managers to take control of this situation.

This report recommends six strategies for enforcement success. It is based on interviews with more than 50 public land managers, private landowners, citizen group leaders and volunteers, and law enforcement officers.

Five case studies illustrate how these strategies have been combined to create on-the-ground successes in enforcing off-road vehicle rules; protecting wildlife habitat, water quality, and terrain; enhancing recreational enjoyment and safety; and minimizing impacts on adjacent public and private lands.

Six Strategies for Effective Enforcement

- 1) Make a commitment—Engage in serious enforcement efforts**
 - Expand enforcement capacity;
 - Target and intensify patrol efforts;
 - Look for new funding sources; and
 - Do not tolerate damage from off-road vehicles.
- 2) Lay the groundwork—Create enforceable routes and regulations.**
 - Create off-road vehicle route systems with an eye toward enforceability;
 - Make the route systems clear on maps and on the ground; and
 - Implement a system that identifies off-road vehicles or limits their numbers.
- 3) See and be seen—Engage in visible action and meaningful collaboration.**
 - Organize and publicize volunteer labor;
 - Form broad coalitions for public support;
 - Formalize law enforcement collaborations;
 - Create opportunities for citizen reporting;
 - Use nonprofit status to gather money; and
 - Publicize progress.
- 4) Make riders responsible—Promote a culture shift among peers.**
 - Use mass media campaigns to educate riders and cultivate support;
 - Work with off-road community leadership;
 - Focus on common values; and
 - Promote rider responsibility.
- 5) Use the force—Incorporate technologies that work.**
 - Use remote electronic monitoring;
 - Track noise violations; and
 - Track recurring problems and repeat offenders.
- 6) Fit the punishment to the crime—Make penalties meaningful.**
 - Toughen penalties;
 - Consider natural resource damage in determining fines;
 - Add community service as a penalty; and
 - Link off-road violations with other recreational privileges; and
 - Impound vehicles.

Which Strategies Best Fit Your Situation?

The six strategies offer a range of actions that may be combined for maximum effectiveness in different circumstances. Use the following chart to help focus on strategies that are most applicable to the situation in your area or agency.

Situation	Strategy #1 Make a commitment	Strategy #2 Lay the groundwork	Strategy #3 See and be seen	Strategy #4 Make riders responsible	Strategy #5 Use the force	Strategy #6 Fit the punishment to the crime
Illegal route creation, trespass on closed routes	✓	✓			✓	✓
Known illegal play areas and entrance points	✓	✓	✓		✓	✓
Repeated off-road vehicle violations, attitude of lawlessness among riders	✓				✓	✓
Limited budgets and capacity for enforcement and monitoring	✓	✓	✓	✓	✓	
Recently changed management of off-road vehicle travel and routes	✓		✓	✓	✓	
Conflicts among different recreation types	✓	✓	✓	✓		
Areas are difficult to monitor		✓		✓	✓	
Volunteers are available		✓	✓	✓		
New or renewed agency commitment to enforcement	✓	✓	✓			✓
Shared values such as wildlife, water quality, or pride in natural areas exist	✓	✓	✓	✓		

Introduction

Unmanaged recreation made former U.S. Forest Service Chief Dale Bosworth's list of four key threats facing national forests and grasslands in the 21st century. In this category, the chief highlighted impacts from off-road vehicles. He cited dramatic increases in this type of recreation and "impressive advances" in motor vehicle technology.

This threat is equally significant on Bureau of Land Management terrain. The majority of the 264 million acres it manages is open to cross-country travel by off-road vehicles. Off-road vehicles are also allowed, to varying extents, on many units of the National Park Service, National Wildlife Refuges, and Department of Defense lands.

Changing technology has allowed off-road vehicles to be driven on nearly any type of terrain, up extremely steep slopes, and onto lands that were once accessible only on foot. When initial off-road vehicle restrictions were created in the 1970s and early 1980s, vehicle technology was simpler. Land managers could rely on the terrain itself to restrict off-road vehicle use. Advancing technology soon outstripped the ability of landscapes to restrict access by more modern off-road vehicles. Today, user-created routes have proliferated on public wildlands in remote, rugged, and sensitive areas once thought to be "naturally protected."

Off-road riding is one of the fastest-growing forms of recreation in the country. From 1972 to 2004, the ranks of Americans who owned or used off-road vehicles grew from five million to 51 million (U.S. Forest Service 2006). With this 920 percent increase, the numbers of off-road vehicle users grew seven times faster than the population as a whole.

Mounting Pressure on Public Lands

High-quality public lands are attracting increasing residential development to their borders. Populations are booming in many regions surrounding these natural areas—and off-road pressure has mounted.

According to recent studies, only about six percent of national forest visits involve the recreational use of off-

road vehicles (English *et al* 2004). However, this small percentage of users has a huge impact on the landscape and the quality of recreation for other forest users. The price tag for public lands is hefty.

A 2004 National Park Service internal survey revealed pervasive problems with illegal off-road vehicle use. Damage to natural and cultural resources and conflicts among visitors were reported in more than 70 of the system's 400 units. In many other units, damage likely went undetected and unreported because of a lack of staff, funding, or procedures to monitor use and enforce existing rules.

The Forest Service has documented at least 60,000 miles of "unclassified" roads on its lands. Some may have been legally constructed during timber sales or other management activities, but most were likely unauthorized, created by off-road vehicle riders.

A New Western Pastime

Much of the growing popularity of off-road riding appears to be concentrated in the western states.

	Total increase	Average annual increase
U.S. sales of all-terrain vehicles (1992-2000)	14%	1.5%
U.S. sales of off-highway motorcycles (1992-2000)	36%	4%
Western states sales of all-terrain vehicles and off-highway motorcycles (1995-2000)	154%	25%

Source: Monaghan & Associates. Status and Summary Report: OHV Responsible Riding Campaign. (Report to the Colorado Coalition for Responsible OHV Riding, November 15, 2001.)

On Montana's Lewis and Clark National Forest, for example, Chief Bosworth identified more than 1,000 user-created roads, stretching for more than 650 miles.

User-created, "renegade" routes are a significant problem on all national forests except those few that do not allow off-road vehicles at all (the Hoosier in Indiana, the Monongahela in West Virginia, and the Chugach in Alaska, which allows snowmobiles, but no wheeled vehicles). As these routes spider-web across our public lands, so do environmental damage and safety concerns for non-motorized recreationists and wildlife.

Enforcement: The Short Leg of the Stool

In the standard mantra of recreation managers, the "three Es" are essential to managing off-road vehicle use. Engineering, education, and enforcement form the three-legged stool on which the protection of our public resources rests.

Yet, at the same time that off-road vehicle use and recreation use in general has boomed, public lands management and enforcement budgets have trended downward. This has happened even while land managers have requested greater funding to keep up with growing challenges and mandates.

Other challenges to improving enforcement exist. Penalties are often difficult to raise or tailor to individual circumstances. Off-road vehicle use often crosses jurisdictional boundaries, placing a premium on collaboration across levels of government and agencies. Violators can be difficult to catch in the act, so building solid cases that stand up in court is equally challenging.

Yet, without a serious commitment to enforcement, education and engineering won't protect natural areas from damage springing from uncontrolled or inappropriate use, including the creation of renegade, user-created routes. Off-road vehicles cause erosion, add sediments and contaminants to waterways, and spread noxious weeds. They allow incursions into sensitive habitat areas, and harass, stress, and kill wildlife.

Absent effective enforcement, off-road vehicle use will continue to disrupt the quiet, natural experience of other public lands users, and present continued safety hazards to riders, other recreationists, and wildlife. Public land agencies are challenged to minimize the

Off-Road Vehicles Defined

Off-road vehicles include dirt bikes, snowmobiles, all-terrain vehicles, swamp buggies, dune buggies, air boats, four-wheel drive vehicles when used off-road, and any other vehicle designed for and/or capable of off-road travel.

The wheeled vehicles in this category are often referred to as off-highway vehicles (OHVs), with snowmobiles and personal watercraft sometimes treated separately. This terminology, however, can be misleading since most off-road vehicles are not street-legal, and are prohibited from public roads and highways. Many cannot even be driven on Forest Service roads. These vehicles are built for off-road travel, not simply off-highway travel.

National Park Service staff called illegal off-road vehicle use "one of our most pernicious management problems" on the Appalachian National Scenic Trail, which stretches from Maine to Georgia.



Aerial view of damage from off-road vehicles, Big Cypress National Preserve. (Brian F. Call Photography)

impacts and conflicts that result from wide-ranging off-road vehicle use by a small minority of visitors.

Countering Lawlessness

Although off-road vehicle riders comprise a small proportion of public lands visitors, they can make a big impact. Off-road vehicle advocates maintain that most of the problems and violations can be traced back to “a few bad apples” in their ranks. But research suggests that most riders knowingly violate rules from time to time.

A Utah study reported that large proportions of off-road vehicle riders prefer to ride off established trails, and many had done so recently (Fisher *et al.* 2001). (See “Off-Route Riding” for details.)

In another study, off-road riders in Colorado demonstrated an awareness of the rules of vehicle use on public lands. Despite identifying “stay on the trail” as a fundamental principle, as many as two-thirds of study participants go off-trail from time to time. Commonly, these riders believe it is okay to occasionally ride cross-country or off designated routes especially if routes have been previously cut by other riders (Monaghan 2001).

These attitudes, held by people operating vehicles capable of great damage, are part of the destructive cycle that enforcement needs to break.

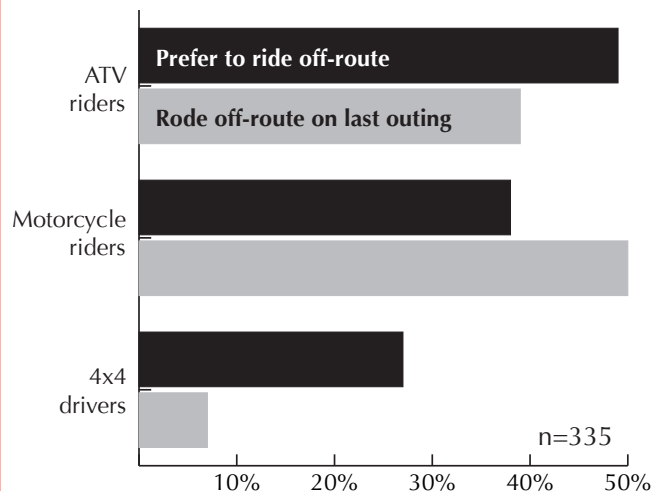
Where is the Money?

Across federal agencies, law enforcement functions have been chronically underfunded. As battles are waged to boost enforcement budgets—only small fractions of which are dedicated to off-road vehicle enforcement—many agency units have turned to other sources to fill gaps in off-road vehicle enforcement. The two main

People figure it out pretty quickly if we don't patrol consistently.

Linda Merigliano
Recreation and Trails Manager
Bridger-Teton National Forest

Off-Route Riding



Source: Fisher, Andrea L., et al., 2001. Off Highway Vehicle Uses and Owner Preferences in Utah. Logan, Utah: Utah State University.

sources are managed at the state level, usually by state parks, recreation, or conservation agencies. In some instances, funds may be used for enforcement, but most off-road vehicle funding from these sources is used to develop, construct, and maintain motorized routes.

State off-road vehicle recreation grant programs

State programs are funded through fuel taxes and off-road vehicle user or registration fees. Their grants go to government agencies to fund a variety of off-road vehicle recreation activities.

In most states, these activities include enforcement, as well as trail building and maintenance, education, and restoration. Many states require community support of grant applications.

Recreational Trails Program

Funding for grants made under this program come from federal fuel excise taxes. They are granted for the development and maintenance of motorized and non-motorized recreational trails and facilities. This program provides up to \$70 million annually for trails activity. A minimum of thirty percent of these funds are allocated to motorized recreation.

States set funding priorities for their grant programs. Funds may be used for off-road vehicle enforcement in some states. See the Federal Highway Administration website for details, including a list of state program administrators.

Funding uncertainties

The state grant programs and those funded by the Recreational Trails Program are highly competitive, often receiving many more grant applications than they can fund. Even successful programs that receive funding for several years may unexpectedly be cut off, leading to uncertainty in budgeting and hiring. Some programs, such as California's, are considering funding multi-year grants to reduce uncertainty, especially for smaller jurisdictions.

About this Report

Six Strategies for Success is designed for land managers and concerned citizens. It suggests strategies for boosting the effectiveness of enforcement to:

- Protect wildlife habitat, water quality, terrain, and cultural resources;
- Enhance recreational enjoyment and safety on our public lands; and
- Minimize trespass and other impacts to adjacent private lands.

This report's foundation is a series of interviews with public land managers, private landowners, citizen group leaders and volunteers, law enforcement officers, and

Funding for Off-Road Enforcement—An Example from Montana

On the Hebgen Lake District of Montana's Gallatin National Forest, off-road vehicle regulations are implemented by four different types of enforcement personnel, each funded differently.

Position	Forest Service Budget	Montana Off-Highway Vehicle Grant Program	Recreational Trails Program	Notes
Law enforcement officers (year-round)	100%			Typically spend only a small part of their time on off-road vehicle enforcement.
Off-highway vehicle ranger (six-month seasonal)	10%	90%		Responsible for enforcement, education, sign maintenance along routes. Grant funding is not guaranteed. It had been received for five years, but was not renewed for the 2007 season. Residual grant funding will cover only part of this season.
Back-country/wilderness ranger (six-month seasonal)	10%		90%	Focuses primarily on non-motorized and wilderness trails, but also spends some time on motorized trails and at trailheads. Grant funding is not guaranteed, but has been received for the last six years
Snow rangers (three-month seasonal)			100%	Enforce winter regulations and patrol wilderness boundaries. Funding has not been consistent or sufficient, and the rangers' season is sporadic.

Source: Milton Fusselman, Hebgen Lake Ranger District, personal communication, January 2007.

others involved with enforcing off-road vehicle use on public land. These interviews confirmed the need for more on-the-ground resources, greater commitment, and smarter, more innovative enforcement. Where off-road vehicle use is appropriate and allowed on public lands, it must also be enforced.

This report identifies six strategies for enforcement success.

- 1) Make a commitment—Engage in serious enforcement efforts.
- 2) Lay the groundwork—Create enforceable routes and regulations.
- 3) See and be seen—Engage in visible action and meaningful collaboration.
- 4) Make riders responsible—Promote a culture shift among peers.
- 5) Use the force—Incorporate technologies that work.
- 6) Fit the punishment to the crime—Make penalties meaningful.

The next section details each of these six approaches, offering insights into when they are most appropriate and examples of how to implement these strategies. Stories from the field illustrate many of these action examples. New ideas and challenges round out each strategy.

Most efforts weave more than one component into a more comprehensive strategy or model for improving enforcement. Thus, the six detailed strategy descriptions are followed by brief case studies that illustrate how organizations, agencies, and collaborations have put these models into action.



Riders on an eroded trail. (Dan Schroeder)

How Federal Agencies Stack Up on Law Enforcement

	Acres per uniformed law enforcement officer	Visitors per uniformed law enforcement officer	Enforcement as percentage of total agency budget
National Park Service	32,000	161,000	5.9%
Bureau of Land Management	1,044,000	211,500	2.7%
U.S. Forest Service	358,000	652,000	1.8%

Data are from fiscal year 2004. (Figures represent all law enforcement activity, only a small portion of which is directed at off-road vehicle enforcement.)

Source: USDA Forest Service, 2005. Internal memo proposing enhancements for the law enforcement and investigations program in fiscal year 2006. Published by Public Employees for Environmental Responsibility.

Make a commitment

Engage in serious enforcement efforts

Use this approach when...

- Illegal route creation is a persistent problem;
- An atmosphere of lawlessness prevails;
- Agency law enforcement budgets and staff are stretched thin;
- New rules, route designations, and other changes are being implemented; or
- Historically, enforcement has been lax.

Making a serious commitment to enforcement is a critical underpinning to success for all of the approaches outlined in this report. Without this foundational commitment, efforts to create enforceable off-road vehicle management systems will not get the job done. This commitment is essential to effective citizen collaborations, responsible riding ethics, and sustained use of technologies and penalties.

Tactics

1) Expand enforcement capacity

- **Create formal agreements to clarify, share, and fund law enforcement duties.** Cooperative and cost-sharing agreements may involve land management, law enforcement, funding agencies, and/or citizens groups. Agreements may be formalized through memoranda of understanding.

In some cases, land management agencies have agreed to share law enforcement duties on lands that cross management boundaries or where more than one authority has jurisdiction. For instance, federal agencies have signed agreements with county sheriff's departments and state fish and game agencies to add enforcement capacity.

These cooperative agreements are important because, while an agency may have authority to

enforce off-road vehicle violations, that does not guarantee action. This is the case in Montana, where the Fish Wildlife and Parks department adopts Forest Service travel plans into its regulations. Violations can be enforced by game wardens. However, with its limited staff, enforcing off-road vehicle violations is not an agency priority.

For example: A citizen's group called Commitment to Our Recreational Environment (CORE) spearheaded efforts to boost enforcement on public lands in California's Calaveras River watershed. CORE supported the local sheriff's application for state grant funds to hire a full-time off-road vehicle deputy, and later, a half-time deputy. Grant funds have also enabled the sheriff's department to purchase off-road vehicles for enforcement.

Personnel cost: \$65,000 annually for the full-time deputy

\$18,000 for the part-time deputy

A Memorandum of Understanding between the sheriff's department and the state Off-Highway Vehicle Recreation Commission, which allocates the grant funds, details this arrangement.

- **Add agency enforcement staff by upgrading field staff to forest protection officers (FPOs).** FPOs undergo a 40-hour training course to enable them to assist law enforcement officers by making

What's lacking is the assurance of tough enforcement and evidence of backbone needed to bring this runaway problem under control.

—Jim Furnish
Former deputy chief, U.S.
Forest Service

public contacts and issuing citations. They are not uniformed or armed.

For example: The Ocala National Forest (Florida) trained 15 recreation technicians as forest protection officers. These staff members are now able to cite off-road vehicle riders for violations such as riding through wetlands.

2) Target and intensify patrol efforts

- **Conduct saturation patrols to raise the profile of enforcement and to increase the likelihood that violators will be caught.** Saturation patrols involve flooding an area with law enforcement personnel and sometimes using additional methods such as airplane overflights for spotting violators.

Because of their intensity, saturation patrols often require participation from additional law enforcement officers from surrounding jurisdictions or other agencies. This support must be arranged through cooperative agreements, but such patrols do not necessarily require a formal memorandum of understanding.

- **Use overflights to scan for violations, especially in remote areas where enforcement is difficult.** Coordinate overflights with on-the-ground law enforcement efforts.

For example: In eastern Montana, a large landscape with little tree cover and few natural barriers, saturation patrols on the C.M. Russell National Wildlife Refuge are often combined with annual deer and elk counts. Sometimes, they are scheduled during high-use times such as the last few days of hunting season. As state fish and wildlife staff fly over looking for animals, they also spot off-road vehicles. The spotters radio information about illegal activity to law enforcement personnel stationed near popular access points.

- **Boost enforcement efforts during times when violations are most likely to occur.**

For example: On holiday weekends, county sheriff's deputies join law enforcement officers at Oregon Dunes National Recreation Area.

- **Adjust the level of enforcement as new rules take effect.**

For example: During the first season of major changes to off-road vehicle rules on a portion of the Bighorn National Forest (Wyoming), enforcement efforts focused primarily on education about the new regulations and where to ride. Only repeat or flagrant violators were cited. Law enforcement personnel noted that most violations seemed to be due to a genuine lack of knowledge that the rules had changed.

Recreation staff and law enforcement officers carried maps that identified open routes, as well as where new routes or connectors were being constructed. Staff members were able to convey the major reasons for managing motorized travel, as well as reasons for specific route designations.

During the second season, education was still an important component of law enforcement contacts with off-road riders. However, formal warning notices and citations with fines attached were commonly issued, as well.

3) Look for new funding sources.

- **While often used for route construction, funds from many state fuel tax off-road vehicle recreation grant programs can be used for enforcement.** This use of funds is becoming more common, although some programs restrict the



Off-road vehicle riders are typically more receptive to a patroller who approaches them on a similar vehicle than on foot or in a truck.
(Bridger-Teton National Forest)

proportion of annual grant funding that may be used for enforcement. In Washington, for example, only 30 percent of the state's Nonhighway and Off-Road Vehicles Activity Program (NOVA) funding may be used for education and enforcement.

For example: When the Bighorn National Forest changed its off-road vehicle rules, grant money from the Wyoming State Trails Program supported additional field enforcement and purchased patrol vehicles. Funding for the State Trails program comes from off-road vehicle registration and user fees and gas tax distributions.

4) Do not tolerate damage from off-road vehicles.

- Use area protection orders to address chronic or emerging off-road vehicle problems. More than one interviewee suggested that ignoring problem situations will only lead to them becoming intractable and even more difficult to resolve.

An "area protection order" is issued by agency land managers to protect the natural resources of

particular areas or trails from considerable adverse effects caused by motorized vehicles. Such an order indefinitely prohibits the use of vehicles in the area. Area protection orders are authorized under Sec. 9. Special Protection of the Public Lands from Executive Order 11989 as it amends Executive Order 11644.

New ideas

- Set triggers for removing motorized route or area designation that are linked to reported or detected violations, user conflicts, or resource damage. Use these triggers to protect environmentally sensitive areas and areas near where motorized use causes conflicts with the majority of other uses nearby. Problem areas could be marked with a special sign letting users know that the route or area is in danger of being closed if misuse continues.
- Create systems that facilitate citizen involvement in enforcement, such as statewide off-road vehicle enforcement hotlines similar to hotlines that welcome tips to help track down poachers.

Enforcement Works

On the Hebgen Lake Ranger District in Montana's Gallatin National Forest, a small investment in off-road vehicle enforcement has paid big dividends. In 2001, the district hired a seasonal off-road vehicle ranger using state grant funds. During his five-year tenure, he has seen big changes.

	Year 1	Year 4
Violation rate among off-road vehicles encountered	67%	4%
Most common violations	Resource damage, off-trail riding, riding in closed areas	Missing decals, children without helmets, careless and reckless riding
Additional observations		Violations were reduced while the number of off-road vehicles encountered tripled from Year 1, due to better patrolling. Resource recovery and a significant decline in new resource damage were noted.

Activities: Enforcement, trail and sign maintenance, wilderness boundary patrol, and education in local schools and rental shops.

Annual investment: \$16,000 for six months. *Status:* Questionable due to lack of continued grant funding.

Challenges

Biases of local law enforcement personnel can make a big difference in how seriously enforcement is conducted. For example, on the Stanislaus National Forest (California), informal agreements between the Forest Service and one sheriff's department have led to cooperation in off-road vehicle enforcement. But the sheriff's department in a neighboring county takes a hands-off approach to off-road vehicle management, and will not engage in cooperative enforcement efforts. This results in mixed messages to off-road riders.

Relationships among enforcement agencies vary from state to state. Understanding these relationships is critical to the ability to change or expand them for better off-road vehicle enforcement.

Roads and routes often cross agency and county jurisdictions. This places a premium on coordination among different management and enforcement agencies, as well as citizen groups and conservation organizations. If, for example, one jurisdiction allows

travel off-road and the adjacent jurisdiction does not, this confuses riders and reduces enforcement capacity. Confusion can also stem from differences in regulations governing camping, game retrieval, and other activities.

Routes on public lands also often pass through private lands and through public lands where grazing permittees are responsible for the safety of their livestock and for environmental damage. This scenario requires close consultation with the landowners and permittees.

Additional training and support may be needed for law enforcement officers and, especially, forest protection officers. Officers can encounter potentially violent situations, and as one district ranger noted, "A lot of situations are testy to begin with, because we've allowed certain uses for so long that they've come to be seen as rights. Nine times out of ten, if you let them blow through this, you can have a reasonable conversation. Those skills are critical."



Snowmobile damage to whitebark pines in the Humboldt-Toiyabe National Forest in Nevada. This area is closed to motorized travel. The slow-growing whitbark pines are an important food source for wildlife in this high-elevation area. (Jeff Erdoes)

Lay the groundwork

Create enforceable routes and regulations

■ ■ Use this approach when...

Agency staff is unable to enforce and monitor widespread networks of routes and open areas;

Creation of illegal routes is a persistent problem;

Use of closed routes is ongoing;

Natural or cultural resources, or other users, are affected by motorized use;

Violators claim or appear not to understand regulations; or

The agency is making a new commitment to enforcement.

Tactics

1) Create off-road vehicle route systems with an eye toward enforceability.

- **Designate routes and open areas based on on-the-ground knowledge and observation.** Factors may include physical conditions; impacts to habitat, quiet recreationists, water and wildlife resources; how riders use specific routes; problem areas; and rider preferences (e.g., loop and connecting trails, access to developed facilities, and so forth).
- **Do not legitimize unauthorized, renegade routes** by adding them to the system or even considering them for designation.
- **Create buffers around residential areas and ecologically sensitive zones such as streams.**

For example: In the Oregon Dunes National Recreation Area, there is a two-mile sound buffer between designated off-road vehicle routes and residential areas.

- **Limit motorized staging areas to a few points** that law enforcement officers can quickly access and reliably find violators as they return to their passenger vehicles.
- **Create routes within contained areas** (e.g., between ridgetops or within small watersheds). This makes enforcement easier, contains noise, and discourages the proliferation of user-created routes across the landscape.
- **Designate separate areas for motorized and nonmotorized recreation.**

For example: On the Sawtooth National Forest in Idaho, winter recreation areas in the Wood River Valley are delineated by ridgelines. Some are designated for motorized or nonmotorized use only, and some are left open for shared use. Using natural features as boundaries is critical in winter, when other landmarks may be covered with snow.

- **Conduct joint planning across adjacent lands that are managed by different agencies**—or different entities within the same agency—to ensure consistency in rules and enforcement methods.

For example: In southern Colorado, the Forest Service and BLM have joined offices and functions under a program called Service First. As a result, they have jointly developed travel management plans for adjacent BLM and Forest Service

Most existing roads and trails on public lands were created by use over time, rather than planned and constructed for specific activities or needs.

Bureau of Land Management
Instruction Memorandum
1600 (210)/8300 (250) P

lands, such as in the Molas Pass Winter Travel Management Plan.

2) **Make the route system clear on maps and on the ground.**

- **Make signs and mapping clear and system-wide.** Print maps in full color and at a sufficient scale to be easily read, especially where there are multiple routes and boundaries.

For example: The Forest Service and BLM manage most of the 100,000 acre “Fourmile” area of Colorado’s Arkansas river drainage. In 2000, the agencies initiated a travel planning process for the entire area to make regulations consistent across agency boundaries. One color map now shows designated roads and trails for the whole Fourmile region, with detailed maps of off-road vehicle areas. Route markers are consistent across the entire area, regardless of jurisdiction, to avoid confusion.

- **Institute polices that designate all routes and areas closed to off-road vehicle travel unless posted or mapped as open.**
- **Restore or camouflage closed or problem routes, focusing on visible entrances.** One study of off-road rider behavior in Colorado found that, while riders know the rules about staying on authorized routes, there is a widespread sentiment that it is acceptable to break these rules from time to time, especially if someone else had cut a path before them (Monaghan 2001).
- **Install effective physical barriers to prevent access to closed areas or routes.**

3) **Implement a system that makes off-road vehicles easy to identify or limits their number.**

- **Designate all routes within a management area as roads**, bringing into play any state regulations concerning licensing of off-road vehicles.

For example: On Montana’s C. M. Russell National Wildlife Refuge, all routes have been designated as roads. Under Montana law, off-road vehicles operated on state roads must be street-legal and

display a small state license plate. Law enforcement officers are more easily able to identify vehicles that are not allowed on the refuge. This approach sends a basic message about responsible vehicle use and eliminates use by riders under 15 years of age.

New ideas

- **Take a “landscape approach” to designating routes for off-road vehicle use in suitable and manageable areas.** Make clear and system-wide route designations within specified areas that are appropriate for off-road use. These zones might be bounded by natural features such as ridgelines and waterways or by-roads that law enforcement can readily patrol. The landscape approach provides an opportunity to address multiple recreation management issues concurrently, and provides a mechanism for separating incompatible uses. Under this approach, some areas are designated for motorized use while others are managed for wildlife habitat, other recreational activities, water quality, and/or other values.
- **Designate off-road vehicle routes based on an analysis of where the management agency has the financial and personnel resources to sign, enforce, monitor, and maintain such use.**

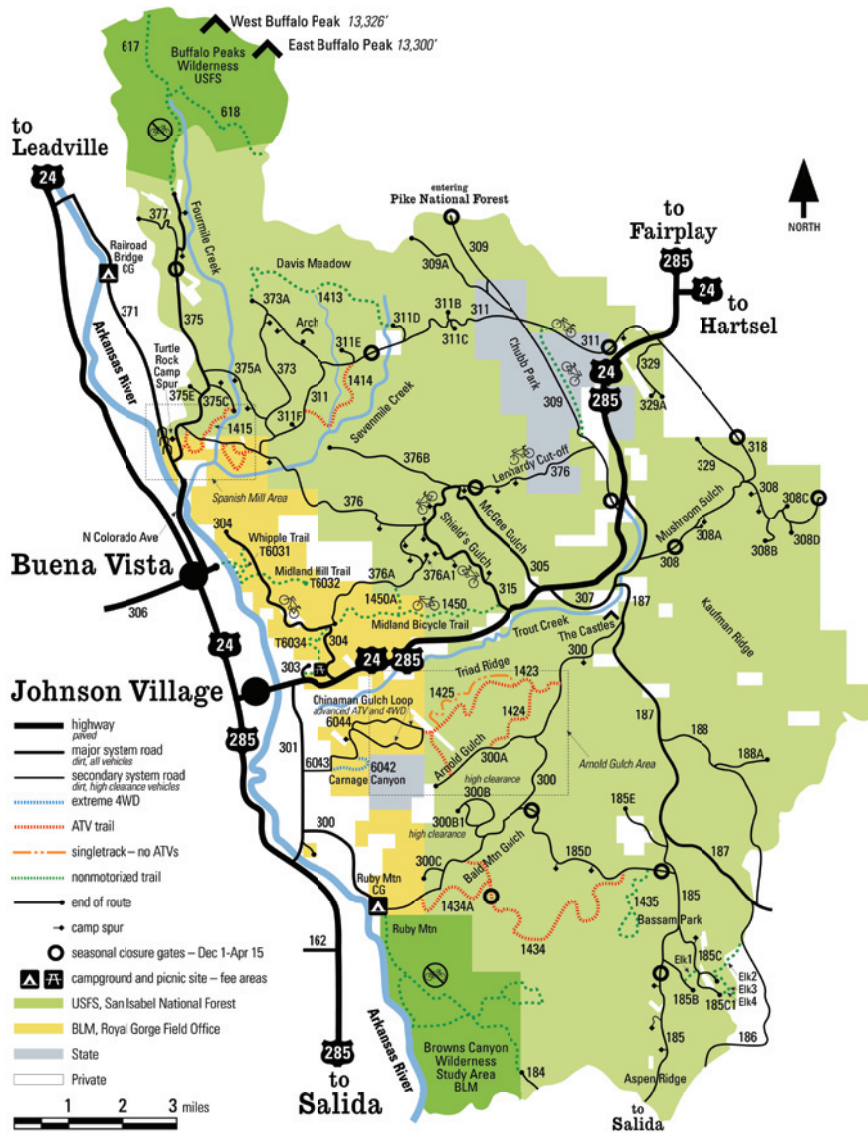
Challenges

An attachment to “the way things were” among off-road vehicle riders and other recreationists can make change difficult.

The interface between public lands and adjacent private lands can make developing enforceable route systems difficult, especially if those private lands support illegal access to the public lands or vice-versa.

Ensuring that no user-created routes become part of the designated route system through the travel planning or similar process is as critical as it is difficult. The creation of unplanned, unauthorized routes must not be legitimized.

Funding shortages can limit the ability of land managers to appropriately study and designate routes, and fully implement their plans.



Colorado's Friends of Fourmile group relied on volunteers to put together a full-color map of motorized and mountain bike trails. A larger version is included on informational materials the group's volunteers hand out to area users. (Friends of Fourmile chapter of the Greater Arkansas River Nature Association)

We've reduced our reliance on law enforcement presence through steps we've taken to manage off-highway vehicles —motorized area designations, a ban on alcohol outside developed areas, and permit-based, dispersed designated campsites.

In 1992, we would have needed a small army to write tickets for all the violations. Everyone with any law enforcement training was called out to work 14- to 16-hour days on holiday weekends. Now, it's like night and day. Even as a supervisor, I could take a holiday weekend off if I wanted to.

Sharon Stewart
 Dispersed Recreation Supervisor
 Oregon Dunes National Recreation Area
 Siuslaw National Forest, Oregon

See and be seen

Engage in visible action and meaningful collaboration

Use this approach when...

- The same riders violate repeatedly;
- Patterns of violations and resource damage suggest that rules are not taken seriously;
- Citizen partners may enhance the agency's commitment to, or implementation of, enforcement efforts;
- Agencies are implementing a new route system; or
- Agencies are demonstrating a new commitment to enforcement.

The tactics proposed in this strategy are unique in that most can be instigated by citizen groups, or by agency land managers. Almost all involve citizen engagement at some level. Concerned citizens may approach the agency with proposals, or agency staff may approach citizens to enlist their help. The bottom line is the same: Public engagement in enforcement can extend agencies' capacity and help raise broad awareness about off-road vehicle issues and successes. This sends a clear message that people care about their public lands.

Tactics

1) Organize and publicize volunteer labor.

- Recruit volunteers for signing routes and trailheads, constructing fences, installing barriers, and restoring sites. Include a variety of recreation-oriented groups in specific projects. These groups may be fishing and hunting organizations, off-road clubs, hiking groups, horse packers, mountain bikers, and so forth. This sends the message that many people with many legitimate interests care.

For example: Colorado's Friends of Fourmile citizen group partnered with the Forest Service to devise a restoration and fencing program at the Spanish Mill site, an area of illegal use. Friends of Fourmile engaged Trout Unlimited, off-road clubs, and the Quiet Use Coalition in its restoration efforts.

In addition to generating good publicity, the Friends group was able to stretch agency and grant funds by leveraging volunteer support to construct fences and reseed. Prison crews and volunteers cut and transported fence posts, which were contributed by the Forest Service. The contractor's work was limited to that which required heavy equipment such as constructing rock barriers.

For example: In Arizona, the Bureau of Land Management is proposing reaching out to volunteers as an integral part of intensively managing recreation use at certain popular sites on the Agua Fria National Monument and Bradshaw-Harquahala planning areas.

- **Include the names of volunteers or partner organizations on area information signs to improve peer compliance and enforcement.**

We need to live together on these lands for the long term, and mutual trust is the key to that. With so few agency staff on the ground, actual arrest and prosecution are tools that we can't rely upon to get the whole job done.

Alan Robinson, Volunteer member, Friends of Fourmile Chapter, Greater Arkansas River Nature Association

- **Give volunteers tools to easily and effectively monitor off-road vehicle use.** Create simple trespass reporting forms. Host workshops to train volunteers to identify, interpret, and report signs of illegal activity in a safe and non-confrontational manner.

- **Make monitoring fun and safe by organizing group events.**

For example: Montana’s Great Burn Study Group conducts regular monitoring field trips throughout the year to document off-road vehicle trespass and help the Forest Service identify hot spots for enforcement.

- **Give volunteers informational tools** to hand out in controlled settings such as trailheads or club meetings. Route maps, rules brochures, and other written tools can put volunteers more at-ease with direct contact.

For example: In Colorado, the Friends of Fourmile citizen group produced a volunteer-designed brochure and map (see p. 15). It contains information on routes, recommended activities, and safety and good behavior tips. Visitor contacts generally begin with the question, “Have you received the Friends of Fourmile map yet?” They also developed a Memorial Day insert in local newspapers, aimed at expanding the information from the brochure. The papers printed extra copies that Friends volunteers handed out in field contacts with riders.

2) **Form broad coalitions for public support.**

- **Invite participation from a variety of recreationists and other public lands users.** Involving many different kinds of users—in citizen groups or in specific projects—may help create a climate in which off-road vehicle violations are treated seriously.
- **Build on themes or qualities that are important to many people,** such as wildlife, habitat, watersheds, trails, quiet recreation opportunities, fun, stewardship of public lands, or fiscal responsibility.

For example: Minnesotans for Responsible Recreation (MRR) has identified what it terms, “a quiet majority.” A 2001 outdoor recreation survey in St. Louis County (county seat, Duluth) confirms the existence of a large majority of residents who highly value outdoor recreation and prefer quiet pursuits. Many have stopped recreating in areas because of conflicts with other forms of recreation (especially snowmobiles, ATVs, and jet skis).

MRR’s campaigns focus around the common values of quiet recreation fairness, efficiency, and transparency in public funding of motorized recreation.

- **Cultivate a local and regional “enforcement ethic”** so individuals and citizen groups can support each other, and see their work as an important part of a larger effort.

3) **Formalize collaborations among law enforcement entities.**

- **Make a public commitment to enforcement by teaming up with law enforcement officials from other federal, state, and local jurisdictions.** Agreements between agencies can also expand enforcement capacity.



Volunteers doing restoration work. (Wildlands CPR)

- **Lend citizen monitoring capacity to agency enforcement efforts.** Volunteer monitoring can help law enforcement personnel pinpoint problem areas and implement more effective enforcement strategies.

4) **Create meaningful opportunities for citizen reporting.**

- **Give trail users tools and resources to patrol for violations.**

For example: In a partnership spearheaded by the Inyo National Forest, members of the California Nordic Ski Patrol monitor trails designated for non-motorized use during the winter months. Volunteer skiers carry radios that they use to report violations to National Forest law enforcement staff who respond to patrol calls.

- **Enlist assistance from researchers and others already in the field.**

For example: Wyoming's Jackson Hole Conservation Alliance enlisted assistance from winter recreationists and wildlife researchers to monitor closed areas and report violations. These volunteers use standard monitoring forms to document their observations.

- **Make sure law enforcement officers respond to reported violations,** and adjust patrols based on information from citizen reports.
- **Law enforcement officers or agency managers can follow up on reported violations** with a postcard or thank you telephone call to the citizen monitor.
- **Post a hotline telephone number for reporting off-road vehicle violations.**

For example: The Michigan Department of Natural Resources maintains a law enforcement hotline for abuse reports. On the Bridger-Teton National Forest near Jackson, Wyoming, trailhead kiosks include a telephone number for reporting violations. The calls go to an interagency dispatch center staffed by the Forest Service and National Park Service. Reports are routed to the nearest enforcement officer.

5) **Use nonprofit status to gather money.**

- **Citizen groups may become, or affiliate with, a nonprofit organization to qualify for grants and donations.** This status may also help them forge cooperative arrangements with or between land managers and law enforcement agencies.
- **Help funnel donations and grants for enforcement to land managers.** Federal agencies are prohibited from soliciting funding from outside the agency. Supporting groups (often named, "Friends of...") can work in partnership with agencies to secure funds beyond agency budgets and available enforcement grants.

6) **Publicize progress.**

- **Detail specific projects and accomplishments in a continual series of press releases.**
- **Offer press and public tours of project sites.** Include reporters, public officials, community residents, and members of relevant organizations.
- **Monitor progress and keep a database that includes photographs.**

For example: Friends of Fourmile is building a database of photographs that illustrate progress over time on restoration and other projects.

Challenges

Sustaining momentum and membership or interest over the long term can be difficult.

Raising money can become a continual and energy-intensive focus.

Shortages of agency law enforcement staff may make it impossible to respond promptly to citizen reports. Prompt response is generally a key to catching violators and to maintaining public participation in the reporting system.

Recreation groups should be invited to invest labor and money only into projects where thorough resource evaluations have been completed. This helps to lessen the possibility of the public land management agency later backtracking and modifying access to these areas.

Make riders responsible

Promote a culture shift among peers

■ ■ Use this approach when...

Enforcement is difficult because of terrain, access, the nature of routes, or patterns of land ownership;

The agency is shifting to a closed-unless-posted-open or designated-route-only management scheme for off-road vehicle use;

A small geographic community allows for ongoing personal contact;

Shared values exist; or

Volunteers are already working in the area or are available to monitor use and violations.

For example: Enforcement staff on Wyoming's Bighorn National Forest are building relationships with local off-road vehicle dealers to enlist their assistance in educating riders.

3) Focus on common values.

- **Focus media campaigns and public outreach on shared values** such as stewardship, healthy wildlife populations and habitat, respect, fun, healthy watersheds, and safety.
- **Involve the off-road community in broader efforts** that do not target off-road vehicle use specifically. Efforts such as watershed mapping, monitoring water quality, or gauging forest health can help build relationships among different recreation users.

Tactics

1) Use mass media campaigns to educate riders and cultivate support.

- Reach out to target audiences with an aggressive media campaign.

For example: The Jackson Hole Conservation Alliance responded to rampant violations of winter wildlife habitat closures with a campaign of radio spots. This “don't poach the powder” radio campaign focused on the importance of winter range to preserving big game populations. The target audiences included hunters and people who recreated in areas of the Bridger-Teton National Forest close to the towns of Wilson and Jackson. The public service announcements also note the penalties and fines for violations.

2) Work with the leadership of the off-road community to gain commitments to enforcement.

- Collaborate with off-road clubs and organizations, dealers, and outfitters to encourage a culture of peer enforcement.

During the fieldwork, done by a core of about 30 volunteers from both motorized and non-motorized communities, there evolved a better understanding of each other's perspectives, and an appreciation of the legitimacy of multiple uses, so long as there was a respect for each other and the landscape.

Volunteer, commenting on the process of surveying routes for the Fourmile Travel Management Planning process, Colorado

4) Promote rider responsibility.

- Encourage off-road vehicle riders to patrol their own ranks.
- Place the burden of responsibility on riders to consult trail maps before they ride. Just as hunters are responsible for knowing where they are allowed to hunt, make off-road vehicle riders responsible for knowing where they are allowed to ride. This approach is part of the 2005 Forest Service travel management rule and will be implemented as route designation required under that rule takes effect.

New ideas

- Set triggers for area protection orders based on violations. Especially for routes through sensitive areas or where illegal activity is a problem, set and publicize parameters for keeping routes open.
- Make it easy to report violators. Every state advertises a telephone number for reporting poachers. A similar tool could be put in place for reporting off-road violations. Interviewees in Wyoming, Montana, and California reported that hunters are accustomed to reporting violations among their own ranks. They use cell phones and satellite phones to call poaching hotlines with reports of off-road vehicles used illegally to retrieve downed game.

Challenges

Fostering a peer enforcement ethic may be difficult in larger areas where media campaigns are not practical and community investment plays a minor role.

Peer enforcement is more challenging if the majority of riders are visitors who lack ties to a local community. Visitors may not bear the broader consequences of illegal actions (such as the triggering of area protection orders based on violations and resource damage). Enlisting assistance from off-road vehicle outfitters and rental shops may help with visiting riders.

Some studies suggest that many people ride off-road vehicles for excitement. Even knowing the rules, most riders are willing to violate them some of the time.

The peer culture still needs to be backed by serious and consistent enforcement and monitoring. Remote and difficult-to-patrol areas can leave openings for undetected violations, as can limited enforcement budgets.



Snowmobiler on a groomed trail. (Sascha Buchard/Dreamstime.com)

Use the force

Incorporate technologies that work

■ ■ ■ Use this approach when...

Illegal access routes to public lands or closed areas are a problem;

Law enforcement officers are able to respond to violation alerts;

Trails are out-and-back or loop trails with limited access points so officers responding to the alert are likely to catch the violator on the way out; or

Areas have become well-known—albeit illegal—play areas among riders.

Tactics

1) Use remote electronic monitoring.

- **Employ seismic, magnetic, or infrared detectors to monitor entry points to closed areas.** Devices such as these are sometimes referred to as “rangers in a can.” Law enforcement officers interviewed for this report agree that these technologies cut down on illegal entries.

For example: On California’s Inyo National Forest, seismic monitors are placed near roads or trails closed to off-road vehicle use. When a vehicle passes, the electronic transmitter sends an immediate radio signal to a law enforcement officer’s receiver. Signals can be transmitted for a distance of two to five miles, or up to ten miles if a repeater is used.

Equipment cost: Purchase and maintenance costs vary, depending upon terrain, the complexity of the system, distance required for transmission, and other factors.

2) Track noise violations.

- **Use decibel meters to limit the use of illegal or unusually loud off-road vehicles.**

For example: In the rural, eastern part of Kern County (California), large BLM tracts offer riding opportunities that attract significant numbers of off-road riders. The Kern County sheriff’s department uses decibel meters to help identify riders whose vehicles violate California noise standards.

In its 2006/2007 California Off-Highway Vehicle Grant application, the sheriff’s department requested funds to purchase three decibel meters to respond to local community concerns about the noise associated with off-road vehicles. By enforcing noise standards, the department hopes to increase compliance and create more community acceptance of the nearby riding areas.

Equipment cost: 1 decibel meter = \$2,600

Maintenance for 1 year = \$750

We know these UAV’s (unmanned aerial vehicles) are the wave of the future.

Lance Brady, BLM geographic information systems specialist commenting on their proposed use in monitoring riparian and vegetation conditions in large, remote areas

3) Track recurring problems and repeat offenders.

- Maintain a database of violations and problems, as well as the responsible individuals.

For example: The Kern County sheriff's department's off-road vehicle enforcement team maintains such a database on a laptop computer at its mobile command post. Team members use the database to prioritize law enforcement responses and expedite the resolution of common violations and complaints.

- Employ video surveillance equipment or automatically triggered digital or infrared cameras to enable officers to identify violators.

Challenges

Remote monitoring at specific access points can push abuses to other access points or routes.

Equipment is expensive, susceptible to vandalism, and needs to be regularly maintained.

Many states lack effective noise standards.



Fresh tracks behind a route closure sign, near Paiute Trail.
(Dan Schroeder)



Vermillion Cliffs National Monument.
(Grand Canyon Wildlands Council)

Fit the punishment to the crime

Make penalties meaningful

Use this approach when...

- The same riders violate repeatedly;
- Patterns of violations and resource damage suggest that rules are not taken seriously; or
- Agencies are demonstrating a new commitment to consistent enforcement.

Tactics

1) Toughen penalties.

- **Increase penalties for off-road vehicle violations.** In some places, fines for a first offense are as low as \$50, generally escalating with subsequent violations. Fines must be meaningful and enforcement uniform.

For example: On the Ocala National Forest in Florida, fines for off-road vehicle violations causing natural resource damage were recently raised from \$100 to \$500. This was done through the standard process for changing penalties (see “Challenges” section below).

- **Add vehicle confiscation as a possible penalty for multiple or egregious offenses.**

For example: Third-time offenders on the Stanislaus National Forest in California may have their vehicles confiscated.

2) Consider natural resource damage in determining fines.

- **Levy fines for damage to natural resources that results from off-road vehicle violations.**

For example: In response to natural resource damage caused by increasing off-road violations on Pennsylvania’s Michaux State Forest, the district

forester consulted with district attorneys and local law enforcement officials in three counties covered by parts of the forest. These consultations helped the district forester devise a strategy for cracking down. A number of state regulations and laws apply, ranging from the state forest regulations to agricultural vandalism, criminal trespass, and criminal mischief. The forester promised, “Anyone caught cutting trees to get around gates or closed roads, damaging gates, or damaging wetlands and vernal ponds will be charged restitution.”

3) Add appropriate community service as a penalty.

- **Add community service to the list of allowable penalties for certain off-road vehicle violations.** Violators could be required to contribute their time to the restoration or construction of barriers to areas damaged by motorized recreation, biological inventories, or classroom education.

For example: Rather than ticketing and fining young offenders, a sheriff’s department responsible

When your \$3,000 or \$4,000 or \$6,000 machine turns up missing and you come to the National Forest Service looking for it, we’ll be happy to see that you get it back. But not until you’ve gotten your ticket.

Woody Lipps, U.S. Forest Service law enforcement officer commenting on seizing illegally-operated off-road vehicles as evidence

for enforcing off-road vehicle regulations on the Stanislaus National Forest worked with families of some local youth who had committed violations. A portion of the punishment included removing illegal trails, constructing berms, and restoration.

4) Link off-road violation penalties to other recreational privileges.

- **Revoke hunting or fishing privileges—or assess points against hunting and fishing licenses—as a penalty for certain off-road violations.**

For example: The Missouri Conservation Commission added suspension of hunting and fishing privileges as a penalty for unlawful use of off-road vehicles in streams. Using procedures already in place for other wildlife-code violations, the Missouri Department of Conservation may now recommend that the Commission suspend hunting and fishing licenses for violators. One-year suspensions are the norm, but the Department may recommend longer suspensions for more egregious offenses.

Because Missouri participates in the Interstate Wildlife Violator's Compact, these suspensions may be honored in 17 other states that, thus far, have joined the compact. (Three more states are currently in the process of joining.)

For example: South Carolina's Department of Natural Resources uses a point system for violations of hunting and fishing regulations and marine resource laws. Once a certain number of points have been issued against an individual's hunting or fishing license, those privileges are suspended.

- **Print the names of off-road vehicle offenders and descriptions of their violations in the local newspaper.**

For example: Off-road violators in California's Inyo National Forest find their names printed in the local paper. Peer pressure—notably from snowmobile shops and clubs—comes into play to try to avoid bad publicity.

- **Revoke entry privileges on public lands to penalize egregious or chronic violators.**

For example: Two pickup truck drivers who drove off-road around a geothermal area in Yellowstone National Park were permanently banned from the park as part of their penalty.

5) Impound vehicles.

- **Use criminal law and rules of evidence as a rationale for confiscating vehicles as evidence, especially in cases of egregious violations or when the violator has hidden a vehicle for illegal use.**

For example: A measure under consideration by the Hawaii state legislature would give law enforcement officers the ability to issue criminal citations, make arrests, and seize vehicles as evidence for violations of the state law against riding off-road vehicles on beaches.

- **Incorporate vehicle impoundment as part of the penalties for off-road vehicle offenses.**

For example: New York state law bans off-road vehicle use on public lands or roads that are not designated for their use. Penalties for these violations vary by county, and many incorporate vehicle impoundment. In Suffolk County, in addition to fines for illegal off-road vehicle use, violators may be required to pay impound fees for their vehicles. These fees are \$500 for first and second offenses, and run up to \$3,000 or possible vehicle forfeiture for the third offense.

New ideas

- In some states, community service is an accepted penalty for operating an off-road vehicle while intoxicated. Amend statutory authority to add community service as an allowable penalty for certain other, first-time off-road vehicle offenses.
- Similarly, some states assess points against a driver's license for driving an off-road vehicle while intoxicated. This system could be extended to other offenses.

Challenges

Bond schedules, which set penalties for each type of violation, are guidelines for sentencing. Most law enforcement officers adhere to the dollar figure provided in the bond schedule when writing tickets. They have the ability to require a court appearance and request a higher penalty for serious violations. However, magistrates may reduce or increase the bond amount in court at the time of sentencing, or even dismiss the penalty altogether. Given the wide discretion of both law enforcement officers and magistrates, it is important that all parties understand the serious nature of off-road vehicle offenses.

Changing penalties can be a difficult, involved, and politically challenging process. For both the Forest

Service and the BLM, agency divisions may propose changes in the bond schedule to the relevant U.S. District Court through consultations with the U.S. Attorney's office. This tends to happen infrequently, at intervals of roughly eight to ten years.

In general, federal officials cannot fine or incarcerate juvenile offenders, as the states have primary authority over young offenders. Magistrates may only place these offenders on probation, in most cases. Any penalty or regulatory system establishing the need for a driver's license or an age limit for operating an off-road vehicle would need to address this gap in federal authority.

■ ■ Getting Serious about Off-Road Vehicle Penalties

In 2002, the New Jersey Department of Environmental Protection issued a new policy directive on off-road vehicle use, which is prohibited on most state land. The directive was motivated by "a marked increase in the unlawful use of these vehicles on public lands," resource damage, interference with other user groups, and other costs. It included tougher penalties for off-road vehicle violations, including the following.

- 1) Automatic assessment of the maximum fine of \$1000 for violations on state park and forest lands. The fine may be reduced only if:
 - It is a first violation involving no adverse impacts to natural resources or public safety; or
 - A lesser penalty is authorized in writing by a state official, due to other extraordinary circumstances.
- 2) Automatic assessment of the maximum fine of \$200 for violations in Wildlife Management Areas.
- 3) Triple damage fines when the cost of restoration from damage to natural resources in Wildlife Management Areas exceeds \$100.

The directive also ordered the Commissioner of the Department of Environmental Protection to work with other state authorities to develop legislation increasing penalties and authorizing vehicle impoundment for unlawful use. To expedite the assessment of restoration costs, this policy directive ordered the development of a damages table covering resource damage typical of unlawful off-road vehicle use.

Jackson Hole Conservation Alliance and Bridger-Teton National Forest Winter wildlife closure campaign

- Who:** Jackson Hole Conservation Alliance, an 1,800-member citizen group, and the Bridger-Teton National Forest
- Where:** Bridger-Teton National Forest and Grand Teton National Park (Wyoming)
- What:** A media, community education, and enforcement campaign aimed at reducing incursions into winter wildlife closure areas

The successes

What began as a privately funded series of radio messages has evolved into a broad community partnership. The partnership supports protecting critical winter wildlife habitat from human intrusion on snowmobile, skis, and foot. Since 1990, there has been a dramatic reduction in the number of violations of winter wildlife closures. Field researchers who monitor winter range now document one or two violations per season, down significantly from the early 1990s.

Highlighted enforcement success strategies

- #3 See and be seen—Engage in visible action and meaningful collaboration.
- #4 Make riders responsible—Promote a culture shift among peers.

The story

“A cascade effect,” is how former Jackson Hole Conservation Alliance (JHCA) staffer, Fred Smith, describes the evolution of the Winter Wildlife Closure Campaign. The campaign began in 1990, when a JHCA member noticed that designated winter wildlife closures on the Bridger-Teton National Forest

were being violated, with no effective enforcement mechanism in place.

With funding from private donors, JHCA started running radio spots to educate people about the winter closures. The messages in the “Don’t Poach the Powder” campaign focused on the importance of winter closures to preserving big game populations in an area beset by rapid residential development. The wildlife closures apply to everyone—whether they use motorized or non-motorized means to access the forest.

Over time, the seed of this radio campaign has grown into an impressive network of relationships and activities around the common values of protecting the area’s abundant wildlife.

- Local snowmobile clubs and outfitters support the campaign. Snowmobile outfitters now donate money toward the media spots.
- The Forest Service and local law enforcement staff work together to assess and monitor routes. Volunteers are also involved in gathering data for route designation.
- Volunteers provide trailhead education and patrol areas that are accessible to most forest users. Wildlife researchers working in the area help monitor for violations.
- Support for on-the-ground activities is subsidized by a range of organizations and agencies. These include the Teton County Conservation District, Rocky Mountain Elk Foundation, and the Wyoming big game licensing fee program.

Smith noted, “The success of this ongoing program has made the acquisition of community grants feasible—for

research with Wyoming Game and Fish, mapping activities, trailhead signs and maps, and community monitoring.”

In 1990, as now, the campaign focused on a defined geographic area, close to the town of Jackson. Here, people recreate close to home, and monitoring and enforcement are physically viable. By focusing on local forests, access points, and use, JHCA has avoided the larger conflicts about motorized winter recreation in Yellowstone National Park and the surrounding region. The campaign has also built on people’s commitment to, and pride in, their small communities.

Face-to-face contact has been an important element in the success of the campaign, which has reached well beyond the norms of speaking with off-road vehicle users at trailheads. For example, the rationale for the winter wildlife closures is explained every year to students in avalanche and backcountry travel classes. The closures are now a usual topic of conversation among recreationists, and snowmobilers often talk about the closures and discuss their importance with other riders. They are also noted on the avalanche information website.

The education, collaboration, and rider responsibility components of this successful campaign are backed by enforcement. The radio spots promote the importance of respecting the winter closures for the sake of wildlife and note the penalties associated with violations—\$125 for a first offense, with a likely mandatory court appearance for repeat offenders.

The Bridger-Teton National Forest has played an important role in making the partnership work. The forest coordinates on-the-ground signing and patrols. Creating loop trails and limiting access points within snowmobile and cross-country ski areas has helped create an enforceable route system.

Prior to 2000, patrolling the wildlife closure areas was spotty at best. Forest recreation and wildlife staff pursued enforcement grants. In 2001-2002 outside funding provided two ski patrollers for the areas close to town where skiers and dog walkers were concentrated. Two snowmobile patrollers handled areas further away from town where motorized use was concentrated.

Funding gaps in 2003 led to a reliance on community volunteers, which met with mixed success. Now, the forest and state of Wyoming pay for four patrollers who are accompanied by other staff (all of whom are qualified as Forest Protection Officers). The forest’s FPO program is one of the most active in the nation.

Community volunteers are recruited primarily to help put up closure signs each fall and to monitor use. Monitors document what they see on standardized forms. A small number of volunteers go through classroom and field training to participate in patrols. “The quality of the message and the approach makes a huge difference,” notes recreation manager Linda Merigliano.

Trailhead kiosks include a telephone number for reporting violations. Calls go to an interagency dispatch center run by the Forest Service and Park Service. “We get a lot of calls on this number,” says Merigliano. “It’s increased over the past few years because people know we’re responding.

Challenges

- Some parts of the larger landscape present enforcement challenges because of their remoteness and the nature of the routes that traverse them. Overflights would be necessary to effective enforcement in these areas, but the campaign does not have funding for this.
- Many of the methods used in this campaign are most effective with riders who are part of the local community. Snowmobile outfitters and shops, as well as local riders in the field, can help pass along the respect for wildlife closures. Still, getting visiting riders to comply may be a challenge.
- Cultivating an ethic of lawful riding and respect for the landscape and wildlife may be easier to accomplish in a local setting than it is in larger areas where media campaigns may not be practical. Reaching off-road vehicle riders who are not part of a recognizable group or community, as well as riders who are prone to showing off, is a challenge with this approach. Interviewees noted that, without consistent enforcement, whatever positive peer ethic exists is easily eroded.

CORE (Commitment to Our Recreational Environment) *Citizen organization spearheads improvements in local enforcement*

Who: Commitment to Our Recreational Environment, a 100-member citizens organization working in concert with a local sheriff's department and land managers

Where: Stanislaus National Forest (California) and a patchwork of BLM and private timber lands within Calaveras County

What: An effort to use state off-road vehicle grant money to fund enforcement, mediation, and other activities

The successes

Collaborative efforts by a citizen group and local and federal law enforcement agencies have led to a marked decline in illegal off-road vehicle use in an “interface” area where hundreds of residences are in close proximity to the forest. Hikers, mountain bikers, and dog walkers have returned to the area. Gates installed to close a road near these residences are no longer being ripped out under cover of night.

Highlighted enforcement success strategies

- #1 Make a commitment—Engage in serious enforcement efforts.
- #2 Lay the groundwork— Create enforceable routes and regulations.
- #3 See and be seen—Engage in visible action and meaningful collaboration.
- #6 Fit the punishment to the crime—Make penalties meaningful.

The story

Commitment to Our Recreational Environment (CORE) involves about 100 committed residents of four small Sierra Nevada towns, including several small-lot subdivisions. It was formed in 1998 in response to a decade of complaints about off-road vehicle violations on a patchwork of public and private lands in the Calaveras River watershed. CORE's mission is to promote responsible management of off-highway vehicle recreation on public lands.

CORE has successfully worked with California's Off-Highway Vehicle (OHV) Grants and Cooperative Agreements program to fund off-road vehicle enforcement and create leverage to promote better off-road vehicle management on Forest Service lands.

Each year, between \$16 and \$18 million dollars are awarded through this program. The program receives some 200 applications annually, requesting a total of \$40 million.

In 2001, CORE supported the application of the Calaveras County sheriff's department for funding to hire additional staff for off-road vehicle enforcement. Most of the funds from this state OHV program are granted to federal agencies, and trail-building projects had long been favored over enforcement, conservation, and restoration.

According to Judith Spencer, CORE's president, “For 25-30 years, the seven-member, politically appointed commission that administers these grants was dominated by off-highway vehicle interests.” CORE supported the sheriff's application through letters and participation in commission meetings. Spencer says, “It was a few private landowners fighting a belief that paying vehicle registration fees and fuel taxes could buy riders complete access to public lands, and that the funds should be used primarily to enhance that privilege rather than to prevent and repair damage.”

The success of this application was part of a sea change in off-road vehicle program funding in California. Ongoing funding through the program has, for five years, allowed the sheriff's department to hire a full-time deputy. Last year, it added a half-time law enforcement officer to patrol for off-road vehicle violations.

Since 2005, a portion of California's OHV program funds is required to be granted to enforcement, conservation, and restoration projects. The makeup of the commission has changed, too. A majority of its members now support environmental accountability.

CORE succeeded in convincing this commission to stop grant funding for the Stanislaus National Forest until agency staff implemented an acceptable plan for managing off-road vehicles in the residential interface area and other parts of the forest. Now that this plan is in place, CORE supports Stanislaus grant proposals, and these proposals are again successful.

A protracted 8-year process of responding to Forest Service environmental reports and proposals without resolution led to a different approach. With the help of a state-funded mediator, CORE and other individuals and groups with varied recreational interests developed a community agreement that was accepted by the Forest Service. This agreement outlined recreational management of an urban interface area of the Stanislaus that had been the source of marked conflict for many years. The process resulted in buffer areas protecting homes and watersheds from off-road vehicle recreation impacts, and a separate off-road vehicle use area in the interface zone. The OHV area can be accessed without entering any subdivisions and is located behind a ridge that blocks noise from nearby residences.

While much of CORE's activity has centered on the funding program, the group has been involved in many other aspects of off-road vehicle enforcement. Members helped build signs for an interim route system while new off-road vehicle routes were being constructed. They helped close the old system when the new system was completed. While they do not actively patrol areas, members do report their observations to law enforcement officers.

CORE's collaborative approach characterizes other enforcement activities in the area. Sheriff's deputies and Forest Service personnel communicate often and work together to improve enforcement strategies for the large areas of public and private land affected by off-road vehicle activities. The deputy sheriff teaches off-road vehicle safety to local youth and attends homeowners' meetings by request to provide information and hear concerns. In some cases involving youth offenses, the deputy has opted to work with families of some local youth who had committed violations. Together, they craft alternative punishments including removing illegal trails, constructing berms, and restoration.

Challenges

- While many states have similar programs to fund off-road vehicle activities, California has the largest funding program (and also the largest state population) in the country. Rules regarding the allowed use of grant funds and the politics of receiving grants differ from state to state. In addition, many states also receive matching funds from the Recreational Trails Program, funded through the Federal Highway Administration (see p. 6).
- Funding through competitive grant programs is uncertain, leaving the potential for uneven enforcement efforts and presence. Some members of the California commission support multi-year grants to help smaller communities with long-term planning and hiring.
- Illegal off-road vehicle use in other sections of the county and on private timberland is growing.

Oregon Dunes National Recreation Area

Wholesale changes reduce violations and damage

Who: U.S. Forest Service working in collaboration with local law enforcement agencies

Where: Oregon Dunes National Recreation Area

What: A complete overhaul of routes, management, and enforcement strategies reduces negative impacts and lawlessness associated with off-road vehicle use

riding areas for off-road vehicles; areas open on designated routes only; and closed areas including buffers near sensitive coastal habitats and residential areas.

In the early years, implementation focused on eliminating off-road vehicle use on paved roads, developing new staging areas and camping facilities, signing closed areas, and monitoring sound levels.

The successes

Law enforcement officers, previously unable to keep up with all the violations, are now able to address most problems. The visitor profile has shifted from party groups of young adults to family groups. There has been a dramatic drop in litter and resource damage, as well as fewer complaints from residents. Forest areas and wetlands that punctuate the dunes have revegetated rapidly.

Highlighted enforcement success strategies

- #1 Make a commitment—Engage in serious enforcement efforts.
- #2 Lay the groundwork— Create enforceable routes and regulations.
- #5 Use the force—Incorporate technologies that work.

The story

In the early 1990s, the Oregon Dunes National Recreation Area had become known as a party place. “When summer brought scorching temperatures to popular party and off-road riding areas such as Glamis,” noted Siuslaw National Forest recreation supervisor, Sharon Stewart, “this was the party spot.”

The 1994 Oregon Dunes Management Plan attempted to address some of the issues related with off-road vehicle use. The plan established open cross-country

Sound levels had been identified in the planning process as a significant concern for adjacent communities and non-motorized recreationists. The terrain and conditions such as wind and inversions allow sound to travel great distances. In response, Oregon Dunes set a decibel limit below state standards. Law enforcement staff use decibel meters to monitor for noise violations. These violations can lead to citations, and, if noise problems continue, possibly to area closures.

Despite these measures, problems persisted. By 2001, Stewart estimated the area was used by several thousand more riders than it could support, especially on busy holiday weekends. Unlawful and destructive behavior by off-road vehicle riders escalated. To get a handle on

2001-2004 Monitoring Results

Area Closures Generally Observed

Generally, most off-road vehicle operators observed the posted closures. Less than five percent of users violated the closures.

Off-Highway Vehicle Noise a Problem

Only about half of the off-highway vehicles that were tested met the current decibel limit of 93 dB, with an additional 2dB allowed for field testing conditions. Many newer off-road vehicles with larger engines, often equipped with aftermarket exhaust systems, have difficulty meeting the Oregon Dunes decibel limit (Siuslaw National Forest).

an increasingly out-of-control situation, forest officials next took a step that was relatively easy to implement—banning alcohol consumption except in developed areas.

In 2005, officials took another step—one that had been outlined in the 1994 management plan—by replacing unregulated sand camping with a system of designated, dispersed campsites available by permit only. Alcohol consumption is not allowed in these campsites. Permits can be revoked for breaking rules, including the alcohol ban and limits on the number of occupants.

Other changes include the following.

- Law enforcement officers and forest protection officers patrol year-round, with enhanced numbers during busy summer months. Booths at key access points are staffed to provide information and collect fees. Decibel meters are used at these access points to monitor for noise violations.
- The Oregon Dunes Patrol, an off-road vehicle group, has a memorandum of understanding with the Forest Service to help educate, monitor, and report violations. A liaison from the Forest Service helps maintain consistency as the group's leadership changes over time, and provides training to members.
- The three county agencies in the area receive state off-highway vehicle program grants. This money pays deputies to provide law enforcement services at Oregon Dunes. Forest Service staff meet with the county officers annually.
- A riding curfew is monitored by recreation personnel and law enforcement officers.

Oregon Dunes has long relied on a combination of forest protection officers (FPOs) and law enforcement officers. Four FPOs do most of the patrolling, with backup by law enforcement officers as needed. Additional forest staff are trained as FPOs to provide needed coverage on busy holiday weekends.

The Forest Service receives funding from Oregon's off-highway vehicle grant program for aspects of off-road vehicle management and enforcement. Roughly \$40,000 supplements law enforcement officers' pay, while a \$288,000 operations and maintenance grant

includes funding for two FPOs and an off-highway vehicle coordinator.

Challenges

- Accidents involving off-road vehicles are a continuing challenge. The Forest Service is supporting an Oregon proposal for increasing safety education, helmets for all riders, prohibition against riding double on single seat vehicles, as well as titling ATVs.
- Noise levels pose ongoing problems for nearby communities and non-motorized recreationists. Continued noise-related conflicts could lead to the closure of currently-open areas of the Oregon Dunes. About half of the recreation area is now managed for off-road vehicle use.
- Great progress has been made in setting and enforcing area closures to protect habitat, reduce user conflicts, and limit the impacts of off-road vehicle noise. Still monitoring results from 2001-2004 suggest that up to five percent of off-road riders may violate these closures.
- Problematic off-road vehicle use is now more intense on BLM and other adjacent areas where enforcement and management are less restrictive.

The marriage between law enforcement officers and forest protection officers is important. LEOs provide the support, and the FPOs do most of the patrolling, public contact, and monitoring for compliance. They can write citations for some offenses, but when it's more serious—like alcohol use at a campsite—they back off and report the situation to the LEO.

Sharon Stewart
Dispersed Recreation Supervisor,
Siuslaw National Forest, Oregon

Ocala National Forest

Serious commitment to enforcement yields progress

- Who:** U.S. Forest Service working in collaboration with the state wildlife agency and volunteers
- Where:** Ocala National Forest (Florida)
- What:** Forest-wide changes in enforcement, education, and off-road vehicle route designation address a range of law enforcement problems

Initially, enforcement focused on areas with severe natural resource damage. The early focus on education involved volunteer patrols, forest protection officers, and law enforcement officers. They employed a map of the new trail system and temporary trailhead parking areas, and exercised a willingness to work through testy situations with riders, accustomed to far fewer restrictions.

The successes

Early results suggest that a new commitment to enforcement on an urban national forest in proximity to 8 million people has yielded change. Families are returning to the forest to recreate. Most off-road vehicle riders adhere to new route designations. Residents of adjacent communities are beginning to step into leadership roles as they see the Forest Service take enforcement and resource protection seriously.

Highlighted enforcement success strategies

- #1 Make a commitment—Engage in serious enforcement efforts.
- #2 Lay the groundwork— Create enforceable routes and regulations.
- #6 Fit the punishment to the crime—Make penalties meaningful.

The story

The process of designating off-road vehicle routes on the Ocala National Forest began in 2000. Implementation started in May 2006, beginning with laying out routes and letting contracts for new trailhead construction. Enforcement of the nascent designated route system began in September 2006.

District Ranger, Rick Lint, noted that many enforcement contact situations are touchy to begin with. He points out that the ability to listen and offer reasonable explanations is critical. “We’ve permitted virtually unrestricted access to the forest for so long that it’s come to be seen as a right. But nine times out of ten, a situation that starts with, ‘I’m a taxpayer and you work for me, buddy,’ can end on a reasonable note. You just have to let them blow through that initial reaction.”

Lint says that increased attention to off-road vehicle management and enforcement was part of a forest-wide effort to “provide more structure for all visitors, not just for motorized users.” Lint calls the Ocala an “urban forest,” and points to an intensifying range of problems including squatters, methamphetamine labs, off-road vehicle problems, and other recreation concerns.

In the face of these problems, forest staff appealed to higher levels of administration. Vacant law enforcement positions from elsewhere in the country were reallocated to the Ocala. Enforcement capacity was further expanded by training 15 recreation technicians as forest protection officers (FPOs). These unarmed officers are able to make public contacts and write citations for violations that include resource damage and riding in closed areas.

Grant funding from Florida’s off-highway vehicle recreation program pays off-duty state wildlife enforcement officers to patrol the forest. These officers

enforce state laws, including those that prohibit damaging public lands and riding off-road vehicles on public roads.

Safety for volunteers and FPOs is a concern that the forest addresses in a variety of ways, including sending them out in pairs. If a volunteer is working an area, an FPO will be assigned there, too. A law enforcement officer may be assigned to the same area, as well.

Law enforcement vehicles are equipped with cameras that record interactions among officers and visitors. This helps to substantiate cases that go to court. Lint notes that the forest's "excellent working relationships with the U.S. Attorneys and magistrate" exist in large part because forest law enforcement officers are careful to take them well-documented, strong cases.

Through the standard process (see p. 23), the forest boosted fines for off-road vehicle violations involving natural resource damage from \$100 to \$500. "Most people want to follow the rules," noted Rick Lint, "So within a few months we were down to only a few hard cases. Those people get tickets and mandatory court appearances. The magistrate has banned one from the forest altogether."

Lint noted that increased off-road vehicle enforcement went hand-in-hand with efforts to provide an improved network of motorized vehicle routes. The Ocala now provides new trailheads, 140 miles of routes, and grooming equipment for motorized recreation. The forest has relied on state grants and volunteer labor to sign routes, construct trailheads, and patrol trails. According to Lint, when enforcement efforts are part of this bigger picture, they are more effective.

Challenges

- Significant visitor turnover from season to season and year to year means that the process of educating off-road vehicle riders is continuous.
- The Ocala is implementing significant recreation management changes that will take some time to be accepted. These changes have been welcomed by some area residents and forest visitors, and blasted by others.
- The changes on the Ocala are recent, and sustained success is not assured.

What you permit, you promote. We've permitted largely uninhibited access to public lands for so long that it's come to be seen as a right. We're putting in a structure to manage motorized use to sustain the quality of the land over time.

What we're doing now is analogous to what happened 70 years ago when there weren't any laws protecting game animals—and consequently there wasn't any game. When the Ocala became a no-hunting game preserve, it was during the Depression, and people were doing anything they could to feed themselves. This was a big change, and nobody liked it. But now we're all thankful.

It might take 70 years before people appreciate what we're doing, but that's the kind of thing we're starting today.

Rick Lint, District Ranger
Ocala National Forest, Florida

Friends of Fourmile

Citizen volunteers collaborate to craft and help implement a travel plan

- Who:** Friends of Fourmile, a small group of 15-plus motorized and non-motorized recreationists
- Where:** 100,000-acre area managed primarily by the San Isabel National Forest, and the Bureau of Land Management (Colorado)
- What:** A collaboration among motorized and non-motorized recreationists and land managers to create and implement a single travel plan that crosses agency boundaries

The successes

A collaborative effort to create a “citizens alternative” for a travel planning process in a popular recreation area has continued with a commitment to help land managers implement the plan. Agency staff members have observed increasing respect for designated routes. They receive positive feedback from most users, and observe increased tolerance among user groups, decreased erosion and soil problems, and acceptance of seasonal closures that protect wildlife habitat.

Highlighted enforcement success strategies

- #2 Lay the groundwork—Create enforceable routes and regulations.
- #3 See and be seen—Engage in visible action and meaningful collaboration.

The story

Beginning about 1980, recreational pressure in the Fourmile area near Buena Vista, Colorado, began to intensify. Growing numbers of off-road vehicle riders discovered its easily accessible, yet rugged terrain, as did hikers, horseback riders, and mountain bikers.

By the mid-1990s, users—primarily off-road vehicle riders—exploring off-trail had created an unmanageable web of new user-created routes. Land managers became concerned about these unapproved routes fragmenting habitat for bighorn sheep, elk, and deer. They also observed increased erosion and siltation in streams, especially in play areas near streambeds and in hill-climbing areas.

The Forest Service and BLM together manage almost 90 percent of the Fourmile’s 100,000 acres. Responding to mounting recreation pressures, they kicked off a joint travel management planning process for the entire area. Early on, the land managers asked for a citizens’ alternative—inviting collaboration among agency staff and recreators of all stripes.

That collaboration began with a thorough survey of 260 miles of approved and user-created routes. The volunteers and agency staff involved assessed the recreational purpose, condition, and maintainability of each route. They identified routes that were problematic because of erosion, steepness, duplication, or proximity to wetlands or important habitat areas.

Nearly two years of study set the stage for a citizens’ alternative that was hammered out by different user groups. The plan was submitted to the agencies for environmental analysis, and ultimately adopted with very little revision.

During this process, a number of citizen participants started a service group called Friends of Fourmile. They wanted to ensure that the plan they had worked so hard to formulate would have public support and funding required for implementation. Sheryl Archuleta, the group’s current president, notes, “We organized at first loosely, thinking of ourselves just as a labor pool. Later, we became a chapter of a well-established conservation education organization, the Greater Arkansas River Nature Association. It was then we realized the need for

status as a nonprofit organization, especially to qualify for grants.”

From 2001-2006, Friends of Fourmile:

- Secured almost \$110,000 in grant funding from sources supporting both off-road vehicle and non-motorized trails;
- Helped develop and distribute 8,000 maps and brochures and installed eight entrance panels with maps and information;
- Reworked 30 miles of existing two-track roads into off-road vehicle routes (mountain bikes and horses also allowed) and extended a motorcycle single track;
- Refurbished and re-signed 20 miles of a route popular with mountain bikers, hikers, and horseback riders;
- Closed user-created routes, reseeded disturbed track, installed winter closure gates, and fenced, reshaped, and reseeded unapproved play areas;
- Purchased and put into use an all-terrain vehicle for making public contacts and assisting in maintenance projects;
- Facilitated a major hiking trail reconstruction project by a statewide volunteer group;
- Successfully attracted participation of members from off-road vehicle, fishing, horseback, and quiet use groups; and
- Contributed more than 3,000 volunteer hours.

The Forest Service and BLM have stepped up their commitment of uniformed staff to patrol the Fourmile area. However, law enforcement staffing is stretched thin in both agencies. Each agency has one full-time law enforcement officer in the area, but each officer covers about 500,000 acres, of which the Fourmile is a small—albeit heavily used—part. Two seasonal employees help patrol, but they are at the level of forest protection officers.

Friends of Fourmile members are registered volunteers with the Forest Service and BLM, and have received training in safe, effective visitor contacts. Volunteers are instructed not to make visitor contacts after dark.

They wear Forest Service or BLM hats and other gear identifying them as official volunteers, and engage in other practices to enhance safety. Volunteers often use an all-terrain vehicle when they make contacts. This approach puts other riders more at ease, and is even more effective than using a four-wheel drive truck.

These volunteers act primarily as educators on current regulations and good behavior. Although they do not have law enforcement authority, they help extend the enforcement presence by passing along information to the agency or county sheriff when they see serious violations. Fourmile trail maps make it clear which system routes are open to specific uses. They state that routes are monitored by the land management agencies and by volunteers.

On holidays and high-use weekends such as Memorial Day weekend, the agencies and Friends collaborate to get out a maximum number of uniformed agency staff along with volunteers to demonstrate a commitment to patrolling.

Challenges

- Promoting compliance among young off-road vehicle riders and mountain bikers who are not members of organized groups has proven difficult.
- With strict requirements for eye-witness accounts and other acceptable evidence, agency law enforcement staff members sometimes find it difficult, or are reticent, to try to enforce and prosecute obvious violations.
- Many sources of funding focused on off-road vehicles tend to focus on projects that provide additional routes and riding opportunities, rather than supporting a well managed multiple-use recreational approach.
- After a plan is put on the ground, motivating, maintaining, and expanding active membership is an ongoing challenge.

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Photos of closed area taken in 1990 and 2004 show dramatic recovery from motorized vehicle damage. (© Mark Alan Wilson)

Interviewees and other contributors

Thank you to all who offered their time, experience and invaluable insights in interviews and e-mail correspondence.

Gary Barnett Tahoe National Forest, California	Jerry Ingersoll U.S. Forest Service, Recreation and Heritage Resources, Washington	Randy Rasmussen Natural Trails and Waters Coalition, Oregon
Bill Berg C.M. Russell National Wildlife Refuge, Montana	Jason Kiely Wildlands CPR, Montana	Alan Robinson Friends of Fourmile, Colorado
Ray Bloxham Southern Utah Wilderness Alliance, Utah	Mike Knight Brevard County Endangered Lands Program, Florida	Karen Schambach Public Employees for Environmental Responsibility, California
Mark Booth Bighorn National Forest, Wyoming	Chris Leeman Big Wood Backcountry Trails, Idaho	Brian Scherf Florida Biodiversity Project
Jeff Brown Minnesotans for Responsible Recreation	Rick Lint Ocala National Forest, Florida	Carl Schneebeck Blue Water Network, California
Ramesh Bush Alachua County Forever, Florida	Paul MacFarland Friends of the Inyo, California	Fred Smith Jackson Hole Conservation Alliance, Wyoming
Jerry Cimino Ray Watt Inyo National Forest, California	Rosalind McLellan Rocky Mountain Recreation Initiative, Colorado	Judith Spencer Commitment to Our Recreational Environment, California
Aaron Clark Southern Rockies Conservation Alliance, Colorado	Linda Merigliano David Wilkinson Ray Spencer Bridger-Teton National Forest, Wyoming	Sharon Stewart José Lineras John Pino Jay Power Siuslaw National Forest, Oregon
Jack Duggan Landowner, Oregon	Sarah Michael Idaho's Nordic and Backcountry Skiers Alliance	Mike Sugaski San Isabel National Forest, Colorado
Karl Forsgaard Attorney, Washington	Greg Munther Former U.S. Forest Service, Montana	Dave Walker Royal Gorge Field Office, Bureau of Land Management, Colorado
Jim Furnish Retired Deputy Chief, U.S. Forest Service, Montana	John Nohomenuk Bureau of Land Management, Colorado	Andrew Walters ATV-Free New Hampshire
Milton Fusselman Gallatin National Forest, Montana	Jim Northup Forest Watch, Vermont	David Vandenberg Friends of Pathways, Wyoming
David Govus Wayne Jenkins Georgia Forest Watch, Inc.	Chris O'Hare Brevard County Parks and Recreation Department, Florida	George Wuerthner Writer, photographer, Vermont
Jeffrey Hunter American Hiking Society, Tennessee	Lisa Philipps Quiet Use Coalition, Montana	Patrick Zurcher Bureau of Land Management, Butte Office, Montana
	Tom Quinn Stanislaus National Forest, California	

Six Strategies for Success

Effective Enforcement of Off-Road Vehicle Use on Public Lands

Designed as a resource for public land management agency staff, law enforcement officials, and citizen groups, this report documents six strategies for effective enforcement of off-road vehicle use. Five case studies illustrate how these strategies have been combined to create on-the-ground successes in enforcing off-road vehicle rules; protecting wildlife habitat, water quality, and terrain; enhancing recreational enjoyment and safety; and minimizing impacts on adjacent public and private lands.

Six Strategies for Success is based on interviews and correspondence with more than 50 public lands managers, private landowners, citizen group leaders and volunteers, and law enforcement officers.



Wildlands CPR

Post Office Box 7516
Missoula, Montana 59807
Telephone: 406.543.9551
info@wildlandscpr.org
www.wildlandscpr.org

