

# Off-Road Vehicles on Washington Lands



## Policy Principles for Riders, Wildlife, Property, and Natural Resources



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“My wife and I own ATVs, but that doesn’t mean I need to take ‘em on public lands or that I deserve to if it affects other people and wildlife habitat. I ride the heel-toe express everywhere I deserve to go—most of us do—but if the ATV crowd is right and it’s one bad apple who spoils the bunch, I keep seeing that bad apple. I saw him in Alaska, I saw him in Wyoming, and I see him all the time in Washington. If there’s really one bad apple ruining it for everyone else, he must have a heck of a gas bill.”

– **Joe Mirasole, Co-Chair, Washington Backcountry Hunters and Anglers**

Off-road vehicle (ORV) use is growing fast in our state, affecting Washington's recreational opportunities and natural resources. Today's challenge is to manage growing demand by ORV riders and reduce the damage caused by reckless ORV use.



Mud bogging near Belty Creek in the Colville National Forest. This area is officially closed to ORVs.

Deliberate investment in recreation infrastructure is one clear avenue for management, but new infrastructure alone won't be enough to resolve serious problems.

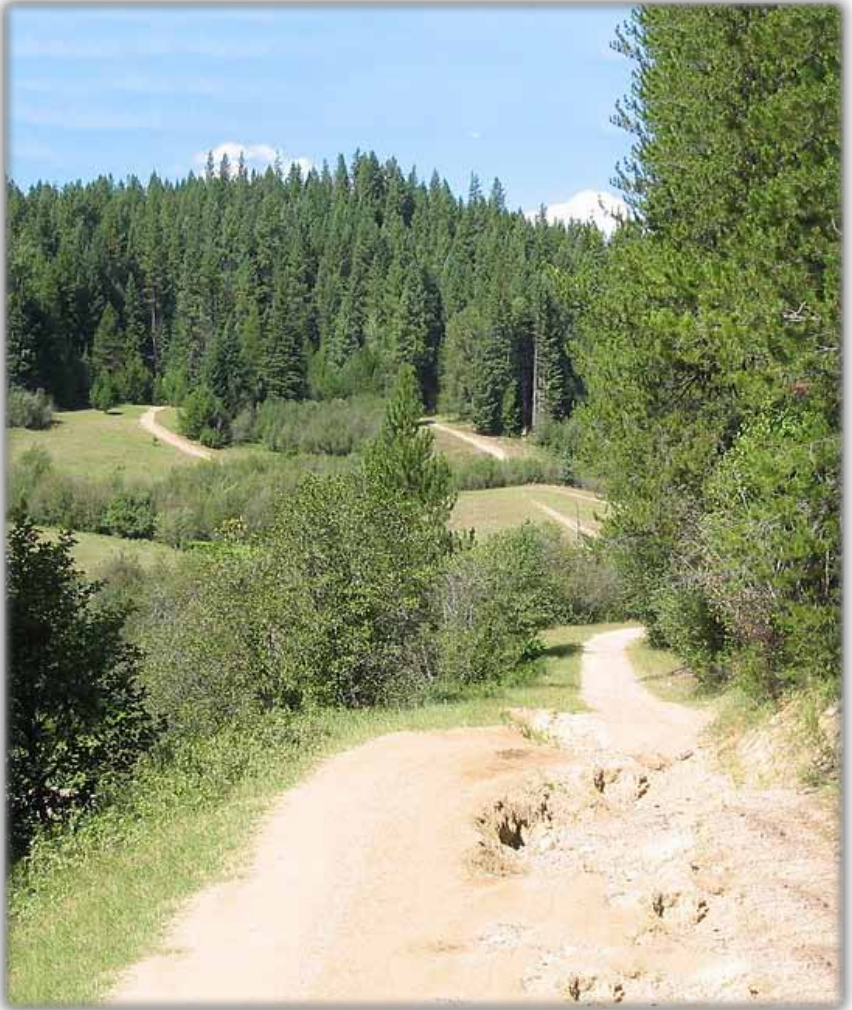
ORV users will continue to seek dispersed recreation, both off road and off trail, riding machines many miles over large areas and along the way harming wildlife habitat, clean water, private property, and opportunities for others to enjoy quiet recreation.

Public land managers, private land owners, and law enforcement officers need resources and tools to address user conflicts and property damage.

**In this booklet you will find details about these issues and some ideas for new tools and improvements in state law.**

# Just a Few Bad Apples?

Unfortunately, the problem is much bigger than just a few bad apples.



Illegal ORV use and miles of illegal trails are growing rapidly on the Colville National Forest in northeastern Washington.

Recent surveys of riders at several locations in the West indicate that the number of riders breaking the law is quite high:

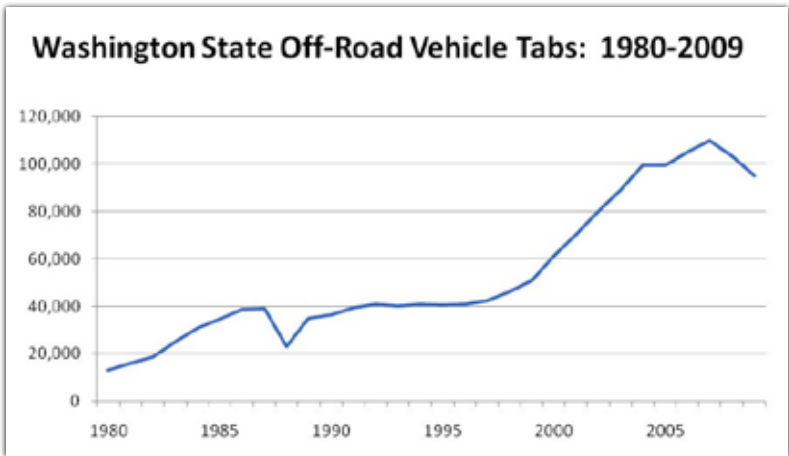
- ✱ A 2006 Montana Department of Fish, Wildlife, and Parks survey of ORV riders found that 23% “always or sometimes” ride cross-country even though off-route riding has been illegal in Montana since 2001. Over 28% say they “sometimes or never” avoid riparian areas and wetlands, which is in violation of rules for federal and state public lands in Montana. <sup>1</sup>
- ✱ A survey by the Utah Division of Parks and Recreation in 2000 found 38% of motorcycle riders and 49% of ATV riders prefer to ride “off established trails.” Fifty percent of motorcycle riders and 39% of ATV riders rode “off established trails” on their last outing. <sup>2</sup>



In Hanlon Meadows, the Colville National Forest is attempting to reduce illegal ORV routes. The area is important habitat for grizzly bears and rare mountain caribou.

# Off-Road Vehicle Use Is on the Rise ...and So Is Damage to Natural Resources

Off-road vehicle use is one of the fastest growing forms of outdoor recreation in the United States.



The rise in use is coupled with recent advances in ORV technology that have expanded the range of terrain over which these vehicles can be ridden.



Buggies can cause a large amount of damage, including girdling trees and reducing timber value.

In turn, increased illegal use and trespass is creating a heavy burden for law enforcement officials. According to the US Forest Service:

- ✦ Population growth, urbanization, and changing demographics are creating competition for space and activities.<sup>3</sup>
- ✦ ORV users have grown tenfold since 1972, from approximately 5 million to 51 million in 2004.<sup>3</sup>



User-built trails, such as this one in the Nancy Creek area of the Colville National Forest, cause erosion that is harmful to fish and costly to repair.

## Policy Principle

# #1

Many people use off-road vehicles responsibly both for recreation and for work, but Washington State is seeing a growing number of reckless riders. Their actions are damaging sensitive habitat, spreading noxious weeds, destroying private property, and ruining the backcountry experience for other users. Their actions are also creating a backlash from sportsmen, hikers, farmers, law enforcement, property owners, and others who are tired of paying to clean up the mess.



Motorcycle rider on the Colville National Forest. Many recreationists ride responsibly. This area near Spokane is open to motorcycles.



An illegal trail blazed on the Sinlahekin Wildlife Area. A 2005 state law allowed Okanogan County to open the road in the foreground to ORVs.

## Policy Principle

# #2

Off-road vehicle use in Washington should be consistent with our state's strong stewardship ethic. ORV use should not be allowed in areas where threatened vegetation or aquatic resources could be damaged or where wildlife might be harmed.



Quad rider at Reiter Foothills State Forest near Sultan/Gold Bar.



User-created ORV stream crossings reduce fish habitat and disturb downstream wildlife. Shown here is Deer Creek in Reiter Foothills State Forest.

# Off-Road Vehicles on Washington Lands

## Policy Principle

### #3

Illegal actions by ORV riders should be subject to enforcement. All ORVs must be clearly plated to allow law enforcement or law-abiding riders to identify and cite individuals responsible for resource damage or trespass in restricted areas. Fines should be high enough to deter illegal behavior and should include an escalating scale to discourage continued flouting of regulations.



Illegal riding on a non-motorized trail on Abercrombie Mountain in a roadless area proposed for wilderness protection. This area is several miles from trails that are open to motorized use.

License plates, when required on ORVs, help volunteers, law enforcement, and private landowners deter illegal behavior.



## Policy Principle

# #4

Private property owners should not be liable for accidents or injuries caused by those riding illegally on their property. Trespassers are held responsible for paying to repair damages.



Examples, above and below, of trespass and illegal riding on private forest lands owned by Green Diamond Resource Company.



# Off-Road Vehicles on Washington Lands

## Policy Principle

### #5

The legislature must make funds available to land management agencies to restore damage caused by ORV use, whether legal or illegal.



Volunteers repairing a road bar, meant to exclude illegal ORV use at a site of frequent ORV trespass in the Colville National Forest.



Damage from illegal off-roading in the Teanaway area of the Okanogan-Wenatchee National Forest.

# Off-Road Vehicles on Washington Lands

## Policy Principle

### #6

The legislature should allocate sufficient resources to state land management agencies to enforce regulations surrounding ORV use.



This user-created bridge hints at the 3,000 to 6,000 miles of illegal trails on Washington State Department of Natural Resources lands.

# Off-Road Vehicles on Washington Lands

## Policy Principle

### #7

Funds from ORV licensing and an appropriate share of related fuel taxes are a fair source for meeting the needs of policy principles 4 and 5, and prioritized first above funding for construction of new trails.



Motorcycle riders on the Okanogan-Wenatchee National Forest. Many public trails are open to ORV use.



Illegal ORV access in the South Fork Boulder Creek area of the Colville National Forest. In this area, 16 out of 17 miles of closed road were being used by riders. In addition, significant illegal crosscountry travel amounted to more than a mile of user-created trails.

## Policy Principle

# #8

ORVs must be managed such that their use does not impinge on the enjoyment of public lands by other users, including hikers, equestrians, hunters, and mountain bikers. These trail users must not be displaced from state public lands, or their enjoyment impaired.



Longbow hunter looking for elk in the William O. Douglas Wilderness.



Hikers in Hoodoo Canyon in the Colville National Forest.

## Policy Principle

# #9

The state should identify and develop appropriate areas that can support ORV use without infringing on the interests of other trail users or harming important resources. A statewide planning process might be a useful way to advance this need.



Many areas are open to off-road vehicles like this road on Washington State Department of Natural Resources lands.



Equestrians riding along the Kettle Crest in the Colville National Forest.

Off-road vehicles are appropriate and useful for work and responsible recreation. Unfortunately, they are too commonly used for trespass on private property and for unlawful and abusive riding on public lands. These activities harm fish and wildlife habitat and conflict with other recreation users. They cause expensive management problems for taxpayers and property owners.

We urge the legislature to increase accountability measures and funding for law enforcement. Stiffer penalties and visible license plates would help citizens and land managers hold irresponsible riders accountable and better steward lands in Washington.

We look forward to working with responsible riders, those who respect our state's laws, resources and private property, to better provide infrastructure for their quality recreation experience.

### *Sources*

<sup>1</sup> “Selected Results From a 2006 Survey of Registered Off-Highway Vehicle (OHV) Owners in Montana.” *Montana Fish, Wildlife and Parks. RMU Research Summary No. 21.* <http://fwpiis.mt.gov/content/getItem.aspx?id=19238>

<sup>2</sup> **Off Highway Vehicle Uses and Owner Preferences in Utah**  
*Institute for Outdoor Recreation & Tourism, Department of Forest Resources, Utah State University for Utah Department of Natural Resources' Division of Parks & Recreation.* <http://extension.usu.edu/iort/files/uploads/pdfs/revisedOHVreport.pdf>

<sup>3</sup> **Four Threats - Quick Facts: Unmanaged Recreation**  
*United States Department of Agriculture, Forest Service*  
[www.fs.fed.us/projects/four-threats/facts/unmanaged-recreation.shtml](http://www.fs.fed.us/projects/four-threats/facts/unmanaged-recreation.shtml)

[www.waorvabuse.org](http://www.waorvabuse.org), an online resource of ORV abuse in Washington