

Undemocratic Din



Ruts caused by ORVs destroy riparians areas (above) as well as wetlands and native vegetation. Photo © Laurence Chen, UNEP and Peter Arnold

By Ted Williams *Forest Magazine*, Summer 2008

I am at the “spring hole” in my twelve-foot fishing scow in the warm, misty finish of a New Hampshire squall. I have come here with brothers-in-law Wiz and Barry to escape sundry irritations, including a fifth meal of Thanksgiving turkey. Propelled by our bowed rods, fat, gaudy yellow perch shoot over the low gunwales. Gear down and wings set, Canada geese sail across the north end of our island and spiral into Schneider’s Cove. Now lake and forest are still, save for the splashing of hooked fish, the mutterings of mergansers and the distant whistle of goldeneye wings. Suddenly, half a dozen all-terrain vehicles (ATVs) appear on the mainland

shore, roaring and racing, rousting the waterfowl. They sashay through the swamp and hurl mud and vegetation thirty feet into the air. Finally, one gets stuck.

In winter, when I do my serious perch fishing, snowmobiles race over the frozen lake and across the spring hole, which never freezes, because they like to see how far their crafts can carry them on open water. No longer do I attempt to kick them off our island—a posted, 280-acre wildlife sanctuary. While they stress the wildlife and make it unsafe for us to ski or hike on the narrow trails, they are quieter than they were twenty years ago and easier on ground cover than the ATVs.

I am not anti-internal combustion. Mounted on my fishing scow is a six-horse, two-stroke outboard because a four-stroke, though far quieter and cleaner, would sink it. Two-stroke engines—which power most outboard boats and off-road vehicles (ORVs), a class which includes snowmobiles—are crude, filthy devices. As much as a quarter of the fuel they “consume” enters the environment unburned, via the exhaust.

But there’s a difference between outboards and ORVs. My motor gets me to the spring hole, then I shut it off. Riding ORVs, on the other hand, has become recreation unto itself; mainly they are used to provide thrills, not transportation. What moves and inspires most ORV operators is different from what moves and inspires most other people who gravitate toward wild land. For example, my outboard—which bears no model name other than “6MSHY”—is manufactured by Yamaha, a company that also offers a line of ATVs named, it would seem, for the noise they make—Banshee and Blaster—or the predators they displace—Grizzly, Kodiak, Wolverine, Timberwolf, Big Bear and Badger.

I can and do live with ORVs. But where should I go for quietude and wildness: to hear the sigh of wind through canyons and forest canopies, the music of flowing water, the hum and clatter of insects, the songs of birds, the silence of winter? A national park? BLM land? Perhaps. But in an average winter, nearly 200,000 snowmobiles are allowed to enter 38 national park units, and about 90 percent of Bureau of Land Management lands have areas open to snowmobiles, dirt bikes and ATVs. They regularly trespass on wilderness, and the BLM even allowed them in wilderness study areas before Interior Secretary Gale Norton did away with wilderness study areas. But after promoting ORVs for thirty years, the agencies that

administer public land are suddenly wishing that they hadn't.

In the 1980s snowmobiles were basically restricted by their own design to groomed trails, and until 1990—when the ORV lobby got the Forest Service to cancel its ban on off-road vehicles wider than 40 inches—ATVs were effectively prohibited from national forests. Now, with wider bases and more powerful engines, ORVs of all sorts engage in “high pointing” contests, in which the object is to see how steep a slope you can negotiate without tipping over. The new snowmobiles can exceed 110 miles per hour. Are they appropriate in our wildest and best public land—Yellowstone National Park, for instance?

From mid-December to mid-March, Yellowstone bans cars from most of the park, but it welcomes snowmobiles on 189 miles of snow-covered roads. One of these machines can emit as many hydrocarbons as 1,000 cars and as much carbon monoxide as 250 cars—and there are about 80,000 snowmobiles in the park each season. Park employees complain of headaches, nausea and throat irritation from the pollution, and fresh air has to be pumped into the entrance booths. The Bluewater Network, leader of the national campaign to keep snowmobiles out of the park, calculates that in addition to befouling the air, two-stroke snowmobile engines dump 180,000 to 210,000 gallons of unburned gasoline and motor oil on Yellowstone's ecosystems each season.

On the rest of our public land—basically that tended by the BLM and the Forest Service—the situation is even worse. And any manager who tries to control ORVs gets to eat their dust. When the Montana Wildlife Federation helped the Forest Service gate and post critical wildlife habitat in the Helena National Forest, ORV users were granted new access to a different area. The deal was a model of multiple use in action, but malcontents tore down the signs, sawed off the posts, and pulled up the gates.

An internal monitoring report from the Wayne National Forest in Ohio reads as follows: “Whether we look at the designated trail system or the non-ORV management areas, we have no control over off-road-vehicle use. We install signs and they are ripped out. We erect barriers and they are removed or ridden around. We rehab areas and they are violated again and again. We provide virtually no law-enforcement presence on the Forest when use is highest. Whether it is the Wayne or any other Forest, the concept of ‘off-road vehicle’ is contrary to the mission of the National Forests. We cannot, regardless of dollars, maintain trails that will not erode

into our streams. And we cannot control users equipped with vehicles designed to go on all types of terrain.”

The BLM and the Forest Service have a joint environmental impact statement for Montana, North Dakota and parts of South Dakota in which assessing ghost roads for ORV use is the preferred alternative. “The EIS is horrible,” says Montana Fish, Wildlife and Parks biologist Gayle Joslin, who led a drive in which the Montana Wildlife Society raised \$73,700 to prepare a report on the ways ORVs hurt wildlife. “The agencies put together a committee to define trails; it took them eighteen months. The definition of an ORV trail they came up with—and I kid you not—is one that has been used by a motorized vehicle. This even includes game trails!”

Greg Munther, who retired as the Lolo National Forest’s Nine-Mile district ranger after thirty-one years with the Forest Service, says, “The Forest Service and BLM chose out of political convenience not to take on these illegal roads. They told us professionals for years that the only way to have a legitimate road was to properly design it with respect to grade and drainage. Now they’ve accepted these ghost roads for years while they go through this endless analysis.”

Carrying the ORV industry’s gas—and venting it—is the BlueRibbon Coalition, a group dedicated to keeping public land accessible to ORV users. The coalition has acquired major funding from Yamaha, Honda, Polaris, Ski-doo and Horizon, and lists among its members scores of motor-head clubs, with names like the Missouri Mudders, and a host of firms and cartels, including the Western States Petroleum Association, American Forest & Paper Association, Boise Cascade, Idaho Cattle Association, Committee for Public Access to Public Lands, Idaho Mining Association and Northwest Mining Association. Cofounder and director Clark Collins defines the roadless rule proposed by the Clinton administration and squashed by Bush as a plot by the “GAGs” (green advocacy groups, which he has also referred to as “hate groups” and “nature Nazis”).

Also supporting and promoting the BlueRibbon Coalition has been the Outdoor Channel, the first full-time cable network with a programming focus on hunting and fishing and which reaches 11 million homes across the nation. It has included the coalition among its website links to “conservation” organizations and given it plenty of airtime to tub-thump for motorization and privatization of public land. Jake Hartwick, the

Outdoor Channel's executive vice president, says that "wise-use groups are defending the very foundation of our system" and that "environmental groups are advocating the complete abolition of private-property rights."

But not all sportsmen are so easily seduced, and when you strip away the mirrors, gongs, water and dry ice, Collins becomes a little man in a Wizard of Oz suit. In the BlueRibbon Coalition's home state of Idaho, the Fish and Game Department reports that at least 86 percent of elk hunters find that encounters with motorized vehicles detract from their outdoor experience. Fewer than 5 percent of the members of the Montana Wildlife Federation (composed basically of hunters and anglers) own ORVs, and the group has asked the Forest Service to close all roads that don't service full-size vehicles.

Jim Posewitz, director of Orion—the Hunter's Institute, a Montana-based sportsmen's group, says: "The presence of ATVs on public hunting grounds will probably be one of the largest contributors to loss of hunting opportunity that we've yet experienced. It puts the animals at a disadvantage. It violates the security that wildlife once had in difficult terrain. The Forest Service and BLM have decided to disenfranchise the people who have followed the law and empower those who have violated it. Those of us who have participated in nonmotorized use have no way to stake a comparable claim."

The BlueRibbon Coalition blames the unpopularity of ORVs on the behavior of "bad apples," and maybe it's right. But because the new machines can go where there is no enforcement, bad apples proliferate. Evaluating the "600cc mountain line" snowmobiles for *SnoWest Magazine*, Steve Janes of the *SnoWest* test crew filed this report: "In the four days of riding in Quebec, we estimate that we violated around 652 laws or regulations. But since our crew's motto was 'If you can't break parts, break laws,' we acted naive and 'wandered' off the groomed trails in search of test areas."

The 500 combat missions flown by Colonel George Buchner over Vietnam didn't prepare him for ORV combat in Michigan, where the machines have done an estimated \$1 billion worth of damage, tearing up ground cover so badly that utility poles were falling over. Where Lake Huron collects the Au Sable River system, Buchner found trespassing ATV operators popping wheelies in his private trout stream. When he demanded their names, one rider dismounted and attacked him, breaking his nose. When he fenced his posted stream and property, ORV operators cut the wire and pulled the

stakes. When he reinforced the stakes with cement, they knocked them down. When he and the Michigan United Conservation Clubs successfully pushed for a state ORV policy of “closed unless posted open,” he received death threats and had his streetlights shot out, his mailbox smashed, his driveway seeded with broken glass, the eight-strand fence on his Christmas tree farm cut in eighty-eight places, and his wife run over.

“Robin was screaming,” he says, “and the guy calmly cranked up his machine and finished running over her. He’d come through multiple barriers, multiple posted signs, three fences and a gate. She had a hematoma extending the length of her leg.”

“Basically, ORVs ran me out of Michigan,” Buchner told me from his Arizona home.

But in the end the problem comes down not so much to the nature of ORV users as to the nature of their vehicles. ORVs are designed to go “off road,” where motorized vehicles don’t belong. Their noise is undemocratic—like second-hand smoke. They need to be removed from our wildest and best public land—not because regulations can’t control them (although they can’t), not because most people hate them (although they do), but because they intrude and usurp. Snowmobile din now penetrates five miles into the backcountry of our first national park. Winter visitors are having trouble hearing the geysers, and elk and bison are being driven from the forage of open meadows and the shallow snow of thermal areas, which they desperately require. In order for ORV operators to do their thing, everyone else, including wildlife, must cease doing theirs—at least in part.

Some people can’t enjoy our public lands without ORVs. But when there’s no escape from them, the rest of us can’t enjoy our public lands either.