

Los Angeles Times

MAY 8, 2005

Two Visions of the Countryside Clash

Across rural America, angry encounters between landowners and off-roaders get noisier in a fight over dwindling open space.

by Janet Wilson and Seema Mehta

Times Staff Writers

Ohio dairy farmer Frank Sutliff was grinding cattle feed when he saw them again: all-terrain vehicles shredding his alfalfa fields.

When he shouted to the riders over the engine whine that they were trespassing, they smashed him over the head, he said.

"I went down, and they just started in on me hit me, kicked me, broke my leg," said Sutliff, 46. "I crawled into the truck, drove back to the house and dialed 911."

One man paid a \$100 trespassing fine. Another spent five days in jail. All denied wrongdoing.

Across rural America, angry skirmishes are increasingly common between property owners and off-roaders squaring off over dwindling open space.

Long accustomed to battling environmentalists for access to public lands, off-roaders now find themselves at odds with farmers, ranchers and a flood of new residents moving to the country for peace and quiet.

As Bob Buster, a county supervisor in Riverside, Calif., put it, "You have these two clashing visions of the countryside."

Nationally, millions of acres have been developed in recent decades. At the same time, use of off-highway vehicles a catch-all term for four-wheelers, dirt bikes and dune buggies has exploded, up 700% to 36 million users since 1976. Off-road motorized sports are now a \$4.8-billion industry. According to buyer surveys by manufacturers, 68% of owners of all-terrain vehicles, or ATVs, ride on private land.

That infuriates landowners like Harlan Brown, who installed heat and motion sensitive cameras to catch off-road miscreants who created a muddy quagmire in his 100-acre Maine woods.

"Your land is not your land," said his wife, Judy. "You think it is, but it's not. It's terrible."

The clashes have made victims of riders as well as property owners.

In North Carolina three years ago, Joshua Woodruff, 22, died of internal injuries after he hit a steel cable while zooming down a private farm lane on his ATV. Farmer Ted Arnold said in an interview he had strung up the cable after making many complaints to police about trash, crop destruction and soil erosion from off-roaders. Arnold said he had liberally posted no-trespassing

signs and warned off riders. No criminal charges were filed against him.

State and local officials in Maine, Vermont, Ohio, Minnesota, Wyoming and Michigan in recent years have enacted or are weighing measures to combat illegal off-roading. Homeowners say the laws do little to curb abuse, and off-roaders argue that some violate civil rights.

In California's booming Inland Empire, Riverside County supervisors are expected to vote this summer on what could be the nation's toughest law. The current draft would ban the activity on private property four days a week, even on the riders' property. Riding would be banned outright on private lots under 2 1/2 acres. Grading to create jumps, trails or tracks would require a costly permit and public hearings.

Off-roading "is increasingly dangerous, destructive and very difficult to control, except at huge public expense," said Buster, the Riverside supervisor. The county has long been a mecca for professional dirt bikers and weekend amateurs, and riders are outraged at the attempt to rein them in.

"That is total insanity," said Ed Waldheim, president of the California

Off-Road Vehicle Assn. "Off-roading is the most incredible family sport there is, and to deny a kid riding on Sunday that is repressive, totally crazy."

Clashes between riders and residents have been frequent in subdivisions that are being carved out of open space, on private property near national forests, and in rural areas including northern New England and the California desert where snowmobilers, school kids on dirt bikes and others were once free to barrel across unfenced, unposted land.

"Back in the '60s when I was growing up it was like the whole desert was wide open," said Brian Klock, spokesman for the California State Parks' off-highway vehicle program. "I literally would ride anywhere. There were no signs, no maps, the only thing I knew was when you got near a residence sometimes the landowner didn't like it, and he would be out there with a shotgun."

Phoenix, suburban Atlanta, towns across Connecticut and the outskirts of Colorado cities all have seen urban sprawl bump up against popular cross-country routes, said Russ Ehnes, executive director of the National Off-Highway Vehicle Conservation Council in Sheboygan, Wis. "The problem is the town spreads out and the trail stays put," he said.

Inland California is a particular hotspot.

"My 23 acres near Twentynine Palms are being massacred by off road vehicles," M.J. "Mac" Dube, the ex-mayor of Twentynine Palms and an aide to San Bernardino county supervisor Bill Postmus, said on a recent Saturday. "At 1:15 in the morning they were spinning around two feet from my bedroom, and I'm sick and tired of it."

Dube spoke at a February conference in Joshua Tree entitled "Desert Communities Under Siege Take Back the Power."

Speaker after speaker told of sleepless nights, clouds of dust and rocks, cut fences, hurled curses and threats, and return visits by off-roaders to carve permanent ruts in their yards after they had complained to sheriffs.

When Philip M. Klasky, co-founder of Community ORV Watch, hears the familiar guttural rumble in the Mojave Desert's Wonder Valley, he climbs a ladder to his roof to locate the trespassers on his 15 acres.

"Many, many times I've stood in front of two growling ATVs on my land and said 'you are trespassing.' They just continue on their way. They tell you time and time again, 'This is a free country, I'll ride any place I want,' even though they're on private property.

"They have complete carte blanche to go wherever they want because there's nobody available to catch them," he said. "It is a complete Wild West situation."

Riders can and often do leave police in the dust. With two officers per shift to patrol 5,200 square miles, and more serious crimes taking priority, Capt. Jim Williams of the San Bernardino County Sheriff's Department admitted it took up to four hours to respond to a trespassing complaint.

As the pastime's popularity has skyrocketed, access to public lands has also shrunk.

Since the Bush administration took office, federal land managers have rolled back some closures. But since

1980, half of 13.5-million formerly rideable acres in the California desert alone have been lost, according to the Off-Highway Motor Vehicle Recreation Commission. There are an estimated 100,000 miles of dirt roads and trails across the state, but most require a lengthy drive to reach, says Klock, the state parks official.

"There's no place to ride," said Ryan Macdhubhain, 16, of San Marcos, a mud-splattered teen who wears rivets in his earlobes and a white bandana over his spiky black hair. "It's ridiculous."

Macdhubhain was riding his Suzuki motorcycle in Riverside County on a recent Sunday when he was stopped by sheriff's deputies while he was on private undeveloped land. He said it wouldn't quell his love of the sport. "I go off riding really hard and get it out," he said. "It's adrenaline."

He said he tried to avoid riding near peoples' homes, but sometimes strayed. On some occasions, those encounters led to yelling matches with property owners even though Macdhubhain said he tried to treat unhappy residents with respect if they did the same with him.

Lobbyists and manufacturers say off-roaders are a law-abiding bunch tainted by the actions of a misguided minority.

"A very, very small percentage of people can do a lot of harm. But it's a small percentage," said Mike Mount of the Specialty Vehicle Institute of America in Irvine.

Hogwash, said George Buchner, now of Tallahassee, Fla., who said he was "run out of Michigan by off-roaders" who broke his nose, threatened his life, ran over his wife's leg and destroyed his trout stream.

Buchner said although he sometimes dealt with a polite family that got lost on his land while riding, most were “25-year-old motor heads high on pot with a belly full of beer.”

Promoters say educating riders and providing legal riding areas is the best solution.

Public parks and private tracks do exist, including one in West Virginia where officials have turned tensions into a profit-making venture.

In five years, the Hatfield-McCoy Regional Recreation Authority has carved 500 miles of trail through 250,000 acres of private land in eight counties. More than 400 property owners signed on, including coal mining and timber giants who had grown tired of steep insurance bills and trespassing near blast areas and logging sites.

Admission fees now pay the insurance bills. A dedicated police force patrols for rowdy behavior or trespassing off trails, which are marked with discreet Kawasaki and Suzuki logos.

The area has turned into a major tourist attraction, said Hatfield-McCoy executive director Matt Ballard, drawing tens of thousands of riders and pumping millions into the dirt-poor Appalachia economy.

Klock, of the state parks off-highway vehicle program, said he would love to see such a project in California but doubted it would happen. Even if one owner went for it, his neighbors wouldn't.

With 14% of all homeowners statewide saying they own an off-road vehicle, and millions of new residents, he predicts

off-road disputes on private land will continue to rage.

“For every 100 people you put into a new housing development, 14 are going to have a dirt bike. So where are they going to go riding? In the vacant lot that's the soon-to-be subdivision next door.”