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OHV users and ranchers offer solutions to conflicts both face

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Forty years after President Richard Nixon signed Executive Order 11644 regulating off-road vehicle use on public lands, the issue is hotter than ever.

While some push for more places to ride, others are dedicated to closing wild areas. Both sides are working to ensure that cooler heads prevail.

Longtime rancher Craig Shelley said enforcement, rather than education, is the key.

United States Geological Survey scientist Dr. Robert Webb favors education.

"People need to know the value of the land," Webb said.

Steve Carmickle, past president of the Arizona Off-Highway Vehicle Coalition, combines the methods.

"We need to educate to enforce," Carmickle said.

Perhaps Arizona Game and Fish Landowner Relations Program Coordinator Andy Clark said it best. "Solutions come from compromise."

On Oct. 11, a letter from 17 ranchers in Pinal, Pima and Maricopa counties appeared in the Arizona Republic, urging OHV registration.



2001 study: Who is the average OHV user?

A 2001 study from the OHV Responsible Riding Campaign out of Colorado echoes others across the nation.

The average off-highway rider is a 40-year-old white male with a high school education and \$50,000 annual household income, who will spend nearly \$1,000 on OHV trips annually.

Only 20 percent belong to an organized OHV club.

They do two-thirds of their riding on weekends, and three-fourths of it in spring, summer and fall. Recreation is the reason 85 percent ride, and 92 percent ride on trails or in rural areas. The top three reasons for riding: fun, excitement and stress relief.

A research lab out of the University of Tennessee showed nearly 60 percent of OHV users prefer off-trail travel.

Practical users include sportsmen (hunters and fishers), ranchers and farmers, and people with disabilities. Some even use them for short trips around town.

But the reality is, OHV users represent a miniscule percentage of outdoor enthusiasts.

A National Visitor Use Monitoring Program survey compiled from 2007-2011, with nearly 166 million forest visits - 18 million in the Southwest - showed 3.8 percent OHV use with 1.5 percent citing it as the primary activity, and motorized trail activity 4.4 percent with 1.6 percent primary activity. Each category spent about five hours on the activity. Hikers and walkers made up 40 percent, with 17.6 percent citing primary use. (<http://www.fs.fed.us/recreation/programs/nvum/>)

Republicans for Environmental Protection in Colorado in Feb. 2012, opposed a bill opening more land to OHV use, saying more than 20 percent of available trail miles in the state's national forests are open to OHV use but less than 10 percent of visitors are OHV users.

The ranchers, who graze livestock near Phoenix and Tucson metro areas, cited problems from "irresponsible" OHV user-caused noise, dust, and property and environmental damage. Not only do the businessmen spend thousands of dollars in repairs, they lose money when their herds experience loss in average weight gain.

"In all my years of business (early 1970s) I've never seen anything like it," Shelley said. "We have to adapt to change, but this one is pretty hard to adapt."

Enforcement of OHV laws in Arizona is the job of five officers from the Bureau of Land Management, one or none from the State Trust, and nine officers dedicated from Game & Fish. Their busiest patrols are near metro areas.

Shelley said Northern Arizona terrain - with heavy cholla thickets, canyons and boulders - stops OHVs.

"Most damage occurs on low desert ranches because they can go anywhere," Shelley told the reporter before the letter was published. "There's a road every 5 or 10 feet. We are out of business if we don't do something."

He suggests areas be open to OHV use from June 1-Nov. 30, so it won't affect the growing season for wildlife and ranchers, and close those areas from Dec. 1-June 1.

Shelley said some OHV users told him they would make sure people would obey rules if he would designate roads, but, "within four years it had completely fallen apart."

He also said California has established "sacrifice areas" strictly for OHV use.

Clark agreed the desert areas Shelley described are "perfect for what OHV folks want to do."

"What people don't understand is that (9.3 million acres of) State Trust land is not public land. That's where education needs to begin. The whole idea is to keep ranchers in business without locking everything up," Clark said.

Cyndi Tuell, Southwest conservation advocate for the Center for Biological Diversity in Tucson, has for the past five years monitored OHV use in national forests and wildlife refuge areas in Arizona, New Mexico and across the west. She said although OHVs comprise only 1-5 percent of forest users, their use has been out of control for 40 years.

She said the Tonto National Forest is "one of the most trashed forests I've ever seen," and in the Coconino National Forest, dirt bikes traverse riparian and cultural sites. She currently is appealing a decision in the Kaibab National Forest.

"I grew up riding ATVs in the wash in Tucson, and my brothers are hunters, but we need to get a handle on this," Tuell said. "I will always talk OHV issues with anyone."

Arizona State Land Dept. Range Resource Manager Christopher Lowman agreed people "think it's public land and they can do whatever they want."

"I get calls every day from private landowners, and complaints from people who say they don't have access," Lowman said.

In fact, Trust land earns revenues for state schools and 13 other public institutions, and requires permits for public use, although an OHV decal allows for crossing Trust Land. "It's a REC permit, not a WRECK permit," the brochure states.

But wreckage frequently occurs.

"As a rancher, if I had done what they do, I'd be in big trouble," Orme rancher Alan Kessler said.

With the help of the Forest Service, he has been able to heal damaged riparian areas at his Mayer area ranch by blocking them off repeatedly when people tore down the barriers.

He uses an ATV, so his cattle are used to it.

"It's the volume of use that's made the difference," Kessler said. "I've talked to regular ATVers and they're willing to set up a patrol."

"The OHV community is probably one of your strongest allies," Carmickle told a group at the Cattlemen's Association Convention in Prescott this past summer,

adding the state has 500 OHV clubs. "The reality is, if we don't do something, we'll have everything closed off. The majority of OHV riders don't know where to go. We want to develop a system of trails with OHV dollars that people will use."

He said in two years, OHV groups have erected 4,000 signs, 200 kiosks, and 100 miles of ranch fencing.

Arizona's Off-Highway Vehicle Ambassador program, with more than 100 volunteers, received a National Landscape Stewardship Award in December for educating OHV and public lands users.

Kent Henry, a Mayer rancher for 25 years, is philosophical about OHV use.

"Most people aren't too bad. You can't keep those people cooped up. They've got to get out and recreate," Henry said. "It's the cost of doing business on public land. It will always be an issue. It's not going away."

Legal response

In 2007, a first-ever survey of BLM and Forest Service law enforcement rangers showed that more than 90 percent of respondents said OHVs represent "a significant law enforcement problem."

Arizona Senate Bill 1167 concerning OHV regulation became effective Dec. 31, 2008. Its pro-OHV supporters included the Arizona: Motor Sports Association, Sportsmen for Wildlife, Off-Highway Vehicle Coalition, and Power Sports Industry Association.

The Forest Service uses volunteers for its National Visitor Use Monitoring Program.

The Arizona State Land Department annual reports from 2009-2011 on the Off Highway Vehicle Recreation Fund and Travel Management Program shows exactly how it uses State Trust land money - route designation, law enforcement, signage, education, and damage mitigation and prevention.

A free map of places to ride OHVs is available from State Trust and also from Arizona Game and Fish.

"Next year when we get together I promise it will be better," Carmickle told the cattlemen.