

Written Testimony of Bob Vahle, Concerned Citizen
For
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
On the Impacts of Unmanaged Off-Road Vehicles on Federal Land
March 13, 2008

Mr. Chairman, Members of the Committee: good afternoon, and thank you for the opportunity to be heard today on this important matter before you.

My name is Bob Vahle and I am a resident and native of Arizona. I live in Pinetop, Arizona which is located in the north eastern portion of the state in the White Mountains and within the Apache-Sitgreaves National Forests. I am a retired professional wildlife biologist who has worked 22 years for the U.S. Forest Service, 13 years for the Arizona Game and Fish Department, and 2 years as a contractor for the Intermountain West Joint Venture associated with the U.S. Fish and Wildlife Service, Migratory Bird Program. I have served on the Board of the Arizona Chapter of the Wildlife Society for professional wildlife biologists, and currently serve on the Board of Directors for the Arizona Wildlife Federation. I have lived within this area of the state for the past 30 years and have seen significant changes in public recreation use of the area, particularly the use of Off Road Vehicles (ORVs). As a result of these changes, I have observed significant impacts of unmanaged ORV use in many areas of this Forest, other public lands in Arizona, and within other states in the Intermountain West through my work and recreation travels.

I appreciate the privilege to speak to you as professional wildlife biologist, an avid hunter and fisherman and longtime owner and user of Off Road Vehicles (ORVs). My purpose today is to convey to you the critical need to implement biologically sound and socially acceptable public motorized travel management and ORV management programs on public lands, and later discuss aspects of the Forest Travel Management planning process that is occurring on the Apache-Sitgreaves National Forest that I am familiar with and have observed

First I would like to discuss the critical need for developing ORV management plans. I believe effective ORV management measures must be put into place soon to provide essential conservation of our public land resources (e.g., soils, vegetation, water, and wildlife/fish habitats) along with providing reasonable and managed public access and ORV recreation opportunities on our federal lands. With the dramatic increase in Arizona's population, there has also been significant sales (i.e., over 5,000 ORVs sold per year in Arizona reported in 2006) and use of ORVs on public lands in this state. ORV ownership has increased over 347% in recent years and now exceeds over 500,000 vehicles. I strongly believe as professional wildlife biologist, avid sportsman, and OHV owner and recreationist that our public land natural resources (e.g., soils, waters, vegetation, and wildlife/fish habitats) can not possibly sustain the unmanaged OHV use and open cross country travel that is occurring today. To further illustrate the significant growth in ORV recreation, a national survey by the U.S. Forest Service reported that the

number of ORV participants had increased from 36 million in 2000 to 51 million in 2004 in just a short four-year period. Today in 2008, ownership and use of ORVs and has further increased since that time period. With the dramatic growth in ORV use on our National Forests and other public lands across the U.S., it is not surprising that the Chief of the Forest Service (2003) identified unmanaged recreation, particularly the adverse effects of ORV use, as one of the four primary threats to the health of natural resources within the lands of the National Forest System.

Today, I will confine my comments to the ORV issues we are facing on the National Forest Lands in Arizona with focus on the Apache-Sitgreaves National Forest since I have lived, worked, and recreated in the area for 30 years. I will use this area of public land within Arizona as an example of what is certainly taking place on other National Forests and public lands in the West. First, I would like to give you some brief background information that will relate to today's discussion of ORV impacts on this Forest. I had the opportunity to assist the Apache-Sitgreaves National Forests planning team in developing wildlife and fish habitat guidelines for the Forest Land Management Plan which was finalized in 1987. Because of concerns at that time related to the creation of a high density of roads needed for timber harvest programs on the Forest and the need to address ORV use, we developed management plan guidelines (e.g., Guideline: open road densities for public use should average 2.0 miles/square mile or less) and later a management program (i.e., "Wildlife Habitat Area Program" – establishment of eight key wildlife habitat areas on the Forest closed to motorized vehicle use) to provide wildlife "quiet" areas free from motorized vehicle and ORV disturbances. The road density guideline and the Wildlife Habitat Area program were developed to address concerns for wildlife/fish habitat needs (e.g., key big game wintering areas), ORV damage to sensitive soils, vegetation, and waters (e.g., stream/riparian areas), and provide areas based on public input from hunters who were seeking areas without motorized vehicle and ORV disturbance. At that time in the 1980s, the Forest anticipated that public recreation would certainly increase and was not documenting extensive problems with ORV use. Unfortunately, the Forest made the decision to allow the public to use ORVs for forest-wide cross-country travel unless the areas were posted closed through special regulations (e.g., Wilderness Areas, Research Natural Areas, and Wildlife Habitat Areas). It is also unfortunate that the Forest did not anticipate the exponential increase in ORV ownership and use and the magnitude of adverse impacts to Forest natural resources from unmanaged ORV in this area that has occurred in recent years.

Currently, the dramatic increase of unmanaged ORV use on the Apache-Sitgreaves NF has caused a significant re-opening of roads, for example, that were to be formerly closed (i.e., Forest Service – Maintenance Level 1 Roads) after timber harvest for future management activities. In addition to re-opening these roads that were never intended for public use, unmanaged ORV cross country travel has also created many hundreds of miles of new roads and trails through their continued use. These user-created roads are causing natural resource and economic problems. The Forest is now faced with trying to manage an excessively dense, spider web network of unauthorized roads and trails which are not part of the Forest's road system. As a result of the current unmanaged ORV activities on this Forest the open-road densities in many key habitat types (e.g.,

Ponderosa pine, mixed conifer, pinyon-juniper, grassland, and riparian) have increased up to - 7 miles of open roads and trails per square mile. Open road densities of this magnitude greatly exceed the Forest Plan guidelines and intent to provide for wildlife/fish habitat needs, protect other natural resource values, and now create a significant economic cost burden in terms of maintenance and restoration liabilities.

Unmanaged ORV use is magnifying impacts to Forest natural resources and creating significant economic costs that will require large federal funding expenditures for restoration on the Forest as user-created roads and trails erode and deteriorate causing loss of top soils, excessive input of sediment into drainages and stream courses, damage to vegetation and overall degradation of watershed health, particularly if they are created in sensitive areas (i.e., wetlands, meadows, stream/riparian areas). Currently, the Forest is budgeted to maintain only 28 percent of the planned road system and certainly has very limited funding to address the unmanaged ORV impacts that are occurring. The unmanaged ORV use that is occurring on the Forest is also significantly increasing: 1) the fragmentation and elimination of valuable wildlife habitat acreage; 2) the damage to soils and key vegetation needed to protect watershed health and produce essential wildlife food and cover; 3) the spread of invasive noxious weed species which displace native vegetation needed by wildlife; 4) the erosion and destabilization of streambanks; 5) the reduction in water quality and habitat suitability of highly valuable stream/riparian areas for fish and other wildlife species; 6) the damage to sensitive wildlife habitats such as wetlands and natural meadows that are of key importance for foraging, resting, breeding, and young rearing by many wildlife species ; 5) the excessive access and disturbance to critical wildlife habitats that are needed for wildlife's security, resting, feeding, wintering, and young rearing needs; and 5) the disruption and alteration of animal behavior through disturbances by ORV activity which can affect animal fitness through disrupting wildlife foraging, resting, breeding , and young rearing activities which ultimately affect wildlife populations.

I have personally observed many examples of the impacts of ORV habitat damage and disturbance that I have described through my work and travels on this Forest, and other public lands in Arizona and the Intermountain West. For example, I have directly witnessed and observed the immediate and after effects of ORV users who have significantly damaged ecologically sensitive habitats (e.g., meadows, wetlands, and highly important stream/riparian habitats for fish and wildlife) by driving through them, "spinning donuts" and "mud bogging" which damages vegetation, erodes soils, destabilizes streambanks, and reduces water quality. I have also observed irresponsible ORV users harass wildlife such as attempting to herd antelope and chasing bull elk along fence lines during the spring in hopes that they would drop their antlers after jumping the fence as part of their antler collection activities. All of the adverse ORV impacts I have described have been well documented in large body of literature some of which I have referenced in my written testimony for today. Due to the limit of time for this testimony, I certainly can not address all of the ORV impacts I have observed. I strongly believe that these impacts and many others will continue to occur and significantly increase if ORV activity on National Forests and other public lands goes unmanaged.

In addition to impacting natural resources, unmanaged ORV use is also adversely impacting many of the recreating public that visits this Forest and other public lands. For example, many hunters, fisherman, campers and other outdoor recreationists voice strong concerns to the land management agencies and wildlife/fish agencies about their negative encounters with unmanaged ORV activity during their outdoor hunting, fishing, camping, hiking, and wildlife viewing experiences. As a former employee of the U.S. Forest Service and Arizona Game and Fish Department I have talked with and taken many reports from hunters, fisherman, and other outdoor recreationists over my working years that were extremely upset and vocal about their negative experiences with irresponsible ORV users and their observations regarding indiscriminate ORV use and cross-country travel damage to forest habitats. Many provided photos and detailed descriptions of the ORV damage they had observed to sensitive habitats (e.g., meadow, wetlands, stream/riparian areas) and other Forest resources along with, accounts of ORV users chasing and harassing wildlife. In respect to hunters, for example, the Arizona Game and Fish Department recently conducted a public survey of hunters in conjunction with their program to recruit and retain hunters in which they found some disturbing results. One of the top barriers that individuals identified (i.e., 54% of the hunting public surveyed) was their reluctance to continue hunting or recruit new hunters because of their negative experiences with ORV users and unmanaged ORV use. The negative impacts of indiscriminate and unmanaged ORV use that many hunters encountered include witnessing ORV damage to habitats and observing ORV users chase and harass wildlife. Hunters have reported their extreme frustration of watching other hunters using ORVs harassing wildlife including the species that they are currently hunting, disrupting the hunter's careful stalk of a game animal, and displacing game animals from the areas that the hunter has previously spent much time in scouting and then selecting to camp and hunt in. I have also had an number of negative encounters myself with irresponsible ORV users and their indiscriminate ORV cross-country travel during my hunting, fishing, camping, and wildlife viewing activities. Several years ago I observed a guide/outfitter during my archery antelope hunt using his 4-wheel all terrain vehicle ("quad") chasing and attempting to herd antelope to his hunter that I was planning to stalk on public land. I immediately reported the incident to one of our wildlife management officers who cited the individuals. Later, I had to take my personal time to drive 160 miles round-trip at my own expense to appear in court to testify. In my opinion this is unfortunate since our personal time is very precious and in this case had caused me to be negatively impacted by unmanaged ORV activities on public land by an irresponsible ORV user.

I would to give you just a brief overview of the current Apache-Sitgreaves National Forests travel management planning process from my perspective that is undergoing the development of Forest Travel Management Plan to address public motorized vehicle access and use, ORV concerns, and dispersed camping activities on the Forest. In 2005 the Travel Management Rule (TMR) was issued by the U.S. Forest Service directing the National Forests to address the problems of deteriorating forest conditions caused by motorized use, especially the significant increased use of ORVs. The rule requires that cross-country motorized use to be prohibited when it is fully implemented in 2009. The roads, trails, and dispersed camping areas that are to be designated for public use are to follow a public planning process that incorporates community concerns, address multiple

use resource management needs, and concerns for the sustainability of forest natural resources. In 2006, the Apache-Sitgreaves National Forests began conducting an inventory and analysis of all roads and trails located within the Forest through a Transportation Analysis Process (TAP). In 2007, the Forest submitted A Notice of Intent to prepare an Environmental Impact Statement for developing a public motorized Travel Management Plan which was published in the Federal Register on October 10, 2007 (Vol. 72, No. 195, pages 57514-57517). In 2006, the Forest conducted its first round of public meeting to provide the public information on the TMR, the planning process for developing the Forest's Travel Management Plan, and to gather initial public input. During these meeting the Apache-Sitgreaves National Forests - Travel Management Planning Team made in my professional opinion a significant planning mistake in presenting maps to the public that illustrated the entire inventoried network of roads and trails including unauthorized and ORV user created roads located on the Forest that were identified under the TAP process. The maps displayed at the public meetings also included the Level 1 –Maintenance Roads that I previously discussed which were never intended to be left open for public motorized use and that were to be closed after timber management activities. As I also stated previously, unmanaged ORV use has now re-opened a very large proportion of these roads. When the public began reviewing the Forest's proposed action to designate roads, trails, and areas for dispersed camping some of the public have reacted very negatively. Some local individuals and groups are now claiming and disseminating misinformation that the Forest is proposing to close 80-90% of all the roads on the Forest to motorized public use when in fact this is totally incorrect. The planning strategy to display all of the roads both authorized and unauthorized (e.g., created by unmanaged ORV use) has unfortunately led to much dissention and contentious disagreement among individuals and organized groups within the local communities and among other Arizona residents.

In respect to dispersed camping on this Forest, the Forest is currently proposing to address dispersed camping either through the use of formally designating dispersed camping sites or allowing camping within a specified distance (i.e., 300 feet) on either side of roads identified for public motorized vehicle use. From a planning perspective, there is currently a lack of consistency between the Ranger Districts on the Forest in utilizing these strategies to address dispersed camping. Currently, there are complete dispersed camping strategy differences proposed between the Ranger Districts within this Forest. If the dispersed camping strategies are not consistent among the Ranger Districts within the Forest, it will greatly confuse and irritate the public, and it will complicate enforcement of public compliance with dispersed camping regulations.

In summary, I hope I have provided you useful information on some of the adverse impacts of unmanaged ORV activity that I have directly observed in many areas along with some of the ongoing Forest Travel Management planning problems that I have observed and are occurring. The ORV impacts will continue to increase not only on the Apache-Sitgreaves National Forests but on other National Forests and public lands here in the U.S. if biologically sound and socially acceptable public travel and ORV management programs are not fully implemented. Unmanaged ORV use and cross-country ORV travel on our public lands simply cannot be sustained without significant

resource impacts in light of this country's population growth and the significant increased use and ownership of ORVs. Certainly the responsible use of ORVs to recreate on our National Forests and other public lands is an appropriate use enjoyed by millions of people including myself. I believe the majority of ORV users are environmentally responsible in the use of their vehicles and utilize them ethically. However, I do believe that education of the users about the proper use of their ORVs and knowledge of natural resource conservation ethics is not keeping up pace with the significant growth and use of these vehicles. I believe that the proportion of irresponsible users is unfortunately increasing since many are new to the outdoors and they are unknowingly using their ORVs for cross country travel without knowledge of all the potential resource impacts. When the public sees the ORV industry's advertisements illustrating ORV vehicle users racing up mountain slopes, through streams, meadows, and wetlands it is no wonder that uneducated ORV users assume that this is the way these vehicles are to be used. Education of the public who own and use an ORV is critical along with requiring responsible industry advertising.

In respect to the Travel Management Planning process that is occurring on National Forests such as the Apache-Sitgreaves National Forests and other public lands, it is essential in my professional opinion that the public be educated and fully informed on the various types of roads and trails that are to be authorized for public motorized travel and those not authorized for public use in order to reduce the misinformation that may be disseminated about the agencies proposed actions. In addition, it is essential that planning strategies to be used in Forest Travel Management Plans, ORV management plans, and dispersed camping regulations within or among National Forests be as consistent as possible to reduce public confusion regarding agency regulations, and to increase public acceptance and compliance with these regulations and management plans.

Finally, based on my experience and knowledge of the information available on the impacts of ORVs and guidelines needed to develop effective ORV management programs, I would like to provide the following recommendations for your consideration.

1. Public cross-country ORV travel should be prohibited on all National Forests and other federal public lands unless special ORV management areas and special needs (e.g., hunter retrieval of harvested big game animals) are identified and thoroughly evaluated through a public process including the evaluation of their impacts through the National Environmental Policy Act requirements and other appropriate federal requirements (e.g., Threatened and Endangered Species Act).
2. ORVs used on public lands should be registered with the State Motor Vehicle Department and required to have a visible license plate that can be used to identify the ORV owner. These visible license plates would greatly help in reporting illegal activities.

3. Road and trail systems designated for public use by ORVs should be developed to provide public access consistent with Forest Plan objectives and other land management agency management plans that seek to maintain low open road densities (e.g., generally no greater than 2 miles of open road and trails per square mile with lower densities in key wildlife/fish habitats) needed to provide for wildlife/fish need habitat needs, protect other natural resources, and reduce road and trail maintenance costs.
 4. Roads and trails designated for public use by ORVs should be posted as open with appropriate signage that is understandable by the public and consistent among National Forests and other public land management agencies (e.g., BLM) to prevent public confusion of the regulations. Roads and trails not designated for ORV use should also be posted closed with understandable and consistent signage.
 5. Roads and trails designated for use by ORVs should be located to minimize adverse impacts to vegetation, soils, water resources, and sensitive wildlife/fish habitats (e.g., meadows, wetlands, stream/riparian areas); and reduce disturbance and displacement of wildlife in key habitats such as wintering areas, foraging areas, breeding areas, and young rearing habitats
 6. Roads and trails designated for use by ORVs should be located to minimize conflicts between ORV use and other existing or proposed non-motorized recreational uses (e.g., hiking / mountain bike trails).
 6. Adequate funding should be provided to insure that land management agencies can fully implement their travel management and OHV plans. Roads and trails designated for use by ORVs should not be open for use until a monitoring plan and enforcement plan are developed, funded, and implemented.
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Mr. Chairman and Members of the Committee, I would again like to sincerely thank you for the privilege and opportunity to talk with you today on these very critical public land management issues. If left unmanaged, ORV use on our precious public lands such as National Forests will continue to increase with adverse impacts to the valuable natural resources we cherish and strive to leave in healthy conditions for future generations. In addition, the management strategies that are developed to address public motorized vehicle travel, ORV use, and dispersed camping need to be as consistent as possible on our public lands to help insure public acceptance and compliance.