



# OFF-ROAD BUSINESS ASSOCIATION NEWSLETTER—SUMMER 2003

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### ORBA & CORVA

ORBA's President Roy Denner attended a meeting of the Board of the California Off-Road Vehicle Association (CORVA). After a presentation by Denner and discussion by the Board, it was agreed that CORVA would promote ORBA membership to off-road businesses that their huge membership base deals with. CORVA members will be encouraged to purchase products from businesses that are members of ORBA. ORBA will continue to provide support for CORVA's land use issues. CORVA's President, Ed Waldheim, said "I think this is a perfect marriage between CORVA, a State-wide grass-roots organization and ORBA, the off-road business community's trade association. Working together we will be much more effective with our land use battles."

### NCSL

ORBA invited Del Albright, representing Blue Ribbon Coalition, to share ORBA's booth at the National Conference of State Legislators in San Francisco, attended by State legislators from all across the U.S. Albright, Denner and ORBA's lobbyist Pete Conaty discussed public land access problems for three days with legislators from many states. Everyone had an example of how public use of public lands is being attacked in their state. ORBA and BRC were able to tell legislators

how their organizations are involved in land use issues in many of those states.

### CONGRESSMAN POMBO

Congressman Richard Pombo, recently appointed Chairman of the important House Resources Committee, jumped over several more senior candidates to attain this position. He is well known for his goal of revising the Endangered Species Act. Pombo met with a group of desert stakeholders, introduced by ORBA President Denner, in DC recently. The group told Pombo about public access problems in the California Desert District. Pombo agreed to hold a Congressional Field Hearing in San Diego regarding the California Desert District.



### NAMRC

The North American Motorized Recreation Council (NAMRC) held its semi-annual meeting in Flagstaff, Arizona. OHV organizations from across the country were represented. ORBA played a major role in discussions regarding how to best combine the resources of the various organizations to effectively support OHV recreation.

### ORBA IN SACRAMENTO

A group of ORBA's Officers, Board members and several other business members held an "ORBA Day with California Legislators." Led by ORBA lobbyist Conaty, the group visited with State legislators to impress them with how important OHV recreation is to the economy of the State of California.

### STATE SOUND MEETING

ORBA President Denner and Vice President Jim McGarvie attended a sound workshop where it was announced that California would be enforcing a new sound limit for motorcycles of 96db. The old limit was 101 db. This is not a linear measurement and the reduction in allowable sound level is more significant than it appears. State

OHV park rangers are being trained to use sound measuring devices and will begin issuing citations to those not in compliance.

### ISDRA RAMP

The Recreation Area Management Plan for the Imperial Sand Dunes Recreation Area has been released. This is a complicated document that removes certain closures in the dunes but leaves most of the large central closure as an "Adaptive Management Area" which limits use. For a condensed, easy-to-read description of the provisions of the RAMP go to ORBA's website. Anti-access groups who sued the BLM for not consulting with Fish & Wildlife are now suing that agency because they do not like the biological opinion it rendered. OHV groups have been forced to file suit as well in order to maintain legal standing. Will it ever end?

### ORBA & BRC

The July 2003 issue of the BlueRibbon Coalition Magazine has an article about ORBA's support of BRC. ORBA President Denner met with BRC Executive Director Clark Collins and BRC Public Lands Director Bill Dart to discuss how the two national organizations can combine resources to be more effective. ORBA contributed funds to support the work of BRC Ambassador Del Albright and BRC Western Representative Don Amador. Watch for more cooperative efforts between ORBA & BRC.

### UPDATE: SAND MOUNTAIN, NV

In our last ORBA Newsletter we described the attempt by anti-access groups to close 1,000 acres of Sand Mountain OHV Recreation Area to protect the Blue Butterfly, a species not listed as Threatened or Endangered. For details see ORBA's website.

Since that time, ORBA and attorney Josh Mackenroth, working with Friends of Sand Mountain, have actively opposed the closure based on the fact that there is no science to support it. Recently the Fallon, Nevada BLM office issued a notice stating that:

**No closure will be implemented at this time!**

Instead, educational efforts and on-site signing will be implemented to make sure OHV enthusiasts stay

on existing trails when riding through vegetated areas.

While ORBA is pleased with this victory, Mackenroth has filed a complaint on behalf of ORBA with the Inspector General's office regarding the process followed by the Carson City, Nevada Field Office of the BLM. Documents obtained under the Freedom of Information Act showed that BLM employees consulted with an anti-access group and the local Indian Tribe during a series of workshops and team meetings during 2002 and the early part of 2003 to discuss future management plans for Sand Mountain, including potential closures and severe restrictions on OHV use. All of these meetings occurred prior to the BLM's formal recommendation on April 30th, 2003, that 1,000 acres of Sand Mountain be closed to OHV use on an "emergency basis" for at least three years.

ORBA contacted multiple OHV groups in the area, and to our knowledge not one of them was asked to participate in these exclusive meetings! The complaint seeks an investigation into whether BLM employees violated the ethical codes of conduct that require all BLM employees to act impartially, and not give preferential treatment to any individual or private organization. The complaint also seeks remedial action against any employees found to be in violation of these rules.

#### 4-WHEEL PARTS SHOW

ORBA participated in this ORBA member's vendor show in Ontario. Many exhibitors were ORBA members and several more agreed to join. 4-Wheel Parts Wholesalers has stores all across the U.S. and is a strong supporter of ORBA.

#### ARIZONA FOREST

ORBA member Arizona Motorsports notified ORBA that the Forest Service in AZ was planning to close all cross-country travel in their forests. ORBA's attorney Hubbard reviewed the plan and drafted a legal comment letter pointing out how the plan violated Federal law. Plans to eliminate cross-country travel in the Arizona forests have since been retracted.

#### DMG MEETING

ORBA President Denner and Vice President McGarvie attended a

Desert Managers' Group (DMG) meeting in Big Bear, California. Primary discussion was about the Mojave Desert Tortoise that affects land use decisions in four western states. A subcommittee of this group is reevaluating the Desert Tortoise Recovery Plan that is nearly 10 years old and obsolete. ORBA is committed to staying on top of this issue since it impacts access to millions of acres of public lands in the Mojave Desert.



#### UNITED 4WD CONVENTION AND LAND USE CONFERENCE

At the request of the Arizona State Association of 4WD Clubs, host of the United 4WD Convention in Flagstaff, Arizona, ORBA's President was asked to be a speaker at the United Four-Wheel Drive Association's Land Use Conference. Denner was also the keynote speaker at their annual awards banquet where he was awarded an honorary membership.

United is the largest national 4WD organization. Land use people from several national and state OHV organizations participated. Denner described how ORBA functions and talked about ORBA's many land use issues. Attendees agreed to encourage the off-road businesses they deal with to become members of ORBA.

#### DAC MEETING

A meeting of the BLM Desert Advisory Council was held in Riverside. ORBA President Denner, Recreation Representative on the DAC, protested the BLM's "Closed unless posted open" policy. Other stakeholders on the Council joined Denner in declaring that this policy cannot work. The BLM is moving ahead with this policy in spite of DAC member concerns.

#### WEMO

The newly drafted Western Mojave Management Plan (actually just an Environmental Impact

Statement) was also discussed. This document consists of two manuals, each two inches thick. Denner stated, "There is no way the BLM has the resources to implement this Plan, touted as the most complex, far-reaching land management plan in the U.S." When the BLM fails to implement plans like this (and there are four more), they will be sued by the anti-access groups. The only action available without resources to expend will be more "Emergency Closures" until the lawsuits can be resolved. ORBA Vice President McGarvie is working with representatives from other OHV organizations to prepare a joint comment document for the BLM's WEMO Plan. The document will be signed by the leaders of most California OHV organizations.

#### CINDERS OHV AREA

The Arizona State Association of 4WD Clubs recently treated ORBA President Denner and Vice President McGarvie to a jeep tour of the Cinders OHV Recreation Area near Flagstaff. About a year ago, ORBA engaged attorney David Hubbard to prepare a legal comment letter that successfully stopped the expansion of the Sunset Crater National Monument. This expansion would have wiped out the Cinders OHV area. ORBA has agreed to support an effort to stop a remaining attempt to close a few trails and camping pads in that area.

#### WELCOME NEW MEMBERS!

- Lindeman Engineering
- Bell Helmets
- Weddle Engineering
- Michael Gaughan
- J D Feed
- 4 Wheelers Supply
- Mountain Off Road Enterprises
- Scotts Performance Products
- Acerbis
- National Tire & Wheel
- Big Valley Motorsports
- Kilby Enterprises
- Duncan Racing
- Fly N Hi Off Road
- Western Hardware
- M.T.A., Inc.
- Pro Comp Tires
- Rubicon 4x4.com
- Weld Wheel Industries
- Hap Jones Distributing Co.