



OFF-ROAD BUSINESS ASSOCIATION NEWSLETTER—SPRING 2006

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BAD NEWS FOR ISDRA

San Francisco Federal Judge Susan Illston has ruled that U.S. Fish & Wildlife's Biological Opinion that use of vehicles in the Imperial Sand Dunes Recreation Area (ISDRA, aka: Glamis) will not impact the survival of the Peirson's milk vetch is not valid. This means that the closed areas there will stay closed and the expenditure this year of fee money to implement such things as bird-proof dumpsters (over \$400,000 of user fee money) were not necessary since the new Management Plan cannot be implemented. This decision ignores the fact that the OHV community has provided several years of studies showing the plant to be doing very well. Physical counts by BLM biologists recorded over 1.8 million healthy plants at the ISDRA this year—a figure well above that which would indicate a declining plant population.

RIVERSIDE ORDINANCE

Riverside County, California is in the process of introducing an ordinance that discriminates unfairly against dirt bikes and ATV's. Totally unreasonable sound restrictions are being imposed on these types of vehicles while lawn mowers, leaf blowers, garden equipment, and the like are exempted. Riders are being prevented from riding on their own private property! ORBA and EcoLogic are doing everything possible to prevent this type of local legislation from spreading.

FRED WILEY

With the hiring of a new full-time Executive Director ORBA has taken a major step in moving the organization to a higher level. Fred Wiley, President of the Califor-

nia/Nevada Snowmobile Association and a member of several national snowmobile organizations, has taken over the day-to-day administrative tasks involved with running ORBA. "I am looking forward to the opportunity to relieve ORBA's President and CEO from being involved with the general administrative tasks necessary to keep the ORBA machine running. Our President will now be able to concentrate on organization building and special projects" says Wiley.



Wiley in new Bakersfield office

In conjunction with Wiley's appointment the ORBA office has moved to Bakersfield, California—Wiley's hometown. Contact info for the new ORBA office is:

**1701 Westwind Drive #216
Bakersfield, CA 93301
Phone 661.323.1464
Fax 661.323.1487**

To assist with the task of running the new office ORBA has brought a new office manager on board. Her name is Linda Wong. When you call our new office you can expect to hear Linda's cheery voice. All other ORBA staff members will continue with their assigned responsibilities. Monthly meetings of ORBA's Board of Directors will continue to take place in the San Diego area.

SOUND ISSUE

Noise generated by excessively loud dirt bikes and ATV's is continuing to be a major problem in many communities across the nation. ORBA Land Use Director Bill Dart convened the second "Turn Down the Volume" meeting with the aftermarket exhaust industry to discuss how to best deal with reducing excessive off-highway motorcycle and ATV sound. Keynote speakers included AMA Pro

Racing Supercross and Motocross Manager Steve Whitelock and Ralph Gonzalez, US Forest Service (USFS) spark arrestor certification lead. The meeting was attended by almost all of the aftermarket exhaust companies, as well as the Motorcycle Industry Council, Kawasaki, California State Parks OHV Division, and AMA District 36.

The consensus of the group was that fair and consistent enforcement of AMA sound rules for both Professional and Amateur racing would be one of the most productive measures available to reduce excessive sound. The aftermarket exhaust companies also agreed that they would like to see an independent testing process for Pro supercross and motocross to ensure fair and consistent compliance enforcement as well as a more transparent test procedure to eliminate any perception of inconsistency.

In addition to new AMA sound rules, the Chief of the USFS recently announced that they will be promulgating a national OHV sound rule in the near future. Ralph Gonzalez of the USFS talked about their current spark arrestor certification program that all exhaust systems designed for public land use must be subjected to, and the potential for sound level certification as well once the USFS implements national OHV sound rules.

The ORBA Board of Directors recognizes that reducing excessive OHV sound is a critical component of preserving and enhancing OHV recreation for everyone, as well as ensuring the OHV industry remains strong. Accordingly, the Board has directed ORBA staff to look at various ways to address the noise issue.

DESERT TORTOISE UPDATE

For those of you just tuning in, the desert tortoise was listed as a threatened species by the US Fish & Wildlife Service (FWS) in 1990. As a consequence of that action, literally millions of acres of desert in the Southwest have been closed to motorized recreation.

A recovery plan for the species was published in 1994. Since that time over \$100 million has been spent on the species, yet the FWS,

responsible for such things, admits there is no clear evidence of the trend of the population.

The recovery plan specifies that it should be reviewed every three to five years, yet such review did not occur for about ten years. The review process has finally begun, but its pace reminds one of that of the tortoise itself.

Part of that process was the establishment of the Desert Tortoise Recovery Office of the FWS. We view that as a good step. That office created the Desert Tortoise Recovery Planning and Implementation Work Group (DTRPIWG), and decided that stakeholders—such as OHV interests, environmentalists and others—should be included... another good idea. The best idea of all was the selection by FWS of the ORBA Vice President to sit on that work group.

Wait, not so fast! FWS, apparently concerned they may find themselves refereeing a food fight, decided they had best hire a professional facilitator to keep the peace among the various factions in the work group. The contract went to the U.S. Institute for Environmental Conflict Resolution (USIECR). That organization, in turn, determined they should hire a group of professional, neutral third party mediators to interview prospective stakeholders for the work group.

The ORBA VP was asked to participate in the interview of the two finalists for the mediator job, and found himself in the unusual position of interviewing those who will ultimately interview him to determine his fitness as a stakeholder on the work group.

Folks, we couldn't make this up. Stay tuned....

ORBA ANNUAL MEETING

All three candidates for reelection to ORBA's Board of Directors were duly voted in during ORBA's annual general membership meeting with the member vote count from mailed in proxies. Those re-appointed Board members are Scot Harden, with KTM; Loren Snyder, with Pro Comp Suspensions; and Tracy Hopper, with Fiber-Tech. ORBA's staff sincerely appreciates the extra effort that these busy businessmen put forth for our trade association.

CLORV

Ten major OHV organizations that are active in California have joined forces to become more powerful politically in that state. The California League of Off-Road Voters (CLORV) has elected Fred Wiley, ORBA's Executive Director, as the Southern District Vice President for CLORV. CLORV's charter is to assess the position of state political candidates relative to motorized off-road recreation and to educate candidates and legislators regarding off-road issues.

OFF-ROAD IMPACT SHOW



ORBA's President addressed business representatives at the Off-Road Impact Show in Las Vegas. He also introduced Doug Crandall as a speaker on land use issues. Crandall is Director of one of the Subcommittees of the House Resources Committee chaired by Congressman Richard Pombo. Chairman Pombo is responsible for getting a badly needed Endangered Species Act reform bill through Congress this year. ORBA is supporting efforts to get a similar ESA reform bill through the Senate.

ROADLESS RULE

Considerable controversy, and confusion, exists all over the country regarding the national Roadless Rule. "Roadless" areas are public lands where there are no "constructed" and "maintained" roadways. Four-wheel drive trails, or single-track trails, that have been blazed through open public lands are not considered to be "roads" when addressed by the Roadless Rule.

During the Clinton era Roadless Areas were closed to OHV access. President Bush turned this ruling around and has left it up to the individual states to decide whether they want to allow off-road vehicle access in Roadless Areas. Some

states have implemented the Clinton philosophy and others are keeping trails open. Many states are involved with a heated controversy regarding this issue. In California the OHV community has sent over 10,000 orange postcards to the Governor asking that he not implement the Clinton closures — which he has stated that he intends to do. The postcards have gotten the Governor's attention and his staff has met with representatives from the off-road community to discuss this issue.

ORBA Executive Director Fred Wiley and Land Use Director Bill Dart have been picked by Governor Schwarzenegger's Undersecretary of Resources Crawford Tuttle to sit on the five-member advisory panel working with the Governor's office on a final position on the Clinton Roadless Rule in California.

More information about this subject can be found at ORBA's website www.orba.biz in the section for Off-Road Business Magazine articles.

WELCOME NEW MEMBERS!

- Wally World Designs
- Pay Dirt Media
- Wilco Products/Tiregate
- ARC Fastener & Manufacturing
- Pirate4x4.com
- Fun Bike Center
- Mason Motorsports
- AMA-D36
- ALOTTA H2O Water Truck Service
- Armor Craft Off-Road Innovations
- Bushwacker, Inc.
- Dubach Racing Development, Inc.
- Pit Bull Tire Company
- Ball Renegade Phoenix
- Ball Renegade National City
- Kibbi, LLC
- Dust Off-Road Magazine
- Hinson Clutch Components
- KTM of Temecula
- KTM of Costa Mesa