



## OFF-ROAD BUSINESS ASSOCIATION EXECUTIVE SUMMARY—FIRST QUARTER 2009

Off-Road Business Association

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### ORBA AT THE SEMA SHOW

In one way, the 2008 SEMA show in Las Vegas was a new experience for ORBA. With the support of SEMA and other ORBA members, ORBA was able to showcase its presence in the off-road business world.

With an expanded island space and equipment supplied by other ORBA partners we were able to draw attention to the diversity of products in the off-road world.

The equipment on display included the Pro Comp TrophyKart of Taylor Nichole Snyder, Robbie Gordon's custom Polaris Razor, a Yamaha 800 Raptor, and of course the ORBA truck that has been transformed by members.



The interactive island booth with interesting and attractive displays drew big crowds throughout the event. With the national elections on the day of the show opening, the conversations were going in many interesting directions to say the least.

I want to thank all those who helped and furnished product. Pulling together is what makes ORBA successful.

### LAND USE DIRECTOR REPORT

[ORBA protests proposed 100% tariff on European motorcycles](#)

Recently, the Office of the U.S. Trade Representative proposed enacting a 100% tariff on all European Union motorcycles between 51 cc's and 500 cc's. This proposal is in response to an old trade dispute over U.S. beef that was banned from the EU. The U.S. sued the EU and won a legal judgment that has never been collected, and the tariff on EU motorcycles has been on a list of potential actions to collect that award.

This 100% tariff would squarely hit almost all off-highway motorcycles from the EU, including KTM, Husqvarna, Aprilia, Gas Gas, BMW and Beta. It would be a fatal blow to sales of these brands in the U.S., and would have devastating unintended consequences for hundreds of American dealers for these brands and thousands of their employees. It is especially ironic that this targets a product category that is totally unrelated to agricultural products and there are no significant American brands that compete with the EU brands.

ORBA filed a strong letter of protest against enacting this tariff. Indications from the Trade Representative's office are that, due to the public input they received, the tariff will not likely be imposed.

### [Omnibus public lands bill delayed](#)

Due to the economic crisis, action on a large omnibus Public Lands Bill was deferred until the 2009 session. This bill, known as HR 5151, contained over 150 separate public lands bills, and was scheduled for a floor vote right after the election. Senator Coburn from Oklahoma was strongly opposed to many of the bills in the package for fiscal reasons, and he planned to filibuster the bill if it was moved for a floor vote. With the economic crisis and bail-out issues taking center stage, the omnibus bill was taken off of the table. While dead for now, Senate Majority Leader Harry Reid has promised swift action, possibly as soon as January, to move the bill package forward. While there are some elements of this package that are acceptable, we oppose many other elements, and object to com-

binning so many bills together where each separate bill does not get the scrutiny and debate that permanent Wilderness designations deserve.

### [Secretary of Interior appointed](#)

In a somewhat surprising move, President-elect Barack Obama has selected Colorado Democratic Senator Ken Salazar to head the Department of Interior. Interior includes the Bureau of Land Management, National Park Service, US Fish & Wildlife Service, the US Geological Survey, and the Bureau of Reclamation among other agencies, and plays a major role in public land access and management. The appointment of Salazar, who has a reputation as a moderate Democrat with a fairly balanced outlook on public land, has earned the ire of the environmental community which was expecting the appointment of one of the candidates they had been supporting. Salazar understands the importance of multiple use of public lands and does not share the more extreme positions of some of the other names reported to be under consideration for this post. New Mexico Representative Raul Grijalva was on top of the lists of environmental groups because of his vehement opposition to use of any public lands for energy, mineral, or forest product development, so his rejection is a signal that Obama has not given environmental interests free reign on public land issues.

### [ORBA files objections to GAO survey questions](#)

During the last year, both the House and the Senate held subcommittee hearings on OHV recreation issues where critics testified that management was lacking and asked for more restrictions and increased penalties for violators. Unfortunately, management has in fact often been inadequate and there are issues that need to be addressed, but the picture painted by some witnesses was far worse than reality. As a consequence of these hearings, the General Accounting Office (GAO) was directed to study the issue and come back to Con-

gress with a report next year, including specific recommendations.

The GAO developed a survey with a set of questions that are to be circulated to public lands managers for their responses. Unfortunately, many of the questions were too subjective and open to interpretation. ORBA provided comments with suggested language to improve the quality and objectivity of the respondents. It is well known by all parties that land managers are understaffed and underfunded for recreation management, and are often even less well equipped for fast growing motorized recreation management. ORBA wants to see usable information come out of the study that makes positive recommendations instead of a “doomsday” document suggesting just further restrictions and increased penalties.

#### **What will 2009 bring?**

With an incoming Democrat administration and strengthened Democrat majorities controlling both houses of Congress, it is a safe bet that there will be a lot of “change” in the air for 2009. New Wilderness bills are one likely situation in Congress, with a large batch already in the hopper from 2008, and more being written as this goes to press. Congress is also likely to take up other access issues, such as long-controversial snowmobile use in Yellowstone and other National Parks. Rumblyings have been heard that Congress may attempt to ban snowmobiles. Another long-festering issue Congress may take on is the Forest Service Roadless Rule than has been rejected by the courts system in every version developed by two administrations. Decisions made by the Bush Administration on Endangered Species proposals are likely to be revisited and possibly revised due to allegations of politics trumping science. There has even been talk of revisiting recently completed management plans by the Bureau of Land Management, the US Forest Service and the National Park Service, an unprecedented scale of attempting to overturn actions of a previous administration.

2009 looks to be a more challenging year than ever, both politically and economically. ORBA and our allies will be right in the thick of

these issues as they develop, and we need your support more than ever if our industry and our sport is to survive. Working together, we will get through these tough times.

#### **JOHNSON VALLEY OHV AREA**

On November 17, 2008 the American Motorcyclist Association, National (AMA), ORBA and the American Motorcyclist Association, District 37 (AMA D 37) hosted a meeting for all OHV organizations interested in saving the Johnson Valley OHV Area from a possible take-over by the Twentynine Palms, California Marine base.

The Marines are required to prepare an Environmental Impact Statement (EIS) to study the impact of their possible expansion. The EIS will put forward a range of alternatives so they can be studied for their relative impacts, with the purpose of finding an alternative that has the least negative impact yet still fulfills the training needs of the Marines.

The first opportunity for public input in this process is scoping. The purpose of the meeting on November 17 was for every concerned OHV organization to come together and formulate scoping comments. The day was a great success and a large menu of possible scoping comments was produced for all the organizations to use.

If you or your business would like to send in a scoping letter please visit the ORBA website. There you will find an easy-to-use template.

#### **ADVANSTAR AND RYAN**

Advanstar Communications and Ryan Communications Group today announced an alliance of the two companies that will transfer ownership of Dirt Sports Magazine and the dirtsportsmag.com Web site to Ryan Communications Group (RCG), led by Jim Ryan, member of ORBA's Board of Directors and former Group Publisher of Dirt Sports and Advanstar's Off-Road Group.

The alliance will allow for the two companies to continue providing a leading portfolio of multimedia products and services to the light truck market and to the off-road motorsports industry. The Off-Road Expo events and Off-Road.com will remain part of Advanstar and join the company's Automotive Group,

alongside Search-Autoparts.com, Motor Age, Aftermarket Business, Automotive Body Repair News and Motor Age Training. As part of the agreement, both Advanstar and RCG will continue to provide cross-marketing and promotional opportunities to advertisers, readers and visitors across their respective off-road portfolios.

#### **DESERT TORTOISE UPDATE**

Most of you are aware that the Mojave Desert Tortoise, listed in 1989 as “threatened” on the Federal Threatened and Endangered Species list, is responsible for the closure to OHV recreation of more land than any other species. The U.S. Fish & Wildlife Service (“the Service”) has finally, after considerable time and expense, produced a draft revised recovery plan.

Our attorney, David Hubbard, speaking for EcoLogic Partners—of which ORBA is a member—submitted a scathing 12-page comment letter on the draft plan. It began with the following general comments:

“EcoLogic acknowledges that a great deal of time and effort went into preparing the 2008 Revised Plan, but is disappointed that so much money and scientific talent managed to produce so little in the way of new insights and strategies. The desert tortoise, despite 14 years of research since the 1994 Recovery Plan was adopted, remains as great a mystery to us now as it did when it was first “emergency-listed” in 1989. Apparently, the nation's best biologists, statisticians, habitat specialists, and epidemiologists still cannot discern range-wide population trends—up or down—of the tortoise; cannot tease apart the various threats to the tortoise and determine which among them contribute most heavily to tortoise mortality and population declines; and cannot offer immediate, concrete, on-the-ground recovery measures other than to recommend that BLM acquire and lock away more public land as habitat for the tortoise. Sadly, this is all we have to show for the \$125,000,000 spent on tortoise research and recovery to date.”

After this Hubbard starts to get critical of the plan.

**No Trails = No Sales**  
**The Voice of the Off-Road Industry**