

MICHIGAN DEPARTMENT OF NATURAL RESOURCES
MANAGING ILLEGAL OFF-ROAD VEHICLE USE
ACTION PLAN
October 12, 2006

This Action Plan was created to implement the strategy developed by the Department of Natural Resources (Department) Off-Road Vehicle Strategy Task Force (Task Force) dated May 25, 2006. The goal of the Action Plan is to significantly reduce or eliminate the unacceptable amount of environmental damage being caused by illegal Off Road Vehicle (ORV) use. The Forest Certification Audit revealed that illegal ORV use was causing unacceptable levels of environmental damage to public lands. This is a major finding in the Audit and if not significantly reduced could result in de-certification of Michigan's State Forests.

The Strategy developed by the Task Force was focused on three specific areas: User Education, Enforcement and Restoration/Maintenance. Each of these three areas must be addressed in order to effectively address this problem.

The Action Plan is organized into three sections based on the Department Division/Office that will be responsible for implementing that specific task:

OFFICE OF COMMUNICATION (OC)

It is understood that staff of the Department cannot improve on this situation without the support and understanding of the ORV community as well as the general public. The Department's mission includes providing outdoor recreation opportunities such as ORV use while also being charged with properly managing and protecting the state's natural resources. The benefits to the ORV user community that would result from the elimination of illegal use are significant including an improved public image. The Departments Office of Communication should complete the following actions to successfully complete this mission:

1. Adopt a catch phrase campaign or theme that would last 12 to 24 months. This theme should be developed either in-house, through an advertising company, a university or the Department could utilize an existing theme such as "Tread Lightly". Some members of the Task Force indicated they did not believe the Tread Lightly theme was forceful enough and suggested a theme such as "Stray and Pay!" or "Abuse it and Lose It!".
2. Utilize various magazines such as those associated with MUCC, Hunting, 4-wheel drive, etc. to promote the theme. This is one opportunity to reach various user groups to get the message out.

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3. Review and update the existing ORV Education video tape in both VHS and DVD formats. This video should be distributed to any interested partners and user groups and is highly recommended for use at Hunter Education courses, etc.
4. Work with ORV manufacturers and dealers as a partner in an effort to utilize billboards to promote the theme. It is important to have partners take the lead in this initiative since draft Department policy prohibits the Department from securing the use of billboards. The use of billboards in strategic locations is another important opportunity to get the message out to the public.
5. Update and maximize the use of the Department's Web Page to promote the theme and to provide information on the damage caused by illegal ORV use.
6. Utilize Public Service Announcements (PSA's) as yet another opportunity to promote the theme. These announcements can be created in-house, through an advertising company, university or utilize existing PSA's such as those that exist through Tread Lightly.
7. Display the theme at all Operation Service Centers and field offices and request that the Michigan Department of Transportation display the theme at all Welcome Centers and Rest Areas. Outdoor banners, placed in highly visible areas, should be utilized at these locations. Posters should also be placed indoors in high traffic areas.
8. Develop and distribute posters related to the theme. These posters should be distributed to dealers, manufacturers, license distributors, etc. to be displayed in high traffic areas.
9. Partner with ORV dealers/manufacturers to promote the theme. Dealers and manufacturers have much to gain by increasing public acceptance of the use of ORV's by significantly reducing the amount of environmental damage on public lands.
10. Revise all Department guidebooks such as the Hunting Guidebook, Fishing Guidebook, Firewood Guidelines, Recreation and Camping Guidebook, etc. The revision should include the theme and emphasize the legal use of ORV's, the environmental damage caused by illegal ORV use, the consequence of being ticketed for illegal use and the potential loss of ORV riding opportunities if illegal use continues.

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FOREST, MINERAL AND FIRE MANAGEMENT (FMFM)

FMFM is responsible for the development and management of the designated ORV trail system. Improving the quality of the existing system is a key component to the overall strategy of eliminating or significantly reducing illegal ORV use. The following action items must be completed in order to achieve this goal:

1. Partner with surrounding states, such as Wisconsin and Minnesota, to learn how they are managing illegal ORV use. The Department hosted officials from the Minnesota Department of Natural Resources in the summer of 2006 to share experiences related to ORV management and enforcement as a part of this effort. This effort will continue with additional communication between these great lakes states.
2. Network with the trail riding community including clubs, grant sponsors and the ORV Advisory Board for support of the campaign. The Department can not achieve success in this initiative without the support of the riding community. The Department has made presentations to the ORV Advisory Board at several recent meetings regarding the need for the ORV riding community to support the efforts to eliminate illegal ORV use.
3. Improve documentation of existing environmental damage areas caused by illegal ORV use. The Department has recently completed the development of a database known as the Resource Damage Report (RDR). This database is being used to document and prioritize environmental damage sites; including those caused by illegal ORV use. The database can also be used for determining the overall scope of this problem on a statewide basis and determining which sites receive restoration funding.
4. Use non-profit groups (such as ORV clubs, environmental groups, soil conservation agencies, etc.) to complete restoration projects. The Department does not have enough staff to complete all restoration projects with existing staff. In order to make significant progress in restoring damaged sites the Department must rely on and work with outside interests.
5. Improve accountability regarding who is responsible for project management. There have been some communication breakdowns between the restoration grant requestor, grant management and the project manager. It must be made clear on every project who the responsible party is for assuring the project is completed.
6. Hire additional staff or receive assistance in completing projects the Department identifies by contracting the project oversight, including project development and completion.

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7. Consider contracting a significant number of outstanding restoration projects to a single contractor. The contract should include project oversight.
8. Include a management plan to correct initial cause of problem at environmentally damaged sites. There have been examples of restoration projects that have been completed successfully, only to be damaged again by illegal ORV use. A management plan must be developed to evaluate and resolve the initial cause of the damage. A Land Use Order by the Director may be necessary to prevent a reoccurrence of the problem during and after restoration work. A Land Use Order by the Director is necessary to close forest roads.
9. Improve maintenance of all designated trails so that they are brought up to the "good" rating level as indicated in the Draft Off-Road Vehicle Management Plan produced by Chuck Nelson. This can be accomplished through the increased use of annual maintenance grants to complete trail brushing, signing and grading.
10. Strictly enforce penalties for unacceptable trail maintenance. Currently, ORV clubs complete trail maintenance through a grant program with the Department. Penalties should also be increased in order to improve trail maintenance completed by these clubs.
11. Consider increasing the trail maintenance reimbursement rate paid to non-profit organizations in an attempt to improve trail maintenance. If increased reimbursement does not result in improved trail maintenance, the Department should consider contracting trail maintenance work as opposed to the current method of working with non-profit organizations. A pilot project of contracting one or two trails may be a good way of evaluating this method.
12. Maintain obvious trail corridors through proper brushing, signing and grading. The better maintained a trail is the less chance trail users will mistakenly leave the designated trail and venture into an area that is not designated for use. The Task Force recommends using the yellow backers (placed behind the ORV sign) on a statewide basis to assist in delineating ORV trails. These yellow backers were used in the Au Sable Pilot Project with very positive results. Illegal spur trails must be blocked as soon as they are found.
13. Provide a better mapping system and make accurate maps available to the public. This mapping system should be updated frequently as trails are changed and made available on-line to prospective trail users.

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LAW ENFORCEMENT DIVISION (LED)

In order to be successful in significantly reducing illegal ORV use and the associated unacceptable level of environmental damage, the Department must increase its law enforcement efforts. Similarly to the area of user education, the Department can not be successful in this initiative without the support of the ORV riding community. The LED must complete the following action items in order to increase the effectiveness of its law enforcement efforts:

1. Utilize the Department's ORV Handbook to promote legal use of ORV's and to explain the negative impacts of illegal use. An example would be the letter that has been placed in the 2006 ORV Handbook from the Chiefs of LED and FMFM regarding Forest Certification and the negative impacts that result from illegal ORV use.
2. Require the Department's ORV Youth Education/Certification Program to be mandatory and emphasize the importance of legally operating ORV's. The program should also emphasize the environmental damage that results from illegal ORV use. This is an opportunity to teach our youth about riding only on designated trails/areas.
3. Have a Department presence at outdoor shows such as Outdoorama, ORV shows, hunting shows, where they can make the public aware of this theme and be able to answer questions related to legal ORV use.
4. Increase enforcement through priority violations such as emphasizing law enforcement initiatives for violations that occur off-trail, in wetlands, in streams, and along lakeshores.
5. Increase the use of Conservation Officer (CO) group patrols to deal with illegal high environmental damage/high use sites.
6. Increase the number of CO's in order to have adequate staffing levels to effectively enforce this initiative.
7. Increase ORV law enforcement funding in order to fund additional law enforcement activities.
8. Utilize a 1-800 number for reporting illegal ORV use similar to the Report All Poaching (RAP) line. Possibly using the same 1-800 number and same operators as the current RAP line. The new reporting number could be called the RED line (Report Environmental Damage) as an example. The 1-800 number should be incorporated into the theme and be prominent in all publications, the Department web site, video, billboards, etc.

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9. Reformat the ORV license to include a readily identifiable number for law enforcement use.

10. Continue to improve its partnership with local law enforcement officials through improved coordination in the field. The Department must also communicate its enforcement priorities to local law enforcement agencies. The Department should consider increased funding for local law enforcement officials for ORV enforcement and also develop an improved evaluation process of how these funds are utilized. Finally, the Department should develop an ORV Enforcement Program for local enforcement officials to allow enforcement by part time Officers similar to the snowmobile program.

11. Seek an increase in penalties for illegal ORV use. Currently, when a user is fined for illegal ORV use, the penalty may be so insignificant as to not be a deterrent to a user to stop that illegal use. This would likely involve educating local prosecuting attorneys and judges as well as legislative action. The Department (possibly the CO's) should make presentations to Prosecutors Association and Magistrate meetings conveying these recommendations.