

American Fisheries Society
Southern Division

RESOLUTION ON THE USE OF
OFF-HIGHWAY VEHICLES IN STREAMS

Adopted January 30, 2015

WHEREAS, off-highway vehicles (OHVs) and off-road vehicles (ORVs) are popularly defined as all-terrain vehicles, commonly known as ATV's, motor cycles designed for off-highway use, 4-wheel drive jeeps, automobiles or sport utility vehicles and other vehicles specially designed for off-road use (Stokowski and LaPointe 2000; Cordell et al. 2005); and

WHEREAS, according to industry and government reports, (cited in Cordell et al. 2005), the number of off-highway motorcycles and ATV's in the United States reached 8 million in 2003, with ATV's accounting for 70% of that number; and

WHEREAS, surveys in 1999-2004 documented that between 18-24% of Americans or 39-51 million people 16 years of age and older participated in OHV recreation one or more times within a year of the survey date (Cordell et al. 2005) and there were 15.6 million residents of states in the Southern Division- AFS geographical area who indicated they were OHV recreational users in those surveys (data from Cordell et al. 2005); and

WHEREAS, the mean annual OHV recreational use by these residents was 29 days in a 2001-2003 survey (Cordell et al. 2005); and

WHEREAS, these OHV users are two times more likely to participate in fishing and three times more likely to participate in hunting than the general public participation rate (Cordell et al. 2005); and

WHEREAS, we recognize and affirm that OHVs are needed to cross streams by those working in --- but not limited to --- agriculture, ranching, livestock production, mining, oil, gas and mineral exploration and extraction, electric power, water and wastewater transmission, pipeline construction, and telecommunication cable services. All these activities share a common purpose which allows OHV use when necessary but not solely for recreational pursuits; and

WHEREAS, we recognize and support the rights of private property owners to secure and protect their land and water resources from unsolicited, unwanted or unlawful use by others; and

WHEREAS, ORVs can traverse small streams which are found in abundance throughout the United States. The scientific findings regarding the negative effects of these vehicles across a broad expanse of North American streams have been well documented (Stokowski and LaPointe 2000; Ouren et al. 2007); In general, the impact of ORV use in streams is one of habitat degradation, which largely determines the structure and persistence of aquatic communities. In many streams, degradation has a simplifying effect upon the aquatic biota, reducing species diversity, and trophic interactions. Some species are unable to adapt and disappear from the modified environment; and

WHEREAS, in a study of impacted and unimpacted sections of the Nueces River, Texas, Garrett (2001) found obvious impacts to the physical habitat at the site used by ORVs, including a heavily scoured appearance and lack of aquatic vegetation at the impacted site. They found significant differences in the fish communities between the two sites. The impacted site had less than half of the number of fishes found at the unimpacted site, and the species compositions were significantly different. Pollution tolerant species dominated the fish community, species requiring edge habitats were missing, environmentally sensitive species were in greatly reduced abundances and sport fishes were not abundant at the impacted site; and

WHEREAS, ORVs damage streams by breaking down stream banks and damaging riparian vegetation along and in the stream course. This results in erosion, siltation and the prevention of bank stabilization, which increases the potential for other water pollution impacts (Harrison 1980; Wilshire 1983, Edwards and Burns 1986, Allan 1995); and

WHEREAS, damage to stream beds and banks and increased siltation from ORVs may further impact fishes by changing the local temperatures of streams, causing extreme temperatures to increase. Many fishes rely on certain temperature changes for reproduction, and the increased temperature variability can lead to population decreases (U.S. Department of the Interior and U.S. Department of Agriculture 1999). Other changes resulting from disturbances from ORVs include changes in stream benthic communities and community organization (Peterson 1994; Buzby 1998, Covich et al. 1999); and

WHEREAS, when ORVs are driven near streams, they can cause damage to riparian vegetation. Payne et al. (1983) recorded a direct relationship between the number of trips over an area and the amount of damage to vegetation; up to 99% vegetation loss resulted after 32 passes with an all-terrain vehicle. Vegetation loss was found to carry over into subsequent years and, after one year, up to 85% of all-terrain vehicle tracks were still visible. Some tracks were still evident two years after the last passage of an ORV; and

WHEREAS, during low water conditions, some recreational ORV users use the stream course as a trail, travelling along the stream bed, instead of merely crossing the stream; and

WHEREAS, the conservation group, Tread Lightly!, recommends that ORV users “avoid sensitive areas such as meadows, lakeshores, wetlands, and streams” and ORV advocacy groups, such as the All Terrain Vehicle Association, recommend only crossing streams at designated fording points and at 90° angles to lessen environmental impacts; and

WHEREAS, because of prior evidence of damage from ORVs, their unregulated use on federal lands has now been restricted. Executive Orders 11644 and 11989 (signed by Presidents Nixon in 1972 and Carter in 1977, respectively) were issued to “ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands”; and

WHEREAS, ORV impacts on aquatic ecosystems and stream dynamics are so significant that the states of Georgia, Louisiana, Mississippi, Missouri, and Texas, have either banned or severely restricted the recreational use of ORVs in stream beds; and

WHEREAS, the Texas and Louisiana Chapters of the AFS have adopted policy statements on the use of ORVs in streams in 2002 and 2013, respectively; and

WHEREAS, it seems prudent that similar concerns be expressed for the impact of OHVs/ORVs on all streams within the geographical boundaries of the Southern Division, American Fisheries Society, therefore be it;

RESOLVED, that the members of the Southern Division, American Fisheries Society, assembled at their annual meeting on this 30th day of January in the year 2015 at Savannah, Georgia strongly recommend that state fish and wildlife agencies and state environmental permitting agencies --- while respecting existing private property rights -- hereby promulgate and enact state regulations and encourage their state legislators to enact state laws as they deem appropriate to prohibit the recreational use of OHVs along stream courses and to severely restrict stream crossings by recreational OHV users in order to protect and conserve the integrity of these waterway habitats and the flora and fauna inhabiting them.