

## memorandum

DATE **APR 26 1985**REPLY TO  
ATTN OF

Assistant Regional Director, Wildlife Resources, FWS, Atlanta, GA (AWR) mgr

SUBJECT: Off-Road Vehicle Use on National Wildlife Refuge Lands

TO: All Refuge Managers

For the last several years we have permitted ORV use on certain refuges contrary to the official procedure for permitting such use. This has been especially true for refuges that have been established since 1977. Several refuges are now experiencing difficulty in controlling certain types of ORV use, particularly that which involves three-wheeler ATVs. The bottom line is that refuge-specific regulations that deal with ORV use cannot be established until all administrative procedures have been followed.

In order to resolve this issue, any refuge that is currently permitting ORV use or is contemplating such use must comply with 8 RM 7 of the Refuge Manual. Refuges not permitting ORV use nor planning such use in the near future need not be concerned with completing studies or taking any action such as is identified in 3 RM 7 at this time. For those in this category, this memo is for information only.

Service policy on the use of ORVs is stated in 8 RM 7.2. The purpose of this memorandum is to establish a Region 4 policy which further defines ORV use that may be permitted within the scope of Executive Order 11644.

Region 4 Policy

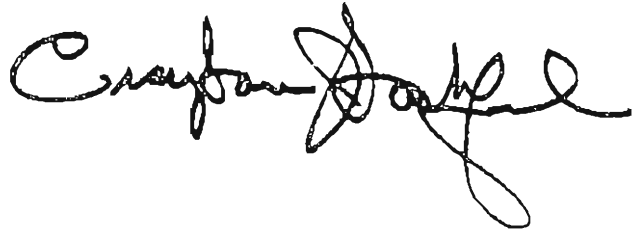
All NWR lands in Region 4 are closed to off-road vehicle use unless it is determined that the use of ORVs is necessary to provide the general public an opportunity to participate in a wildlife-oriented activity that would not otherwise be available. ORV use permitted on any NWR in Region 4 will be restricted to established roads, officially designated roads and/or designated trails. (See definitions, Attachment 2).

Refuges in Region 4 that currently permit ORV use beyond the general provisions of 50 CFR 27.31 should implement the following procedures:

1. Those refuges currently having ORV use that have not been officially opened to such use will conduct a Management Study as described in 8 RM 7.5 and provide a draft copy to the Refuge Supervisor by August 1, 1985. In developing an MS, the attached format is recommended. (Attachment 3).
2. As soon as the Draft Management Study has received Regional concurrence (not approval), the refuge manager will prepare a draft Environmental Assessment to assess alternative actions. The EA will be submitted to the Regional Office for review and concurrence.

3. After the Regional Office review of the EA, the refuge manager will publicize the proposed action locally and make copies of the draft MS and EA available to interested groups, individuals and interested State officials. A public meeting should be held to explain the proposed action and to invite public comment.
4. Following the review of public comment the MS and EA will be finalized, a Section 7 evaluation completed, FONSI prepared, and if needed, refuge-specific regulations prepared. The above documents will be sent to the Regional Office for approval. Refuge-specific regulations, if any, will be submitted to the Washington Office to amend the Public Access, Use, and Recreation regulations (50 CFR 26.34).

If you have any questions concerning this issue, please contact Ken Chitwood, Planning and Coordination, at (404) 221-3551.

A handwritten signature in black ink, appearing to read "Crawford", with a stylized, looping flourish at the end.

Attachments

Attachment 1



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
WASHINGTON, D.C. 20240

PU. # 8

MAY 14 1974

Memorandum

To: Washington Office Directorate, Regional Directors, Alaska  
Area Director and Patuxent Wildlife Research Center  
From: Director, Bureau of Sport Fisheries and Wildlife  
Subject: Policy and Guidelines for Implementing Executive Order 11644  
Concerning Control of Off-Road Vehicles on Bureau Lands

The attached policy conforms to Executive Order 11644 and to the Secretary of the Interior's memorandum of May 5, 1972, (copy attached). This directive is effective immediately and should be distributed to all field stations as soon as possible.

For the benefit of refuges, this policy is identified as Policy Update No. 2. It should be added to the Fish Hatcheries Manual under the administrative section.

*[Handwritten signature]*

Attachments



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20250

MAY 5 1972

## Memorandum

To: Assistant Secretary for Public Land Management  
Assistant Secretary for Fish and Wildlife and Parks  
Assistant Secretary for Water and Power Resources

From: Secretary of the Interior

Subject: Implementation of Executive Order 11644 (This supersedes memorandum of April 11, 1972)

On February 8, 1972, the President issued Executive Order 11644 (copy attached) providing for the control of use of off-road vehicles on public lands. The purpose of this memorandum is to establish the procedures for implementing the Executive Order with respect to lands administered by the Department.

The Department will manage its lands so as to control the use of off-road vehicles on interior lands and ensure that such use, where permitted, is not incompatible with other uses, and will not result in significant adverse environmental impact or cause irreversible damage to existing ecological balances.

An off-road vehicle is any motorized vehicle (including the standard automobile) which is used off established roadways and is designed for, or capable of, travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain. It includes, but is not limited to, four-wheel drive or low-pressure-tire vehicles, motorcycles, and related two-wheel vehicles, snowmobiles, amphibious machines, ground-effect or air-cushion vehicles, recreation vehicle campers, and any other means of transportation deriving motive power from any source other than muscle or wind. Exceptions include any registered motorboat; any military, fire, emergency, or law enforcement vehicle; farm type tractors and other self-propelled agricultural equipment when used exclusively for agricultural purposes; any self-propelled equipment for harvesting and transportation of forest products or for earth moving or construction while being used for these purposes; self-propelled lawn mowers, snowblowers, garden or lawn tractors, and golf carts while being used exclusively for their designed purpose; and any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract.

In order to assure that the actions of the several bureaus of the Department are compatible, the following procedures are established.

The Assistant Secretary for Program Policy will be responsible for reviewing and coordinating the activities of the several bureaus involved. Specifically, he shall:

1. Coordinate the development of consistent policies and regulations governing off-road vehicle use on all Interior lands and will provide liaison on these matters with the Department of Agriculture, Department of Defense, Tennessee Valley Authority, and such other Federal land managing agencies as may authorize off-road vehicle use.
2. Provide technical assistance to all Interior bureaus, other Federal agencies, the States and their local governments and the private sector in coordinating, planning and programming for the development of areas and facilities for the use of off-road vehicles.
3. Coordinate Departmental research and studies regarding the environmental impact of off-road vehicles.

Each Assistant Secretary with authorities and responsibilities for the administration of lands shall:

1. Review existing policies, rules, and regulations governing off-road vehicle use on lands under his jurisdiction to assure full compliance with the policy and intent of this memorandum and the Executive Order.
2. Categorize all lands for off-road vehicle use as open (with controls) or closed. In order to establish appropriate levels of off-road vehicle use, restrictions or controls may be developed, where necessary, to protect unique natural features, special soil or vegetative conditions, wildlife and habitat areas, natural and historical areas, and other important factors.
3. Prepare for public information purposes a compilation and description of those lands and facilities available for off-road vehicle use. For efficiency and economy in distribution, such publications can be developed for regional or local areas.
4. Recommend for adoption those regulations necessary to implement the following criteria and policies:

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a. Use Criteria (except for official use):

- (1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.
- (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.
- (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.
- (4) Areas and trails shall not be located in officially designated Wilderness Areas or Primitive Areas. Areas and trails shall be located in areas of the National Park system, Natural Areas, or National Wildlife Refuges and Game Ranges only if the respective Bureau head determines that off-road vehicle use in such locations will not adversely affect their natural, aesthetic, or scenic values.
- (5) Areas and trails shall not be located in areas possessing unique natural, wildlife, historic or recreational values unless the Bureau head determines that these unique values will not be adversely affected.

b. Operating Criteria:

- (1) A person operating an off-road vehicle on Interior lands shall have a valid license or learner's permit to operate a motor vehicle in the State of his residence or, if under licensing age for his State of residence, shall be accompanied by a person 21 years of age or older with a valid operator's license who, in turn, may not supervise the off-road vehicle use of more persons under age at any one time than conditions warrant. In addition, no person shall operate an off-road vehicle on Interior lands:
  - (a) In a reckless, careless, or negligent manner;
  - (b) In excess of established speed limits;

(c) While the operator is under the influence of alcohol or drugs; and

(d) In a manner likely to cause excessive damage or disturbance of the land, wildlife or vegetative resources.

(2) In order to operate on Interior lands, all off-road vehicles must conform to applicable State laws and registration requirements established for such vehicles.

(3) All off-road vehicles operated on Interior lands shall be equipped with a proper muffler and spark arrester in good working order and in constant operation, and no vehicle shall have a muffler cut-out, bypass, or similar device. An off-road vehicle that produces unusual or excessive noise shall not be permitted on Interior lands.

(4) Off-road vehicles shall not be operated on Interior lands at any time without proper brakes or from dusk to dawn without working headlight(s) and taillight(s).

Interior bureaus may issue permits for the operation of off-road vehicles on areas designated for their use for organized races, rallies, meets, endurance contests and other off-land vehicle events. Special precautions must be taken to:

1. Protect the public;
2. Minimize damage to the land and its resources; and
3. Provide for rehabilitation of the land.

All applications for permits for off-road vehicle events shall be submitted no less than four months, or a lesser time as each Bureau may determine, in advance to allow sufficient time to assure that such precautions are provided for. Each Interior Bureau shall require the permittee to be bonded or to deposit money in such amounts as may be required to cover cost of restoration and rehabilitation of the trails and areas used, and such other special costs attributable to the events.

Fees may be collected as authorized under the provisions of Section 2 of the Land and Water Conservation Fund Act of 1965, as amended, or under other appropriate authority.

As soon as practicable, after May 1, the affected bureaus shall submit to the Assistant Secretary for Program Policy such proposed Manual releases, regulations, and administrative guidelines as they believe are necessary to implement the Executive Order on lands which they administer.

Upon receipt, the Assistant Secretary for Program Policy will review the proposed Manual releases, regulations, and administrative guidelines to assure that they are consistent with the direction and intent of the Executive Order and the policy of the Department. In cooperation with the affected bureaus, the Assistant Secretary for Program Policy will expedite appropriate public review prior to their implementation. If necessary, the Assistant Secretary for Program Policy will arrange for the issuance of interim guidelines covering the use of off-road vehicles on Interior lands pending completion and review of Departmental releases.

Enclosure

*Roger C. B. Martin*



## EXECUTIVE ORDER 11634

## Use of Off-Road Vehicles on the Public Lands

An estimated 5 million off-road recreational vehicles—motorcycles, minibikes, trail bikes, snowmobiles, dune-buggies, all-terrain vehicles, and others—are in use in the United States today, and their popularity continues to increase rapidly. The widespread use of such vehicles on the public lands—often for legitimate purposes but also in frequent conflict with wire land and resource management practices, environmental values, and other types of recreational activity—has demonstrated the need for a unified Federal policy toward the use of such vehicles on the public lands.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution of the United States and in furtherance of the purpose and policy of the National Environmental Policy Act of 1969 (42 U.S.C. 4321), it is hereby ordered as follows:

**SECTION 1. Purpose.** It is the purpose of this order to establish policies and provide for procedures that will 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.

**SEC. 2. Definitions.** As used in this order, the term:

(1) "public lands" means (A) all lands under the custody and control of the Secretary of the Interior and the Secretary of Agriculture, except Indian lands, (B) lands under the custody and control of the Tennessee Valley Authority that are situated in western Kentucky and Tennessee and are designated as "Land Between the Lakes," and (C) lands under the custody and control of the Secretary of Defense;

(2) "respective agency head" means the Secretary of the Interior, the Secretary of Defense, the Secretary of Agriculture, and the Board of Directors of the Tennessee Valley Authority, with respect to public lands under the custody and control of each;

(3) "off-road vehicle" means any motorized vehicle designed for or capable of cross country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain; except that such term excludes (A) any registered motorboat, (B) any military, fire, emergency, or law enforcement vehicle when used for emergency purposes, and (C) any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract; and

(4) "official use" means use by an employee, agent, or designated representative of the Federal Government or one of its contractors in the course of his employment, agency, or representation.

**SEC. 3. Zones of Use.** (a) Each respective agency head shall develop and issue regulations and administrative instructions, within six months of the date of this order, to provide for administrative designation of the specific areas and trails on public lands on which the use of off-road vehicles may be permitted, and areas in which the use of off-road vehicles may not be permitted, and set a date by which such designation of all public lands shall be completed. These regulations shall direct that the designation of such areas and trails will be based upon the protection of the resources of the public lands, promotion of the safety of all users of those lands, and minimization of conflicts among the various uses of those lands. The regulations shall further require that the designation of

(1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.

(2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.

(3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.

(4) Areas and trails shall not be located in officially designated Wilderness Areas or Primitive Areas. Areas and trails shall be located in areas of the National Park system, National Areas, or National Wildlife Refuges and Game Ranges only if the respective agency head determines that off-road vehicle use in such locations will not adversely affect their natural, aesthetic, or scenic values.

(b) The respective agency head shall ensure adequate opportunity for public participation in the promulgation of such regulations and in the designation of areas and trails under this section.

(c) The limitations on off-road vehicle use imposed under this section shall not apply to official use.

Sec. 4. *Operating Conditions.* Each respective agency head shall develop and publish, within one year of the date of this order, regulations prescribing operating conditions for off-road vehicles on the public lands. These regulations shall be directed at protecting resource values, preserving public health, safety, and welfare, and minimizing fire conflicts.

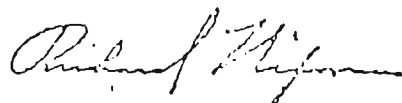
Sec. 5. *Public Information.* The respective agency head shall ensure that areas and trails where off-road vehicle use is permitted are well marked and shall provide for the publication and distribution of information, including maps, describing such areas and trails and explaining the conditions on vehicle use. He shall seek cooperation of relevant State agencies in the dissemination of this information.

Sec. 6. *Enforcement.* The respective agency head shall, where authorized by law, prescribe appropriate penalties for violation of regulations adopted pursuant to this order, and shall establish procedures for the enforcement of those regulations. To the extent permitted by law, he may enter into agreements with State or local governmental agencies for cooperative enforcement of laws and regulations relating to off-road vehicle use.

Sec. 7. *Consultation.* Before issuing the regulations or administrative instructions required by this order or designating areas or trails as required by this order and these regulations and administrative instructions, the Secretary of the Interior shall, as appropriate, consult with the Atomic Energy Commission.

Sec. 8. *Monitoring of Effects and Review.* (a) The respective agency head shall monitor the effects of the use of off-road vehicles on lands under their jurisdiction. On the basis of the information gathered, they shall from time to time amend or rescind designations of areas or other actions taken pursuant to this order as necessary to further the policy of this order.

(b) The Council on Environmental Quality shall maintain a continuing review of the implementation of this order.



Areas open to off-road vehicle travel shall have the trail or route of travel plainly identified. Safety hazards shall be marked by use of a standard signing system. The use of existing roads and trails shall be considered prior to developing new areas for off-road vehicle use.

The Regional Directors shall have the responsibility of closing any refuge area open to off-road vehicle use if such becomes necessary or desirable for the prevention of erosion, the protection of other resources, or the furtherance of other Bureau activities.

The intent of the foregoing policy statement is not to endorse or encourage such use, but to ensure that if permitted, off-road use of vehicles on Bureau lands will be controlled and directed to protect the resources of the Bureau lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

As used in this policy statement, the term "Off-Road Vehicle" means any motorized vehicle (including the standard automobile) which is used off established roadways (those posted for public use by signs or markers) and is designed for, or capable of, travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or

other natural terrain. It includes, but is not limited to, four-wheel drive or low-pressure-tire vehicles, motorcycles, and related two-wheel vehicles, snowmobiles, amphibious machines, ground-effect or air-cushion vehicles, recreation campers, and any other means of transportation deriving motive power from any source other than muscle or wind. Exceptions include: registered motorboat; any military, fire, emergency, official use or law enforcement vehicle; farm type tractors and other self-propelled agricultural equipment when used exclusively for agricultural purposes; prospecting, mining and mineral lease vehicles when being used for these purposes; any self-propelled equipment for harvesting and transportation of forest products or for earth moving or construction while being used for these purposes; self-propelled lawn mowers, snowblowers, and garden or lawn tractors, while being used exclusively for their designed purpose; and any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract.

#### Determination of Need, Demand, Capacity, and Compatibility

As used in the Bureau Policy Statement, "a study" means that prior to any consideration of permitting use of off-road vehicles on Bureau lands, the respective regional or area director will determine the need, demand, capacity, and compatibility of such vehicles by using the procedures outlined in WBS-4 Handbook, Part IV, for determining need, demand, and capacity, and the following guidelines for determining feasibility. The purpose of this study will be to determine if off-road vehicles can be used on a given refuge without damage to the wildlife and habitat values of the refuge, or conflict with the basic

proper of the refuge, and if so, to what extent and under what physical conditions, and administrative restrictions. The study should consider the factors of safety, administration of permits, if any, control of use, establishment and delineation of trails, and the probable impact of off-road vehicles on wildlife and the habitat. (Please recognize that a research program is not envisioned in the latter instance--your evaluation should be based upon evidence gained from other sources, as well as your own estimates of probable consequences. The study must also consider the factors of administration, enforcement, added costs, manpower, and related items, assuming off-road vehicle use is found not to be deleterious to the value of the refuge.)

Please devote the time necessary to make a valid, objective study and derive a recommendation, but the process should not be delayed.

Prepare a summary of your study including your recommendations. The report may be subject ultimately to scrutiny by interests outside the Department, and so must be complete and able to support critical review.

In the event the review results in a recommendation to permit the use of off-road vehicles on a given refuge, a determination should be made as to whether an environmental impact statement should be prepared. If one is not prepared, a detailed memorandum outlining the reasons for this determination should be filed as a part of the study.

On units where use of off-road vehicles occur, an annual on-site review will be conducted by unit managers to assure adherence to this policy. The results of this review, including opportunities for participation by the public could be published annually, when necessary, in the Federal Register as special regulations, but otherwise through signs, posted regulations, and other means of informing the public.

#### Zones of Use

(a) The respective regional or area director shall develop and issue regulations, provided need, demand, capacity, compatibility, and the on-site feasibility study determines acceptability, to provide for administrative designation of the specific areas and trails on the Bureau lands on which the use of off-road vehicles will be permitted. These regulations shall direct that the designation of areas and trails will be based upon the protection of the resources of the Bureau lands, and promotion of the safety of all users of those lands. The regulations shall further require that the designation of areas and trails will be in accordance with the following criteria:

(1) Paramount consideration shall be given to the minimization of damage to wildlife, soil, watershed, vegetation or other resources of the public lands.

(2) Areas and trails shall be located to prevent harassment of wildlife or disturbance of wildlife habitats.

(3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed public uses of the same or neighboring public lands, and to

ensure the compatibility of such use with existing conditions in populated areas.

(4) Areas and trails shall not be located in Wilderness Areas or Research or Public Use Natural Areas. Areas and trails shall be located in National Wildlife Refuges and National Fish Hatcheries only if the respective regional director determines that off-road vehicle use in such units will not adversely affect their natural, historical, archeological, aesthetic, solitude, or scenic values.

(5) Areas and trails shall not be located in areas possessing unique natural, wildlife, historic or conflicting recreational values unless the regional or area director determines that these values will not be adversely affected.

(6) Areas and trails will provide for the safety and welfare of the user. Proper designed trails and facilities, maintenance schedules, signing, patrols, and emergency arrangements will be assured before areas and trails are opened to the public.

(b) The regulations issued pursuant to this policy statement shall provide for the identification of areas and trails designated for off-road vehicle use according to season, time, or intensity of use, type or size of vehicle, or other considerations as necessary to effectuate the policy statement. They shall further provide that the use of off-road vehicles on Bureau lands shall be prohibited except on established roadways and on areas or trails designated for such use.

(c) The respective regional and area director shall ensure adequate opportunity for public participation in the promulgation of regulations and in the designation of areas and trails.

(d) The limitations on off-road vehicle use imposed under this policy shall not apply to official use.

#### Operating Criteria

The respective regional and area director shall develop and publish regulations prescribing operating conditions for off-road vehicles on the Bureau lands. These regulations shall include, but not be limited to:

(a) A person operating an off-road vehicle on Bureau lands shall have a valid license or learner's permit to operate a motor vehicle in the State of his residence. If under licensing age for his State of residence, he shall be accompanied by a person with a valid operator's license who, in turn, may not supervise the off-road vehicle use of more than two persons under age at any one time. In addition, no person shall operate an off-road vehicle on Bureau lands:

- (1) In a reckless, careless, or negligent manner;
- (2) In excess of established speed limits;
- (3) While the operator is under the influence of alcohol or drugs; and
- (4) In a manner likely to cause damage or disturbance of the land, wildlife or vegetative resources.

(b) In order to operate on Bureau lands, all off-road vehicles



must conform to applicable State laws and registration requirements established for such vehicles.

(c) Off-road vehicles are required to be equipped with working brakes and, if use is permitted at dusk and dawn, with working headlights and taillights. Use at night, after dusk and before dawn, is prohibited.

(d) Speed limits will be specified according to the type of vehicle and use, and operation in a reckless careless manner will be prohibited.

(e) Operation of off-road vehicles in a manner intended or reasonably to be expected to harass, drive, or pursue any wildlife will be prohibited.

(g) All off-road vehicles operated on Bureau lands shall be equipped with a proper muffler in good working order and in constant operation, and no vehicle shall have a muffler cut-out, bypass, or similar device. An off-road vehicle that produces unusual or excessive noise or other pollutants shall not be permitted. Until the Environmental Protection Agency establishes a Federal quantitative noise level, this Bureau will use a rating of not more than 82 decibels on the A scale as measured by 50 feet from the vehicle moving at less than 10 miles per hour or adherence to State standards where such are in effect. Operators shall be required to furnish reliable proof that their vehicle meets this minimum requirement. Since the primary problem is the aggregate of noise, a limit shall be set on the number

of vehicles that will be permitted on a designed route or area; local conditions will determine the acceptable number but as a general rule, the maximum number will be 20 per mile.

(g) If a refuge manager deems it necessary, he may, by posting appropriate signs or by marking on a map, which shall be available in the office of the refuge manager, may require that any motor vehicle, operating in this designated area shall be equipped with a spark arrester that meets standard 5100-1a of the Forest Service, USDA, which standard includes the requirement that such spark arrester shall have an efficiency to retain or destroy at least 80 percent of carbon particles, for all flow rates, and which includes a requirement that such spark arrester has been warranted by its manufacturer as meeting the above mentioned efficiency requirement for at least 1,000 hours, subject to normal use, with maintenance and mounting in accordance with the manufacturer's recommendation.

(h) The carrying of firearms or other hunting instruments on any off-road vehicle is prohibited except where provided for in applicable State or Federal laws or regulations.

(i) Organized off-road vehicle events, such as races or rallies, will be prohibited on Bureau lands.

(j) User fees may be charged for off-road vehicles as authorized under the provisions of section 2 of the Land and Water Conservation Fund Act of 1965, PL 92-347, as amended, and under the Bureau's appropriate authority.

### Public Information

The respective regional and area director shall ensure that areas and trails where off-road vehicle use is permitted are well marked and shall provide for the publication and distribution of information, including maps, describing such areas and trails and explaining the conditions on vehicle use. He shall seek cooperation of relevant State agencies in the dissemination of this information.

### Enforcement

The respective regional and area director shall, where authorized by law, prescribe appropriate penalties for violation of regulations adopted pursuant to this policy, and shall establish procedures for the enforcement of those regulations. To the extent permitted by law, he may enter into agreements with State or local governmental agencies for cooperative enforcement of laws and regulations relating to off-road vehicle use.

### Monitoring of Effects and Review

The respective regional and area director shall monitor the effects of the use of off-road vehicles on Bureau lands under their jurisdictions. On the basis of the information gathered, they shall from time to time amend or rescind designations of areas or other actions taken pursuant to this policy.

UNITED STATES DEPARTMENT OF THE INTERIOR  
Fish and Wildlife Service  
Bureau of Sport Fisheries and Wildlife

DESIGNATED TRAILS OR AREAS OPEN TO  
USE BY OFF ROAD VEHICLES ON EVELS OF  
THE NATIONAL WILDLIFE REFUGE SYSTEM

List of the Specific Units on which the  
Use of Off-Road Vehicles may be Permitted

In accordance with Section 3, Zones of Use, (a) of the Executive  
Order 11644, Use of Off-Road Vehicles on the Public Lands,  
announcement is made of the following designated units of the  
National Wildlife Refuge System on which the use of off-road  
vehicles may be permitted.

For specific regulations and information regarding each trail or  
area contact the Regional Directors or Refuge Managers who dis-  
tinct these units.

ALASKA AREA

Area Director, 313 "D" Street, Anchorage, Alaska 99501 (907-265-4000)

Arctic National Wildlife Range, Refuge Manager, 1412 Airport Way,  
Fairbanks, Alaska 99701 (907-452-3206 or 3234).

Clarence Rhode National Wildlife Range ) Refuge Manager, Box 346  
Cape Newenham National Wildlife Refuge) Bethel, Alaska 99559  
Kenai National Wildlife Refuge ) (907-543-2449).

Kenai National Moose Range, Refuge Manager, Box 500, Kenai, Alaska 99551  
(907-283-4877).

## REGION IV

Regional Director, 17 Executive Park Drive, NE., Atlanta, Georgia  
(404-526-5771)

Chauvin-Hatch National Wildlife Refuge, Refuge Manager, Route 1,  
Box 153, Homosassa, Florida 32646 (904-881-1766).

Loxahatchee National Wildlife Refuge, Refuge Manager, Box 272,  
Route 1, Delray Beach, Florida 33444 (305-732-3634).

Merritt Island National Wildlife Refuge, Refuge Manager, Box 6134,  
Titusville, Florida 32780 (904-267-5960).

Pan Island National Wildlife Refuge, Refuge Manager, Box 505,  
Manteo, North Carolina 27954 (919-987-2333).

## REGION V

Regional Director, John W. McCormack Post Office and Courthouse,  
Boston, Massachusetts 02109 (617-223-2961).

Back Bay National Wildlife Refuge, Refuge Manager, Penbrook No. 2  
Building, Suite 218, 287 Penbrook Office Park, Virginia Beach,  
Virginia 23462 (804-490-0505).

Moosehorn National Wildlife Refuge, Refuge Manager, Box N,  
Calais, Maine 04619 (207-454-3521).

Parker River National Wildlife Refuge, Refuge Manager, Northern  
Boulevard, Plum Island, Newburyport, Massachusetts 01950 (617-445-2121).

The effects of the use of Off-Road Vehicles on these designated units  
will be monitored by Bureau personnel. On the basis of the information  
gathered, designated trails or areas may be amended or rescinded or  
other actions taken from time to time, to further the policy of  
the Executive Order.

Director  
Bureau of Sport Fisheries and Wildlife

ADMINISTRATIVE DIRECTIVE

POLICY AND GUIDELINES FOR IMPLEMENTING EXECUTIVE ORDER 11644  
CONCERNING CONTROL OF OFF-ROAD VEHICLES ON BUREAU LANDS

Following is the Bureau's policy statement, approved on October 12, 1970. This policy statement, related regulations, and the following guidelines are in full accord with the Executive Order 11644 on Off-Road Vehicles released by the President on February 8, 1972.

Bureau Policy Statement Regarding Mechanized Off-Road Vehicles

The use of any motorized vehicle, including land, water, ice, snow, or aircraft, is permitted only in designated areas or on specific routes of travel at such periods of time and in such manner as may be prescribed. Operation of all vehicles will be in accordance with section 26.14 and 28.7, Title 50, Code of Federal Regulations.

Prior to the opening of any area for use by off-road vehicles, a study shall be made to determine the effects of such use on habitat in general, recreational values, wildlife, and unique physical resources. Regional Directors will study the effects of such travel on each area involved and determine whether the use will be in the public interest.

### Definitions

Established roads for public travel are those classed as Federal Highways, State Roads and County Roads. The Service does not have control of these roads. However, in some rural areas the Service may maintain the portion of a county road that traverses a portion of the refuge.

Officially designated roads for public travel are those roads that are owned or leased and are controlled by the Service which have been opened to public travel by posting appropriate signs and/or are depicted on a refuge map. These roads may be opened or closed at the discretion of the Service.

Designated trails for public travel can be a combination of an established road or officially designated road, abandoned logging road, abandoned railroad right-a-way, power lines right-a-way, or a right-a-way cleared for a specific type of trail (foot, airboat, snowmobile, horse, ORV, etc.)

[Off-road vehicles are defined in 8 RM 7.4.]

Off-road vehicle use is permitted on established roads and officially designated refuge roads if the State in which they are used, has legalized their use by requiring a license, permit or decal to be affixed to the ORV.

MANAGEMENT STUDY

OFF-ROAD VEHICLE USE ON ( name of refuge)

(DATE)

PREPARED BY:	_____	DATE	_____
	Refuge Manager		
REVIEWED BY:	_____	DATE	_____
	Refuge Supervisor		
CONCURRENCE:	_____	DATE	_____
	ARD Wildlife Resources		
APPROVED BY:	_____	DATE	_____
	Regional Director		



## I. PURPOSE

(Develop a short statement to define why this study is being conducted and identify the study objectives.

### Example:

The purpose of this study is to review the past and current ORV use and to make recommendations for future ORV use on \_\_\_\_\_ refuge, etc.).

## II. INTRODUCTION

### A. Major purposes of the refuge

#### 1. Statutory Authorities

(List the Public Laws, Executive Order, Congressional Act, etc., that established the refuge).

#### 2. Refuge Objectives

(Identify and discuss the short-term and long-range refuge objectives).

#### 3. Description of the refuge

(Use the introduction developed for the Annual Narrative Report, 5 RM 7, Exhibit 3).

### B. Historical uses of refuge lands

(Discuss past management, uses and traditions that occurred before the area became a national wildlife refuge).

## III. TYPES OF ORVs USED

(Describe the types of ORVs used, i.e., 4x4, 3-wheelers, airboats, etc.).

## IV. TYPE OF ORV USE

(Describe the Public Use activities supported by ORV use).

1. Fishing
2. Hunting
3. Trapping
4. Pleasure
5. Wildlife/wildlands observation, etc.

V. POSSIBLE CONFLICTS/COMPATIBILITY WITH OBJECTIVES AND PURPOSES  
(This section will be the most lengthy. Identify and discuss all habitat management practices and wildlife species of major importance (endangered species, RRP species, etc.) that are or may be impacted ORV use).

VI. BENEFITS DERIVED FROM ORV USE

(In this section identify the benefits of ORV use relative to the public and to the refuge. Also in this discussion you should identify the need for, demand and carrying capacity of the refuge, if any, for the continuation of ORV use).

VII. SUMMARY OF MAJOR CONFLICTS/COMPATIBILITY WITH MAJOR REFUGE OBJECTIVES

VIII. RECOMMENDATIONS

If your recommendations are to discontinue and prohibit ORV use, stop the study here. If you are recommending that certain types of ORV USE should be permitted, complete the rest of this outline.

IX. TYPE OF ORV USE RECOMMENDED

(Discuss the following topics:

1. Describe the types of ORVs and uses to be permitted
2. The extent of use. Also describe the areas of the refuge where ORV use will be permitted. Develop a map depicting the roads and trails to be opened for ORV Use.
3. Under what conditions will ORV use be permitted.
4. Types of Permits, if any.
5. How will ORV Use be managed or controlled.
6. Develop and append Refuge-specific ORV Regulations.)

X. MANAGEMENT OF ORV USE

(In this section discuss the impact the management of ORV USE will have on the administration, law enforcement, personnel, O&M costs and any other items not covered elsewhere in the study. If an increase of funding is needed, identify by line item what the increase is for and the annual dollar amount).

7.22.88

DRAFT      DRAFT      DRAFT      DRAFT      DRAFT      DRAFT      DRAFT

Mr. James C. Fletcher  
Oregon Inlet Users Association  
P. O. Box 612  
Wanchese, NC 27981

Dear Mr. Fletcher:

Thank you for your letter and concern for nesting sea turtles and shorebirds. In 1977, the beaches of Pea Island National Wildlife Refuge were closed to vehicle use. Reasons for the closure include:

1. Public safety - much of Pea Island's beach has a very steep and /or irregular slope and unsafe for vehicle use.
2. Disturbance to nesting, feeding and loafing shorebirds.
3. Disturbance to nesting sea turtles. Vehicles compact the soil, crush eggs and cause ruts which form effective barriers between the hatchlings and the ocean. A delay in this journey to the sea makes hatchlings overly susceptible to predation.
4. Disturbance to migrating peregrine falcons which utilize the beach for feeding and resting.
5. Adverse impacts to beach invertebrates and the associated impacts to wildlife that feed upon them.

If I can be of further assistance, please contact me.

Sincerely,

James W. Pulliam, Jr.  
Regional Director