

**IS OFF HIGHWAY  
VEHICLE USE IN  
THE BLACK HILLS  
SUSTAINABLE?**



The **Norbeck Society** was established in 2005 with a mission of “Advocating for Sustainable Management of Public Lands”.

Our initial concerns about Off-Highway Vehicle (OHV) use were about **uncontrolled motorized travel** in the Black Hills National Forest (BKNF), with USFS roads and **unauthorized user-created trails** amounting to more than 10,000 miles, and growing.

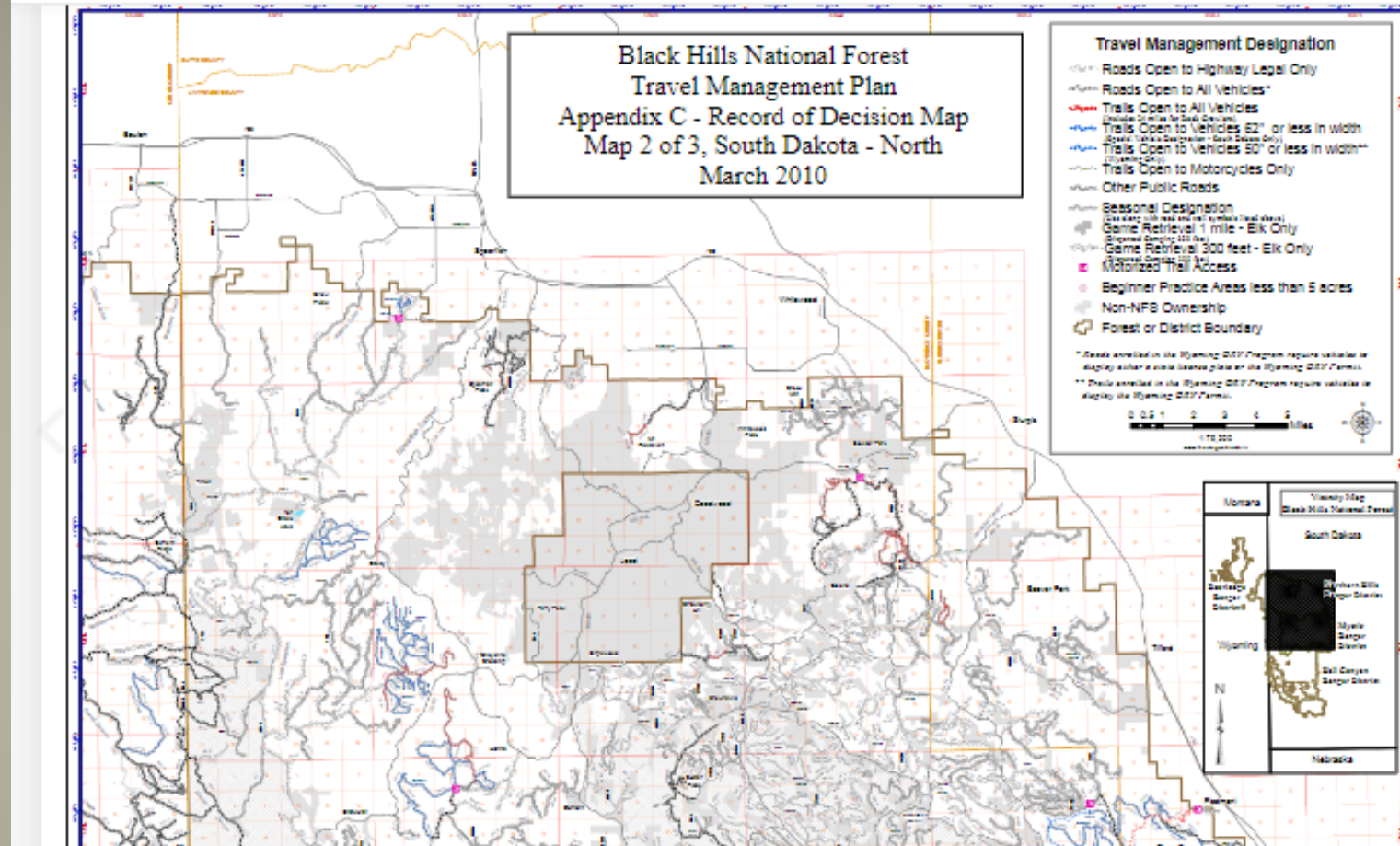


Black Fox Botanical Area, 2005

Motorized travel was even happening in sensitive botanical areas.



Father and son on ATV in Botany Canyon stream, 2004.



The Norbeck Society worked closely with the USFS and Off Highway Vehicle (OHV) groups in establishment of a recreational motorized trail system of about 600 miles in 2010.

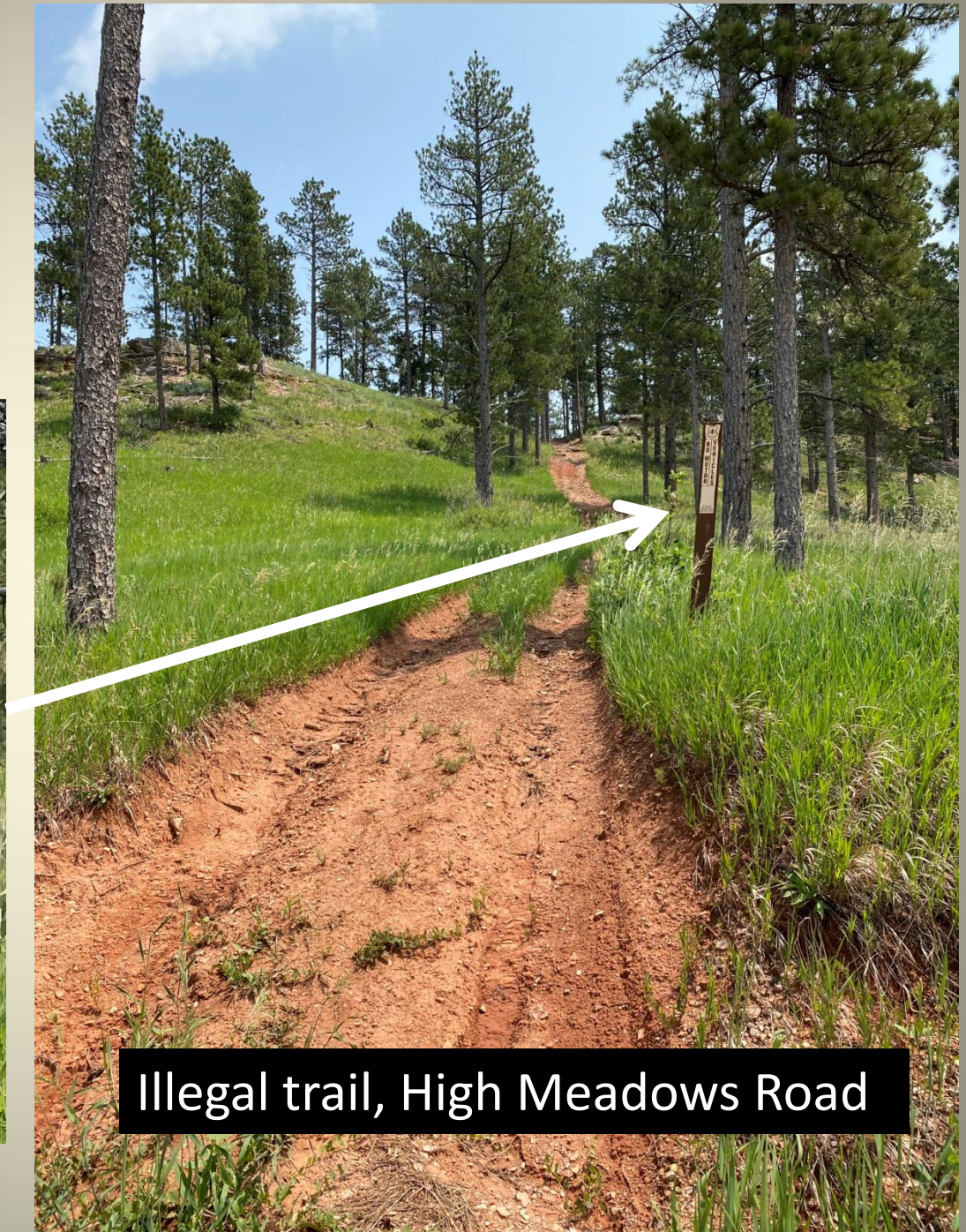


Since the establishment of this Travel Management Plan, the Black Hills has experienced a consistent annual increase in the number of motorized users (currently 40,000 annual permits), and the total miles of trails now exceeds 700.



With the increased use, an unsustainable amount of damage is occurring in the forest, not only on the motorized trail and road systems themselves.....

...but outside  
of the system  
on more  
user-created  
trails.



Illegal trail, High Meadows Road

# Illegal trails and progression with time, off High Meadows Road

2011



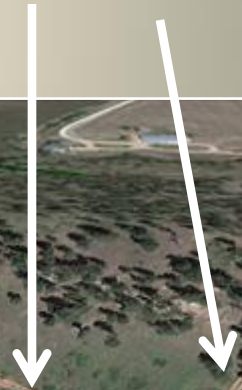
2017



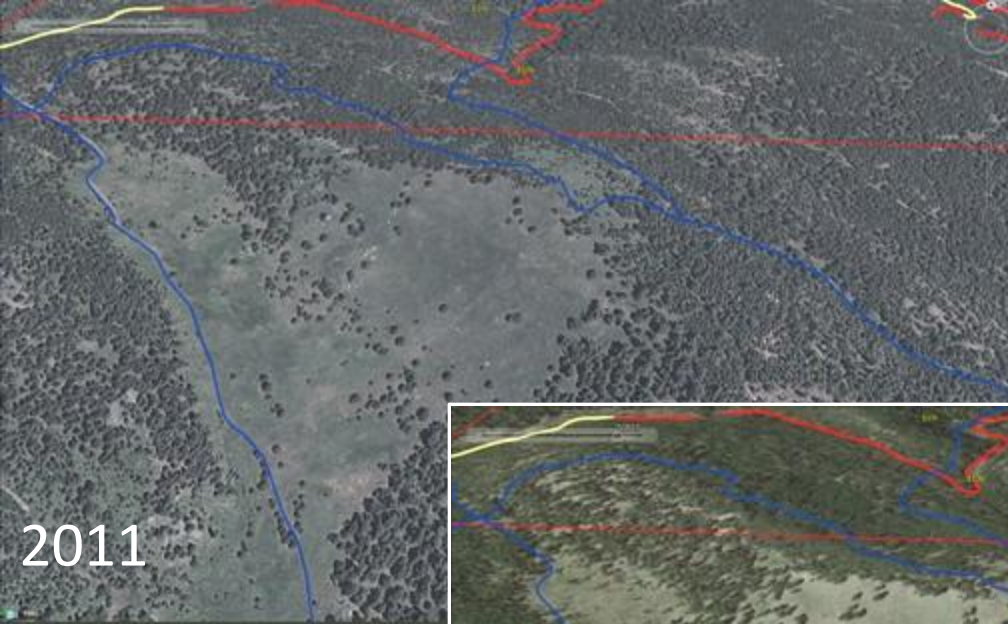
2022



See  
previous  
slide



# Development of illegal connector trail 3 miles NW of Johnson Siding, 2011- 2022



2011

Blue lines  
represent legal  
OHV trails



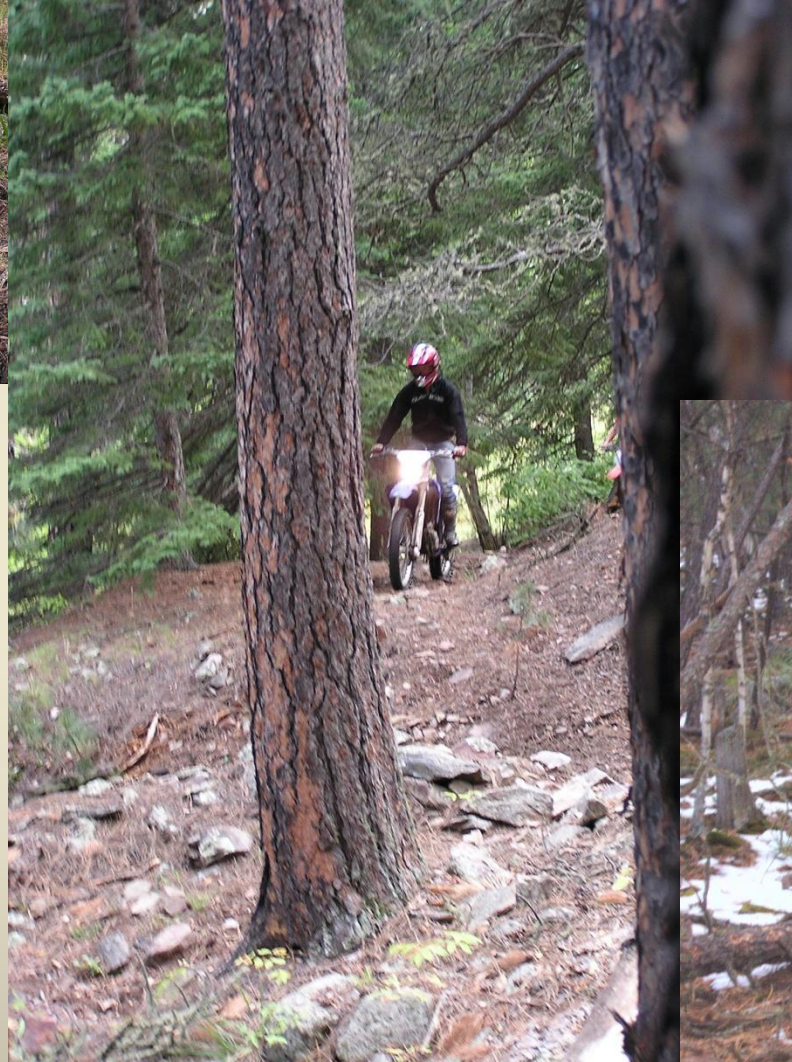
2017



2022

Illegal user-  
created trail

# Dirt bikes on user-created illegal trails, Nemo area





Mud-covered OHVs in the Nemo area, 2023, are clearly a sign of travel on muddy trails that is causing resource damage!





**The concerns  
that we had in  
2005 remain  
today.**

Centennial Trail near  
Nemo, 2019



- The original BKNF Travel Management Decision classifies the trail system as an **“Active” system**. This means the USFS must manage it according to the incoming funds and administrative capability.
- In the Record of Decision(ROD) it states: **“the size and nature of an OHV system would depend substantially on the funding sources available.”** Therefore, it is to be only as large or small as can be sustainably managed according to the NEPA (National Environmental Policy Act) implementing regulations (Section 1505.2 of the ROD) promoting national environmental policy” (ROD page 3).
- If the USFS is unable to maintain the size of the system/miles of trails with the administrative and monetary assets at hand, the system is supposed to be reduced.

- Some improvements have been made in recent years with additional USFS staffing allocated to management of the trail system.
- Increased costs for this management and maintenance should be offset with increases in annual license fees.
- **The annual user fee that was established at \$25 per vehicle in 2010 is unchanged** in spite of several attempts by Norbeck Society representatives on the [Black Hills National Forest Advisory Board \(NFAB\)](#) to increase the fee.
- The make-up of NFAB representation (only 2 environmental organizations), as well as the prolonged process of adjusting fees, makes it difficult to make any changes.

- The Norbeck Society supports the USFS efforts to solve problems connected to motorized use on the forest.
- Restoration of damaged areas, and ongoing monitoring and maintenance will bring more enjoyment of the forest resource for all users.
- The recent increase in discussion, effort and enforcement will help bring users into compliance with the rules, but **more work is needed.**



USFS checkpoint, Ditch Creek  
area, May 2023

## USFS Report on OHV Checkpoint, Memorial Day weekend, May 2023

- Black Hills National Forest Law Enforcement officers and Trail Rangers conducted a 4-hour checkpoint to educate the public on OHV safety, rules and regulations, and [Leave No Trace](#) practices.
- Forty-eight OHV users came through the checkpoint. **Twelve of the vehicles were over the 62" maximum limit and two vehicles did not have an OHV trail permit.** No citations were issued at the checkpoint, but instead, personnel were able to use these interactions as an educational opportunity.
- After 1:00 p.m. personnel conducted an OHV emphasis patrol around the Ditch Creek area by breaking up into 3 teams. Approximately 80 contacts were made with **7 citations issued for violations, including over-width limit, no trail permit, and no registration.** In addition, one citation was issued for a minor in possession of alcohol. Twenty-eight warnings were issued, and two incident reports written.
- Comments by users were positive, being thankful to see the emphasis on safety and trail and resource protection. The USFS is planning to establish checkpoints through the summer.

**Social Impacts of OHV Travel:** OHV use is concentrated around urban interface areas and areas that are easy to reach by road. We expect human impacts of every sort to increase and intensify as tourism grows significantly in the Black Hills area. Increase in OHV use in the vicinity of communities in the Black Hills has resulted in many complaints from residents.



## **Solitude is more difficult to find:**

Wildlife and human residents should not bear an unreasonable burden of disturbance because of OHV use on the Black Hills National Forest. We think hikers and other non-motorized users should have trails, including the Centennial Trail, and other areas that are free of motorized traffic and noise.



**Non-motorized trails:** there are only 400 miles of such trails and a recent USFS survey from Table 6, page 8 [Black Hills Forest Plan](#) had non- motorized recreation (hiking, biking and equestrian) at 77.4%, scenic viewing, wildlife viewing and nature study at 70%, relaxing at 58.7% and motorized recreation only at 11.5%. Those needs continue for many non-motorized recreationists.



# Norbeck Society Recommendations for OHV Travel Management.

In 2022, the Norbeck Society offered these 10 points for consideration by the USFS for their Black Hills Forest Plan Revision.

1. **Carrying capacity limits must be established.** In reality, at times there are too many people using OHVs in the Black Hills that contribute to road and trail congestion, along with impacts to wildlife and other resources, residents, and trail conditions. A comprehensive plan with use limitations is the first step to a real plan for the future, not merely addressing symptoms of over-use.
2. **The USFS, as the regulatory agency, needs to lead the conversation,** not motorized users or industry.
3. **Do not allow wider machines** (currently 62 inches) and trails.
4. **Do not allow construction of more trails,** in spite of user and industry pressures.
5. **Eliminate dead-end trails and roads from the system,** unless they are designed to access a special vantage point.

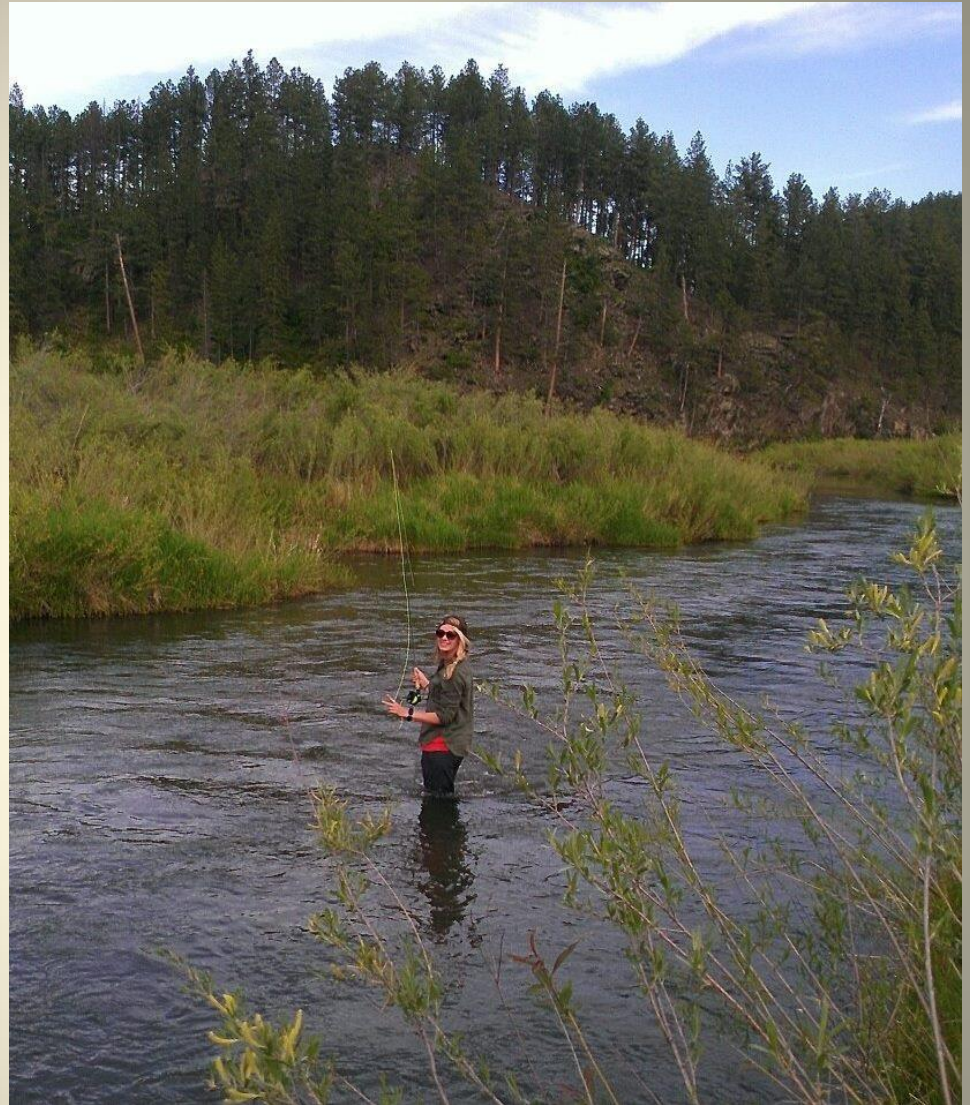
6. **Be proactive and close trails when conditions are wet or damaged.** The motorized trail system should be open to motorized users from June 15 until October 15 annually. This minimizes travel on wet, soft surfaces due to rain and snow thereby reducing majority of damage to the resource.
7. **Provide brochures to educate users of the motorized trail system to understand the rules, the reasons for them, and consequences of not following them.** This information should include [Tread Lightly](#) and Leave No Trace concepts.

Additional suggestions for users:

- a. Move from misuse to multiple use. This is not your personal racetrack.
  - b. Show respect for the rules of the Black Hills National Forest. Be good or be gone. Be part of the solution, not the problem.
8. **Partner with local businesses and visitor centers.**
    - a. To partner in educating users .
    - b. To implement “Adopt-A-Trail” options for users.
  9. **Enforce OHV regulations**
    - a. Law Enforcement Officers (LEOs) and trail rangers must continue to provide stringent enforcement.
    - b. Formulate a TIPS-like program. Encourage and make it easy for users and public to report on damaged and dangerous trail conditions, illegal actions of other users, and other trail issues.
    - c. Coordinate/share information with local police and sheriff. Compile weekly information about “who, what and where” regarding violations.

**10. Increase annual fees to adequately fund all aspects of trail management, including BKNF road and trail repairs, signage, LEOs and trail rangers.** Provide to NFAB the calculated annual user fee, based upon cost of management, for the upcoming season at regularly scheduled March NFAB meeting. The less damage equates to a lower user fee; the greater the damage equates to a higher user fee. Compare the current trail permit fee (\$25 annual per vehicle) with what people pay for fishing which has negligible environmental impact:

- SD non-resident fishing: \$67 per year.
- SD resident fishing: \$8/day, \$37/3 day, \$28 annual



## **To express concerns or report illegal behavior or damaged trails, contact**

### **Forest Supervisor's Office**

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