

Burgeoning Ravalli County grapples with outlaw ATV riders

PERRY BACKUS Missoulian | Posted: Saturday, June 23, 2007 11:00 pm

DARBY - Bill Burgund can't forget the day he was run over by an outlaw ATV rider.

The searing pain in his shoulder is a constant reminder.

On a March afternoon, Burgund decided to hike up a favorite trail just off Lost Horse Road near Lake Como. The hike began like so many others for the retired Los Angeles police officer, who lost a leg in the line of duty.

With a 30-pound pack strapped to his shoulders, Burgund's strong arms steered his crutches along the trail set aside for pedestrian and horse traffic.

"I go there all the time in large part because there's no motorized traffic allowed," Burgund said. "I'd hiked as far as I planned to go when it happened."

In a matter of seconds, Burgund's tranquil jaunt turned into a nightmare.

He was nearing a sharp corner when an ATV suddenly appeared on the trail.

"This guy came screaming around the corner on an ATV," Burgund said. "I think he was probably going close to 45 miles per hour. I never heard him coming."

Burgund had just enough time to crouch.

The ATV slammed into his crutch. A piece of his clothing or maybe his crutch latched onto the machine for a split second. And then he was slammed to the ground.

"It took my arm out from under me," Burgund said. "It snapped me around and tore up my shoulder. I ended up on the ground screaming in pain." Burgund looked up at the ATV rider.

The man glanced over his shoulder and sped off.

"I couldn't believe it," he said. "He just looked over his shoulder and then kept going. I had a hard time getting back up. I crawled over to the embankment and grabbed hold of a tree and pulled myself up."

Alone, Burgund faced a long and painful walk back to his vehicle at the end of the gated road where he saw the ATV's tracks veer around the gate before continuing down the main road.

The accident tore the rotator cuff in Burgund's shoulder. He'll need surgery to have it repaired.

Months later, the injury is still causing him pain.

"I still can't understand why the guy didn't stop," he said. "He didn't seem the least bit concerned."

Burgund reported the incident to the Ravalli County Sheriff's Office. So far, no arrests have been made.

Cases like Burgund's make groups advocating responsible use of off-road vehicles cringe.

"We absolutely don't condone using roads that are closed off to ATV traffic," said Dan Thompson of the Ravalli County Off-Road Users Association. "Ninety-nine percent of the people don't do it. You're always going to have a few outlaws who just don't obey the law."

Thompson said the association encourages its 450 members to turn in people violating the law.

"We provide our members with little booklets they can use to report violations to the Forest Service or other law enforcement," Thompson said. "We encourage people to do that."

The association is also working with the Forest Service to develop new opportunities for legal motorized recreation on public lands, he said.

"On the Bitterroot National Forest, we only have 29 miles of official ATV trails," Thompson said. "In comparison, on the Beaverhead-Deerlodge Forest there are roughly 1,000 miles. If there are more legal places to ride, there will be fewer people riding on closed roads."

Ravalli County has a growing and aging population. ATV use in the county is increasing about 20 percent every year, Thompson said.

"In about four years, the number of ATVs using the forest will just about double," he said. "We need to look for ways to provide more opportunities. At the same time, we need to encourage people to ride responsibly. If people misbehave, we'll end up losing more trails."

A new report by Wildlands CPR and the Natural Trails and Water Coalition calls for tougher enforcement of off-road-vehicle violations on public lands.

Based on more than 50 interviews with public land managers, law enforcement officials, community leaders and private landowners, the report highlights success stories from forests across the West where enforcement was made a priority.

"Everyone has a right to access our public lands, but no one has the right to abuse these lands or ruin the experience of others enjoying America's great outdoors," said Jason Kiely of Wildlands CPR of Missoula. "Fair and effective law enforcement helps everyone who values public land, whether you ride a machine, mount a horse or rely on your own two feet."

Enforcing the law on national forest lands isn't easy.

Law enforcement officers are stretched thin in rural areas like the Bitterroot Valley, said Ravalli County Sheriff Chris Hoffman.

Nearly three-quarters of the land in Ravalli County is owned by the federal government or the state. The Bitterroot National Forest employs two or three law enforcement officers to cover that area.

"When people are upset over something, they usually call 911 and their first contact is Ravalli County," Hoffman said. "We end up covering a lot of activity that occurs on national forest lands."

Hoffman knows that people are frustrated over illegal use of off-road vehicles.

"I hunt here," he said. "I've been miles behind a locked gate and seen people drive by on an ATV. It makes me madder than hell, too."

The management of backcountry travel on the Bitterroot National Forest is about to be pushed to the front burner. By late summer or early fall, officials will begin an environmental analysis of travel management on the 1.6-million-acre national forest.

Stevensville District Ranger Dan Ritter will lead the effort to create some continuity out of the "mishmash" of designations that visitors now must wade through to figure out what's open and what's closed to motorized vehicles.

Over the past decade or so, travel management decisions were made piecemeal at the conclusion of different projects, Ritter said. The decisions were often based on different resource concerns like elk security.

The public will have a number of opportunities to weigh in on efforts to update travel management on the national forest.

"We'll hold several sets of public meetings up and down the valley over the next couple of years," Ritter said. "There will be plenty of opportunities for people to get involved."

In the meantime, Burgund plans to be on guard whenever he ventures out into the forest.

"Truly, I am really worried now when I go out for a hike," he said. "I love living in Montana. I live here for the outdoors. I'm not going to quit going out because of what's happened."

And it won't happen again.

"I take my gun now every time I go out hiking," he said. "The next guy that runs over me is going to get shot."