

Adirondack Mountain Club
Adirondack Wild: Friends of the Forest Preserve
Environmental Advocates
Protect the Adirondacks
The Adirondack Council
The Sierra Club Atlantic Chapter

March 18, 2016

Hon. Patty Ritchie
48th Senate District
Room 412, LOB
Albany, NY 12247

RE: Budget Resolution All Terrain Vehicle Train Fund

Dear Senator Ritchie,

The groups listed above have negotiated in good faith with your office, and others, over the last three years with the aim of protecting public land and public safety and reaching an agreement on the creation of an ATV/ROHV Trail Education and Enforcement Fund and a definition change which would permit an increase of the ATV weight limit to 1500lbs. Some of the ideas that we have discussed were included in the recent NYS Senate Budget Resolution, but many important ideas were not.

We support several items in the Budget Resolution, including:

- Language that compels the Department of Environmental Conservation (DEC) to promulgate regulations that would support a comprehensive ATV information and safety education and training program.
- Preservation of the DEC CP-3 program and language that permits DEC to use motorized vehicles for emergency search and rescue purposes.
- Fines for trespass, including the mandatory fines of \$100 for a first violation, and \$200 and \$500 for subsequent violations within 365 days of the initial violation.

As we have previously stated, we could support New York State registration of ATVs and ROHVs of up to 70 inches in width and 1500 pounds dry weight, and the use of funds from registration for trail construction and maintenance, if criteria were included to

protect state lands, public safety and vital natural resources in New York. With that understanding, we cannot support an ATV/ROHV Trail Fund without the following critical components:

- An express prohibition on ATV/ROHV use on all New York State fee owned lands, including lands under the jurisdiction of the Department of Environmental Conservation, the Office of General Services, and the Office of Parks, Recreation and Historic Preservation, including but not limited to the Forest Preserve in the Adirondack and Catskill State Parks, State Parks, State Forests, Reforestation lands, Multiple Use Areas, Unique Areas, Wildlife Management Areas, the Long Island Pine Barrens and the Albany Pine Bush. Further, trail fund monies must not be used for trail development, including the limited connectors, on any state lands.
- Very limited use of ATV/ROHV corridors through some state lands for connection purposes.
- State oversight and review of local laws passed to open local roads to ATV/ROHV use.
- Use of ATV Trail Fund monies for enforcement and private land remediation for landowners victimized by ATV trespass.
- Air quality standards for that requires that the DEC shall annually review the air emission standards for ATVs and ROHVs adopted by the United States Environmental Protection Agency and the California Air Resources Board (CARB). The Department shall be required to promulgate regulations to apply such standards for ATVs and ROHVs sold or offered for sale in New York State.

We remain committed to a comprehensive program that both expands ATV/ROHV operation in New York, protects public welfare and safety, protects private landowners, and protects the state lands and natural resources across New York.

Thank you very much for consideration of our views on this issue.

Sincerely,

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Adirondack Wild: Friends of the Forest Preserve

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