

**Subject:** [Fwd: Three Mountain Bikers Arrested for Illegally Mountain Biking in Grand Canyon National Park]

**From:** Brian Platts <bplatts@shaw.ca>

**Date:** Tue, 13 Mar 2007 12:32:50 -0700

**To:** Corrie Kost <kost@triumf.ca>

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**Subject:** Three Mountain Bikers Arrested for Illegally Mountain Biking in Grand Canyon National Park

**From:** Monica Craver <mecraver@shaw.ca>

**Date:** Tue, 13 Mar 2007 11:32:02 -0700

**To:** Mayor and Council - DNV <Council@dnv.org>

**CC:** james\_ridge@dnv.org, Susan Rogers <Susan\_Rogers@dnv.org>, fonvca@fonvca.org

Dear Mayor and Council:

This following news articles are an example how illegal mountain biking should have been treated many years ago by DNV. Instead, people like Peter Morin, Dan Cowan, Todd Fiander, and everyone else who build illegal trails and structures, and rode mountain bikes without permission on DNV land, are being upheld as heroes, as upstanding community volunteers, and role models for our children. Unauthorized mountain bike activity is being rewarded, and glorified by the gullible media -- continuously. Environmentalists (ie.Eagleridge) are charged or jailed. Something is very wrong with this picture.

The articles below are more realistic about ongoing mountain biker behaviour. Mtb'ers bragging on blogs, websites, and thinking the laws do not apply to them. Perhaps they are right? I look forward to more of the same kinds of convictions (below) in the near future. What is going on inside DNV forests right now is downright criminal. Treat it that way and stop pandering to these folk who continue to rip up our natural places with their bikes and trail building techniques. Kudos to the rangers at the Grand Canyon National Park, and the US judge who took this crime seriously.

Instead, DNV has allowed this "sports group/lifestyle" to compromise our forest resources and biodiversity. There is plenty of evidence from both the NSMB.com and NSMBA websites, YouTube, etc. to see that illegal/unauthorized/unsupervised mountain biking activity still goes on inside our local forests. For shame! It is nice to see that some authorities do take this kind of criminal activity, seriously. Mountain bikers on DNV land have made a sham of our Environmental Protection and Preservation bylaws, to date. **You cannot manage this sport because it does not want to be "managed"**. You can only give it everything, at great cost, or ban it completely from an area.

It is very clear what path DNV has chosen. No will (or no "guts"?) to stand up to the truth about this wily sport's antics. Mountain biking will never be a "legitimate land use" until it is contained to private recreational resorts, and properly controlled (like snowboarding, etc.) Frankly, what is going on inside our forests and natural parkland, right now, **is criminal!** *Nightriding; riding and trailbuilding in a deluge of rain, etc. That is criminal. Start treating it that way.* But, I am also realistic that it may be too little, too late as DNV dropped the ball years ago, and will not admit it does not have control of their forest resources anymore. The NSMBA does -- and rules with it! That is made very clear from their latest "bravado" in the recent Georgia Straight article:

<http://www.straight.com/article-73929/mountain-bikers-flex-their-political-muscles>

What kind of legacy is DNV truly leaving for our children and future generations?

--Monica Craver--

#### **Grand Canyon Prosecution Of Cyclists Illegally Bicycling On Hiking Trails - US Attorney**

<http://www.lawfuel.com/show-release.asp?ID=10944>

Posted on Thursday, March 01, 2007

FLAGSTAFF, Ariz. – LAWFUEL - Sean Monterastelli, 23, David Yost, 24, and Jacob Thompson, 24, pleaded guilty last week and were sentenced to 48 hours in jail, 5 years probation, during which they are banned from National Parks in the United States, and a payment of \$500 each to the Grand Canyon Search and Rescue Fund by U.S. Magistrate Judge Mark E. Aspey. All three pleaded guilty on February 23 to conspiracy to illegally bike and camp inside the Grand Canyon, camping inside the Grand Canyon below the rim without a backcountry permit and illegally bicycling on the trails below the rim of Grand Canyon. A conviction for these offenses carries a maximum penalty of six months in jail, a \$5,000.00 fine or both.

"Bicycle use is prohibited on inner canyon trails," stated Chris Pergiel, Grand Canyon Chief Ranger. "With cliffs plunging hundreds of feet alongside the trail, these

cyclists created a safety risk for themselves as well as others on the trail. We have a responsibility to enforce the law and protect both park resources and visitors to Grand Canyon National Park. Those that violate the law and put others at risk will be prosecuted."

Monterastelli, Yost and Thompson committed their offenses while on a multiyear bicycling trip from Prudhoe Bay, Alaska, to the tip of South America. The trio decided to route through the Grand Canyon via the Arizona Trail and intentionally made the trip illegally during the end of

January, 2007, by bicycling into the Grand Canyon and camping illegally on the North Kaibab trail. The group posted photographs, videotape and a diary entry about their illegal trip on their website.

Cyclists may legally cross the Grand Canyon section of the Arizona Trail by obtaining backcountry permits for their camping and either carrying their bikes (referred to as "hike a bike") across the canyon or having their bikes transported by shuttle around the canyon. As additional terms of probation, the description, photographs and videotape of the illegal activity have been removed from the groups website and any other form of media.

The investigation in this case was conducted by National Park Service Rangers at Grand Canyon National Park. The prosecution was handled by Camille D. Bibles, Assistant U.S. Attorney, District of Arizona, Flagstaff.

CASE NUMBER: 07-04033M-PCT-MEA

RELEASE NUMBER: 2007-061 (Monterastelli)

GRAND CANYON NATIONAL PARK

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#### **Conviction For Illegal Mountain Biking**

On January 20th, three men – David Yost,, Sean Monterastelli, and Jacob Thompson – hiked out the Bright Angeel Trail, backpacking out their mountain bikes. The group of three cyclists told visitors that they were on a two-year-long mountain biking trip, riding their bikes from Prudhoe Bay, Alaska, to the tip of South America, and that they had carried their bikes across the canyon. They also told them to look at their web page (<http://www.ridingthespine.com>). Several days later, ranger Paul Austin checked out the page and discovered photos and video of the group riding their bikes on the North Kaibab Trail. In addition, there were photos and video of them camped on an upper section of the trail. In their journal, they wrote about riding the trail and their concern about being caught by rangers: "(We) began riding down the trail... 'Goat' [one of the three] managed to bomb section after section of the trail, walking his bike only when coming into contact with other trail hikers, and when those infuriating water bars were too high to bunny hop... we were excited bby the prospects of a day filled with epic downhill, we hopped on our bikes and headed down, sliding our way down a treacherous mix of snow and loose rock. Almost immediately I flew over a series of ledges and cracked the rear end off my Xtracycle." On February 16th, Austin and AUSA, Camille Bibles, presented a criminal complaint and affidavit before US Magistrate Judge Mark Aspey in Flagstaff, who in turn issued a summons for the group to appear in his court. Yost, Monterastelli and Thompson were charged with camping without a permit, camping in an undesignated area, use of a bicycle in a closed area, giving false information, and conspiracy. Austin tracked the individuals through their website as they rode to Southern Arizona and prepared to cross into Mexico. They had posted in their blog that they were attending the "24 Hours in the Old Pueblo," a large and popular mountain bike race north of Tucson. Saguaro rangers Todd Austin and Heather Yates drove to the event site on February 17th and were able to locate the trio. Austin posed as a freelance writer interested in the group's trip, then later identified himself as a federal law enforcement ranger and issued each his summons to appear in court in Flagstaff. The three men retained an attorney and subsequently reached a plea agreement to three charges. In lieu of a \$500 fine, the men agreed to donate \$500 each to the Grand Canyon Search & Rescue Fund. They also agreed to redact sections of their website pertaining to illegal activities and were sentenced to 48 hours in Coconino County jail. The case generated considerable media attention.

#### **Contact Information**

Name: Bil Vandergraff, Supervisory Park Ranger, Canyon District

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