



**BACKCOUNTRY  
HUNTERS & ANGLERS**  
MINNESOTA

Dear Chairs and Members of the Environment, Climate & Legacy Committee and of the Environment and Natural Resources Finance and Policy Committee,

Backcountry Hunters and Anglers Minnesota (BHA) values the traditions, culture, and opportunities that wild spaces provide. We work to protect and enrich wildlife and wild places that serve to connect Minnesotans (and its visitors) to their outdoor heritage. Part of that heritage is the legal use of OHVs for recreational use on our public lands.

We write to express **our support for one specific measure in SF 1324 / HF 2791: we support the restriction of OHV use to only “mapped trails” in state forests across the state** (removal of exception text in 84.777, Subd. 3.(b)). There is a need to update the OHV laws and rules on state lands in Minnesota. BHA supports uniformity of the OHV rules across Minnesota state lands. We think this will make it easier to be a law abiding OHV user and will result in better mixed-use of public lands.

We have no position on the other aspects of the bills.

Sincerely

Timo Rova and Greg Kvale  
Policy Committee  
Backcountry Hunters and Anglers  
Minnesota

Cc: Chair Fong Hawj, Chair Rick Hansen, Sarah Strommen, Bob Meier, Susan Perrin Schubert



## **Testimony in Support for HF2791 / SF 1324**

### **Jeff Birchem**

Hello, my name is Jeff Birchem. I am a retired Minnesota Conservation Officer for the Minnesota Department of Natural Resources' Enforcement Division.

For 25 of my 31 years in law-enforcement, the Beltrami Island State Forest (BISF) was in my patrol area, which is North of HWY 2 and is a managed forest, which ironically is the least managed of our forest systems. Any trail or route is open of Off Highway Vehicles unless posted closed. BISF is the second largest state forest in Minnesota.

It is known to be vast and remote. But one of its most important attributes are the environmentally sensitive areas contained within it. An example of this are the seven Scientific and Natural Areas found there that protect wetlands, bogs, fens, as well as many rare and unique environmentally-sensitive species.

One of my duties as a Minnesota Conservation Officer, was to protect these environmentally-sensitive areas from illegal ATV and other off-road vehicle operation. ATV and off-road vehicle enforcement, at its best, was a difficult challenge. And, at its worst, impossible.

The major obstacle in enforcement efforts was the signage of roads and trails in the BISF where all trails and roads are deemed open unless posted with CLOSED signs. I've spent countless hours patrolling closed areas and assisting other DNR staff in putting up signs, only to find the signs removed. Without the presence of visible signs to the ATV user, enforcement action was impossible to protect these closed areas.

Another major concern with the "open unless posted closed" situation, is that many new ATV trails were started illegally. In a very short time of usage, a new trail would be developed, which now would be considered open under the open unless post closed regulation. Many of these newly developed trails are open in some of the most environmentally sensitive areas.

My recommendation as an enforcement officer, who has worked for decades protecting environmentally-fragile areas from illegal motor vehicle use is to make all off-road vehicle trails closed to operation, unless designated and posted open. That's what this proposed legislation does. This system would not only clear up confusion on where legal operators could operate, but also give the tools to enforcement officers to enforce illegal operation.

I will add that in talking to active Conservation Officer colleagues in the field both north and south of Highway 2 , this is a prevalent view, but not voiced publicly due to job security.



**Minnesota Division**  
Izaak Walton League of America  
6601 Auto Club Road  
Bloomington MN 55438

**Date:** February 14, 2023

**To:** Minnesota Representatives and Senators

**Regarding:** S.F. No. 1324 / H.F. No. 2791 - Legislation to Sustainably Manage Motorized Recreation on Minnesota Public Lands.

The Izaak Walton League is a 100-year-old grassroots conservation organization with 16 chapters across Minnesota. Our mission is to conserve, restore and promote the sustainable use and enjoyment of our natural resources, including soil, air, woods, waters, and wildlife.

**We support the commonsense measures for managing motorized recreation in our public state forests proposed in this legislation.** These commonsense measures will also support our Department of Natural Resources (DNR) in carrying out its responsibility to ensure our public lands are healthy, and accessible for multiple uses and users.

The two greatest threats to humanity (with us all species that have evolved with us) are the loss of biodiversity and the climate crisis. This legislation will help our state and state agencies address both of these threats. As a society, we all now recognize more than ever the many intrinsic values of nature. We are the first generation to fully recognize the damage we are causing to nature, and we are the last generation with the time to change course, make better decisions, curb species extinction rates, and prevent catastrophic climate disruptions for the next generation and beyond.

Due to the millions of increased funding allocated to motorized recreation, in addition to the ongoing process the DNR has initiated to create 3 Statewide Master Plans for motorized trail systems; one each for All-Terrain Vehicles (ATVs), Off-Road Vehicles (trucks and jeeps) and Off-Highway Motorcycles, it is important that we have reasonable controls in place to protect and preserve our waters and wildlife habitats. Off-Highway Vehicle (OHV) use in Minnesota is increasing exponentially which is increasing the damage to natural resources, sensitive habitats, and our waters. This use has also caused increased conflicts with traditional hunting and other quiet use recreation.

The measures in this legislation will help to reduce the fragmentation of our forests. Fragmentation disrupts animal travel corridors and creates barriers that isolate populations from potential breeding opportunities. Smaller remaining forests are more susceptible to invasive species, often resulting in losses of species diversity. Requiring signage for trail access takes nothing away from the user, in fact, it helps riders know they are doing the right thing to help to preserve and protect our forests, waters, and habitats by staying on well-marked trails. This bill also protects our most pristine waters in the state and includes measures that may reduce the spread of noxious, invasive vegetation.

The bare minimum of the environmental review included in this measure could objectively identify issues that may arise from proposed trail projects. Requiring at least the simple Environmental Assessment Worksheet (EAW) will also provide important notification and involvement of an interested citizenry previously excluded from these decisions. People care about our public lands and wildlife, and all citizens have a right to know what is happening on the lands they recreate on.

Many Izaak Walton League members own motorized recreation vehicles. This legislation is a common sense set of initiatives that can help our state and state agencies better manage this high-impact type of recreation and also ensure our state public lands remain healthy. We support these measures because they will lessen the environmental impact of motorized recreation and will not diminish the experience of the responsible user.

Thank you for your consideration,

A handwritten signature in black ink, reading "Joseph Barisonzi". The signature is written in a cursive, flowing style with a large initial "J".

**Joseph Barisonzi,**  
Vice President

*On behalf of the:*  
**Minnesota Division, Izaak Walton League of America**

## Testimony in Support for HF 2719 / SF 1324

### Gretchen Mehmel

Hello! My name is Gretchen Mehmel and I am speaking in support of HF 2791/ SF 1324.

I retired in 2022 from the MN DNR as the manager of the Red Lake Wildlife Management Area.

As the manager of the Red Lake WMA, I have had considerable experience in managing both motorized and non-motorized trails.

Today, we have a chance to revisit an issue regarding motorized recreation and finally make the right choice, which is to pass HF2791 / SF 1324. This bill allows for a much better managed system of trails than what we have now and would give ATVers and other off roaders the well-maintained trails they desire.

Importantly, this bill will take nothing away from the responsible user. All trails that are now open, will remain open as signed, mapped, designated trails. I spent my entire career as a DNR professional actively in the field, dealing first hand with situations this bill addresses.

My former work area is the Beltrami Island State Forest area and it is currently called a managed forest where every trail without a sign is open - whether by design or by default in cases where the trail was created illegally by cross country travel or where the "trail closed" sign was removed by a user.

This is a problem that causes damage to our forests and costs a lot of time and labor for DNR staff to correct in replacing signs, repairing damaged areas, and more proactively closing off closed trails where signs keep disappearing. There are photos your hearing handout on the last page, illustrating this damage to closed areas in the Beltrami Forest.

With this legislation, field staff can focus on making a high quality Off-Road Vehicle system, instead of having to chase down illegally made trails and trying to repair the damage done then and replacing signs that have been removed from trails that were closed due to damage.

As a DNR Wildlife manager, one of my jobs was to mark trails open for motorized vehicles within the WMA where they would otherwise be closed. It also included closing trails where motorized vehicles were not appropriate due to the presence of wetlands or highly erodible soil.

Marking trails open for motorized vehicles where their use was appropriate and did not cause any damage was never a problem. These trails provided good access for people using motorized vehicles and, as they were on high ground with soil that could sustain motorized traffic, were easy and inexpensive to maintain.

However, closing off illegal user-made motorized trails that created damage across wetlands or highly erodible soils was often difficult. People using the trails often pulled down signs that marked the trails closed because, if there are no signs, it means the trails were automatically open to use. It required time and labor to re-post the closed trails and we often had to do further work to close off the trails by placing rocks and/or dropping trees and brush across the trail in an effort to obliterate it.

Lastly, I want to mention that in 2004, trail signage and legislation was a topic on the table.

There was a HUGE misunderstanding in the Off Highway Vehicle Community about the draft plan. They were misled about what the signage would do and thought most, if not all of their trails would be closed. DNR staff were not allowed to discuss these misconceptions prior to a public meeting. So the concerns built up and Polaris and Arctic Cat actually bussed people in to oppose the legislation that dealt access to signed trails only. I was at this meeting of 2,000 people as part of the DNR team. DNR staff were told to say nothing until the meeting, but by then it was too late to change the tide of all the misconceptions about the plan.

Twenty years later, I know 100% this bill is needed now more than ever before and that is why I fully support it.



March 21, 2024

**Re: HF2791/SF1324 SUPPORT**

Dear Representative Hansen and members of the committee,

Clean Water Action was founded in 1972 with the mission to protect the land on which we live, the air we breathe, and the water we drink. We represent 132,000 Minnesotans, and we urge your support of HF2791/SF1324. We need to protect our waters and aquatic habitats from contamination as the state continues to build out our extensive system of motorized recreational trails around the state, which this bill will do.

It is no mystery or surprise that Minnesota faces significant water challenges. Over 2,798 water bodies are on the impaired list, with over 6,000 impairments in total. It is imperative we proactively protect our waters from increased soil erosion that results from increased motor vehicle use on trails, as this bill does.

As we know, our network of surface waters is interconnected—what we do to one stream, we ultimately do to our network of waters. We must act now to protect the entire interconnected system of our waters to allow future generations to be able to drink, swim, and fish in our water.

**We ask you pass the buffer zone requirements in HF2791/SF1324 to protect our waters.**

We know from countless studies that the aggressive tire treads, increasing horsepower, and overall weight of Off Highway Vehicles increases soil erosion and runoff to waters. As climate change enhances the frequency and severity of flash floods, among other weather events, we need to take steps to mitigate the resulting pollution and runoff going into our water.

The bill's buffer zone measurements are provided by DNR and USFS guidelines for best management trail building near waters. These guidelines can no longer be just voluntary. We must require buffer zones for all future designated Off Highway Vehicle routes on unpaved roads to help protect our degrading waters and vulnerable fish populations. Additionally, the companion water protection measure in the bill is for all future designated OHV routes on unpaved trails to avoid including the remaining MPCA-identified 49 Exceptional Use streams that exist in the state.

These waters are our most healthy and pristine streams. Protecting these pristine streams on future designated Off Highway Vehicle unpaved routes will help prevent increased sedimentation and chemical contamination in these waters—many of which are localized in the Arrowhead region—and can easily be avoided by future trails on unpaved roads.

Please support HF2791/SF1324 for the future health of our waters and aquatic life—cornerstones of our own well-being, our tourist economy, and a defining part of Minnesotans' heritage.

Sincerely,

Avonna Starck  
Minnesota State Director  
Clean Water Action

My name is David Rave. For 30 years, I was a DNR Research Biologist and Wildlife Manager in Bemidji. I'm here to testify in favor of bill HF 2791.

Every day, trails are cut in the forest for timber harvest. The habitat may recover *if* vegetation is allowed to grow. In my experience, though, trails opened by logging, or anything else, are used by off-highway vehicle riders, often year-round, as a source of recreation. OHVs compact the soil and prevent shrubs and trees from ever growing. So, unless protected, trails become permanent, with no chance for habitat to recover.

OHVs also cause erosion. When they pass through forested wetlands, their tires dig deep trenches, reducing the trails to a muddy mess. In the process, the ecological function of the wetland to the forest is destroyed. The large treads and low carriage of OHVs also make them good vectors for invasive species. Forest parcels near Bemidji without nearby OHV trails have few invasive plants. But trails used by OHVs almost always have them. These invasive plants have few natural predators, so they out-compete the resident plants and compromise the entire ecology of the forest.

North of HWY 2, OHVs can use any trail, unless posted closed. Unfortunately, Closed Trail signs are often torn down, endangering sensitive areas and making it impossible for conservation officers to ticket violators. South of Highway 2, however, only signed trails can be legally accessed, alleviating this problem.

Our northern forests are already fragmented with an incredible patchwork of trails. Unique wildlife that require large tracts of unbroken land, such as moose, lynx, and fisher, are becoming rare, due in part to this habitat fragmentation. I believe the only way to keep our northern forests intact for future generations is to enact regulations that universally benefit the forest. Allowing OHVs only on designated signed trails is a common sense approach to help conserve our northern forests.



# SIERRA CLUB

## NORTH STAR CHAPTER

Sierra Club North Star Chapter  
2300 Myrtle Avenue, Suite 260  
Saint Paul, MN 55114

**Date:** February 12, 2024

**Regarding:** Legislation to sustainably manage motorized recreation on Minnesota public lands, SF 1324 / HF 2971

**To:** Minnesota Senators and Representatives,

**Sierra Club supports the commonsense legislation to sustainably manage motorized recreation on Minnesota public lands. And we urge the state legislature to support these long-overdue measures.**

Founded in 1968, the Sierra Club North Star Chapter is a non-profit environmental organization representing over 50,000 members and supporters across Minnesota. The Sierra Club works to safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and litigation. As a leading grassroots voice working to preserve and protect Minnesota's environment, we empower volunteer leaders to act through environmental advocacy, community organizing, and outdoor exploration. We participate in the administrative process to encourage environmental health and sustainability, long term wildlife and habitat protection, and biodiversity goals.

Because Off-Road Vehicle (ORV) use in Minnesota is increasing exponentially, the increase in damage to natural resources, sensitive habitats, and our precious wetlands, streams, lake shores and rivers has far reaching impacts to our land based and aquatic wildlife. This use has also caused increased conflicts with quiet use recreation and private landowner trespass. We also have concerns about the cumulative resource damage that is resulting from improper use of ORVs.

As land based motorized recreation continues to explode in Minnesota with millions of additional dollars appropriated recently for more trail creation and expansion, in addition the DNR has initiated a process to create 3 *Statewide Master Plans* for motorized trail systems: one each for All-Terrain Vehicles (ATVs), Off Road Vehicles (trucks and jeeps) and Off Highway Motorcycles.

It is imperative that we put in place the measures in this legislation before these Plans are final. There must be an equal focus on protecting our natural resources, wild and aquatic life and preserving quietude in nature. We need to help the Department of Natural Resources (DNR) recommit to its mission of being the protector of our great outdoors versus solely the promoter of extractive and high impact uses.

The legislation's goals are simple and straightforward and will not diminish the experience of the responsible user.

*The legislative goals are:*

Signage -- Help riders know where they can go, protect the environment and sensitive habitats  
Water & Native Species -- Protect the most pristine ranked waters and aquatic life, avoid spreading invasives

Environmental Review -- Avoid use of ORVs in sensitive areas, foster public transparency, reduce lawsuits

Local Government Control -- Require permission from Tribes and the input of local communities for new trails

Signage: All trails should have signs indicating that they are the proper routes open for this use. Our forests are increasingly threatened by fragmentation due to the fact that without signage, if one user goes illegally off of a proper trail, this “user created” trail can then be traversed by others. If it looks like a trail enforcement cannot stop this new unofficial trail from being used. The DNR states that “dividing large and contiguous forests into smaller pieces is an issue of increasing importance as communities and development put more pressure on our existing land base.” The DNR’s own [Forest Legacy Project](#) defines the many negative effects of forest fragmentation. The effects of forest fragmentation are far reaching.

- Fragmentation disrupts animal travel corridors and creates barriers that isolate populations from potential breeding opportunities.
- Following fragmentation, habitat for forest species that favor forest interiors (such as orioles, tanagers, and wood thrushes) is lost and there is greater vulnerability to predators and nest robbers.
- Species that cannot easily disperse, including reptiles and amphibians, are more likely than other species to be harmed by forest fragmentation.
- Smaller remaining forests are more susceptible to invasive species, often resulting in a loss of species diversity.
- The loss of forested lands almost certainly means the loss of recreational lands.
- With smaller forests, the frequency of conflicts between people and wildlife increases.
- Scenic views are lost, making the places we choose to live and visit less beautiful.
- By losing forests, we are losing the ability to clean the air and water and buffer our environment from pollution.

Passing these commonsense measures will help reduce impacts of fragmentation by informing users where it is proper to ride.

Water & Native Species: This bill protects our most pristine waters and implements science-based safeguards for other wetlands, streams, and rivers. Minnesota Pollution Control Agency (MPCA) waters ranked Exceptional Use should have special protection. Exceptional Use waters (there are 49 in the state) are waters that are habitat to sensitive species that need clear, cold water to survive - including walleye and trout.

Environmental Review: Requiring at a *minimum* the simple Environmental Assessment Worksheet (EAW) will provide all people of the state that care about our public lands the information and opportunity to participate in proposed trail creation. This allows a “first look” at what impacts might arise from trail design and location. Mandatory EAWs for OHV projects was recommended by the 2003 Legislative Audit due to their “potential for significant impact.” This 2003 Legislative Audit recommendation was never implemented. With the increasing number of OHV projects throughout the state and millions in grant-in-aid funds being distributed, this bill corrects that oversight.

(See Pg. 9 <https://www.auditor.leg.state.mn.us/ped/pedrep/0301all.pdf>)

Local Government Control: The bill honors Tribal sovereignty and acknowledges in statute that Tribal approval must be sought and granted for any designated trails proposed to cross their territories. Counties and townships must also have local approval over designated OHV trails coming through their areas. This measure addresses situations when counties or townships oppose a designated route coming through their jurisdiction and that opposition is not respected, leaving costly legal action as the only option to oppose the route.

In conclusion: The just released [2022 Living Planet Report](#) shows an average worldwide decline of 69% in wildlife populations since 1970! This is a comprehensive study of trends in global biodiversity and the health of the planet. Our state public lands are valuable for not only people, but house some of our most undeveloped natural areas for ecosystem services such as clean air, water, wildlife habitat, carbon sequestration and a healthy climate. Addressing threats to our public lands addresses the interlinked emergencies: climate change and biodiversity loss. ***It is important that we have the reasonable controls that this legislation provides to protect and preserve our waters and wildlife habitats now, especially before the three DNR Statewide Master Plans are implemented.***

Please support this legislation.  
Thank you for your consideration,

Margaret Levin, State Director  
Sierra Club North Star Chapter  
2300 Myrtle Avenue, Suite 260  
St. Paul, MN 55114

Bob Graves, Forests and Wildlife Stewards Chair  
[bob.graves@northstar.sierraclub.org](mailto:bob.graves@northstar.sierraclub.org)

Lois Norrgard, Forests and Wildlife Stewards Member  
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Bill Pollnow, Forests and Wildlife Stewards Vice-Chair  
[wpollnow@gmail.com](mailto:wpollnow@gmail.com)



## **Letter of Support for HF 2791 / SF 1324**

February 6, 2024

Dear Senators and Representatives,

I am writing you on behalf of the Cook County Coalition of Lake Associations (CCCoLA) which represents 18 Lake and Road Associations throughout Cook County. CCCoLA's focus is on promoting responsible lake and shoreland management practices with the goal of preserving water quality, healthy shorelands, and wildlife habitat.

During the 2024 legislative session, you will have the opportunity to take action on SF 1324/ HF 2791 which provides clear guidance for OHV users and protections for the waters, shorelands, and wildlife habitats that require ongoing stewardship efforts. The CCCoLA Board members wish to convey our strong and unanimous support for these bills.

With expansion of the OHV trail systems in Northern Minnesota, the provisions in SF 1324/ HF 2791 are vital to ensuring a balance of recreational opportunities with protections for sensitive wilderness environments.

Clarification of which trails are allowable for OHV's may also help reduce misunderstandings among OHV users, private property owners, hunters, hikers, cross-country skiers, and other outdoor enthusiasts.

We appreciate your consideration,

Kathy Bogen, CCCoLA Chair  
[kathybogen@msn.com](mailto:kathybogen@msn.com)  
(218)940-1593

# Minnesota Association of Townships



*Executive Director:*  
Jeff Krueger

*General Counsel:*  
Steve Fenske

*In House Counsel:*  
Graham Berg-Moberg  
Madeline Cash

Dear Chair Hansen and Chair Hawj:

On behalf of 1,777 townships across the state of Minnesota, the Minnesota Association of Townships (MAT) supports Rep. Pursell and Sen. Morrison's HF2791/SF1324. As you may know, MAT represents 916 thousand residents or 17% of the state's population.

MAT believes that HF2791/SF1324 provides a balance between access to Minnesota's outdoor lifestyle while protecting the interests of local government. At times, townships have been included or notified of a proposed trail after the planning process has been under way; putting a township in an awkward position of delaying a popular route. In other situations, other local units of government – more favorable to a proposed trail through the township - have been consulted over the objection of the township.

HF2791/SF1324 will allow townships to have a greater role in the beginning of the planning process and perhaps become a stronger advocate for specific future trail development. Please include HF2791/SF1324 in your committee's omnibus policy bill so townships can have a stronger voice on these local projects.

Thank you for your time and consideration.

Graham Berg-Moberg  
Staff Attorney  
Minnesota Association of Townships



**LEECH LAKE BAND OF OJIBWE**  
**DIVISION OF RESOURCES MANAGEMENT**  
190 Sailstar Dr. NW, Cass Lake, MN 56633  
218-335-7400

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Keith Karnes  
Interim Division of Resource Management Director  
Leech Lake Band of Ojibwe  
190 Sailstar Drive NW  
Cass Lake, MN 56633

February 15, 2024

Honorable Chair Hansen and Chair Hawj,

I am writing to express my strong support for **HF 2791/ SF 1324**, which aims to protect land, water quality, aquatic life, and wildlife from the effects of using certain motorized recreational trails. This bill is crucial for ensuring the sustainable management of natural resources in Minnesota. The decline of biodiversity the closer one gets to the ATV trails is very obvious.

I am particularly grateful that the bill mandates tribal and public approval for the construction or expansion of off-highway vehicle (OHV) trails. This requirement ensures that the concerns and perspectives of the Leech Lake Band of Ojibwe and the general public are taken into account, fostering a collaborative approach to natural resource management.

The protection of the biodiversity of the forest, would mean protection for the culture and identity of the Leech Lake Band of Ojibwe citizens. By safeguarding sensitive species and their habitats, we are preserving not only the ecological integrity of the forest but also the cultural heritage of the Band's members.

Furthermore, the spread of non-native earthworms that are devouring our forest floors, endangering all our hardwood forests across the region, and invasive species is directly linked to OHV vehicles. The aggressive tires and high undercarriages of these vehicles can transport invasive species deep into forestlands, making prevention crucial. By implementing measures to reduce the impact of OHVs, we can help mitigate the spread of these harmful species and protect the biodiversity of our forests.

I believe that HF 2791/ SF 1324 is a necessary step towards sustainable management of natural resources in Minnesota. It will help protect sensitive species, reduce environmental damage, and ensure that OHV trails are developed in a responsible manner. I urge you to support this bill and its efforts to protect our environment for future generations.

Thank you for considering these views on this important issue.

Sincerely,



Keith Karnes, Interim Division of Resource Management Director  
Leech Lake Band of Ojibwe  
Keith.Karnes@llojibwe.net



Kate Hagsten, Plants Program Director  
Leech Lake Band of Ojibwe  
Kate.hagsten@llojibwe.net

# Leech Lake Band of Ojibwe- Support for HF 2791 - SF 1324

Final Audit Report

2024-02-16

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By:	Katherine Hagsten (kate.hagsten@llojibwe.net)
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## "Leech Lake Band of Ojibwe- Support for HF 2791 - SF 1324" History

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travel resulting in physical destruction of habitat (Meadows et al. 2008). Direct impacts to the land from ATV use will have indirect effects on a much larger spatial scale (Ouren et al. 2007). The increase in scale impacts wildlife populations, by impacting habitat, reducing habitat effectiveness, the productivity of preferential foraging areas, and species fecundity and survival.

Nicholson also shows that alterations in animal behavior may result in displacement from preferential habitat, increases in home range and daily movement patterns (Nicholson et al. 1997) and Naylor found reductions in the time spent feeding, and increases in daily travel time (Naylor et al. 2009). Increases in the size of summer home range and increasing daily movement can detrimentally impact energy budgets that are critical for building fat and energy reserves (Cole et al. 1997). A National Park Service study showed that as much as a 70% reduction in the size of an area in which predators can hear their prey (Barber et al. 2009). A North Carolina University study concluded that increased noise in forests meant songbirds nesting there laid fewer eggs and were less likely to successfully raise all of their chicks. Human-generated noise could be affecting male mating songs, especially in forests where they tend to sing at lower pitches. The female birds could have more difficulty hearing male birdsongs through low-frequency human noise.

Figure 1. ATV Use Impacting Wetlands. Source; Bruce D. Anderson. Wetland on Fondu Lac State Forest MN. 2011.



These are but a few of the negative impacts motorized recreation can have on our wildlife heritage. It is critical that the MNDNR conduct a thorough analysis on the potential or actual effects increased motorized recreation will have on wildlife populations.

#### Evaluation of Cumulative Effects in ATV Master Plans

Through their Master Planning, the MNDNR needs to analyze the aggregate and connected effects between expanded motorized recreation and other stressors to wildlife and their habitat which together, cumulatively diminish wildlife values. Other stressors to our wildlife include corporate agriculture, urban and rural housing sprawl, expanding invasive species and forest insects/disease populations, mining, and unsustainable timber harvest on public and private lands. An expanding network of motorized trails provides a vector for invasive plants and urban and rural sprawl particularly sprawl adjacent to public lands increases the likelihood of illegal motorized use. Similarly, increased timber harvest and associated roads resulting from the Sustainable Timber Harvest Initiative will prompt more motorized recreation above and beyond existing conditions. A robust analysis is particularly needed to assess the potential effects of an expanded motorized recreation network on Species of Greatest Conservation Need (SGCNs). There are now over 346 wildlife species identified as Species of SGCN's compared to 292 SGCN species in 2005; a 18% increase in number of listings.

#### Need for Additional Motorized Recreation Trails-Demand

Millions of dollars in increased funding have been allocated to motorized recreation in the last two years. Moreover, the MNDNR is developing 3 Statewide Strategic Master Plans for motorized trail systems; one each for All-Terrain Vehicles (ATVs), Off Road Vehicles (trucks and jeeps) and Off Highway Motorcycles.

Is this necessary? Recognizing the adverse impacts to wildlife from RMV use, MNTWS questions the need for expanded access for RMV's on our public lands in the first place. *Current* recreation opportunities on public lands favor motorized recreation over non-motorized recreation despite past surveys showing that the majority of Minnesotans favor non-motorized recreation. Consider that according to a Minnesota

Recreation Survey, 89% of Minnesotans participated in non-motorized forms of recreation such as hiking and biking compared to 10% of participants who favored or participated in ATV riding. In terms of use (user days), 36% of all recreation user days (128 million user days) involved non-motorized activities versus 2% of all user days (6.5 million user days) involved ATV activities. Hunters have asked the DNR to expand the extent of non-motorized hiking trails (hunter walking trails) on DNR administered lands. Many hunters and recreationists are frustrated with lost opportunities to experience solitude because of the increasing frequency ATV thrill-riders, and the increasing habitat and trail degradation.

Need for Additional Motorized Recreation Trails-Supply

As described above, Minnesotan’s favor non-motorized over motorized recreation. Does the availability of public lands open to non-motorized recreation vs. motorized recreation align with those public expectations? It does not.

When looking at motorized vs non-motorized use in terms of road/trail mileage on state forests and county lands, there was an imbalance between motorized and non-motorized opportunities with motorized roads exceeding non-motorized roads/trails from between 2:1 to 5:1. Upon National Forests there is more equity with a ratio of .6:1 on the Superior National Forest and 1.4:1 on the Chippewa National Forest.

Between 2003 and 2008, the DNR classified all 58 state forests as limited, managed or closed with regard to motorized use. As part of this process the agency inventoried over 12,000 miles of forest routes. On the inventoried routes that were not designated or closed, motor vehicle use is permitted in forests classified as managed and prohibited in forests classified as limited or closed. Review of DNR state forest websites revealed roughly 8,500 miles/trails (designated and non-designated) were open to motorized recreation contrasted with an estimated 4,000 miles designated for non-motorized use.

The ratio of motorized to designated non-motorized roads/trails on county administered lands where information was available was 5:1 (2150 miles motorized vs 300 miles non-motorized). Actual mileage and ratios may differ, but such information could not be found or accessed. This ratio of 5 to 1 is assumed to reflect county administered land *acres* affected by motorized use.

Upon National Forest lands, following implementation of the Superior Forest Travel Management Rule 1600 miles of roads/trails out of about 4200 miles outside the wilderness were open to ATV’s. On the Chippewa National Forest 1486 out of 2625 miles of roads/trails were open to RMV use (59%). This represented a motorized to non-motorized ration of 1.4:1. The comparison between motorized and non-motorized availability on selected public lands where data was available is shown in table 1.

Table 1. Road/Trail Mileage Comparison of Selected Public Lands Open and Closed to Recreational Motorized Vehicles (RMV’s) on Lands Generally Open to Motorized Use.				
Land Ownership	Total Miles (Inventoried or Actual Total)	Open RMV’s (Designated or by default)	Closed RMV’s	Ratio of Open to Closed
<b>State</b>	<b>Miles</b>	<b>Miles</b>	<b>Miles</b>	<b>Ratio</b>
State Forest	12,000	8,500 (70%)	4,000 (30%)	2:1
WMA’s (estimate)	Unknown	Unknown	Unknown	Estimate 1:1
<b>County</b>				
County Lands	2500	2150 (86%)	350 (14%)	6:1
<b>Federal</b>				
Superior NF	4200	1600 (38%)	2600 (62%)	.6:1
Chippewa NF	2525	1486 (59%)	1038 (41%)	1.4:1
<b>Total (rounded)</b>	<b>21,200</b>	<b>12,700 (60%)</b>	<b>8,000 (40%)</b>	<b>1.5:1</b>
<b>Percent</b>	<b>NA</b>	<b>60%</b>	<b>40%</b>	<b>NA</b>

In summary, MNTWS questions the need and legitimacy of expanding the motorized recreation network across the state. This is contrary to what most of the public is seeking in their recreation experience-most

are seeking a non-motorized experience. However, the availability of a non-motorized experience is disproportional-the majority of our public land is open to motorized recreation. In view of this disparity, is it worth further jeopardizing what remains of our wildlife heritage? Rare species habitat (quantity and quality) is diminishing and expanding motorized recreation disturbance will only enhance that diminishment. If the MNDNR pursues motorized recreation master planning (which they will), it is vital that SF Bill #1324 and HF # 2791 be introduced and passed.

Sincerely,

Bruce D. Anderson  
Past President-MN Chapter of the Wildlife Society  
218-451-0382



February 12, 2024

Honorable Senators and House Representatives,

The DFL Environmental Caucus asks for your support of Senate File 1324 and House File 2791. This bill would provide common sense measures for managing motorized recreation in public state forests, will help protect and preserve Minnesota's Nature tourism economy and, every Minnesotan's natural heritage.

Given millions of dollars continue to be allocated to motorized recreation and, three statewide strategic Master Plans for motorized trail systems are underway, we need reasonable controls in place prior to construction to protect and preserve public lands for all stakeholders.

SF 1324 / HF 2791 require signage for off-highway vehicle (OHV) trail access that will reduce illegal, user-created trails that fragment habitat and spread invasive species deeper into forests. Signage will also address the issue of damage done in closed forests when signs have been removed. These measures will support DNR conservation officers in carrying out their responsibility to ensure our public lands are healthy and accessible for multiple uses and users. SF 1324 / HF 2791 will also require local approval to ensure trails are designated only in host communities that want them.

Importantly, this bill will not diminish the experience of the responsible user, but is critical to preserve the resiliency of ecosystems and protect biodiversity, allowing them the best chance to thrive as the climate warms.

Thank you for your support of this important legislation.

Sincerely,

Catherine Zimmer, board member DFL Environmental Caucus

A handwritten signature in black ink that reads 'Catherine D. Zimmer'. The signature is written in a cursive style and is contained within a thin black rectangular border.



February, 2024

Dear Honorable Senators and Representatives,

SF 1324 / HF 2971

The League of Women Voters of Minnesota expresses our support for legislation that provides common sense measures for managing motorized recreation on our public lands.

Given the millions of increased funding allocated to motorized recreation in the last two years, in addition to the ongoing process the Department of Natural Resources (DNR) is in to create 3 Statewide Master Plans for motorized trail systems; one each for All-Terrain Vehicles (ATVs), Off Road Vehicles (trucks and jeeps) and Off Highway Motorcycles, it is important that we have reasonable controls in place to protect and preserve our waters and wildlife habitats. These common sense measures will also support our DNR in carrying out their responsibility to ensure our public lands are healthy, and accessible for multiple uses and users. Quiet use recreationists also enjoy these natural treasures.

Importantly, it will also ensure trails are only designated in host communities that want them by requiring local approval.

This bill will lessen the environmental impact of motorized recreation and will not diminish the experience of the responsible user. It is critical during increasing climate change caused events to preserve the resiliency of our ecosystems. As waters warm and habitat and biodiversity continues to be lost from human impact, we must put in place these common sense measures to mitigate the effects from motorized recreation on our forests and waterways. These measures will help sustain Minnesota's Nature Tourism economy and protect every Minnesotan's right to the outdoors.

Sincerely,

Sam Streukens

Civic Engagement Director

League of Women Voters of Minnesota



POLLINATOR FRIENDLY ALLIANCE  
PO BOX 934, STILLWATER, MN 55082  
[WWW.POLLINATORFRIENDLY.ORG](http://WWW.POLLINATORFRIENDLY.ORG)

**Date:** February 12, 2024

**To:** Minnesota Representatives and Senators

**The Pollinator Friendly Alliance board, staff and members are requesting your support for measures that control ATV's and off road motorized vehicles in Minnesota DNR-managed state lands including state parks, state forests, wildlife management areas, aquatic management areas and scientific and natural areas.**

Please support SF1324 / HF2791. This bill will implement common sense controls and rules to protect our water and wildlife habitats. Better controls for and reducing ATV and off-road motorized vehicle traffic will help ensure our Minnesota natural treasures are healthy and accessible for everyone.

In recent years, land degradation and development has accelerated due to pressures from industrial agriculture, urbanization and deforestation. Often public lands offer the last remaining vestiges of habitat for at-risk wildlife species. Minnesota state forests and other public lands are natural treasures but with the noise from ATV's and off-road vehicles, that nature experience is destroyed for the quiet use visitors. Not only are motorized vehicles loud, but they also erode soil and destroy terrain requiring costly maintenance. This excessive noise is also disruptive to mating and nesting behavior of wildlife, often causing wildlife to abandon the area.

We receive the latest statistics on the decline of not only pollinators but also birds and animal species. It is no secret we are in the midst of a crisis as animal populations continue to decline. In less than a lifetime, North America has lost more than one in four of its birds and half of wild animals in the last 40 years. One major cause is habitat loss and land degradation. Some of our last remaining refuges for wildlife exist on public lands. Protecting biological diversity and integrity and conserving the system's wildlife are the central tenets of a refuge system's mission and our state's responsibility.

This bill will lessen the environmental impact of ATV's and off-road vehicles and help diminish the noise for the benefit of all other visitors and takes nothing away from the motorized user. These measures will help protect our state's tourism economy and preserve nature for Minnesotans to enjoy today and in the future.

Thank you for your service.



February 24th, 2024

TO: Environment, Climate, and Legacy

Environment and Natural Resources Finance and Policy

FROM: Aaron Klemz, Chief Strategy Officer, Minnesota Center for Environmental Advocacy

RE: **SF 1324 / HF 2791**

Thank you, Senators and House Representatives,

My name is Aaron Klemz and I am the Chief Strategy Officer at the Minnesota Center for Environmental Advocacy (MCEA). I am writing to you today to ask for this legislation that provides common sense measures for managing motorized recreation on our public state forests for all users of public lands, and for the protection and conservation of our prized waterways.

This bill aims to protect Minnesota's freshwater ecosystems and resources from further degradation. There are currently 49 Exceptional Use streams in the state that require cold, clear water to remain a refuge for sensitive species in this Climate Crisis. Sediment and nutrient pollution from designated routes on unpaved roads are growing problems that must be addressed in order to protect these areas and aquatic life. Similarly, there is currently no required buffer zone for water bodies on these designated routes. This bill includes buffer measurements, 200 feet for fish bearing and 150 feet for non-fish bearing waters, that are part of Best Management Practices that have been utilized by the Forest Service. By passing this bill, freshwater resources and aquatic habitats will have further protection from harmful degradation.

Given the millions of dollars in increased funding allocated to motorized recreation in the last two years, in addition to the ongoing process the Department of Natural Resources (DNR) is in to create 3 Statewide Strategic Master Plans for motorized trail systems; one each for All-Terrain Vehicles (ATVs), Off Road Vehicles (trucks and jeeps) and Off Highway Motorcycles, it is important that we have reasonable controls in place to protect and preserve our waters and wildlife habitats. Erosion, sedimentation, and nutrient pollution in our freshwater systems are growing concerns for both citizens and land managers. These common sense measures will support our DNR conservation officers in carrying out their responsibility to ensure our public lands are healthy and accessible. Quiet use recreationists also enjoy these natural treasures. Importantly, it will also ensure trails are only designated in host communities that want them by requiring local approval.

This bill will lessen the environmental impact of motorized recreation and will not diminish the experience of the responsible user. It is critical to preserve the resiliency of our ecosystems to allow them the best chance to thrive during an increasing climate crisis. As waters warm and habitat and biodiversity continues to be lost, we must put in place these common sense measures to mitigate the

environmental impacts from motorized recreation. These measures will help protect and preserve Minnesota's Nature Tourism economy and every Minnesotan's natural heritage.

Sincerely,

Aaron Klemz

Chief Strategy Officer

Minnesota Center for Environmental Advocacy

Dear members of the Environment and Natural Resources Finance Policy Committee,  
Greetings from the Cook County ATV Club! We are sorry that we don't have a representative at the hearing on House File 2791. Most of our members are working folks so a trip to the Capitol is difficult. However, we do want our voices heard. We have many concerns about HF 2791 and its possible unintended consequences.

The Minnesota Department of Natural Resources is in the process of creating a statewide ATV master plan. The plan is looking at trails and possible connections between communities. This process includes environmental assessments. Please do not pass any legislation that could interfere with this process.

We have many reasons why this bill is unnecessary and we know it could negatively impact the outdoor recreation we enjoy here on the beautiful North Shore.

One of our major concerns is the call for increased environmental assessments on new trails. This would add more obstacles to developing connections here in Cook County. We have only 70 miles of designated ATV grant-in-aid trails, which are connected by county and forest roads. We have spent decades working with Cook County, MN DNR Parks & Trails, and the U.S. Forest Service developing a system enjoyed by residents and visitors. But it is far from complete and work continues.

The majority of the ATV routes in Cook County are on county roads or minimum maintenance U.S. Forest Service and DNR forest roads. These roads are frequently near bodies of water. This is an example of unintended consequences. Implementing HF 2791 could mean the closure of an important trail connection.

During the decades-long ATV planning in Cook County, ATVers have repeatedly shown themselves to be responsible people who enjoy our great Northwoods. All of our county roads in Cook County are open to ATV traffic, a process that began in the 1990s. County roads were opened in stages, with input and feedback from Cook County law enforcement, the MN DNR, and the U.S. Forest Service throughout the process. Based on the successful introduction of ATVs on county roads, the U.S. Forest Service has opened a number of its minimum maintenance roads as well. There has been no evidence of any environmental damage on any roads in Cook County. The ATV riders in Cook County have an excellent history of responsible and sustainable ATV use. Please let us continue doing so without the onerous obstacles that HF 2791 would add.

Something the groups promoting this legislation neglect is the *positive* impact of ATV trails in Cook County. Our club member-volunteers spend 100s of hours maintaining not just our 70 miles of trails, but the connecting forest roads each year. We have groups caring for the trails from ages 8 to 80. We clear brush, repair spots with erosion, remove invasive species, etc. We are good stewards of our wonderful Minnesota trails and help keep them open for all. If it were not for ATVers traveling the trails, clearing brush along the way, many favorite mountain bike and backcountry hiking trails would become overgrown and disappear.

Another often neglected benefit of having grant-in-aid trails is that counties receive DNR funding for ATV patrols. Cook County has received enough money to purchase ATVs and trailers that are used not only for enforcement but also for the rescue of any forest user needing help. If any of the Environment and Natural Resources Finance Policy Committee members visit Cook County, please let us know. We would love to meet with you and talk about our wonderful trail system on the North Shore. Perhaps we could take you on a ride. We are especially proud of

our Hovland Woods ATV Trail, which is the only all-terrain vehicle trail in the state that traverses a Minnesota Department of Natural Resources Scientific and Natural Area. Several sections of our ATV trail system are shared with the Superior Hiking Trail without conflict. And of course, we enjoy seeing mountain bikers and equestrians traveling on the same routes as our ATVs.

If you would like to talk to us about HF 2791 or learn more about ATViing in Cook County, please contact Cook County ATV Club secretary Rhonda Silence at 218-370-0378 or by email to [ATVcookcounty@outlook.com](mailto:ATVcookcounty@outlook.com). We would be happy to talk to you.

Happy trails,

*Mickey Brazell*, president

*Seon Montgomery*, vice-president

*Jorey Brazell*, treasurer

*Rhonda Silence*, secretary

*Nick Pittman*

*Josh Engelmann*

*John McClure*

Cook County ATV Club

PO Box 455

Grand Marais MN 55604

[ATVcookcounty@outlook.com](mailto:ATVcookcounty@outlook.com)

218-370-0378

# Support Common Sense Measures for Habitat and Water Protection & Future Off-Highway Vehicle Trail Development

## HF 2791 / SF 1324



### **Bill Measures 1-4**

1. OHV access on signed trails only.
  - Help riders know where they can ride
  - Make state policy consistent statewide
  - Help DNR Conservation Officers monitor trail usage
  - Reduce habitat fragmentation & spread of invasive species in forests
2. Require 200 foot buffer zones for fish-bearing waters and 150 feet for non-fish bearing waters
  - Protect waters & aquatic life
  - Known invasive species areas must be avoided
  - Future trails avoid remaining 49 pristine streams in state, MPCA ranked as EXCEPTIONAL
3. Environmental assessment worksheet required for all trail construction
  - Exemption for 1-mile or less re-routes (2003 Legislative Audit Recommendation)
4. Tribal approval and local planning input required for proposed trail projects

### **DNR's 2008 Trail Planning, Design & Development Guidelines are voluntary and unenforceable**

- Guidelines theoretically minimize the impacts of trails on natural resources, **BUT** Guidelines say, "Trail should not be modified to reduce ecological impact if doing so would appreciably diminish its value to the targeted user."  
Legislation is needed to ensure trails are developed in the right places.

### **Economic justification for trails not substantiated**

- Biased survey data
- Accurate cost-benefit analysis has not been done, omitting costs for
  - Road Maintenance
  - Public Safety (search & rescue, fire department)
  - Environmental damage & remediation
  - Revenue loss from other forms of impacted recreation

### **Expansion of Off-Highway Vehicle (OHV) Routes** will continue

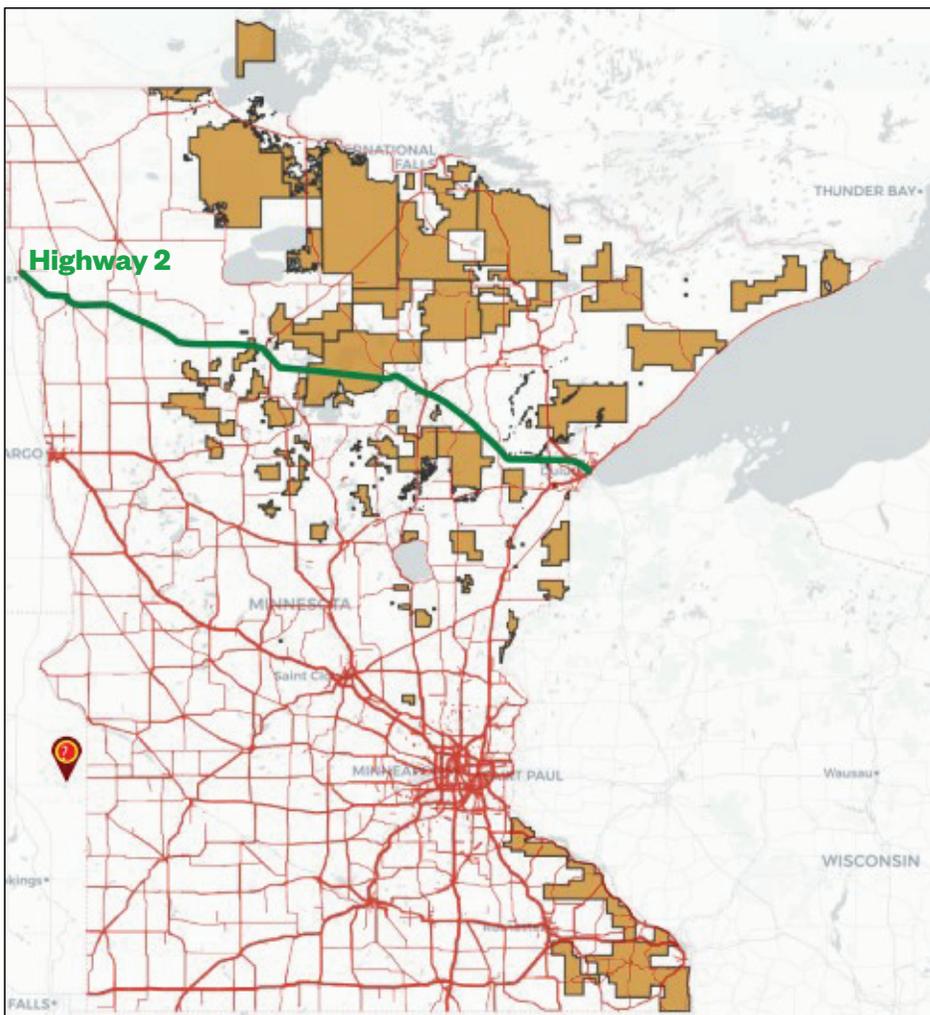
- Up to 12,500 miles accessible to OHVs on Federal, State, County and Municipal Park lands.
- Three DNR statewide Master Plan Systems are in progress for ATVs, Off-Road Vehicles and Off-Highway Motorcycles
- Multiple ongoing OHV Club projects being proposed



**Access to Signed Trails Only**

**Itasca County ATV trail**

showing a “user” created trail veering off the main trail  
*[ North of Hwy 2, there is no consequence for using trails like these that fragment habitat and spread invasives deep into our forests. ]*

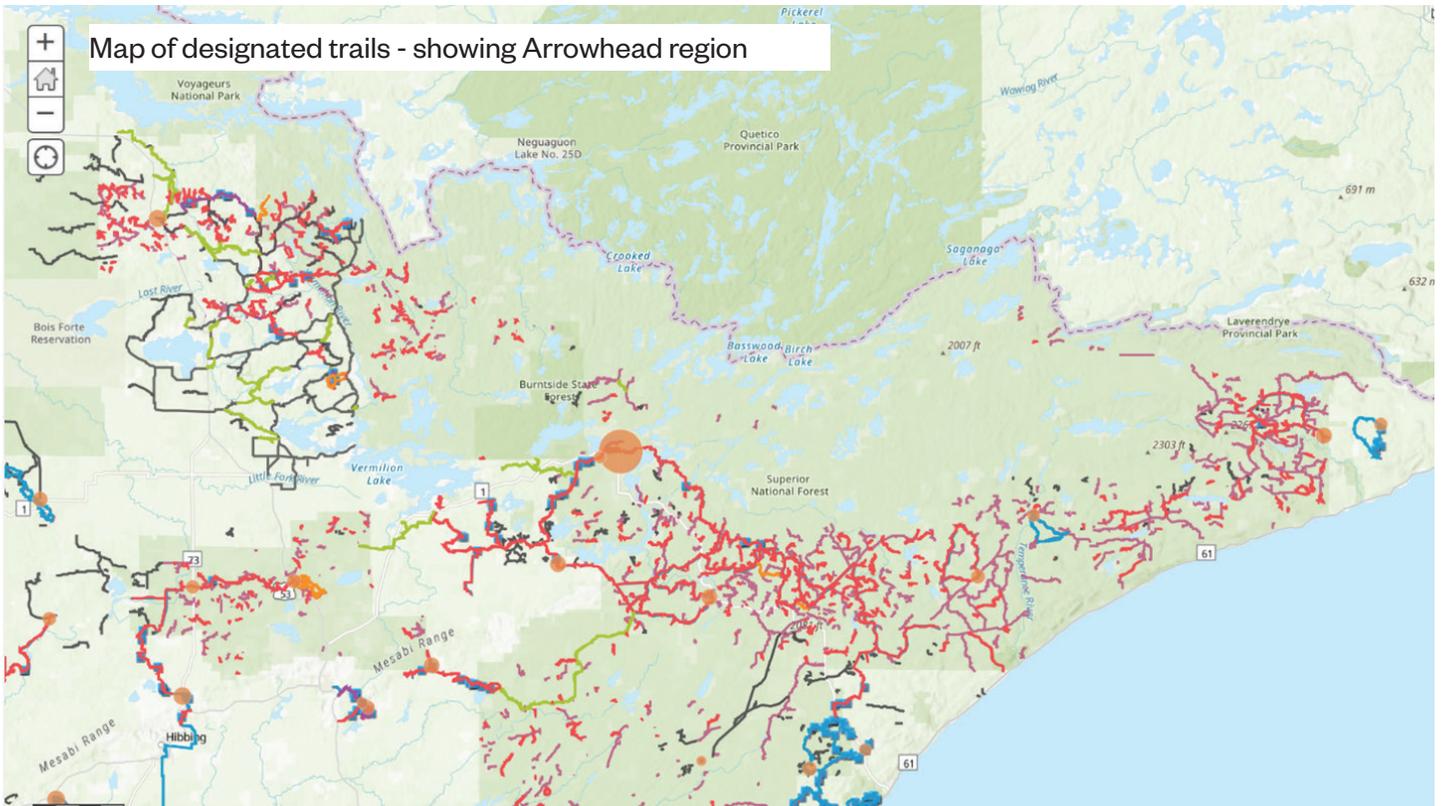


**North of Highway 2, home to most of our state forest lands,**

every trail is open unless posted closed. This includes illegal user created trails that have not been sanctioned by DNR, and in closed areas of the forest where closed signs are torn down. This results in increased damage and impacts to sensitive habitats, spread of invasives deep into forests and increased fragmentation to these forests.

South of Highway 2, only signed trails can be accessed. HF 2791 / SF 1324 would unify state policy and make a critical difference in reducing impacts from off trail use.

## HF2791/SF1324: Better Habitat & Waters, Better Wildlife, Better Trails



**In 2014, there were up to 12,500 miles available to Off Highway Vehicle use in the State.**

*Research compiled by Bruce Anderson, retired Natural Resource Manager of 34 years for USFS and DNR.*



### **Required Buffer Zones**

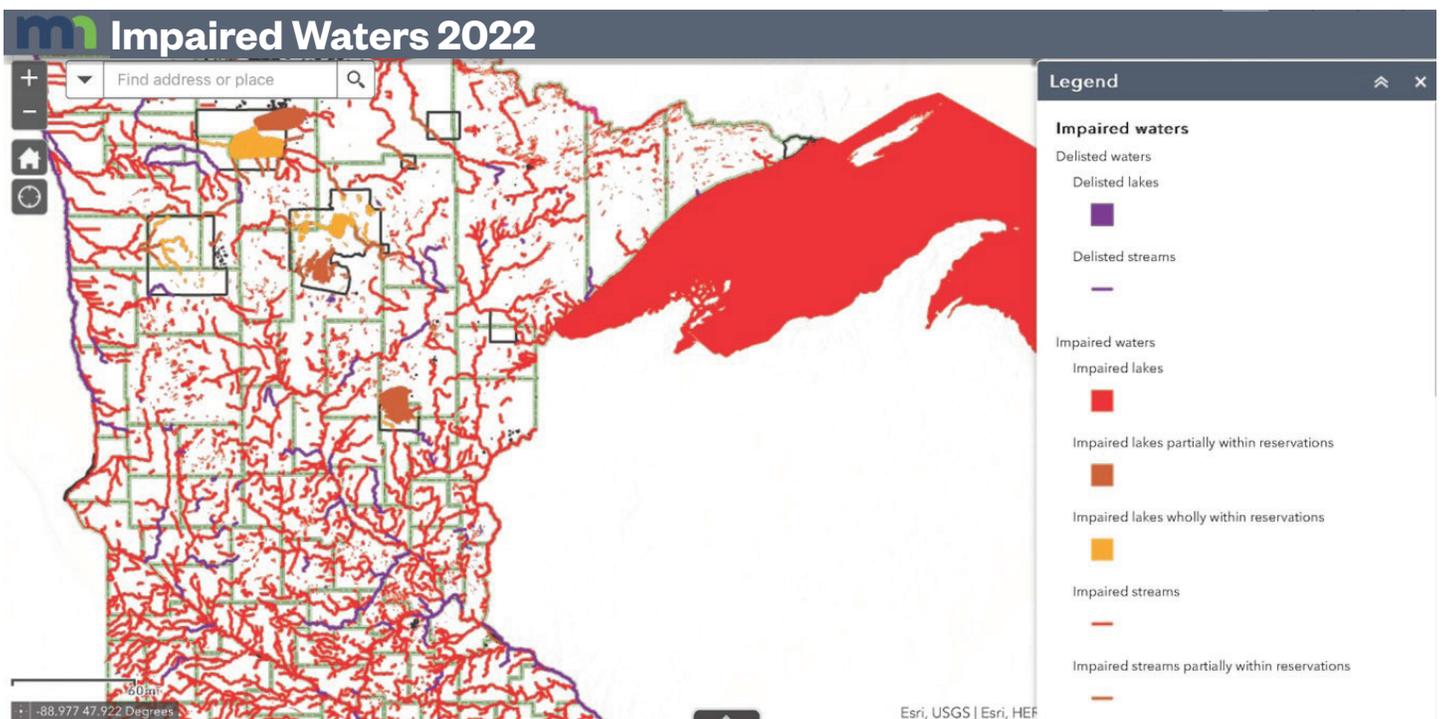
**The Chisholm Trail** is a new trail being created indicating no buffering from water is being used

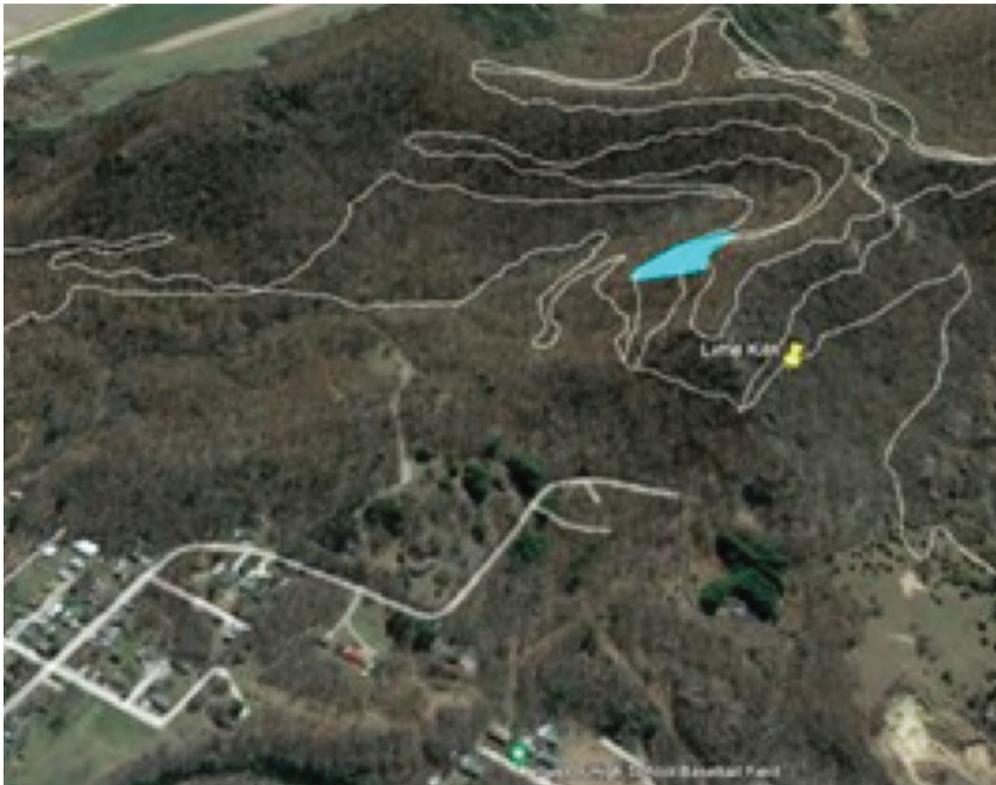


**Avoid on Future Unpaved Trails**

**Exceptional Use Waters**

Minnesota Pollution Control Agency designated “Exceptional Use” waters, are our most healthy and pristine waters. There are 49 water segments ranked at this level in the state. These cold, clear waters are critical thermal refuge in our changing climate for sensitive species such as walleye and brook trout. These streams should be avoided by future designated Off Highway Vehicle routes on unpaved roads.

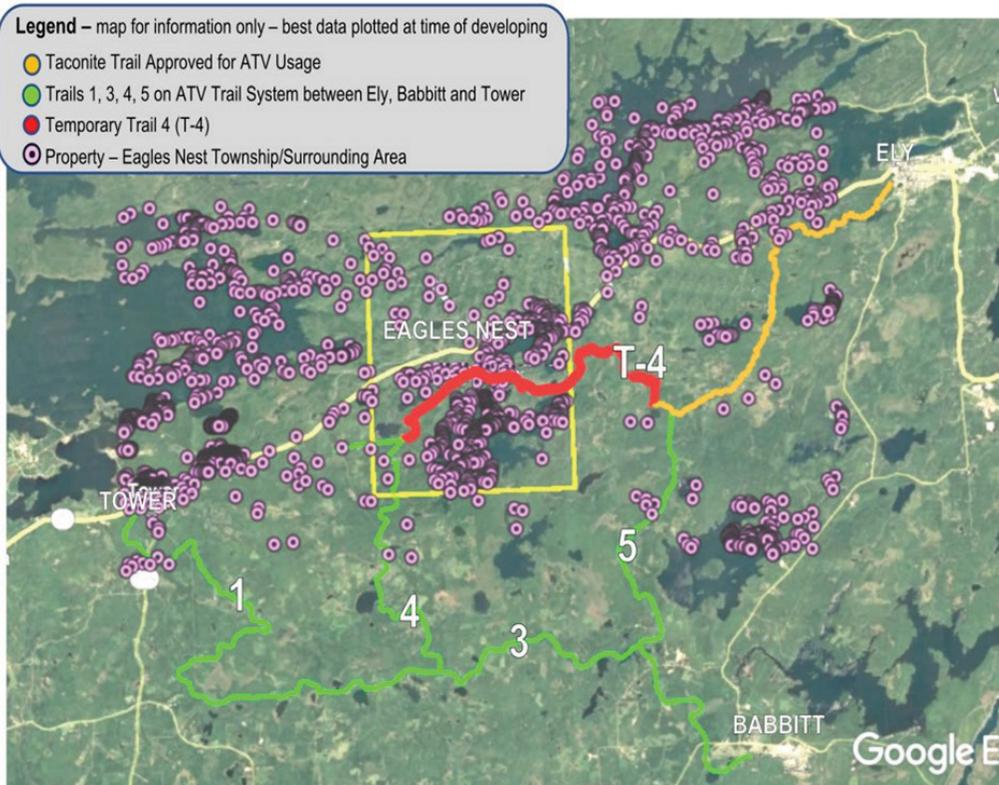




**Need for EAWs**

**Houston, Minnesota**

- Proposed Trail in Houston MN
- 200-acre area on highly erodible soils and rare bluff prairies
- At least 15 rare species (2 threatened including Timber Rattlesnake).
- Defined by DNR as a 7.5-mile trail, thus avoiding an EAW which is required for an area of 80 or more acres.

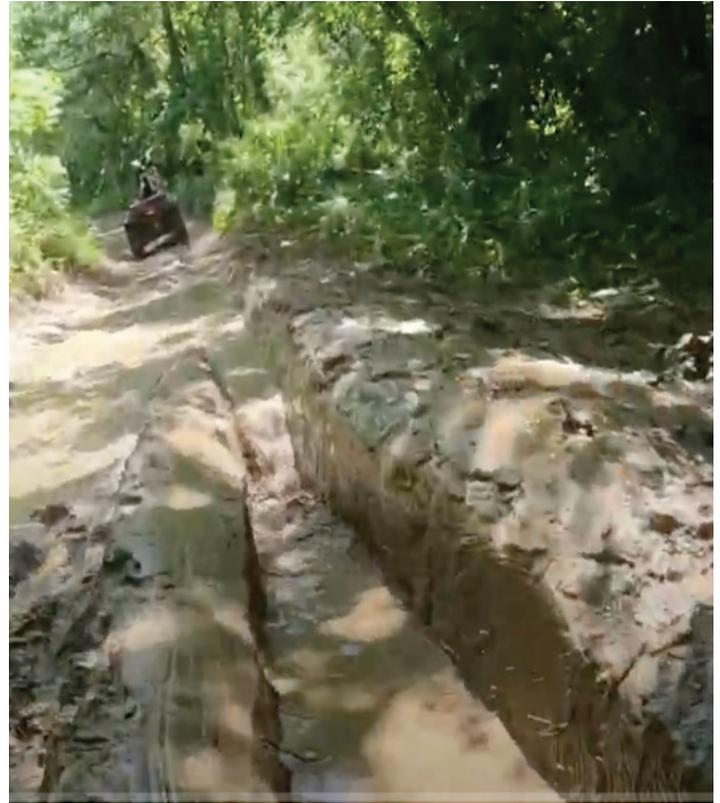


**Need for Tribal Approval and Local Input in Planning Stage**

**Eagles Nest Township, Minnesota**

- Is an example of current problems in trail planning:
- Proposed trail ( in red) negatively impacts populated residential area
- Trail location opposed by residents via petition and township supervisors by resolutions.
- OHV clubs partnered with county, ignoring residents and township resolutions

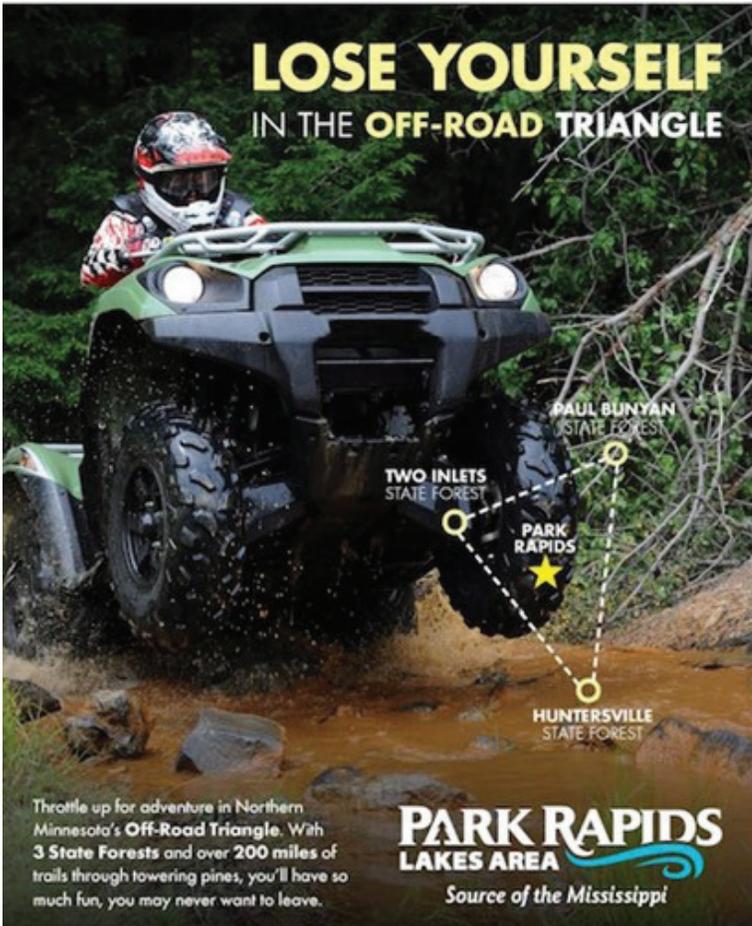
Minnesota Association of Townships supports bill as amended, granting local government input early in trail planning process.



Screenshots showing ATV riding on the Snake Creek trail in the Richard J. Dorer Memorial Hardwood State Forest.

*Kellogg MN*

## Advertisements and online promotions of ATV riding in Minnesota





Riding through a wetland in Cook County



A user-generated trail (not on the trail inventory)



Along the boundary of the Red Lake WMA where a “No Motorized Vehicles” sign had been pushed over

## Some of the SF 1324 / HF 2791 Supporting Organizations

- Clean Water Action
- Cook County Coalition of Lake Associations
- Backcountry Hunters and Anglers
- Leech Lake Band of the Ojibwe Division of Resources Management
- Audubon, Mn
- The Izaak Walton League, Mn Division
- Sierra Club, North Star Chapter
- The Wildlife Society
- Minnesota Center for Environmental Advocacy
- The Mn League of Women Voters
- The DFL Environmental Caucus
- Pollinator Friendly Alliance
- Minnesota Association of Townships



2355 Highway 36 West  
Suite 400  
Roseville MN 55113  
651.739.9332  
[mn.audubon.org](http://mn.audubon.org)

Chair Rick Hansen  
Environment & Natural Resources Finance & Policy Committee  
407 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55115

March 26, 2024

Re: HF 2791 / SF 1324

Dear Members of the Committee:

A recent study from the Cornell Lab of Ornithology finds a staggering loss of birds. **North American bird populations have declined by 29%, and grassland bird populations have declined by 53% since 1970.** These population declines are tied to reductions in habitat quality and quantity associated with the conversion of native habitats to human-dominated landscapes.

Research reveals how the fragmentation of habitat from the introduction of roads and trails create edge habitats that can cause declines in habitat quality, especially for species that need large areas of habitat for breeding. In response to this research and significant declines in bird populations, it is critical that we enhance habitat quality and food availability by minimizing the creation of new, unsanctioned trails in our public lands. For this reason, we support efforts to reduce and mitigate the impacts of Off-Highway Vehicles.

Sincerely,

Lindsay J. Brice, Policy Director  
[Audubon Upper Mississippi River](#)

**Alongside the following independent Audubon chapters across Minnesota:**

[Brainerd Lakes Area Audubon Society](#)  
[St. Paul Audubon Society](#)  
[Austin Audubon Society](#)  
[Prairie Lakes Audubon Chapter](#)

[Central Minnesota Audubon Chapter](#)  
[Audubon Chapter of Minneapolis](#)  
[Minnesota River Valley Audubon Society](#)  
[Mississippi Headwaters Audubon Society](#)



March 26th, 2024

Dear Chair Hansen and Committee Members

On behalf of the Minnesota 4-wheel Drive Association, we strongly oppose HF2791. This legislation will create a range of restrictions that will limit access for the 4-wheel drive community across the state. We have over 1,000 active members who are responsible users and ambassadors of established state trails and courses. These parks are growing in demand and offer a secure and sustainable option for off-road enthusiasts to enjoy their hobby responsibly in new areas of the state. Additionally, this legislation creates unnecessary hurdles to maintaining and improving existing trails such as those in Gilbert, Appleton, Mille Lacs, Pine River, and the Nemadji State Forest.

The limitations based on noxious weeds and waterways create a burden of protection that could not be met by the majority of highly used roads across the state. The restrictions also do not make sense for routes and trails in remote areas of the state with established forest roads. The Grant in Aid process currently utilized when developing trails provides significant oversight and review before new trails are approved. This legislation simply complicates and slows a system that is working.

This legislation will not only halt a growing recreational and economic sector, but it will also reduce access to areas of our state that are not often seen by many. Creating barriers for Minnesota Taxpayers who desire to enjoy all the state has to offer. Denying access to our natural resources and ignoring the established process that is required for new trails and routes. HF 2791 would virtually eliminate new trails and make the process of repairing existing trails more daunting. Additionally, it would create the following barriers:

- Prohibit trails or routes to cross any land containing prohibited or restricted noxious weeds.
- Does not allow an unpaved trail or routes that are less than 200 form water with aquatic life
- Does not allow an unpaved trail or route less than 150 from **any** public water.
- Any grant in aid trail requires local city county or township approval and any constitution, reconstruction or improvement must also get approval.

The Minnesota Off-road community values the routes and trails that we have worked so hard to create and maintain AND the environment in which they are located. We will continue to be strong stewards of both. Please Oppose HF2791

Jeff Wendt  
President MN4WDA

Dan Wilm  
35559 Northview Harbor Drive  
Pequot Lakes, MN 56472  
Co-Director Minnesota Coalition Public Lands  
March 25, 2024

Written Testimony in support of **HF 2791**

Thank you for this opportunity to speak. I have a unique perspective as I am a retired MNDNR field forester of 34 years. ATVs have proliferated on Minnesota's landscape, in particular since early 2000. Machines continually get larger, more powerful, and more modified. Spider Lake trail system, in the Foothills State Forest west of Pine River was a flashpoint and rightfully so as the area suffered significant environmental damage. Polaris and the clubs (and they are interchangeable) have enormous power legislatively and environmentally. Minnesota is woefully short on protecting our diminishing environment from the proliferation of trails being built, including some that are being built in highly sensitive areas. The Prospector Trail system additions include building a trail through swamp and bog which form the headwaters of the Rainy River watershed as well as cross highly erodible soils. You can look it up, its public information.

There in fact is no burden of proof, nor follow up to say yes they are protecting these areas, or no, they are not. Its just an assumption, nothing more, nothing less. HF 2791 is a necessary first step in long overdue corrections and protections. Water-clean water, pristine untrammeled areas and the benefits they bring to us need better protections than they're getting. Minnesota is the same north of Hiway 2 and South of Hiway 2. It's ridiculous and past tense to suggest otherwise. They must be treated the same. Period.

The clubs and Polaris (again interchangeable) will complain loudly and vigorously. They've had their way for 20+ years. And in a way, we can't blame them. It's a failure of the regulatory capture system we're under here. The reality is in spite of their vigorous complaints and denial, it's time that the DNR and the legislature include us in the discussions and decision making process. Wild resilient places and their intrinsic values, see and unseen do matter and should matter. It's public land. It belongs to all of us. Period.