



"Off-Highway Vehicles in Minnesota" (1999)

Executive Summary

The use of off-highway vehicles (OHVs), which include all-terrain vehicles, off-highway motorcycles, jeeps and four-wheel-drive trucks, has increased in Minnesota in the past decade. While these motorized recreationists represent a small minority of the users of public lands in Minnesota, the increased use of OHVs has great potential for both conflicts with other forest visitors (i.e. hunters, fisherman, hikers, backpackers, wildlife watchers, bicyclists, and skaters) and severe environmental harm to our forests, parks, trails and waterways. Appropriate legislation as well as appropriate regulation by the Minnesota Department of Natural Resources (DNR) is required to minimize both user conflicts and environmental damage caused by these high-impact machines.

Documented Evidence of OHV Impacts on Minnesota's Environment and Citizens

Minnesotans for Responsible Recreation has assembled photographic and video documentation of OHV damage of public lands statewide. This evidence is analyzed utilizing cited research of OHV impacts on forests, wetlands, wildlife areas and trails and raises a red flag in Minnesota that "all is not well" on our public lands.

With power and reliability that did not exist a decade ago, OHVs can now drive on trails, rough terrain, and distances that before were simply too difficult or risky to negotiate. Given virtually unrestricted travel on millions of acres of state land, these powerful machines have created severe environmental impacts on soils and watersheds, wildlife and habitat, and vegetation. These machines have also severely impacted the aesthetic qualities many seek on our public lands and have the potential of damaging cultural resources.

OHV Conflicts With Other Visitors of Minnesota's Public Lands

The noise, fumes, fear for personal safety, and lack of solitude that result from OHV use acts to displace non-motorized users from state forests, parks and trails and other impacted state lands. The Commissioner of the DNR stated in a September 1, 1994 letter to DNR employees, "*These vehicles (OHVs) oftentimes, too, disturb other recreationists- picnickers, hikers, hunters, skiers and wildlife watchers- who constitute the **majority** of outdoor users(recreation) according to government statistics.....ways must be found to accommodate off-highway vehicles **without sacrificing the integrity of the natural environment or the rights of those who choose non-motorized forms of recreation.***" While the state has acknowledged that these conflicts exist, and that non-motorized users of public lands represent a vast majority of users, the state has not done enough to reduce conflict, protect non-motorized experiences and landowner's rights, and has in fact designated a vast majority of state lands as open to unrestricted OHV use.

DNR OHV "Statewide System Planning"

Beginning with its draft "Recommendations for Managing Off-Highway Vehicles (OHVs) in April, 1997, and a series of "town meetings" the Minnesota DNR developed system planning criteria to protect the environment and rights of others from OHV abuse. Sadly, evidence since then indicates these criteria have long been forgotten as the DNR moves "into high gear with an accelerated trail [planning and] development program" for off-road motorcycles, all-terrain vehicles, and four-wheel-drive pickup trucks.

19 "OHV system planning teams" across Minnesota are proposing designated trails throughout the state. These DNR-led teams have proposed an OHV "random scramble area" on the Superior Hiking Trail (SHT) and use of the SHT's right-of-way! . An OHV trail adjacent to the Boundary Waters Canoe Area is proposed. Plans are proposing conversion of the North Shore, Taconite, and Arrowhead State Trails for OHV use. State parks are "no longer sacred" as OHV use of Temperance River, George H. Crosby Manitou, and Cascade River State Parks is being proposed by DNR OHV system planning teams. Trails through Scientific Natural Areas (SNAS), wetlands and other sensitive areas are also being proposed. The effects of these trails on the environment and other forest visitors have essentially been ignored by planning teams.

State Forest OHV Classifications are Inadequate Protections

In 1998, simultaneous with the DNR's OHV system planning, the DNR classified Minnesota state forests for OHV use. The three forest classifications are:

Managed - all forest roads and trails open to OHVs unless designated closed

Limited - all forest roads are open to OHVs and all forest trails closed unless posted open

Closed - licensed highway vehicles are allowed on forest roads, all trails are closed to OHVs.

Approximately 45 of Minnesota's 57 state forests have been classified as "Managed", leaving the bulk of our state forest lands open to unrestricted OHV use. No state surrounding Minnesota permits such open use of public lands by OHVs.

Cross-country Travel Uniquely Destructive to Minnesota

While the DNR wisely and originally proposed a "prohibition on cross-country travel", i.e., off roads and trails, in order to manage the impacts of these machines, last minute, end-of-session maneuverings by a few legislators succeeded in deleting this protection from DNR rules governing OHV use. Minnesota is one of the only states in the country that allows cross-country travel on public lands. Minnesota's state forests are now one large random scramble area.

Problems with Current Policies and Practices Governing OHVs

Enforcement Difficulties: OHVs were designed to go anywhere. And they do. Longstanding illegal OHV use has been documented in state forests, wildlife management areas and on state trails across the state. While the state wisely provides 600 troopers to patrol our highways only 150 "Conservation Officer Stations" exist to patrol the entirety of Minnesota's public lands! And even these stations are not being refilled as officers retire. A disturbing percentage of these stations are currently vacant in Minnesota leaving "nobody home" to enforce conservation laws. To make matters worse, existing conservation officers are budgeted only 23 hours per year to enforce OHV laws. An impossible task.

DNR Criteria Not Applied: A cursory look at the DNR system planning team proposals mentioned above demonstrates that the agency is not applying its own well-intentioned criteria. Impacts on the environment and other users of public lands have not been considered in proposals revealed thus far.

Cross-Country Travel and "Managed" State Forest Category Guarantee both User Conflict and Environmental Damage: As the rules now stand, OHVs can go any where - through sensitive ecosystems like bogs, wet lands and protected trout streams, and in areas where hikers, bikers, wildlife watchers, fisherman and walking hunters have traditionally recreated. By classifying nearly all state forests as Managed, and allowing unrestricted cross-country travel by OHVs, the state has neglected the very purpose of the entire set of rules which are *"to regulate public use and promote public enjoyment of state parks and forest land in ways that will leave them unimpaired and minimize conflicts among users."*

A New Direction for Minnesota

Minnesotans for Responsible Recreation and allied state environmental and conservation organizations have been meeting with legislators and the commissioner of the DNR to propose implementing the following recommendations to better manage OHVs in Minnesota:

1. Close all state forest lands to OHV use until an adequate environmental and recreation use assessments are completed on lands proposed for OHV use. The DNR could utilize existing criteria developed for this purpose, which have to date been largely ignored.
2. The "Managed" state forest classification must be eliminated. Lands on which OHV use is to occur should be classified as "Limited", with trails closed to OHV use unless posted open. Only in this way can we adequately focus monitoring and enforcement efforts and protect our natural resources and the rights of other .
3. Off-road or off-trail cross-country travel by OHVs should be prohibited on all state lands.
4. Non-motorized recreation areas including campgrounds and established hiking, hunter walking and paddling areas should have adequate buffer areas to protect natural quiet and solitude.
5. Dedicated OHV accounts, derived from registration fees and unrefunded gas taxes, should be used to provide additional conservation officers and repair damage from existing OHV use before funds are spent on trail development.
6. Trail development projects should undergo environmental review similar to that required of other major actions on public lands.
7. A monitoring program must be established to assist land managers in limiting ongoing and cumulative impacts of OHV use on Minnesota's environment and citizenry. Equity for non-motorized forms of recreation must be ensured.