



P.O. Box 111, Duluth, MN 55801

TEL: (218) 740-3175 FAX: (218) 740-3179 EMAIL info@MnResponsibleRec.org WEBSITE: www.MnResponsibleRec.org

July 14, 2004

Via E-mail

Greg Downing
Environmental Quality Board
300 Centennial Bldg
658 Cedar Street
St. Paul, MN 55155

Greg Downing:

Please accept the below comments regarding recreational trail mandatory and exemption categories.

MRR requests that the Minnesota Environmental Quality Board implement rules mandating public and environmental review of ALL PROPOSED ATV, DIRT-BIKE MOTORCYCLE, AND FOUR-WHEEL DRIVE TRUCK TRAILS. Please find attached our October, 2003 comments already provided which we re-submit with the current comments. With every off-highway vehicle project we encounter we are more convinced of the need for mandatory review of ALL projects. We would add to our attached comments that the political sponsorship of these projects and the tendency of both the DNR and local government sponsors to withhold public information and discourage full public participation in project decisions make it necessary for the EQB to mandate review of these projects. Given the difficulty in simply being sufficiently informed of such project proposals and the often last-minute-nature of such information, Minnesotans could easily fail to petition for review of projects in a timely manner and thereby lose such an important opportunity.

While the DNR called for a suspension in 2003 of environmental and public review of OHV projects on state forest land, their promise of effective internal review has not been kept. Our most recent experience in which the DNR has funded a dirt-bike motorcycle/ATV trail twenty feet from the nation's longest bikeway, for which \$7 million has been invested and 100,000 quiet, fresh air, and wildlife viewing seeking bicyclists and hikers are expected this year, only reinforces the urgent need for mandatory review of ALL OHV projects. The agency's oblivious funding of the above described dirt-bike motorcycle trail is evidence of this fact.

Also, please note attached letter sent to you on June 29 briefly reviewing additional DNR history that the agency has actively sought to escape public and environmental review for many years now. We are convinced that the culture of obligation created within the agency, especially the Trails and Waterways Division, by the millions of dollars in motorized recreation gas tax funding that subsidizes the agency, has made it impossible for the DNR to objectively manage or review OHV projects. The concomitant culture of entitlement created by the unrestricted flow of these public funds to snowmobile clubs for decades and now demanded by registered OHV users puts political pressure on the DNR that cries out for public and environmental review to balance these pressures.

MRR has challenged the DNR in court three times seeking public and environmental review because of the poor quality of the agency's proposals and the chaotic nature of the government sponsors and clubs involved in these projects. We believe that left on their own without mandatory review, the DNR, local government sponsors and clubs will do extensive and permanent damage to our state's resources. Only mandatory public input will improve these projects and protect our state's resources. If not for our petition for EAW on the proposed Eveleth-Gilbert ATV/OHM Trail the DNR would not be currently seeking an alternative route away from our nation's longest bikeway. Public review is essential to protect our state's resources from these proposed projects.

Our public lands belong to all citizens, not just those who claim ownership of public motorized recreation gas-tax funds (to which all Minnesotans contribute) and are able to wield the most political power in the legislature and DNR. The suspension of public and environmental review successfully requested by the DNR in 2003 was an entirely political act and demonstrated the extent of the agency's poor quality land management decisions. This decision also violated the very 2003 legislative audit that made public and environmental review its number one recommendation. Since publication of our 1999 report Off-Highway Vehicles in Minnesota, MRR has identified public and environmental review of OHV projects as the cornerstone of a quality OHV management system. Without such review MRR will consider all OHV proposals as illegitimate. MRR submits the above comments and resubmits the attached comments in urging the EQB to mandate public and environmental review on ALL ATV, dirt-bike motorcycle, and four-wheel drive truck projects.

Sincerely,

Jeff Brown
Executive Director

e. [June 29, 2004 Complaint to State Auditor](#)