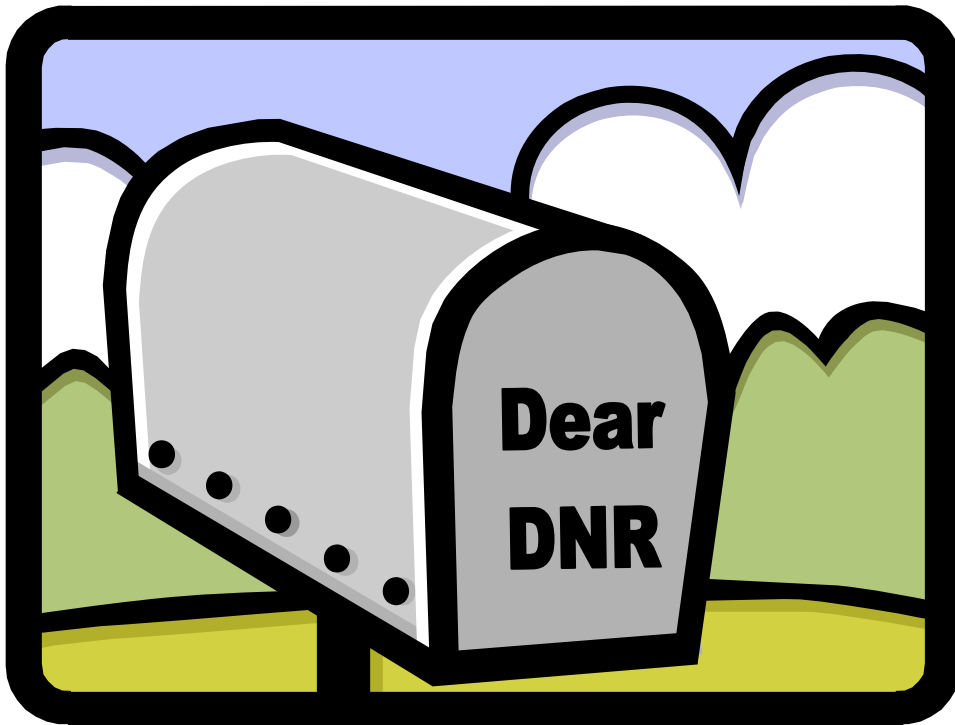


**Response to Comments on the Proposed
Forest Classification
and
Forest Road and Trail Designations
for
State Forest Lands in Crow Wing County**

October 29, 2007



Minnesota Department of Natural Resources

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INTRODUCTION

On April 16, 2007 the MN DNR published a notice of the proposed motor vehicle use classification and road/trail designations for State Forest lands in Crow Wing County in the *State Register* (page 1427). The proposals were described in MN DNR statewide news releases dated April 17, 2007 and May 29, 2007. A public informational open house on the proposed classification and road/trail designations was held on June 21, 2007 in Baxter to explain the proposal and to receive comments. The public comment period ended on July 6, 2007.

The DNR received comment forms, letters and e-mails from individuals and organizations. The DNR appreciates the time and effort of everyone who commented on the proposals. The draft proposals were improved and clarified as a result of the public review process.

This document is a compilation of the comments received and the DNR's response to the concerns about the proposed motor vehicle use classification and road/trail designations. The DNR's motor vehicle use classification and road and trail use designation decisions for State Forest lands in Crow Wing County will be based on the draft proposal and the response to comments. The classification and road and trail designations will be implemented by publication of written orders of the Commissioner of Natural Resources published in the *State Register*.

The DNR uses a content analysis process to develop a response to concerns expressed by commenters. Comments were grouped by topic and statements of public concern were developed. Because the Crow Wing planning process was a collaborative process with the Crow Wing County Land Department, some of the comments are about routes on county forest lands and do not apply to classification or route designation on state forest lands.

COMPILATION OF COMMENTS

Transcribed comments are presented below. The transcription process maintained the content of the comment to the extent possible. Greetings and closings were not transcribed. There was no attempt to correct spelling, grammar, or misstatement of facts. There may be some errors due to illegible handwriting or typing errors by the transcribers. The comments are listed in alphabetical order by the last name of the person submitting the comment.

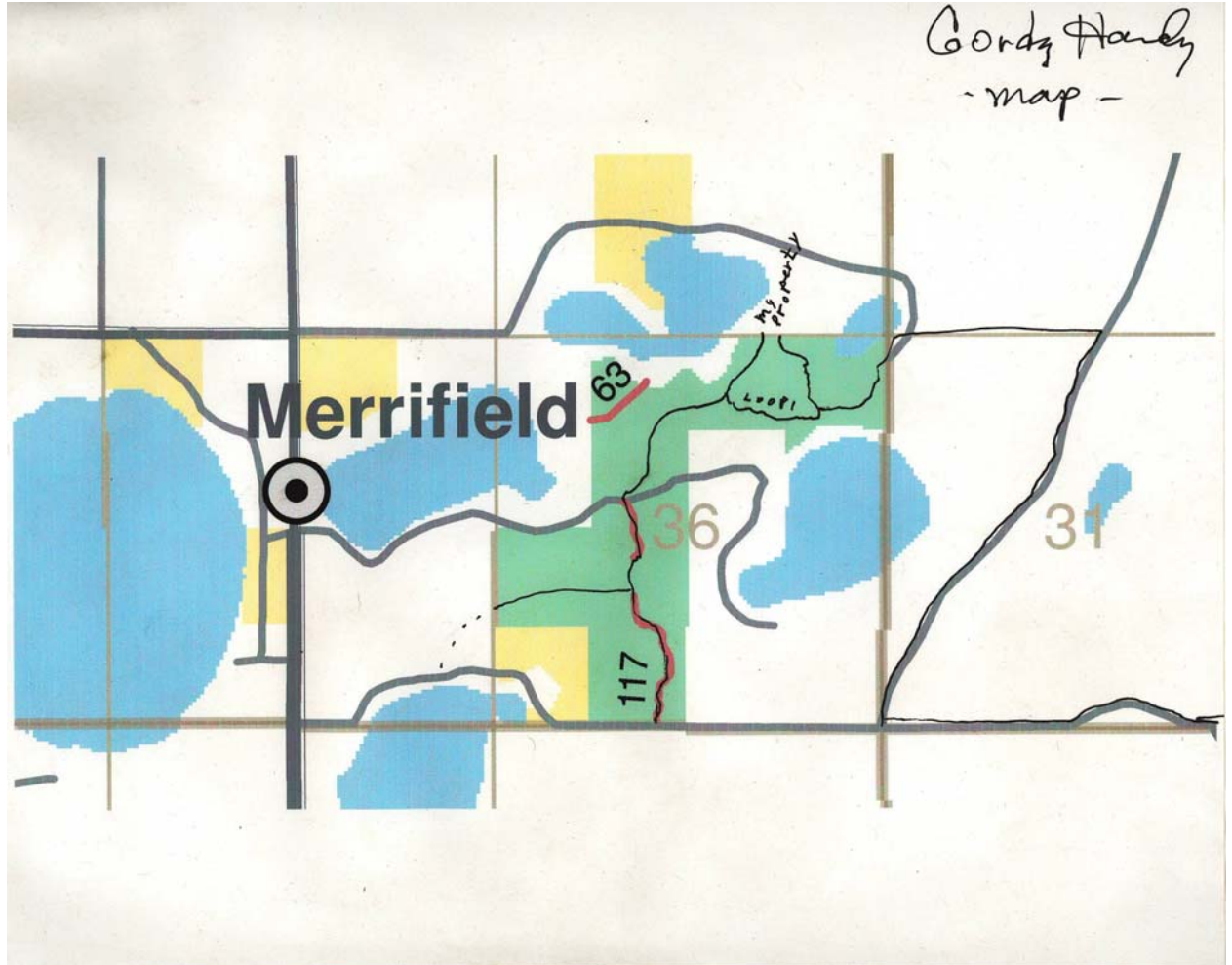
The numbers and letters to the left of the comments are hyperlinked to the topics that are addressed in the agency response section of this document.

	Carleton, George
16a	Tis better to restrict too much than to start a train wreck. DNR officers are awesome. County sheriff is a joke.
	Carleton, Harriete
17a	If the public is paying for a lot of these ATV trails why should a non-ATV person have to pay for that when they will never be using them. How many mile do they (ATV's) need designated and then what is saying they won't want more? What is saying you limit something they won't want more?
	Graham, Chester
1a	<p>The plan for a countywide ATV trail system cedes the state forest to the motorized vehicle users.</p> <p>Motorized use monopolizes the state forest.</p> <p>It is admitted that ATV drivers do not stay on the trail and enforcement short of a total ban is impossible.</p> <p>Most Minnesotans go to the outdoors for peace and quiet.</p> <p>Restrict motorized use to segregated areas and let the silent majority continue to enjoy the peace and quiet they seek in Minnesota's state forests.</p>
	Hardy, Gorden
18a	My family and hundreds of our relatives and friends want to see our public land left as "managed"; not "limited" (no more than 10%) and certainly not "closed." We've seen Pillsbury State Forest and the mine pit area north of Crosby closed. We rode dirt bikes there for 30 years with no noticeable damage. Very few people use those lands

at all now and the trails are all choked with weeds and brush. We are the government of the people and we are being discriminated against by a few outspoken anti's that don't want any off road use of any kind.

[18b](#)

We would like the trail shown on the attached map to be open. It joins several of our relatives' properties. We'll GPS it.



Harker, Jim

[2a](#)

My concern for the apparent sell-out to the ATV, ORV groups, and the huge industry behind them, has prompted me to send one more plea to those who have to stand up and face the constant pressure from those who are demanding more public land to operate their vehicles. My concern is the area in northern Crow Wing County which is the only relatively remote area left in the county. The concern is compounded by the fact our family have been property owners on Stewart Lake (in northern CWC) for 65 years. Obviously, we have seen the use (and misuse) of this area during this time. The current attempt to open up this area to be part of an ATV trail system would be the latest and most damaging plan yet for this part of the county. I realize that my views will be criticized and maybe little stock afforded them because I have a special interest in the lake and the surrounding public lands. My comments are based on an observation of how this area has been used over the past half century. If we want to lose a relatively pristine, wild, and remote area to those that want to make it into another mess similar to that west of Pine River, then we will pay the price. Afterall, those who want to open it up use it for a few hours and leave it.

There are other issues regarding the use of the lake area that Mr. Tom Cowell, CWC Land Comm. have discussed at length. He has been very helpful in many of these. The primitive campsite being the latest and one of great concern. On June 29th there were already 5 tents pitched on this site. Last year over the 4th of July there

<p>2b</p>	<p>were between 25-35 people camped there. These people are using a sanitary facility (outhouse) that is minimally effective and comes far from meeting the standards and requirements of CWC. Many don't use it as evidenced by the surrounding area. AND, we want to add more ATV traffic to that!!!!!!!!!!!!!! Before we open up a trail system, there must be a plan for supervision, control and penalties for those who are going to challenge it. Mr. Cowell knows what I mean after hearing a comment to him by an individual who wasn't going to follow the counties ban on tree stands. I would like to express some other facts regarding this important issue, but space will not allow it. Please contact me if you have any questions or comments on my concerns.</p>
	<p>Kolesar, Dave & Mary</p>
<p>3a</p> <p>3b</p> <p>3c</p>	<p>This past Sunday, in the Minneapolis Star/Tribune Sunday paper dated June 24th, there was an article titled, "Minnesota finally paying attention to its Natural Resources". The article stated that the State of Minnesota was developing a Conservation Plan (at the cost of \$300,000). Most pressing issues included land use changes, development, and disturbances.</p> <p>We just attended the Public Meeting for Proposed Forest Road & Trail Designations in Crow Wing County, specifically the Expanded Work Area around Crow Wing and Emily state forests and county lands. We see in the proposal that there are specific ATV designated trails in the Crosslake Game Refuge. This does NOT MAKE SENSE. This is one of our last game refuges - and we think it DOES MATTER TO PROTECT IT.</p> <p>You have stated in the Public Meetings that you will follow State mandates and guidelines. Instead, we see that the ATV Clubs have put pressure on local officials to get more trails. We are not sure that public motor vehicle use is the best for our natural resources - despite the efforts to "share public lands" equally with all user groups. Once ATVs use a trail, it is not good even for walking or biking. You better wake up to reality.</p> <p>ATV Clubs should put more pressure on ATV manufacturers and perhaps they can purchase private land to build and create their own parks and riding entertainment.</p> <p>We fear that once you designate ATV usage, you will NOT have the manpower to monitor or enforce. You will NOT be able to repair damage - and there will definitely be damage. Just take a look at the Spider Lake area.</p> <p>Please stay committed to CONSERVING our NATURAL RESOURCES.</p>
	<p>Landers, Roger</p>
<p>4a</p> <p>4b</p>	<p>I support MNDNR reclassifying the Crow Wing and Emily St. Forests in Crow Wing County to a 'limited' OHV classification that includes the "Expanded Work Area" (EWA), with the following conditions:</p> <ol style="list-style-type: none"> 1. Eliminate forest roads and OHV trails that dead end and that encourage OHV use to continue through environmentally sensitive areas. 2. Establish forest road and trail density standards. <ul style="list-style-type: none"> -Before a new/modified trail alignment is established, the impact of the trail density on the environment, including wildlife, shall be considered. 3. Establish buffer (setback standards) for trails and forest roads. <ul style="list-style-type: none"> Buffer standards shall include setbacks from: <ul style="list-style-type: none"> - Residents - Wetlands - Rivers & Streams - Lakes 4. Procedures for seasonal trail closings during wet conditions will be in place prior to going "limited". Trail closure notices would be placed on the county web site and in local newspapers. 5. Upon approval of the Crow Wing County "EWA" being reclassified to "limited", trail signs would be installed before closure.

<p>4c</p>	<p>6. Access OHV Damage Account for trail repairs from OHV damage. Apply for funds from the OHV Damage Account to fix ecological damage in areas that receive continued OHV damage on CLOSED trails.</p> <p>7. Submit annual trail report. An annual trail report will be submitted to the County Board of Commissioners, Crow Wing County Parks Director and County Land Commissioner that includes: - Trail Usage - Trail damage & reports - Trail enforcement</p> <p>8. Install trail barricades in areas that receive continued abuse. Install trail barricades (i.e. berms, gates) and special signage in areas that receive continued trail abuse.</p> <p>9. Encourage citizens to communicate with Crow Wing County Parks Department & Crow Wing County Land Department on a wide range of trail related concerns.</p> <p>10. Post OHV “rules of the trail” at key trail locations. Trail rules will be posted on signs at entrances to trails and forest roads at key locations within the EWA (at determined by the Land Department). Rules of the Trail would include: - “STAY ON TRAIL, AVOID WETLAND, RESPECT WILDLIFE, KEEP YOUR SOUND DOWN, SHARE THE TRAIL”, (from DNR OHV Trail publication) - Post Enforcement phone numbers.</p> <p>11. Prohibit OHV rallies and races on state and county managed forested land.</p> <p>12. Establish an enforcement ordinance/agreement with Crow Wing County that will allow DNR Conservations Officers to issue OHV citations on county managed forested land outside the EWA.</p> <p>13. This new OHV reclassification initiative should only include existing (inventoried) forest roads and designated motorized trails. No new OHV trails can be established (legislative mandate).</p> <p>14. Crow Wing County should establish the same reclassification status (‘limited’), with conditions, on county-managed forested land inside in the EWA and on county-managed forestland outside of this boundary. Several official non-motorized areas within county-managed forested land exist and should remain off-limits to OHV use.</p> <p>Note: Many of the above conditions were adopted by the Crow Wing County Commissions in a resolution on October 25, 2005.</p> <p>In addition, I support the following initiatives with the same conditions:</p> <p>1. Reclassify as ‘limited’ - 80 % of the state forestland outside the boundaries of the Crow Wing and Emily St. Forest in Crow Wing County.</p> <p>2. Reclassify as ‘closed’- 33 parcels of state forestland that are environmentally sensitive or are land locked by private land.</p>
	<p>Larson, Greg</p>
<p>5a</p>	<p>I'm disappointed in how much land has been closed to OHV and that is planned to be closed with out any riding area's being setup. You are going from any one can ride in any public lands to you can ride on designated trails which are link together or possible for people to go out and ride. They would have to load up ride a trail then go to the next one. We need riding area's where you can go and ride many miles. Most local clubs would be willing to create the trails and maintain them. MN is way behind other states in the amount of OHV trails we have. We did ATV only trails, Motorcycle only trails</p>
	<p>Moses, Larry</p>

on enforcement; and the replacement of signage, berms, and gates when they go missing or are vandalized, or simply prove to be ineffective. These costs often exceed tight budgets and limited staff hours, forcing land managers either to devote more resources to meet the greater challenge (meaning other management activities go undone), or to allow needed OHV work to go undone, effectively converting unmet OHV management and repair costs into environmental damage and social conflict.

Social costs take the form of the displacement or disappointment of people whose traditional hiking, hunting, fishing, camping, or wildlife watching spots are damaged, diminished, or eliminated by OHV riding, such that they no longer provide the kind or quality of traditional use formerly enjoyed by the traditional users. Examples of other social costs include lost quality of life for people who live near or adjacent to state or national forest lands, and who can no longer go for walks or take a drive without risk being hit by or of hitting someone on an ATV; who no longer leave the windows in their home open in summertime due to the dust and noise; who have to tolerate ATV trespass or annoying visual and audible evidence of regular OHV traffic on formerly quieter areas of the forest.

Minimizing all these costs so that they can be addressed within limited budgets and staff time will be aided by a determination to obtain all readily available and essential information; by designating most small, scattered state land parcels that are not connected to county land trail clusters as “closed” due to management constraints; and by designating roughly half of the larger blocks of state land parcels as “closed” to respect social and ecological constraints (with a presumption of closure favoring those larger parcels that are adjacent to lands already designated as “closed” and also those parcels possessing high or outstanding cultural and ecological significance).

Specific comments from MCEA follow.

6c

I. A Limited Forest Means Legal Cross-Country Travel During 8.5 Months Each Year.

The state legislature in 2002 banned OHV “cross-country” travel on public lands, with the intention of putting a stop to the environmental damage caused by off-trail driving and the proliferation of trails into inappropriate areas that results from it (off-trail driving). The intent (to eliminate environmental damage and inappropriate trail proliferation from cross-country travel) has never been realized. Certain DNR rules, later incorporated them into statute, exempt big game hunters (September 1 to December 31) and protected furbearer trappers (October 15 to May 15) from the cross-country travel ban for a total of 8.5 months of the year, an exemption that effectively swallows the rule, since those are the months when OHV riding is measureable.

The great majority of state forest land acreage in Crow Wing County are proposed for a “Limited” designation, meaning that OHV traffic will be permitted cross-country, and that Off-Road Vehicles (ORVs like mudder trucks) and HLVs (Jeeps, Hummers, and other trucks and cars, etc.) will be allowed to drive on non-designated routes – routes which were not designated in most cases because they were not suitable for motorized traffic of any kind.

The “Limited” classification of much of the Crow Wing County state forest lands will lead to avoidable recreational and other social conflict, higher management costs and pressures, and environmental damage. More lands should be classified as “Closed” to minimize these undesirable effects and to better provide opportunity for the under-served majority of Minnesota citizens.

6d

II. Non-Native Invasive Species Represent One Of The Biggest Threats To The Forest Environment In Minnesota, Including The Crow Wing County State Forest Lands.

The U.S. Forest Service has identified non-native invasive species as one of the top four threats to public lands in this country. The problem of non-native invasive species has been compared to “a catastrophic wildfire in slow motion,” because of the seriousness of the problem and its impacts, which know no boundaries,” according to the National Strategy and Implementation Plan for Invasive Species Management (“National Strategy”), a U.S. Forest Service document that provides direction for integrated pest management to control non-native invasive species on public lands. The establishment and spread of non-native invasive species leads to losses in diversity of native plant communities, as non-native invasive species often out-compete and displace many native plants. “Natural controlling processes and limiting factors that kept species in check in their native ecosystems are not present in their new homes, thereby enabling their populations to thrive. Invasive species can out-compete native species, especially when ecosystem health is stressed by factors such as drought, fire, pollution, resource over-utilization, or other disturbances.” National Strategy. The loss of species diversity causes and is accompanied by losses in native plant community (ecosystem) productivity, health, and resilience.

Other notable effects of non-native invasive species colonization include major decreases in ground water recharge and water quality. Decreased precipitation infiltration leads to increased cross-surface water flows during/following rain events; increased erosion and transport of suspended sediments into surface waters; and decreased water quality. Infestation and formation of monocultures of invasive species like spotted knapweed can increase surface water run-off rates by 56% and suspended solid yields by 192% (“Montana Knapweeds,” attached electronically as “knapweedbulletin.pdf,” citing Lacey, J.R., C.B. Marlow, and J.R. Lane. 1989. “Influence of spotted knapweed on runoff and sediment yield.” Weed Tech. 3:627-631).

In addition, non-native invasive species disrupt the essential (a.k.a. critical) habitat of species of greatest conservation need (SGCN) identified in the DNR’s Comprehensive Wildlife Conservation Strategy. See <http://www.dnr.state.mn.us/cwcs/strategy.html>. Disruption of the essential habitat of SGCN represents a significant negative environmental effect, which it is DNR’s stated policy and legal duty to avoid.

As stated on page 1 of the National Strategy, non-native invasive species are “causing massive disruptions in ecosystem function, reducing biodiversity, and degrading ecosystem health in our Nation’s forests, prairies, mountains, wetlands, rivers, and oceans. Invasive organisms affect the health of not only the Nation’s forests and rangelands but also of wildlife, livestock, fish, and humans.”

Invasion by non-native earthworms pose one of the greatest threats to the Crow Wing County state forest lands. The range of native earthworm species was pushed to the south by glaciers about 10,000 to 12,000 years ago. Earthworms of northern Minnesota today are nonnative species that have been introduced from Europe. Although the duff layer may take about 4 years to compost, exotic earthworms can consume the layer in a matter of weeks. Digestion of the duff layer lowers the forest floor by several inches, eliminates rare plants, reduces the growth of maple seedling by half, reduces salamanders and frogs near vernal pools, and affects woodland bird populations.

OHVs should not be permitted to travel on roads that run through or near to sugar maple and other northern hardwood stands. These forest types are known to be particularly susceptible to non-native species invasion. Chippewa National Forest Environmental Assessment (hereinafter EA), Wildlife Report, OHV Road Travel Access Project. But the damage is not limited to those two forest types.

There is insufficient information in the documents provided for public review and comment to describe the status of non-native invasive species on the Crow Wing County state forest lands. There is no evidence that the DNR knows where earthworms or any other non-native invasive species infestations on state forest lands are located.

In order to protect the long-term health of natural resources which it manages in trust for the people of Minnesota, the DNR must determine which non-native invasive species are present on the forest lands it manages, and where, and ensure that it does not designate any OHV routes through areas infested with non-native invasive species unless and until those infestations are eradicated. Otherwise, damaging spread of non-native invasive species will occur on the Crow Wing County state forest lands. In addition to earthworms, four terrestrial non-native invasive species in particular are major threats to native plants and plant communities. Buckthorn, garlic mustard, leafy spurge, and spotted knapweed pose a very high or high ecological risk to the lands and wildlife in the Crow Wing County state forest lands. “The best way to deal with noxious weed populations is to keep them from becoming established in the first place. This involves detecting situations that might introduce weeds.” *Id.* at 17. If funding, staffing, and time are in such short supply that it would be difficult to collect sufficient non-natives data on which to base a designation decision under the desired timeline, then MCEA suggests that the timeline should be extended to the maximum allowed by state law, or the designation proposal should designate less land for OHV use, or some combination of the two. In any case, designating OHV trails in a state of unawareness as to where non-native invasive species infestations are located will lead to significant and avoidable environmental damage.

III. Environmental And Social Effects Caused By OHV Driving On Public Lands Are More Severe Than For Other Forms Of Land-Based Recreation.

In important ways, no other land-based recreational activity compares to OHV riding. Because of its inherent differences from all other forms of recreation, OHV recreation requires more intense management oversight – monitoring, maintenance, repair and enforcement – than is required by any other form of outdoor recreation. For reasons addressed above and below, former Forest Service Chief Dale Bosworth included unmanaged OHV driving

as a second top threat among the “Four Threats,” in addition to non-native invasive species spread.

A. Power and torque

No class of recreational activity has ever put as much power at the disposal of the outdoor recreationist as OHV riding. Tractive power and torque are selling points, with manufacturers currently engaged in an “arms race” of sorts, as they compete to make machines faster and more powerful. The consequences of this conferral of power are evident in manufacturers’ commercials, and appear on Minnesota’s landscape as rutted wetlands, churned-up streambeds, silt-choked spawning gravels in trout streams, eroded hillsides, compacted soil, and vegetation loss. It cannot be over-emphasized that the sheer power and weight of the machines means that even when ridden responsibly, or at least without intent to cause environmental damage, OHVs carry an inherent capacity to cause environmental damage that is unparalleled in outdoor recreation.

B. Distance and speed

A second feature of OHV riding is the fact that it allows its practitioners to travel longer distances and cover larger areas than any other form of outdoor recreation. Ardent hikers might cover 10 miles or more in a day’s effort; strong canoeists might cover 30 miles or more when traveling light, with substantial effort and under decent conditions. According to the DNR’s Genereux report, an average ATVer, by comparison, likes to cover 30 miles of trail riding in just 2 hours’ worth of riding, and an OHMer likes to cover 40 miles in under 2 hours. *Id.* at p. 53. The DNR defines a “rider day,” its unit for measuring volume of motorized recreation, as four hours worth of riding, and so a typical OHV “rider day” amounts to over 60 to 80 miles of riding. And some drivers travel farther. With the exception of bicycle touring (on roads), no other land-based activity comes close to these mileage amounts.

C. Multiple effects and affected areas

A third feature of OHVs is the size of the area that they affect on the landscape. More accurately, an OHV has multiple effects on the landscape, and each effect is felt over a different-sized area that is much larger than the road or the 3-to-8-foot wide trail on which the OHVs drive. Nearly every effect has a “footprint” on the land that is larger also than similar effects from other forms of outdoor recreation. In other words, while other forms of recreation may share some of the types of effects on the land, the magnitude and combination of those effects is nearly always greater with OHV recreation. Consider some examples:

Sedimentation - OHVs operating illegally near or in a stream, river, or lake, stir up or cause the erosion of sediment, and frequently also introduce the seeds of invasive non-native weeds. Sediment, pollutants such as phosphorus and hydrocarbons, and noxious weed seeds can be transported great distances by water, once they are suspended in that water. The entire area receiving the water-borne sediment, pollutants, and invasive non-native seeds is another area affected by OHVs. The sedimentation effects of OHVs are many levels of magnitude greater than for other forms of non-motorized recreation because recreational OHV operators behave differently than other recreationists when encountering wetlands, streams, and lakes. Whereas hikers, cyclists, canoeists, anglers, hunters, birdwatchers, and other non-motorized recreationists lack both the power and the inclination to destroy wetlands or churn up lakes or streams, recreational OHV riders have the power to do such damage and regularly choose to ride in ways and places that damage water quality, aquatic vegetation, and sediment structure of wetlands, streams, rivers, ponds, and lakes. While not all riders do environmental damage intentionally, the inclination among recreational OHV riders as a whole to ride in wetlands, streams and lakes, where environmental damage immediately results is indisputable. This inclination is readily acknowledged among riders, land managers, and private land owners who have experienced trespass problems. Rather than dispute the regularity of these occurrences, OHV rider advocates typically argue about what percentage of their fellow riders are responsible for illegal behavior. Moreover, riders’ admissions as to their own behaviors tend to belie the familiar and frequently stated opinion that, “it’s just a few percent that cause all the problems.”¹ A quick survey of the stories and advertisements on television, in any ATV magazine, and most ATV websites is likely to turn up images and story lines portraying and glorifying these activities. As a result of the behavior, and the innate ability of OHV tires to churn up more sediment than a pair of hiking boots, sediment loads from OHV riding are enormously larger than those generally associated with other forms of recreation. As a consequence, the area affected by the transport of such sediments and water-borne pollution is larger.

Erosion - When OHVs ride over steep slopes or weak soils, the affected area can grow over time. At first it may be just the area where surface vegetation is destroyed and sediment travel begins. Over time, disturbed areas on slopes often grow in a down-slope direction as destabilized soil moves with gravity and precipitation; and spreading

¹ See Monaghan and Associates. 2001. “Status and Summary Report on OHV Responsible Riding Campaign,” prepared for the Colorado Off-Highway Vehicle Coalition.

upslope as erosion below undercuts and causes the collapse of soil upslope. Depending on the relative weakness of the soil and other local site factors, the area affected by an OHV's passage can spread and grow over time to cover an area much larger than the tracks initially left by the OHV. The erosion effects of OHVs are inherently likely to be several levels of magnitude greater than those of similar numbers of hikers, cyclists, or skiers, for example, because the OHV without the rider typically weighs a couple hundred pounds (for OHMs), up to 900 lbs (for ATVs), or even several tons (for ORVs); and because that tremendous weight is coupled with powerful engines, aggressively-treaded tires, and a tendency of operators to gun the engines and spin wheels intentionally.

Noise pollution - OHV noise legally may approach 99 decibels at a distance of 20 inches from the muffler, according to the DNR's 2002-03 Recreational Motor Vehicles Regulations, at p. 13. This volume is considerably greater than the typical volume associated with average street vehicles such as a typical car or pick-up truck (i.e., those not intentionally modified with "glass pack" mufflers designed to magnify and make the engine/throttle noise heard at great distances). When revved and running, OHVs can be heard at great distances up to and over two miles. Even if a single OHV could be heard only within a radius of one mile, it still has a "soundshed" – the area where people and wildlife are affected by its noise – of 3.14 square miles (area = πr^2 , with the radius = 1 mile). When a single OHV travels 33 miles (the average length of a preferred ride for ATVers and OHMers, according to the DNR's Genereux Study) on a trail, in the course of a 2 or 3-hour ride, it affects all the people and wildlife within an area of 69 square miles (33-mile long x 2-mile wide soundshed, plus a semi-circle on each end with a radius of 1 mile). Hikers, cyclists, canoeists, etc., simply do not generate the sustained high-volume noise of an OHV. A moderately noisy hiker might be heard over a distance of 100 yards at most (if talking exceptionally loudly), and thus the entire area affected on a 10-mile day-long hike would be about 1.15 square miles (600-foot wide x 10-mile long soundshed, plus a semi-circle on each end with a radius of 300 feet), or just 1.7% the area affected by an ATV. Because this calculation assumes, too conservatively, that OHVs can be heard only at or within distances of one mile, the actual comparison of soundsheds is, in reality, far more unequal. Hence, scores of non-motorized users could use the same area of state forest in a given day without noise disturbance and possibly without ever knowing the others are present, while a single OHV operator would intrude upon the experience of them all.

Non-native noxious invasive weed spread – OHVs are highly effective vectors for the spread of non-native noxious invasive species. For example, a motor vehicle driven through a few feet of spotted knapweed can pick up 2,000 seeds on the vehicle frame, undercarriage, and any mud that may attach to the vehicle, and will spread 90% of those seeds over the course of a 10-mile drive. See "Montana Knapweeds: identification, biology, and management. 2001. Circular 311. Montana State University Extension Service," electronically-attached as, "knapweedbulletin.pdf". The plants germinating from the resulting swath of invasive seed spread will then lead to foreseeable secondary invasive seed spread downwind and/or downstream. In contrast, hikers, cyclists, canoeists and other non-OHV recreationists generally avoid becoming mud-caked and travel shorter distances, and as a result their innate capacity to spread the seeds of noxious non-native invasive weed species is lower than that of OHVs. The cost of controlling noxious non-native invasive weed species in Minnesota is enormous. The bill is paid by taxpayers, counties, private landowners, the U.S. Forest Service, and the state. There is no doubt that OHV riding increases the number of non-native noxious invasive species in the state and the county, the rate of those species' spread, and hence the monetary and ecological costs of weed spread and control activities, like herbicide spraying and mechanical control.

Wildlife disturbance, reduced reproductive success, and increased mortality – "Motorized vehicle traffic can cause a visual or audible disturbance to some species of wildlife. If this occurs during a critical breeding time, it may cause nest or territory abandonment and lead to decreased fecundity rates. ... Increased levels of access to the Forest can also facilitate the illegal killing of wildlife species." EA at p. 16.

In sum, the combination of inherent abilities (to do more damage, travel longer distances, and

² According to DNR figures, there were over 250,320 registered ATVs in December, 2006, excluding ATVs registered for agricultural uses only, and ATVs used exclusively on private lands. See electronically-attached document, titled "DNRtotal_registrations through2006.pdf"

³ State forests proposed to be in the state-defined "Managed" category (routes open unless posted closed) include: Beltrami Island, Bigfork, Blackduck, Cloquet Valley, Grand Portage, Sturgeon River, totaling 705,000 acres of land currently in DNR Division of Forestry management. Twenty-nine forests totaling 1,265,432 acres have been reviewed and of those, 25 totaling 1,211,984 acres have been proposed to be managed for some form of OHV recreation, leaving just 53,448 acres in four state forests (plus generally small pieces of many others) proposed to be "closed" to OHVs.

affect larger areas with their various effects) to disturb people and damage the environment make OHVs the most intrusive and inherently destructive form of outdoor recreation on Minnesota public lands. For these reasons, and for all the additional reasons elaborated upon in the DNR's draft assessment document cataloging the environmental effects of OHVs, OHV recreation requires the most intense management oversight – monitoring, maintenance, repair and enforcement – devoted to any form of outdoor recreation.

This is particularly true given the amplifying interaction between OHVs and non-native invasive species. These two top threats combine in ways that exacerbate the environmental damage each is capable of doing on its own.

6f

IV. OHVs Are More Powerful Vectors For The Spread Of Non-Native Invasive Species Than Non-Motorized Forms Of Recreation Or Highway-Licensed Vehicle Traffic.

As already mentioned briefly above, OHVs are highly effective vectors for spreading non-native invasive species. The National Association of Counties passed a resolution in July 2003 regarding OHV management on public lands, asking federal land managers to require OHVs to stay on designated roads, trails, or in limited off-road areas. One of the primary motives for the resolution is that “[t]he range and ability of [OHVs] to access remote public lands have ... helped to spread noxious and invasive weeds, have resulted in conflicts with other recreation users, ranchers, hunters, wildlife, and have caused environmental damage.” Likewise, “construction and use of new motorized trails for ATVs, as well as cross-country ATV travel, would contribute to the spread of terrestrial NNIS.” Chippewa and Superior National Forest Plan FEIS (Forest Plan FEIS) at 3.3.7-5. “Limiting vehicle or OHV access,” is an action that would help minimize earthworm invasion. Chippewa National Forest Plan, page 2-31.

In addition to the fact mentioned above – that OHVs typically travel distances that are many times farther than the distances traveled by other recreational visitors – OHVs often travel back and forth from types of areas that are often infested with non-native invasive species (e.g., roads, road shoulders, road ditches, gravel pits), and areas that are relatively free of non-native invasive species (e.g., remote areas well away from roads, or areas accessible only by illegally traveling past gates and signs barring motorized traffic). The combination of travel in areas likely to be highly infested and areas more likely to be intact native plant communities heightens the capacity of OHVs to spread non-native invasive species to new and highly sensitive areas. Other forms of terrestrial recreation do not involve the same scale or frequency of mixing travel in infested and non-infested areas.

Furthermore, when OHVs travel across the landscape into non-infested areas, they not only carry non-native invasive species propagules (seeds, plant parts capable of vegetative reproduction, insect egg cases, or worm cocoons, e.g.), they also tend to physically remove or beat down existing vegetation and disturb the soil, creating a good medium in which the introduced non-native invasive species propagules can become established. According to the U.S. Forest Service, “[n]on-native invasive species are most likely to spread into areas where ground disturbance has occurred. Sources of weed dispersal include OHV use on roads, trails, utility corridors, gravel pits, wildlife openings, landings, and old skid paths. Non-native invasive species near infested trails or utility corridors have the highest likelihood of spreading because of OHV use.” EA at p. 16. Hiking and other forms of terrestrial recreation are far less likely to involve as frequent or severe disturbance of existing vegetation and soil as OHV riding does.

OHVs are more powerful vectors than highway-licensed vehicles because OHVs have the ability to (and do) go cross-country and over mounds of dirt, between boulders and trees, through streams, up hills, through wetlands and even across rivers and ponds. In Minnesota, the experience has been that regardless of prohibitions, signs, gates, trenches, mounds, and educational efforts, OHVs regularly go cross country, over or around obstacles designed to keep them out of certain areas, and generally choose to go into sensitive resource areas. Once an OHV enters these sensitive resource areas, soil, vegetation, and hydrological damage is unavoidable, and significant damage is very likely. And, though less apparent than the other types of damage like erosion, significant ecological damage also occurs through the spread by OHVs of non-native invasive species. Highway-licensed vehicles, in contrast, do not generally drive past gates, road closures, or off of roads and into wetlands, across streams, up hillsides, through rivers and ponds, while OHVs do all of these things predictably. For this reason, administrative closures of roads are not enough to protect sensitive resource areas and buffers, particularly when closures are so often in close proximity to other areas that are open to OHVs. The proximity of closed areas to open areas invites violations.

Field survey work has demonstrated very low effectiveness of road closures using berms, signs, boulders, gates, etc. The Chippewa National Forest recently studied effectiveness of road closures and found only 60% of the closures

were effective. Accordingly, whenever it is important to keep OHVs out of and away from a sensitive resource, it cannot be presumed that administratively barring OHVs from the individual route that leads up to or through a sensitive resource will protect that sensitive resource.

6g

V. The DNR Presumes A Larger OHV User Base, And Thus A Larger Demand For OHV Driving Opportunities, Than Exists Or Is Likely To Exist Within The Foreseeable Future.

A. The public land OHV driving set is much smaller than presumed.

Reciting the number of registered OHVs and the growth in the last decade or two gives the impression of explosive growth in OHV numbers in Minnesota, and suggests that such wild growth might continue into the future. DNR staff and the public should not be misled to believe that the current figures for total registrations represent the number of riders who demand roads and trails on public lands, much less on this Forest.

It is a mistake to consider anticipated growth in motorized recreation without first putting the current level of activity in perspective. The great preponderance of OHV riding in Minnesota is ATV riding, as 91% of all registered OHVs are ATVs. As a group, OHV users represent a small subset of the state's population. According to the 2004 Outdoor Recreation Participation Survey of Minnesotans, a January 2005 report commissioned by the Legislative Commission on Minnesota Resources, ATViing off-road is a pastime practiced by a relatively small 10% percent of Minnesotans, and all ATV riding activity in Minnesota accounts for just 1.8% of the recreation days in the state, annually. See electronically-attached document: "OutdoorRecreationSurvey2004_report.pdf," Tables 7 and 8, at pp 28-29.

If 10% of the Minnesota population climbs onto an ATV in the course of the year, only about 5% ever ride on public lands. According to the July, 2001 study prepared for the DNR by John P. Genereux, titled "An OHV Recreation Planning Tool Based on: A Survey of Resource Managers; and A Survey of [OHV] Riders in Minnesota" (hereinafter, "DNR's Genereux Study"), "over one-half of the ATVs registered for recreation in Minnesota are not being used in [public] forests." DNR's Genereux Study at p. 55 (emphasis added). Accordingly, though 250,320 ATVs were registered at the end of 2006,² less than 125,000 are likely used on any public forest lands. Part of the reason for this drop is that many owners of OHVs do not want to ride on public lands, and ride instead on private lands. The Genereux study found, in fact, that most of those who do ride in state forests have other places where they could ride: "74% of ATV riders own or rent land where they can ride ATVs and other OHVs." *Id.* (emphasis in original). Of course, some ATVs are used by more than just the owner, which explains why it is possible to reconcile the Genereux data (only ~125,000 ATVs are ever ridden on public land) with the 2004 Outdoor Recreation Participation Survey of Minnesotans (10% of Minnesotans ever ride an OHV). Taken together, the data suggest that 5% of Minnesotans may ride an ATV on public lands in the course of a year, and that they share some of the 125,000 ATVs that are ever driven on public lands.

Most of those who do ride on public lands do so for very limited purposes, and only a few times a year, at most. A fairly small minority of riders accounts for the bulk of all ATV riding. The ardent recreational riders are a smaller subset of the small minority of Minnesota citizens who ride OHVs on public lands. When total riding activity is measured, measures often fail to account for the fact that the riding activity is not uniform across the riding population. Again, according to the DNR's Genereux Study, "10% of all ATV owners accounted for 57% of all forest riding on ATVs...." In other words, 60% of the riding was being done by 10,000 ATV riders." Since registered ATVs have not quite doubled in number since the Genereux data were collected, it would be generous to say that as many as 20,000 ATV enthusiasts account for 60% of all public-lands ATV riding in Minnesota. *Id.* at p. 55 (emphasis in original).

Rather than a monolithic group demanding vast networks of roads and trails throughout Crow Wing County state forest lands, the population of OHV riders is split into at least two groups and is far less categorical in its desires. According to the DNR's Genereux Study, there are perhaps 20,000 hard-core riders who claim to speak on behalf of a much larger group of OHV owners, and who have very great expectations of what the National Forest system owes them and their machines. A second group, larger than the more extreme motorized advocates, is still just half the size of the total number of registered ATVs because – again, according to DNR data – half of the registered OHVs are never ridden on public lands. This larger group is far less emphatic or single-minded than the rider clubs. Furthermore, most of those in this larger group who do drive OHVs on public lands do so infrequently, often for hunting or utilitarian reasons.

B. In important populations, OHV users are still far outnumbered.

Even among hunters, who are somewhat more likely to ride ATVs than the overall Minnesota population, the vast majority remain non-motorized. A super-majority (78%) of Minnesota’s 475,000 deer hunters do not use an ATV in any way when hunting, according to the most recent Minnesota data available, a January, 2002 survey report conducted for the DNR by Responsive Management, titled, “Minnesota Deer Hunters’ Opinions and Attitudes Toward Deer Management” (2002 DNR Deer Hunter Survey), at pp. 15-18. Only 21% of deer hunters use an ATV in some way, with the most common primary use (50%) being for the retrieval of a deer carcass from the kill site to the hunter’s home or vehicle, and the second-most common use (33%) being to get to and from hunting areas.

The same pattern is seen in Minnesota’s population of small game hunters. According to DNR data from 2001, only 13% owned an ATV, and though that number is likely to have increased somewhat in the interim, it is clear that the great majority of small game hunters do not own an ATV. Source: DNR Jan. 2001. Unpub. Data. Bureau of Information, Education & Licensing, St. Paul, MN 55155.

According to best information available, therefore, OHV users of Minnesota public lands are not a monolithic group with identical interests and desires for recreational trails on public lands, despite the contrary message demanding public lands trails put out by the organized rider clubs. As a group, OHV users represent a small subset of the state’s population, and many of those riders seldom ride on public lands. Those who occasionally ride on public lands represent about 5% of the Minnesota population, according to one state-funded study, but most of those OHV users drive for very limited purposes a few times a year. The most ardent recreational riders who make the greatest demands for access to more roads and trails on public lands form a subset within a subset, and amount today to perhaps 20,000 hard-core riders, statewide.

OHV recreation demand on public lands is far less than is often suggested. The DNR should not exaggerate the demand coming from the motorized community by making the mistaken assumption that all registered OHV owners want the public lands roads and trails desired by the most ardent OHV club members.

C. OHV registrations show declining growth and may be reaching a plateau.

While OHV driving is many times more popular and publicly available than it was 10 years ago, the growth in those registrations is slowing. Rather than increasing exponentially, it appears that OHV driving is approaching a point seen with snowmobiles, where the number registered each year fluctuates but has generally stabilized. This is one reason why, rather than planning for a vast expansion in the amount of OHV driving, National Forests should be planning for and paving the way for a rationalization and greater effective management over the amount of OHV traffic, rather than attempting to inflate OHV traffic levels on the Forest. See electronically attached document, “ATV Registration Trends.xls”. The rate of growth in OHV registrations has been dropping steadily since 2002, with growth dropping to 5% in 2006, the lowest rate of growth in more than 10 years. OHV registration growth will likely continue falling, perhaps becoming negative within the next decade or sooner.

6h

VI. Recreation Opportunities In Minnesota Are Inversely Proportional To Recreation Activity And Demand.

“There is a need for places where public lands provide core habitat that is not regularly disturbed by recreational machines, places spared from massive intrusion of convenience-oriented sportsmen.” Richard Eggert, “Fish and Hunt the Backcountry.” In Minnesota, this latent need is large, and those who suffer it wish that it would be met.

According to Superior National Forest figures assembled from state and federal data, in Minnesota, statewide recreation measured by number of participants is predominantly non-motorized (26:74 motorized:non-motorized yearly; 21:79 motorized:non-motorized non-winter recreation only). Measured by number of recreation visitor days, recreation statewide is again predominantly non-motorized (31:69 motorized:non-motorized yearly; 28:72 motorized:non-motorized non-winter recreation only).

While non-motorized uses represent the great majority of outdoor recreation, the great majority of lands are managed to allow motorized recreation. Statewide, across all ownerships and all management categories (i.e., including all WMAs, state and federal parks, federal Wilderness Areas, etc.) the ratio of public lands management with regard to OHVs is 76:24 motorized:non-motorized. *Id.*

Less than 5% of Minnesota State Forest Lands that have been through the DNR’s OHV management decision

process are proposed to be or have been decided to be “Closed” to ATVs; 96% of the state forest acres in DNR Division of Forestry management are located in state forests that provide thousands of miles of forest roads, minimum maintenance roads (typically former logging roads) and designated trails for OHVs. In addition, since legislative changes made in 2005, thousands more miles of undesignated trails are also legally ridden by ATVs on most state forest lands north of U.S. Highway 2, as the DNR has chosen to place most (56% of the forest acres reviewed by DNR thus far) into the most heavily-motorized, “open unless posted closed” management category. DNR data compiled by MCEA for 29 State Forests reviewed by DNR between July 2003 and August 2006; full data to explain summary data are available upon request.³

The general public is not satisfied with the severe imbalance in public land management with regard to OHVs. This level of dissatisfaction can be gauged by suggestions of opening up still more areas that have long been off-limits to OHVs, like state parks. In a DNR document titled “2001 Minnesota State Park Visitor Survey Summary Report,” survey data are reported on Minnesotans’ views toward ATVs in state parks, and arguably other park-like settings. There was not much treatment of OHV use in the survey, but one question directly on point asked about the provision of opportunities, presumably in or near to the parks, for OHV riding. No other proposal was so strongly opposed by Minnesotans. Seventy-five percent of Minnesotans are opposed to providing more OHV riding opportunities in state parks (61% vehemently so), whereas only 8 percent favor such a proposal, for a ratio of 7.5:1 opposed. When looking only at those who strongly oppose and strongly support such an idea, the contrast is still more stark (61% strongly opposed and 4% strongly supporting), for a ratio of over 15:1 opposed.

Moreover, the strong opposition is not limited solely to park-like settings, but presumably should be extended to include other such areas on National Forest lands as developed campgrounds and higher OML roads, where OHVs are presently prohibited. A more general statement of public dissatisfaction with the overwhelmingly OHV-motorized bias on public lands can be read in the DNR’s last general purpose public satisfaction survey. There, again not surprisingly, the single most disagreed-with statement was, “The DNR should establish more sites on public land for motorized off-road vehicle recreation.” See electronically-attached document titled, “DNR-Awareness_satisfaction_Survey Results.pdf” at p. 4 and Appendix Table 4.

The vast majority of all Minnesotans who recreate on public lands do so in traditional, non-motorized fashion. Most among this majority seek a high-quality outdoors recreation experience. Many people are being imposed upon and pushed out of public lands that they heretofore enjoyed, by the saturating effects of OHVs, which now are inescapable across many parts of the public lands base in Minnesota.

VII. OHV Driving Conflicts And Is Incompatible With All Other Recreational Activities On Public Lands Except Snowmobiling; And Unlike Snowmobiling, OHV Use Occurs During Most Of The Year.

The mixing of motorized recreation, particularly driving ATVs, leads to very significant amounts of conflict with nearly all other recreational uses of public land, as is explained in the most recent Wisconsin State Comprehensive Outdoor Recreation Plan (SCORP), a federally-submitted state planning document that represents the state’s most recent and highest level assessment of recreation compatibility and conflict:

See electronically- submitted document “WIS_2005-10_SCORP_CHAPTER_4.pdf”; also at http://www.dnr.state.wi.us/planning/scorp/plan/WIS_2005-10_SCORP_CHAPTER_4.pdf . The Plan did not consider the Wisconsin SCORP, and does not address the consequences of this inherent and strong incompatibility between ATVing and all other activities except snowmobiling. One important consequence of this fundamental incompatibility between ATV driving and all other activities but snowmobiling is that access afforded to OHVs (higher degrees of penetration of the landscape by OHV trails) represents access taken away from those who desire a higher quality non-motorized recreation experience, one that is less subject to conflict with OHV use.

VIII. The Proposed Plan For The Crow Wing County State Forest Lands Should Be Revised To Address Rather Than Perpetuate The Imbalance.

The Plan contains a number of proposed areas that would be managed as “Closed” to OHVs. More such areas should be proposed. They and those that have been proposed should be large enough so as to provide space in which the traditional, non-motorized outdoorsmen and women can find places to recreate away from the interference of OHVs. Several of the areas that have already been proposed should be enlarged. If those areas were laid out on the landscape to serve other protective purposes, such as protecting trout streams or other sensitive resource areas,

	<p>then taking these steps would better protect wildlife and native plant communities while addressing the latent demand for OHV-closed space. Closed areas should not all be large wetlands.</p> <p>Despite much good work apparent in the draft plan for the Crow Wing County state forest lands, there is much room for improvement. Given the extremely large amount of the forest that is wetlands and other sensitive wildlife habitat, and for all the reasons detailed above, most of the Crow Wing County state forest lands must be classified as Closed to provide a more equitable distribution of public lands with respect for incompatible forms of outdoor recreation, and so that management efforts have a higher likelihood of preventing environmental damage from occurring. Once the damage is done, it is more difficult to find and more expensive to fix – if fixing it were even possible – than DNR’s limited resources can handle. Please reclassify the Crow Wing County state forest lands to Limited.</p> <p>6k IX. <u>Additional Comments.</u></p> <p>The Plan should be amended to propose at a minimum the following additional state land parcels as closed: parcels north of Mission and adjacent to and within a two-mile radius of the existing county lands marked “closed” in that area;</p> <p>parcels adjacent to or within a mile radius of all state parks and state WMAs;</p> <p>parcels within ¼-mile of all Mississippi River shoreline;</p> <p>parcels not currently possessing any inventoried OHV routes;</p> <p>all of section 36 in the township containing Pine Center, due to substantial recently documented wetland damage;</p> <p>other parcels where wetland, stream, or significant upland soil erosion damage has been recorded, such as, but not limited to, the area around Flanders Lake; and parcels adjacent to scenic highways.</p> <p>This completes MCEA’s submission of comments on the proposed reclassification of the Crow Wing County state forest lands to “Limited.” If you have any questions, please do not hesitate to contact me.</p> <p>[Additional materials and references cited in comment letter – copy in project file]</p> <ol style="list-style-type: none"> 1. Four Threats to the Health of the Nation’s Forests and Grasslands (US Forest Service, 2004) 2. Assessing the Ecological Impacts of ATV Trail Construction and Use on Public Lands (Internal Peer Review Draft #5) (MN DNR – Ecological Services, 2002) 3. ATV Registration Trends 4. Awareness and Satisfaction Survey Results (MN DNR – Information & Education, 2000) 5. Fishing Economic Impact (American Sportfishing Association, 2001) 6. Governor’s Approach to ATV Issue (Pawlenty, 2003) 7. Economic Importance of Hunting in America (Int. Assoc. of Fish & Wildlife Agencies, 2001) 8. Criteria for Hunter Walking Trail Designation (MN DNR, 2006) 9. Montana Knapweeds (MT State Univ. – Ext. Service, 2001) 10. Minnesota Deer Hunter’s Opinions and Attitudes Toward Deer Management (Responsive Management, 2002) 11. National Assoc. of Counties Resolution on OHV Management on Public Lands (NACo, 2006) 12. National Strategy and Implementation Plan for Invasive Species Management (US Forest Service, 2004) 13. 2004 Outdoor Recreation Participation Survey of Minnesotans (MN DNR, 2005) 14. Recreational Demand and Opportunities 15. MN State Comprehensive Outdoor Recreation Plan 2003-2008 (MN DNR, 2002) 16. OHV Road Travel Access Project – Wildlife Report (Chippewa National Forest, 2007) 17. MN Boat, Snowmobile, ATV, OHM, ORV Registrations by Year through 2006 18. Framework for US Forest Service Invasive Species Management (US Forest Service, 2003) 19. Wisconsin State Comprehensive Outdoor Recreation Plan, Chapter 4
	<p>Olson, Kris & Norman</p>
<p>19a</p>	<p>We live by a county-owned gravel pit, our land abuts the county land. We have had much nuisance noise from there. Motor bikes, 4 wheelers and shooting of firearms and fireworks for hours at a time. It is only 100 yards from our house. Last year I was working in my garden and shooting of firearms was going on and I heard bullets fly by me. I called the sheriff dept. Since then the noise has improved but we are still bothered by the noise at times. There is a locked gate to the gravel pit and the bikers, etc. just drive around it.</p>
<p>19b</p>	<p>Four wheelers drive down the county and township roads. Many of the drivers are children wearing no helmets.</p>

<p>19c</p>	<p>Very disturbing. Hwy 159 was just retarred and now the bikers and 4 wheelers use it as a race course.</p> <p>Precious few nice weekends where on can sit out to enjoy ourselves and it is upsetting listening to the racket. Less noise is what we need, not more. Riding trails making much noise is not what the majority of Minnesotans want or is it necessary. Keep our rural lands quiet and the forest land a pristine as possible. People can enjoy our forest land without a loud machine.</p> <p>All this noise has to have a detrimental impact on the animals in the area. They deserve a quiet place to live and not be harassed constantly.</p> <p>If trails must be designated why not make them a mile long. Who says how long they have to be. I think the word 'must' is ridiculous. We are the public and I can't believe the rural people (the ones paying taxes and living in the area) want these trails or want to pay for the making and maintenance of them. The longer this meeting went the more disturbed I am at the wasting of my tax dollars on this project. The amount of time and work spent by county – state officials is ridiculous and can only continue to be more expensive. Let the users pay for these trails if they must be. The difference in motor vehicles and bike, horse, walking trails is a lot of NOISE. Make the ATV etc. quieter if they MUST be.</p>
	<p>Ortman, Debby & Dave</p>
<p>7a</p> <p>7b</p> <p>7c</p> <p>7d</p> <p>7e</p> <p>7f</p>	<p>Please accept these as comments regarding state forest (public areas) being open to ATV and any other motorized vehicle.</p> <p>We oppose ATV's, OHV's, HLV's, OHM's, ORV's being allowed access to ANY public lands within the entire state of Minnesota. If the DNR is going to allow them access to public lands they should at the very least be designated "limited".</p> <p>ATV's and other forms of motorized vehicles are an assault on our public lands. We have personally witnessed how destructive ATV's are on public lands in Hermantown, the City of Duluth and surrounding areas. They cause huge ruts, erosion, impacted soils, destruction of riparian zones and wetlands, and cause air and noise pollution.</p> <p>ATV's were originally designed to be used as a utility vehicle not a recreational vehicle.</p> <p>Opening more areas to motorized traffic will only increase violations, cause more environmental destruction and further destroy the very land that the DNR is suppose to be preserving for future generations.</p> <p>Enforcement is a joke. The ATV's we have observed either don't have readable license plates, they are covered in mud or they go by so fast you can't read them. The DNR can't enforce existing laws how do you plan on enforcing these laws with more trails, more motorized users and users coming in from other states?</p> <p>What we don't understand is that the DNR doesn't seem to realize that there are other users of our public lands: hikers, bird watchers, nature lovers, herpetologists, botanists, phenologists, entomologists, meteorologists, mushroom collectors, and others. How will opening these areas up to motorized use affect their outdoor experience?</p>
	<p>Palmer, Darrel (Crow Wing County ATV Association)</p>
<p>8a</p>	<p>Re: Reclassification of trails in Crow Wing County</p> <p>I am writing this letter on behalf of the Crow Wing County ATV association. Our members have been diligently working for the last several years to enhance ATV riding opportunities for both residents of Crow Wing County as well as those individuals who come to our area to enjoy the Northland and its many forms of recreation.</p> <p>Crow Wing County currently has a very limited amount of designated ATV riding trails and we are working with the Crow Wing County Commissioners to develop and build an ATV trail system that will provide riders with an experience similar to that enjoyed by the many snowmobilers who live in and also come to enjoy our area. All around us we have our neighboring counties already developing trail systems that attract ATV riders and they are gaining the economic benefits from that activity that we also need in our area.</p>

	<p>The University of Minnesota, Department of Tourism prepared a study showing that ATV riders provide approximately four times the economic benefits that snowmobile riders provide. Our area has historically supported the snowmobile industry and had benefited from the additional tourism revenues generated by these riders. Unfortunately with the lower levels of snowfall we have been receiving in our area in recent years we have seen the amount of snowmobilers coming to our area going down in numbers. More and more people are buying ATV's because they can use them virtually 12 months out of the year. We need to find ways to capitalize on this increased ATV use and attract riders to our area for the added economic benefit they can provide us.</p> <p>8b In 2005 Crow Wing County did a Community Needs Assessment. The number one priority based on feedback from residents for Trails was the development and enhancement of ATV trails. To date we have less than 50 miles of designated ATV trails to ride on in the county. Every day ATV riders pass through Crow Wing County looking for trails to ride and we have virtually nothing to provide. Local club members have worked hard since before 2000 trying to create and maintain the trails we do have. The Emily club alone has over 500 members and they keep looking for ways to work with the DNR and create more riding opportunities for their club members and others who come here to ride. In the past several months we have gained support from the Crow Wing County commissioners to assist us in the development of an ATV trail system and are looking for trail routes and riding areas.</p> <p>8c The Emily/Crow Wing County State Forest is one of the few larger areas in the county that is publicly owned and could support a designated ATV trail system. Additionally the proposed trail system that we have shared with the county commissioners has a main corridor route that would need to pass through this area if it is going to link up with the rest of the trail system that we are trying to create.</p> <p>8d Please review your classifications and provide a designated ATV trail system that would have both some riding areas within the state forest as well as a corridor system that would allow riders to ride within the park as they traverse this area instead of having to ride the ditch right of ways. ATV riders are growing in numbers every year and are here to stay. We need to address this challenge by finding areas for them to ride, developing trails that can be maintained, and having a designated well marked trail system within our county.</p> <p>If it would be more beneficial to meet with some of our members to identify specific trail sections that could be tied together to provide some longer looped trails and incorporate the corridor trails we would be more than happy to do so. Thank you for your cooperation.</p> <p>Crow Wing County ATV Clubs</p> <ol style="list-style-type: none"> 1. Central Minnesota Wheelers (Ft. Ripley area) 2. Cuyuna Range Iron Riders (Crosby area) 3. Over The Hill Gang (Emily area) 4. Pine Center Sportsman Club (Pine Center area) 5. Central Lakes Riders Club (Merrifield Area)
	<p>Palmer, Darrel (2)</p>
	<p>Per our discussions at the meeting on June 21, 2007, and as follow up to my earlier e-mail of June 7, 2007, I am enclosing a Crow Wing County map that has been highlighted to show the proposed ATV trail system that we as the Crow Wing County ATV Association have been working on with Mr. Lowell Jaeger of your office and the Crow Wing County Commissioners. We view this trail plan as a 10-year plan and are working with the county to have it sponsor the system as a grant in aid trail.</p> <p>21a The expanded work area encompasses areas that we would be looking at having an ATV trail corridor through and as such would need to be modified to encompass these trails. We have filed a trail application with the Crow Wing County Trails sub committee and have been assured by Tom Cowell at the June 21, 2007 meeting that this trail corridor would be allowed through the expanded work area. We are also wanting some sort of a small loop within this area to allow ATV riders an area to ride without having to always ride in the ditches. We are not locked in to a specific route but would like to see some sort of a loop that is approximately 25 - 30 miles of trail if possible.</p>

	<p>Please be sure that these comments and the map are added to the public comments on this proceeding.</p> <p>[A Crow Wing County highway map with clubs' suggested routes to be considered as ATV trails over the next 10 years was attached to the comment letter and is on file with project records.]</p>
	Regan, Michael
9a	<p>I have owned a cabin on Greer Lake, adjacent to the Crow Wing State Forest, for the past 30+ years, and have hunted deer in that area with a group of eight close friends for the same period. During the hunting season, we have regularly hunted on public land adjacent to what is now the state snowmobile trail, a portion of which is situated along the NE shore of Greer Lake. I believe that your map designations for these trails are #s 768, 884, and 765. This trail was once a logging/fire road which has always been, and still is, easily accessible to pick-up trucks, and we have used it during hunting seasons to remove deer we have taken. Our use has been without damage to either the trail or the surrounding forest.</p> <p>Within the last several years, I, and my neighbors, have noticed the increasing use of this trail by ATV riders, most often it seems from people using the DNR campground at Greer Lake. Many of these (especially younger) ATV riders often operate these machines at high speeds and in an often reckless manner which may subsequently damage the condition of the trail. It is understandable then, why the DNR recently posted these trails for no motorized vehicle use other than snowmobiles.</p> <p>As the part of the classification and designation process for the Crow Wing and Emily State Forest areas, please consider the possibility of signage that that permits the use of unmodified, street-legal vehicles to access these trails, even if only during hunting seasons. While the designation of “no motorized vehicles except snowmobiles” does accomplish the immediate purpose trail protection by denying use to all vehicles other than snowmobiles, it also prohibits the recreational use of these trails for other legitimate reasons.</p> <p>After reading the proposed designation plan in more detail, it would seem that either a <i>limited</i> trail classification allowing HLV use for hunting and trapping, or <i>closed</i> minimum maintenance road classification which would also allow HLV use, would adequately address the uses described here.</p> <p>While it is reasonable to expect hunters to walk to their hunting sites, this is often difficult for older hunters with age-related physical impairments, as is the case with many of my group. I have congenital osteoarthritis and have already had both hips replaced, which makes walking long distances over rough ground dangerous and difficult. Further, the retrieval of deer taken is almost impossible without motorized transport.</p>
	Shaw, Edward
10a	On the always hot ATV trail issue, I would strongly urge a close unless posted open policy, and no expansion of trails. It seems like a minority of people around here who ride ATVs are dominating the public land and causing serious habitat destruction, etc, not to mention the impact on non-motorized users.
10b	
	Sorenson, Mason
11a	<p>I have been hunting with my father and a group of close friends for 26 years in the same area near Greer Lake in Crow Wing State Forest. As I'm sure you will understand, these years of memories are very precious. As we all age, the opportunity to continue our yearly hunting trips for as long as possible becomes increasingly important to us.</p> <p>Unfortunately, it will be very difficult for us to continue hunting on this land should the primary logging/fire road be restricted to exclude motor vehicles, as has been proposed. Without the ability to use this road, it will simply not be possible for us, particularly the older members of the group, to haul out our deer. While younger hunters could be expected to walk to and from their hunting sites, even they would struggle with retrieving their deer without a vehicle. And it seems a true shame to restrict legitimate access to a group of individuals who have grown up hunting on this land and using it responsibly.</p> <p>I certainly understand why the DNR has looked to restrict the road. Over the last 26 years, I have seen the damage done by excessive ATV use. However, the road was in fine shape until the ATVs came in, and so could clearly handle the likes of our small group to reach and return from our deer stands.</p> <p>I propose that the road be restricted from ATVs, which are clearly the source of the problem, and that appropriate use of “regular” vehicles—even if only during the hunting season—be permitted. Thank for you for this opportunity</p>

	to comment.
	Sorenson, Mason (2)
12a	Thank you for your reply seeking to clarify the specific trails I discussed in my letter. The trails that I have been using for the past 26 years are located in "Section 36", and which are situated adjacent to the east-north-east shore of Greer Lake and identified by the number 768, and also those connected trails identified by numbers 884 and 765.
	Wannebo, Larry
	Expanded Work Area Letter to DNR – Emily and Crow Wing State Forests
	<p>Here are my comments for the record regarding the classification of the Crow Wing and Emily state forests and for the approximately 18,000 acres of Crow Wing County tax-forfeited that have been included as part of what you call the Expanded Work Area (EWA).</p> <p>Summary: The Crow Wing SF should be limited with some additional areas closed, the Emily SF should be classified as closed and the county lands outside of the statutory boundaries of the state forests should be deleted from the plan.</p>
13a	<p>1. The Emily SF should be closed because it is a very wet forest. Intensive summer ATV use of logging roads created for winter use in this forest will not be sustainable. Open routes in this forest will entice ATVers and mudder trucks to leave the designated routes and seek the challenge of man and machine experience in the valuable wetlands. There is a preponderance of evidence in Minnesota and in other states that approved trails for motorized recreation simply become access to sensitive areas.</p> <p>The lakes and creeks adjacent to this small state forest should be protected from damage by keeping ATV, OHM and mudder truck use at least 1/2 mile from the shores, especially from Emily and Ruth Lakes and from the connecting river. This reasonable buffer would eliminate OHV use from the route that starts in the middle of this state forest and runs to the shore of Emily Lake. At a minimum, this route should be closed.</p> <ol style="list-style-type: none"> Designated routes on the inventory map extend from the SF to Crow Wing County tax forfeited lands that are also full of wetlands and should be classified by as closed to ATVers by CWC. With the exception of about two miles of minimum maintenance road criss-crossing the Emily SF, the other trails segments in the area of the Emily SF are short, dead-end trail segments ending at wetlands. The reason that there are no higher standard minimum maintenance roads between the Emily SF and Road #106 is because the area is too wet for use except by logging trucks on frozen ground in the winter. ATV clubs have promised to “connect the dots” between the short segments of inventoried trails on this map. If the DNR and CWC inventory standards stopped these segments where they did, then how will the clubs create trail connections without further damaging wetlands and sensitive areas?
13b	<p>2. County lands outside of the statutory boundaries of the State Forests should be excluded from this plan because there is no direct management or financial benefit for these lands to be included in the expanded work area. Crow Wing County has the authority to declare these lands to limited or closed.</p> <ol style="list-style-type: none"> According to DNR Lowell Jaeger and CWC lands administrator, DNR conservation officers will not enforce OHV laws on the county lands and trails in the EWA that are outside of the statutory boundaries of these two state forests. Likewise, CWC will not receive funding for maintenance, monitoring and restoration of damage areas on county lands. Funding for these issues may come through ATV club grants, but grants will not fully cover these administrative costs. CWC and the clubs can access these same grants even if CWC lands are excluded from the EWA plan; so again, there is no benefit for county lands to be part of the Expanded Work Area Plan. Please include as part of my comments the attached e-mail to Tom Cowell, and his reply, that shows that CWC is not prepared to address the management of the county lands in the EWA. Without addressing these important questions, how can the DNR, CWC and the public make informed decisions on the use of public lands by ATVs?
13c	<p>3. The designed ATV route in the Greer Lake area, adjacent to a Crow Wing Co. designated hunter hiking trail system will give rise to user group conflicts.</p> <ol style="list-style-type: none"> This ATV route provides access to the Greer Lake Camp Ground. This campground and area has a long tradition of non-motorized use. This ATV route will displace the traditional users from this quiet campground and DNR public boat access. Designation of the ATV trails near Greer Lake ignores the DNR standards that include consideration of

<p>13d</p> <p>13e</p> <p>13f</p>	<p>historical use of other user groups.</p> <p>4.The vast ATV trail system that would be designated along the Mississippi, Miller Lake and Cole Lake again brings intensive ATV use to a sensitive natural resources area.</p> <ol style="list-style-type: none"> The townships and cities in this area are on record with Crow Wing County in opposition to an increase in ATV use in this area. Especially ill advised are the routes that come within a half-mile of the Mississippi River. Citing the documentation that ATVers and off-roaders are attracted to water, these ATV trails that run along the Mississippi River and the west shore of Cole Lake entice ATVers to violate public waters. <p>5. Unlike many of the other state forests in the DNR classification process, Crow Wing County has a limited amount of public lands with the fastest growing population in central Minnesota. I would like the attached to be included as part of the official record.</p> <ol style="list-style-type: none"> CWC has about 2 acres of public land for every resident as compared to 25 acres of public land for every resident of Cass County and 39 acres of public land for every resident in Aitkin County. CWC public lands are scattered with few large contiguous areas of public lands. The proposed ATV trails in this EWA plan fragments public lands for a use that is disapproved by the majority of the people in Crow Wing County. The inventoried ATV trails in this EWA plan dissect most of the larger areas of public land in CWC, making it impossible to locate solitude areas and wild areas for other user groups. <p>Public land management groups in Minnesota and across the country, and polls of Minnesota citizens have repeatedly supported more restrictive standards for ATVs and OHVs on public lands. The have repeatedly cited the negative impacts on our water resources, the inability to enforce ATVers, the high cost of sustaining ATVers on public lands and the displacement of other user groups in their disapproval of ATVers on public lands.</p> <p>Yet, this DNR-CWC Expanded Work Area plan ignores both the scientific and public opinion facts, including many DNR studies, of the negative impacts of ATVers on our natural resources. Before you pass this plan on to the DNR commissioner, the DNR work team has an opportunity to draw a line in the sand that reflects the unique and limiting situation in Crow Wing County.</p> <p>Thank you and the team for all of your work.</p>
<p>Wannebo, Larry (2)</p>	
<p>14a</p> <p>14b</p>	<p>Tom & Mark, CC: Jon Henke, Parks Chair May 4, 2007</p> <p>I am gathering facts and information on the State Forest Expanded Work Area and hope you will provide insight into some question areas.</p> <ol style="list-style-type: none"> Enforcement - Will the DNR COs provide OHV enforcement on CWC land inside the SFB? Is there a special enforcement plan written for this area? Estimate the number of hours of enforcement required Enforcement - Will the DNR COs provide OHV enforcement on CWC land outside the SFB but within the EWA? If not, who will? Is there a special enforcement plan written for this area? Estimate the number of hours of enforcement required Plan(written) and Funding- On the CWC land in the SFB, who will pay for and who will write the plans for: Trail development Signage, gates, berms Maintenance Monitoring Enforcement Legal work Liability insurance Staff time of CWC Maps and website postings Environmental assessments Wetland and waters protection Plans(written) and Funding- On the CWC land outside the SFB but within the EWA, who will pay for and who

	<p>will write the plans for:</p> <ul style="list-style-type: none"> Trail development Signage, gates, berms Maintenance Monitoring Enforcement Legal work Liability insurance Staff time of CWC Maps and website postings Environmental assessments Wetland and waters protection <p>5. How many acres of state and county lands are impacted by the miles of roads and trails in the Proposed Route Designations chart on page 2 of the draft:</p> <ul style="list-style-type: none"> If you allow a 500 foot buffer on each side of routes open to OHV use If you allow 1,320 foot buffer on each side of routes open to OHV use <p>6. Can the public petition for an EAW/EIS on the county land in the plan:</p> <ul style="list-style-type: none"> For county land within the SFB For county land outside the SFB but in the EWA <p>7. How will the land dept. and parks department share the responsibilities on the needs listed in #3 and #4 above?</p> <ul style="list-style-type: none"> What is your estimated annual number of hours required for county staff to manage OHV use on CWC TF lands? Will additional staff be required? <p>Sorry to dump all of these questions on you but it seems to me that these are some basic questions that require answers before the county board, departments and the public approve of the plan for the Crow Wing and Emily SFs.</p>
	<p>Weyhrauch, Rick</p>
<p>15a</p>	<p>It is with great surprise that I have just today learned about plans by the state and county to redesignate parts of the Crow Wing State Forest for ATV use.</p> <p>I have bow hunted in the Wildlife Management Area along CR 3 for most of my life. It is mind boggling to me that anyone would even think that a WMA is a logical place to put an ATV trail.</p> <p>I realize that often times the big picture makes smaller decisions seem logical. But I would sure hate to be the government official who has to answer to the press when this gets play in the local media.</p> <p>The Crosslake Comprehensive Plan is all about protecting the environment. It is that way because that is what the citizenry wants and asked for. If the brain trust that put this reclassification plan together thinks the Crosslake Community will take this lying down, God help them!</p> <p>15b</p> <p>As of now, nobody knows about this. No word was given to those in close proximity. I know because I live near another trail in Ideal Township which I have used for walking my dogs and mountain bike riding for years. This trail is being decimated by ATVs now and soon will not be able to be used by any other stakeholders. It too needs to be protected and not reclassified.</p> <p>I urge you to stop the trail reclassification in Ideal Township and Crosslake so these beautiful resources can be used by many, not a just a few.</p>

RESPONSE TO TOPICS OF CONCERN

Related comments were grouped together into topics prior to developing an agency response. Some topics are of a general nature (e.g. State Forest Management Objectives, Preferred Motor Vehicle Use Classification) while others are site specific (e.g. Trail by Geer Lake). Comments that expressed a concern or opinion but that were not directly pertinent to the classification or road/trail use designation were assigned to a miscellaneous category.

For each of the topics a succinct summary of the concerns was prepared. This is followed by a list of all the comments that were grouped under the topic (with hyperlinks to the original comments). The agency response to the topic is then presented.

Forest Management Objectives

Summary of Concerns

There are a variety of opinions about appropriate management objectives and uses of State Forests. Some feel that State Forests should be preserved as relatively undisturbed natural areas. Others emphasize the utilitarian aspects of forests. Several comments mention that the DNR should provide opportunities for both motorized and nonmotorized recreation. The comments reflect the passion that the commenters have for natural resources and their preferred forms of outdoor recreation.

Comments on This Topic

[1a](#), [3b](#), [5a](#), [6a](#), [7a](#), [7f](#)

Response to Concerns

The DNR manages State Forests within the policy guidelines established in state statutes. The statutory policy for State Forests is *multiple use, sustained yield* management of forest resources. State forests are actively managed to provide a range of goods and services, including outdoor recreation. State Forests are not, by statutory definition, designated wilderness or solitude areas. They host a mix of commercial, industrial, and resource management activities that are generally inconsistent and incompatible with wilderness or a “wilderness-like” experience (e.g., timber harvest, motorized recreation, wildlife habitat manipulation, mining, prescribed fire, tree planting, fuelwood and bough harvest, etc). State Forests are roaded and accessible, and have traditionally hosted a mix of motorized and non-motorized recreational opportunities. The multiple use management policy does not require that all uses be allowed on every acre of forest land. It allows a mix of management emphases across the State Forest system. Several of the comments indicate confusion regarding the differences between State Forests and other management unit designations such as State Parks. State Parks (and other DNR management units such as Wildlife Management Areas, State Trails, and Scientific & Natural Areas) have different statutory management policies than State Forests. The other units generally preclude management for OHV recreation.

The DNR will continue to manage State Forests within the statutory guidelines. Current statutory direction is to move to a ‘closed unless posted open’ policy for OHV use within State Forests located south of US Highway 2 (*MN Laws 2003, Chapter 128* as amended). Some comments ([3b](#), [7f](#)) mis-characterize the proposal as ‘opening’ forest lands to motorized recreational use. The existing condition is that all existing routes are ‘open unless posted closed.’ The proposal will result in some forest lands being closed to motor vehicle use and closing undesignated routes to all motorized use except that allowed under the hunting and trapping exceptions permitted by *MN Statutes 84.926*.

Classification of State Forest Lands with Respect to Motor Vehicle Use

Summary of Concerns

These comments generally expressed a preference for one of the motor vehicle use classifications (*closed, limited, managed*). Some of the comments requested changes in the classification proposed in the draft plan for specific parcels of forest land.

Comments on This Topic

[4a](#), [4c](#), [6b](#), [6c](#), [6j](#), [6k](#), [7b](#), [10a](#), [13a](#), [15b](#), [18a](#)

Response to Concerns

The motor vehicle use classification of state forest lands provides the framework for designating routes for use by various types of motor vehicles. The classification also determines whether or not the hunting and trapping related uses allowed under *MN Statutes 84.926* will apply on the land. The potential classifications for state forest lands in Crow Wing County are *closed* and *limited*. Under current law (*MN Laws 2003, Chapter 128* as amended) the *managed* classification requested by comment [18a](#) is not allowed since Crow Wing County is located south of US Highway 2. Both the *closed* and *limited* classifications generally require motor vehicles to stay on designated and signed forest roads and trails. The *closed* classification precludes the designation of OHV trails and does not allow motor vehicle use of non-designated routes under the hunting and trapping exceptions. The *limited* classification

allows, but does not require, the designation of OHV trails and allows operation under the hunting and trapping exceptions.

The draft plan proposed a *limited* classification for the majority of state forest lands in Crow Wing County. This allows designation of suitable and sustainable routes as roads or trails to provide motorized access and allows motor vehicle use under the hunting and trapping exceptions. The *limited* classification is also the classification most compatible with Crow Wing County's management objectives for the majority of its forest lands. The *closed* classification was proposed for parcels of state forest land where resource conditions or non-motorized trail designations made motor vehicle use, including use related to hunting and trapping, unsuitable or undesirable. Many of the parcels proposed for a *closed* classification have a high proportion of wetlands or riparian areas; known populations of rare species or species of concern; or are small parcels surrounded by private lands and have limited or no public access.

Comment [6c](#) argues that the hunting and trapping exceptions allow unsustainable levels of motorized use of non-designated routes and cross-county travel by Class 1 ATVs and that as a result more forest lands should be classified as *closed*. In 2005 the legislature moved the hunting and trapping exception that was in State Rules into *MN Statutes 84.926* and expanded the exemption to allow licensed big game hunters and trappers to use highway licensed vehicles on undesignated routes in *limited* forests when engaged in certain activities in conjunction with hunting and trapping at certain times of the year. Use of motor vehicles on non-designated routes and cross-country travel is still prohibited in *limited* forests by those who are not licensed big game hunters or trappers involved in specified hunting- and trapping-related activities. Those operating motor vehicles under the hunting and trapping exceptions are still subject to the prohibitions on causing rutting, erosion, or damage to trees. The DNR feels that the levels of legitimate motor vehicle use under the hunting and trapping exception is sustainable on most forest lands. DNR field managers can proactively close individual non-designated routes that are damaged by motor vehicle use. The DNR provides opportunities for those who prefer non-motorized hunting experiences on WMAs and can designate areas of state forest land where the hunting and trapping exceptions do not apply if conditions warrant. The DNR does not feel that changes to the proposed forest classification is warranted at this time.

Comment [13a](#) requests that the Emily State Forest be classified as *closed* due to the prevalence of wetlands and the potential that OHVs will leave designated roads and trails and cause damage. The DNR feels that the *limited* classification is appropriate since the Emily State Forest boundary is not easily recognized on the ground and the classification should be consistent with that of other state and county forest lands in the expanded work area. The DNR feels that the proposed minimum maintenance forest roads can sustain use by highway licensed vehicles and OHVs. Motor vehicle use of undesignated routes is prohibited except under the hunting and trapping exceptions.

Comment [6k](#) requests that state forest lands within specified buffers of ¼ to 2 miles around WMAs, State Parks, the Scrub Oak area, the Mississippi River, and areas that have been damaged by OHV use in the past be classified as *closed*. When the proposed change in classification from *managed* to *limited* or *closed* becomes effective motor vehicle use will generally be restricted to roads and trails that are signed as open. The main difference between *limited* or *closed* is related to motor vehicle use under the hunting and trapping exceptions. The DNR tries to use boundaries that are clearly identifiable on the ground (e.g., rivers, lakes, roads) to define areas where the hunting and trapping exceptions are not allowed. The DNR will use maps, signs, and public education efforts to implement the change to 'stay on signed roads and trails' management framework. Arbitrary buffers around features do not produce identifiable boundaries for areas where the hunting and trapping exceptions do not apply.

Recreational Demand Trends

Summary of Concerns

Comments cite a number of studies or surveys and offer opinions on the relative demand for and supply of motorized and non-motorized recreational opportunities.

Comments on This Topic

[6g](#), [6h](#), [8b](#), [10b](#), [13e](#), [13f](#), [17a](#)

Response to Concerns

The DNR considered the relative availability of various types of outdoor recreational facilities in and around Crow Wing County when developing the forest classification and road/trail designation proposals. There are designated

non-motorized trails for a variety of activities including hiking, cross country skiing, horseback riding, bicycling, and hunting in Crow Wing State Park, Cuyuna Country State Recreation Area, Pillsbury State Forest, Paul Bunyan State Trail, county and city parks, and WMAs. There are also designated snowmobile and ATV grant-in-aid trails in Crow Wing County and designated trails for ATVs, OHMs, and ORVs in the nearby Land O' Lakes and Foot Hills State Forests.

State forest lands are typically more utilitarian oriented and more open to motor vehicle use than other types of DNR administered lands. The draft plan calls for classifying 3,741 acres of state forest land as *closed* and designates trails on state forest land for hiking and hunter walking uses. Non-designated routes on state land are available for non-motorized use but are not signed, mapped, or managed and there is the possibility of encountering motor vehicles being operated under the hunting and trapping exceptions on non-designated trails. Neither state statutes nor DNR policy set a standard for the percent of forest land to be allocated for motorized or non-motorized uses or minimum distances for separation of motorized and non-motorized uses. The DNR considers recreational demand surveys and studies when making forest classification and road/trail designation recommendations but does not use formulas or set goals based on the percent of population participating in various activities when designating recreational trail uses. Resource conditions; location within the state; and types and distribution of existing recreational facilities are other factors that were considered.

The public review draft of the plan published in April 2007 identified a "Site for Potential ORV Trails" located adjacent to the Cuyuna Country State Recreation Area. A policy provision in the 2008 – 2009 budget bill enacted in May 2007 prohibits the DNR from developing trails primarily for ORVs in Cass, Crow Wing, and Hubbard counties without legislative approval (*MN Laws 2007, Chapter 57, Article 1, Section 26*). Given the new law, the proposed evaluation of the site for ORV trail development will be eliminated from the plan. The proposed designations of the existing routes on the site will not change.

Environmental, Social, and Economic Effects of OHV Use

Summary of Concerns

These comments focus on the environmental, social, and economic effects – both positive and negative – related to OHV use. Environmental impacts mentioned include soil compaction, displacement, erosion, and sedimentation; noise; and air pollution. Positive effects mentioned include the enjoyment provided by well developed and maintained trails; and the economic effects related to outdoor recreation based tourism.

Comments on This Topic

[6e](#), [6i](#), [7c](#), [8a](#), [19c](#)

Response to Concerns

The DNR acknowledges that all recreational trail use carries with it the potential for unintended environmental effects. With proper trail alignment, design, construction, and regular maintenance, the DNR believes that it can provide sustainable roads and OHV trails on State Forest lands. This involves the use of stable, naturally shaped, engaging, and narrow OHV trails that encourage relatively slow travel and highlight natural features. Hardened trail treads will be employed where native soils cannot resist displacement and trails will be located to minimize disturbance to surface water, wetlands and other sensitive natural features. Regular trail monitoring, maintenance, and enforcement are intended to help ensure that trails do not fall into disrepair or generate unacceptable social or environmental impacts. The planning team considered environmental impacts when designating roads and trails for motorize use.

Some comments mentioned the extent or density of roads and trails designated for motor vehicle use and the noise and physical impacts that extend beyond the roads and trails. The DNR does not have a trail density standard for state forest lands. Uncertainty exists regarding the precise relationship between road/trail density and effects on various species. A direct cause-effect relationship has not been established for most species; nor have threshold density values beyond which specific impacts can be anticipated. The effects of trail density on human forest users are even less well understood, with different users exhibiting widely varying levels of tolerance for other recreational uses. Planning teams can consider trail density when making designation recommendations and can use analyses of road and trail density. The effect of the proposed road and trail designations will be a net reduction in the mileage and density of road and trails available for motor vehicle use on state forest lands in Crow Wing County.

While the DNR is concerned with the economic effects of its decisions, economic impacts are not a primary factor considered when making forest classification and road/trail designation decisions. Natural resource and social impacts were more important factors in developing the classification and designation proposals.

Non-native Invasive Species

Summary of Concerns

These comments focus on the role of OHVs in the spread of invasive species and in the creation of niches likely to be colonized by invasive species.

Comments on This Topic

[6d](#), [6f](#),

Response to Concerns

The DNR acknowledges that OHVs can serve as vectors for some non-native invasive species and that OHV use can create openings that can be colonized. Human activities other than OHV use (e.g. timber harvest, other motorized and non-motorized recreational activities, transport of firewood, highway maintenance) also spread invasive species. Non-human vectors (e.g. wind, water, wildlife) are also involved.

The DNR has developed an Invasive Species Handbook and related Operational Order 113 to help control non-native invasive species. The plant species mentioned in the comments are classified as noxious weeds that are well established in Minnesota. The DNR will:

- Monitor and manage invasive species in high exposure/risk areas (storage areas, gravel pits, trails)
- Educate hikers and users on OHVs, mountain bikes or horses to stay on the trails to minimize spread into natural areas

Trail Design and Maintenance

Summary of Concerns

These comments suggest a number of actions that would result in more sustainable and enjoyable trails.

Comments on This Topic

[4b](#), [8c](#), [8d](#)

Response to Concerns

The DNR recently published the *Trail Planning, Design, and Development Guidelines* containing best practices to provide trails that are sustainable and enjoyable. The current route designation process deals primarily with existing routes – often developed for purposes other than recreational trail use. Concepts and management practices in the trail guidelines were considered when proposing which routes would be designated as roads and trails. The DNR currently uses seasonal closures to protect trails; has active monitoring, enforcement, and reporting standards; and uses buffers between designated trails and ecologically sensitive areas as requested in comment [4b](#). The DNR does not have a policy of eliminating all dead end trails, nor has it developed specific trail density guidelines although it does leave duplicative routes non-designated. The DNR will consider future proposals for loop trails on state forest land classified as *limited* as suggested in comment 8 to complement point to point trails that may be developed in Crow Wing County.

Enforcement and Public Safety

Summary of Concerns

Many of these comments focused on the need for adequate enforcement to restrict use to designated roads and trails. Other comments addressed enforcement on county lands and ATV use on roads and road ditches.

Comments on This Topic

[2b](#), [3c](#), [7e](#), [14a](#), [19b](#)

Response to Concerns

Some of the comments imply that classifying forest lands for motor vehicle use and designation of roads and trails that will be available for motor vehicle use is ‘opening forest lands to OHV use.’ The existing condition is that

OHV use is already there on most forest lands. The current classification and designation effort provides a framework for managing OHV use on forest lands and will result in a net reduction of miles of routes available for motor vehicle use.

The DNR recognizes the need for additional enforcement effort as the OHV management framework in State Forests changes from 'open unless posted closed' to 'closed unless posted open.' It is anticipated that it will take several years to change rider habits and behavior. Public information and education campaigns will also be used to inform motor vehicle users of the changed rules. In recent years new Conservation Officer positions focusing on OHV enforcement have been created and the amount of OHV dedicated funds allocated for enforcement have increased. Annual OHV monitoring and enforcement plans are developed to focus efforts on areas with heavy OHV use, resource damage, or visitor conflict.

OHV dedicated funds have also been allocated for grants to local law enforcement agencies since 2005. The County Sheriff can apply for these OHV enforcement grants to reimburse personnel and equipment costs related to OHV enforcement. The grant funds are based on the acreage of public lands, waters, and wetlands in the county and the number of registered OHVs that list the county as the location of 'most use.'

OHV enforcement is a shared responsibility between DNR Conservation Officers and local law enforcement. The DNR focus is on state forest lands and state laws and regulations (registration, age of operator, safety). Compliance with ordinances or rules governing the use of county lands is the often the focus of local enforcement efforts. Any licensed peace officer can enforce laws related to trespass and OHV operation on public highway rights of way.

Site Specific Comments (State Lands)

Summary of Concerns

These comments addressed specific trails or parcels of state land.

Comments on This Topic

[3a](#), [9a](#), [11a](#), [12a](#), [13c](#), [15a](#) [18b](#).

Response to Concerns

Cross Lake Game Refuge ([3a](#), [15a](#)) – This area is a state game refuge, not a Wildlife Management Area as stated in comment [15a](#). The area's status as a game refuge limits the types of hunting and trapping allowed (the area is closed to small game and firearms big game hunting; it is open to trapping and archery deer and bear hunting). The game refuge status does not affect motor vehicle use in the area. The public lands within the game refuge are state forest and county forest lands and are treated like other state or county forest lands with the exception of the restrictions on hunting. Much of the land within the game refuge is privately owned. Motor vehicle use has been and will continue to be governed by State Forest rules, not Wildlife Management Area rules. Motor vehicle use is currently allowed on existing routes on state and county land under the existing *managed* classification. The classification will change to *limited* on the effective date of the Commissioner's Order on classification. The proposal is to sign some routes in the area as minimum maintenance forest roads and some as ATV/OHM trails to continue to allow motorized access to the area. Other routes will be left non-designated and will be closed to motor vehicle use except as allowed by the hunting and trapping exceptions.

Greer Lake Hunting Access ([9a](#), [11a](#), [12a](#)) – These comments request that existing routes remain open to HLV use to allow continued access by pickup to a favorite hunting area between Greer and Bass lakes. Given the requirement to change from a *managed* to either a *limited* or *closed* motor vehicle use classification, the routes in question would have to be designated as forest roads or left non-designated (open to use under the hunting exception on *limited* lands) to allow continued access by HLV for deer hunting. The DNR did not propose designating the routes as forest roads because they are not needed for on-going resource management in the area and some of the routes are now too narrow for use by HLVs. There is also a GIA snowmobile trail through the area. DNR staff re-examined the routes in the area between Greer and Bass lakes. Some of the routes cross wetlands and are not suitable for ATV/OHM trail use. There are also concerns about having designated ATV/OHM trails in proximity to the homes along Greer Lake and other private lands near Bass Lake. The DNR will drop the proposal to designate ATV/OHM trails in the area. A short segment of existing route between the public road and the powerline south of Bass Lake will be designated as a minimum maintenance forest road to provide carry-in access to the lake. The remaining routes in the area will remain non-designated. The routes that the commenters have used will be open to HLV use

under the hunting exception and the area will also be accessible by ATV for hunting. Those using the non-designated routes under the hunting exceptions are still subject to the prohibition on causing ruts, erosion, or damage to trees. The non-designated routes will be closed to all public motor vehicle use other than that allowed by the hunting and trapping exception.

Greer Lake Campground (13c) – Both non-motorized and motorized trail uses currently exist in the Greer Lake area. The proposed designations reflect the current management objectives for the trails. The trails on county land in the Scrub Oak area will continue to be non-motorized. The forest road that provides access to the Scrub Oak area will be open to use by highway licensed vehicles and OHVs. The proposed ATV/OHM trails on existing routes on state forest lands south of Greer Lake will be signed and maintained – these routes have not been actively managed in the past although they have been used by motor vehicles. The existing GIA snowmobile trail will be maintained. Current State Forest Rules prohibit operation of non-highway licensed vehicles (primarily ATVs) on the campground loop. This rule is intended to prevent nuisance type OHV use (e.g., repeated laps around the campground).

Route #549 (20a) – This is a short segment of an existing route on state forest land within a larger block of county forest land. This route was mistakenly coded as non-designated on the draft plan map. This segment and routes #548 and #547 are part of an existing road that serves the larger block of county land. The expectation is that the portion on county land will be designated as a forest road when the county addresses its lands outside of the expanded work area. The portions on state land (547, 548, 549) will be designated as state forest roads in the Commissioner’s Order.

Merrifield Section 36 (18b) – The trail between Crystal Lake Road and Sorenson Lake Road crosses a wetland (wet portion was not shown on the inventory) and is not suitable for motor vehicle use in its present condition. Other proposed trail segments are on public highway rights-of-way and private land. The existing trails on state forest land are not suitable for designation and management as ATV or OHM trails because they dead end at private lands.

Site Specific Comments (County Lands)

Summary of Concerns

These comments addressed specific trails or parcels of county land.

Comments on This Topic

[2a](#), [13b](#), [13d](#), [14b](#), [19a](#), [20a](#), [21a](#)

Response to Concerns

Stewart Lake (2a) – This plan does not address routes on county forest lands in the Stewart Lake area since these lands are not part of the expanded work area. This plan will not change the ATV use pattern in the Stewart Lake area. The existing route inventory on county lands in the northern part of Crow Wing County is currently being updated with the expectation that road and trail designation will be done in the near future. Concerns about the current use pattern and lack of enforcement are noted.

This plan does designate existing routes on state forest land about ½ mile south of Stewart Lake as minimum maintenance forest roads. This was done to allow current uses to continue until proposals for the surrounding county lands are developed.

County Lands in the Expanded Work Area (13b, 14b, 21a) – Comment [13b](#) requests that county lands in the expanded work area be excluded from this plan (no change from status quo in classification or route designation). Crow Wing County feels that the expanded work area provides an opportunity to begin the transition from an ‘open unless posted closed’ to a ‘closed unless posted open’ framework for motor vehicle use on county forest lands. The Crow Wing County Board passed a resolution in support of this approach in 2005. The expanded work area provides a uniform approach to motor vehicle use management on the intermixed state and county lands in the area. Crow Wing County and the DNR will be responsible for implementing the classification and route designations on their respective ownerships. Comment [21a](#) concerns future designation of additional GIA ATV trails in the expanded work area. These future designations are possible given the *limited* classification of state and county lands. Future trail proposals will be subject to normal review processes.

Mississippi, Cole, Miller (13d) – This comment is probably related to a previous proposal to develop an ATV trail network or park on county land in and around Section 6 of Irondale Township. This area is outside of the expanded work area and is not covered by this plan.

This plan does propose to designate existing routes as minimum maintenance forest road on county land from the Miller Lake area to Cole Lake with a spur road in the vicinity of the Mississippi River. Other existing routes connecting to the minimum maintenance forest road will be designated as ATV/OHM trails. The remaining routes in the area will be non-designated and will be closed to motor vehicles except for use under the hunting and trapping exceptions. The routes to be signed as forest roads and ATV/OHM trails are located on upland soils and are separated from the lakes and river (although some are within one-half mile of the water bodies). Highway licensed vehicles and OHVs will be allowed on the minimum maintenance forest roads.

The forest road on state land in Section 36 leads to public water accesses on the Mississippi River and Black Bear Lake.

Nokay Township (19a) – The gravel pit mentioned in this comment is on county fee land (not county tax-forfeited forest land) and so was not specifically addressed in this plan. The area is under control of the Crow Wing Highway Department. If the area is signed and gated those using the area may be trespassing.

Miscellaneous

Summary of Concerns

These comments express a concern or opinion that is not directly pertinent to the forest classification or road/trail designation decisions that are the subject of this planning effort.

Comments on This Topic

[7d, 16a](#)

Response to Concerns

Comments noted.